

NOVEMBER 20, 1962

The City Council of the City of Idaho Falls met in Recessed Regular Session Tuesday, November 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 Leahy, Creek, Foote, Page. Also present: Roy C. Barnes, City Clerk; Kelvin Nelson, Recreational Director; Luther Jenkins, Controller; Don Lloyd, Public Works Director; Alva Harris, Building Official.

Minutes of the Recessed Regular Meeting, held November 8th, 1962, and a Special Meeting held November 13th, 1962 were read and approved.

The Mayor, noting a group of Boy Scouts in the Council Chambers, and recognizing that their visit was part of a Citizens project, welcomed them to the Meeting.

The Mayor announced that this was the time and the place for a public zoning hearing, as advertised.

First to be considered was the following legally described property:

Lots #11 to #22 inclusive, Block 19, Capitol Hill Addition.

There were no protests. It was moved by Councilman Leahy, seconded by Creek, that these lots be rezoned from R-3 to C-2. Roll call as follows: Ayes, 4; No, None; carried.

Next to be considered were the following properties:

Lots 1 to 3 inclusive, Block 2, Lots 1 to 7 inclusive, Block 1, Riviera Addition, Division #1.

There were no protests. It was noted by the Council, however, that the Board of Adjustments had recommended that rezoning of these lots be denied and also, more recently, by the Planning Commission.

Mr. A. W. Brunt appeared before the Council protesting the action of the Planning Commission on the grounds that their meeting was held without his knowledge and, in fact, while he was absent from the City.

Mr. LaGrande Marchant, Chairman of the Planning Commission, was present and called a special meeting of that group for Friday, November 29th to specially consider this matter and to grant an audience to Mr. Brunt. Therefore, the Council tabled any rezoning action.

Last to be considered for rezoning was an area in a meets and bounds description, as follows:

Beginning at a point Forty One and One half feet (41½) North and Six Hundred and Sixty Feet (660') East of the Southwest corner of the East half of the Southwest One Quarter (E½ SW¼) of Section Seventeen (17) Range Thirty Eight (38) EBM running thence North a distance of Six Hundred and Sixty feet (660'); thence East a distance of Three Hundred Thirty feet (330'); thence South a distance of Six Hundred Sixty (660') feet; thence West a distance of Three Hundred Thirty feet (330') to the place beginning in the W½ SE¼ SE¼ SW½ Sec. 17 TP ZN-R38-EBM-City of Idaho Falls-Bonneville County-Idaho

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There were no protests. Mr. Herbert Crugel, developer, appeared before the Council to explain his building plans. It was noted that the area had never been officially platted. It was moved by Councilman Page, seconded by Foote, that the requested rezoning from R-1 to R-3 be approved, subject to the platting of the area which would reflect and include the proper dedication of rights of ways and easements which must meet with the approval of the Engineering Department before being signed by the Mayor and City Clerk. Roll call as follows: Ayes, 4; No, None; carried.

The Mayor then instructed the Building Official to incorporate the foregoing zoning changes on the official zoning map, located in his office, as regards the Lots in the Capitol Hill Addition, and also the latter property as soon as the plat was presented and properly signed by the Engineer, the Mayor and the City Clerk.

Reference was made to the J. Wm. Marley appeal which was considered by the Board of Adjustments, at their meeting dated October 26th, 1962. He had requested permission to build an attached garage to his existing residence at 325 Fanning Avenue, five feet from the property line with the ridge of the roof projecting two feet out which would measure three feet from the property line to the ridge edge. This had been approved by the Board. It was moved by Councilman Leahy, seconded by Page, that the Boards' recommendation be confirmed and the appeal be granted. Roll call as follows: Ayes, 4; No, None; carried.

License applications for BEER (canned and bottled, not to be consumed on the premises) for Lloyd E. Heaton; BEER (canned and bottled, to be consumed of the premises) (previously approved by the Chief of Police) for Oscar Matson; JOURNEYMAN GAS FITTER (previously approved by the Gas Inspector) for Clifford Draper were presented. It was moved by Councilman Leahy, seconded by Foote, that these licenses be approved. Roll call as follows: Ayes, 4; No, None; carried.

License applications for GROCERY STORE for Oscar Matson and Highland Grocery were presented. It was moved by Councilman Creek, seconded by Leahy, that these licenses be granted, subject to the approval of the City Sanitarian. Roll call as follows: Ayes, 4; No, None; carried.

The City Attorney of St. Anthony, Idaho, through the City Clerk has requested a gratis copy of the City of Idaho Falls Code. It was moved by Councilman Leahy, seconded by Creek, that his request, as stated, be denied but that he be permitted to have a copy for the recently revised rental rate of \$25.00 per year. Roll call as follows: Ayes, 4; No, None; carried.

The Mayor read the following letter and then proceeded to make the appointments accordingly:

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Mayor O'Bryant
City Hall
Idaho Falls

Dear Mayor O'Bryant:

Subject to your approval I would like to recommend the following people for appointment to the Mayor's Committee on Employment of the Handicapped and older workers.

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Milt Deschamps - Chairman - Finance Committee

W. Joe Anderson - Speakers Committee

Mrs. Ira Butterworth (I would like to take her from the Contact Committee and place her as Chairman of Poster and Essay Committee. Transfer Bill McFarland from Chairman of the Speaking Committee to the Finance Committee, and replace Bill McFarland with Tony Naegle as Chairman of the Speaking Committee.

I feel that these people are all well qualified to serve in the suggested placements and I would like to recommend that you approve these people for the above assignments.

Very truly yours,
s/ Mack Gough

It was moved by Councilman Leahy, seconded by Foote, that the Mayor's appointments be confirmed. Roll call as follows: Ayes, 4; No, None; carried.

The Mayor explained that, under the joint auspices of the Bonneville Power Administration and the U. S. Bureau of Reclamation, a technical study committee was being formed and that he had been invited to serve. It was moved by Councilman Creek, seconded by Page, that this be approved. Roll call as follows: Ayes, 4; No, None; carried.

ORDINANCE NO. -----

AN ORDINANCE PROHIBITING THE THROWING OR DEPOSITING OF LITTER IN PUBLIC PLACES IN THE CITY OF IDAHO FALLS; REGULATING THE DISTRIBUTION OF COMMERCIAL AND NON-COMMERCIAL HANDBILLS; CONTROLLING THE DEPOSITING OF LITTER ON PRIVATE PREMISES; PROVIDING A LIEN FOR CITY CLEANUP; PRESCRIBING PENALTIES FOR THE VIOLATION OF ITS PROVISIONS; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

It was moved by Councilman Leahy, seconded by Creek, that this Litter Ordinance be passed on its first reading as amended. Roll call as follows: Ayes, 4; No, None; carried.

ORDINANCE NO. ---

AN ORDINANCE PROVIDING FOR THE ESTABLISHMENT OF A SANITARY SYSTEM FOR THE DISPOSAL OF REFUSE AND OTHER DEBRIS FROM RESIDENTIAL PROPERTIES AND AREAS OF THE CITY OF IDAHO FALLS; PROVIDING REGULATIONS GOVERNING THE ACCUMULATION, TEMPORARY CARE, REMOVAL AND DISPOSAL

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THEREOF; PROVIDING FOR THE ASSESSMENT AND COLLECTION OF FEES FOR THE OPERATION OF SUCH SYSTEM; PROVIDING FOR PENALTIES FOR THE VIOLATION OF SAID ORDINANCE; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH.

It was moved by Councilman Leahy, seconded by Page, that this Garbage and Refuse Ordinance be passed on its first reading as amended. Roll call as follows: Ayes, 4; No, None; carried.

The District Chairman of Flood Control District #1, through Councilman Leahy, asked permission to store 40,000 to 50,000 burlap sacks in the basement of the Airport Administration Building. It was moved by Councilman Leahy, seconded by Foote, that this be approved. 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
