

JULY 21, 1961

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The City Council of the City of Idaho Falls, met in Regular Session Friday, July 21, 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 Creek, Foote, Page, Leahy. Also present: Roy C. Barnes, City Clerk; George Barnard, City Attorney; Don Ellsworth, Assistant City Engineer; Harold Davis, Electrical Engineer; George Aupperle, City Controller.

Minutes of the Last Regular Meeting, held July 7<sup>th</sup>, 1961, and a Special Meeting held July 13<sup>th</sup>, 1961 were read and approved.

Mrs. Robert Beatty, 815 Hanson Avenue, appeared before the Council and presented a petition with 52 signers, residents of Charlene Drive, Raymond Drive, and Hansen Avenue requesting that the Council give serious consideration to the construction of speed checks on Raymond Drive between Charlene Drive and Jeri. Mrs. Beatty explained that this strip has no cross streets and traffic, inadvertently or otherwise, travels at an unsafe speed, especially in view of the fact that there are many children in the neighborhood. The matter was referred to the Traffic Safety Committee for study and recommendation and the City Clerk was directed to forward the petition to Mr. Joe Call, Chairman, with proper explanation.

Mr. Miller Marks, 728 Dogwood, Pocatello, Idaho, appeared before the Council, explaining that he was desirous of establishing a place of business in the City to operate as a Clairvoyant or Palm Reader. He explained further that it was his intention to charge for his services for only two days a week and that the other days would be free to the public, inasmuch as these would be for the purpose of training a girl. He therefore requested that the City Code be waived and that he be permitted to operate for a license fee of \$20.00 a week, covering only those two days of the week when admittance was charged. The Council agreed to discuss the proposition further and advise Mr. Marks by letter.

A bartender's permit application was presented for Carl W. Medders. It was moved by Councilman Foote, seconded by Creek, that the permit be approved. Roll call as follows: Ayes, 4; No, None; carried.

License application for Journeyman Gas Fitter for Daniel R. Lewis was presented. It was moved by Councilman Page, seconded by Creek, that the permit be approved. Roll call as follows: Ayes, 4; No, None; carried.

A license application was presented in the name of the Tom Thumb Studios, 6306 San Vicente Blvd., Los Angeles, California, to operate as a photographer at Hi Way Drug, 220 N. Yellowstone, July 25<sup>th</sup>, 26<sup>th</sup>, and 27<sup>th</sup>. It was moved by Councilman Leahy, seconded by Page, that the license be granted, subject to the receipt of a signed statement by Mr. Russell Fogg that he is responsible for the particular activities in question and also subject to the receipt of the \$5.00 which would normally have accompanied the application. Roll call as follows: Ayes, 4; No, None; carried.

An addendum to lease agreement # L. D. 16458 was presented from the Union Pacific Railroad covering a water pipe line crossing and encroachment. It was moved by Councilman Leahy, seconded by Page, that the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 4; No, none; carried.

An extension rider to lease agreement # L. D. 12923 from the Union Pacific Railroad was presented, covering certain street light right of way. It was moved by Councilman Leahy, seconded

by Creek, that the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 4; No, None; carried.

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A payment claim was presented in favor of Mr. J. D. Woolf, covering delivery of 201 light poles, in the amount of \$1,352.60. It was moved by Councilman Leahy, seconded by Creek, that the claim be allowed and payment be made accordingly. Roll call as follows: Ayes, 4; No, None; carried.

A petition was presented through the City Clerk from Messrs. E. Burgie, Peter Melhoff, Leonard Purcell and Henry Martin, requesting the City's signature by virtue of its ownership in the land occupied by the 15<sup>th</sup> Street sub-station. The petition was asking for a change of zoning from R-1 to C Ltd. on Lots 18, 19, and 20, Block 3, Martin Addition for a grocery store to be owned and operated by Mr. Jack Gamble. It was the City Attorney's opinion that the City's signature was not required but that this should not necessarily be construed to mean that the City objected to the rezoning.

The following was read:

7/21/61

To the Honorable Mayor and City Council  
Idaho Falls, Idaho

Gentlemen:

For years the City has, under ordinance, been charging water customers a seasonal sprinkling charge of 8¢ a running front foot for every foot over 50 feet of frontage. Located in the City Clerk's office is a record book which is supposedly the key from whence said charges are computed and billed, usually in September or October.

We have reason to believe that this book of records is hopelessly inaccurate. We know of many instances of residences which have in excess of 50 feet frontage that are not included in the record book. It is our opinion that this situation should be corrected; that even though the following recommendation will entail some expenditure, the resultant additional revenue will prove said expenditure to be a worthwhile investment.

It is hereby recommended that three young men of college age be hired at an hourly wage of \_\_\_\_\_ per hour through the month of August. These men would accompany each of the three meter readers on their regular routes. As the meters were being read, these men could measure the frontage and immediately record same in the meter route sheet book.

To accomplish this, it would be necessary that each man be equipped with a rotatape measuring wheel at a cost of \$29.75 per unit. In checking with the Police Department we find that they now own two of these units but that at least four more are needed as necessary

equipment for patrol cars. That Department intended to acquire that many some time this fiscal year. We have their blessing to order now and charge their budget and, when delivered,

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we would have the use of three of them for a month, after which we would run them over to that Department.

This project has been discussed with the Water Superintendent and he concurs that it should prove profitable.

Your approval to proceed on 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's proposal, as stated and described, be authorized, and that the hourly rate be set at \$1.50 an hour. Roll call as follows: Ayes, 4; No, None; carried.

The following memorandum from the Purchasing Agent was read:

July 21, 1961

Memo to:  
Mayor and City Council

Gentlemen:

This memorandum is being written in regards to certain bids for furnishing heating equipment for Electrical Department Building at Tautphaus Park.

Bids were advertised and the City received two bids.

Conan and Landon	1,340.00
Nugent Metal Works	975.00

Both companies bid on specifications and plans furnished by the City and both have been checked by the City Gas Inspector. It is the recommendation of the Purchasing Agent and the Gas Inspector that the bid of Nugent Metal be accepted.

Your earliest consideration in this matter would be appreciated.

Yours truly,  
s/ Boyd P. Wright  
Purchasing Agent

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It was moved by Councilman Page, seconded by Leahy, that the recommendation be approved and the bid of Nugent Metal be accepted. Roll call as follows: Ayes, 4; No, None; carried.

A memorandum was presented from the Electrical Engineer as follows:

July 21, 1961

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

Gentlemen:

The attached analysis will give you necessary information on electrical supplies which were placed on bid and the bids opened July 14, 1961.

My recommendations are as follows:

First, that no materials be purchased from Salt Lake Hardware since their bid specified the F.O.B. point as Salt Lake City rather than Idaho Falls as required in the specifications.

Second, that Pole Line Distributing Company be awarded no items since they were tied for low bid on one (1) item and were low bid on only one (1) item. This company is located in Salt Lake City and they haven't local representation residing within the City of Idaho Falls.

Third, that Mr. Harry Peabody's low bid on reconditioned fuse-cut-outs be accepted.

Fourth, that all material except the fuse-cut-outs be placed with the three local vendors who bid low as shown on the attached table.

Therefore, I am recommending that the Mayor and Council authorize the Purchasing Agent to issue Purchase Orders to the following vendors for the amounts listed:

General Electric Supply	\$6,553.95
Westinghouse Supply	2,813.28
Electrical Contractors Supply	1,369.96
Harry Peabody Company	850.00

These supplies are for several special projects viz. Clair E. Gale Junior High School, Upper Power Plant Rack, Inc.

Respectfully submitted,  
s/ Harold W. Davis  
City Electrical Engineer

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It was moved by Councilman Leahy, seconded by Creek, that the purchase orders to the vendors as listed be authorized. Roll call as follows: Ayes, 4; No, None; carried.

July 21, 1961  
Acct. No. 3B-102

Honorable Mayor and City Council  
Idaho Falls, Idaho

Gentlemen:

Pursuant to a request by Mr. Zane Hall, we are forwarding his plea to the Mayor and City Council for assistance in removing and replacing some curb and gutter and sidewalk at the southeast corner of the intersection of East 17<sup>th</sup> Street and Ponderosa Avenue.

In reviewing the subdivision improvement drawings for the Edgemont Gardens Addition, dated October 1955, we find that 17<sup>th</sup> Street was proposed for a 48 foot roadway. Our present designs for 17<sup>th</sup> Street call for a 62 foot roadway. Mr. Hall is building a professional building on this corner and is placing the curb and gutter on 17<sup>th</sup> Street as it adjoins his property. We have required that the existing curb and gutter and sidewalk be removed and rebuilt according to our present design standards.

Mr. Hall feels that since the original improvements were installed with City approval, that the relocation costs should be borne by the City. This cost amounts to \$253.80.

Since these improvements also fall in the intersection area and generally would be a City cost in a improvement district, we recommend that Mr. Hall's claim be considered.

Respectfully submitted,  
Engineering Department  
s/ Donald F. Lloyd  
Asst. City Engineer

The foregoing from the Assistant City Engineer was presented. It was moved by Councilman Leahy, seconded by Page, that Mr. Hall be reimbursed in the amount of \$253.80 for the reasons as stated. Roll call as follows: Ayes, 4; No, None; carried.

The Engineering Department presented a final plat of Linden Park Addition, Division #7. It was moved by Councilman Leahy, seconded by Creek, that the plat be approved as presented and the Mayor and City Clerk be authorized to sign, subject to checking and final approval by the Engineering Department. Roll call as follows: Ayes, 4; No, None; carried.

Final plats were then presented on the Hatch Addition, Division #1 and the Hoopes Addition, Division #1. After some study it was agreed that final approval on these be tabled, pending certain

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minor changes, and on these, the Engineering Department was made aware so that they could discuss them accordingly with the sub-divider.

It was learned that the building of a home is planned by Mr. Roy Jewell at 764 East Elva and he has requested that he be permitted to place his trailer on the premises for living purposes during the construction period. It was moved by Councilman Foote, seconded by Leahy, that the request be denied. Roll call as follows: Ayes, 4; No, None; carried.

The Mayor appointed Mr. Gordon Nelson as Chairman of the Mayor's Committee for the Employment of the Physically Handicapped, as a replacement for the former Chairman, who has recently tendered his resignation. It was moved by Councilman Leahy, seconded by Foote, that the appointment be confirmed. Roll call as follows: Ayes, 4; No, None; carried.

The Mayor noted that two new chairs have been left in his office on approval by a local office equipment company. In view of the fact that the City has been forced, through State legislation, to prepare a new 12 month budget effective January 1<sup>st</sup>, 1962 to comply with the change in the fiscal year, it was agreed that any consideration of new chairs for the Mayor's office might well be deferred until that date.

Mr. Miller Mark's request for special consideration in the granting of a Clairvoyant license, presented earlier in this meeting, was again considered. It was moved by Councilman Foote, seconded by Page, that there be no deviation permitted from the regular \$10.00 a day license fee as prescribed by ordinance and that the request, as stated, be denied. Roll call as follows: Ayes, 4; No, None; carried.

It was explained by the Mayor that Mr. O. D. Hendrickson had been served with a notice that the premises on which he operates a fruit stand on the northeast corner of the Golf Course would not be available to him after August 31, 1961. The Mayor explained further that Mr. Hendrickson, had proposed that rental for the additional period be satisfied by their relinquishing their fixed investment to the City, consisting of a concrete slab, evergreen shrubs, a sprinkling system, etc. After some discussion it was agreed that these items would not be of beneficial value to the City. It was therefore moved by Councilman Creek, seconded by Leahy, that Mr. Hendrickson be permitted to remain on these premises until October 15<sup>th</sup>, 1961, but that he remit the regular rental fee, pro rata, for the additional period. Roll call as follows: Ayes, 4; No, None; carried.

**ORDINANCE NO. 1007**

AN ORDINANCE AMENDING SECTION IV OF ORDINANCE NO. 852 OF THE CITY OF IDAHO FALLS, IDAHO, BY ADDING PUBLIC PARKS AND RECREATION AREAS TO THE USES PERMITTED IN R-1 RESIDENCE DISTRICTS OF SAID CITY, PROVIDING FOR A PUBLIC HEARING BEFORE ANY SUCH USE CAN BE AUTHORIZED BY THE BUILDING OFFICIAL, AND PROVIDING WHEN THIS ORDINANCE SHALL TAKE EFFECT.

It was moved by Councilman Page, seconded by Creek, that the foregoing ordinance be passed on its second and third readings. Roll call as follows: Ayes, 4; No, None; carried.

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A tax redemption deed in the name of Inez Bates was presented. It was moved by Councilman Foote, seconded by Creek, that the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 4; No, None; carried.

The #9 well site was discussed. It was learned that Mrs. Walter Asper is objecting to its proposed location except as the City meets many requirements including a 6' chain link fence, landscaping, proper setbacks, etc. The City Attorney was instructed to write her attorney advising that, when the well is completed, reasonable and sufficient quantity of shrubbery and landscaping can be expected and all due precaution will be taken to preserve property values and that, with these stipulations, the time limit on the option to the Asper property will be enforced.

The City Attorney noted that a proposal had been received from J. A. Hogle & Co. and Thornton B. Morris, offering their services as exclusive selling agents in a fiscal capacity for the guaranteed sale of the propose L.I.D. #27 bond issue. It was agreed that the Council should not view the proposal but, instead, it be sealed and held in the custody of the City Clerk, pending such time as other proposals are invited and/or received.

It was noted that installation of a hot water tank, a stove and a 2000 watt gridle is necessary in the Fire Department and that in order to accomplish this, another line entrance into the building will be required, at a cost of \$500.00 to \$600.00. It was moved by Councilman Creek, seconded by Page, that this be authorized with reasonable leeway for additional facilities, subject to a complete survey of the City building to determine over-all needs. Roll call as follows: Ayes, 4; No, None; carried.

The Electrical Engineer explained that the Yellowstone Highway widening project is now in the engineering design stage and therefore it should be determined at this time whether messengers should be placed on poles between G Street and Broadway which will provide facilities for Christmas tree lights running parallel and immediately next to the widened highway at all intersections. Mr. Davis also asked about the desirability of underground conductors. The Council agreed that the messengers are not desirable and the conductors should be installed underground.

The Mayor noted that the dog catcher has a problem disposing of dead cats and dogs, now that the sanitary land fill is located seven miles out of town and he has proposed that the City dig a trench in the back of his home for their proper disposition. To this the Council agreed.

The Mayor read a letter from the Assistant Post Master asking for synchronization of traffic lights on Holmes to coincide with the existing speed limits. The Council noted that this had been

previously studied and it has been determined that this is not economically feasible at the present time.

The City Attorney presented a question concerning the assessment against certain property of Geraldine Paul on the assessment roll of Local Improvement District #25. It appeared that said property was properly assessed at the time the assessment was made and that, subsequently, the property was subdivided and platted and that, as a result a portion of the land was dedicated as a right of way for a public street known as Spruce Drive. Some of the improvement under said Local Improvement District #25 was the paved intersection of the proposed Spruce Drive and Garfield. The City Treasurer reported there was still unpaid on said assessment the amount of \$121.04 and that was the unpaid portion of the approximate cost of the improvement at this intersection.

The City Attorney advised the Council that this balance of the assessment could not be taken off the assessment roll unless same be paid by the City from its general fund.

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The Assistant City Engineer reported that Spruce Drive had never been opened for public travel or improved and all that had been done was the dedication of the right of way.

The Council determined that paving or other improvement of intersections in subdivisions was the obligation of the sub divider and that the City could not assume the assessment against this property but would assume \$121.04 of the cost of improving Spruce Drive when and if said street is opened and improved for public travel.

A notice of public hearing was presented as follows:

**NOTICE**

NOTICE IS HEREBY GIVEN, that under and pursuant to Ordinance No. 852 of the City of Idaho Falls, Idaho, as amended by Ordinance No. 1007 of said City, the City Council of said City proposes to authorize the construction of tennis courts for public recreational use of the following described tracts of land in said City, to-wit:

Beginning at the point of intersection of the South line of May Street and the East line of Holmes Avenue, and running thence East along the South line of May Street, 200.0 feet; thence South 200.0 feet; thence West 200.0 feet to the East line of Holmes Avenue; thence North along the East line of Holmes Avenue, 200.0 feet to the point of beginning, containing .092 acres, more or less, and all within Capitol Hill Addition to the City of Idaho Falls, Idaho.

Beginning at the point of intersection of the South line of 7<sup>th</sup> Street and the West line of Wabash Avenue, and running thence South along the West line of Wabash Avenue, 125.0 feet; thence West 280.0 feet; thence North 125.0 feet to the South line of 7<sup>th</sup> Street; thence East along the South line of 7<sup>th</sup> Street, 280.0 feet to the point of beginning, containing 0.80 acres, more or less.

NOTICE IS FURTHER GIVEN that a public hearing on such proposed use will be held by the City Council in the Council Chambers, in the City Building, 308 C. Street, Idaho Falls, Idaho, on the 18<sup>th</sup> day of August, 1961, at 8:00 o'clock P.M., when and where all persons interested in, and affected by, said proposal will be heard.

By order of the City Council.

s/ Roy C. Barnes  
CITY CLERK

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It was moved by Councilman Foote, seconded by Creek, that the City Clerk be authorized to publish as required by law and that the date of said hearing be scheduled for August 18<sup>th</sup>, 1961. 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 Council adjourn. Carried.

ATTEST: s/ Roy C. Barnes  
CITY CLERK

s/ W. J. O'Bryant  
MAYOR

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