

MAY 7, 1964

The City Council of the City of Idaho Falls met in Regular Session, Thursday, May 7, 1964 at 7:30 P.M. in the Council Chambers at Idaho Falls, Idaho. There were present at said Meeting: Mayor Pro tem Karl Page; Councilmen Freeman, Keller, Leahy, Nelson, Parish. Absent: Mayor S. Eddie Pedersen. Also present: Roy C. Barnes, City Clerk; Arthur Smith, City Attorney; Luther Jenkins, Controller; Ethan Axtmann, Traffic Engineer; Ray Browning, Building Official.

Minutes of the last recessed Regular Session, held April 23rd, and a Special Session held April 28th, 1964, were read and approved.

The Mayor Pro tem announced that this was the time and the place for a public zoning hearing for the purpose of considering various requests for rezoning as requested and advertised. It was noted that in each instance, the Board of Adjustments had considered the petition and that their recommendations were available to the Council.

First to be considered was the petition of Goodwin Builders that Lots 21-24, 17-20, 9-16, and 37-40, Block 6, Mayflower Addition be rezoned from R-3 to C-2 to permit construction of a warehouse. There were no protests. It was moved by Councilman Leahy, seconded by Freeman, that this rezoning be approved. Roll call as follows: Ayes, 6; No, None; carried.

Next, a petition from J. D. and Lois Bergeson, requesting rezoning from R-1 to R-2 on the south 63' of Lot 23 and all of Lots 24 and 25, Block 8, Crows Addition, to permit two dwelling units in the existing dwelling. There were no protests but the Board of Adjustments had recommended denial on the grounds that there was not sufficient area and this would constitute spot zoning. It was moved by Councilman Nelson, seconded by Parish, that this request be denied. Roll call as follows: Ayes, 6; No, None; carried.

The third petition was from Delretta A. Cook as Executrix to the Estate of David Earl Cook and also Parley Rigby, requesting rezoning from R-3 to C-Ltd. on property described as Lots 45, 46, 47, and 48, Block 32, Capitol Hill Addition, to effectively integrate these lots into a commercial development along with other adjacent lots presently zoned C-Ltd.

Mr. Paul Schwabedissen, 668 Lomax, appeared before the Council and presented a petition with 10 signers, all near by residents, protesting this proposed rezoning.

Mr. Dean Pfost, 160 N. Wabash, appeared and asked why the petitioners had requested this rezoning and was answered to the effect that there was no other reason in evidence except that which appeared on the petition stated above. The Council noted that the Board of Adjustments had recommended denial on the grounds that said rezoning would remove the buffer zone between R-1 and C-Ltd. It was moved by Councilman Leahy, seconded by Parish, that the petition be denied. Roll call as follows: Ayes, 6; No, None; carried.

A petition was then presented by John Pattee, requesting rezoning from R-1 to R-3 on Lots 43 and 44, Block 8, Crows Addition to permit construction of an office building. No protests were registered. It was moved by Councilman Parish, seconded by Keller, that this request be granted. Roll call as follows: Ayes, 6; No, None; carried.

A petition signed by Jerald Jay Hammer was then considered, asking rezoning from R-1 to R-3 of Lots 8, 9, and 10, Block 17, Capitol Hill Addition to permit construction of a four-plex. There were no protests but it was noted that the Board of Adjustments had recommended denial on grounds that this would constitute spot zoning. It was moved by Councilman Nelson, seconded by Parish, that this petition be denied. Roll call as follows: Ayes, 6; No, None; carried.

MAY 7, 1964

The petition of Seth Jenkins and Fenton C. Woolf was then reviewed. This had reference to Lots 4, 5, 6, 7, 8, 9 and 10, Block 31, Capitol Hill Addition and requested that the area in question be rezoned from R-2 to C-Ltd. to provide off street parking for a business development. There were no protests and Council noted that this rezoning would be in conformity to bank property adjoining on the east. It was moved by Councilman Parish, seconded by Leahy, that this rezoning be permitted. Roll call as follows: Ayes, 6; No, None; carried.

A petition was then presented from the Idaho First National Bank, requesting rezoning of Lots 1, 2, and 3, Block 31, Capitol Hill Addition, from R-2 to C-Ltd. to be used as a parking area for bank customers. There were no protests. It was moved by Councilman Nelson, seconded by Keller, that this rezoning be approved. Roll call as follows: Ayes, 6; No, None; carried.

Finally, from Grant Packer, Sr., a petition was considered to rezone, from R-1 to C-Ltd. the west 9½ feet of Lot 9, Block 25, Scott's Addition, to permit use of a driveway of an adjoining commercial operation. It was noted that the Board of Adjustments had previously recommended denial and that this small area be permitted to remain in non-conforming use under the R-1 zone.

The City Clerk read the following protest petition, signed by twelve near by residents:

May 5, 1964

To: Roy C. Barnes, City Clerk
and the City Council of Idaho Falls

We, the undersigned citizens and property owners of the City of Idaho Falls, protest the proposed change of zoning in Lot 9, Block 25, Scotts Addition. We protest the change from residential to commercial property, because of the effect it will have on the value of the surrounding property. Also, with each extension of commercial zoning into an otherwise residential district, the area becomes less livable as is evidenced by the increase in traffic, noise level, trash and refuse in the streets, and lighted signs.

We also wasn't to remind the City Council that many problems and errors came to light when another group protested at an earlier zoning meeting involving this same area.

It was noted that Mr. Packer had previously obtained a signed petition from the majority of the near by property owners, whereby said signers consented to the rezoning request. The City Clerk then read the following letters from those who wished to have their name removed from said petition:

503 E. 13th Street
Idaho Falls, Idaho
May 7, 1964

Mr. Roy Barnes
City Clerk
Idaho Falls, Idaho

MAY 7, 1964

Dear Sir:

This is to serve notice that I wish my name to be struck from a petition circulated in my area that is requesting a zone change for a portion of Lot 9, Block 25, Scotts Addition.

I also wish to have my name entered among those in opposition to the zone change or misuse of all or any portion of Lot 9, Block 25, Scotts Addition.

At the time of presentation of the above mentioned petition, all the pertinent information regarding this property was not made available in the course of time many facets have come to light and necessitated a reversal of my thinking.

Respectfully,
s/ Outger C. Vegos

<u>Owner</u>	<u>Lot</u>	<u>Block</u>	<u>Addition</u>
	12 & East	16	Scotts
	16' Lot 13		

City Clerk
Idaho Falls, Idaho

Recently I signed a petition, presented to me by Mr. Grant Packer, stating that I would not object to his requesting rezoning of 7 feet of his property on East 13th. Streets (Lots 9, 10, and 11, Block 25 of the Scotts Addition) from residential to commercial.

My property description is part of Lot 13 and part of Lot 14, Block 16, Scotts Addition which is directly north of Mr. Grant Packer's property.

After careful consideration of this petition, I do not wish to have anymore property in this area rezoned commercial. Therefore I wish to have my name removed from this petition.

Sincerely,
s/ Jeffrey A. Gore
517 E. 13th Street
Idaho Falls, Idaho

Mr. Earle Vierck, 520 12th appeared and informed the Council that he had been authorized by Mr. A.M. Smith, 519 E. 13th Street, to also have his signature stricken from the Packer Petition. Mr. Vierck then personally protested the rezoning and asked whether of not this rezoning, if permitted, would so alter the adjoining lot, now zoned R-1, so that it would no longer conform to that zone. Building Official Browning explained that this proposed rezoning would not change the lot line.

MAY 7, 1964

Mr. John Hansen, local attorney, representing Mr. Packer, appeared and asked the Council to consider this rezoning request on its present merits; namely, that the alley in question serves a commercial area and that rezoning would permit proper use of the building.

Mr. Grant Packer appeared and explained that the original building plan called for a location so situated that use of the alley would not have been necessary but that this was denied by the Building Official.

Mr. Marshall Keyes, 557 E. 13th, appeared and drew attention to the fact that Mr. Packer did not have all affected property owners on his signed petition. He protested the rezoning on the grounds that open truck traffic in this alley would serve as a neighborhood disturbance, especially at night.

Mrs. Joseph Nixon, 584 E. 13th Street, appeared and protested the rezoning on the grounds that this would pave the way for additional requests for commercial zoning of adjoining property some time in the future.

Mrs. Donald Cissel, 575 E. 13th, appeared and registered a protest on the grounds that this rezoning would tend toward encouraging a commercial trend, previously established in this area.

Mr. Doug Mander, tenant in the Packer Building, appeared and reminded the Council that part of the alley is now properly zoned and that this rezoning would simply make the entire alley in conformance.

In answer to several accusations, Mr. Packer reappeared and said that all construction on the corner had been in compliance with the Building and the Zoning Code.

In view of the many protests, it was moved by Councilman Nelson, seconded by Leahy, that this requested rezoning be denied. Roll call as follows: Ayes, 6; No, None; carried.

This concluded the zoning hearing. The Mayor Pro tem instructed the Building Official to incorporate the foregoing zoning changes on the official zoning map, located in his office.

The Mayor Pro tem announced that this was the time and the place for a public hearing, as advertised, relative to the creation and establishment of L.I.D. #32. There were no protests. Dale Berrett from the Engineering Department appeared and explained that two properties had been excluded from the district, thus increasing the square foot cost proportionately to the remaining property owners. In answer to a question by Councilman Leahy, Berrett explained, further, that property owners had not been officially advised as to this change. Therefore, it was moved by Councilman Keller, seconded by Freeman, that no action be taken except to instruct the Engineering Department to contact all remaining property owners, advising them of this deletion, thus giving them an opportunity to be heard if they objected to this procedure. Roll call as follows: Ayes, 6; No, None; carried.

The Mayor Pro tem announced that this was the time and the place for an informal hearing relative to the "E" Street development. Mr. Ethan Axtmann, Traffic Engineer, appeared and presented cost estimates, revealing a total estimated cost, including street improvement, City cost, storm sewer, legal and advertising, but excluding the cost of acquiring additional right of way, of \$50,532.00. He then explained the advantage of widening the street to provide proper facilities for two way traffic but pointed out that this, in itself, posed a problem, inasmuch as, in certain blocks, six feet of additional right of way was needed on both sides of the street but, on other blocks, only three feet would be required. He said street improvement and two way traffic without widening

MAY 7, 1964

would pose future problems and be contrary to good long term planning. He said "E" Street is a direct connection between two arterials and would be required, in the future, to handle a substantial flow of traffic and that the State Highway Department would take a dim view of any plan calling for less than complete reconstruction, including widening.

Mr. Talmage Grimmett, L.D.S. 1st Ward Bishop, appeared in behalf of the Church, to speak in favor of the project and to say that the Church would not object to two way traffic if this was necessary for proper flow of traffic. He said the Church was willing to give sufficient property to effect widening but could not agree that they should be asked to participate in the cost of street reconstruction or the storm sewer.

This resolution was then introduced by Councilman Nelson:

RESOLUTION (Resolution No. 1964-14)

A RESOLUTION DECLARING THE INTENTION OF THE CITY COUNCIL OF THE CITY OF IDAHO FALLS, IDAHO, TO GRADE, GRAVEL, PRIME COAT, PAVE, CURB, GUTTER, SURFACE DRAIN, AND CONSTRUCT SIDEWALK ON "E" STREET BETWEEN YELLOWSTONE AVENUE AND MEMORIAL DRIVE WITHIN SAID CITY AND TO CONSTRUCT A STORM DRAINAGE SYSTEM FOR SAID "E" STREET AND ADJACENT PROPERTY; TO CREATE LOCAL IMPROVEMENT DISTRICT NO. 34, FOR IDAHO FALLS, IDAHO, FOR THE PURPOSE OF MAKING SAID IMPROVEMENTS: TO DEFRAY THE COSTS AND EXPENSES OF SAID DISTRICT AND A PORTION OF THE COSTS AND EXPENSES OF SAID IMPROVEMENT BY SPECIAL ASSESSMENTS LEVIED UPON AND AGAINST THE LOTS AND LANDS ABUTTING, ADJOINING AND ADJACENT TO "E" STREET, AND ON AND AGAINST ALL LOTS AND LANDS BENEFITED BY SUCH IMPROVEMENTS AND INCLUDED IN SAID DISTRICT, AND TO PAY THE WHOLE COST AND EXPENSE OF SAID IMPROVEMENTS WITHIN STREET INTERSECTIONS AND THE CENTER SIX FOOT STRIP OF "E" STREET FROM THE GENERAL FUNDS OF THE CITY AND DECLARING SAID IMPROVEMENTS TO BE AN ORIGINAL IMPROVEMENT; GIVING THE KIND AND CHARACTER OF SAID IMPROVEMENTS AND THE ESTIMATED TOTAL COST THEREOF; FIXING THE TIME WHEN PROTESTS AGAINST SAID IMPROVEMENTS AND THE CREATION OF SAID DISTRICT MAY BE FILED IN THE OFFICE OF THE CITY CLERK AND WHEN SUCH PROTESTS WILL BE HEARD AND CONSIDERED BY THE CITY COUNCIL; AND PROVIDING FOR GIVING NOTICE THEREOF.

MAY 7, 1964

WHEREAS, the City Council of Idaho Falls, Idaho, deems it for the best interests of the City to gravel, grade, prime coat, pave, curb, gutter and construct sidewalks and a storm drainage system upon and along "E" Street, within the corporate limits of said City, hereinafter particularly described; and to create Local Improvement District No. 34 for the City of Idaho Falls, Idaho, for the purpose of making said improvements; and

WHEREAS, the estimated total cost of said District and of said improvements is \$50,500.00, of which sum \$14,500.00 is the total estimated cost of said improvements within street intersections and the center six foot strip for the entire length of said street improvements; and

WHEREAS, the City Council is authorized to expend from the general funds of the City the whole of the cost and expenses of said improvements within the street intersections and such other portion of the cost and expenses of said improvements as in their judgment may be fair and equitable in consideration of the benefits accruing to the general public by reason of such improvements; and

WHEREAS, the City Council proposes to defray the cost and expenses of said District and of said improvement to the extent of \$36,000.00 by special assessments levied upon and against the lots and land abutting, adjoining and adjacent to the streets to be improved, and on and against all lots and lands benefited by the storm drainage system and by such improvements and included in said District and to defray the whole cost and expenses of said improvements within street intersections and said six foot strip from the general funds of the City; and

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF IDAHO FALLS, IDAHO, AS FOLLOWS:

Section 1. The City of Idaho Falls, Idaho, does hereby declare its intention to gravel, grade, prime coat, pave, curb, gutter and construct sidewalks on "E" Street and to construct a storm drainage system along and adjoining "E" Street within the corporate limits of said City and for that purpose to create and establish a District No. 34 for the City of Idaho Falls, Idaho, comprising said streets and parts of streets and the lots and alleys, abutting, adjoining and adjacent thereto and the lots and lands benefited by such improvements and situated in said District, which said streets and parts of streets and lots and lands are described as follows, to-wit:

Street paving, curbs and gutter construction in the Railroad Addition to the City of Idaho Falls, to include the abutting and adjoining properties to "E" Street, described as:

Block 5, Lots 7 to 12, inclusive
Block 6, Lots 7 to 12, inclusive
Block 7, Lots 7 to 12, inclusive
Block 8, Lots 7 to 10, inclusive
Block 9, Lots 1 to 6, inclusive
Block 10, Lots 1 to 6, inclusive
Block 11, Lots 1 to 6, inclusive
Block 12, Lots 1 to 6, inclusive

Sidewalk construction in the Railroad Addition to the City of Idaho Falls, Idaho, to include the abutting and adjoining properties to "E" Street, described as:

Block 5, Lots 7 to 12, inclusive
Block 6, Lots 7 to 12, inclusive
Block 7, Lots 7 to 12, inclusive
Block 8, Lots 7 to 10, inclusive
Block 9, Lots 1 to 6, inclusive
Block 10, Lots 1 to 6, inclusive
Block 11, Lots 1 to 6, inclusive
Block 12, Lots 1 to 6, inclusive

Storm drainage system, in that portion of the Railroad Addition to the City of Idaho Falls, Idaho, described as:

Block 5, Lots 7 to 12, inclusive
Block 6, Lots 1 to 12, inclusive
Block 7, Lots 1 to 12, inclusive
Block 8, Lots 3 to 10, inclusive
Block 9, Lots 1 to 6, inclusive
Block 10, Lots 1 to 6, inclusive
Block 11, Lots 1 to 6, inclusive
Block 12, Lots 1 to 6, inclusive

Section 2. The kind and character of said improvements are grading, graveling, prime coating, paving, curbs and gutter, surface drainage, and constructing sidewalks and storm drainage system, on said street, all according to plans and specifications to be filed in the Office of the City Engineer and City Clerk on or before the day fixed for hearing protests against the creation of said District and making of said improvements.

Section 3. The said improvements are original improvements.

MAY 7, 1964

Section 4. The estimated cost and expenses of said District and of said improvements are \$50,500.00, which sum is to be allocated and paid as follows:

From special assessments	\$36,000.00
From the general funds of the City	14,500.00

Section 5. The cost and expenses of said District and of said improvements which is to be paid by special assessments is to be assessed against the abutting, adjoining and adjacent lots and lands to the street to be improved and on and against all lots and lands benefited by said street improvements and storm drainage system, and included within said District, each lot and parcel of land being assessed separately for the debt thereof, in proportion as to the number of square feet of said lots and lands abutting, adjoining or adjacent thereto or included in said District to the distance back from said streets and parts of streets, if platted in blocks to the center of the blocks, if platted in lots to the center of the lots and if not platted, to the distance of 125 feet, and in proportion to the benefits derived to such lots and lands by such improvements, sufficient to cover the total cost and expenses of said improvements to the center of the street.

The cost and expenses of said improvements within street and alley intersections and the six foot center strip in "E" Street, namely, the sum of \$14,500.00, is, in the judgment of the City Council, a fair and equitable portion of the total cost and expense of said District and of said improvements to be expended from the general funds of the City in consideration of the benefits accruing to the general public by reason of such improvements and shall be paid out of the general funds of the City.

That Monday, the 25th day of May, 1964, at 7:30 P.M. of said day, and the Council Chambers of the City Council in the City Hall in the City of Idaho Falls, Idaho, be, and the same are hereby designated as the time and place when protests against the creation of said District or the making of said improvements will be heard and considered by the City Council and that protests against said improvements or the creation of such District may be filed in the office of the City Clerk on or before the day of such meeting to, but not later, than the hour of 7:30 P.M. of said day. The City Clerk is hereby ordered and directed to give notice of the passage of this Resolution, the time within which protests against said proposed improvements or the creation of said District may be filed, and the date when said protests will be heard and considered by the Council in the manner provided by law.

APPROVED BY THE MAYOR of the City of Idaho Falls, Idaho this 7th day of May, 1964.

ATTEST: s/ Roy C. Barnes
CITY CLERK

s/ S. Eddie Pedersen
MAYOR

MAY 7, 1964

It was moved by Councilman Nelson, seconded by Freeman, that this resolution be adopted, that the Mayor and City Clerk be authorized to sign, and that the first protest hearing be scheduled for May 25th, 1964. Roll call as follows: Ayes, 6; No, None; carried.

Mr. Ray Naef appeared before the Council. It was noted that he, as a discharged police officer, had recently been reinstated by the Civil Service Commission, that he had requested from the Police Chief a thirty day extension before resuming his duties, that the Chief had granted 15 days and had referred him to the City Council relative to the additional 15 days. Naef explained that there had been considerable delay before the Civil Service hearing, that the outcome, obviously, was, in the interim period, unknown to him and, therefore, he found it necessary to make outside commitments to make a living. The request for further time extension, he explained, was to complete said commitments. In answer to a question by Councilman Nelson, Naef said he considered Police work his principal line of endeavor.

Mr. Norman Jones, 934 Elmore, appeared and commented to the effect that, in his opinion, this police officer should not be entitled to the special privilege of this leave of absence time extension, as requested. It was moved by Councilman Leahy, seconded by Freeman, that this matter be referred to the Police Committee and the Police Chief for study and recommendation. Roll call as follows: Ayes, 6; No, None; carried.

Two representatives from the D.F.W. Women's Auxiliary appeared before the Council, asking permission to canvas house to house for the purpose of selling magazine subscriptions as a funds raising project. Recognizing the fact that this is normally prohibitive, it was referred by the Mayor Pro tem to the City Attorney and the Police Department to determine whether or not this organization could be considered exempt.

Mr. Gene Bush, local attorney, appeared before the Council and presented a petition, signed by Bernice and Cecil Owens, requesting that the City vacate a certain right of way and storm sewer easement, located in the intersection between West 16th and Rollandet. Mr. Bush proposed, in the event said right of way were permitted, that the intersection be re-routed in a circular manner with radiuses of 15' and 75' along the respective property lines which would in time permit expanded construction of the Kitchen Queen Foods, Inc. The question was posed relative to the need for an additional easement agreement for a 15' radius back of the property line on the southeast corner of West 16th and Rollandet from Delbert and Mildred Clark to properly construct the street as proposed. It was learned that this had not been obtained; therefore, the matter was tabled for further Engineering study and pending receipt of this additional right-of-way.

This petition, signed by 18 construction contractors, was presented by Mr. Gil Telford, local realtor, and read by the City Clerk:

May 4, 1964

Honorable Mayor and City Council:

We the undersigned builders and contractors doing business in Idaho Falls earnestly request the Mayor and City Council to make the necessary revisions in the Electrical Code of the City

MAY 7, 1964

of Idaho Falls to bring it in conformity with the National Electrical Code as it applies to the use of non-metallic sheath cable.

Your consideration of this request will be earnestly appreciated by all of us.

This was referred to the Building Committee who was directed by the Mayor Pro-tem to confer with the Electrical Engineer as a means of giving this proposition due study and consideration.

Bills for the month of April, having been properly audited by the Fiscal Committee, were presented as follows, in caption form, to-wit:

<u>FUND</u>	<u>GROSS PAYROLL</u>	<u>SERVICES & MATERIALS</u>	<u>TOTAL EXPENDITURES</u>
General Fund	\$92,415.04	\$45,806.85	\$138,221.89
Fire Fund	20,007.79	5,224.47	25,232.26
Water and Sewer	8,945.47	25,997.80	34,943.27
Electric Light Fund	23,4103.10	47,249.80	70,652.90
Recreation Fund	298.40	284.88	583.28
Police Retirement	<u>1,909.49</u>	<u>.00</u>	<u>1,909.49</u>
TOTAL	\$146,979.29	\$124,563.80	\$271,543.09

Councilman Parish explained the larger expenditures, described the present condition of the various funds and the progressive improvement being made. It was moved by Councilman Parish, seconded by Leahy, that the bills be approved and the Controller be authorized to issue warrants on the respective funds for their payment. Roll call as follows: Ayes, 6; No, None; carried.

Reports from Division and Department Heads were presented for the month of April, 1964, and, there being no objection, were ordered placed on file in the office of the City Clerk.

License applications for RESTAURANT (previously approved by the City Sanitarian) in the name of Lorin E. Peterson, operating as the Burgermaster, A&W Drive Inn; CLASS C WARM AIR HEATING & VENTING & GAS FITTING CONTRACTOR (previously approved by the Heating Inspector) W. Lowell Harrop for Bonneville Service Center; CLASS D WARM AIR HEATING & VENTING CONTRACTOR (previously approved by the Heating Inspector) F. L. Pendleton for Pendleton Plumbing & Heating; CLASS C JOURNEYMAN GAS FITTING & WARM AIR HEATING (previously approved by the Heating Inspector) Max Conan, Dave Harmon, Elbert M. Willis, Lyle M. Charlesworth Jr., Max W. Russell, Eldon V. Thompson, Norman Godfrey, Ramon G. Landon; CLASS C JOURNEYMAN REFRIGERATION AND GAS FITTING (previously approved by the Heating Inspector) James C. Walker, Robert Schriener, Ivan Hill, Cliff Cook, Clarence Benson, Marlyn J. Nelson, Richard Weimer, Wilford Wilcock; CLASS D JOURNEYMAN REFRIGERATION (previously approved by the Heating Inspector) William D. Johnson, Vaughn G. Johnson; CLASS D JOURNEYMAN HOT WATER HEATING (previously approved by the Heating Inspector) F. L. Pendleton, Grant Pendleton; BEER LICENSE (change of ownership only) Dorothy Sonnemann &

MAY 7, 1964

Harry W. Parker for Turf Bar (previously approved by the Police Chief) were presented. It was moved by Councilman Freeman, seconded by Keller, that these licenses be approved. Roll call as follows: Ayes, 6; No, None; carried.

License application for CLASS D JOURNEYMAN WARM AIR HEATING & VENTING, Rex Onan was presented. It was moved by Councilman Keller, seconded by Parish, that this license be granted, subject to the approval of the Heating Inspector. Roll call as follows: Ayes, 6; No, None; carried.

License application for ICE CREAM VENDOR, J. E. Fickbohm, operating as Mr. Softie was presented. It was moved by Councilman Nelson, seconded by Keller, that this license be granted, subject to the approval of the City Sanitarian. Roll call as follows: Ayes, 6; No, None; carried.

License applications for PHOTOGRAPHER, Steven Green for Steve's Studio, Jerry Stark for Austin-Fox-Tiffany Studio Assn. were presented. It was moved by Councilman Freeman, seconded by Nelson, that these licenses be granted subject to the approval of the Police Chief. Roll call as follows: Ayes, 6; No, None; carried.

License applications for ELECTRIC CONTRACTOR, Truman Wilson for Wilson Electric; ELECTRIC CONTRACTOR (change of ownership only) Ernest J. Briggs for Snake River Electric Inc.; JOURNEYMAN ELECTRICIAN, Boyd J. Emery were presented. It was moved by Councilman Leahy, seconded by Freeman, that these licenses be granted, subject to the approval of the Electrical Inspector. Roll call as follows: Ayes, 6; No, None; carried.

This letter was read by the City Clerk:

Simpson's Inc.
P. O. Box 340
Idaho Falls, Idaho
April 24, 1964

City Councilmembers
City of Idaho Falls
c/o Mayor Pedersen
Box 20
Idaho Falls, Idaho

Re: Parking for Miss Anne Bates

Dear Sir:

I contacted Mayor Pedersen, who referred me to Captain Wilson of the Police Department, who referred me to you, the Councilmembers regarding parking for the above mentioned person in my employ.

Miss Bates is a cripple and is required to be on crutches at all times, and it is very difficult for her to walk any distance. For the past month I have been unable to find parking space for her.

MAY 7, 1964

Until that time, we had received space from Doris Hill Carpet Shop, and then from Willy's Used Car Lot when they took over the space at Yellowstone and D Street. Willy then moved in additional cars and there was no room for her, so Frank Nuckolls allowed us to park her car on the Ira Corey lot, but now that Mr. Hammon has bought this, he has informed me that he does not have sufficient room for his employees let alone mine. We have contacted all the rest of the business's around us and they all state that they do not have sufficient room for her car.

We would like the Council to grant permission for a sticker to be placed in Miss Bates' car window, so that she may park her car in front of our place of business without the necessity of feeding a parking meter. There have been several times a ticket has been issued for overtime parking as we have become very busy and have not fed the meter in time.

We hope the above is explanatory, and that the Council will feel that this is a necessary request and will grant same.

Sincerely,
Simpson's Inc.
s/ Don Robinson, Manager

It was moved by Councilman Leahy, seconded by Freeman, that the request be denied on the grounds that, if granted, it would be precedent setting but with the recommendation that Miss Bates purchase a meter cap from the Police Department to be used directly in front of Simpson's place of business. Roll call as follows: Ayes, 6; No, None; carried.

An extension rider to Union Pacific contract #L&T 15-229 was presented, extending said contract to April 30, 1969. It was moved by Councilman Leahy, seconded by Keller, that the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 6; No, None; carried.

Two City Redemption tax deeds were presented in the names of Paul Cobbley and Cannon Anderson, accomplished by appropriate resolutions, as follows:

RESOLUTION (Resolution No. 1964-15)

WHEREAS, the City of Idaho Falls, Idaho, under and pursuant to the provisions of Chapter 29, Title 50, Idaho Code, and by deed of the City Treasurer, dated the 6th day of February, 1960, recorded in Book 132 of Deeds at Page 501, records of Bonneville County, Idaho acquire title to and possession of the following described real property, to-wit:

Lots Seven (7) and Eight (8), Block Three (3), Dwight's Addition to the City of Idaho Falls, Idaho, according to the recorded plat thereof.

WHEREAS, PAUL COBBLEY 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

MAY 7, 1964

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 PAUL COBBLEY a deed to said property, pursuant to the provisions of Section 50-2951, Idaho Code.

PASSED BY THE COUNCIL this 7th day of May, 1964.

APPROVED BY THE MAYOR this 7th day of May, 1964.

ATTEST: s/ Roy C. Barnes
CITY CLERK

s/ S. Eddie Pedersen
MAYOR

RESOLUTION (Resolution No. 1964-16)

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 January, 1964, recorded in Book 153 of Deeds at Page 487, records of Bonneville County, Idaho, acquire title to and possession of the following described real property, to-wit:

Lots One (1) and Two (2), and the east ten feet of Lot Three (3), Block Twenty-seven (27), Brodbeck Addition to the City of Idaho Falls, Idaho, as per the recorded plat thereof.

WHEREAS, CANNON ANDERSON 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 CANNON ANDERSON a deed to said property, pursuant to the provisions of Section 50-2951, Idaho Code.

PASSED BY THE COUNCIL this 7th day of May, 1964.

MAY 7, 1964

APPROVED BY THE MAYOR this 7th day of May, 1964.

ATTEST: s/ Roy C. Barnes
CITY CLERK

s/S. Eddie Pedersen
MAYOR

It was moved by Councilman Parish, seconded by Nelson, that these resolutions be adopted and the Mayor and City Clerk be authorized to sign the resolutions and the deeds. Roll call as follows: Ayes, 6; No, None; carried.

A memorandum from the Purchasing Agent was read by the City Clerk, revealing the fact that bids had been opened April 29th, 1964 on fuel and oil to furnish the City's requirements from May 1st to December 31st, 1964. Bidders were as follows: Wescott Oil Corporation, Richfield Oil Corporation, American Oil Company, Beeline Refining Company, Texaco, Max Nadauld. The purchasing agent recommended that the following low bids be approved and accepted: Regular gasoline, .1908 per gal. by American Oil Co.; Premium grade, .2083 per gallon by Sinclair; Straight viscosity motor oil, .61 per gal. by Sinclair; Multiple viscosity oil, .86 per gal. by Sinclair. The purchasing agent recommended further that the identical bids on premium grade be shared equally by the two low bidders and that they furnish that product for a period of four months each. It was moved by Councilman Leahy, seconded by Freeman, that the Purchasing Agent's recommendations be honored and the bids, as stated, be accepted. Roll call as follows: Ayes, 6; No, None; carried.

ORDINANCE NO. 1092

AN ORDINANCE ADOPTING BY REFERENCE, AND ENACTING, FOR THE CITY OF IDAHO FALLS, IDAHO, THE PROVISIONS OF THE IDAHO STATE PLUMBING CODE, BEING A CODE ESTABLISHING RULES AND REGULATIONS FOR THE INSTALLATION AND MAINTENANCE OF PLUMBING, AND BEARING THE TITLE "PLUMBING LAWS, RULES AND REGULATIONS OF THE STATE PLUMBING BOARD OF IDAHO, 1957"; PROVIDING THAT A PORTION OF SAID CODE SHALL NOT BE ADOPTED, AND PARTICULARLY DESCRIBING SUCH PORTION: PROVIDING THAT THREE COPIES OF SAID CODE SHALL BE FILED WITH THE CITY CLERK; ESTABLISHING PENALTIES FOR VIOLATION OF THE ORDINANCE; REPEALING ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

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

MAY 7, 1964

None; carried. The majority of all the members of the Council present having voted in the affirmative, the Mayor Pro tem 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.

One petition for a change of zoning by Serge Marshall, and four appeals for variance by the Bonneville Improvement Company, Alva C. Harris, Arnold C. Weed, and Dean Denning were presented. It was moved by Councilman Leahy, seconded by Parish, that these be referred to the Board of Adjustments for study and recommendation. Roll call as follows: Ayes, 6; No, None; carried.

ORDINANCE NO. 1093
(Jossie Hughes Addition, Division #1)

AN ORDINANCE ANNEXING CERTAIN LANDS TO THE CITY OF IDAHO FALLS: DESCRIBING SAID LANDS AND DECLARING SAME A PART OF THE CITY OF IDAHO FALLS, IDAHO

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

ORDINANCE NO. 1094
(Home Ranch Addition, Division #2)

AN ORDINANCE ANNEXING CERTAIN LANDS TO THE CITY OF IDAHO FALLS, IDAHO: DESCRIBING SAID LANDS AND DECLARING SAME A PART OF THE CITY OF IDAHO FALLS, IDAHO

The foregoing Ordinance was presented in title. It was moved by Councilman Page, seconded by Leahy, 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

MAY 7, 1964

Council for final consideration the question being, "SHALL THE ORDINANCE PASS?" Roll call as follows: Ayes, 6; No, None; carried.

ORDINANCE NO. 1095
(Riviera Homes Addition, Division #2

AN ORDINANCE ANNEXING CERTAIN LANDS TO THE CITY OF IDAHO FALLS: DESCRIBING SAID LANDS AND DECLARING SAME A PART OF THE CITY OF IDAHO FALLS, IDAHO

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

In view of the foregoing annexation, the need for a public zoning hearing was recognized. It was moved by Councilman Leahy, seconded by Parish, that said meeting be scheduled for May 25th, 1964, and the City Clerk be authorized to publish notice accordingly. Roll call as follows: Ayes, 6; No, None; carried.

Councilman Freeman introduced certain travel requests as follows: One police officer and one fireman to attend the Fourth Annual NW Fire and Arson Investigation Seminar, Portland, Oregon, May 25-29, 1964; One captain from the Police Department to attend the Traffic Institute, Northwestern University, Evanston, Illinois, May 25th to June 12th, 1964; Three police officers to attend the Idaho Law Enforcement Academy, Idaho State University, Pocatello, Idaho, June 15-26, 1964. It was moved by Councilman Freeman, seconded by Leahy, that these requests be approved. Roll call as follows: Ayes, 6; No, None; carried.

Councilman Nelson reported on the ambulance study. It was learned that the City and the County had agreed on an equal subsidy arrangement and that there would probably be a separate agreement for the City and County. Nelson emphasized that the operator would receive other revenue from the operation, directly from the patient. Councilman Leahy suggested that the agreement provide for certification as to the operators calls and his realized revenue.

The Mayor Pro tem drew attention to a small City owned park area, east of the old Safeway Store on "E" Street, destined to be eliminated by the Yellowstone Department, in an effort to preserve the trees and shrubs.

Council attention was drawn to the fact that the Civitan Club had done considerable work and improvement at the triangular park on Elva and Jackson. Although no official action was taken the Council favorably considered naming the area Civitan Park.

MAY 7, 1964

Councilman Parish registered serious concern regarding overtime figures, recently released from the Controller's Department. It was generally agreed that the responsible Councilmen in every instance, meet with the Division Head for purposes of resolving and correcting the problem.

Councilman Leahy drew attention to the fact that contractors are lax in obtaining permits from Engineering Department for street blocking, preparatory to excavation, etc.

Leahy then noted that use of City vehicles by City employees is not being enforced in line with a previous directive.

Leahy concluded his remarks by reporting that the County had agreed to condemn sufficient right of way for the widening of 9th Street, east of St. Clair Road, but that it would be the City's responsibility to annex and improve. He indicated, further, that the property owner may agree to sell in which case condemnation proceedings could be avoided. This was referred to the Public Works Committee and the City Attorney for further study and investigation.

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

ATTEST: s/ _____
CITY CLERK

s/ S. Eddie Pedersen
MAYOR
