

JULY 9, 1963

The City Council of the City of Idaho Falls met in Recessed Regular session, Tuesday, July 9, 1963 at 8:00 P.M. in the Council Chambers at Idaho Falls, Idaho. There were present at said Meeting: Mayor W. J. O'Bryant; Councilmen Foote, Leahy, Page. Absent: Councilman Creek. Also present: Roy C. Barnes, City Clerk; Vern Kidwell, City Attorney; Don Lloyd, Public Works Director; Harold Davis, Electrical Engineer.

Minutes of the last recessed Regular Meeting, held June 27th, 1963 were read and approved.

Bills for the month of June, having been properly audited by the Finance Committee, were presented as follows to-wit:

<u>FUND</u>	<u>GROSS PAYROLL</u>	<u>SERVICES & MATERIALS</u>	<u>TOTAL EXPENDITURES</u>
General Fund	\$96,968.17	\$73,491.46	\$170,459.63
Recreation Fund	4,995.06	1,348.26	6,343.32
Fire Fund	19,728.23	1,700.69	21,428.92
Electric Light Fund	27,568.95	105,334.91	132,903.86
Water & Sewer	9,733.23	63,481.65	73,214.88
Police Retirement	<u>1,710.82</u>	<u>.00</u>	<u>1,710.82</u>
TOTAL	\$160,704.46	\$245,356.97	\$406,061.43

It was moved by Councilman Leahy, seconded by Foote, that the bills be allowed and the Controller be authorized to draw warrants on the respective funds for their payment. Roll call as follows: Ayes, 3; No, None; carried.

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

License application for ELECTRICAL CONTRACTOR, Scott L. Williams; JOURNEYMAN ELECTRICIAN, Burton Diamond were presented. It was moved by Councilman Leahy, seconded by Page, that these licenses be granted, subject to the approval of the Electrical Inspector. Roll call as follows: Ayes, 3; No, None; carried.

This damage claim was read by the City Clerk:

July 8, 1963

City of Idaho Falls
City Hall
Idaho Falls, Idaho

Gentlemen:

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You will please be advised that claim is hereby made upon you for the sum of \$1,000.00, damages to the Kitchen Queen Food Products, Inc., an Idaho corporation, doing business at 502 West 16th Street.

These damages are the result of flooding of the business premises of Kitchen Queen Food Products Company at 502 West 16th Street on June 14, 1963. The flooding of this property was the result of inadequate facilities and negligent planning by the City of Idaho Falls relative to Crow Creek, more particularly in the culvert or passageway for Crow Creek under the South Yellowstone Highway in the City of Idaho Falls.

Very truly yours,
SHARP ANDERSON & BUSH
s/ Eugene L. Bush

Receipt the aforesaid letter is hereby acknowledged this 8th day of July, 1963.

s/ Roy C. Barnes
City Clerk

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

The City Clerk drew attention to a closed out utility bill of Mitch Guyet in the amount of \$11.15, returned to the City by a professional collector on the grounds that Mr. Guyet is deceased and the estate is without assets. It was moved by Councilman Leahy, seconded by Foote, that this account be charged off as uncollectible for the reason as described. Roll call as follows: Ayes, 3; No, None; carried.

Attention was drawn to an advertisement for bids covering seal coating of roadways, published in the interests of time by the City Clerk without formal Council approval. It was moved by Councilman Leahy, seconded by Foote, that this action on the part of the Clerk be duly ratified. Roll call as follows: Ayes, 3; No, None; carried.

A City redemption tax deed was presented in the name of Roland E. Cleveland, accompanied by the following resolution:

RESOLUTION (Resolution No. 1963-15)

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 16th day of January, 1956, recorded in Book 101 of Deeds at Page 35, records of Bonneville County, Idaho, acquire title to and possession of the following described real property, to-wit:

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Lots 13 and 14 in Block 8 of Capitol Hill Addition to the City of Idaho Falls, Idaho, according to the recorded plat thereof.

WHEREAS, Roland E. Cleveland 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 Roland E. Cleveland a deed to said property, pursuant to the provisions of Section 50-2951, Idaho Code.

PASSED BY THE COUNCIL this _____ day of _____, 19 __.

APPROVED BY THE MAYOR this _____ day of _____, 19 __.

s/ _____
MAYOR

ATTEST: s/ _____
CITY CLERK

It was moved by Councilman Page, seconded by Foote, that the Mayor and City Clerk be authorized to sign the resolution and the deed. Roll call as follows: Ayes, 3; No, None; carried.

ORDINANCE NO. 1059

AN ORDINANCE AMENDING SECTION 10-11-2 OF THE CITY CODE OF IDAHO FALLS, IDAHO, 1962; AMENDING SECTION 10-11-3 OF THE CITY CODE OF IDAHO FALLS, IDAHO: PROVIDING THAT IT SHALL BE UNLAWFUL TO OPERATE A VEHICLE IN VIOLATION OF THE ORDINANCE WITHIN THE CORPORATE LIMITS OF THE CITY OF IDAHO FALLS, IDAHO; PROVIDING WHEN THE AMENDMENTS SHALL BECOME EFFECTIVE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH.

It was moved by Councilman Foote, 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

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WITH?" Roll call as follows: Ayes, 3; 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, 3; No, None; carried.

ORDINANCE NO. 1060

AN ORDINANCE AMENDING SECTION 10-6-1 OF THE CITY CODE OF IDAHO FALLS, IDAHO, 1962; REGULATING AND PROVIDING THAT NO PERSON SHALL DRIVE A VEHICLE WITHIN THE CORPORATE LIMITS OF THE CITY AT A SPEED GREATER THAN IS REASONABLE AND PRUDENT UNDER THE CONDITIONS AND HAVING REGARD TO THE ACTUAL AND POTENTIAL HAZARDS THEN EXISTING; PROVIDING WHEN THE AMENDMENT SHALL BECOME EFFECTIVE.

It was moved by Councilman Leahy, seconded by Foote, 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, 3; 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, 3; No, None; carried.

This memo from the Public Works Director was read:

July 9, 1963

Honorable Mayor and City Council
Idaho Falls, Idaho

Subject: Civil Defense

Gentlemen:

In accordance with your instruction and the priorities established in a meeting of the Council on the 21st day of March, we have pursued the final preparations of plans and specifications for the Civil Defense headquarters in the basement of City Hall. The plans and specifications for the remodeling are so adapted that the construction can be tailored to fit the \$25,000 allotted for the project, after bids are opened. The architect has made the following estimate:

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Electrical	\$ 3,200
Heating and Ventilating	5,000
Plumbing	2,000
Carpentry and Painting	<u>12,000</u>
Total:	22,200
Contingency	<u>1,800</u>
	\$24,000

These documents have been set up so that advertising will take place on July 13, 20 & 27. Bids are to be opened at 11:00 A.M., July 30th.

The furnishing and installing of the radio equipment has been advertised and is now out for bids. This bids will be opened on the 30th day of July and is expected to approach \$14,000.

We would appreciate your review and comments pertaining to this matter.

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

It was moved by Councilman Leahy, seconded by Page, that this be tabled for study and consideration and also pending the return of the absent Councilman. Roll call as follows: Ayes, 3; No, None; carried.

This memo from the Public Works Director was then read:

July 9, 1963

Honorable Mayor and City Council
Idaho Falls, Idaho

Subject: Vacation of Easement

Gentlemen:

We have received a request from Mr. Bill Brunt to vacate an easement in the Riviera Homes Addition as shown on the attached print.

This easement is between Lots 2 and 3 in Block 2, and was originally intended for power service. However, the utility has now been installed utilizing another location so that the City now has no need for this easement, and we would recommend it be vacated.

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

cc: Vern Kidwell
Attach.

It was moved by Councilman Leahy, seconded by Page, that the easement in question be vacated and the City Attorney be directed to draft the necessary instruments to effect same. Roll call as follows: Ayes, 3; No, None; carried.

This letter was presented by the Mayor:

Mr. William Hatch % George Petersen
Attorney at Law, 520 "D" Street
Idaho Falls, Idaho

Mr. William Hatch:

This letter will clarify verbal agreement by the terms of which the City has installed a power pole and down guy immediately north of Grand View Drive. We agree, and by this letter recognize, that the City is using the area of installation only temporarily until platting is accomplished by you as property owners. At such time as the property is platted, then the installations will be transferred at City expense to the easements as provided for by the plat.

Very truly yours,
CITY OF IDAHO FALLS
By _____
MAYOR

APPROVED:
s/ Harold W. Davis
City Electrical Engineer

It was moved by Councilman Foote, seconded by Leahy, that its contents be approved and the Mayor be authorized to mail same to Mr. Hatch. Roll call as follows: Ayes, 3; No, None; carried.

Reference was made to certain voluntary proposals, to be added to the existing leases, from the two existing airport car rental lessees and these can be found on Page 405 in this Book of Minutes. New leases were presented accordingly, incorporating said voluntary proposals. It was noted that the new leases would expire December 31, 1964. It was moved by Councilman Foote, seconded by Leahy, that the leases be approved and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 3; No, None; carried.

The Shipley property was again the subject of discussion. It was moved by Councilman Foote, seconded by Page, that the Controller be authorized to draw a warrant in the amount of \$3,000.00 on

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July 10th, 1963 for that portion of said property needed for proper alignment on the west side of South Capital Avenue, immediately south of Hill Street. Roll call as follows: Ayes, 3; No, None; carried.

From the City Engineer this memo was presented:

July 9, 1963
Acct. No. 3B-122

Honorable Mayor and City Council
Idaho Falls, Idaho

Gentlemen:

Submitted herewith for your review and approval is the final plat of the Andrew Addition.

The Planning Commission has approved this plat and we are recommending that the Council approve this plat and authorize the Mayor and City Clerk to sign the City's approval, subject to final checking by the Engineering Department.

Respectfully submitted,
ENGINEERING DEPARTMENT
s/ Donald M. Ellsworth, P.E.
City Engineer

Concurred by: s/ D. F. Lloyd

After studying the plat, it was moved by Councilman Foote, seconded by Leahy, that it be approved subject to final checking by the Engineering Department, after which the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 3; No, None; carried.

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

ATTEST: s/ Roy C. Barnes
CITY CLERK

s/ W. J. O'Bryant
MAYOR
