

FEBRUARY 24, 1966

The City Council of the City of Idaho Falls, County of Bonneville, State of Idaho, met in a Recessed Regular Meeting on Thursday, the 24th day of February, 1966, at the hour of 7:30 P.M. at the City Council Chambers, in the City Hall in the City of Idaho Falls, Idaho; due and legal notice of said Meeting having been given as required by law and the rules and ordinances of the City.

On roll call the following members, constituting a quorum, were present: Mayor Pro Tem Jim R. Freeman; Councilmembers Dale D. Parish, Gordon L. Nelson, Marilyn Smith, Melvin Erickson, Jack A. Wood, Jr. Absent: Mayor S. Eddie Pedersen. Also present: Roy C. Barnes, City Clerk; Arthur Smith, City Attorney; Robert Pollock, Police Chief; Luther Jenkins, City Controller; LaWayne Chapman, Personnel Director; Ray Browning, Building Official.

Minutes of the last Recessed Regular Meeting held February 9th, 1966, were read and approved.

License applications for BARTENDER, Maye Whitmore, Thelma Parson, Berna Coleman, Naomi Jean Pack, Leola Boylan, Dennis R. Stewart, Kenneth J. McCormick, Millard M. Divine, Ralph Ockerman, John V. Van Noy, Lois Ruth Butikofer, Geraldine H. Ranney, J. K. Jensen, Martha Chastain, Gene Brown, JoAnne Hansel, Alta Leonna Scott, Carol Karlson, Mary Lou Lott, Janice B. Bischoff, Marlene Thueson, Glendolyn Emery, Ann Jennings, Jo Dee Nelson, Wanda Jensen, Dean Packer; SECOND HAND STORE, ½ year for Altha Ruppert at 281 Elm Street, 1 year for Frank Lindholm at Frank's Square Deal Second Hand Store, 1 year for C. A. McGinty at Trading Post; ROOMING HOUSE, Frank Lindholm at Eagle Rock Rooms; PHOTOGRAPHERS, Robert H. Rasmussen for Town and Country Photo Service; BEER (transfer only) from Gene L. Mauro to Gary E. Falter for Geno's Bar; ELECTRICAL CONTRACTOR, John C. Siqueiros for J & R Plumbing, Elmer Holmgren for First Street Plumbing and Heating, Scott Bair for Scott Bair Plumbing and Heating; JOURNEYMAN PLUMBER, for Lyn M. Andrew and Jerry H. Anderson; GAS CONTRACTOR, John C. Siqueiros with J & R Plumbing; CLASS B CONTRACTOR, WET HEAT, WARM AIR HEATING AND GAS FITTING, Elmer Holmgren with First Street Plumbing and Heating; CLASS C CONTRACTOR, WARM AIR HEATING AND GAS FITTING, Robert Schriener with Schriener Heating; CLASS C JOURNEYMAN, WARM AIR HEATING AND GAS FITTING, for Robert Schriener with Schriener Heating; JOURNEYMAN GAS FITTER John C. Siqueiros with J & R Plumbing; CLASS A APPRENTICE GAS FITTING, WARM AIR HEATING, HOT WATER HEATING AND REFRIGERATION, Robert W. Young with American Plumbing and Heating; RESTAURANT, T. P. Grimmett with Tam's Frostop Drive Inn, T. P. Grimmett with Ray's Inn 'N Out, T. P. Grimmett with Northgate Mile Ray's Inn 'N Out, Ray Hudson with Hudson's Café, W. L. Attbery with Pizza Prince; DANCE HALL, Bettie E. Lewis with Buckhorn Gardens, were presented. It was moved by Councilman Nelson, seconded by Erickson, that these licenses be granted subject to the approval of the appropriate Division Director, where required. Roll call as follows: Ayes, 6; No, none; carried.

The City Clerk presented a carnival license application in the name of The West Coast Shows, to be conducted at the Country Club Shopping Center, June 1st through June 5th, 1966. It was explained that a precedent has previously been set with applications of this nature for waiving the code requirements and obtaining Council approval on a negotiated rate. It was moved by Councilman Erickson, seconded by Parish, that the code be waived, that this license be granted and

that the total fee for all rides and activities be set at \$50.00. Roll call as follows: Ayes, 6; No, none; carried.

FEBRUARY 24, 1966

This damage claim denial recommendation was presented and read:

General Adjustment Bureau, Inc.
Idaho Falls, Idaho
February 21, 1966

Honorable Mayor and City Council
City of Idaho Falls
Idaho Falls, Idaho

RE: Claim of Albert J. & Mary J. Micek

Gentlemen:

We have submitted this claim to Queen Insurance Company, your liability carrier. They have advised us that there is no coverage afforded under the policy for this incident as it was not accidental.

Yours truly,
s/ S. S. Kirkpatrick
Adjustor

It was moved by Councilman Parish, seconded by Nelson, that the recommendation, as stated, be upheld and the claim be denied. Roll call as follows: Ayes, 6; No, none; carried.

Through the City Clerk, this memo from the City Treasurer was presented and read:

City of Idaho Falls
Office of the City Treasurer
February 23, 1966

Honorable Mayor and City Council:

RE: State of Idaho Highway Department Assessments, Local Improvement District #24. Portion of Lot 10, Block 2, Solaria Tract and Lot 1, plus 6' of Lot 2, Block 4, Solaria Tract.

Four years ago, at the time the State Highway Department acquired the above described land for interstate purposes, the City lien on the Title Insurance was overlooked by the Highway Department.

The State now proposes to pay the principal amount of the assessments, \$587.73, without interest or delinquent charges. It has been suggested by the City Attorney, Mr. Ralph Albaugh, the City accept this offer.

FEBRUARY 24, 1966

If this course of action is taken, it will be necessary that the Treasurer be authorized to use City funds to clear the District records of \$65.23 interest and delinquent charges. Final payment of bonds and interest of the District was made in January of 1965.

Because of promised settlement of these assessments during the four years, there has been no City Tax Deed taken, thus no redemption deed will be necessary.

Your attention will be appreciated.

Respectfully,
s/ Zelda Houchens
City Treasurer

It was moved by Councilman Wood, seconded by Smith, that the principal amount of the State's assessment be accepted as recommended and that payment from the General Fund be authorized to cover the interest and delinquent charges as stated. Roll call as follows: Ayes, 6; No, none; carried.

From the Assistant City Planner this memo was submitted:

City of Idaho Falls
Office of Building & Zoning
February 24, 1966

MEMO TO: Mayor and City Council

Gentlemen:

I have reviewed the "Second Phase Scope of Services Proposal", for Idaho Falls "701" Planning Project, as submitted to the City by Val Rupeiks, of the firm of Clark, Coleman & Rupeiks, Inc.

From a planning standpoint, I feel that the second phase of this project is essential to the well-being of this community, and that it would be approved as soon as possible, so that there will be no delay between the termination of phase number one (1) and the beginning of the second phase of this planning project.

Sincerely,
s/ John R. Doxey
Assistant City Planner

It was noted that Phase II of this planning project will cost \$11,600.00 and that there is only \$9,000.00 budgeted. It was noted, further, that other near-by sub-divisions as well as the Downtown Improvement Association, had previously indicated a willingness to participate in the planning

FEBRUARY 24, 1966

project. It was moved by Councilman Nelson, seconded by Wood, that this matter be tabled until the next Council Meeting and that, in the interim period, the Mayor be authorized to contact representatives of all near-by affected and interested political sub-divisions and The Downtown Improvement Association to ascertain the extent to which they will pledge financial support to this program. Roll call as follows: Ayes, 6; No, none; carried.

This memo from the Police Chief was presented and read:

City of Idaho Falls
Office of the Police Division
February 23, 1966

TO: Honorable Mayor and City Council, City of Idaho Falls
FROM: Office of the Chief of Police
SUBJECT: AUTHORIZATION OF TRAINING

Request authorization to send Lieutenant Ralph E. Hutchens to attend the FBI National Academy in Washington, D.C. beginning March 7, 1966.

Attached is the letter of invitation from Director J. Edgar Hoover.

Lt. Hutchens has been cleared and has met the requirements necessary of applicants to the Academy. The sum of \$1,500.00 was approved in the 1965 budget for this purpose but due to the limited amount of students they can accept, no invitation was extended. This same amount was submitted in the 1966 budget for this training, which is a twelve week course.

There is a large waiting list of applicants for the FBI National Academy and we are fortunate that we had a man selected. This training will be most valuable to the Lieutenant and of material benefit to the Department and the City in general.

Your approval will be appreciated.

Respectfully submitted,
s/ Robert D. Pollock
Chief of Police

The Police Chief spoke briefly, reminding the Council that this City seldom has the opportunity nor the invitation to be represented at this academy and that there is substantial value to the Police

Department and the City to be gained from same. It was moved by Councilman Erickson, seconded by Smith, that this travel request be authorized and approved as recommended. Roll call as follows: Ayes, 6; No, none; carried.

The Public Works Director submitted the following:

FEBRUARY 24, 1966

City of Idaho Falls
Public Works
February 23, 1966

TO: Mayor and Council
FROM: Donald F. Lloyd
SUBJECT: OPTION TO PURCHASE TRACT 7 AND 8 - CRUSHED GRAVEL SITE (J-2a)

Bids are scheduled to be opened March 1 for the crushing of gravel at the City site north of Anderson Street.

The City now has an option to purchase Tracks 7 and 8 for \$9,100.00. Monies have been budgeted for this purpose and we are requesting that the Mayor and Council authorize exercising of this option in order to occupy and crush the gravel.

cc: Art Smith, City Attorney

s/ Donald F. Lloyd

It was moved by Councilman Nelson, seconded by Parish, that the option in question be exercised for the reason as stated, that the Controller be authorized to issue a warrant accordingly and that the City Attorney be directed to prepare and provide the appropriate legal documents in this transaction. Roll call as follows: Ayes, 6; No, none; carried.

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

City of Idaho Falls
Public Works
February 24, 1966

TO: Mayor and Council
FROM: Don Lloyd
SUBJECT: CANYON AVENUE WATER LINE

It is necessary to repair the existing 4' water main on Canyon Avenue from Iona to Crowley Avenue prior to new paving to be laid under L.I.D. #36. It is estimated that this contract will cost \$9,000 and we are requesting authorization for this project to be advertised.

s/ Donald F. Lloyd

It was moved by Councilman Nelson, seconded by Parish, that the City Clerk be authorized to publish advertisement for bids proposed. Roll call as follows: Ayes, 6; No, none; carried.

FEBRUARY 24, 1966

Amended lease term extension agreements were presented in favor of Hertz Rent A Car and Avis Rent A Car Companies, covering their car rental activities at the airport. It was noted that said extension was to December 31, 1968, that maximum payment to the City was 10% of gross receipts and that minimum rental was \$250.00 except for November to April when said minimum would be set at \$150.00. It was moved by Councilman Wood, seconded by Smith, that the Mayor and City Clerk be authorized to sign both instruments. Roll call as follows: Ayes, 6; No, none; carried.

Contracts were presented covering certain right of way in connection with the Fairview Street Extension Project, from Grant J. and Gail H. Smith with a cash consideration of \$1,200.00; G. Melvin Erickson and Sarah Jean Hanson, \$5,000.00; Peggy Lagos Taylor as Trustee for the Estate of Urania and Nick Lagos, deceased, \$15,000.00. It was moved by Councilman Nelson, seconded by Parish, that these acquisitions be approved in the amounts as listed and the Mayor be authorized to sign. Roll call as follows: Ayes, 6; No, none; carried.

Councilman Nelson introduced Ordinance No. 1162 entitled:

ORDINANCE NO. 1162

“AN ORDINANCE CONCERNING COSTS AND EXPENSES OF LOCAL IMPROVEMENT DISTRICT IMPROVEMENTS, CONFIRMING THE CREATION AND ESTABLISHMENT OF LOCAL IMPROVEMENT DISTRICT NO. 36 FOR IDAHO FALLS, IDAHO, FOR STREET AND ALLEY IMPROVEMENTS, APPROVING THE ASSESSMENT ROLL FOR SAID DISTRICT, PROVIDING FOR THE PAYMENT IN INSTALLMENTS OF THE COSTS AND EXPENSES OF THE IMPROVEMENTS TO BE MADE IN SAID DISTRICT; PROVIDING FOR THE ISSUE OF IMPROVEMENT BONDS OF THE DISTRICT; ASSESSING THE COST OF THE IMPROVEMENTS AGAINST THE LOTS, BLOCKS, AND PARCELS OF LAND IN SAID DISTRICT CONTIGUOUS OR ADJACENT TO, FRONTING OR ABUTTING UPON SAID IMPROVEMENTS IN PROPORTION BY SAID IMPROVEMENTS; AND PRESCRIBING THE MANNER FOR THE COLLECTION AND PAYMENT OF SAID ASSESSMENTS; PROVIDING FOR THE CREATION OF A LOCAL IMPROVEMENT GUARANTY FUND FOR THE PAYMENT OF SAID IMPROVEMENT BONDS, AND PROVIDING WHEN THIS ORDINANCE SHALL BE IN EFFECT.”

and moved that the ordinance be adopted and passed by the Council on its first reading. Motion was seconded by Councilman Wood, and the same being put to a vote, was unanimously carried by the affirmative vote of the Mayor and all Councilmembers present.

It was moved by Councilmember Smith that the rules be suspended, and that the ordinance be placed on its second and third reading, and the same be adopted, and the Clerk be instructed to publish the same as required by law, and the same being put to a vote, it was unanimously carried, the vote being as follows: Councilmembers Freeman, Nelson, Parish, Erickson, Wood and Smith.

FEBRUARY 24, 1966

ATTEST: s/ Roy C. Barnes
CITY CLERK

s/ S. Eddie Pedersen
MAYOR

The City Clerk drew attention to the need for scheduling a public zoning hearing to consider an amending ordinance which would create as R-T zone. It was moved by Councilmember Smith, seconded by Wood, that said hearing be conducted on March 24th, 1966, and the City Clerk be authorized to advertise accordingly. Roll call as follows: Ayes, 6; No, none; carried.

Reference is made to Page 361 in this Book of Minutes and a recommended change in the code pertaining to fences on alleys by Mr. John Elliott. It is to be noted that no decision was reached at that time and the matter was referred to the appropriate Council Committee and the City Attorney. Councilman Wood reintroduced the issue and said the Committee was now prepared to make recommendation. It was moved by Councilmember Wood, seconded by Smith, that the Planning Commission recommendation be upheld and the Elliott appeal be denied, based upon the elements of safety and beautification. Roll call as follows: Ayes, 6; No, none; carried.

Reference is made to Page 362 in the Book of Minutes and, more specifically, a memo from the Building Official pertaining to a request from Farr & Company for a sign too large to be permitted by code. Building Official Browning explained that the desired sign was not in conflict with the Uniform Building Code, but was in conflict with the Uniform Sign Code which this City has adopted by ordinance. Councilmember Wood read the following two letters on the matter:

Farr & Company
Idaho Falls, Idaho
February 17, 1966

Mayor S. Eddie Pedersen
City Building
Idaho Falls, Idaho

Dear Mayor:

Please find enclosed letters from Tel-A-Sign, Inc., and Wells Distributing Company who represent the Zenith Television Company, concerning the sign we purchased and want to install on the front of our building.

As you can note, over 50,000 signs of this size have been manufactured and are in use at the present time. The sign in question is four by six feet. The City regulation, disallowing use of this sign, is five feet.

Mr. Browning, of the City Building Committee, stated that the National Code is five feet. As the letter from Tel-A-Sign indicated this is not the case. Also in checking with our three other stores in Billings Montana, Ogden Utah, and Salt Lake City Utah, six foot is the limit. In

FEBRUARY 24, 1966

checking with the Chamber of Commerce of other cities of our size in Idaho and Utah I also find that six foot is the limit used by most cities.

For these reasons I again ask permission to use this sign feeling that it cannot be anything but an asset to our business and the community. Being that our building sets back six to eight inches from the sidewalk, we are actually only four to six inches beyond the present regulation.

Your immediate action on this question would be greatly appreciated.

Sincerely yours,
s/ Boyd R. Wecker
Co-Owner , Manager

Tel-A-Sign, Inc.
Chicago, Illinois
February 11, 1966

Miss Patricia G. Stevenson
Advertising Manager
Wells Distributing Company
2125 South 3rd West, P.O. Box 15415
Salt Lake City, Utah 84115

Dear Miss Stevenson:

This is to advise that by far the most popular size sign throughout the United States is a 4' X 6' unit. We have produced for the Zenith Sale Corporation alone in excess of 5,000 of these units which are being placed throughout the United States.

Furthermore, we have produced more than 50,000 units of this size sign for other accounts and are continuing to do so. The fact is that once a sign is erected in front of an establishment, it literally seems to shrink in size even though it may be only 12 to 14 feet from the ground level.

Based on the acceptance of this unit throughout the United States almost without reservation and the acceptance of this size, and the fact that zoning laws throughout the nation, almost without exception, permit the use of this size unit, we would certainly trust that it would be suitable in your dealer's territory in Idaho Falls.

Sincerely yours,
Tel-A-Sign, Inc.
s/ A. A. Steiger, President

FEBRUARY 24, 1966

It was moved by Councilmember Nelson, seconded by Wood, that this matter be referred to the Building and Zoning Committee and the Building Official for further study and that the Building Official be directed to contact several near-by cities to determine their requirements for signs of this nature. Roll call as follows: Ayes, 6; No, none; carried.

Councilman Wood then drew attention to the fact that, since February 26, 1965, the Smith Chevrolet Company has been operating in violation of the City Code and that written notification was served to that effect on June 10, 1965. He noted further that this is in the category of a misdemeanor and that the statute of limitations for such civil charges is one year. After considerable discussion, it was moved by Councilmember Parish, seconded by Smith, that the City Attorney, on February 25, 1966, be authorized to prepare the proper legal papers and bring action against the owners of the Smith Chevrolet Company, fronting on the Lewisville Highway within the City of Idaho Falls, for failure to obtain a building permit before installing a structure at that location and for failure to observe the setback requirements as set forth in the zoning ordinance. Roll call as follows: Ayes, 6; No, none; carried.

There being no further business, it was moved by Councilmember Parish, seconded by Nelson, that the meeting adjourn. Carried.

ATTEST: s/ Roy C. Barnes
CITY CLERK

s/ S. Eddie Pedersen
MAYOR
