

MARCH 21, 1963

---

The City Council of the City of Idaho Falls met in Regular Session Thursday March 21, 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 Creek, Foote, Page, Leahy. Also present: Roy C. Barnes, City Clerk; Vern Kidwell, City Attorney; Luther Jenkins, City Controller; Don Lloyd, Public Works Director; Harold David, Electrical Engineer.

Minutes of the last Regular Meeting, held March 7<sup>th</sup> and a Special Meeting held March 12<sup>th</sup>, 1963 were read and approved.

Mr. Steve Rhoades of the Idaho Lumber Company of Pocatello appeared before the Council relative to a proposed building supply location on the North Highway now in an H-C zone. The Building Official explained that Council and legal interpretation was required to permit this type of business in this particular zone. After some discussion, the Council gave their approval accordingly and instructed the Building Official to issue the building permit. Mr. Rhoades then explained that he had been requested by nearby property owners to enter into a contractual agreement which would define future operations. The City Attorney advised the Council that the City should not be a party to such an agreement. He said the zone, in itself, would serve as ample protection with regard to property use of the future.

Messrs. Grant Packer and Ruland Williams appeared before the Council, relative to the Grant Packer property on the southeast corner of 13<sup>th</sup> and Holmes. Mr. Packer was accompanied by a tenant and other interested parties. Mr. Williams was accompanied by other nearby residents. It was noted that traffic is now circulating around the building. Mr. Packer was directed by the Mayor and Council to prohibit this practice immediately, as part of the area used for said traffic is in a conflicting zone. City Attorney Kidwell advised that the City cannot enforce any condition except that which is provided in any given zone as prescribed by the Zoning Ordinance, although, he further advised, the City can enforce any conditions that were expressly conveyed in the original building permit.

Mr. Williams protested the fact that traffic is now using, for egress, a private driveway north and east of the building and also, that Mr. Packer had not otherwise lived up to his original agreement covering a planter strip, etc.

From the City Attorney's comments, the Council told Mr. Packer they could see no objection nor violation in the use of the curb cut on 13<sup>th</sup> Street, previously constructed. The Council made it clear that they were in no position to consider or enforce any private agreements or conditions between Mr. Williams and Mr. Packer.

License applications for BARTENDER, Bonnie L. Wray; SECOND HAND STORE, Trading Post, Ken Garff Furniture; PHOTOGRAPHER, Melville's Studio, Lisle Ramsey Studio, Bacon's Studio, Charles E. Kelley, and Austin Fox - Tiffany Studios; COMMERCIAL KENNEL, Trade-wind Pet and Hobby Shop; JUNK DEALER, Stewarts and McCarty's Inc.; SUNDAY MOTION PICTURE, Falls Theatre, Rio Theatre; ROLLER SKATING RINK, Skateland; MASTER PLUMBER, Wilding Plumbing & Heating and Detweiler Brothers, Inc. (which had been previously approved by the Plumbing Inspector); JOURNEYMAN PLUMBER (previously approved by the Plumbing Inspector) Martin G. Griere of First Street Plumbing, Ray Goyen of Kerr Plumbing & Heating, Donald R. Wilding of Wilding Plumbing & Heating, Emmett J. Hall of First Street Plumbing, Lewis Thompson of First Street Plumbing, Max Sargent of First Street Plumbing, and Lynn M. Andrew of J & R Plumbing; JOURNEYMAN GAS FITTER, W. J. Ward, Ray Goyen, Robert Fenton, Duane G. Sibbett, Donald R. Wilding, Max Sargent, Emmett J. Hall (these had previously been approved by the Gas Inspector); GROCERY STORE (previously approved by the City Sanitarian) First Street Market,

MARCH 21, 1963

---

Criddle Grocery, Safeway Stores #323 and #365, Stillwell Drive Inn Dairy; RESTAURANT (previously approved by City Sanitarian) Rainbow Café, North Highway Café, F. W. Woodworth Café, Pay'n Save Drug, BPOE Elks #1087, Luke's Inc., Skylark Café, Mary Haddon DBA Ford's Café, 19<sup>th</sup> Hole Golf Course, Sacred Heart Hospital, Dinky Diner, Ada's Café, Jim Millard's Donut Shop, Bob's Arctic Circle, Topper Fine Foods, Inc; FOUNTAIN (previously approved by the City Sanitarian) for Stuart Drug, Skyline Drug, Leslie's Drug, Mel Johnson Drug, Don Wilson's Drug; DAIRY (previously approved by the City Sanitarian) Eastern Idaho Dairy, Stilwell Dairy, Wallace Dairy; ELECTRICAL CONTRACTOR (previously approved by the Electrical Inspector) J. F. Unsworth, Thomas T. Snouffer, Clarence R. Silver, Ray Griffith, W. C. Jamison Electric, Idaho Falls Electric Co. Boyd J. Emery; JOURNEYMAN ELECTRICIAN (previously approved by the Electrical Inspector) Floyd M. Gifford, Ernest J. Briggs, J. F. Unsworth, Stanley Helm of Idaho Falls Electric, A. D. Hill of Idaho Falls Electric, Clarence Shore of Electrical Equipment, Thomas F. Snouffer, Mardell Oakey, Cleo M. Edgerton, Glen S. Landon, W.C. Jamison were presented. It was moved by Councilman Page, seconded by Foote, that these licenses be approved. Roll call as follows: Ayes, 4; No, None; carried.

License applications for RESTAURANT, Lantern Cafe was presented. It was moved by Councilman Leahy, seconded by Page, that this license be granted, subject to the approval of the City Sanitarian. Roll call as follows: Ayes, 4; No, None; carried.

License applications for JOURNEYMAN ELECTRICIAN, Melvin C. Green and Leo Heer were presented. It was moved by Councilman Leahy, seconded by Creek, that these be granted, subject to the approval of the Electrical Inspector. Roll call as follows: Ayes, 4; No, None; carried.

License applications for CANNED AND BOTTLED BEER TO BE CONSUMED ON THE PREMISES, Ross Corbett; POOL HALL, Ford's Bar, Jim Millard's Donut Shop; MOTEL, Westbank Motel, Cleveland Motel, Falls View Motel, San-Dee Motel, Haven Motel, Inc. Kruse Motel, Flamingo Motel; HOTEL, Nelson Hotel, Hotel Idaho; ROOMING HOUSE, Rex Rooms, Luke's Cabins and Café were presented. It was moved by Councilman Leahy, seconded by Page, that these licenses be granted, subject to the approval of the Police Chief. Roll call as follows: Ayes, 4; No, None; carried.

License application for DANCE HALL, Topper Fine Foods Inc. was presented. It was moved by Councilman Creek, seconded by Leahy, that this license be granted subject to the approval of the Police Chief and the Police Committee. Roll call as follows: Ayes, 4; No, None; carried.

These three damage claims were read by the City Clerk:

March 5, 1963

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

Gentlemen:

This is to notify you of a claim against the City for damages done to the control transformer on the Gas Furnace due to a high voltage power surge Friday, February 15, 1963.

MARCH 21, 1963

---

You will find a copy of an invoice from Jewel Electric Co. in the amount of \$9.28 for necessary repairs.

Your consideration in this regard will be appreciated.

Very truly yours,  
s/ Mrs. Chas. Philip Lamm  
2274 John Adams Parkway

Mrs. Edward D. Savaria  
2314 John Adams Parkway  
Idaho Falls, Idaho

March 15, 1963

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

Gentlemen:

This is to advise you that on the evening of February 15, 1963, due to a City of Idaho Falls electrical transformer the control transformer on our gas furnace was burned out necessitating a service call from Jewel Electric Company.

Please find enclosed Jewel Electric Company invoice #1095 in the amount of \$9.28 for repairs to our furnace.

We would appreciate your consideration of this claim for payment from the City.

Very truly yours,  
s/ Mrs. Edward D. Savaria

Verdell Brown  
649 12<sup>th</sup> Street  
Idaho Falls, Idaho

Match 15, 1963

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

MARCH 21, 1963

---

Gentlemen:

This is to notify you on or about February 5, 1963 while driving on North Yellowstone Highway a City of Idaho Falls Police Patrol car suddenly stopped in front of my vehicle necessitating my applying brakes fast. In doing this Mr. Carl Nuttal, a passenger in my car, was thrown into the windshield which caused it to break.

I discussed this at the time with Capt. Forrest Perrin of the Police Department who advised me to have the windshield in my car repaired and present this to the Council in the form of a claim.

Please find enclosed invoice #11165 from the Valley Glass Company in the amount of \$84.84 representing the cost of repairs.

Your attention to this matter would be appreciated.

Very truly yours,  
s/ Verdell Brown

It was moved by Councilman Leahy, seconded by Creek, that these be referred to the City Insurance Carrier for investigation and recommendation. Roll call as follows: Ayes, 4; No, None; carried.

This resolution, relative to a City redemption tax deed was presented:

**RESOLUTION (Resolution No. 1963-03)**

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 6<sup>th</sup> day of February, 1961, recorded in Book 132 of Deeds at Page 497, records of Bonneville County, Idaho, acquire title to and possession of the following described real property, to-wit:

Lots 25 and 26, in Block 2 of Crows Addition to the City of Idaho Falls, Idaho, according to the recorded plat thereof.

WHEREAS, Edras M. Robinson 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

MARCH 21, 1963

---

Edras M. Robinson 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 \_\_\_\_.

\_\_\_\_\_  
MAYOR  
ATTEST: \_\_\_\_\_  
CITY CLERK

It was moved by Councilman Page, seconded by Foote, that the resolution be passed and adopted and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 4; No, None; carried.

This memo was read:

March 19, 1963

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

Gentlemen:

Bids were opened this date for the construction of a concrete box culvert over the Meppen Canal at John Adams Parkway. They are listed as follows:

Aiman Construction Co.	\$11,382.50
Arrington Construction Co.	11,709.50
Goodwin Builders	12,432.00

We are recommending that the Mayor and City Council award the contract to Aiman Construction Co. for the low bid of \$11,382.50 and that the Mayor be authorized to sign the contracts.

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

It was noted that verbal approval by the Council had been granted Tuesday, March 19<sup>th</sup>, 1963, to the effect that the low bid of Aiman Construction be accepted. It was moved by Councilman Leahy, seconded by Foote, that this action be duly ratified. Roll call as follows: Ayes, 4; No, None; carried.

The City Clerk read this memo:

3/20/63

MARCH 21, 1963

---

To the Honorable Mayor and City Council  
Idaho Falls, Idaho

Gentlemen:

Quite sometime ago the City Clerk's Department, thanks to adequate personnel and internal operating efficiencies, launched on a concentrated program, probably for the first time in history, of methodical and consistent figuring of all final utility statements on closed "out" accounts and the mailing of same, together with the attached card, to said accounts, giving them the opportunity of remitting direct to the City by a specified date. To those who fail to respond, an ultimatum letter is sent, prior to turning the account to a professional collector.

Our monthly remittances from professional collectors now exceed \$600.00. Approximately two thirds of the "out" accounts remit direct to the City as a result of the foregoing system so that the services of the professional collector are not needed. No "out" account remains unattended.

A particular category of "out" account never ceases to plague us; namely, the one on which the final amount owing is \$5.00 or less, after forfeiture of the meter deposit. It is not profitable to exert much collection effort toward this end. Needless to say, the professional collector refuses to give such an account any more than token attention. Our files are cluttered with such accounts.

We proposed that we be authorized to charge off, as uncollectible, such accounts that have been in our files six months or longer with the understanding that due discretion be used so as not to flagrantly misuse this directive until all reasonable effort has been made to effect collection.

Your consideration of the foregoing is requested.

Respectfully submitted,  
s/ Roy C. Barnes  
City Clerk

It was moved by Councilman Creek, seconded by Page, that the City Clerk be authorized to proceed as described. Roll call as follows: Ayes, 4; No, None; carried. It was understood that the Mayor and Councilmen be supplied with a list of accounts so charged off, as a means of being kept apprised of this situation.

This memo from the City Engineer was presented:

March 21, 1963  
Acct. No. 9B-49

MARCH 21, 1963

---

Honorable Mayor and City Council  
Idaho Falls, Idaho

Gentlemen:

The construction of Local Improvement District No. 27 is virtually complete with only some curb and gutter replacement and seal coating of trenches remaining to be done. This work is being delayed for more favorable weather conditions.

We are preparing final project costs and contract costs for this District. We need the Council action on liquidated damages before we prepare final estimates for the Contractor.

All of the sewer lines were installed and ready for sewer services on February 11, 1963, with only general clean up and some work limited by weather remaining. This date would put the Contractor eight (8) working days beyond completion date. In that the Contractor has pursued the contract continuously without appreciable delays and that there are no excessive damages beyond inspection time, we recommend that no liquidated damages be assessed the Contractor.

Respectfully submitted,  
s/ Don Ellsworth, P.E.  
City Engineer

Concurred by: s/ Donald F. Lloyd  
D. F. Lloyd

Council action on this recommendation was deferred temporarily.

An agreement between the City and the State of Idaho, Department of Highways, was presented, outlining the terms and conditions for the moving of certain utility poles in conjunction with the Yellowstone widening project. It was moved by Councilman Page, seconded by Leahy, that the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 4; No, None; carried.

The Public Works Director, through the Clerk, presented the following:

March 21, 1963

Honorable Mayor and Council members:  
Idaho Falls, Idaho

Subject: Purchase of Chipper Unit

Gentlemen:

Please find attached hereto a tabulation of bids received on March 18, 1963, for a trailer mounted chipper unit.

MARCH 21, 1963

---

The bid submitted by Engineering Sales does not meet the specifications for the cubic inch displacement of the engine. The bid submitted by Sawtooth Company does not provide for an emergency stop for safety as required in the specifications.

We are therefore, recommending that the Mayor and Council award the contract to furnish a trailer mounted chipper unit in accordance with City specifications, for \$4196.00.

For your information specifications for this unit were prepared from information received from three reputable manufacturers of chipper units, Mitz and Merrill; Fitchberg; and Wayne.

Respectfully submitted,  
Public Works Department  
s/ Donald F. Lloyd, P.E.

cc: Luther Jenkins  
Phil Leahy  
Alex Creek

It was moved by Councilman Leahy, seconded by Creek, that the chipper unit be acquired in the amount as indicated. Roll call as follows: Ayes, 4; No, None; carried.

This paper prepared by Attorney Alvin Denman in the interests of various clients, was read:

**OBJECTIONS TO CITY'S OPERATION  
OF PUBLIC CAMPGROUND**

The business men hereinafter named who are operating public camping facilities as a business in or near Idaho Falls, ask the Mayor and City Council to reconsider its action recently taken whereby the City is planning on operating similar facilities between South Yellowstone Highway and the river in competition with these places of business.

Apparently the City has been unaware that such accommodations are already available, and that they constitute a substantial part of the business already existing here.

In order to give the City the complete story of the extent of the investment of these men, the type of accommodations available, and the ease with which tourists may learn of these accommodations, this data is submitted herewith.

You will note that over 5,000 campers used these facilities last year; that the gross amount taken in from these campers was over \$5,000.00, and that the amount of investment for camping facilities is over \$32,000. These places of business never turn campers away. They are always accommodated.

The City is urged not to engage in this kind of competition with the people who have such considerable investment for the benefit of tourists. If the City does this, it will be setting

MARCH 21, 1963

---

a precedent of engaging in a business already being operated by private enterprise, something the City has not done before.

If the City for any reason decides to operate a campsite for tourists, it is urged to charge at least the prevailing rate of \$2.00 per car. If the City charges less or nothing at all, it will almost certainly wreck this part of the business of these operators.

Respectfully submitted,  
s/ Alvin Denman  
Representing: L.M. Page,  
Haga Tak, N.N. Kuntze,  
Ray W. Bird, E. W. Casper

It was moved by Councilman Creek, seconded by Page, that no Council action be taken and the matter be tabled. Roll call as follows: Ayes, 4; No, None; carried.

The Mayor announced a public hearing meeting with Mr. Dale Despain in the Civic Auditorium, Friday evening, April 5<sup>th</sup> at 8:00 P.M. at which time representatives from the City, Schools, County and others were invited to attend, for the purpose of studying and learning of the land use map and plan.

A courtesy parking ticket, as proposed and recommended by the Chamber of Commerce, was discussed. This was tabled and the Police Chief was instructed to provide the Council with additional information in this regard, including his recommended policy procedure for administration.

This memo from the Public Works Director was presented through the Mayor:

March 18, 1963

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

Subject: School for Water Works Operator

Mayor:

As per your request I have reviewed the attached agenda of the Short School for Water Works operators sponsored by the Department of Health.

As part of our continuing program I would strongly recommend that three Water Works people be authorized to drive a City vehicle, unit #100, to Pocatello on April 4, and 5, 1963, for this training. I would suggest the following men be authorized to take this training: Mr. Wendell Gillespie, Forman; Mr. Kenneth Lord, pipe man first class; and Mr. John Staggie, pipe man first class. These men all have demonstrated their initiative with their Department and their eagerness to learn. Although all of the presentations will not be absorbed by all three of these people, the papers will cover in brief, the entire scope of the Water Works operation.

MARCH 21, 1963

---

I sincerely feel it will be to the City's benefit to offer this training to the employees.

Respectfully submitted,  
Public Works Division  
s/ Donald F. Lloyd, P.E.  
Public Works Director

It was moved by Councilman Leahy, seconded by Page, that the recommendation be approved as stated. Roll call as follows: Ayes, 4; No, None; carried.

These memos from the Electrical Engineer were presented:

March 20, 1963

TO: Mr. Don Foote  
Mr. Phil Leahy

FROM: Harold W. Davis

Attached is a bulletin announcing the American Public Power Association's 1963 Convention to be held in Cleveland, Ohio, April 30 through May 2.

In reviewing the attached literature, I find that on Monday, April 29, there is one panel discussion held that could be beneficial to the City. I would appreciate the feelings of the Committee relative to their sending me to this particular convention. I have reviewed in the March issue of IEEE and find that the meetings to be held would not be as profitable to me as the one in the attached literature. After you have reviewed the literature, Don, I would appreciate your forwarding this letter and the attached material on to Phil and then if each of you will advise me in terms of what your feelings may be about this trip, I would appreciate it.

H. W. D.  
Attach.

March 18, 1963

Electric Light Committee  
City of Idaho Falls  
Idaho Falls, Idaho

Dear Sirs:

Approval is requested for the following two trips: One trip, to be taken by Mr. Ed DeRoche to attend the Actuated Semaphore Maintenance School, will be held in Moline, Illinois from June 4, through June 7. Mr. DeRoche attended the Pre-timed Semaphore Maintenance School last year. The amount approved in the budget under 4543-26 was \$265.00. The reason the cost for this trip is very low is that the City is only out the expense of transportation to and from Moline.

MARCH 21, 1963

---

Approval is also requested for Mr. Max Storer to attend the Electronic 15 and Air Control - Large and Small Case - Valve School that will be held by the Minneapolis-Honeywell Regulator Company in Philadelphia, Pennsylvania. The course has been somewhat modified to handle the exact requirements of the City of Idaho Falls so that Mr. Storer can maintain supervisory and tele-metering equipment not only in the Waterworks Department, but in the Electric Light Division as well. This school will run from June 17 to July 5. The amount approved in the budget under 4521-26 for this particular trip was \$550.00. Please note attached letter and information from Minneapolis-Honeywell.

If these two trips meet with the approval of the Committee, I would appreciate approval from the Mayor and Council as soon as possible.

Very truly yours,  
s/ Harold W. Davis  
Director, Electric Light Division

Attach.

cc: Mr. Phil Leahy  
Mr. L.I. Jenkins

It was moved by Councilman Foote, seconded by Leahy, that approval, in each recommended instance, be granted for these trips to be made. Roll call as follows: Ayes, 4; 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

\*\*\*\*\*