

MAY 9, 1966

The City Council of the City of Idaho Falls met in a Recessed Regular Meeting, Monday, May 9, 1966, at 7:30 P.M. in the Council Chambers at Idaho Falls, Idaho. There were present at said Meeting: Mayor S. Eddie Pedersen; Councilmembers Smith, Parish, Freeman, Erickson, Wood, Nelson. Also present: Roy C. Barnes, City Clerk; Arthur Smith, City Attorney; Donald Lloyd, Public Works Director; William Fell, Electrical Engineer; Ray Browning, Building Official; Les Corcoran, Fire Chief.

Minutes of the last Regular Meeting held April 21st, 1966, were read and approved.

The Mayor recognized Mrs. William Hills in the Council Chambers, representing the League of Women Voters, and thanked her for her presence and interest.

At the invitation of the Mayor, Councilman Erickson presented a 1965 safety award to Fire Chief Corcoran in behalf of the Fire Department for no disabling injuries within that Department during that period.

Preparatory to the presentation of awards and certificates to all City employee retiree's as of May 1st, 1966, the Mayor commented to the effect that the greatest possession of any city administration is the people within it. He said the administration takes pride in its many accomplishments which would not have been made possible except for dedicated City employees such as these who have recently retired. The Mayor then proceeded to make the awards to the following:

Edwin Bingham	Joseph Trolley	Charles Bundte
Acy M. Likes	Paul Bundte	Roy Nelson
Nick Defilippis Sr.	Fred Olsen	George E. Foster
Leslie Phillips	James Hancock	Albert Rhoades
Delva Homer	William Rushton	Stanley King
Abraham Simpson	James Warren	Ben Crowley

Most of the employees, listed above, were present and there were a few who, voluntarily and speaking for the group, acknowledged the awards and expressed appreciation for their long years of employment service with the City.

At the request of the Mayor, the City Clerk read the following:

Masonic Lodge
Eagle Rock Lodge #19
P. O. Box 2491
Idaho Falls, Idaho
April 18, 1966

Mr. Aden Hyde, President
Board of Trustees
Idaho Falls Public Library
Idaho Falls, Idaho

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Dear Mr. Hyde:

We have given consideration to the inquiry in your letter of April 6 to Mr. Ernest Anderson respecting the interest of this Lodge in selling its property at 252 North Eastern Avenue. A considerable number of our members are residents of Idaho Falls and have an interest in the improvement and advancement of our community. We wish to commend the members of the Board of Trustees for their efforts to provide an expanded and improved library facility. Yes, we do have an interest in selling our property to the City of Idaho Falls for library purposes, providing a mutually satisfactory agreement can be reached.

Even with our civic interest we must consider from a somewhat materialistic point of view the effects which would result from a determination to sell. Our foremost need of course would be a replacement facility adequate to accommodate the more than ten affiliated and concordant bodies using our present building. The financing and constructing of a building suitable to meet our needs is not a simple matter.

As you may or may not know this Lodge is chartered by the Grand Lodge, A. F. & A. M. of Idaho and its financial transactions are subject to the approval of that body. Any action we would propose to take in the sale, replacement, financing or constructing of a building would require such approval. Historically such approvals have been granted only after thorough investigation and determination that the proposed action was financially sound and adequately safeguarded. You will thus appreciate that we would have to assure adequate provision for and financing of a replacement building before sale of our present property could be consummated.

Recognizing these aspects of our action to favorably consider sale of our property to the City we have a committee at work on the problem of financing and providing a replacement. While we find the problem of considerable magnitude it is not insurmountable. We would appreciate having our representatives meet with you to discuss the matter. We would consider \$200,000 as a reasonable point from which negotiations could proceed.

Sincerely,
s/ D. A. Burkhalter
Master
s/ Charles M. Rogers
Secretary

cc: Mayor of Idaho Falls
Idaho Falls City Council

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Mr. Jack Weitfle, Member of the Masonic Lodge Building Committee, appeared before the Council as spokesman for the Lodge members, some of which were also present, and asked to clarify the fact that the suggested offering price of \$200,000, mentioned in the letter, may or may not be considered a fair appraisal. He said he could assure the Council, however, that it at least was sufficient so that there would be no dissenting vote registered from local members of the Grand Lodge pertaining to the sale of the property. He said that offering price was determined as a means of getting negotiations started without being immediately faced with protests from any minority group. He said he would expect that the City Council proceed in the usual and conventional manner of obtaining an independent appraisal on the property. The Mayor referred the matter to the Library Board and thanked Mr. Weitfle for his presentation.

Councilmember Smith reported that the Council Committee, with the assistance of the City Attorney has by now, had an opportunity to get background material on the Ben Lomand request for a building permit to construct a drive-in restaurant within the Roy H. Bennett Shopping Center. She said they had not as yet had an opportunity to study a plot plan of the development and noted that this was required by Ordinance. She urged that a Council decision be made at the next regular Council Meeting. It was moved by Councilmember Smith, seconded by Councilman Wood, that a final Council Committee recommendation pertaining to the drive-in be forthcoming at the next regular Meeting, subject to a plot plan being submitted and studied by the Planning Commission and also subject to a Planning Commission recommendation if this can be accomplished by that time. Roll call as follows: Ayes, 6; No, none; carried.

Councilmember Smith, noting that the William Hatch rezoning had been recessed until this night, informed the Council that Mr. Hatch was still out of the City and that his attorney had asked for further recess. It was moved by Councilmember Smith, seconded by Councilman Wood, that this portion of a previous zoning hearing be further recessed to June 7th, 1966. Roll call as follows: Ayes, 6; No, none; carried.

Councilman Wood, noting that the Harry Hawkins ambulance contract had expired, moved that the City Attorney be directed to prepare another one with identical terms and conditions as the previous one. This was seconded by Councilmember Smith. Roll call as follows: Ayes, 6; No, none; carried.

Bills for the month of April, 1966, having been properly audited by the Finance Committee, were presented in caption form as follows, to-wit:

<u>FUND</u>	<u>GROSS PAYROLL</u>	<u>SERVICES & MATERIALS</u>	<u>TOTAL EXPENDITURES</u>
General Fund	\$105,558.59	\$87,408.57	\$192,967.16
Fire Bonds	28,454.99	1,699.73	30,124.72
Water & Sewer Fund	11,303.78	35,451.18	46,754.96
Electric Light Fund	26,853.54	55,464.98	82,318.52

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Recreation Fund	508.25	182.61	690.86
Police Retirement Fund	<u>2,234.45</u>	<u>.00</u>	<u>2,234.45</u>
<u>TOTAL FUNDS</u>	\$174,913.60	\$180,177.07	\$355,090.67

It was moved by Councilman Parish, seconded by Wood, that the bills be allowed and the Controller be authorized to draw warrants on the respective funds for their payment. Roll call as follows: Ayes, 6; No, none; carried.

Reports from Division and Department Heads for the month of April, 1966, were presented and, there being no objection, were ordered placed on file in the office of the City Clerk.

License applications for BARTENDER, Mervin A. Cook, Fred Bischoff, Gail Hammons, Wanda Hart, Audrey Croy, Kermit Purcell, Floyd Murray, Jax C. Goodwin, Merrill Ingelstrom, James Ingelstrom, Dorothy Johnson Lehman, Merle C. Stenquist, Von McAtee, Gayle Scheets, LaVere Jones, Jr., Vernell Leavill, V. Arthur Peterson, Georgene N. Foreman, Carolyn Ansberger, Ralph Ingram, Dianne J. Crawford, C. B. McNeill, Dean D. Bloxham; DANCE HALL, Vernon Scheets for Stardust Restaurant, Charles R. Jachette for Hawaiian Supper Club, J. W. Banks for Hub Bar, Howard W. Hanson for Holiday Service, Inc.; ELECTRICAL CONTRACTORS, Gilbert R. Shaw with Johnson Service Company; JOURNEYMAN ELECTRICIAN, Owen Bergen, Lionel Wold, Gilbert R. Shaw, Billy W. Wade, Alfred Holyoak; APPRENTICE ELECTRICIAN, William Johnson with Imperial Electric, Erwin E. Wirkus with A. L. Brown, Jerald Oakey with Oakey Electric; SECOND HAND STORE, J. I. McBroom for Ken Garff Furniture; CAB DRIVER, Robert L. Bunch with Yellow Cab Company; PHOTOGRAPHERS, Steve L. Green at 1154 Lake, Diane Sielinsky at 1646 Westwood; RESTAURANT, Dean and Ellen Campbell with Dog House, Thora L. Dennis with Turf Café, Mrs. Leo Larsen with Western Amusement, Mrs. Robert Wilkinson with Bob's Arctic Circle, Mrs. Robert Wilkinson with Bob's Arctic Circle, 780 Broadway, Paul Saito with Mary's Café; CLASS D APPRENTICE GAS FITTER, Larry E. Rily with Snake River Van Gas; DAIRY, Stuart Pugmire with Eastern Idaho Dairy, Helen Purcell with Purcell Dairy; MOTEL, L. R. Bird with Kruse Motel, A. L. Clement for Cleveland Auto Court, E. R. Holden with Green and White Cabins, David C. Ward for Northridge Industries, Inc., DBA Flamingo Motel; BEER (TRANSFER OF NAME ONLY), from Harry W. Parker to Ray Metcalf for Turf Bar, from Sybil O'Toole to Sybil O'Toole and M. Grant Kunz, were presented. It was moved by Councilman Erickson, seconded by Freeman, that these licenses be granted, subject to the approval of the appropriate Division Directors were approved. Roll call as follows: Ayes, 6; No, none; carried.

This memo from the Purchasing Department was read:

CITY OF IDAHO FALLS
Office of the Purchasing Agent
May 6, 1966

One (1) ½ Ton Pickup Cab & Chassis Only

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Honorable Mayor and Councilmembers:

Tabulation of bids for one (1) ½ ton pickup cab & chassis only is attached.

Evaluation of bids received show Ellsworth Brothers Inc. of Idaho Falls submitting the low bid with trade-in of \$1,269.80, without trade-in \$1,619.80.

It is the recommendation of the Police Department and the Purchasing Department that the low bid with trade-in be accepted.

This recommendation subject to your approval.

s/ W. J. Skow
Purchasing Department

It was moved by Councilman Erickson, seconded by Freeman, that the low bid of Ellsworth Brothers be accepted as recommended. Roll call as follows: Ayes, 6; No, none; carried.

Another memo from the Purchasing Department was presented as follows:

CITY OF IDAHO FALLS
Office of the Purchasing Dept.
May 2, 1966

1800' Chain Link Fence

Honorable Mayor and Councilmembers:

Tabulation of bids for 1800" chain link fence is attached.

Evaluation of bids received show Mountain States Fence Company, Inc. of Salt Lake City submitting the low bid of \$3,519.00.

It is the recommendation of the Golf Course and the Purchasing Department that the low bid be accepted.

This recommendation subject to your approval.

s/ W. J. Skow
Purchasing Department

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It was moved by Councilman Nelson, seconded by Freeman, that the low bid from Mountain States Fence Company be accepted as recommended, subject to formal checking by the appropriate Council Committee. Roll call as follows: Ayes, 6; No, none; carried.

From the Public Works Director, this memo was submitted:

CITY OF IDAHO FALLS
City Hall, Public Works
May 9, 1966

TO: Honorable Mayor and City Council
FROM: Donald F. Lloyd
SUBJECT: "E" STREET (C-27-f)

Plans and specifications have been completed for the "E" Street development between Yellowstone Avenue and Shoup Avenue. The estimated cost of this construction is \$6,300.00. We therefore request authorization to advertise for competitive bids for this project.

Respectfully submitted,
s/ Don F. Lloyd

It was moved by Councilman Nelson, seconded by Parish, that authorization be granted to advertise for bids. Roll call as follows: Ayes, 6; No, none; carried.

Next, from the Public Works Director, the following was presented:

CITY OF IDAHO FALLS
City Hall, Public Works
May 9, 1966

TO: Honorable Mayor and City Council
FROM: Donald F. Lloyd
SUBJECT: RAILROAD PARKING LOT (C-33-b)

Plans and specifications have now been completed for the second phase of the railroad parking lot development. We are therefore, requesting authorization to advertise for bids.

The estimated cost is \$12,800 for the retaining wall and chain link fence.

Respectfully submitted:
s/ Donald F. Lloyd

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Design Engineer Rance Bare appeared and submitted a specimen sample of the suggested surface. For purposes of beautification, it was recommended that this be a cobble stone effect with contrasting color. It was noted and understood that this particular material would not prohibit any interested contractor from bidding. It was moved by Councilman Parish, seconded by Nelson, that authorization be granted to advertise for bids. Roll call as follows: Ayes, 6; No, none; carried.

This memo from the Building Official was presented:

CITY OF IDAHO FALLS
Building & Zoning Division
April 27, 1966

MEMO TO: Mayor and City Council
Idaho Falls, Idaho

Gentlemen:

I would like to present for your consideration, Mr. Duane Mitchel, construction designer, as the new member of the Heating & Cooling Board, to replace Mr. Donald Landon, who is retiring from the Board. Mr. Mitchel's appointment was approved by the Heating & Cooling Board on April 26, 1966.

Respectfully submitted,
s/ Ray Browning

The Mayor proceeded to make the appointment accordingly. It was moved by Councilmember Wood seconded by Smith, that the appointment be confirmed. Roll call as follows: Ayes, 6; No, none; carried.

Next, from the Building Official, the following was presented and read:

CITY OF IDAHO FALLS
Office of the Bldg. & Zoning Div.
April 22, 1966

MEMO TO: Honorable Mayor
and City Council

The Adjustment Board recommends to the Mayor and City Council that Section 4-26 N. "Fences", Ordinance #1115, be referred to the Planning Commission for further study.

s/ Ray Browning
Building Official

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It was moved by Councilmember Wood, seconded by Smith, that this section of the Zoning Ordinance be referred to the Planning Commission as recommended, with the understanding that Richard Poitevin, joint member of both groups, and perhaps one or more members of the Council be present and explain to the Planning Commission specifically, the proposed amendment and the reason for same. Roll call as follows: Ayes, 6; No, none; carried.

Finally, from the Building Official this memo was presented:

CITY OF IDAHO FALLS
Office of the Building
and Zoning Division
April 26, 1966

MEMO TO: Mayor and City Council

We would like to present at your next Meeting, an Appeal by Mr. Glen W. McMurray of a decision made by the Board of Adjustment on the following appeal, April 18, 1966:

APPEAL: Presented by Glen W. McMurray, 589 Water Avenue.

PURPOSE: Requests permission to remodel existing dwelling to use as three (3) offices. No parking available on the lot. As for off-street parking, refer to attached letter from William M. Cox, 125 South "L" Street, San Burnadeno, California, for authority to use the vacant lot to the west for the required parking. Parking lot is 77' X 50'. (Office floor area 1700 sq. ft. will require six (6) parking spaces.)

BOARD ACTION: This appeal was denied for the following reason: Ordinance #1115, Section B-3, Page 25:

- B. The Board of Adjustment may authorize the Zoning Administrator to permit off street parking space to be located off such lot if:
 3. A lease for a term of not less than five (5) years to use the substitute parking space can be secured by the appellant, or else the substitute parking space is owned by the appellant.

Respectfully,
s/ Ray Browning
Building Official

Mr. Mc Murray's written appeal was then read by the City Clerk, as follows:

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Glenn W. McMurray
Idaho Falls, Idaho

BASIS OF APPEAL

The area in question: The East 62½ feet of Lot 12, Block 26, original town-site of Idaho Falls (appeal for conversion to office space) and the West 77 ½ feet (in the custody of Glenn W. McMurray for use as parking area.)

I appeal the action of the Adjustment Board as being NOT JUSTIFIED in denying the appeal based on: "#3. A lease for a term of not less than five (5) years to use the substitute parking space can be secured by the appellant, or else the substitute parking space is owned by the appellant."

I claim that I have met the lease requirement as I have an authorization based on indefinite custody of the parking area for the paying of the taxes and maintenance of the property - that this type of arrangement has existed for 9 years (since 1957) thus establishing a precedent and the Board is NOT JUSTIFIED in assuming that this does not constitute an adequate 6 year lease for the future.

I further contend that the conditions that maintained the back property in an unsold statue still exist and the City (rather than setting up road blocks) should encourage the association and eventual reuniting of this property.

In support I present the following information:

1. The back half of Lot 12 is inadequate to meet parking and building specifications alone.
2. The present price Mr. Cox has placed on the back half of the property is prohibitive.

For the future I represent the logical leaser or purchaser of the property in fact within the City Building and Zoning Code they should be and probably will be forced to reunite.

I recognize that Mr. Cox can and has the right to place any value on his property that he chooses - the one he has placed on it coupled with the zoning and building requirements have and will continue to keep the property unsold making my custody agreement a long term arrangement. When Mr. Cox or subsequent events bring the value of the property within a

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normal appraisal range (if my finances permit at that time) I feel they will be rejoined permanently.

Again, I feel that this arrangement is not prohibited by the City Code but should be encouraged as an advantage to the City and myself.

Mr. McMurray appeared and admitted that he could understand the Board of Adjustment's decision on this matter, because, technically no written lease existed between he and Mr. Cox. Mr. McMurray emphasized the fact, however, that, in his opinion, he had the equivalent of a lease by virtue of the fact that, for the past nine years, he had been paying taxes on the property, maintaining it with indefinite custody over it. The City Attorney noted that it would be within the right and power of the Council to interpret the zoning ordinance but that, in the event an interpretation, in this case, was made to permit Mr. McMurray to use the Cox property, without lease, for off street parking, they should be prepared to permit other variances of a similar nature for others. After some discussion, it was moved by Councilmember Wood, seconded by Smith, that action on this matter be deferred until the next Council Meeting with the understanding that, in the interim period, the Ordinance be studied for possible amendment. Roll call as follows: Ayes, 6; No, none; carried.

The following communication was then read:

U. S. Department of Commerce
Special Census Office
May 3, 1966

Honorable S. Eddie Pedersen
Mayor, City of
Idaho Falls, Idaho

Dear Mayor Pedersen:

I take pleasure in making the following preliminary announcement for your Special Census:

PLACE: City of Idaho Falls
PRELIMINARY COUNT AS OF CENSUS DATE, April 20, 1966 IS 35,455
POPULATION AS OF APRIL 1, 1960 WAS 33,161

While this figure is preliminary and subject to review, it is believed to be substantially correct. If you believe that any residents have been omitted from the enumeration, or if you have any criticisms, please inform me at once by written communications, so that the matter may receive prompt attention and investigation. If, after my investigation and resolution of these

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problems, you feel there remains evidence of incomplete enumeration, such evidence must be submitted in writing to the Director of the Census, Washington, D.C., 20233, by May 15, 1966.

If no communication is received by the date indicated, we will proceed with the final tabulation of your census.

The official certification of population will be made at a later date by the Director of the Census, and will be sent to:

Sincerely,
s/ Milton E. Allred
Special Census Supervisor

No Council action was considered necessary. The Mayor urged that any known instances of citizens who had not been counted should be properly brought to the attention of the Census Authorities.

The City Clerk drew attention to the need for a public zoning hearing. It was moved by Councilmember Smith, seconded by Wood, that same be scheduled for June 7, 1966, and the City Clerk be authorized to publish notice accordingly. Roll call as follows: Ayes, 6; No, none; carried.

There being no further business, it was moved by Councilman Freeman, seconded by Wood, that the Meeting adjourn. Carried.

ATTEST: s/ Roy C. Barnes
CITY CLERK

s/ S. Eddie Pedersen
MAYOR
