

FEBRUARY 18, 1965

The City Council of the City of Idaho Falls, Bonneville County, Idaho, met in Regular Public Session at the regular meeting place of the Council in the City Hall in the City of Idaho Falls, at 7:30 P.M. on February 18, 1965.

The roll was called and the following found to present: S. Eddie Pedersen, Mayor; Councilmen Karl G. Page, Jim R. Freeman, Gordon L. Nelson, Dale D. Parish, Roy J. Keller. Absent: Councilman Philip C. Leahy. Also present: Roy C. Barnes, City Clerk; Arthur Smith, City Attorney; Ray Browning, Building Official; Luther Jenkins, Controller; Don Lloyd, Public Works Director; Ernie Craner, Recreation Director; William Fell, Electrical Engineer; Les Corcoran, Fire Chief.

After the roll had been called with the above result, and the minutes of the preceding meeting read and approved, the Mayor announced that one of the purposes of the meeting was to be the reception of sealed bids for the purchase of \$587,000 General Obligation Fire Department Bonds of said City.

The City Clerk presented an affidavit evidencing the mailing of a copy of the notice of sale of said bonds to the State Auditor of the State of Idaho on January 8, 1965, in full compliance with law, and an affidavit evidencing publication of the notice of sale, in full compliance with law, in the Post Register, the official newspaper of said City, on the following dates: January 17, 1965, January 24, 1965, and January 31, 1965, the first of said publications being not less than twenty-one days prior to the date fixed for the sale of said bonds. The affidavits were approved and ordered placed on file.

The City Clerk then announced that pursuant to said notice of sale 8 sealed bids for the purchase of said bonds had been received. The bids were ordered opened and were opened and tabulated and found to be as follows:

<u>NAME OF BIDDER</u>	<u>INTEREST RATES</u>		<u>PREMIUM</u>
(1) First Security Bank of Idaho, N. A.	3%	1966 to 1982	\$25.50
	3.10%	1983 to 1985	
	Net	\$208,330.50	
	NIC	3.03020%	
(2) Commerce Trust Company	3 ½%	1966 to 1970	\$88.00
	3%	1971 to 1980	
	3.10%	1981 to 1985	
	Net	\$211,148.00	
	NIC	3.07303%	
(3) First National Bank of Chicago	4 ½%	1966 to 1968	\$61.00
	3 ½%	1969	
	3%	1970 to 1981	
	3.10%	1982 to 1985	

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(4) Goodbody and Company	4 ½%	1966 to 1969	\$None
	3%	1970 to 1972	
	2 ¾%	1973	
	2 7/8%	1974 to 1976	
	3%	1977 to 1981	
	3 1/8%	1982 to 1985	
	Net	\$ None	
	NIC	3.08238%	
(5) Denver U. S. National Bank	4 ½%	1966 to 1970	\$None
	2.90%	1971 to 1977	
	3%	1978 to 1981	
	3.10%	1982 to 1985	
	Net	\$ None	
	NIC	3.08238%	
(6) Bosworth, Sullivan & Company, Inc. Foster and Marshall, Inc.	4 ½%	1966 to 1968	\$None
	3 ¼%	1969 to 1973	
	2.90%	1974 to 1976	
	3%	1977 to 1979	
	3.10%	1980 to 1985	
	Net	\$ None	
	NIC	3.0978%	
(7) Burrows, Smith and Company	4.50%	1966 to 1970	\$528.30
	2.80%	1971 to 1972	
	2.90%	1973 to 1974	
	3.00%	1975 to 1979	
	3.10%	1980 to 1985	
	Net	\$213,607.70	
	NIC	3.1088%	
(8) Idaho First National Bank R. W. Pressprich & Company	4%	1966 to 1970	\$234.80
	3%	1971 to 1978	
	3.10%	1979 to 1982	
	3.20%	1983 to 1985	
	Net	\$215,977.20	
	NIC	3.1437%	

After a general discussion, it appeared that the bid of First Security Bank of Idaho, of Boise, Idaho, and Associates, for said \$587,000 General Obligation Fire Department Improvement Bonds was the best and most advantageous bid received for the purchase of said bonds, which bid is in words and figures as follows to wit:

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Boise, Idaho
February 18, 1965

Honorable Mayor and City Council
City of Idaho Falls,
Idaho

Gentlemen:

For \$587,000 General Obligation Fire Department Improvement Bonds of the City of Idaho Falls, Bonneville County, Idaho, in denomination of \$1,000 each, dated January 1, 1965, interest payable semi-annually on January 1 and July 1, in each year, commencing July 1, 1965, both principal and interest payable at the office of the City Treasurer, in the City of Idaho Falls, Idaho, or at the option of the holder thereof at the Idaho First National Bank, in the City of Idaho Falls, Idaho, bearing interest and maturing serially on January 1 as follows:

<u>Maturity</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Maturity</u>	<u>Amount</u>	<u>Interest Rate</u>
1-1-66	\$20,000	3.0%	1-1-76	\$30,000	3.00%
1-1-67	20,000	3.0	1-1-77	30,000	3.00
1-1-68	20,000	3.0	1-1-78	30,000	3.00
1-1-69	25,000	3.0	1-1-79	35,000	3.00
1-1-70	25,000	3.0	1-1-80	35,000	3.00
1-1-71	25,000	3.0	1-1-81	35,000	3.00
1-1-72	25,000	3.0	1-1-82	35,000	3.00
1-1-73	25,000	3.0	1-1-83	37,000	3.10
1-1-74	25,000	3.0	1-1-84	40,000	3.10
1-1-75	30,000	3.0	1-1-85	40,000	3.10

We will pay upon delivery of the bonds to us, their par value plus accrued interest plus a premium of \$25.50.

The bonds are to be accompanied by the unqualified approving legal opinions of Chapman and Cutler, Bond Attorneys of Chicago, Illinois, together with a complete certified transcript of proceedings evidencing the legality of the issue as approved by said Attorneys. The bonds are to be delivered to us as soon as legally possible.

Attached hereto is our Check No. 2-64642 in the sum of \$30,000.00 to be held by you as an evidence of our good faith in the transaction, and applied as part payment on the purchase price when the bonds are delivered to us. Said check is to be returned to us promptly on demand if this offer, which is for immediate acceptance only is declined, or if legality of the bonds is not approved by said Attorneys.

Respectfully submitted,
FIRST SECURITY BANK
OF IDAHO, N. A.
By s/A. W. Benzley
Vice President

Supplemental Information

Net Effective Interest Cost: \$208,330.50

Net Effective Rate: 3.03202%

The following Ordinance was thereupon introduced in written form by Jim R. Freeman, and was read by title. Dale D. Parish moved that the rule requiring the reading of the Ordinance three different days be dispensed with, and the motion was adopted by vote of not less than three-fourths of the City Council, to wit: Aye: Councilmen Page, Freeman, Nelson, Parish, Keller. Nay: None.

The Ordinance was thereupon signed by the Mayor in evidence of his approval, was attested by the City Clerk, was numbered 1125, and is as follows:

ORDINANCE NO. 1125

AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$587,000 GENERAL OBLIGATION FIRE DEPARTMENT IMPROVEMENT BONDS OF THE CITY OF IDAHO FALLS, IDAHO, CONFIRMING THE SALE OF SAID BONDS, AND PROVIDING FOR THE PAYMENT THEREOF.

The Mayor, recognizing a contingent present from the Teen Age Republican Federation, invited their president, Mr. Mike Montgomery, to occupy one of the chairs around the Council table.

The Mayor announced that this was the time and the place for a public hearing, as advertised, to consider the zoning or rezoning of certain areas, as well as certain proposed amendments in the Zoning Ordinance pertaining to the requirements for an RSC zone.

First to be considered was a portion of Section 7-8-2 which now reads as follows:

Before any territory is added to the RSC-1 Residential Shopping Center Zone, and before any building or structure is constructed within said zone, a preliminary development plan shall be submitted to and approved by the Planning Commission and City Council.

The proposed amendment was presented and read, to-wit:

Before any building or structure is constructed within the RSC-1 zone, a preliminary development plan shall be submitted to and approved by the Planning Commission and City Council.

There were no protests. It was moved by Councilman Parish, seconded by Nelson, that this amendment be approved. Roll call as follows: Ayes, 5; No, none; carried.

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Next to be considered was a portion of Section 7-8-9-A, presently worded as follows:

It is intended that the improvements as shown on the development plan shall be started within a period to twelve (12) months and shall be completed and ready for occupancy within a period of thirty (30) months from the date of zone designation by the City Council. The City Council may re-classify into another zone any or all of the territory covered by the development plan, if actual development does not occur within the specified time. Assurances that the improvements indicated on the plan will be made within the time specified must be furnished to the City Council before an RSC-1 zone can be created or expanded.

Following was the amendment, as proposed by the Planning Commission:

It is intended that the improvements as shown on the development plan shall be started within a period of thirty (30) months after plan is approved and shall be completed and ready for occupancy within a period of sixty (60) months from the date of zone designation by the City Council. The City Council may re-classify into another zone any or all of the territory covered by the zone, if actual development and completion does not occur within the specified time.

No protests were registered. It was moved by Councilman Nelson, seconded by Keller, that this amendment be accepted and approved. Roll call as follows: Ayes, 5; No, none; carried.

A portion of the landscaping requirement for the RSC zone, Section 7-8-9-B, was then made the subject of amendment consideration, presently reading as follows:

The privilege of providing the services to the residents in the surrounding neighborhood carries with it a corresponding responsibility to construct and maintain the premises in harmony with the characteristics of the surrounding zone. Therefore, a landscaped strip of lawn, shrubbery and/or trees, at least thirty (30) feet in width shall be provided and maintained along the entire length of any street within the zone, and along the development side of any street bordering said development, except for permitted driveways.

Following, was the proposed amendment:

The privilege of providing the services to the residents in the surrounding neighborhood carried with it a corresponding responsibility to construct and, maintain the premises in harmony with the characteristics of the surrounding zone. "Therefore, a landscaped strip of lawn or shrubbery and/or trees at least thirty (30) feet in width, or not less than fifteen (15) feet in width on an area containing less than five (5) acres, if recommended by the Planning Commission shall be provided and maintained along the entire length of any street within the zone, and along the development side of any street bordering said development, except for permitted driveways".

There were no protests registered. It was moved by Councilman Page, seconded by Keller, that this amendment be approved. Roll call as follows: Ayes, 5; No, none; carried.

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Finally, in the form of an amendment, a portion of Section 7-8-9-G was reviewed, the existing wording of which is as follows:

All buildings shall be constructed so as to be architecturally harmonious, in the opinion of the Planning Commission, with the characteristics of the surrounding area. Only approved type of materials shall be used. A plan showing architectural design and specifications of materials to be used on the exterior of all buildings to be constructed shall be submitted to and approved by the Planning Commission before issuance of any building permit. Where parking area abuts adjacent private property, a masonry wall, ornamental fence, or planter strip, as the Planning Commission shall determine to be most suitable, shall be erected. Additional landscaping may be required to further protect abutting land use or zones.

An amendment to the foregoing was presented and read:

All buildings shall be constructed so as to be architecturally harmonious, in the opinion of the Planning Commission, with the characteristics of the surrounding area. A plan showing architectural design and specifications of materials to be used on the exterior of all buildings to be constructed shall be submitted to and approved by the Planning Commission before issuance of any building permit. Where parking area abuts adjacent private property, a masonry wall, ornamental fence, or planter strip, as the Planning Commission shall determine to be most suitable, shall be erected. Additional landscaping may be required to further protect abutting land use or zones.

There were no protests. It was moved by Councilman Nelson, seconded by Freeman, that the change be approved as recommended. Roll call as follows: Ayes, 5; No, none; carried.

The Yellowstone Addition then became the subject of zoning consideration. None appeared for purposes of protesting. It was moved by Councilman Parish, seconded by Keller, that the area in this addition lying within 300 feet of Broadway be zoned HC-1 and the remaining area be zoned GC-1. Roll call as follows: Ayes, 5; No, none; carried.

The next area to be considered was Lots 1 through 13 and Lot 15, Kugler Addition, Division #1. No protests were forthcoming. It was moved by Councilman Freeman, seconded by Keller, that this entire addition be zoned R-1. Roll call as follows: Ayes, 4; Parish abstained; carried.

Various lots in the Crows Addition were then considered, as follows:

Lots 1, 2, East ½ of 3, 42, 43, & 44, Block 9; Lots 1, 2, 3, 42, 43, & 44, Block 17; Lots 1, 2, 3, 42, 43, & 44, Block 25; Lots 1 & 2, Block 33; Lots 1, 2, 3, 42, 43 & 44, Block 16; Lots 1 & East 18' of Lot 2, Block 24; Lots 1, 2, 3, East 5' of Lot 41, all of 42, 43, & 44, Block 32.

It was noted that R-3A zoning had been requested on these lots, presently zoned R-1. It was noted, further, that the Planning Commission had recommended that these lots, although appropriately situated for R-3A, has varying depths under one ownership and should be considered on an individual basis only when proper development plans are presented. It was moved by Councilman

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Page, seconded by Nelson, that the recommendation of the Planning Commission be upheld. Roll call as follows: Ayes, 5; No, none; carried. There were several who had appeared in the Council Chambers for purposes of protesting the rezoning of these lots and who expressed appreciation to the Council for their action in this regard.

A petition had been presented for the rezoning of Lot 4, Block 2, South Lawn Addition from R-2 to R-2A to permit construction of a four-plex. It was noted that the property lacks 875 square feet for complying with R-2 zone requirements. There were no protests. It was moved by Councilman Nelson, seconded by Freeman, that this rezoning be accepted and approved. Roll call as follows: Ayes, 5; No, none; carried.

Finally, Block 1, Linden Park Addition, Division #1 was again made the subject of rezoning consideration. Councilman Page presented the following prepared statement and asked that it be made a matter of record:

COUNCIL STATEMENT - FEBRUARY 18, 1965

Gentlemen:

I have stated my feelings on this matter before but once again for the record here is my position.

In this Linden Park matter we are considering, I firmly believe that zoning is at the crossroads in Idaho Falls. I think we can make zoning the meaningful tool in helping us grow and develop properly or we can have it fail in its purpose. On one hand we have the property owners seeking a type of zoning which will permit them to develop this vacant property into a busy, traffic-filled, successful commercial shopping center. On the other hand, you have thousands of homeowners, parents, school officials, church-goers who strongly feel that this property should be developed in harmony with the neighborhood in which it lies. With the aid of the Planning Commission, we as a City Council are charged with the responsibility of finding the right answer between these divergent views and interests.

What is equitable in this situation? What constitutes good planning? What would be the highest best interests of all the people of Idaho Falls. These, I think, are the proper considerations. First, I think we need to take a short look at the background of the property involved and then consider the three questions that I have posed.

The area in question is a part of Linden Park Addition which was platted and annexed on or after November 28, 1949. At that time part of the area was zoned commercial - a part residential. Zoning Ordinance #852 was adopted by the Mayor and Council effective October 9, 1955. The official zoning map adopted as a part of this Ordinance reveals that the two portions of property adjacent to Russet Street and to Ninth Street were zoned R-2 residence and the remaining portion in between the two R-2 zones was zoned C Limited Business. This was the zoning in effect in 1959, when the present owners, Linden Park Shopping Center, Inc., took over the property. This zoning remained in effect until August 20, 1964, when the current Ordinance #1115 was adopted. This new Ordinance left the R-2 area on Russet Drive with the

remaining area being zoned C-1 which was presumed to most nearly match the previous zoning. This change wiped out the R-2 residential area facing Ninth Street and permitted service stations, beer parlors and other uses not permitted under the previous zoning. I feel sure that it was not the intent of the Planning Commission or the Mayor and Council to permit these activities in this area. Before the error could be rectified, however, a permit was already taken out for a service station on the corner of Ninth and Lincoln Drive which had previously been in a residential zone.

All of you I believe are well aware of the events since the passage of the Ordinance in August - the renewed petition by the surrounding residents, the zoning hearing, the moratorium, and the other events leading to tonight's meeting. In connection with the petition of the residents I would like to read from some background information that Mr. Howard Noble of the Planning Commission prepared at my request. I have given the Mayor and each of the Councilmen copies of this report to-wit:

(From the Noble Report beginning at Item 5 to midway in Item 10)

5. The present Zoning Ordinance of Idaho Falls, (Ordinance No. 1115) was approved August 20, 1964.
6. There were several public hearings and recommendations by the City Planning Commission relative to Ordinance No. 1115 prior to its adoption. In one of its initial recommendations, the Planning Commission recommended that the property be zoned RSC-1, except for the portion adjacent to Russet Street which it recommended to remain R-2. The Planning Commission incorrectly assumed - because suitable zoning records were not readily available to it - that all property except for the R-2 portion adjacent to Russet Street was then zoned C Limited Business, whereas actually, the portion adjacent to 9th Street was also zoned R-2. A representative of the Linden Park Shopping Center, Inc, objected to the recommended RSC-1 zone and therefore, and because (1) the Council and Planning Commission desired to defer specific zoning and (2) it was decided as a matter of policy to make as few zoning changes as possible in converting to the proposed new definitions of zones, the Planning Commission finally recommended the proposed C-1 zone in lieu of RSC-1 (in the belief that this new zone most nearly conformed to the zone then in effect). Consequently, the property, except for the R-2 portion adjacent to Russet Street, was ultimately zoned C-1 with the adoption of the 1964 Zoning Ordinance, No. 1115. This C-1 zone permits service stations, beer parlors and taverns.
7. Also, prior to the adoption of the 1964 Zoning Ordinance, Mr. P. Rice and some 265 other residents, in the area submitted a petition March 23, 1964, requesting that the City acquire the property as a public park and playground or rezone it as R-1 residential. In cooperation with the City's desire to expedite adoption of the proposed Zoning Ordinance, Mr. Rice, in submitting the petition, suggested that action thereon be delayed until after the Ordinance was adopted.

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8. At its meeting, October 13, 1964, (almost 8 weeks after adoption of the 1964 Zoning Ordinance) the Planning Commission recommended favorable action on the petition submitted by Mr. Rice, but not until a building permit has been issued for the construction of a service station at the southeast corner of the property at 9th Street and Lincoln Drive.
9. At a special meeting, October 27, 1964, the Planning Commission met to give further study to the zoning of this property and recommend that a zone not less than RSC-1 be placed on the property, not including the R-2 portion adjacent to Russet Street. Representatives of Linden Park Shopping Center Inc, were notified about this meeting and presented their arguments against a more restrictive zone than C-1. Mr. Rice and the other resident petitioners were not so notified and consequently were not present.
10. Mayor and Council held a public hearing on the zoning question November 19, 1964. Both sides to the question were heard and a "moratorium" until December 2, 1964, was established to permit further study including an appraisal of the property. At this meeting, Mr. Ira Stanley, a member of the Linden Park PTA talked about traffic hazards and other school problems involving the students of the Linden Park Elementary School. He also stated that the Linden Park PTA was unanimously in favor of the action requested by Mr. Rice's petition. Mr. Stanley submitted a written record, dated November 19, 1964, of his statement to the Council at its meeting of December 22, 1964.

This is the historical background - now to question one - what are the equities and the vested interests involved?

From the information I have this property was purchased at \$300 per acre. With something under 10 acres involved this means \$3,000.00. The curb, gutter and street improvements are estimated at \$30,000.00. to \$32,000.00 which adds up to approximately \$35,000.00. The assessed valuation of the property is as follows for 1964: Lot #13 (large lot) \$1,376.00. The small lots composing the buffer strip on Russet Drive (Lots #7 through #11) are assessed at a total of \$738.00. This means a total assessed valuation on the entire block of \$2114.00. The taxes levied for 1964 are as follows: The large Lot #13, \$159.76, the buffer strip (Lots #7 through #11) a total of \$85.69. This means a total tax on the entire block was a total of \$245.45.

By way of comparison there are many individual homes in the nearby area wherein the investment is greater than this \$35,000.00 and the tax paid is considerably more than was paid on this whole block. The developers representative in a most lavish appraisal said their property was worth \$400,000.00. Even if we were to concede this high appraisal, there are 13 homes in one block near the area conservatively valued in excess of \$400,000.00. So when you take the hundreds of homes in the affected area, plus the church, plus the school and other properties involved, you find this. The interest and investment lies not tenfold but a hundredfold and more in favor of the homeowners and others versus the vacant property of Linden Park Shopping Center, Inc.

One other point merits mention. In America we have a time honored principal in land ownership. This was the Homestead Law. Basically its provisions were that you kept your rights and title to property only by "proving up" on it. This meant following a stipulated schedule of development of the land. Failure to follow the development schedule meant waiver of your property rights and even the title.

In the case we are considering I feel that by their failure to develop this property in a reasonable time the owners have forfeited their right to develop it as commercial property. Especially is this so since the proposed development is contrary and detrimental to the best interest of the surrounding property owners who have invested so much.

The second question for consideration is the matter of what constitutes good planning.

A basic, widely accepted concept of planning is the idea of neighborhood areas. Essentially this means an area of homes with an elementary school at or near the center with a park and playground area adjoining the school or nearby. On the outer perimeter of the neighborhood usually along arterial streets you would have the commercial development. This provides the opportunity for young children to get to and from school and play areas with a minimum accident hazard. I submit that here we have an excellent neighborhood situation with a school in the center where all it's students can walk and go home for a warm noon lunch. The property is vacant where the park should be.

I think it will be contrary to every principle of good planning and indeed a tragic mistake if we permit this ideal park site to be made into a traffic spawning commercial area. An area that will provide daily hazard to hundreds of youngsters and an almost constant worry to their parents.

The third question for consideration is what action here is in the highest, best interest for all the people of Idaho Falls. In weighing this I would like you to consider this fact. In the mile square area bounded by First Street, Seventeenth Street, Holmes Avenue and St. Clair Road there are about 2500 families. At 3 children per family that means about 7500 children. At the present time there is not a city owned park or playground in this large area. We do have the tennis courts near the High School. To me this indicates a real need and a great challenge. This is why since the day I came on the Council I have been trying to persuade Mr. Groberg to sell the City this property for a park.

Most of you here have driven by Kate Curley Park in the summertime and saw children at play, family groups picnicking or perhaps a retired gentleman sitting on a bench whiling away some time in this place of green beauty. Most of you have passed this same park in the winter as it wears a mantle of snow and had your heart lifted by the serenity and inspiration it offers. None of you, I believe, can deny that it would be in the highest interest, best interest of the great majority of the people of Idaho Falls to develop the area at Ninth and Linden in a similar manner.

The opportunity is ours for the taking. Tonight we can make a bold stroke for forthright, enlightened planning, and for the safety and welfare of most of our people. Or we can make a compromise that will satisfy no one. The developers do not want R.S.C. zoning - they have stated that they want to continue the C-1 they now have with some side agreements. Certainly hundreds of surrounding property owners have indicated their strong feelings against any commercial development.

If we were to take the park route, responsible citizens in the area have indicated they could raise \$30,000.00 to \$50,000.00 to help the City acquire the property. I personally know of \$500.00 and \$1,000.00 in individual pledges.

I hope that we will weigh the facts carefully and make the right decision for the people of Idaho Falls.

Councilman Parish then reiterated his previous position on the subject. He reminded the Council of previous comments by the City Attorney, warning that the recommendation of the Planning Commission must be weighed carefully. He questioned the Council's right or prudence in rezoning this area in such a way that property rights or values would be affected or jeopardized. He drew attention to the fact that the present administration had, in effect, endorsed Commercial Zoning of the property in question when they passed Zoning Ordinance #1115. Mr. Howard Nobel, Chairman of the Planning Commission, appeared briefly. Asked by Councilman Parish if the Commission was aware that, by virtue of the R-2 strip along the north side of the area, there would be no buffer between said strip and the shopping center, Nobel answered in the affirmative. Mr. Percy Rice, 920 7th Street, appeared before the Council. It was noted that Mr. Rice was responsible for the initial petition from the residents, asking that the area in question be zoned R-1 or purchased by the City as a park. In answer to a question by Councilman Parish, Mr. Rice said the opinion of the residents has remained unchanged. He said the ultimate hope of said residents is that the area eventually be acquired and developed as a park. He said the very least the residents expect is that the area be rezoned something other than C-1. Mr. Ira Stanley, 607 Safstrom Drive, appeared and asked if the Council had given serious consideration toward acquiring the area as a park and was answered in the affirmative by the Mayor. Mr. John Hansen, local attorney representing the residents, appeared and drew attention to the fact that the C-1 zone is now broader than when the property was initially zoned. He said the courts would undoubtedly take into consideration, not only the right and values of the property owner, but the residents as well.

Mr. Delbert Groberg, one of the property owners, appeared before the Council. He commented to the effect that the presence of a service station, contrary to previously expressed opinion, would not be detrimental to the area and would not be any more dangerous or of a safety hazard than the average residential street. Councilman Parish asked if the property owners would be able to develop under an RSC zone. Mr. Groberg answered in the affirmative, providing favorable amendments were made in accordance with an analysis of the RSC-1 section of the Zoning Ordinance as prepared by Mr. F. R. McAbee, one of the owners, at or around November 20th, 1964, which offered standards, and vehicular traffic and providing the City would permit the R-2 strip to be used for parking. Having not been present when the amendments were passed this night, these were reviewed with Mr. Groberg, who expressed regret that the landscaping amendment, as it was

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passed, applied only to areas five acres or less, and therefore did not apply to the Linden Park Shopping area site.

Hearing no further protest, it was moved by Councilman Nelson, seconded by Freeman, that that portion of Block 1, Linden Park Addition, Division #1 presently zoned C-1 be rezoned RSC-1, reflecting the amendments to said zone as was passed by Council action this night, and that portion presently zoned R-2 remain as zoned. Roll call as follows: Ayes, 4; Page, Nay; carried. Councilman Page qualified his vote by saying that this rezoning, as accomplished, is at least a step in the right direction.

The Mayor, noting that this completed the zoning hearing, instructed the Building Official to incorporate all zoning and rezoning changes on the official zoning map, located in his office, and also the City Attorney to incorporate all said zoning changes and amendments in an amendment to the Zoning Ordinance.

The Mayor announced that this was the time and the place for a public hearing, as advertised, in relation to the proposed construction of a City fire station and related structures on the following described land;

The East 30 feet of Lot 25, all of Lots 26 and 27 in Block 7 of John Heights Subdivision Division No. 4 and a strip of land 5.07 feet wide adjacent to the North corner of Lot 27 Block 7, John Heights Subdivision Division No. 4 to the City of Idaho Falls, Idaho, as shown on the recorded plat thereof and running thence N. 0° 13' 30" W. 5.07 feet; thence S. 89° 47' W. 200.00 feet; thence S. 0° 13' E. 140.44 feet to the North line of Grandview Drive; thence S. 85° 56' 45" E. 76.39 feet to a point of curve with a radius of 1395.22 feet; thence to the left along said curve a distance of 104.00 feet to a point of compound curve with a radius of 19.99 feet; thence to the left along said curve a distance of 31.40 feet; thence N. 0° 13' 30" W. 124.94 feet to the point of beginning. Subject to easements as shown on the recorded plat.

There were no protests. It was moved by Councilman Freeman, seconded by Parish, that construction of the fire station on the site as proposed be so ordered and approved. Roll call as follows: Ayes, 5; No, none; carried.

License applications for BARTENDER, Evan M. Pierce, Keith Lance; SKATING RINK, Cecil Lofthouse for Skateland; BOWLING ALLEY, Marlon Rowan for Skyline Lanes, Inc., Clifford Kirkendall for Bowl-Ero, Inc.; PHOTOGRAPHER, previously approved by the Police Chief, M. L. Straus for Jack B. Nimble Portraits, Inc., M. Ray Longhurst for Ray's Camera Land; GROCERY STORE, previously approved by the City Sanitarian, Don F. Jones for Village Market, Emil Voge for Wilma's Natural Foods; FOUNTAIN, previously approved by the City Sanitarian, D.A. Wilson for Don Wilson's Drug, Jack Sundberg for Leslie Drug; CONFECTIONARY, previously approved by the City Sanitarian, Evan W. Cropper for North Hiway Café, James Gafiepy for F. W. Woolsworth Luncheonette, Keith Barrus for Rainbow Café, Karl Smith of Hollywood Bowl, Douglas Smith for Pay'n Save Drug, Ted LeBaron's Coffee Shop, Ray Hudson for Hudson's, Nola Zay Roach for Ford's Café, Danny Hong for Lantern Café, D. W. Mander for Doug's Dairyland Kitchen, Henry C. Danner for Idaho Falls Temple, Willard Wood for Westbank Coffee Shop and Lounge, Bill Kishiyama for

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Ada's Café, Sybil Ames for Sybil's Café, J. H. Galloway for Big "G" Drive Inn, Harold Moss for Home Market Lunch Stand, Sacred Heart Hospital, Gayle Scheets for Gayle's Inc. dba Jack's Chicken Inn, Robert K. Swann, Jr. for Gaslampe Pizza Shoppe; ELECTRICAL CONTRACTOR, previously approved by the Electrical Inspector, Robert A. Robinson for Robinson Electric; A. C. Bidstrup for Jewel Electric, A. C. Bidstrup for A. C. Bidstrup, Inc.; JOURNEYMAN ELECTRICIAN, previously approved by the Electrical Inspector, Delbert H. Fannesbeck, Stanley Helm, Robert A. Robinson, A. C. Bidstrup, Leonard Bateman; MASTER PLUMBER, previously approved by the Heating Inspector, Vern Saxton for Vern Saxton Plumbing, Aulden R. Kerr for Kerr Plumbing & Heating; JOURNEYMAN PLUMBER, previously approved by the Heating Inspector, Darwin G. Mathews; CLASS C GAS FITTING AND WET HEAT CONTRACTOR, previously approved by the Heating Inspector, Aulden Kerr for Kerr Plumbing & Heating; CLASS D REFRIGERATION CONTRACTOR, previously approved by the Heating Inspector, Charles L. Rusten for Max R. Black Co.; CLASS D REFRIGERATION JOURNEYMAN, previously approved by the Heating Inspector, Thomas C. Schelin, Charles L. Rusten; DANCE HALL, previously approved by the Police Chief and Police Committee, Gayle Scheets for Gayle's Inc. dba Jack's Chicken Inn, Keith Lance for Westbank Coffee Shop & Lounge; HOTEL, previously approved by the Police Chief, Del Pack for Rogers Hotel for 80 rooms; RETAIL LIQUOR, Gayle Scheets for Gayle's Inc., dba Jack's Chicken Inn were presented. It was moved by Councilman Page, seconded by Keller, that these licenses be approved. Roll call as follows: Ayes, 5; No, none; carried.

License applications for RESTAURANT, Thora L. Dennis for Turf Café, Del W. Pack for Rogers Hotel Coffee Shop were presented. It was moved by Councilman Freeman, seconded by Parish, that these licenses be granted, subject to the approval of the City Sanitarian. Roll call as follows: Ayes, 5; No, none, carried.

This damage claim denial recommendation from the City Insurance Adjustor was presented:

Safeco, Lifeco General Ins.
258 Broadway
Idaho Falls, Idaho
February 9, 1965

City of Idaho Falls
Idaho Falls, Idaho

Attention: Mr. Roy C. Barnes, City Clerk

Dear Mr. Barnes:

I have just completed the investigation of this accident. I contacted the two witnesses in trying to verify who had the green light on entering the intersection of Broadway and Memorial Drive. As far as we can determine it appears that our insured stopped on a yellow light, entered on red light and the light turned green as he was probably less than half way into the intersection. After the light turned green he was hit by claimant's vehicle. This would mean that the claimant would have to have entered the intersection on the last part of a yellow light.

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We, therefore, request that you deny liability to the claimant on the basis of contributory negligence.

Sincerely yours,
Safeco Insurance Company
s/ Merlyn D. Colpron
Claims Adjustor
Idaho Falls Field Office

It was moved by Councilman Parish, seconded by Page, that this claim be officially denied. Roll call as follows: Ayes, 5; No, none; carried,

Two City redemption tax deeds were presented in the name of Eli Dutton, accompanied by appropriate resolution, as follows:

RESOLUTION (Resolution No. 1965-04)

WHEREAS, the City of Idaho Falls, did, under and pursuant to the provisions of Chapter 29, Title 50, Idaho Code, and by deed of the City Treasurer dated the 9th day of January, 1956, recorded in Book 101 of Deeds at Page 13, Records of Bonneville County, Idaho, acquire title to and possession of the following described real property, to-wit:

Lots Five - Eight (5-8), Block Fifty-seven (57), Highland Park Addition, to the City of Idaho Falls, Idaho, as per the recorded plat thereof.

WHEREAS, ELI DUTTON has offered to pay to the City of Idaho Falls the amount for which said property was sold to the City, together with all the installments of assessments subsequent to the one for which said property was sold and then due, together with penalties and interest thereon;

NOW, THEREFORE, BE IT RESOLVED:

That the Mayor and City Clerk be, and they hereby are, authorized and directed, upon the payment of said sum of money by said purchaser to make, execute and deliver to the said ELI DUTTON a deed to said property, pursuant to the provisions of Section 50-2951, Idaho Code.

PASSED BY THE Council this _____ day of February, 1965.

APPROVED BY THE MAYOR this _____ day of February, 1965.

ATTEST: s/ _____
CITY CLERK

s/ _____
MAYOR

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RESOLUTION (Resolution No. 1965-05)

WHEREAS, the City of Idaho Falls, did, under and pursuant to the provisions of Chapter 29, Title 50, Idaho Code, and by deed of the City Treasurer dated the 20th day of November, 1952, recorded in Book 85 of Deeds at Page 271, Records of Bonneville County, Idaho, acquire title to and possession of the following described real property, to-wit:

Lots Five - Eight (5-8), Block Fifty-seven (57), Highland Park Addition to the City of Idaho Falls, Idaho, as per recorded plat thereof,

WHEREAS, ELI DUTTON has offered to pay to the City of Idaho Falls the amount for which said property was sold to the City, together with all the installments of assessments subsequent to the one for which said property was sold and then due, together with penalties and interest thereon;

NOW THEREFORE, BE IT RESOLVED:

That the Mayor and City Clerk be, and they hereby are, authorized and directed, upon the payment of said sum of money by said purchaser to make, execute and deliver to the said ELI DUTTON a deed to said property, pursuant to the provisions of Section 50-2951, Idaho Code.

PASSED BY THE COUNCIL THIS _____ day of February, 1965.

APPROVED BY THE MAYOR THIS _____ day of February, 1965.

ATTEST: s/ _____
CITY CLERK

s/ _____
MAYOR

It was moved by Councilman Parish, seconded by Nelson, that the Mayor and City Clerk be authorized to sign the resolutions and the deeds. Roll call as follows: Ayes, 5; No, none; carried.

The Mayor drew attention to a safety hazard on the northeast corner of 17th and St. Clair, where children attending the Teresa Bunker School are unloaded and tend to walk diagonally across St. Clair to 16th Street. The Mayor, having studied this problem, said that, for approximately \$340.00, including material and manpower, a surfaced sidewalk could be constructed which would encompass the entire corner, extending to the northeast corner of 16th and St. Clair, at which point a crosswalk could be painted across St. Clair. This met with general Council approval.

This memo from the Personnel Officer was presented and read:

City of Idaho Falls
Personnel Officer
February 18, 1965

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THE HONORABLE MAYOR AND CITY COUNCIL
CITY OF IDAHO FALLS

Gentlemen:

In view of the possibility of the City adopting a retirement program sometime during this calendar year, I feel that I need an expression from the Council as to their feeling regarding the hiring of an individual who is approaching, or has already reached, his 65th birthday.

I realize, of course, that such an individual could not participate in the retirement program and I further realize that it would be necessary that such a person be evaluated annually and if it was felt that he could continue on in his work that it would be a matter for the Mayor and Council to extend his employment with the City.

The question is, whether it would be advisable or not to even consider such a person though he may have several productive years of service.

This letter has been prompted by the fact that, in at least one area, it is difficult to find a qualified candidate who is younger and can still meet the demands of working in the construction field, because of the vast difference in our present salary as compared to Union Scale.

Respectfully submitted,
s/ Chappy
LaWayne Chapman
Personnel Officer

The matter was referred to the Mayor and City Attorney for study and consideration.

A letter from the Markham Advertising Company was read, as follows:

Markham Advertising Co.
P. O. Box 1666
Pocatello, Idaho
December 15, 1964

Mayor Pedersen and City Council
Idaho Falls, Idaho

Dear Mayor Pedersen:

I am writing this letter in regards to a sign on Interstate #15, north of Idaho Falls at the old airport road. Enclosed I have a map of the sign location. We would like to briefly tell you about the history of this sign.

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In May of 1955, we leased this location from A. R. Soderquist, M.D., who at that time owned the property. We used the property for advertising purposes until it was sold to Mr. L. E. Erickson. At that time we renewed the lease with Mr. Erickson which was June, 1962. On January 22, 1963, we applied for a permit for a sign. The permit number is 223. We at that time changed the copy on the sign to read Westbank Motel. Recently we were informed that when the State of Idaho bought the Interstate #15 highway property they brought the advertisement easements back 100'. We were approximately 3' over on the easement. We had to move the sign back 3' to be off the state highway easement. We made application to have the sign rewired for lighting and were informed at that time that the property had changed hands, and it was now the property of the City of Idaho Falls. We were not aware of this. We would certainly like to make application for a permit to use this location for advertising if it is not a hindrance to the property.

If you feel that we can leave the sign at this location we would like to negotiate a lease with you for cash or if there is anything that we can do to compensate for it, we would sure like to work this out. If you feel that this can be entered on the agenda for your Council meeting, we would certainly appreciate it. We would like the opportunity, if we could, to attend the Council meeting so that if there are any questions I might be able to answer them.

If this is satisfactory please let me know. Eldon Palmer, Markham Advertising Company, P. O. Box 1666, Pocatello, Idaho or telephone 233-0212. Thank you very much for your cooperation in regard to this property.

Best regards,

MARKHAM ADVERTISING COMPANY, INC.
s/ Eldon G. Palmer

This was referred to the City Attorney for study and recommendation.

A lease agreement was presented from Orlin Eddins in the amount of \$102.00 per month and expiring January 31, 1967, covering rental of property described as the West ½ of Lot 16, Lots 17, 18, 19, 20, 21, 22, and 23, Block 12, Mayflower Addition. It was moved by Councilman Keller, seconded by Nelson, that the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 5; No, none; carried.

Also presented was a lease agreement covering adjoining property in the name of L.W. and Goldie Taylor, in the amount of \$48.00 per month and expiring January 31, 1967, covering rental of property described as Lots 13, 14, 15, and the East Half of Lot 16, Block 12, Mayflower Addition. It was moved by Councilman Keller, seconded by Nelson, that the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 5; No, none; carried.

The Gene Somsen farm lease was discussed. It was moved by Councilman Nelson, seconded by Parish, that the Controller be directed to notify Mr. Somsen that the lease will not be renewed. Roll call as follows: Ayes, 5; No, none; carried.

This memo from the Electrical Engineer was presented and read:

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February 18, 1965

TO: MAYOR AND COUNCIL
FROM: WILLIAM H. FELL
SUBJECT: CITY SUBSTATION BID SUMMARY AND RECOMMENDATION FOR AWARD

It is the recommendation of the Council Committee, City Attorneys, Mayor, and the Electric Light Division that the bid award be made to C. W. Silvers Company of Salt Lake City in the amount of \$113,825.00 on a Lump Sum Award Basis.

The Silvers Lump Sum Bid Proposal complies with all bid specifications and appears to be the bid that will best serve the interests of the City of Idaho Falls.

Attached is a summary.

It was moved by Councilman Keller, seconded by Freeman, that the C. W. Silvers bid in the amount of \$113,825.00 for a City substation be accepted as recommended. Roll call as follows: Ayes, 5; No, none; carried.

Public Works Director Lloyd presented, by slide, a redesign of the Fairview Street extension which would run parallel to the railroad behind Whittier School and connect with East Anderson near the intersection of North Boulevard and Anderson Street. This revised alignment met with general Council approval. It was moved by Councilman Keller, seconded by Nelson, that the Public Works Director be authorized to reappraise the property needed for said realignment. Roll call as follows: Ayes, 5; No, none; carried.

As part of the over all program for the acquisition of property for South Capital Avenue extension, Lloyd then reported that negotiations on the Burggraf property were proceeding satisfactorily. He explained by slide that this involved the exchange of City owned property directly east of the Riverside substation for a sixty foot right of way through the Burggraf property, north of said City owned property. Lloyd explained, further, that the negotiations also involved the use of other City owned property lying between the substation and the Snake River, on a lease basis. This met with general Council approval. It was moved by Councilman Nelson, seconded by Freeman, that the City Clerk be authorized to publish legal notice, advertising the City owned land for sale at auction. Roll call as follows: Ayes, 5; No, none; carried.

Also by slide, Lloyd illustrated the proposed east extension of Lomax Avenue, starting at Wabash Avenue and connecting to First Street approximately one block east of Chatham Avenue. It was noted that this proposed route meets with the approval of the Planning Commission. It was moved by Councilman Parish, seconded by Keller, that the Council also go on record as favoring this route and the Public Works Director be authorized to obtain appraisals on the right of way as needed. Roll call as follows: Ayes, 5; No, none; carried.

From the Public Works Director, also illustrated by slide, a typical section was presented of the Engineering Department's proposal for "E" Street Improvement, incorporating three basic features: First, the street would be constructed within the existing 60 foot right of way; second, there would be eight foot sidewalks on each side of the street; third, there would be a 44 foot roadway surface, face to

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face of curb. There were three different arrangements mentioned which could be used within the 44 foot roadway, this to be determined by traffic need at a later date. It was moved by Councilman Nelson, seconded by Keller, that the City Engineer, the Public Works Director and the City Attorney be instructed and directed to proceed with the Local Improvement District on the basis as recommended. Roll call as follows: Ayes, 5; No, none; carried.

The Public Works Director, through the City Clerk, presented a tabulation of bids on a box culvert at 9th and St. Clair Road, together with this memo:

City of Idaho Falls
2-18-65

TO: Honorable Mayor and City Council
FROM: Donald F. Lloyd
SUBJECT: BOX CULVERT AT 9TH STREET & ST. CLAIR

Attached hereto please find the tabulation of bids received for the construction of a box culvert at 9th Street and St. Clair Road.

The Engineering Department has checked these bids in detail and have found them to be in order. We would recommend that the Mayor and Council contract with Clark Bros. Construction Co. of Idaho Falls for the construction of the 9th Street culvert in the amount of \$4,716.82 on the alternate bid.

It was moved by Councilman Keller, seconded by Page, that the Clark Bros. Construction bid be accepted as recommended. Roll call as follows: Ayes, 5; No, none; carried.

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

City of Idaho Falls
Public Works Division
February 17, 1965

Honorable Mayor and City Council
Idaho Falls, Idaho

Gentlemen:

We are attaching hereto a form petition which requests the installation of surface drainage at the intersection of Garfield and Royal. Copies of this petition have been circulated and the enclosed map is marked with an "X" for each signature obtained.

It will be noted that of the 129 pieces of property that are privately owned, 43 owners have signed the petition. The balance of the property within the proposed district is owned by School District No. 91 and the City of Idaho Falls. The area for which the owners have signed, amounts to approximately 33 percent of the entire area. If the area owned by the School

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District and the City were included, it would amount to about 75 percent of the entire project area.

Lack of drainage at this intersection has been a constant source of citizen's irritation, and a continual problem for maintenance crews. Since the School District has previously indicated a willingness to cooperate and since the City has budgeted amounts sufficient for their obligation, we would recommend that the Mayor and Council take the necessary steps to establish a Local Improvement District.

Respectfully submitted,
s/ Donald F. Lloyd, P.E.
Public Works Director

It was moved by Councilman Nelson, seconded by Keller, that plans proceed for a Local Improvement District for the problem area as recommended. Roll call as follows: Ayes, 5; No, none; carried.

This memorandum was presented:

City of Idaho Falls
2-18-65

TO: Mayor and City Council
FROM: Don Lloyd
SUBJECT: WEED CONTROL PROGRAM

We are suggesting the attached advertisement be placed in the local paper as a means of starting a City Weed Control Program. We feel discussions with interested parties be with the Street Superintendent, Parks Director, the Mayor and myself.

It was moved by Councilman Keller, seconded by Freeman, that the City Clerk be authorized to publish an advertisement as suggested. Roll call as follows: Ayes, 5; No, none; carried.

Presented next, from the Public Works Director was the following:

CITY OF IDAHO FALLS
2-18-65

TO: Honorable Mayor and City Council
FROM: Donald F. Lloyd
SUBJECT: INTERCHANGE LANDSCAPING

Attached hereto are four (4) copies of a Cooperative Agreement for landscaping at the Highway Interchange at John's Hole and Broadway. The development of this design has been a joint effort of our Engineering Department, Parks & Recreation Director, and the Highway Department.

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Since the Engineering Department, the Recreation Director and the City Attorney have reviewed this Agreement and find no objections, we recommend that the City execute this Cooperative Agreement for landscaping with the Highway Department.

In view of the foregoing recommendation, the following resolution was introduced:

RESOLUTION (Resolution No. 1965-06)

WHEREAS, the Department of Highways of the State of Idaho has submitted a Cooperative Agreement stating obligations of the State and the City of Idaho Falls, Idaho, and including plans, for landscaping U.S. Interstate Highway 91 at the Broadway and John's Hole interchanges within the corporate limits of the City of Idaho Falls, Bonneville County, Idaho, as described in the Cooperate Agreement and shown on the aforementioned plans, which improvement is to consist of grading, water system installation, planting trees, shrubs and vines, placing topsoil, seeding and miscellaneous items to be constructed within the City under Federal Aid Interstate Highway Projects I-15-3(23)119 and I-15-3(24)120; and

WHEREAS, the allotment of Federal and State funds for the improvement is contingent upon compliance with the laws governing State Highways and State Highways traffic, availability of necessary right of way, adequate provisions for the maintenance of the completed improvement, and the establishment of traffic control measures and means for enforcing them.

NOW THEREFORE, BE IT RESOLVED:

1. That the Cooperative Agreement for Federal Aid Interstate Highway Project I-15-3(23)119 and I-15-3(24)120 is hereby accepted and approved.
2. That the Mayor and City Clerk are hereby authorized to execute the Cooperative Agreement on behalf of the City of Idaho Falls.
3. That duly certified copies of this Resolution shall be furnished the Department of Highways and the Bureau of Public Roads.

It was moved by Councilman Page, seconded by Freeman, that this Resolution be passed and adopted and the Mayor and City Clerk be authorized to sign the Cooperative Agreement, referred to in said Resolution. Roll call as follows: Ayes, 5; No, none; carried.

Finally, from the Public Works Director, this memo was presented, together with the letter from the State Urban Engineer, referred to in said memorandum:

CITY OF IDAHO FALLS
2-18-65

TO: Honorable Mayor and City Council
FROM: Donald F. Lloyd
SUBJECT: PRELIMINARY AGREEMENT - JOHN'S HOLE TO RAILROAD

FEBRUARY 18, 1965

Please find attached hereto a copy of a letter from Norm Crossley explaining the changes in the above caption agreement. We have reviewed these changes with the City Attorney and can find no objections.

We would recommend that the City execute same with the Highway Department.

DEPT. OF HIGHWAYS
P. O. Box 879
Boise, Idaho 83701
February 16, 1965

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

Project F-FG-6471(27) - John's Hole - Butte Branch U.P.R.R.

Dear Eddie:

Thank you for taking the time to discuss the proposed Preliminary Cooperative Agreement with District Engineer Marsh and me on February 11. The meeting was well worth the time, and I am sure that we all have a better understanding of the intent of the Agreement.

Since the meeting, we have decided that Section III, Item 10, can be omitted. This Item made the City responsible for making any connections between existing City streets or alleys which are to be closed by the project. We have agreed to leave that Item out of the Preliminary Cooperative Agreement because there are too many indeterminate conditions which must wait upon the design details. To point out that the responsibility for reestablishing the continuity of the local street system has not been resolved, we have included three additional WHEREAS clauses on the first page of the Agreement.

Enclosed are an original and three copies of the Preliminary Cooperative Agreement, revised as stated above. If the Agreement is satisfactory, please execute and return to this office the original and two copies, retaining one copy for you interim file. Please note the third copy does not contain an Exhibit. The Exhibit is now attached to your copy of the previous Agreement and should be transferred.

If you have any questions, please let me know.

Yours very truly,
E. L. MATHES, P.E.
State Highway Engineer
s/ Norm
Urban Engineer

In view of the foregoing, this Resolution was introduced:

RESOLUTION (Resolution No. 1965-07)

WHEREAS, the Department of Highways of the State of Idaho has submitted a Preliminary Cooperative Agreement stating obligations of the State and City of Idaho Falls, for relocating and constructing U. S. Highway 20 between the intersection of Jackson Street and Lemhi Street and Union Pacific Railroad Butte Branch, within the corporate limits of the City of Idaho Falls, Bonneville County, Idaho, as described in the Preliminary Cooperative Agreement, which improvement will include right of way acquisition, grading, draining, structures, surfacing, lighting and fencing on approximately 0.8 mile of highway to be constructed under Federal Aid Project F-FG-6471(27); and

WHEREAS, it is the public interest that the State and the City cooperate in planning and financing the above described improvements; and

WHEREAS, the City's arterial street plan includes an extension of Fairview Street to be constructed adjacent and parallel to the south side of the Union Pacific Railroad Butte Branch between Anderson Street and Jefferson Avenue; and

WHEREAS, it is advisable for the City and State to enter into a preliminary agreement establishing the respective responsibilities of the City and the State; and

WHEREAS, prior to the time of construction, the City and State will enter into a cooperative agreement setting forth the details of the project:

NOW THEREFORE, BE IT RESOLVED:

1. That the Preliminary Cooperative Agreement for Federal Aid Project F-FG-6471(27) is hereby accepted and approved.
2. That the Mayor and the City Clerk are hereby authorized to execute the Preliminary Cooperative Agreement on behalf of the City of Idaho Falls.
3. That duly certified copies of this Resolution shall be furnished the Department of Highways.

It was moved by Councilman Nelson, seconded by Keller, that the foregoing Resolution be adopted and the Mayor and City Clerk be authorized to sign the Cooperative Agreement, referred to in said Resolution. Roll call as follows: Ayes, 5; No, none; carried.

The City Clerk presented a legal notice in the form of an invitation to bid on all concrete work accomplished by the City during 1965. It was moved by Councilman Page, seconded by Keller, that the Clerk be authorized to publish, as required by law. Roll call as follows: Ayes, 5; No, none; carried.

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Also from the City Clerk, an advertisement for bids was presented, covering a construction contract for alterations to Fire Station #1. It was moved by Councilman Freeman, seconded by Page, that the City Clerk be authorized to publish. Roll call as follows: Ayes, 5; No, none; carried.

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

ATTEST: s/ Roy C. Barnes
CITY CLERK

s/ S. Eddie Pedersen
MAYOR
