JUNE 4, 1964

The City Council of the City of Idaho Falls, County of Bonneville, State of Idaho, met in a Special Meeting, on Thursday, the 4th day of June, 1964, 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. There were present at said Meeting: Mayor S. Eddie Pedersen; Councilmen Keller, Leahy, Nelson, Page, Freeman. Absent, Councilman Parish. Also present: Roy C. Barnes, City Clerk; William Nixon, representing the City Attorney firm of Albaugh, Bloem, Smith & Pike; Ray Browning, Building Official; Donald Lloyd, City Engineer.

A legal notice was presented, advertising for bids on air conditioning equipment for the offices of the City Engineer and the Building Official. It was moved by Councilman Leahy, seconded by Freeman, that the City Clerk be authorized to publish. Roll call as follows: Ayes, 5; No, None; carried.

The following appeals for variances were presented: R. V. Keating, 197 8th Street, to build a room over a garage to within 3′6″ of the property line; Duane Rose, 454 W. 19th, to attach carport within 1′ of the property line; Richard Wright, 1566 Stanger Drive, to build a garage 5′ from the property line. It was moved by Councilman Leahy, seconded by Nelson, that these be referred to the Board of Adjustments for study and recommendation. Roll call as follows: Ayes, 5; No, None; carried.

Several variance appeals had been considered by the Board of Adjustments and their recommendations were presented. The first was from Paul Meier, 1095 Ada, to construct a glassed in sun porch with a front setback of 25′9″. It was moved by Councilman Nelson, seconded by Leahy, that this request be denied. Roll call as follows: Ayes, 5; No, None; carried.

Next was an appeal from Kenneth Cunnington, to waive the 25′ minimum back yard requirement on Lot 3, Block 4, Squire Barlow Addition, due to the odd shaped lot. It was moved by Councilman Nelson, seconded by Keller, that this be approved. Roll call as follows: Ayes, 5; No, None; carried.

An appeal was then submitted from Arthur Clarke, 112 East 16th, to build a garage within 3′2″ of the property line. It was moved by Councilman Leahy, seconded by Keller, that this be denied. Roll call as follows: Ayes, 5; No, None; carried.

The Carl Vern Buckland appeal was then reviewed. It was noted that he was requesting permission to move a dwelling into a C-2 zone on Lots 26 & 27, Block 14, Original Town Site Addition, said building of which did not comply with #1 fire zone requirements; that this appeal had been previously denied by the Board and the Council but that it was now presented for reconsideration. It was moved by Councilman Page, seconded by Leahy, that this appeal be denied. Roll call as follows: Ayes, 5; No, None; carried.

Finally, an appeal was presented from G. R. Wells, 1455 Willow Avenue, asking permission to operate an automotive repair and lock smith shop in an R-2 zone. It was moved by Nelson, seconded by Freeman, that this request be denied. Roll call as follows: Ayes, 5; No, None; carried.

This memo from the Fire Chief was presented through the City Clerk:

June 1, 1964

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

Gentlemen:

I plan to attend the State Fire School at Coeur d'Alene on June 18, 19, and 20 and propose to also send the following Firemen:

Driver Jerold Hammer
Driver Delbert Barnes
Driver LeRoy Raichart

Cost of the trip is estimated as follows:

Gasoline for City owned vehicle	$ 30.00
Meals @ $6 per day per man for 5 days	120.00
Lodging @ $25 per night for four nights	100.00
Total Cost:	$250.00

Respectfully submitted,
s/ Carl Poulter
Fire Chief

cc: Councilman Freeman
Councilman Leahy
Controller

It was moved by Councilman Freeman, seconded by Leahy, that this travel request be authorized as recommended. Roll call as follows: Ayes, 5; No, None; carried.

A second memorandum from the Fire Chief was presented by Councilman Leahy, to-wit:

June 4, 1964

The Honorable Mayor and Members of the City Council
City of Idaho Falls, Idaho

Gentlemen:

When the current budget was prepared, we included an amount for rebuilding the motors on two Fire Engines, Nos. 404 and 403. Engine No. 404 was completely rebuilt and placed in service on March 16 at an approximate total cost of $2,700.

Engine No. 403 is a 1947 American La France, 750 gallon per minute pumper. It has a V-12 type motor.

On May 11, 1964, the Fire Department mechanic, Chuck Taylor, pulled the heads and pan from Engine No. 403. His findings are as follows:

> There was a wear taper of .009 to .018 in the cylinder walls. The crankshaft main bearings were tested with a Plasta gauge and showed an average of .005 clearance. The crankshaft journals were an average of .0015 flat. No. 3 bearing had only 1" of surface contact with the shaft. The compression on this motor was between 90 and 100 pounds. The factory specifications call for 145 pounds compression.
>
> With new oil in the motor and the motor temperature at 180°, the oil pressure at idle was 5 pounds. At 1000 RPM the oil pressure was 8 pounds - the normal should be 25 to 35 pounds. At 2000 RPM the oil pressure was 14 pounds – the normal should be 42 to 46 pounds. At 2800 RPM the oil pressure was 15 pounds – the normal should be 45 to 50 pounds.

Our shop is not equipped to do this extensive repair work and therefore much of it would have to be done by local engine rebuilding firms. Because of the unusual size, specifications and availability of parts for this motor, I do not believe it would be wise to leave it in the hands of outside mechanics who have never had actual experience with such a motor.

We have discussed this with the American LaFrance representative in Elmira, New York and have informed them of our findings. Their recommendation is to re-bore and sleeve this motor, rebuild the crankshaft or grind, whichever is necessary, install new pistons, grind the valves, etc.

The factory representative has given the us a firm price of $1,800 to $2,000 to complete this work as they recommend. In addition they would put the motor on a Dynamometer, tune the motor and peak it. They would also break the motor in so that it would be ready for service as soon as it is installed in the pumper. They would give us a one-year guarantee.

The freight on the motor would be $128 each way or a total of $256 which would result in a maximum expense to us of $2,256 complete. The time required for the work to be completed is one week at the factory plus shipping time each day.

It is my best opinion that we would save considerable time in having this motor repaired at the factory and undoubtedly it would be a more thorough job than if we had part of the work done by our Fire Department mechanic and part of it done by outside mechanics.

I hereby recommend that the Mayor and Council authorize us to send the motor of Engine No. 403 to the factory to be completely rebuilt.

Respectfully submitted,
s/ Carl Poulter
Fire Chief

Councilman Leahy answered a question by Councilman Nelson to the effect that this repair work could not be effectively accomplished locally. It was moved by Councilman Freeman, seconded by Keller, that this repair work on Fire Engine #403 be approved at the location and otherwise as recommended. Roll call as follows: Ayes, 5; No, None; carried.

The Mayor, recognizing that a public hearing had been conducted relative to the creation and establishment of L.I.D. #32 on May 7th, 1964, and at that time no protests were registered but that the Council action was tabled until property owners had been advised of certain property deletions from the proposed district, reintroduced the subject of L.I.D. #32.

The City Clerk read the following protests:

Idaho Falls, Idaho
May 17, 1964
Zola Denning
1296 Boise Avenue

Dear Mr. Pedersen & Councilmen

In answer to your letter concerning the sewer on Block 32, Highland Park Addition.

I'm unable to meet any arrangements concerning the sewer on Manuel Denning's property who was deceased a year ago. I'm still paying for the road and sidewalk on Anderson Street.

Just as soon a district wasn't created.

Yours truly,
s/Zola Denning

Idaho Falls, Idaho
May 15, 1964

To City Clerk, Mayor and City Council
of the City of Idaho Falls

We, the undersigned are desirous of not having the District No. 32, in Highland Park Addition at this time.

Respectfully,
s/ Tom M. & Docie Sears
1236 Blaine Avenue
Idaho Falls, Idaho

The Council noted that these had been received subsequent to the formal hearing on May 7th, 1964 and that there was no obligation to honor or consider them.

On motion of Councilman Keller, seconded by Councilman Page, the following resolution was adopted by the unanimous vote of the Council and Mayor:

R E S O L U T I O N (Resolution No. 1964-18)

"RESOLVED: THAT THE ACTUAL VALUE OF THE PROPERTY INCLUDED IN THE PROPOSED LOCAL IMPROVEMENT DISTRICT NO. 32 IS $30,000.00; THAT THE ACTUAL VALUE OF THE REAL PROPERTY INCLUDED IN SAID DISTRICT, EXCLUSIVE OF THE IMPROVEMENTS THEREON IS $15,000.00; THAT NO PROTESTS AGAINST SAID PROPOSED WORK, OR ANY PART THEREOF, HAVE BEEN MADE IN WRITING BY PROPERTY OWNERS AND FILED WITH THE CITY CLERK: THAT THE ORGANIZATION OF THE DISTRICT IS PROPER AND WILL BE FOR THE BEST INTERESTS OF THE PROPERTY AFFECTED AND THE CITY OF IDAHO FALLS, IDAHO; THAT THERE IS REASONABLE PROBABILITY THAT THE OBLIGATIONS OF SUCH DISTRICT WILL BE PAID; THAT THE RESOLUTION OF INTENTION PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THE 9TH DAY OF APRIL, 1964, IN HEREBY APPROVED AND AFFIRMED."

ORDINANCE NO. 1102

AN ORDINANCE CREATING AND SETTING FORTH THE BOUNDARIES OF LOCAL IMPROVEMENT DISTRICT NO. 32, IN AND FOR IDAHO FALLS, IDAHO, FOR THE PURPOSE OF CONSTRUCTING A SANITARY SEWER IN CERTAIN STREETS; ALLEYS, EASEMENTS AND RIGHTS OF WAY WITHIN THE CORPORATE LIMITS OF SAID CITY; PROVIDING THAT SUCH IMPROVEMENTS SHALL BE MADE AND THAT THE COST AND EXPENSE OF SUCH IMPROVEMENTS SHALL BE TAXED AND ASSESSED UPON ALL PROPERTY IN SAID DISTRICT IN PROPORTION TO THE NUMBER OF SQUARE FEET OF

LANDS AND LOTS ABUTTING, ADJOINING, CONTIGUOUS AND ADJACENT THERETO, INCLUDED IN SAID DISTRICT AND IN PROPORTION TO THE BENEFITS DERIVED TO SUCH PROPERTY BY SAID IMPROVEMENTS; AND PROVIDING, FURTHER, THAT THE MAKING SAID IMPROVEMENTS IS DEPENDENT UPON THE ISSUANCE AND SALE OF LOCAL IMPROVEMENT BONDS TO DEFRAY THE ENTIRE COST OF SAID IMPROVEMENTS.

The foregoing Ordinance was presented in title. It was moved by Councilman Leahy, seconded by Keller, 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, 5; 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, 5; No, None; carried.

The ordinance creating L.I.D. #32 having been passed by the Council, a sales contract was then presented between the City and Mr. Eno J. Johnson whereby the City would agree to sell and Mr. Johnson would agree to buy the entire bond issue of L.I.D. #32 in the approximate amount of $12,500 at 6% interest. It was moved by Councilman Leahy, seconded by Freeman, that the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 5; No, None; carried.

The City Clerk then presented a legal notice consisting of an advertisement for bids on the construction of L.I.D. #32. It was moved by Councilman Keller, seconded by Nelson, that the City Clerk be authorized to publish, as required by law. Roll call as follows: Ayes, 5; No, None; carried.

The "E" Street Improvement was then reviewed. Councilman Freeman drew attention to the fact that this Local Improvement District, if established, would cost property owners approximately $12.82 per lineal foot and they would be receiving $3.00 to $5.00 per lineal foot for the right of way needed for widening. This could be paid over a ten year period and would average about $4.00 per month for the average residential property.

Mr. Tam Grimmett, 565 F Street, appeared and asked how the City proposed to finance future arterials and was answered to the effect that this had not as yet been determined but that "E" Street was not considered in the category of an arterial. Mr. Grimmett then observed that, in his opinion, there were certain "E" Street property owners who would not benefit because they had no intention of converting their property into commercial development during their life time.

Mr. George Trumbo, 445 "E" Street appeared and again protested the district. He said the street, if widened, would become victim to substantial traffic non-stop flow, including trucks.

Mrs. Lorraine Lockyer, 445 "E" Street appeared and asked if 5th Street was considered by the Council to be in the same category as "E" Street. Traffic Engineer Axtmann replied by saying that the primary difference was the fact that 5th Street is located in a residential area, whereas "E" Street is a commercial area.

Mr. Terry Crapo, local attorney, appeared and reaffirmed the two written protests submitted by his firm, on May 25th in the interests of their clients. He said that, in the opinion of his firm this is not the type of improvement that should be financed by an L.I.D. He questioned the legality of proceeding in this manner using the Yellowstone Highway Improvement as an illustration. He also noted the narrow margin of property owners favoring the district.

Mr. Grant Tate, 376 "E" Street, appeared and reaffirmed his position that he favored two way traffic but protested the improvement and the cost.

Mr. Don Maw, Safeway representative, appeared and again spoke in favor of the district. He said he was of the understanding that this was not planned as an arterial and that all property owners would benefit to a degree. He noted that the cost of the district would not be as great as the loss previously sustained by making the street one way.

Councilman Nelson drew attention to the fact that virtually all property owners favored the two way street and in order to effectively accomplish this, widening would be necessary. He pointed out that the improvement was to cost the property owners about $35,000 and the City about $28,000, including $9,000 which would be returned to the property owner for right of way. He said the City's cost would cover the middle 6' of street improvement, intersections, right of ways, traffic and street signs, lights and paint, water lines, engineering and legal costs.

Mr. Crapo reappeared and said that, in his opinion, the property owners should work out their own financial arrangements on an equitable basis, based on benefit, and that his firm would be willing to work with property owners toward that end.

The Mayor commented to the effect that it was not the City's intention to create a hardship on anyone if it could be avoided and that a second hearing would be called at which time assessments could be protested. He said time was of the essence and that even though he had no objection to a Citizen's Committee being formed pertaining to re-evaluation of assessments, this would undoubtedly be very time consuming.

Mrs. George Trumbo appeared and asked what could be gained by such a group meeting. The Mayor said that the only basis or advantage to such an approach, in his opinion, might be voluntary arrangement between the commercial and the residential property owners.

In the absence of further discussion it was moved by Councilman Nelson, seconded by Leahy, that the City Attorney be instructed and directed to prepare the resolution and ordinance creating L.I.D. #34. Roll call as follows: Ayes, 5; No, None; carried.

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

ATTEST: s/ Roy C. Barnes
CITY CLERK

s/ S. Eddie Pedersen
MAYOR

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