

APRIL 9, 1964

The City Council of the City of Idaho Falls met in Recessed Regular Session, Thursday, April 9, 1964, at 7:30 P.M. in the Council Chambers at Idaho Falls, Idaho. There were present at said Meeting: Mayor S. Eddie Pedersen; Councilmen Freeman, Keller, Leahy, Nelson, Page, Parish. Also present; Roy C. Barnes, City Clerk; Arthur Smith, City Attorney; Don Lloyd, Public Works Director; Luther Jenkins, Controller.

Minutes of the last Regular Meeting, held March 19th and Special Meetings held March 23rd and March 31st, 1964 were read and approved.

The Mayor announced that this was the time and the place for a public hearing, as advertised, relative to the establishment and creation of Local Improvement District #33, a storm sewer project which would serve the Hughes Imperial Addition.

Recognizing that there were certain written protests the Mayor directed the City Clerk to present these and they were read as follows:

Dr. James G. McCue, Jr.

April 8, 1964

City Council
City of Idaho Falls
Idaho Falls, Idaho

Gentlemen:

We wish to express our opposition in the strongest possible manner to the proposed Local Improvement District No. 33. This opposition is based upon the following logical points.

1. There is considerable question that any real need exists. The melting of the massive snow cover during the past two weeks gave no indication of such need.
2. The worst flood to hit the City in a quarter of a century caused flooding in one or two basements in our area. The cause of this flooding was due—1st, to the fact that these homes were built below street level, certainly a very poor building practice, and—2nd, because the City permitted building a dam (with no outlet) in the form of a street (between Hughes Estates and the Gustafson Addition) running at right angles to the natural drainage of the land. Many years ago a similar man-made obstruction was placed where the present street runs today. A legal battle caused its removal.
3. Indications are that about 90% plus of the area residents oppose the City plan. To force it down their throats, although possibly legal, is contrary to democratic principals, to say the least.

APRIL 9, 1964

4. **IF** a real need exists, the most complicated logical and expensive solution would be to collect the water at its lowest point, put it underground, run it back up hill thru the park and dump it into a canal or the river.

The simplest, most logical and least expensive solution - which seems to have been entirely overlooked - is merely to construct an outlet thru or under this dam (street) which backs up all of this water, thereby permitting the water to follow the path nature has provided and it has followed to the river for centuries.

Respectfully submitted,
s/ J. G. Mc Cue, Jr.
s/ Phyllis M. McCue

2820 East Morningside Drive
Idaho Falls, Idaho
April 4, 1964

Mayor Eddie Pedersen and Idaho Falls City Council
City Building
Idaho Falls, Idaho

Gentlemen:

Please consider this my formal protest against the creation of Local Improvement District No. 33 of the City of Idaho Falls, Idaho. This LID is for the purpose of installing storm sewers and appurtenances in the Hughes Imperial Estates Subdivisions 1 and 2.

I have lived in this area for the past three years preceded by 5-1/2 years elsewhere in Idaho Falls. During this 8-1/2 year period I have never felt that there was any need for an elaborate storm sewer system in the affected area. The majority of water which falls or is drained to this entire area is immediately soaked into the ground. Such water that does not soak in drains in a generally westerly direction and accumulates in the general area of the intersection of Westmoreland Drive and West Morningside Drive. A fairly substantial French Drain at that corner would adequately handle the entire storm sewer needs of the area under consideration. Such a drain would be quite inexpensive and considerably easier to install than the elaborate system suggested.

If an elaborate system of drains is seriously considered, it is my contention that this system should also include that portion of Tautphaus Park which lies east of the Zoo and south of the old race track. This area has a much greater flood potential and would logically fit into the proposed LID. If such a system were to be installed, the City should bear at least half the cost.

APRIL 9, 1964

Very truly yours,
s/ Allan S. Richardson, Jr.

April 1, 1964

Dear Sir:

Being property owners in Hughes Imperial Estates, we wish to protest the storm sewer that is being considered for our district. This being known as the Local Improvement District No. 33 of the City of Idaho Falls.

We are not in favor of this being done in the manner in which you propose, as it does not to us seem feasible. We wish to protest it being done at all.

Sincerely,
s/ Mr. and Mrs. Urban Olsen
195 Rogers Street
Alice Olsen/ Urban Olsen

Mr. Louis Boyle, 2810 Westmoreland Drive, appeared and asked for a cost breakdown of the proposed project. Mr. Dale Berrett from the City Engineering Department presented the following:

Interceptor lines and inlet basins	\$6,030.00
Participation with City	\$4,040.00
Engineering, Administrative, Legal and Contingency	\$2,010.00
Total cost to be assessed	\$12,080.00
Total City costs	<u>5,880.00</u>
Total costs	\$17,960.00
Total assessment area	886.396 square feet
Cost per square foot	\$.01363

Berrett explained that the problem was two-fold; namely, the drainage of Tautphaus Park, now that the sink well was no longer operative, and the drainage of the Hughes Addition. The proposed engineering called for a combination of 8", 15", 18", and 21" pipe with the lines serving the two areas intersecting at Rogers Street and then running to the park canal. He explained, further, that there are many ways of computing costs but that the square foot basis was felt to be most equitable from the standpoint of benefits received.

Mrs. Phyllis McCue, 190 North Morningside Drive, appeared and protested this method of cost computation. She proposed that from the pipe junction to the canal, at least, the cost should be 50% by the City and 50% by the property owners. Berrett explained that the nature of the areas was

APRIL 9, 1964

to be considered; that the park was an open area where a certain amount of ponding posed no problem, whereas the residential area was developed with streets, driveways and houses, thus creating more storm drainage. Mrs. McCue then proposed that each property owners' assessment be based upon frontage plus square footage of driveways and roofs. Berrett said this might be equitable but highly impractical from the standpoint of data gathering.

Mr. Keith Blackburn, 293 Westmorland Drive, appeared and asked how the district would be financed and was answered that bonds would be issued and sold. He then asked if property owners could pay cash and was told that they would be given that opportunity.

Mr. Fred Thalgott, 2810 West Morningside Drive, appeared and asked, if this were done, what savings would be enjoyed and was told that, prior to the time the property was assessed, a cash payment would save the property owner the interest. Mr. Thalgott commended the Mayor and City Council in proposing a solution to the storm drainage problem.

Mr. George Petersen, 2833 Holly Place, appeared and reminded the Council that there are certain low spots in the streets which would not be properly drained, even if a storm sewer were installed. Public Works Director Lloyd said a study of this is being made.

Mr. Reid Anderson, 198 North Morningside Drive, appeared and reminded the Council that, in the past, flood areas were relatively small and were corrected with portable pumps and therefore wondered if the large size pipe and lift station is not excessive in relation to the problem. Berrett said the very gradual drain grade made necessary the large pipe and that the lift station size was based upon runoff quantity.

Mr. George Petersen reappeared and proposed that a district not be formed but, instead, construction costs be met by cash payments. City Attorney Smith said this was a commendable approach and urged that it be perused. Councilman Parish asked what the cost would approximate, per property owner, under this arrangement and was told that this would amount to about \$215.00 to \$220.00 a piece. The Mayor asked Mr. Petersen if he would volunteer as a Committee of one to investigate this possibility and report accordingly. Petersen accepted.

In the absence of further protests or comment and pending the report of Mr. Petersen, the Mayor declared the hearing concluded and that any Council action toward the District's establishment would be temporarily tabled.

The Mayor announced that this was the time and the place for an informal hearing as promised by the Mayor and City Council at a Council Meeting dated March 19th, 1964, at which time it was arranged that Pine Acre residents and representatives from the LDS Church would meet with the Council, relative to the lighting problem at the First Street Recreation Center.

Mr. Arthur Smith, City Attorney commented to the effect that this was not a court hearing or the equivalent. He explained, instead, it was a fact finding discussion to determine whether or not the City should remain a party to litigation by virtue of the fact that electric service has been discontinued. He gave the background in the case, interpreted from his file. He renewed his recommendation that the City should make an effort to withdraw without prejudice, willingly serve as a witness, and let the court decide whether or not a nuisance exists, as claimed by the near-by residents. He recognized that the residents and the Church were represented by attorneys and proposed that, in the interest of time and to avoid repetition, these men speak in behalf of their clients.

APRIL 9, 1964

Mr. George Petersen, attorney for the Church, appeared before the Council. He gave the background of the entire complex, including the purpose of property acquisition in 1958. He reminded the Council that in March of 1961 the City agreed to set the poles, for a fee, after which electric service was furnished. The nearby residents objected to night lighting, hired an attorney and eventually brought suit against the Church. He explained the Church's contention that their complex was neither unconditional nor a violation of the City ordinance. Originally, he said, the City concurred but later, reversed its position and, in 1962, discontinued electric service, thus forcing their enjoinder of the City in the suit. He presented a sketch of the entire 7.5 acre area, now 85% to 90% completed. Petersen proposed a three to four month moratorium, during which time electric service would be restored, controlled recreation activity would be experienced and the Church would make every effort to prove to the residents that said activity did not constitute a nuisance. He said screening is planned but not yet constructed as it hasn't as yet been approved by the property owners. He agreed that, at the end of the moratorium period, if property owners still objected, litigation would continue and the court would determine whether or not a nuisance did exist. He concluded by saying his client contends that turning off the electric service is not a propriety function of the City. In answer to a question by City Attorney Smith, Petersen said the Church would agree to a 9:55 P.M. curfew and that if the City would restore electric service the Church would permit the City to withdraw from the civil action suit and that said withdrawal would be construed to be without prejudice.

Mr. Tom Whyte, attorney for the property owners, appeared before the Council. He said his clients had not been originally notified as to building plans and when they so learned, petitioned the City in August of 1961, protesting same. He said the first objection was that of a nuisance, due to night lighting, noise, dust and trespassing. He contended that the activity in an R-1 zone is contrary to code and that, therefore, the City is involved. He said his clients do not object to the Church facility and he doubted that the Zoning Ordinance when originally established, permitting churches in an R-1 zone, intended to permit a major recreational complex. He said his clients had conceded to all facets of the operation except the night lighting and that earlier starting time for the games, as proposed, was not a satisfactory solution. The City Attorney asked what issues could not be resolved, if the City were to withdraw as a litigant and was answered by Whyte, to the effect that his clients feel the City has been and continues to be involved, regardless of whether or not electric service is restored.

Dr. Rheim Jones, 275 Marjacq Avenue, appeared before the Council, contending that the electric service was discontinued without official Council action in July of 1962. A search of the records by the City Clerk verified this assumption.

Mr. Dennis Olsen, colleague attorney with Mr. Petersen, appeared before the Council, noting that Mr. Whyte's contention in this case would suggest that all parks and recreation areas would have to be removed. He reminded the Council that Idaho Falls is lacking in these facilities. The nuisance factor as alleged by the nearby residents could more than be offset by additional juvenile delinquency if these centers did not exist.

Mr. F. W. Bethune, 286 Pinion Drive, appeared and asked the City Attorney his legal opinion as to whether or not the recreation complex in question was in violation of the Ordinance. Smith commented to the effect that any church is entitled to reasonable recreation facilities but that he was

APRIL 9, 1964

in no position to determine whether or not this area should or should not be considered reasonable or whether a nuisance is created.

Mr. Reed Moss, colleague attorney with Mr. Petersen, noted one Idaho Supreme Court decision whereby 10:45 P.M. was considered a fair curfew time and that a lighted area beyond that time was deemed a nuisance.

Councilman Nelson asked if restoration of electric service would be considered acting in favor of the Church. Smith said it would be understood and so declared and stated that such action, if taken, would be done without prejudice.

Mr. Petersen observed that, in his opinion, the City Council cannot act as judge and jury and concluded his remarks by making a formal demand that electric service be restored.

Councilman Parish expressed hope that court action be hastened as much as possible.

Throughout the hearing, there had been repeated reference to the fact that no building permits had been issued during construction of the recreation complex. Mr. Paul Ahlstrom, LDS Stake President, appeared and explained that several requests were made from the office of the Building Official, several inspections were made but, with regard to the Building Permit, it was explained that there was no need to apply for one, prior to actual construction of the Church.

In the absence of further discussion or comments, it was moved by Councilman Nelson, seconded by Leahy, that this controversial problem be tabled for further study and consideration. Roll call as follows: Ayes, 6; No, None; carried.

It was then moved by Councilman Leahy, seconded by Freeman, that all records be searched, that extract copies be made of all pertinent information from the City Clerks minutes, correspondence, court pleadings and from the office of the Building Official. Roll call as follows: Ayes, 6; No, None; carried.

Mrs. Howard Peyton, President of Civic Clubhouse, Inc., appeared before the Council and presented the following which was read by the City Clerk:

April 3, 1964

Mr. Gordon Nelson
Mr. Dale Parish
Chairmen, Public Health and Building and Lands Committee
City Council
Idaho Falls, Idaho

Gentlemen:

As discussed with you previously, on behalf of Civic Clubhouse, Inc. I am hereby petitioning City Council to transfer the lease on the following described parcel of land from Civic Clubhouse, Inc. to the Easter Seal Speech and Hearing Center:

Lots One (1) to Six (6), both inclusive, and Lots Forty-three (43) to Forty-eight (48), both inclusive, Block Thirty-nine (39) South Idaho Falls Addition to the City

APRIL 9, 1964

of Idaho Falls, Idaho, according to the recorded plat thereof, and that portion of ground lying between the east property line of Lots One (1) and Forty-eight (48) and the west property line of Rollandet Avenue, the foregoing described property situated in Bonneville County.

Currently, the Lessee, in consideration of the leasing of the premises aforesaid covenants and agrees with Lessor to pay to Lessor as rent for the same, the total sum of NINETY-NINE AND NO/100 (\$99.00) DOLLARS, payable in lawful money of the United States in manner following, to-wit:

ONE AND NO/100 (\$1.00) DOLLARS on the 1st day of each and every year of the term, hereof (April 10th).

In so petitioning for the transfer of this lease, we are also petitioning the same terms to apply to the transfer.

The purpose of this request is that since the members of Civic Clubhouse, Inc. no longer deem it feasible to construct and maintain a Civic Clubhouse in view of current and planned accommodations within the City, they now wish to channel their funds into other charitable projects for civic good and improvement, among them the establishment of permanent residence for the Easter Seal Speech and Hearing Center which serves the City of Idaho Falls and surrounding area of the Upper Snake River Valley. To this latter purpose it is desired to transfer this land lease to make it possible to establish a permanent building thereon for the use and operation of the Easter Seal Speech and Hearing Center, this facilitating its service to the crippled of the area.

In making this petition in this matter, we ask further that any such extension of this lease or any subsequent agreement entered into between the parties hereto covering the aforementioned property and improvements thereon include provisions allowing Civic Clubhouse, Inc., or its successors or assigns to be substituted for and acquire all rights and interests of Idaho Society for Crippled Children & Adults, Inc., (the Easter Seal Society) should said Society be unable to continue or meet the conditions of the agreement in effect between the parties. We ask that it also provide that should the foregoing event occur, Civic Clubhouse, Inc., or its successors, shall acquire the property interests without any additional costs or expense. The request for these provisions is made to protect the vested rights of the Civic Clubhouse funds now planned to be thus channeled.

We hope the Council may see fit to assist this worthy civic project by voting to make the requested transfer of lease in accordance with the above stipulations. Your assistance will be greatly appreciated.

APRIL 9, 1964

May we take this opportunity to thank you for your attention to this matter at the Regular April 9 Council Meeting, as we have a mid-April deadline to meet in order to be able to complete this project as planned.

Sincerely yours,
s/ Mrs. Howard J. Peyton
President, Civic Clubhouse, Inc.

cc: Mr. Karl Page
Mr. Phil Leahy
Mr. Roy Keller
Mayor S. Eddie Pedersen

Mrs. Peyton explained that the Easter Seal Society had a building that could be moved onto the premises within two weeks, a residence type building which would eventually be subject to some renovation including the installation of ramps. It was moved by Councilman Parish, seconded by Keller, that the Engineering Department determine the appropriate location of the building, that there be Council approval to the moving of the building upon the premises and that the proper legal description be provided the City Attorney so that a lease, as requested in the foregoing letter, might be prepared for Council consideration. Roll call as follows: Ayes, 6; No, None; carried.

In the interests of Mr. Andy Stavros, co-owner of the Midget Market and present in the Council Chambers, Councilman Parish explained that his store location was being moved from Elm Street to G Street east of the employment office, involving new construction. Plans submitted and a building permit was issued, after which it was discovered that a 30' backyard setback from the alley was required under the old ordinance. Parish explained further that the plans and area can provide only 10' which would comply with the new ordinance, soon to be adopted. It was moved by Councilman Parish, seconded by Page, that this variance be granted. Roll call as follows: Ayes, 6; No, None; carried.

Bills for the month of March, having been properly audited by the Finance 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	\$88,221.88	\$39,429.67	\$127,651.55
Recreation Fund	467.15	567.53	1,034.68
Fire Fund	19,105.92	3,287.93	22,999.82
Electric Light Fund	23,607.37	43,491.05	67,098.42
Water & Sewer	9,105.92	2,291.30	11,397.22
Police Retirement	<u>1,909.49</u>	<u>.00</u>	<u>1,909.49</u>
TOTAL	\$143,023.70	\$89,067.48	\$232,091.18

APRIL 9, 1964

Councilman Parish explained that there were 22 warrants of a C.O.D. nature totaling \$987.45 that had actually been paid. It was moved by Councilman Page, seconded by Keller, that the bills be allowed and the Controller be authorized to issue warrants on the respective funds for their payment. Roll call as follows: Ayes, 6; No, None; carried.

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

License applications for RESTAURANT (previous approval of City Sanitarian) in the name of A&W Root Beer, Bon Villa; ELECTRICAL CONTRACTOR (previous approval of Electrical Inspector) Oakey Electric, Snake River Electric Inc.; JOURNEYMAN ELECTRICIAN (previous approval of Electrical Inspector) Max Cobby, Mardell Oakey; MASTER PLUMBER (previous approval of Heating Inspector) Lynn Andres, Wayne Bowden, Arnold Harris, Calvin Smith; JOURNEYMAN GAS FITTER (previous approval of Heating Inspector) Duane Sibbett; CLASS D WARM AIR HEATING AND VENTING CONTRACTOR (previous approval of Heating Inspector) H. M. Grosbeck; CLASS C JOURNEYMAN GAS FITTING & VENTING STEAM AND HOT WATER HEATING AND VENTING (previous approval of Heating Inspector) Wayne Bowden; CLASS D JOURNEYMAN REFRIGERATION (previous approval of Heating Inspector) Arthur M. Aicher were presented. It was moved by Councilman Parish, seconded by Freeman, that these licenses be approved, subject to further checking by the responsible City Official to determine, control and prevent any of these applicants from operating a commercial business from their residence location. Roll call as follows: Ayes, 6; No, None; carried. Councilman Parish proposed, with general Council approval, that all future licenses be also investigated in this regard.

These license applications were presented: PALM READING, in the name of Dorothy Marks; PHOTOGRAPHERS, in the name of Humpty Dumpty Inc. operated by Eunice Foster. It was noted that the Police Chief, after investigation, has recommended that they be denied. It was moved by Councilman Page, seconded by Parish, that these licenses be denied, based upon the findings of the police investigation. Roll call as follows: Ayes, 6; No, None; carried.

These damage claims were presented and read by the City Clerk:

Mrs. Walter Davis
495 12th Street
Idaho Falls, Idaho

April 3, 1964

Mayor and City Council
City of Idaho Falls
Idaho Falls, Idaho

Gentlemen:

On March 25, 1964, there was apparently a short caused in the electric light line in the alley between 12th Street and 11th Street in the 400 hundred block.

APRIL 9, 1964

This caused a fire at the pole and the Fire Department was called to put the fire out. At the same time it blew a couple of tubes in our TV set requiring repairs amounting to \$5.75.

We would appreciate your consideration in reimbursing us for this cost.

Very truly yours,
s/ Mrs. Walter J. Davis
495 12th Street

Idaho Falls, Idaho
March 30, 1964

To Whom It May Concern:
Dear Sir:

I am writing in regard to an accident which occurred earlier this month at 1285 1st Street, in which a City truck and my car was involved. The operator of the City truck was Earl Priest, 1285 1st Street. I am sure a report of this has been brought to your attention, any questions you might have can either be taken up with my insurance company, The Farmers Group, or myself. I have had two estimates on the damage to my car, at the request of my insurance company.

Thank you,
s/ Vernon Jenkins
590 Lakewood Avenue
City

March 21, 1964

City of Idaho Falls
Public Works Administration
Idaho Falls, Idaho

Attn: Mr. Don Lloyd

Gentlemen:

We are herewith submitting this letter as a claim against the City of Idaho Falls for damage sustained by our warehouse building located at 470 Cliff Street.

During the overhauling and draining of the water tank, the pressure ruptured our entire roof drain system, causing extensive damage to this system, as well as, to our roof.

APRIL 9, 1964

This damage was reported at the time, but due to the severe extended winter weather, we have been unable to determine the amount of damage.

Mr. Don Hankins, an employee of the City Engineering Department, has complete records of this.

We will be looking forward to a reply from your office as to our next action in the recovery of said damage.

Very truly yours,
s/D. L. Westergard
Westergard Transfer & Storage

Mr. Glen Poulsen
P.O. Box 365
Shelley, Idaho

Mr. Roy C. Barnes
City Clerk
City of Idaho Falls
Idaho Falls, Idaho

Dear Mr. Barnes:

On March 14th, 1964, it was necessary to call an electrician to check a power failure at my duplex property on 1810 Grandview Avenue. The Dick Wheeler Electric was employed to check this and they found that the problem was a loose lead from the transformer connection at the weather head.

After discussing this with the Electrical Engineer, Mr. Brent Davis, I was told that this would be the responsibility of the City to maintain this lead. He suggested that I bring this to your attention. I am therefore submitting this as a claim against the City for the reimbursement of the \$31.50 charge made by the Dick Wheeler Electric.

Your consideration in this matter will be appreciated.

Yours truly,
s/ Glen Poulsen
Box 365
Shelley, Idaho

Idaho Falls, Idaho
March 31, 1964

APRIL 9, 1964

Roy C. Barnes, City Clerk and
City of Idaho Falls, Idaho

Dear Sirs:

Please consider this claim for damage to my car in the amount of \$77.25 resulting from an accident on March 3, 1964, involving my car and a City owned vehicle operated by Irvin L. Bray. A formal statement of accident is enclosed and two estimates on the cost of repairing my car.

I am sure the Police Record is open to you and if you are in need of any further information from me I can be contacted by calling 523-2511 from 8:00 A.M. to 5:00 P.M. or 522-7611 at home.

Thank you for your consideration and may I hear from your at an early date.

Sincerely yours,
s/ Ray Summers
263 E. 14th
City

It was moved by Councilman Nelson, seconded by Page, that they be referred to the City Insurance Adjustor for investigation and recommendation. Roll call as follows: Ayes, 6; No, None; carried.

This communication from Mr. Reed Bowen was read:

March 31, 1964

Mr. Roy Barnes
City Clerk
Box 220
Idaho Falls, Idaho

Re: Vernon and Darlene Byington
850 Royal, Idaho Falls, Idaho

Dear Mr. Barnes:

On November 13, 1963, the above referenced parties committed their dog to the Pound Master of the City of Idaho Falls for testing the subject animal for rabies. At the said time and place Mr. and Mrs. Byington were told that such voluntary commitment was necessary, and that upon proper testing the animal would be returned promptly to them.

APRIL 9, 1964

It appears that the Pound Master was negligent in the expedition of his duties, and left the dog of Mr. and Mrs. Byington tied up outside the City Pound facility overnight. When the attendant arrived at the City Pound the next morning to commence testing, it appears that the animal had been stolen, and has not since been found.

This animal was of considerable value to the Byingtons' and they feel a definite loss to the family not capable of calculation in terms. I have inquired regarding the cost of replacing the animal and have been advised that a pup of the same nature and breeding of the lost animal can be obtained for the price of \$25.00.

The City has already admitted liability on this matter, and on January 10, 1964, Western Casualty and Surety Company paid the \$25.00 claim by draft No. 46-44-94. The said draft was negotiated and returned to Mr. and Mrs. Byington marked "payment refused" with an accompanying letter stating that the insurance company decided it did not have coverage of the subject claim.

We respectfully demand reimbursement and indemnification of the loss in the sum of \$25.00 payable to Vernon Byington for the loss of their animal.

Very truly yours,
s/ Reed J. Bowen
Attorney at Law

It was moved by Councilman Page, seconded by Leahy, that this be referred to the City Attorney for appropriate action. Roll call as follows: Ayes, 6; No, None; carried.

The closed utility account of Vern E. Stoddard in the amount of \$85.00 was presented to the Council by the City Clerk. It was explained that this had been in the hands of a professional collector who had recommended that the account be charged off on the grounds that the party was deceased and the estate was without assets. It was moved by Councilman Leahy, seconded by Keller, that the recommendation be honored and the account be charged off for the reasons as stated. Roll call as follows: Ayes, 6; No, None; carried.

This memo was read:

MEMORANDUM

April 6, 1964

TO: Mayor and City Council
FROM: Ernest C. Craner, Director of Parks & Recreation
SUBJECT: NORTHWEST PARKS AND RECREATION CONVENTION

APRIL 9, 1964

I would like to request permission for Earl Chapple and myself to attend the Northwest Parks and Recreation Convention in Billings, Montana, April 12, 13, 14, and 15th.

I feel this Conference is a very educational meeting because it is all panel discussion usually headed by people who are out in the field of Parks and Recreation.

Money has been budgeted for this particular Conference.

Sincerely yours,
s/ Ernest C. Craner
Director Parks & Recreation

It was moved by Councilman Page, seconded by Nelson, that the request, as stated, be approved. Roll call as follows: Ayes, 6; No, None; carried.

This memo from the Fire Chief was read by the City Clerk:

April 6, 1964

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

Gentlemen:

I plan to send Battalion Chief William Donnelly and Captain E. J. Smith to the Sixth Annual Command School at Yakima, Washington, April 13 through 16.

Expenses are estimated as follows:

Round trip by air for 2	\$165.48
School registration, \$25.00 each	50.00
Lodging for 2 for 4 nights @ \$12.20	50.00
Meals @ \$6.00 per day each for 4 days	<u>48.00</u>

TOTAL: \$313.48

This school is for command rank only of Captain to Chief and offers nationally recognized speakers leading discussion groups on practical application of fire fighting tactics, problems of command, human relations and personnel problems and demonstrations of interest to all fire officers.

Respectfully submitted,
s/ Carl Poulter
Fire Chief

APRIL 9, 1964

cc: Councilman Freeman
Councilman Leahy
Controller

It was moved by Councilman Freeman, seconded by Nelson, that this travel request be approved. Roll call as follows: Ayes, 6; No, None; carried.

A memorandum was presented from the Acting Police Chief, requesting authorization for Captain Lowell Cramer to attend the Montana Law Enforcement Academy at Bozeman, Montana as guest lecturer on April 20 and 21. It was moved by Councilman Nelson, seconded by Parish, that this travel request be approved. Roll call as follows: Ayes, 6; No, None; carried.

A check in the amount of \$2537.90 was presented from the Equitable Life Assurance Society through the City Clerk, representing a life insurance annual dividend. No Council action was considered necessary.

Several City redemption tax deeds were presented, accompanied, in each instance, by appropriate resolutions, as follows:

RESOLUTION (Resolution No. 1964-03)

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 10th day of November, 1960, recorded in Book 131 of Deeds at Page 321, records of Bonneville County, Idaho acquire title to and possession of the following described real property, to-wit:

Lots Five (5), Six (6), and Seven (7), Block Forty-six, Highland Park Addition to the City of Idaho Falls, Idaho, as per the recorded plat thereof.

WHEREAS, CLYDE HOLVERSON 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 go make, execute and deliver to the said CLYDE HOLVERSON a deed to said property, pursuant to the provisions of Section 50-2951, Idaho Code.

PASSED BY THE COUNCIL this 9th day of April, 1964.

APPROVED BY THE MAYOR this 9th day of April, 1964.

APRIL 9, 1964

ATTEST: s/ Roy C. Barnes
CITY CLERK

s/ S. Eddie Pedersen
MAYOR

RESOLUTION (Resolution No. 1964-04)

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 November, 1960, recorded in Book 131 of Deeds at Page 281, records of Bonneville County, Idaho acquire title to and possession of the following described real property, to-wit:

Lot Four (4), Block Eighteen (18), Linden Park Addition, Division #3 to the City of Idaho Falls, Idaho, as per the recorded plat thereof.

WHEREAS, G. W. CONNER 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 G. W. CONNER a deed to said property, pursuant to provisions of Section 50-2951, Idaho Code.

PASSED BY COUNCIL this 9th day of April, 1964.

APPROVED BY THE MAYOR this 9th day of April, 1964.

ATTEST: s/ Roy C. Barnes
CITY CLERK

s/ S. Eddie Pedersen
MAYOR

RESOLUTION (Resolution No. 1964-05)

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 January, 1964, recorded in Book 153 of Deeds at Page 483, 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 Half (E^{1/2}) of Lot three (3), Block Five (5), Broadbeck Addition to the City of Idaho Falls, Idaho, as per the recorded plat thereof.

APRIL 9, 1964

WHEREAS, A. C. GOLDSMITH 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 A. C. GOLDSMITH a deed to said property, pursuant to the provisions of Section 50-2951, Idaho Code.

PASSED BY THE COUNCIL this 9th day of April, 1964.

APPROVED BY THE MAYOR this 9th day of April, 1964.

s/ S. Eddie Pedersen
MAYOR

ATTEST: s/ Roy C. Barnes
CITY CLERK

RESOLUTION (Resolution No. 1964-06)

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 19th day of November, 1962, recorded in Book 14 of Deeds at Page 563, records of Bonneville County, Idaho, acquire title to and possession of the following described real property, to-wit:

Lots One (1) and Two (2), Block Fifty-nine (59), Highland Park Addition to the City of Idaho Falls, Idaho, as per the recorded plat thereof.

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

APRIL 9, 1964

PASSED BY THE COUNCIL this 9th day of March, 1964.

APPROVED BY THE MAYOR THIS 9th day of March, 1964.

s/ S. Eddie Pedersen
MAYOR

ATTEST: s/ Roy C. Barnes
CITY CLERK

RESOLUTION (Resolution No. 1964-07)

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 491, records of Bonneville County, Idaho, acquire title to and possession of the following described real property, to-wit:

Lots One (1) and Two (2), Block Fifty-nine (59), Highland Park Addition to the City of Idaho Falls, Idaho, as per the recorded plat thereof.

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

PASSED BY THE COUNCIL this 9th day of April, 1964.

APPROVED BY THE MAYOR this 9th day of April, 1964.

s/ S. Eddie Pedersen
MAYOR

ATTEST: s/ Roy C. Barnes
CITY CLERK

APRIL 9, 1964

RESOLUTION (Resolution No. 1974-08)

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 7th day of January, 1963, recorded in Book 145 of Deeds at Page 443, records of Bonneville County, Idaho acquire title to and possession of the following described real property, to-wit:

Lots Thirty-seven (37), Thirty-eight (38), and Thirty-nine (39), Block Nineteen (19), Capitol Hill Addition to the City of Idaho Falls, Idaho, as per the recorded plat thereof.

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

PASSED BY THE COUNCIL this 9th day of April, 1964.

APPROVED BY THE MAYOR this 9th day of April, 1964.

ATTEST: s/ Roy C. Barnes
CITY CLERK

s/ S. Eddie Pedersen
MAYOR

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

This memo from Acting Electrical Engineer Brent Davis was presented through the Clerk:

April 8, 1964

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

Gentlemen:

APRIL 9, 1964

The Electric Light Division is requesting a change for the radio frequency for this Division. This change is necessary due to use of radios for stringing all electrical conductors among energized conductors. The present setup does not allow this Division to have access to the radio when emergencies arise in the present stringing process. This Division feels that it is a necessity to have immediate access to the radio while stringing electrical conductors and other electrical work for safety and proper working conditions. Because of the number of mobile units and the amount of conversation that takes place on the radio frequency, access is not readily available at the present time.

The City now has ownership of crystals for the following Electric Light Division Units: 1, 2, 3, 4, 6, 7, 8, 9, 11, 12, and 14. We would have to purchase crystals for these Units: 5, 10, 13, 15, and 16. The additional equipment that would be required is shown on the attached sheet with the associated costs.

In proposal "A", in which the base station from Fire Department No. 2 would be used for the new frequency, Chief Poulter has indicated to their Electric Light Division that this would be acceptable to the Fire Department as long as they would have radio intercom between the two stations. This could be accomplished as proposed in Proposal "A".

The City would also be required to rent an additional pair of telephone cables at a cost of \$6.00 per month, with an initial charge of \$10.00 for connecting to Telephone Company equipment. The City would have to apply for another license on the power frequency 158.25 as our present license expired November, 1963.

This radio system would allow our Tautphaus Park dispatch center to monitor the new Light Department frequency and the present City radio frequency. Also, we would have the capability of controlling both frequency base station and communicating with both frequencies from Tautphaus Park. Therefore, the utility men of this Division could still be the dispatchers for both radio systems during trouble and at night.

After analysis of the two proposals, it is our recommendation that Proposal "A" be used for the following reasons: The initial cost to perform this proposal is \$120.00 less than Proposal "B", along with the fact that it would give the City one less base station than Proposal "B" would require. Therefore, the maintenance cost to the City would be less.

Funds were not provided in the Electric Light budget for this proposed frequency change; therefore, we propose that the money be transferred from these sections of the budget: Generation-4520-54-3, "A new two-way radio for the replacement of Unit 308." Amount: \$800.00. We would forego this radio for this year and use the money for frequency change. The remaining funds required could be transferred from Engineering and Office, 4514-26, "Personal Services." due to cancellation of these proposed trips, this \$600.00 could be used. From this \$1,400.00, we propose a fund transfer of \$1,032.00 to pay for this frequency change.

APRIL 9, 1964

Respectfully submitted,
s/ J. Brent Davis
Acting Director

Attachment:

It was moved by Councilman Leahy, seconded by Keller, that the change in radio frequency, the acquisition of equipment and the budget transfer of funds, all as stated, be approved. Roll call as follows: Ayes, 6; No, None; carried.

This memo from Councilman Leahy was read by the City Clerk:

March 30, 1964

Mayor E. Pedersen and Council

Gentlemen:

I am submitting this petition on behalf of 90 Westside residents who are requesting the establishment of a park adjacent to the new Westside School site. The City has, at other school sites, purchased land to be made into park and playground space. Because there is only one park on the west side, and because of the continued growth of the City in that area, the purchase of ground for park use should be made before the area is platted. It is my understanding that School District No. 91 has an option on additional land which could be picked up by the City.

I urge that the responsibility of acquiring an option on from 7 to 10 acres of land contiguous to the new Westside School site be explored in the immediate future.

Very truly yours,
s/ P.C. Leahy
Councilman

encl.

cc: Roy Keller
Karl Page
Jim Freeman
Dale Parish
Gordon Nelson
Ernie Craner, Parks and Recreation Director
John Bennit, Reporter, Post Register

It was moved by Councilman Leahy, seconded by Page, that this proposal be referred to the Parks and Recreation Director to investigate and report to the Council relative to land availability,

APRIL 9, 1964

accompanied by plat, cost, and also a report as to the number of acres the School acquires. Roll call as follows: Ayes, 6; No, None; carried.

The following resolution was introduced by Councilman Keller:

RESOLUTION NO. 1 (Resolution No. 1964-09)

A RESOLUTION DECLARING THE INTENTION OF THE CITY OF IDAHO FALLS, IDAHO, TO CONSTRUCT SEWERS IN AND ALONG CERTAIN STREETS, ALLEYS, EASEMENTS, AND RIGHTS-OF-WAY, AND PARTS THEREOF, WITHIN THE CORPORATE LIMITS OF SAID CITY; TO CREATE A LOCAL IMPROVEMENT DISTRICT, TO BE KNOWN AS LOCAL IMPROVEMENT DISTRICT NO. 32 OF THE CITY OF IDAHO FALLS, FOR THE PURPOSE OF MAKING SAID IMPROVEMENTS; TO DEFRAY THE COSTS AND EXPENSES OF SAID DISTRICT AND OF SAID IMPROVEMENT BY SPECIAL ASSESSMENTS LEVIED ON AND AGAINST THE LOTS, TRACTS AND PARCELS OF LAND ABUTTING, ADJOINING AND ADJACENT TO THE STREETS AND ALLEYS, EASEMENTS AND RIGHTS-OF-WAY IN WHICH SAID SEWER LINES ARE CONSTRUCTED, AND ON AND AGAINST ALL TRACTS, LOTS AND PARCELS OF LAND IN SAID DISTRICT SPECIALLY BENEFITED BY SUCH IMPROVEMENT; PROVIDING THE BASIS UPON WHICH SUCH SPECIAL ASSESSMENTS SHALL BE LEVIED; GIVING THE KIND AND CHARACTER OF SUCH 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 THE GIVING OF LEGAL NOTICE THEREOF.

WHEREAS, the City Council of the City of Idaho Falls, Idaho, deems it for the best interest of said City to construct sewers in and along certain streets and alleys, easements and rights-of-way and parts thereof, within the corporate limits of said City, hereinafter particularly described, and for the making of said improvements to create Local Improvement District No. 32 for the City of Idaho Falls, Idaho, and

WHEREAS, the estimated costs of said District and of said improvements is \$12,500.00, and

WHEREAS, the City Council is authorized by law to assess the entire cost of said District and of said improvements against the properties to be benefited thereby, and

APRIL 9, 1964

WHEREAS, the City Council proposes to defray all the costs and expenses of said District and of said improvements by special assessments levied on and against all lots, tracts and parcels of land abutting, adjoining and adjacent to the streets and alleys, easements and rights-of-way in which said sewers are constructed and against all tracts, lots and parcels of land in said District specially benefited by such improvement, and to defray the entire cost by such assessments;

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

Section 1. That the City of Idaho Falls, Idaho, does hereby declare its intention to construct sewers in certain streets, alleys, easements and rights-of-way and parts thereof, within the corporate limits of said City, and for that purpose to create and establish a Local Improvement District therein, to be known as "Local Improvement District No. 32" of the City of Idaho Falls, Idaho." The lands and lots in District and the boundaries of said District are described as follows:

Beginning at the Southeast corner of Lot 1, Block 31 of Highland Park Addition, to the City of Idaho Falls, Idaho, thence running North along the East property line extended of said Block 31, 530.04 feet, more or less, to the South property line of Anderson Street; thence West along said Anderson Street property line, 592.48 feet, more or less, to the West property line extended of Block 32, Highland Park Addition; thence South along the West property line of said Block 32, 154.2 feet, more or less, to the Southwest corner of Lot 22 of said Block 32; thence East along the South property line extended of said Lot 22, 141 feet, more or less, to the Southwest corner of Lot 15, of said Block 32; thence South along the East property line of the North-South alley in said Block 32, 100 feet, more or less, to the Southwest corner of Lot 11 of said Block 32; thence East along the South property line extended of said Lot 11, 185 feet, more or less, to the Southwest corner of Lot 27, Block 31, of said Highland Park Addition; thence South along the West property line of said Block 31, 250 feet, more or less, to the North property line of Crowley Street; thence East along said North property line of Crowley Street; thence East along said North property line of Crowley Street 266 feet, more or less, to the point of beginning.

The points between which said sanitary sewers are proposed to be laid, and the location thereof, are as follows:

Commencing at a point in the North-South alley running through Block 50 of the Highland Park Addition to the City of Idaho Falls and opposite the

APRIL 9, 1964

South line of Lot 24 of said Block 50, said point being the terminal point of the existing sewer in said Block 50, thence running North in the alley, 565 feet to a point 5 feet North, more or less, of the North line of Lot 19, of Block 31 of said Highland Park Addition.

Commencing at a point in the North-South alley running through Block 32 of the Highland Park Addition to the City of Idaho Falls, and 5 feet North of the South line of Lot 8 of said Block 32, said point being the terminal point of the existing sewer in said Block 32, thence running North, in the alley, 294 feet to a point 15 feet North, more or less, of the North line of Lot 18 of said Block 32.

Section 2. The kind and character of said improvements are the construction of sanitary sewers to serve said District in Section 1 hereof, all according to the plans and specifications thereof, to be filed in the office of the City Engineer and in the office of the City Clerk of the City of Idaho Falls, Idaho on or before the day hereinafter fixed for the hearing of protests against the creation of said District and the making of said improvements.

Section 3. Said improvement is an original improvement.

Section 4. The estimated cost and expense of said District and of said improvement is \$12,500.00, all of which is to be assessed against those lands in said District which will be benefited thereby.

Section 5. The cost of said District and of said improvement shall be paid by special assessments, levied and assessed against the lands of said District which will be benefited by said improvements as follows:

The lots and lands benefited by such improvement and included in the Improvement District heretofore particularly described, in proportion to the number of square feet of said lands as specially benefited, sufficient to cover the entire cost and expenses of said District and said improvements.

Section 6. The lots, parcels and tracts of land included in said District which will be benefited by said improvements and which will be assessed for such improvements of said District are as heretofore described in Section 1 herein.

The lots and lands proposed to be assessed for said District and said improvements are as heretofore described in Section 1 herein.

Section 7. Said improvement is to be made by the installation of sanitary sewers in the locations as set forth in Section 1 hereof.

APRIL 9, 1964

Section 8. The cost and expenses of the improvements within the intersections will be paid from land benefited thereby.

Section 9. That Thursday, the 7th day of May, 1964, at 7:30 o'clock P.M. of said day, in the 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 and where protests against the creation of said District for the making of such improvements, shall be heard and considered by the City Council.

Section 10. All protests against the creation of said District or the making of said improvements to be considered must be in writing, filed in the office of the City Clerk, prior to the time set for the hearing thereof.

Section 11. The City Clerk shall give notice of the passage of this resolution and the time within which protests against said proposed improvement or creation of said District may be filed, and the date when such protests will be heard and considered by the Council, such notice to further describe the general character of the improvement or improvements proposed to be made, and the estimated total cost thereof, and shall refer to the resolution on file in the office of the City Clerk for further information in regard thereto. Said City Clerk shall cause such notice to be published in their Post Register, the official newspaper of this municipality in three consecutive issues, and shall cause a copy of such notice to be mailed to each owner of property, if known, or his agent, if known, within the limits of said proposed Improvement District, addressed to such person at his post office address, if known, or if unknown, to the post office in the City of Idaho Falls, where said improvements are to be made, said notice to provide the expiration of the filing or protest shall be not less than ten days after the date of the last publication of such notice or of the posting and mailing of the same. Said City Clerk shall file and maintain in his office proof of publication and an affidavit showing posting and mailing of such notices.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR OF IDAHO FALLS,
IDAHO, this 9th day of April, 1964

ATTEST: s/ Roy C. Barnes
CITY CLERK

s/ S. Eddie Pedersen
MAYOR

It was moved by Councilman Keller, seconded by Leahy, that this resolution be adopted, that the Mayor and City Clerk be authorized to sign and that the date of the first protest hearing relative to the establishment of the District be set for May 7th, 1964. Roll call as follows: Ayes, 6; No, None; carried.

These appeals and petitions were presented to the Council:

1. APPEAL: Mrs. Guy A. Poulson and Russell Fogg - address approximately 257

APRIL 9, 1964

- PURPOSE: Gladstone, corner of North Yellowstone and Gladstone, behind Market. To permit alternations and changes to building that was burned out. This building used to be day-old bakery house. C-2 & H-C zoning does not comply to off-street parking.
2. APPEAL: Carl Vern Buckland, 228 Hill Street, Lots 26 & 27, Block 14, Original Town-site.
PURPOSE: Exception to move a dwelling into a C-2 zone. The building and side yard does not comply to #1 Fire Zone Requirements.
3. PETITION: Goodwin Builders, 305 Briggs Street, Lots 21-24; 17 20; 37-40; Block 6 Mayflower Addition.
PURPOSE: To change zone from R-3 to C-2 to build warehouse to be used for storage and fabricating metal frames and also a woodworking shop with office in front.
4. PETITION: Mr. J. D. and Lois Bergeson, 401 3rd Street, South 63' of Lot 23, all of Lots 24, and 25, Block 8, Crows Addition.
PURPOSE: To change the zone from R-1 to R-2 to permit two dwelling units in the exiting dwelling .
5. PETITION: Delretta A. Cook, as an individual and as Executrix of the Will of David Earl Cook, being the owner of Lot 45, and Parley Rigby, owning Lots 46, 47, and 48, Block 32, Capitol Hill Addition.
PURPOSE: To change the zone from R-3 to C-Limited to effectively integrate these lots onto a commercial development along with other lots already zoned C-Limited.
6. PETITION: John R. Pattee, 495 3rd Street, Lots 43 and 44, Block 8, Crows Addition.
PURPOSE: To change the zone from R-1 to R-2 to permit construction of an office building.
7. PETITION: Jerold J. Hammer, 660 Garfield, Lots 8, 9, and 10, Block 17, Capitol Hill Addition.
PURPOSE: To change the zone from R-1 to R-3 to permit construction of a four-plex.
8. PETITION: Seth L. Jenkins and Fenton G. Woolf, P.O. Box 2467, Idaho Falls, Idaho, Lots 4, 5, 6, 7, 8, 9 and 10, Block 31, Capitol Hill Addition.
PURPOSE: To change the zone from R-2 to C-Limited to provide off-street parking and business development.
9. APPEAL: Arlyn W. Meppen, 1456 Tower Street, Lot 4, Block 1, Columbia Heights

APRIL 9, 1964

Addition.

PURPOSE: To make addition to existing dwelling that will extend into the required rear yard thirteen feet.

It was moved by Councilman Parish, seconded by Page, that these be referred to the Board of Adjustments for study and recommendation. Roll call as follows: Ayes, 6; No, None; carried.

Recognizing that there were several properties where rezoning had been requested, it was moved by Councilman Page, seconded by Leahy, that a public zoning hearing be scheduled for May 7th, 1964 and the City Clerk be authorized to publish notice accordingly. Roll call as follows: Ayes, 6; No, None; carried.

The Mayor officially appointed Donald F. Lloyd to the position of City Engineer, recognizing that he would also retain his title as Public Works Director. It was moved by Leahy, seconded by Keller, that this appointment be confirmed. Roll call as follows: Ayes, 6; No, None; carried.

Councilman Freeman drew attention to the fact that the 19th Hole Restaurant of the golf course is without lessee. He said several had indicated an interest and that Mr. David Drysdale was considered the most qualified applicant. It was moved by Councilman Freeman, seconded by Page, that he confer with Councilmen Page and Freeman and the City Attorney as a means of arranging suitable terms and conditions of a three year lease which would be brought to the Council for approval. Roll call as follows: Ayes, 6; No, None; carried.

Councilman Freeman then discussed fees at the golf course. It was moved by Councilman Freeman, seconded by Page, that the 1993 rates remain unchanged for 1964 except rates for all single individuals be \$50.00 with no exception for widows and that all season tickets be irrevocable with no provision, stated or otherwise, for refund. Roll call as follows: Ayes, 6; No, None; carried.

Councilman Keller presented the following:

April 1, 1964
Acct. No. 12A-35

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

Gentlemen:

On March 31, 1964, bids were received for the construction of the Houston Street water line. The bids received were as follows:

Bateman Brothers Excavating Co., Inc.	\$29,969.25
George E. Grover & Sons	24,639.25
Hartwell Excavating Company	22,660.00

We have reviewed these bids and have found them to be good and proper.

APRIL 9, 1964

It is recommended that the City award this contract to Hartwell Excavating Company for the amount of \$22,660.00 and that the Mayor and City Clerk be authorized to sign the contract documents.

Respectfully submitted,
s/ Donald F. Lloyd, P.E.
City Engineer
Engineering Department

It was moved by Councilman Keller, seconded Nelson, that the low bidder of Hartwell Excavating Company on the Houston Street water line be awarded the contract and that the Mayor be authorized to sign the contract documents. Roll call as follows: Ayes, 6; No, None; carried.

Councilman Nelson introduced the E. Street development. He explained that certain property owners desire two way traffic, rather than east bound, one way, as proposed by the State Highway Department. To make this feasible, he explained further, an additional 6 feet of property must be acquired. Nelson recognized that this might not meet with the approval of all property owners but the creation of a Local Improvement District would be a means of determining those who favor vs. those who would protest. It was moved by Councilman Nelson, seconded by Keller, that the City Attorney be directed to prepare Resolution #1 which would establish the District, same to be presented for Council consideration. Roll call as follows: Ayes, 6; No, None; carried.

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

ATTEST: s/ Roy C. Barnes
CITY CLERK

s/ S. Eddie Pedersen
MAYOR
