

FEBRUARY 21, 1963

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The City Council of the City of Idaho Falls met in Regular Session Thursday, February 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 Leahy, Creek, Foote. Absent: Councilman Page. Also present: Roy C. Barnes, City Clerk; Vern Kidwell, City Attorney; Don Ellsworth, City Engineer; Ernie Craner, Recreation Director; Harold Davis, Electrical Engineer; Luther Jenkins, Controller.

Minutes of the last Regular Meeting held February 7<sup>th</sup> and Special Meetings held February 12<sup>th</sup> and 19<sup>th</sup>, 1963 were read and approved as amended.

ORDINANCE NO. 1051

AN ORDINANCE PROVIDING FOR THE ANNUAL APPROPRIATIONS OF THE CITY OF IDAHO FALLS, AND FOR THE APPROPRIATION OF THE SEVERAL FUNDS AND PURPOSES DURING THE FISCAL YEAR 1963, AND PROVIDING THE NUMBER OF MILLS ON THE DOLLAR APPROPRIATED FOR EACH OF SAID FUNDS.

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 dispenses 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.

The Mayor announced that this was the time and the place for a public hearing, as advertised, relative to the awarding of an ambulance franchise and that said hearing, by order of the Mayor had been recessed until March 7<sup>th</sup>, 1963.

Reference was made to the budget estimate for 1963 as presented on Page 344 in this Book of Minutes. It was moved by Councilman Creek, seconded by Leahy, that this be officially accepted and adopted as the budget for the City of Idaho Falls for the calendar year 1963. Roll call as follows: Ayes, 3; No, None; carried.

Mr. Floyd Heyrend, Chairman of the Planning Commission, appeared before the Council and presented a preliminary plat of Jennie Lee Addition, Divisions #6, #7 and #8. It was moved by Councilman Leahy, seconded by Foote, that this preliminary plat be approved. Roll call as follows: Ayes, 3; No, None; carried.

A preliminary plat was then presented on the Smith Bishop property. It was noted that it had not as yet been approved by the Planning Commission, therefore the Council took no action except to refer the plat back to that group for their approval and recommendation.

Mr. Reed Bowen, local attorney representing Messrs. Russell Fogg and Willford Anderson, appeared before the Council relative to certain vacant property on Holmes, just south of the Baldwin Food King Store. Mr. Bowen asked for Council consideration for the rezoning of this property from R-1 to R-3 to permit construction of a dance studio. It was learned that this proposed rezoning, although endorsed by the Planning Commission, is being opposed by an organized group of near-by residents. The Mayor explained that a petition must be circulated among all residents within 200 feet

of the property in question after which the question should be presented to the Board of Adjustments for their consideration and recommendation. It was suggested to Mr. Bowen that he arrange a group meeting of all near-by residents to explain fully the R-3 zoning classification.

License applications for BARTENDER, William Joseph Rick; PEDDLER, Melvin L. Smith; BOWLING ALLEY, B.P.O.E. #1087, Skyline Lanes, Inc., Bowl-Ero Inc.; RESTAURANT (previously approved by the City Sanitarian) for Fred & Kelly's Broiler, Tam's Frostop Drive-Inn; DAIRY, U.S.R. Valley Dairyman's Assoc. (Cream Top Dairy) and (Challenge); GAS CONTRACTOR (previously approved by the Gas Inspector) Lloyd Winn, E. L. Holmgren; JOURNEYMAN GAS FITTERS (previously approved by the Gas Inspector) Lloyd Winn of U.S.R. Valley Dairyman's Assoc., Edward Nixon for U.S.R. Valley Dairyman's Assoc., Max Conan of Conan & Landon; APPRENTICE GAS FITTER (previously approved by the Gas Inspector) Arlo Belnap of U.S.R. Valley Dairyman's Assoc.; ELECTRICAL CONTRACTOR (previously approved by the Electrical Inspector) for School District #91, Dick Wheeler; JOURNEYMAN ELECTRICIAN, (previously approved by the Electrical Inspector) Wayne M. Harris; MASTER PLUMBER (previously approved by the Plumbing Inspector) Rex Rolfe, Blair Cuthbert, Max Groom; LIQUOR, Clara Eames of the Mint Bar, Mrs. M. A. Banks of the Hub Bar, C. B. Mc Neill of the Bon Villa Club were presented. It was moved by Councilman Creek, seconded by Foote, that these licenses be approved. Roll call as follows: Ayes, 3; No, None; carried.

License application for ROOMING HOUSE, Markey LaRoux was presented. It was moved by Councilman Leahy, seconded by Foote, that this license be granted, subject to the approval of the Chief of Police. Roll call as follows: Ayes, 3; No, None; carried.

License applications for DANCE HALL, Fred Huth of Fred & Wayne's Broiler, Flamingo, Inc., Jim S. Sheets of Jack's Chicken Inn, Mrs. M. A. Banks of Hub Bar were presented. It was moved by Councilman Creek, seconded by Leahy, that these licenses be granted, subject to the approval of the Chief of Police and the Police Committee. Roll call as follows: Ayes, 3; No, None; carried.

**RESOLUTION (Resolution No. 1963-01)**

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 16<sup>th</sup> day of November, 1959, recorded in Book 124 of Deeds at Page 541, records of Bonneville County, Idaho, acquire title to and possession of the following described real property, to-wit:

Lots Thirty-five (35) and Thirty-six (36) in Block Eighty (80) of Highland Park Addition to the City of Idaho Falls, Bonneville County, Idaho, according to the recorded plat thereof.

WHEREAS, Dail Erwin 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:

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

PASSED BY THE COUNCIL this \_\_\_\_\_ day of \_\_\_\_\_, 1963.

APPROVED BY THE MAYOR this \_\_\_\_\_ day of \_\_\_\_\_, 1963.

s/ \_\_\_\_\_

MAYOR

ATTEST: s/ \_\_\_\_\_

CITY CLERK

It was moved by Councilman Leahy, seconded by Creek, that this resolution be adopted and approved. Roll call as follows: Ayes, 3; No, None; carried.

This memo from the Public Works Director was presented:

February 21, 1963

Honorable Mayor and City Council  
Idaho Falls, Idaho

Subject: Box Culvert over Meppen Canal for John Adams Parkway

Gentlemen:

During the recent budget discussions, we pointed out that the above captioned project is the third year construction for a five year development program. We have assumed your approval and expect the plans and specifications to be completed early in March.

Construction of this box culvert must be completed by May 1<sup>st</sup>, and three or four weeks should be allowed for construction. In order to meet this schedule, it will be necessary to advertise during March.

We are requesting authorization for the City Clerk to advertise for the construction of this project as soon as the plans and specifications have been completed.

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

cc: Lu Jenkins, Phil Leahy, Alex Creek

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It was moved by Councilman Leahy, seconded by Creek, that the City Clerk be authorized to advertise for bids on this construction as soon as plans and specifications are completed by the Engineering Department. Roll call as follows: Ayes, 3; No, None; carried.

The Mayor announced a Bonneville Power Administration Advisory Council meeting March 4, 1963 in Walla Walla, Washington. It was moved by Councilman Leahy, seconded by Creek, that the Mayor be authorized to attend. Roll call as follows: Ayes, 3; No, None; carried.

The Mayor appointed the following as members of the Traffic Safety Committee:

Police Chief	Milton Jones
Police Captain	Dan Wilson
Police Judge	William Black
City Engineer	Don Ellsworth
City Attorney	Vern Kidwell

It was moved by Councilman Leahy, seconded by Foote, that these appointments be confirmed. Roll call as follows: Ayes, 3; No, None; carried.

The Mayor appointed the following as members of the Mayor's Committee for employment of the physical handicapped: Charlotte Burkman and Marlin Burke. It was moved by Councilman Foote, seconded by Leahy, that these appointments be confirmed. Roll call as follows: Ayes, 3; No, None; carried.

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

ATTEST: s/ Roy C. Barnes  
CITY CLERK

s/ W. J. O'Bryant  
MAYOR

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