

DECEMBER 20, 1962

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The City Council of the City of Idaho Falls met in Regular Session Thursday, December 20, 1962 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, Leahy, Page. Also present: Roy C. Barnes, City Clerk; Don Lloyd, Public Works Director; Harold Davis, Electrical Engineer; Luther Jenkins, Controller; Alva Harris, Building Official; Milton Jones, Police Chief.

Minutes of the last Recessed Regular Meeting, held December 10, 1962, were read and approved.

A zoning hearing had been held on November 20<sup>th</sup>, 1962 at which time the rezoning of Lots 1 to 3 inclusive, Block 2, and Lots 1 to 7 inclusive, Block 1, Riviera Addition Division #1 had been tabled, pending a joint study of the Board of Adjustments and the Planning Commission.

Mr. Earl Brunt appeared before the Council to remind the Council that those groups had, in the interim period, recommended that these areas be rezoned R-3 and asked for Council action. It was moved by Councilman Page, seconded by Creek, that these Lots be rezoned R-3. Roll call as follows: Page, Aye; Leahy, Aye; Creek, Aye; Foote, Abstained; carried.

The Building Official was instructed by the Mayor to incorporate this zoning change on the official zoning map, located in his office.

Officer James Parry appeared before the Council, asking if any decision had been reached, relative to Police Officers being forced to move into the City. The Mayor explained that the Fire Chief and the Police Chief were to confer on this matter and make a recommendation to the Council accordingly and that this had not as yet been done.

The following petition with twenty signers was read:

We the undersigned neighbors owning or using property within 200 ft. of Lots 10 and 11, Block 25 of Scott's Addition to the City of Idaho Falls, Idaho, do respectfully petition the Mayor and City Council of Idaho Falls to issue a permit for an additional opening on 13<sup>th</sup> Street to the above Lots. (See attached map for present opening and the need for an additional opening.) Listed below are some of the advantages that would be enjoyed from this new opening.

1. A real traffic hazard would be eliminated.
2. Instead of parking on 13<sup>th</sup> Street in front of close neighbors, it would permit cars to drive conveniently on to the parking lot which was provided for their use.
3. This additional opening would make more efficient use of the parking lot.  
Almost twice as many cars could be parked on the same lot.
4. There are three separate businesses - washeteria, barber shop, and ice cream parlor - doing business in this new brick home-like building. Shall we extend to them a welcoming hand by giving their customers the privilege of moving on and off the parking lot in an easy efficient manner instead of being tied in a bottleneck as at present with just the one opening?

This letter, signed jointly by six property owners in the vicinity of 13<sup>th</sup> and Holmes, was then read:

DECEMBER 20, 1962

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Idaho Falls, Idaho  
December 18, 1962

Honorable Mayor  
Members of the City Council  
Idaho Falls, Idaho

Gentlemen:

We wish to call your attention to the building program, etc., that has been carried on at the corner of Holmes and 13<sup>th</sup> Streets by Grant Packer, Jr. and Grant Packer, Sr. It is our understanding that the building that was to be built was for offices and that there would be no ingress or egress to the property on 13<sup>th</sup> Street.

At the time limited use of the property was granted, a drawing of the proposed building and location was given to the City showing an office building with landscaping running the full width of the lot on the north end. This plan given to the City was signed by Mr. Ruland Williams and others, which gave their approval to the development.

If you will inspect the property as it is today you will find that the development has not been done as agreed to by the Packers.

The following are the exceptions among others:

- (1) They have not put in offices.
- (2) They have made a curb cut on 13<sup>th</sup> Street.
- (3) They have put a large commercial sign at the northwest corner on the lot, which is highly illuminated at night, that faces in the bedroom windows of those homes facing the property. This light disturbs the peace and rest of the occupants.
- (4) Commercial trucks have been parked on 13<sup>th</sup> Street.
- (5) It appears that the City has not received all the information that is required to issue permits for all of the construction that has been going on.

We, the undersigned property owners, wish to call this to the City's attention and request the City to take appropriate action to remedy this situation.

Messrs. Jerry Rogers and D. W. Mander, tenants in the Grant Packer Building, appeared before the Council, asking Council consideration in permitting the 13<sup>th</sup> Street curb cut to remain, on the grounds that this would provide more off street parking and less of a traffic hazard. Mr. Rogers also asked whether or not he would be permitted to install and use a lighted sign. It was explained to these gentlemen that a correction notice had previously been issued on the curb cut. The original plot plan was studied. After considerable discussion the matter was referred to the City Attorney for study and recommendation.

DECEMBER 20, 1962

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License applications for BARTENDER, Sharon M. Widowson, Jack Wilkerson, L. A. Winchester, Harry W. Parker, Gene Brown, Floyd W. Murray, Kermit Purcell, James Scheets, Alvin L. Hart, S. C. Montague, Eugene Peterson, Gail Green, Dell Dalling, James H. French, Jr., Ray O'Neill, Otto Johnson, J. W. Banks, Ray Waters, Merrill Ingelstrom, James F. Ingelstrom, Joseph B. Krysty, Max C. Goodwin, L. W. Taylor, C. B. McNeill, Oscar A. Johannesen, Kenneth J. McCormick, Otis Sheperd, Julia J. Russell, Mervin Cook, J. K. Jensen, Ray Metcalf; COMMERCIAL KENNEL, Mrs. Louis Tarrallo; RESTAURANT (previously approved by City Sanitarian) Corner Grocery, Gambles Fine Foods, Earls Food Stores #1 and #2, B & V Market, Russ's Super Market, Saving Center, Inc., Hiway Market, Inc., Bybee's Holiday Market, Glenn's Cold Storage, United Blue Ribbon Food Service; JOURNEYMAN GAS FITTER (previously approved by the Gas Inspector) Bill Anderson; LIQUOR, Goldy E. Taylor, E. G. Moore were presented. It was moved by Councilman Leahy, seconded by Creek, that these licenses be approved. Roll call as follows: Ayes, 4; No, None; carried.

License application for MASTER PLUMBER, Dean C. Kirkham was presented. It was moved by Councilman Page, seconded by Leahy, that the license be granted, subject to the approval of the Plumbing Inspector. Roll call as follows: Ayes, 4; No, None; carried.

License applications for ROOMING HOUSE, Edythe Reynolds; BEER, CANNED AND BOTTLED NOT TO BE CONSUMED ON THE PREMISES, John S. Gamble, Bill Barnes, Vern Kelsch (2), J. Russell Brown, Grant Earl, E. J. Guderjohn, Lowell Bybee, George Melgaard, Glenn Spracher, Ralph Coy; BEER, CANNED AND BOTTLED TO BE CONSUMED ON THE PREMISES, Leonard Messmer, Julia Russell and Kermit Purcell, J. W. Banks, Thelma Krysty, Charles Jacetta, James and Betty Jo Scheets, Ronal D. Graham; BEER, CANNED BOTTLED AND DRAFT TO BE CONSUMED ON THE PREMISES, H. W. Reeve, Alven L. Hart, C. B. McNeill, Gerald E. Hicks and Clara Eames, James Ingelstrom, Jackie Hahn and Elaine Black. Additional applications for CANNED AND BOTTLED BEER NOT TO BE CONSUMED ON THE PREMISES, Albert V. Jensen, Andy H. Stavros, Harvey Storer were presented. It was moved by Councilman Leahy, seconded by Creek, that these licenses be granted subject to the approval of the Chief of Police. Roll call as follows: Ayes, 4; No, None; carried.

Earlier it was noted, the Mayor had reappointed Mr. E. F. McDermott as a member of the Civic Auditorium Committee. It was moved by Councilman Leahy, seconded by Page, that the appointment be confirmed. Roll call as follows: Ayes, 4; No, None; carried.

A letter was presented from the Morley-Chapin Furniture Company asking that their trucks be permitted to park in the alley behind their store for loading and unloading. Councilman Leahy commented to the effect that their alley is no singular problem. This was tabled for an overall study of the problem in question.

A lease was presented in favor of the Skyline Gun Club, outlining terms and conditions for the leasing of certain City owned lands for a period of five years for purposes for constructing a gun club building and other facilities. It was moved by Councilman Foote, seconded by Page, that the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 4; No, None; carried.

It was noted that a lease and concession agreement renewal in favor of Leonard Messmer as lessee of the Airport Café and Lounge was signed by the Mayor and City Clerk without formal Council approval on December 11th. It was moved by Councilman Leahy, seconded by Creek, that this action be duly ratified. Roll call as follows: Ayes, 4; No, None; carried.

This letter was read by the City Clerk:

DECEMBER 20, 1962

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December 8, 1962

Mayor W. J. O'Bryant  
Administration Offices  
308 C Street  
Idaho Falls, Idaho

Mayor O'Bryant:

I recently talked to you about a new business that I am drawing up. You asked me to submit a letter to you stating what we are going to do.

We are looking in the aspects of the Merchant Police Protection for businesses and private individuals. We should like to do it according to the manner in which you suggest. Also, I was wondering whether or not the men who will do this work can attend the Police Training School? The members of this organization will be bonded for protection.

We should appreciate hearing from you as soon as possible so that we may get this plan into effect. We have talked to the Chamber of Commerce, and they said they will give us help in getting started in this business.

Thank you for your cooperation.

Sincerely yours,  
s/ Joseph F. Sciglino

This was referred to the City Attorney for study and recommendation:

**ORDINANCE NO. 1044**

AN ORDINANCE AMENDING CHAPTER 9 OF TITLE 10 OF THE CITY CODE OF THE CITY OF IDAHO FALLS, 1962 EDITION, BY ADDING THERETO THREE NEW SECTIONS TO BE KNOWN AS NUMBERS 10-9-10, 10-9-11, 10-9-12, AND 10-9-13, PROVIDING FOR THE PROHIBITING OF PARKING OF VEHICLES ON CERTAIN STREETS OF THE CITY BETWEEN CERTAIN HOURS ON CERTAIN DAYS, PROVIDING FOR THE IMPOUNDING OF VEHICLES PARKED IN VIOLATION OF SUCH PROHIBITION, PROVIDING THAT THE VIOLATION OF ANY OF THE PROVISIONS OF SAID CHAPTER 9 SHALL CONSTITUTE A MISDEMEANOR, AND PROVIDING THE PENALTIES FOR SUCH VIOLATION.

**DECEMBER 20, 1962**

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It was moved by Councilman Leahy, seconded by Foote, that this Ordinance be passed on its second and third readings. Roll call as follows: Ayes, 4; No, None; carried.

**ORDINANCE NO. 1045**

AN ORDINANCE AMENDING SECTION 19 OF CHAPTER 7, TITLE 8 OF THE IDAHO FALLS CITY CODE, 1962 EDITION, BY ELIMINATING THERE FROM THE PROVISION FOR SPECIAL CHARGES FOR SEWER CONNECTION PERMITS FOR DWELLINGS CONNECTED TO THE SEWER LINE IN LOCAL IMPROVEMENT DISTRICT NO. 23, AND PROVIDING WHEN THIS ORDINANCE SHALL TAKE EFFECT.

It was moved by Councilman Leahy, seconded by Foote, that this Ordinance be passed on its second and third readings. Roll call as follows: Ayes, 4; No, None; carried.

**ORDINANCE NO. 1046**

AN ORDINANCE AMENDING ORDINANCE NO. 1014 ANNEXING CERTAIN LANDS TO THE CITY OF IDAHO FALLS; DESCRIBING SAID LANDS AND DECLARING SAME A PART OF THE CITY OF IDAHO FALLS, IDAHO

It was moved by Councilman Foote, seconded by Page, 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, 4; 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, 4; 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, 4; No, None; carried.

**ORDINANCE NO. 1048**

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

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

DECEMBER 20, 1962

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WITH?" Roll call as follows: Ayes, 4; 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, 4; No, None, carried.

This memo from the City Engineer was read:

December 20, 1962  
Acct. No. 11A-31

Honorable Mayor and City Council  
Idaho Falls, Idaho

Gentlemen:

Attached are four copies of Change Order No. 5 for the construction of water works improvements.

As a part of this construction project, the contractor was required to pull the pump at the 10<sup>th</sup> Street Well to remove a set of bowls and to allow complete inspection of the pumping equipment. Upon making a thorough inspection of the equipment, it was deemed not desirable to replace the existing equipment as its condition indicated that within a few years it would be necessary for replacement. In considering new equipment, it was found that we could increase the capacity of this Well approximately 600 gallons per minute. The Consulting Engineers have written the specifications for new equipment and requested the contractor to submit three proposals of equipment and cost for review.

This Change Order reveals the credits to the original contract and the costs for the new pumping equipment to place this Well back into complete operation. The equipment selection was made on the basis of lowest annual costs.

We would recommend that the Council approve this Change Order in a total sum of \$24,917.39 and that the Mayor be authorized to sign.

Very truly yours,  
s/ Don Ellsworth, P.E.  
City Engineer

Concurred by: s/ Donald F. Lloyd  
Attach: 4

It was moved by Councilman Leahy, seconded by Foote, that Change Order #5 for the construction of waterworks improvements be approved and the Mayor be authorized to sign the Change Order document. Roll call as follows: Ayes, 4; No, None; carried.

A proposal was presented from Cornell, Howland, Hayes & Merryfield for the preparation of designs covering the conversion of operating voltage in the area served by the Ninth Street

Subdivision. It was noted that the fee of these consulting engineers for this service was in the amount of \$4,500.00. It was moved by Councilman Leahy, seconded by Page, that the Mayor be authorized to sign. Roll call as follows: Ayes, 4; No, None; carried.

Councilman Leahy commented to the effect that, even though he concurred with the foregoing, time being of the essence, the time should come within the predictable future when comparable projects within the Electrical Department should be included and incorporated under a common bond issue.

With reference to the foregoing, the City Clerk presented the following:

ADVERTISEMENT FOR BIDS

Sealed proposals for furnishing electrical materials for the 9<sup>th</sup> Street sub-station expansion addressed to the Mayor and City Council of Idaho Falls, Idaho, will be received at the office of the City Engineer, City Hall, Idaho Falls, Idaho until 10:00 A.M. Mountain Standard Time, on the 22<sup>nd</sup> day of January, 1963, and then will be publicly opened and read.

The work contemplated consists of furnishing one 3750/4687 KVA, oil-immersed, self-cooled/forced air-cooled, seal-tank type transformer, metal-clad switch gear, and high-voltage materials and equipment for connecting the transformer as specified.

Copies of plans and specifications may be examined or obtained at the office of the City Engineer, City Hall, Idaho Falls, Idaho.

Each proposal must be submitted on the prescribed form.

The right is reserved to reject any or all proposals, to postpone the award of the contract for a period not to exceed thirty (30) days and to accept that proposal which is to the best interests of the City of Idaho Falls, Idaho.

Dated this 22<sup>nd</sup> day of December, 1962.

City of Idaho Falls, Idaho  
By s/ Roy C. Barnes  
CITY CLERK

PUB: 12-23-62  
12-30-62  
1- 6-63

It was moved by Councilman Leahy, seconded by Page, that the City Clerk be authorized to publish, as required by law. Roll call as follows: Ayes, 4; No, None; carried.

The Mayor and Council took note of the fact that court litigation was very recently concluded in favor of the City, relative to certain contracts for the payment of the Smith Chevrolet property and also certain property purchased for park development south and east of the City. It was moved by Councilman Page, seconded by Creek, that the Council at this time go on record as restating

DECEMBER 20, 1962

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authorization for the payment of these contracts in full during the calendar year of 1962. Roll call as follows: Ayes, 4; No, None; carried.

Fire Chief Gillen, through the Mayor, presented the following:

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

Gentlemen:

As Chief of the Idaho Falls Fire Department, I would like to go on record as recommending that the TOTAL number of years worked be considered in figuring the vacation and sick leave benefits for the following Firemen:

Delbert Barnes: Started 6-21-51, quit to go into business for himself 5-1-56, rehired 6-1-57.

Les Corcoran: Started 7-1-52, quit to play baseball 4-1-53, rehired 9-8-53.

Respectfully submitted,  
s/ Parley G. Gillen  
Fire Chief

Copies to:  
Mayor O'Bryant  
Alex Creek  
Don Foote  
Phil Leahy  
Karl Page  
L. I. Jenkins

This was tabled for further study and consideration.

The following letter was read:

November 28, 1962

W. J. O'Bryant, Mayor  
City of Idaho Falls  
Idaho

Dear Mayor O'Bryant:

As Presidents of the Longfellow P.T.A., Mrs. Sharp and I have received complaints of the danger to school children crossing South Boulevard at Tautphaus Drive. It is reported that

DECEMBER 20, 1962

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the danger is particularly acute in the morning hours while employees of the Sacred Heart Hospital are changing shifts.

It is my recollection that a portable safety sign had been used at that intersection in the past, but it is not in use at this time.

Would you kindly cause inquiry to be made into this situation and advise me of any suggestions your officers might have which would add to the safety of our children.

Sincerely yours,  
s/ John M. Sharp

cc: Delmont Jones  
John Orr

This was referred to Police Chief Jones for handling. The Chief appeared briefly and discouraged the use of a portable safety sign, as suggested, on the grounds that signs located in the middle of the street, in themselves, create a traffic hazard.

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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