

JANUARY 20, 1966

The City Council of the City of Idaho Falls, County of Bonneville, State of Idaho, met in a Regular Meeting on Thursday, January 20, 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 S. Eddie Pedersen; Councilwoman Marilyn Smith, Councilmen Dale D. Parish, Gordon L. Nelson, Jim R. Freeman, Jack A Wood, Jr., Melvin L. Erickson. Absent: None. Also present: Roy C. Barnes, City Clerk; Arthur Smith, City Attorney; Luther Jenkins, City Controller; Don Lloyd, Public Works Director; William Fell, Electrical Engineer.

Minutes of the last Regular Council Meeting, held January 6th, 1966, were read and approved.

The Mayor recognized Mrs. Michael Moore in attendance, representing the League of Women Voters.

Mr. J. H. Elliott, 1604 Cranmer Avenue, appeared before the Council and asked the City Clerk to read the following:

Pacific Diamond Bag Company
January 20, 1966

Mr. Dale Parish
Idaho Falls City Council
Idaho Falls, Idaho

Dear Mr. Parish:

It is my understanding that the Planning Commission will not recommend a change in the present Fence Ordinance. It has become necessary for me to appeal to you and the City Council and again request that the ordinance be amended so that property owners on corner lots can enjoy the privilege of privacy.

I have gone to great length to correct this ordinance which I consider unfair and discriminatory against corner property owners.

The Planning Commission's only complaint was alley traffic where vision would be obstructed. There isn't any alley traffic in a residential area and the very few vehicles passing through an alley drive at no more than five miles per hour.

Since there are several hundred fences of this nature in Idaho Falls, certainly indicates a need for this type of fence. You are, of course, familiar with the two fences down the street from your residence and I am sure you will agree that these fences do not interfere with safety.

Thank you in advance for your assistance and I certainly hope the Council will see the necessity in amending the present Fence Ordinance.

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Very truly yours,
s/ J. H. Elliott

Mr. Elliott then made the following recommendation to the Council:

It is requested that the City Council consider and take action on the following proposed amendment to Ordinance No. 1115 - Article 4 - Section 26 - N - Fences.

Corner property owners at discretion of Building and Zoning Department, may be issued permit to construct fence or grow hedge adjacent to sidewalk or street, exceeding 3 feet in height, but not within fifty feet of corner intersection.

It was moved by Councilman Parish, seconded by Freeman, that this matter be referred to the appropriate Council Committee and the City Attorney for further study and recommendation. Roll call as follows: Ayes, 6; No, none; carried.

Mr. Wendell Sanderson appeared before the Council representing a group of plumbing and heating contractors, also present, and asked if the Mayor and City Council intends to enforce the City Building and Heating Code in its entirety and was answered in the affirmative by the Mayor. Mr. Sanderson said they felt they were getting good inspection and wanted assurance that the inspectors, at all times, had the backing of the City Administrators.

License applications for GROCERY, previously approved by the City Sanitarian, Wilma Voge for Wilma's Natural Foods; Mrs. Malen Young for Pleasant Valley Drive Inn, 1257 East 17th; Mrs. Malen Young for Pleasant Valley Drive Inn, 910 Ada; RESTAURANT, previously approved by the City Sanitarian, Tom Mueller for Gas Lamp Pizza; Sam D. Wong for Liberty Café; Mrs. Mark Storer for A & W Root Beer, 950 Park Avenue, Mrs. Mark Storer for A & W Root Beer II, 1033 South Boulevard, Harry F. Yee for The Hawaiian, Mrs. Earl Van Haitsman for Dutchman's Falls Café; SUNDAY MOTION PICTURES, N. T. & T. Amusement Company for Paramount Theatre; JUNK DEALER, Charles Stewart for Stewart's Junk Dealer; COMMERCIAL KENNEL, Dr. James G. McCue, Jr.; PHOTOGRAPHER, previously approved by the Police Chief, R. G. Larsen for T. G. Larsen, Ronald D. Hult for Hult's Photographer Studio; HOTEL, previously approved by the Police Chief, Thelma Kissell for Hanson Hotel; CAB DRIVER, previously approved by the Police Chief, Dee Prichard, Alvin Clark, Harold Farmer, all with Yellow Cab; ELECTRICAL CONTRACTOR, previously approved by the Electrical Inspector, H. L. Babbitt for H & L Electric Company, Inc., Robert A. Robinson for Robinson Electric, Thomas Snouffer for Thomas F. Snouffer Company, Kenneth J. Fisher for Fisher Electric, H. M. Groesbeck for Groesbeck Furnace Company, Charles W. Bateman for Imperial Electric Company, O. Heber Hadlock for Riv-eon Electric Sign Company, Lowell Babbitt for Babbitt Electric, Arlo M. Poulson for Interstate Electric Company, Inc.; JOURNEYMAN ELECTRICIAN, previously approved by the Electrical Inspector, Max Bobbley,

Larry E. Jensen, Glen M. Allen, Glen S. Landon, Ross B. Rice, Kenneth J. Fisher, Norman Reno, Virgil D. Price; APPRENTICE ELECTRICIAN, previously approved by the Electrical Inspector, Fay Sessions for Jewell Electric; MASTER PLUMBER, previously approved by the Heating Inspector, Max
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Groom for Modern Plumbing and Heating, Ernest Terry for Terry Plumbing and Heating; JOURNEYMAN PLUMBER, previously approved by the Heating Inspector, Rex Wolf, Blaire Cuthbert, Max Groom; CLASS C WARM AIR HEATING AND GAS FITTING CONTRACTOR, previously approved by the Heating Inspector, Eldon V. Thompson for Woodville Heating, Jack Hall for Nugent Metal Works, Kenneth Dean for Babbitt Electric & Ref. Co.; CLASS C WARM AIR HEATING & WET HEATING CONTRACTOR, previously approved by the Heating Inspector, Max Groom for Modern Plumbing & Heating; CLASS D CONTRACTORS, previously approved by the Heating Inspector, WET HEAT, Dean C. Kirkham for Kirkham Plumbing & Heating, Ernest Terry for Terry's Plumbing & Heating; CLASS D CONTRACTORS GAS FITTER, previously approved by the Heating Inspector, Jay Rowley for Idaho Concrete Products, Inc.; JOURNEYMAN CLASS C WARM AIR HEATING VENTING & GAS FITTING, previously approved by the Heating Inspector, Eldon V. Thompson, Lyle Charlesworth, Jr., Kenneth Dean, Dave R. Harmon, Tom A. Hall, Jack Hall; JOURNEYMAN CLASS D WET HEAT, previously approved by the Heating Inspector, Scott Bair, Dean C. Kirkham, Ernest Terry; CLASS D JOURNEYMAN GAS FITTER, previously approved by the Heating Inspector, Jay Rowley; CLASS D JOURNEYMAN WARM AIR HEATING, previously approved by the Heating Inspector, Marilyn Nelson, Lee Wessell; CLASS D JOURNEYMAN REFRIGERATION, previously approved by the Heating Inspector, Darrell D. Smith, Delyn Schmeckpeper; RETAIL LIQUOR, Eugene Peterson for Starlite Cocktail Lounge. It was moved by Councilwoman Smith, seconded by Councilman Freeman, that these licenses be approved. Roll call as follows: Ayes, 6; No, none; carried.

License application for CAB DRIVER, R. Eugene Schurch with Yellow Cab. It was moved by Councilman Freeman, seconded by Wood, that this license be granted, subject to the approval of the Police Chief. Roll call as follows: Ayes, 6; No, none; carried.

This claim denial recommendation was read:

General Adjustment Bureau, Inc.
January 14, 1966

Honorable Mayor and City Council
City Hall
Idaho Falls, Idaho

RE: CLAIMANT: VERN L. BROWN , 935 BLAINE
WINDOW BREAKAGE OF 11-17-65

Gentlemen:

Your insurer, Queen Ins. Company, requests that you deny the property damage claim of Vern L. Brown at your next Council Meeting.

Yours truly,
s/ S. S. Kirkpatrick
Adjustor

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

From the Building Official this memo was presented:

City of Idaho Falls
January 10, 1966

MEMO: Mayor and City Council
Idaho Falls, Idaho

We have an application for a permit to hang a projecting sign on the face wall of the Shane Building, at 369 Shoup Avenue, occupied by Farr & Co. that will project five feet, six inches (5'6") over public property, sixteen feet (16') above grade.

The Uniform Sign Code limits their projection to five feet (5').

Respectfully,
s/ Ray Browning
Building Official

Councilman Wood expressed a desire to investigate this matter and make an effort to persuade the petitioner to acquire a sign that would not be in conflict with the Code. It was moved by Councilman Freeman, seconded by Parish, that this be referred to the appropriate Council Committee for the reason stated. 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
January 11, 1966

New or Used Rubber Tire Snow Loader

Honorable Mayor and Councilmembers:

One bid was received from Invitation to Bid No. IF-66-1, for new or used rubber tire snow loader.

Starline Equipment Company of Boise submitted a bid of \$3,750.00, delivered to Idaho Falls for a used, Barber Greene 548 A. snow loader.

It is the recommendation of the Public Works Division that this bid be accepted.

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This recommendation subject to your approval.

s/ W. Skow
Purchasing Department

It was moved by Councilman Nelson, seconded by Parish, that this purchase be tabled until the budget is approved. Roll call as follows: Ayes, 6; No, none; carried.

A farm lease renewal in favor of Mable and Floyd Jeffrey was presented. It was noted that it was for a five year period and otherwise identical in terms and conditions as the previous expiring lease. It was moved by Councilman Parish, seconded by Wood, that this be referred back to the City Attorney for redrafting on a one to three year expiration basis. Roll call as follows: Ayes, 6; No, none; carried.

This letter from the Rick's Sign Company was presented and read:

Rick's Sign Company
53 North 5th West
Rexburg, Idaho
January 18, 1966

Mayor Pedersen:

For a small piece of ground just west of A. W. Hunter Real Estate Building, I offer \$100.00 per year to lease the ground from the City of Idaho Falls. The lease will be for a period of five years with an option to lease it for another five years, paying a total of \$1,000.00 for the ten year period.

My purpose in leasing the property is to erect a sign and the structure of the sign will not interfere with the present usage of the property by the City of Idaho Falls. I will guarantee that the sign structure will not interfere or make inconvenient the present usage of the property by the City of Idaho Falls.

Please send a reply as soon as possible.

Sincerely,
s/Don F. Ricks

Councilman Nelson noted that this was an extremely valuable location which might be used to advantage by the City or the Chamber of Commerce. It was moved by Councilman Nelson, seconded by Councilwoman Smith, that this be referred to the appropriate Council Committee for study and recommendation. Roll call as follows: Ayes, 6; No, none; carried.

Presented by the City Clerk was the following:

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City of Idaho Falls
January 17, 1966

“PETITION”

Interstate Commerce Commission
Washington D.C.

Gentlemen:

WHEREAS;

The City Council of the City of Idaho Falls recognizes the important part transportation plays in the economy of our area:

AND WHEREAS;

After studying the proposal to merge the Union Pacific Railroad and the Chicago Rock Island and Pacific Railroad Companies, we feel that it would be extremely beneficial to our community to have such a merger consummated:

NOW THEREFORE:

In recognition if the fact that this would be for greater efficiency, the City Council, during it’s regular session January 20, 1966, authorizes the Mayor to petition the Interstate Commerce Commission to favorably consider this proposed merger.

ATTEST: s/ _____
CITY CLERK

s/ S. Eddie Pedersen
MAYOR

It was moved by Councilman Wood, seconded by Erickson, that approval of this petition be temporarily tabled pending a meeting with the Council and certain railroad officials for background information relative to the proposed merger and how it would affect this area. Roll call as follows: Ayes, 6; No, none; carried.

Councilman Nelson introduced Ordinance No. 1159 entitled:

ORDINANCE NO. 1159

“AN ORDINANCE CONCERNING COSTS AND EXPENSES OF LOCAL IMPROVEMENT DISTRICT IMPROVEMENTS, CONFIRMING THE CREATION AND ESTABLISHMENT OF LOCAL IMPROVEMENT DISTRICT NO. 35 FOR IDAHO FALLS, IDAHO, FOR STORM SEWER
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CONSTRUCTION, 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 TO THE BENEFITS DERIVED TO SUCH PROPERTY BY SAID IMPROVEMENTS; PROVIDING FOR THE CREATION OF 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 Freeman, and the same being put to a vote, was unanimously carried by the affirmative vote of the Mayor and all Councilmen present.

It was moved by Councilman Parish, that the rules be suspended, and that the Ordinance be placed on its second and third 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 Councilman present.

It was moved by Councilwoman Smith, seconded by Councilman Erickson, that the Ordinance pass its second reading, and the same being put to a vote, was unanimously carried by the affirmative vote of the Mayor and all Councilmen present.

It was moved by Councilman Nelson, seconded by Councilman Freeman, that the Ordinance pass its third reading, and that 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: Councilmen Parish, Nelson, Freeman, Erickson, Wood, and Councilwoman Smith.

ATTEST: s/ Roy C. Barnes
CITY CLERK

s/ S. Eddie Pedersen
MAYOR

The City Attorney presented a proposed amending ordinance to the Zoning Ordinance which would create and establish an R-T residence zone, applicable to mobile home areas. It was generally agreed that this should be presented to and reviewed by the Planning Commission prior to its being considered by the City Council.

ORDINANCE NO. 1160

AN ORDINANCE AMENDING SECTION 5-12-10 OF THE CITY OF IDAHO FALLS, IDAHO; REPEALING SECTION 5-12-16 OF SAID CITY CODE AND ALL OTHER ORDINANCES AND PARTS OF **JANUARY 20, 1966**

ORDINANCES IN CONFLICT WITH THIS AMENDING ORDINANCE; MAKING IT UNLAWFUL FOR ANY PERSON TO ACT AS A BARTENDER WITHIN THE CITY UNLESS SUCH PERSON HOLD A PERMIT THEREFORE ISSUED BY THE CITY OF IDAHO FALLS; ESTABLISHING QUALIFICATIONS FOR BARTENDERS; PROVIDING FOR THE ISSUANCE OF BARTENDER PERMITS, AND THE FEE THEREFORE, AND THE DURATION THEREOF; PROVIDING WHEN THE ORDINANCE SHALL BECOME EFFECTIVE.

The foregoing Ordinance was presented in title. It was moved by Councilman Nelson, 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.

The City Attorney noted that the Police Chief and the City Sanitarian had recommended that all beer license applications should be subject to the approval of the City Sanitarian as well as the Police Chief. It was moved by Councilman Erickson, seconded by Freeman, that effective immediately, all license applications for the consumption of beer on the premises be subject to the approval of the City Council, the Police Chief and the City Sanitarian. Roll call as follows: Ayes, 6; No, none; carried.

Councilman Wood reported that the Public Health Council Committee had agreed on a suitable selection for City Physician in the person of Dr. Joe Hatch and that he was willing to accept the position. The Mayor made the appointment accordingly. It was moved by Councilman Wood, seconded by Smith, that the appointment be confirmed. Roll call as follows: Ayes, 6; No, none; carried.

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

ATTEST: s/ Roy C. Barnes
CITY CLERK

s/ S. Eddie Pedersen
MAYOR
