

MARCH 8, 1966

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The City Council of the City of Idaho Falls met in Recessed Regular Meeting, Tuesday, March 8, 1966 at 7:30 in the Council Chambers at Idaho Falls, Idaho. There were present at said Meeting: Mayor S. Eddie Pedersen; Councilmembers Smith, Freeman, Parish, Wood, Nelson, Erickson. Also present: Roy C. Barnes, City Clerk; Robert Fanning, representing the City Attorney Firm of Albaugh, Bloem, Smith & Pike; Pete Hill, Airport Manager; LaWayne Chapman, Personnel Director; Don Lloyd, Public Works Director; Luther Jenkins, Controller.

Minutes of the last Recessed Regular Meeting, held February 24<sup>th</sup>, 1966, were read and approved.

The Mayor recognized Mrs. J. P. Lyons in the Council Chambers, representing the League of Women voters, and thanked her for her presence and interest.

Mr. Jack Campbell of the Norman Studios, Hollywood California, appeared before the Council. He explained that, as an itinerant photographer, he had been operating in this City several days and had made a photographer's license application on March 7. He explained, further, that he would have made application sooner except for the fact that he was of the impression that his last license, acquired in May of 1965, was for a full year from that date. He asked for early Council approval of his 1966 license application so that he could proceed with his planned activities. It was moved by Councilman Parish, seconded by Erickson, that the license application be granted, subject to the approval of the Police Committee. Roll call as follows: Ayes, 6; No, none; carried.

Mr. J. H. Elliott, 1604 Cranmer Avenue, appeared before the Council. He noted that, at the last Council Meeting on February 24<sup>th</sup>, a decision had been reached pertaining to his fence and that his appeal for consideration of an amendment to the zoning ordinance had been denied. Mr. Elliott protested the manner in which this matter was handled. He said he had not been invited to the Council Committee Meeting, neither had he been advised that the subject was to be discussed and a decision reached at that Meeting. He said the zoning ordinance as pertains to back yard fences was discriminatory against 12% of the citizens of the City, inasmuch as there are approximately that many who have fences of a similar nature or type. He noted that he had received an order from the Building Official to correct his fence by March 14<sup>th</sup> and informed the Council this would be impossible due to the present condition of his health. Mr. Elliott said he had perused the Board of Adjustment minutes for the past two years and had found almost identical situations where variances had been allowed. He noted that the appeal had been turned down on the grounds of safety and beautification and protested this rezoning. He argued that a three foot fence would have been approved by code and that no more of a safety hazard was created by his six foot fence. As for beauty, he argued that this is a matter of opinion and that which is not considered beautiful by some is considered beautiful by others. Councilman Wood said the Council was aware of the many comparable fences and said that, in his opinion, any deviation from the code should be by variance rather than by amending the ordinance. Asked about the neighbors' feelings toward his fence, Elliott said they had all verbally approved of it. Councilman Nelson reminded Elliott that Comprehensive Zoning Ordinance #1115 was designed for the benefit of the majority and that no discrimination was intended. Councilman Wood, with general Council concurrence, directed Mr. Elliott to reintroduce this request for a variance to the Board of Adjustments through the medium of a petition signed by all near-by residents and that Mr. Elliott be invited to attend the meeting when the matter is considered by that Board.

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

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<u>FUND</u>	<u>GROSS PAYROLL</u>	<u>SERVICES &amp; MATERIALS</u>	<u>TOTAL EXPENDITURES</u>
General Fund	\$100,711.62	\$78,597.01	\$179,308.63
Fire Bonds	30,558.20	2,918.88	33,477.08
Water & Sewer Fund	9,516.77	20,311.22	29,827.99
Electric Light Fund	27,733.96	69,668.59	97,402.55
Recreation Fund	730.26	215.27	945.53
Police Retirement Fund	<u>2,234.45</u>	<u>.00</u>	<u>2,234.45</u>
 <u>TOTAL FUNDS</u>	 <u>\$171,485.26</u>	 <u>\$171,710.97</u>	 <u>\$343,196.23</u>

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

License applications for BARTENDER, Marlene Thueson, Jimmy Lee, Clara Ray, Rex Dick, Ann Landon, Geraldine Croft, Carole A. Moore, Mrs. Arlene Gilmore, Arlene B. Jenkins, Janice Bischoff, Mary Lou Lott, Bulah Ballard, Robert Nelson, Edna LaVerne Burke; FOUNTAIN, Skyline Drug; RESTAURANT, Sears Roebuck & Co., Stockyard Café; BEER, transfer only, Gene L. Maruo to Larry Williams, for Geno's Bar; CAB DRIVER, Frank Johnson with Falls Cab.; PHOTOGRAPHER, Rex Fletcher; ELECTRICAL CONTRACTOR, Albert Dale Nyman, George A. Cushing; JOURNEYMAN ELECTRICIAN, Milo Bowers, Kay Thurman, Lowell McMurtrey; APPRENTICE ELECTRICIAN, Don Meppen, Neal W. Pifer; MASTER PLUMBER, Wayne C. Hammond, Vern Saxton; GAS CONTRACTOR, Glen C. Brown; CLASS A CONTRACTOR, WET HEAT, WARM AIR, GAS FITTING AND REFRIGERATION, Wayne C. Hammond; CLASS D CONTRACTORS, WET HEAT, Vern Saxton Plumbing; JOURNEYMAN GAS FITTER, Glen C. Brown; CLASS C JOURNEYMAN WET HEAT AND GAS FITTING, D. L. Davis; JOURNEYMAN PLUMBER, D. L. Davis; APPRENTICE GAS FITTER, Darrel W. Olsen; CLASS D APPRENTICE, Skip Mitchell were approved. It was moved by Councilman Freeman, seconded by Erickson, that these licenses be granted, subject to the approval of the appropriate Division Directors, where required. Roll call as follows: Ayes, 6; No, none; carried.

This report from the City Clerk was presented:

City of Idaho Falls  
Office of the City Clerk  
March 8, 1966

To the Honorable Mayor and Councilmembers:  
Idaho Falls, Idaho

Please be advised that an auction sale was conducted at 2:00 P.M., Saturday, March 5<sup>th</sup>, 1966 for the purpose of disposing of certain unclaimed, impounded or surplus property.

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A good enthusiastic crowd was in attendance. Proceeds from the auction were as follows:

Miscellaneous personal property	\$ 153.50
Bicycles	362.75
Vehicles	<u>715.00</u>
Total:	\$1,231.15

Respectfully submitted,  
s/ Roy C. Barnes  
City Clerk

No Council action was considered necessary. The Mayor commended the City Clerk on the results of the auction and the manner in which it was conducted.

This letter from the Library Board was presented and read:

Idaho Falls Public Library  
Idaho Falls, Idaho  
March 1, 1966

Mayor S. Eddie Pedersen and  
Members of the Idaho Falls City Council,  
City Building  
Idaho Falls, Idaho

Gentlemen:

The Board of Idaho Falls Public Library requests that because of her unique position the services of Mrs. Dorothy C. Hickey be retained through December 31, 1966.

Respectfully submitted,  
s/ Vernon S. Johnson  
Vice President, Board of  
Idaho Falls Public Library

Personnel Director Chapman appeared and explained the problems which might arise, both from the standpoint of the employer and the employee, when retirees continue to be employed beyond normal retirement. It was moved by Councilman Parish, seconded by Wood, that authorization be granted for Mrs. Hickey to continue her employment as Librarian until December 31, 1966, subject to her being interviewed by the Mayor and Councilman Parish so that she might be properly and

completely appraised of the involved problems in this regard. Roll call as follows: Ayes, 6; No, none; carried.

A memo from the Purchasing Department was presented and read as follows:

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City of Idaho Falls  
Idaho Falls, Idaho  
March 7, 1966

One (1) Station-wagon  
One (1) 1/2 Ton Pickup

Honorable Mayor and Councilmembers:

The Purchasing Department and Fire Department request approval to advertise for bids for one (1) station-wagon with trade-in of old Plymouth unit.

The Purchasing Department and Parks Department request approval to advertise for bids for one (1) 1/2 ton pickup.

s/ W. J. Skow  
Purchasing Department

It was moved by Councilman Erickson, seconded by Freeman, that in each instance, authorization be granted to advertise for the units as described. Roll call as follows: Ayes, 6; No, none; carried.

The Public Works Director, through the City Clerk, presented the following:

City of Idaho Falls  
Public Works  
March 1, 1966

Mayor and Council  
Donald F. Lloyd  
City Participation in 17<sup>th</sup> Street Water Main

In accordance with past practices, we are recommending that the City participate in 236 linear feet of 12" water main installed late last year on 17<sup>th</sup> Street. We have discussed this policy and this particular application in detail with the Public Works Committee and are prepared to recommend the following participation:

Cost difference between 8' & 12'	@ 2.90 X 236	\$684.40
Cost difference in trees	@ 37.00 X 1	37.00
Cost difference in plugs	@ 3.65 X 1	<u>3.65</u>
		\$725.05

Plus 8%	<u>58.00</u>
Total	\$783.05

The contractor in this case was Skidmore Construction Company and we would recommend your approval for payment.

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s/ Donald F. Lloyd

It was moved by Councilman Parish, seconded by Nelson, that the City participate in the above mentioned water line in the amount as indicated. Roll call as follows: Ayes, 6; No, none; carried.

Next, from the Public Works Director, this memo was submitted:

City of Idaho Falls  
Public Works  
March 8, 1966

Honorable Mayor and City Council  
Donald F. Lloyd  
Award of Gravel Crushing Contract

On March 1<sup>st</sup> bids were received for crushing gravel for City stock pile. The bids are tabulated below:

Pickett & Nelson	\$11,250.00
Strand-Merrick Construction Co.	13,500.00
C. & M. Incorporated	17,100.00

These bids have been reviewed and we are recommending that the Council authorize the Mayor to sign a contract with the low bidder, Pickett & Nelson, in the amount of \$11,250.00.

s/ Donald F. Lloyd

It was moved by Councilman Nelson, seconded by Parish, that the low bidder, Pickett and Nelson, be awarded the gravel crushing contract as recommended. Roll call as follows: Ayes, 6; No, none; carried.

An option extension was presented which would continue the option to purchase the White Star Laundry property, adjoining the City Library, to July 1, 1966. It was noted that said extension was accompanied by a claim voucher for a cash consideration of \$100.00. It was moved by Councilmember Smith, seconded by Freeman, that the Mayor and City Clerk be authorized to sign the option extension. Roll call as follows: Ayes, 6; No, none; carried. City Controller Jenkins reminded the Council that the above mentioned expenditures was an obligation of the Library's budget.

**ORDINANCE NO. 1163**

AN ORDINANCE ANNEXING CERTAIN LANDS TO THE CITY OF  
IDAHO FALLS: DESCRIBING SAID LANDS AND DECLARING SAME  
A PART OF THE CITY OF IDAHO FALLS, IDAHO  
(WOODRUFF PARK SUBDIVISION, DIVISION NO. 2)

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The foregoing Ordinance was presented in title. It was moved by Councilmember Smith, seconded by Wood, that the provisions of Section 50-2004 of the Idaho Code requiring all ordinances to be fully and distinctly read on three several days be dispensed with. The question being "SHALL THE PROVISIONS OF SECTION 50-2004 OF THE IDAHO CODE REQUIRING ALL ORDINANCES TO BE READ ON THREE SEVERAL DAYS BE DISPENSED WITH?" Roll call as follows: Ayes, 6; No, none; carried. The majority of all the members of the Council present having voted in the affirmative, the Mayor declared the rule dispensed with and ordered the Ordinance placed before the Council for final consideration, the question being, "SHALL THE ORDINANCE PASS?" Roll call as follows: Ayes, 6; No, none; carried.

The City Clerk drew attention to certain areas in need of zoning or re-zoning consideration. It was moved by Councilman Freeman, seconded by Erickson, that a zoning hearing be scheduled for April 21<sup>st</sup>, 1966, and the City Clerk be authorized to public legal notice accordingly. Roll call as follows: Ayes, 6; No, none; carried.

Mr. Peter Hill, Airport Manager, appeared before the Council to confirm and make a matter of record certain recent informal action by the Council, endorsed by the Chamber of Commerce, authorizing the Airport Manager to appear and attend a hearing to be scheduled by the Civil Aeronautics Board known as the Western Montana Service Case, date yet to be determined, said hearing to be conducted for the purpose of investigating the improvement of air carrier service in the Western Montana, Eastern Washington, Idaho and Utah area. It was understood that this City desires service in said area from any reputable, responsible carrier. It was moved by Councilmember Smith, seconded by Wood, that this informal Council action be duly ratified. Roll call as follows: Ayes, 6; No, none; carried.

Councilmember Smith re-introduced the subject of the second phase scope of services proposal for this City's 701 Planning Project. It was noted that some financial assistance on this program was expected from nearby political subdivisions. The Mayor reported that the City of Ammon had pledged \$500.00; Bonneville County, \$1000.00 with the possibility of more; School District #91, uncommitted until additional information is received relative to benefits; School District #93, contacted, but no reply to date. Assistant City Planner Doxey said approximately four months would be required for processing a contract, after this proposal was received and accepted. It was moved by Councilman Parish, seconded by Nelson, that the Mayor and City Clerk be authorized to sign this proposal and that Mr. Rupeiks be instructed to proceed with the State Planning Agency in the drawing up of appropriate contract. Roll call as follows: Ayes, 6; No, none; carried.

Councilmember Smith reported on the Committee findings relative to the sign problem for Farr and Company. It was learned that, of the five cities contacted, two have adopted the Uniform Sign Code and a third anticipates its adoption soon. Therefore, Smith recommended and urged that the City not consider amending the code. Councilman Nelson expressed concern that approval of this variance would be precedent setting. Councilman Parish voiced an opinion to the effect that, in

the event this variance is approved, the Council should be prepared to approve similar future variances for others. It was moved by Councilmember Smith, seconded by Wood, that the Farr and Company request for a variance on a 5'6" sign be approved and that the Uniform Sign Code not be amended in this regard. Roll call as follows: Ayes, 6; No, none; carried.

Personnel Director Chapman appeared and asked that a Council decision be reached on all City employee retirees thirty days prior to May 1<sup>st</sup>, 1966. The Mayor assured Chapman that this matter would be resolved within the suggested time.

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**ORDINANCE NO. 1164**

AN ORDINANCE AMENDING TITLE 2, CHAPTER 9, SECTION 7, OF THE CITY CODE OF IDAHO FALLS, IDAHO; REPEALING THE REQUIREMENT THAT MEMBERS OF THE POLICE AND FIRE DEPARTMENTS COVERED UNDER CIVIL SERVICE MUST BE RESIDENTS OF IDAHO FALLS; PROVIDING THAT SUCH EMPLOYEES MUST BE RESIDENTS OF IDAHO FALLS, OR MUST RESIDE WITHIN BONNEVILLE COUNTY, IDAHO, AND WITHIN A DISTANCE OF TEN MILES FROM THE IDAHO FALLS CITY HALL; PROVIDING WHEN THE ORDINANCE SHALL BECOME EFFECTIVE.

The foregoing Ordinance was presented in title. It was moved by Councilmember Erickson, seconded by Freeman, that the provisions of Section 50-2004 of the Idaho Code requiring all ordinances to be fully and distinctly read on three several days be dispensed with. The question being "SHALL THE PROVISIONS OF SECTION 50-2004 OF THE IDAHO CODE REQUIRING ALL ORDINANCES TO BE READ ON THREE SEVERAL DAYS BE DISPENSED WITH?" Roll call as follows: Ayes, 6; No, none; carried. The majority of all the members of the Council present having voted in the affirmative, the Mayor declared the rule dispensed with and ordered the Ordinance placed before the Council for final consideration, the question being, "SHALL THE ORDINANCE PASS?" Roll call as follows: Ayes, 6; No, none; carried.

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

ATTEST: s/ Roy C. Barnes  
CITY CLERK

s/ S. Eddie Pedersen  
MAYOR

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