

NOVEMBER 9, 1961

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The City Council of the City of Idaho Falls met in Recessed Session, Thursday, November 9, 1961, 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; George Barnard, City Attorney; Don Lloyd, City Engineer; Assistant Engineer, Don Ellsworth; Luther Jenkins, Controller; Alva Harris, Building Official; Kelvin Nelson, Recreation Director; Harold Davis, Electrical Engineer.

Minutes of the last Recessed Meeting, held October 25<sup>th</sup>, 1961 were read and approved.

The Mayor announced that this was the time and the place for the opening of bids on covering construction of L.I.D. #27 and instructed the City Clerk to proceed. The following were revealed:

Goodwin Construction Co. Blackfoot, Idaho	\$309,648.90
Robert V. Burggraf Co. Idaho Falls, Idaho	\$297,419.90

These were referred to the Engineering Department for study and recommendation.

Mr. Grant Shippen of the real estate construction firm of Shippen & Barnes appeared before the Council, representing himself and others, protesting the City's newly adopted policy of refusing to move electric meters from pole to house until a certificate of occupancy is issued. The Mayor explained further that when this is permitted, the patron is improperly charged for utility services and that they may be living in a residence which hasn't been finally inspected.

Mr. Shippen explained that a permanent line to the house is desirable as it nears completion for the firing of the furnace and the finishing work.

It was proposed that the Electrical Ordinance be amended to provide for the builder to be held responsible for fees or charges otherwise lost by the City as a result of a home being prematurely occupied, as well as certain penalties that would be applied. This met with general agreement and the City Attorney was directed to amend the Ordinance accordingly.

Mr. A. W. Brunt, local real estate contractor, appeared before the Council requesting that the prescribed setback regulation be waived with reference to proposed construction on Lot 17, Block 2, Riviera Addition Division #1. He explained that lava rock had been encountered and that if the house were to be set back 30 feet, blasting would be necessary. He explained further that in this particular instance, due to the curvature of the street, there could be less set back without affecting the overall frontal alignment. The matter was tabled for study and consideration.

Bills for the month of October, having been properly audited by the Finance Committee, were presented as follows:

<u>FUND</u>	<u>GROSS PAYROLL</u>	<u>SERVICES &amp; MATERIALS</u>	<u>TOTAL EXPENDITURES</u>
General Fund	\$86,638.95	\$44,836.34	\$131,475.29

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Recreation Fund	1,237.00	467.78	1,704.78
Fire Fund	20,459.10	1,364.32	21,823.42
Electric Light Fund	21,066.20	87,514.12	108,580.32
Water & Sewer	12,910.00	28,560.99	41,470.99
Police Retirement Fund	<u>1,710.83</u>	<u>.00</u>	<u>1,710.83</u>
<b><u>TOTAL FUNDS</u></b>			<b>\$306,765.63</b>

It was moved by Councilman Leahy, seconded by Foote, that the bills be approved and the Controller be authorized to issue warrants from the respective funds for their payment. Roll call as follows: Ayes, 4; No, None; carried.

Monthly reports from Division and Department Heads were presented, and there being no objection, were ordered placed on file in the office of the City Clerk.

The City Clerk read the following:

October 27, 1961

City of Idaho Falls  
Idaho Falls, Idaho

Attention: Mr. Roy C. Barnes, City Clerk  
Re: Accident of: 6-20-61  
Mr. Joe Mayeda

Gentlemen:

Upon completing our investigation of the above mentioned claim we find it is quite possible we could be held responsible for the damage done by our raccoons while they were loose. We are, therefore, paying Mr. Mayeda for his claim in the amount of \$20.00

Very truly yours,  
s/ A. D. Connet  
Claims Adjustor  
Idaho Falls Field Office

No action was considered necessary.

The City Clerk read the following:

11-4-61

To the Honorable Mayor and City Council

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Gentlemen:

Last year the problem of inadequate licenses was presented to the Council, listing three, particularly, in need of remedial action. You will remember that one of the Councilman asked, instead, that the entire list be reviewed. This would have been, of course, a major undertaking. Time passes, the next year's licenses started coming in and the proposition was forgotten.

Again your City Clerk asks that consideration be given to correct, through amended ordinance, three of the most inequitable license fees; namely, soft drink, meat market and dairy - all \$1.00 per year. Money is lost on any license issued for such a nominal amount.

Time is of the essence. If these license fees are changed, ordinances must be revised, passed and published. License money will start coming in by the first of December. Prior to then, if time permits, it is our hope that all affected licensees can be notified by letter. You may wonder why this proposal has not been presented earlier. To come up with the following recommendation, considerable study was necessary. This research was started about 60 days ago and has resulted in three interviews with the City Sanitarian, two with the City Attorney and two with the Mayor. All of this is mentioned to emphasize that the following recommendations are the product of much thought and time. We are not approaching the matter hastily, as might otherwise appear on the surface. We submit the following recommendations. As you study them, please keep in mind that, according to our City Attorney, we may **not** assess a license fee, based upon the total cost of inspection throughout the year. We may, however, take into consideration the cost of the **initial** inspection, preparatory or concurrent to the issuance of the license:

1. Delete the Soft Drink license.

Last year we issued 116 soft drink licenses - restaurants, 53; grocery store, 36; bars, 23, drug store, 4. Most soft drinks are not licensed, as we do not know their locations; examples being vending machines at service station, etc. As you peruse the subsequent recommendations, you will note that the revenue lost from this source will be more than offset.

2. Delete the Meat Market license.

Last year, 35 of these were issued. Our City Sanitarian tells us that, technically, his Department is not supposed to inspect meat markets. This is a duty of the Department of Agriculture and any inspection done on meat markets by others in connection with general inspection of grocery store locations is done by reciprocal arrangement. In this

instance, also, you will observe that the following recommendation will more than offset lost revenue from this source.

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3. Authorize the adoption of a \$10.00 annual license fee for grocery stores, markets and meat packers.

Our City Sanitarian tells us that it is the store as a whole, the entire premises, which is subject to inspection, not just the meat market department. Difference in the size of the store is negligible. The \$10.00 fee would cover, generally, the issuance of the license, the keeping of the records, the time and cost of one trip by the inspector to the premises.

4. Authorize the adoption of a \$10.00 annual license fee for restaurants and soda fountains.

Restaurants now pay a \$5.00 restaurant fee, plus \$1.00 for soft drinks. This would be a net increase of \$4.00. The same points of consideration would apply as for grocery stores, relative to costs of inspection.

5. Authorize the adoption of a \$5.00 annual license fee for dairies or \$2.50 per truck, whichever is greater.

Our City Sanitarian advised that the number of trucks will adequately serve as a yard stick as to the dairy's milk volume which is an important factor in determining inspection costs.

Your consideration of the foregoing will be requested at the next Council Meeting. This copy is being provided in advance so that you may have time for thought on the matter.

Respectfully submitted,  
s/ Roy C. Barnes  
City Clerk

It was moved by Councilman Page, seconded by Leahy, that the license deletions and revisions be approved as recommended. Roll call as follows: Ayes, 4; No, None; carried.

City redemption tax deeds were presented, in the name of Howard P. Price, Assignee of Floyd Collins, V-1 Oil Company, a Corporation, Assignee of Blue Bell Gas Company, and two in the names of B. A. Wackerli, Assignee of Carl Freeman. It was moved by Councilman Foote, seconded by Leahy, that the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 4; No, None; carried.

**ORDINANCE NO. 1013**

AN ORDINANCE VACATING AND CLOSING THE ALLEY RUNNING  
IN A NORTHWESTERLY-SOUTHEASTERLY DIRECTION THROUGH

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BLOCK 8 OF WEST BROADWAY ADDITION TO THE CITY OF IDAHO  
FALL, ACCORDING TO THE RECORDED PLAT THEREOF.

The foregoing Ordinance was presented in title. It was moved by Councilman Page, seconded by Creek, 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.

With reference to the foregoing Ordinance a deed in favor of Mr. B. A. Wackerli was presented covering the alley in question. It was moved by Councilman Creek, seconded by Leahy, that the Mayor and City Clerk be authorized to sign and the City Clerk be authorized to deliver said deed to Mr. Wackerli upon receipt of remittance for payment of publication of said Ordinance. Roll call as follows: Ayes, 4; No, None; carried.

The following memorandum from the Recreation Director was read:

November 9, 1961

MEMORANDUM

TO: Mayor and City Council  
FROM: Kelvin J. Nelson, Supt. of Parks and Recreation  
SUBJECT: TRACTOR EQUIPMENT

In connection with the maintenance of five or six outdoor ice rinks during the coming season, this Division requests approval of the Mayor and Council of certain tractor attachments that will enable this Division to help properly maintain good skating conditions for the people of Idaho Falls.

We propose that a blade snow plow be acquired complete with spring kit, frame attachment kit, hydraulic cylinders and hoses, estimated cost of which is \$402 (Four Hundred Two Dollars). We further propose purchase of either a front or rear angle broom seventy-two (72) or eighty four (84) inches, complete operating cost estimated at approximately \$1,350 (One

Thousand Three Hundred and Fifty Dollars). We further recommend purchase of a heat-houser fold top cab total cost of which is estimated at approximately \$77 (Seventy-Seven Dollars). Total cost of the above is estimated to be between \$1550 (One thousand Five Hundred and Fifty Dollars) and \$1826 (One Thousand Eight Hundred and Twenty-Six Dollars) depending upon whether the broom is front or rear angle mounted. This will

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enable us to blade snow sweep the ice clean in preparation for spraying. With the addition of an old paper knife mounted over the blade we would be able to shave ice also.

For the purpose of illustration, certain literature and prices are attached from the McClaskey Ford Dealers in Idaho Falls.

The Street Department of Idaho Falls has estimated the cost of maintenance on ice rinks in the past years at approximately \$1000 (One Thousand Dollars) per month. We feel that by the purchase of these attachments, we can help the Street Department maintain better ice at less cost.

This equipment when not in use for ice rink operation would be available for other work as required.

Prompt approval of this request will insure good skating this winter.

Respectfully submitted,  
s/ Kelvin J. Nelson  
Supt. of Parks & Recreation

It was moved by Councilman Leahy, seconded by Creek, that authorization be given to call for bids on the equipment as described. Roll call as follows: Ayes, 4; No, None; carried.

Next from the Recreation Director, the following was presented:

November 9, 1961

MEMORANDUM

TO: Mayor and City Council  
FROM: Kelvin J. Nelson, Supt. of Parks and Recreation  
SUBJECT: NEED FOR A NEW PICKUP TRUCK

Your attention is directed to the need that urgently exists in this Division for a new 4-speed transmission, ¾ ton pickup truck.

At present the Parks and Recreation Departments have for their use two pickup trucks; (1) 1954 International and (2) 1945 Chevrolet. The 1945 Chevrolet is badly worn out, outmoded, and dilapidated.

The need for this equipment has earlier been established and provided for in this budget.

We earnestly request that action be taken to fulfill the need for this truck.

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Respectfully submitted,  
s/ Kelvin J. Nelson  
Supt. of Parks & Recreation

It was generally agreed that the City's complete requirements for units of this or comparable description be ascertained and then bids be advertised accordingly with the understanding that delivery be deferred according to need.

Another memorandum from the Recreation Director was presented as follows:

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MEMORANDUM

TO: Mayor and Council  
FROM: Kelvin J. Nelson, Supt. of Parks and Recreation  
SUBJECT: AUTHORIZATION FOR EXPENSES TO STATE RECREATION SOCIETY MEETING AND THE AMERICAN ASSOCIATION FOR HEALTH-PHYSICAL EDUCATION-RECREATION CONVENTION

This Division requests authorization of expenses to enable the Superintendent of Parks & Recreation to attend the State Recreation Society Meeting and the AAHPER Convention. These expenses will include travel to and from the University of Idaho at Moscow, Idaho, and meals and lodging through December 1 and 2.

Please find attached a copy of the program for you information.

Respectfully submitted,  
s/ Kelvin J. Nelson  
Supt. of Parks & Recreation

It was moved by Councilman Page, seconded by Leahy, that the Recreation Director be authorized to attend the convention as described. Roll call as follows: Ayes, 4; No, None; carried.

The Recreation Director submitted a revised job description covering the activities and responsibilities of that office. The Council asked that this be tabled for study and consideration.

Finally, from the Recreation Director, a proposal was presented covering the re-development of the Tautphaus Park Zoo. Five qualified Architects were listed. It was recommended that an architect be retained for purposes of Zoo re-development. This was tabled, pending a special study session with the Recreation Director.

Controller Jenkins presented various recommended forms produced by Visisrecord, Inc. Included therein were service records for vehicles, repair records for rolling stock, inventory and service records on meters, transformers, and poles, meter location cards, stock control and personnel records, with complete explanation. It was explained that this set of records, including trays, could

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be made available for \$3,891.77. It was moved by Councilman Page, seconded by Creek, that this equipment and these supplies be acquired and the expenditure be authorized. Roll call as follows: Ayes, 4; No, None; carried.

Controller Jenkins then explained that informal proposals had been obtained from Lloyd Nash, Keith Jenkins, and Clarence Reinhart on a concrete slab at the northwest end of the City Garage to be used as a wash and steam rack and that the low proposal was received from Reinhart in the amount of \$2153.30. It was moved by Councilman Leahy, seconded by Creek, that Clarence Reinhart be awarded the job accordingly. Roll call as follows: Ayes, 4; No, None; carried.

It was explained to the Council that the City is the owner of Lots 23 and 24, Block 12, Mayflower Addition and that these are separated by an alley. Mr. Orlin Eddins, owner of Lot 25, has agreed to exchange with the City for Lot 23. Lots 24 and 25 are adjoining. It is the Engineer's intention that this would be used as a storage area for sand and salt. It was moved by Councilman Foote, seconded by Page, that the City Attorney be authorized to effect the exchange and that, at the proper time, the Mayor and City Clerk be authorized to sign the deed in favor of Mr. Eddins. Roll call as follows: Ayes, 4; No, None; carried.

The Mayor noted a proposal from the Youth Advisory Council that the City bear the travel expenses of a Social Service Consultant from Salt Lake City. The purpose of the trip is a speaking engagement in Idaho Falls, November 20<sup>th</sup>. It was moved by Councilman Page, seconded by Leahy, that this expenditure be approved. Roll call as follows: Ayes, 4; No, None; carried.

The Mayor explained that the City has been asked to write a letter to the State of Idaho Department of Highways, urging the construction of a bridge across the Snake River just north of Ririe and that roads be developed as a connecting link between Rexburg and Ririe areas. It was moved by Councilman Leahy, seconded by Page, that the Mayor be authorized to write a letter accordingly. Roll call as follows: Ayes, 4; No, None; carried.

It was noted that bids had been opened November 1<sup>st</sup> on construction of a 12" water line extending across the Snake River via the railroad bridges to Utah Avenue. The following were revealed:

Bateman Brothers Excavating Shelley, Idaho	\$29,247.00
Arrington Construction Idaho Falls, Idaho	\$29,469.79

Hartwell Excavating Co.  
Idaho Falls, Idaho

\$29,638.00

It was further noted that informal Council action had been taken on the foregoing and the contract had been awarded to Bateman Brothers on November 7<sup>th</sup>. It was moved by Councilman Leahy, seconded by Creek, that this action be duly ratified. Roll call as follows: Ayes, 4; No, None; carried.

The Mayor noted a request from the Captain of Police Detectives that two members of the Department be sent to the Crime Conference at St. George, Utah, December 1<sup>st</sup>. It was moved by  
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Councilman Creek, seconded by Page, that this be approved. Roll call as follows: Ayes, 4; No, None; carried.

A discussion followed relative to a possible site for an Army-Navy Training Center which would involve three or more acres on City owned land and which would probably be turned to the Army-Navy Group under lease. After studying various sites it was moved by Councilman Creek, seconded by Page, that they be offered a choice from two sites as follows:

1. At least 500 feet west of the intersection of Skyline Drive and the County Road on the south boundary of the Airport.
2. The east side of the proposed new location of the access road to the east side of the Airport facilities.

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

Bids on radio equipment from Motorola Communications and Electronics and General Electric, previously opened, were again reviewed. It was moved by Councilman Leahy, seconded by Page, that Motorola be awarded the bid in the amount of \$14,622.00. Roll call as follows: Foote, Aye; Page, Aye; Leahy, Aye; Creek, No; carried.

The Mayor announced that the next Meeting of the City Council, regularly scheduled for November 17<sup>th</sup>, would be recessed to November 29<sup>th</sup>.

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

ATTEST: s/ Roy C. Barnes  
CITY CLERK

s/ W. J. O'Bryant  
MAYOR

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