

JULY 31, 1964

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Pursuant to a call by the Mayor Pro Tem the City Council of the City of Idaho Falls met in Special Session in the Council Chambers on Monday July 31, 1961 at 8:00 P.M., for the purpose of conducting a public hearing on a proposed amendment to the Zoning Ordinance #852, which would require and provide for a public hearing before any construction on City property, said construction of which is not in compliance with existing zoning. Absent from said Meeting was Mayor W. J. O'Bryant. Present at said Meeting were Mayor Pro Tem Alex D. Creek; Councilmen Foote, Leahy, Page. Also present: Roy C. Barnes, City Clerk; Don Lloyd, City Engineer; Don Ellsworth, Assistant City Engineer.

The Mayor Pro Tem announced that this was the time and the place for a public hearing, as advertised, for the purpose of hearing protest to an amendment to Zoning Ordinance #852 which would require public hearings for any and all construction on City property not in compliance with existing zoning.

Mr. Charles L. Storrs, 835 Clair View Lane, appeared before the Council, protesting the amendment on the grounds that said amendment would vest undue power in the hands of the City Administrator and that, in his opinion, the present site of the West Side Substation is a good illustration at point.

Councilman Leahy explained the advantage of the proposed amendment and how it would tend to protect property owners, zoning-wise, as compared to the alternative of spot zoning.

Councilman Foote gave a brief history of the West Side Substation and the reasons, justifiable or otherwise, why the City elected to choose the present site. It was pointed out to Mr. Storrs that the proposed amendment could well prevent any reoccurrence of such a fiasco.

Mr. Storrs recommended that in addition to the amendment, the Zoning Ordinance be further amended to provide that, in the event 50% of all near-by residents within a specified area object to proposed construction on City property, the Council would not be permitted to over rule the will of the people. The Mayor Pro Tem thanked him for his appearance and said they would take his suggestion under advisement but it would first be turned to the City Attorney for an opinion of legality.

Others appearing to protest the amendment were Mr. Clarence Munsee, 126 9<sup>th</sup> and Mr. James Warren, 1164 Bingham.

The public hearing thus completed, the following was presented:

**ORDINANCE NO.-**

AN ORDINANCE AMENDING ORDINANCE NO. 852 OF THE CITY OF IDAHO FALLS, IDAHO, BY ADDING A NEW SECTION, TO BE KNOWN AS SECTION XXIII-A, PROVIDING THAT THE CITY COUNCIL MAY, AFTER PUBLIC HEARING ON PUBLISHED NOTICE, AUTHORIZE ANY USE, BUILDING OR STRUCTURE NECESSARY FOR THE USE OR OCCUPATION OF THE CITY FOR ANY PUBLIC OR MUNICIPAL PURPOSE, AND PROVIDING WHEN THIS ORDINANCE SHALL TAKE EFFECT.

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It was moved by Councilman Foote, seconded by Leahy, that this ordinance be passed on its first reading. Roll call as follows: Ayes, 3; No, none; carried.

A Boot-O-Shine shoe polisher agreement was presented for the operation of a coin operated mechanical shoe polisher, to be located at the municipal airport. It was moved by Councilman Foote, seconded by Leahy, that the Mayor Pro Tem be authorized to sign. Roll call as follows: Ayes, 3; No, None; carried.

Two claims were read by the City Clerk as follows:

July 21, 1961

Mayor W. J. O'Bryant  
Idaho Falls, Idaho

Dear Sir:

While parked in a parking area adjacent to the Idaho Falls Municipal Golf Course, the windshield on my car was hit by a golf ball and broken. I have determined that it will cost \$69.15 to replace this windshield.

I would appreciate it if you would forward the necessary forms to make claim against the liability insurance carried by the City to cover this loss to my car. I will appreciate your consideration in this matter as I did not have insurance on my car to cover this damage.

Very truly yours,  
s/ Gary D. Potter  
1055 S. E. Bonneville  
Idaho Falls, Idaho

July 24, 1961

City of Idaho Falls  
Idaho Falls, Idaho

Attention: City Clerk

Gentlemen:

On July 19<sup>th</sup> at 1:30 P.M. one of our insured's car was damaged by an Idaho Falls wiring truck belonging to your City. A Police report was taken by City Policeman Hower and you can get a report of this accident by referring to the Police records. The truck number was #408.

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We have asked our insured to secure two estimates for repairs and they are enclosed herewith for your consideration. We would suggest that you contact your insurance company immediately and submit these estimates.

We would appreciate you acknowledging this letter and enclosures.

Yours very truly,  
Jerome Abstract & Title Co.  
s/ Hester Fort  
Insurance Clerk

It was moved by Councilman Foote, seconded by Page, that these be referred to the City Insurance Carrier for investigation and recommendation. Roll call as follows: Ayes, 3; No, None; carried.

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

ATTEST: s/ Roy C. Barnes  
CITY CLERK

s/ Alex D. Creek  
MAYOR PRO TEM

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