

MARCH 9, 1961

The City Council of the City of Idaho Falls met in Recessed Session, Thursday, March 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 Petersen, Johnson, Creek, Foote. Also present: Roy C. Barnes, City Clerk; George Barnard, City Attorney; Don Lloyd, City Engineer; Harold Davis, Electrical Engineer; Boyd Wright, Purchasing Agent; George Aupperle, Controller.

Minutes of the last Regular Meeting held February 17th, 1961, and a Special Meeting held March 8th, 1961 were read and approved.

Mr. Harold Craggs, 250 10th Street, appeared before the Council. Before presenting his problem, he congratulated the Mayor and the Council on the results of the Water Bond Election, held March 7, 1961 and said that, in his opinion, this represented a vote of confidence in the City Administration.

Mr. Craggs then asked to have rescinded whatever arrangement or agreement, written or verbal, that may be in effect between the City and the local Golf Pro pertaining to the rule that prohibits self propelled golf carts, other than those for rent by the Pro, from the golf course premises. He explained that he now owns one and if allowed to use it, will be responsible for maintaining and storing it. He presented several reply letters from other golf courses in the area inviting him to play their courses and to bring his cart, which would be welcome.

Councilman Petersen, said he was acquainted with such a ruling at the local golf course but knew of nothing in writing to that effect.

Councilman Creek, having had advance knowledge that this problem was to be presented, said he had written several letters of inquiry on the matter. It was agreed that any decision be tabled until replies had been received.

Mr. Arlan Rasmussen, First President of the Linden Park Parent Teaches Association, appeared before the Council as spokesman for that organization, other members of which were present, and asked the City Clerk to read a letter as follows:

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Mayor W. J. O'Bryant
and Members of the City Council
Idaho Falls, Idaho

Dear Sir:

At the present time there is a great deal of concern in the Linden Park area about the condition of Lincoln Drive between Russet and Ninth Streets. This Road is used by most of the children living on the west side of the Idaho Canal as a route to and from Linden Park School. This Road has been so muddy and wet during every spring thaw and every rain that it is impossible for children to go via this route without sinking in over their boots and going to school with wet feet. Now the road has been covered with large cobble stones and is almost impassable. The road is so narrow that there is barely room for two cars to pass, still leaving no place for children to walk without being endangered by the heavy traffic that passes down this Street or walking in the mud on either side.

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Several parents in the area have approached the Street Commissioner on various occasions, invariably to no avail.

We understand that this Road is scheduled to be paved and sidewalks put in sometime during the forthcoming paving season. On behalf of the Linden Park P.T.A. we would like definite assurances that these improvements will be made as planned, and not be postponed because of other considerations.

Also, we feel that to minimize this safety and health hazard, this Road, Lincoln Drive between Russet and Ninth Streets, should be closed to vehicular travel, leaving it free for pedestrians only, for the duration of this school year. We request that this measure be taken immediately.

Residents of the area are ready to sign a petition if necessary to get positive action on this long neglected matter.

Yours very truly,
Officers of Linden Park P.T.A.
s/ Mr. Mack Wilhelmsen
s/ Mrs. Mack Wilhelmsen
Co-Presidents
s/ Mr. Arland Rasmussen
s/ Mrs. D. Arland Rasmussen
Co-1st Vice Presidents

s/ Mr. Max L. Call
s/ Mrs. Max L. Call
Co-2nd Vice Presidents
s/ Mrs. L. G. French
Secretary
s/ Mr. William Harten
Treasurer

It was explained that this Street could be included in the next Street Improvement District but that the principal property owner, Mr. D. V. Groberg, has indicated that he is not interested at present as he is unsure as to how and when his property is to be developed.

It was then suggested that the property owners need not wait for the next paving district and that they would, in fact, save money by developing the Street outside a district. In answer to a question as to what the City might do in this regard, the Mayor replied by saying the Engineering Department already has designed the Street layout and would supervise the entire Street improvement.

In answer to a question about street barricades to prohibit traffic, the Council warned that this could not be done without first contracting and obtaining permission from the First Congregational Church.

Councilman Johnson said it would not be out of order for the City Engineer to contact Mr. Groberg, advise him of this request, and suggest that he at least construct sidewalks, curbs and gutters and bring the Street to grade. The City Engineer agreed to investigate.

Mr. Luke Boyle of the L. A. Hartert Company, appeared before the Council in the interest of the development of the Home Ranch Subdivision. He explained that the developer wants sidewalks next to the Street on Hartert Drive which is to be 60' wide and known as a collector street. He said his clients, potential or otherwise, have indicated they would prefer it that way. The City Engineer briefly explained both the advantages and the disadvantages of this arrangement.

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Councilman Johnson said that, in the final analysis if it is proven that all residents of the Street prefer the utility strips back of the sidewalk he as a Councilman would be forced to approve it but that in the long run he was of the opinion that the residents if properly approached with all the facets would prefer a plot plan with conventional parking strips.

It was then suggested that one foot of the paving on each side be forfeited and added to the parking, making it a five foot strip instead of four. The City Engineer said this poses no problem. In view of all circumstances, Mr. Boyle said this would probably provide a satisfactory solution. It was then moved by Councilman Foote, seconded by Johnson, that the plat be approved with 5 foot parking, the extra foot to be taken on each side from the traffic portion of the street area. Roll call as follows: Ayes, 4; No, None; carried.

Mr. Boyle then recommended that the City consider insurance on generators and other electrical equipment at the Power Plants, vulnerable to born-out. He said he had prepared a bid on same and the Council authorized the Electrical Engineer to accept same for study and recommendation.

Messrs. Kelly Calhoun and Verl Tenney appeared before the Council, seeking jointly a contract or an agreement for limousine service at the Airport. It was explained that they had no interest in an exclusive on this business but rather, the privilege of conducting such a service for the benefit of guests at the Flamingo Restaurant and Motel. Both men agreed; however, that if an exclusive was necessary as the only means of obtaining the business they would be interested. The City Attorney explained that no contract, exclusive or otherwise, is now in existence. He explained further that other limousine operators, as well as certain motel operators, have protested the Flamingo free service to and from the Airport. He concluded by saying that the entire problem must be studied further before a conclusion can be reached.

Asked if they might, in the meantime, continue their gratis service, Mr. Barnard said he saw no objection.

Mr. Grant Earl, owner and operator of a grocery store at 900 John Adams Parkway appeared before the Council, asking permission to change his large identification sign, inasmuch as that store is no longer affiliated with I.G.A. He explained that he was unable to get authority to proceed from the Building Inspector, as this store is located in a non-conforming zone, thus making any alternations beyond his jurisdiction. It was moved by Councilman Johnson, seconded by Petersen, that permission be granted accordingly, subject to further study by the City Attorney to determine if this problem need be presented to the Board of Adjustments and if so, subject to their approval. Roll call as follows: Ayes, 4; No, None; carried.

City Engineer Lloyd appeared before the Council and presented an application to the FCC for a radio communication station to be used by City vehicles other than the Fire and Police Departments. It was moved by Councilman Johnson, seconded by Creek, that the Mayor be authorized to sign the application. Roll call as follows: Ayes, 4; No, None; carried. It was understood that the signing of the application, in itself, will cost the City nothing.

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

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<u>FUND</u>	<u>GROSS PAYROLL</u>	<u>SERVICES & MATERIALS</u>	<u>TOTAL EXPENDITURES</u>
General Fund	\$73,369.90	\$68,190.38	\$141,560.28
Recreation Fund	.00	110.54	110.54
Fire Fund	18,843.14	1,259.74	20,102.88
Electric Light Fund	19,342.81	62,504.05	81,846.86
Water & Sewer Fund	11,120.33	29,924.38	41,044.71
Police Retirement	<u>1,761.25</u>	<u>.00</u>	<u>1,761.25</u>
		Total:	\$284,665.27
		Police Retirement:	\$1,761.25

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

Reports from Division and Department Heads for the month of February were presented and, there being no objections, were ordered placed on file in the City Clerk's office.

Permit & license applications for RESTAURANT, previously approved by City Sanitarian, were presented as follows: Flamingo Restaurant, Walgreen Agency Foodarama, Rocks Village Café, and Zip-In-Zip-Out Drive Inn; SOFT DRINK: Rocks Village Cage and 19th Hole; JUNK DEALER: Stewart's Junk Yard; ICE CREAM VENDOR: J. E. Fickbolm; NON-COMMERCIAL KENNEL: H. P. Hill; PHOTOGRAPHER: Bill Schreiber, Austin Studio. It was moved by Councilman Johnson, seconded by Petersen, that the permits and licenses be approved. Roll call as follows: Ayes, 4; No, None; carried.

License applications for ELECTRICAL CONTRACTOR were presented: Riv-eon Electric Sign Co., Inc, and JOURNEYMAN ELECTRICIAN: Heber Hadlock, Winford Taylor and Glen Landon. It was moved by Councilman Foote, seconded by Creek, that the licenses be granted, subject to the approval of the Electrical Inspector. Roll call as follows: Ayes, 4; No, None; carried.

License applications for GAS CONTRACTOR were presented as follows: Jacobsen Fuel & Heating, Idaho Heating, Woodville Cash Street, and Northwest Propane; JOURNEYMAN GAS FITTER: Dick Peart, Eldon V. Thompson, Gordon Powell, Cal D. Schulz, and Donald R. Wilding. It was moved by Councilman Petersen seconded by Foote, that these licenses be granted, subject to the approval of the Gas Inspector. Roll call as follows: Ayes, 4; No, None; carried.

License applications for MASTER PLUMBER were presented as follows: Wilding Plumbing & Heating and Scott Bair Plumbing and Heating; JOURNEYMAN PLUMBER: Donald R. Wilding and Grant Pendleton. It was moved by Councilman Foote, seconded by Creek, that the licenses be granted, subject to the approval of the Plumbing Inspector. Roll call as follows: Ayes, 4; No, None; carried.

License applications for CAB DRIVER were presented as follows: Dallas E. Andrews; HOTEL: Nelson Hotel; CANNED & BOTTLED BEER TBCOP: 19th Hole, (Ross Corbett). It was moved by

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Councilman Petersen, seconded by Creek, that these licenses be granted, subject to the approval of the Chief Police. Roll call as follows: Ayes, 4; No, None; carried.

The following was read:

March 8, 1961

George Aupperle
City of Idaho Falls
Idaho Falls, Idaho

RE: Our File: AC 47351
Insured: Larry Field
D/A: 11-30-60
Third Party: City of Idaho Falls

Gentlemen:

We acknowledge receipt of your claim for damages arising from the above captioned accident.

Investigation of this accident indicates that it did not occur because of any negligent operation of our insured's vehicle.

Very truly yours,
s/ William O. Thompson
Claims Manager-Farm Bureau Mutual

It was moved by Councilman Foote, seconded by Creek, that this matter be referred to the City Attorney for further study and possible action. Roll call as follows: Ayes, 4; No, None; carried.

The City Clerk presented the following:

ADVERTISEMENT FOR BIDS

Sealed unit price proposals for the construction of the John Adams Parkway Bridge over the Idaho Canal, addressed to the Mayor and City Council, City of Idaho Falls, Idaho, will be received at the office of the Mayor in the City Hall, Idaho Falls, Idaho, until 2:00 P.M. (MST) on the 15th day of March, 1961, and then will be publicly opened and read.

The work contemplated in this project consists of the installation of reinforced concrete abutments and wing walls, pre-stressed beams, reinforced sidewalks, and aluminum handrails, all as indicated on the plans and in the specifications.

The work will be awarded to the one responsible bidder submitting the lowest acceptable bid.

Plans and specifications are available at the Office of the City Engineer, City Hall, Idaho Falls, Idaho. A copy of said documents may be obtained at the above office upon the deposit of

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\$10.00 for each set. The full amount of the deposit will be refunded if said documents are returned in good condition within fifteen (15) days after the date of the bid opening.

Each proposal must be submitted on the prescribed form and be accompanied by a certified check, cashier's check, or bid bond, payable to the City of Idaho Falls, Idaho, in an amount not less than five percent (5%) of the amount bid.

The successful bidder will be required to furnish security for faithful performance of the contract in the full amount of the contract price.

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

Dates this 24th day of February, 1961.

City of Idaho Falls, Idaho
By: s/ Roy C. Barnes
City Clerk

Advertised February 26th, March 5th and 12th, 1961.

ADVERTISEMENT FOR BIDS

Sealed unit price proposals for the construction of a box culvert over the Meppen Canal at Woodruff Avenue, addressed to the Mayor and City Council, City of Idaho Falls, Idaho, will be received at the office of the Mayor in the City Hall, Idaho Falls, Idaho, until 2:00 P.M. (MST) on the 15th day of March 1961, and then will be publicly opened and read.

The work contemplated in this project consists of the installation of reinforced concrete box culvert, 18 feet wide, and 66 feet long, with wing walls and handrails, all as indicated on the plans and within the specifications.

The work will be awarded to the one responsible bidder submitting the lowest acceptable bid.

Plans and specifications are available at the office of the City Engineer, City Hall, Idaho Falls, Idaho. A copy of said documents may be obtained at the above office upon the deposit of \$10.00 for each set. The full amount of the deposit will be refunded if said documents are returned in good condition within fifteen (15) days after the date of the bid opening.

Each proposal must be submitted on the prescribed form and be accompanied by a certified check, cashier's check, or a bid bond, payable to the City of Idaho Falls, Idaho, in an amount not less than five percent (5%) of the amount bid.

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The successful bidder will be required to furnish security for faithful performance of the contract for a period not to exceed thirty (30) days, and to accept that proposal which serves the best interest of the City of Idaho Falls, Idaho.

Dated this 24th day of February, 1961.

City of Idaho Falls, Idaho
By: s/ Roy C. Barnes
City Clerk

Advertised February 26th, March 5th, and 12th, 1961.

It was noted that, in the interests of time, the City Clerk had published these notices without proper Council authorization. It was moved by Councilman Petersen, seconded by Johnson, that the City Clerk's action in proceeding in this manner be ratified. Roll call as follows: Ayes, 4; No, None; carried.

A lease agreement was presented for Hart Pontiac Cadillac covering a car rental unit to replace an existing Police car rental which was damaged. It was moved by Councilman Petersen, seconded by Creek, that the Mayor be authorized to sign. Roll call as follows: Ayes, 4; No, None; carried.

The following memorandum was read:

February 28, 1961
Acct. No. 3D-2

Honorable Mayor and City Council
Idaho Falls, Idaho

Gentlemen:

A written request from Mr. W. E. Arrington, dated February 9th, for the vacation of Emerson Avenue has been referred to this office for recommendation.

At the present time this portion of Emerson Street is completely undeveloped and there are no utilities existing in the area. The blue area on the attached map is the portion of Emerson requested to be vacated.

This Department has made no plans for the improvement of this Street, since there has been no real need at this juncture.

We may point out, however, that Block 3 and 6 as shown in yellow on the attached map could possibly be desirable light industrial or commercial sites. In this event, a direct access to East Anderson Street would be desirable in preference to the alternative of commercial traffic through the residential section.

In the event that the Administration should elect to vacate this portion of Emerson as requested, the City should first be assured to two items.

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1. An easement along the vacated portion of Emerson for the installation of future water line, and
2. A right of way for a street from Emerson to Dunbar as shown in red on the attached map.

Respectfully submitted,
Public Works Division
s/ Donald F. Lloyd, P.E.
City Engineer

Encl.

cc: W. E. Arrington, Western Specialty Co.

It was moved by Councilman Johnson, seconded by Petersen, that the City Attorney be instructed to prepare a vacating ordinance in favor of W. E. Arrington subject to the two items listed in the memo being satisfactorily resolved. Roll call as follows: Ayes, 4; No, None; carried.

Next to be presented was the following:

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Honorable Mayor and City Council
Idaho Falls, Idaho

Gentlemen:

Attached hereto are three copies of an agreement prepared by Mr. Barnard between the New Sweden Irrigation District and the City of Idaho Falls.

This agreement is necessary to hold the Canal Company harmless for damages which could arise by reason of our sewer construction across this canal.

Since it is necessary that our sewers in L.I.D. No. 26 cross under this canal in two locations and since we would use every possible precaution in reconstructing the canal banks, we are therefore recommending that the Council authorize the Mayor and City Clerk to sign this agreement.

Respectfully submitted,
Public Works Division
s/ Donald F. Lloyd, P.E.
City Engineer

Attach. - 3

It was moved by Councilman Johnson, seconded by Creek, that the Mayor and City Clerk be authorized to sign the agreement. Roll call as follows: Ayes, 4; No, None; carried.

A memorandum from the Purchasing Agent was read as follows:

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Memorandum to Mayor and City Council
Subject: Farm Lease

Gentlemen:

This memorandum is being written in regards to 36.9 acres of land situated in the Northwest corner of the airport.

Mr. Don Cook, a farmer on the Butte Highway, has requested permission to lease the above mentioned ground. It is the thinking of the Purchasing Department, concurred with by Mr. Cook, that we should lease this ground in the following manner:

A five year lease with the following terms:

The first two years Mr. Cook would farm the ground, level, scrape and get it into farmable condition with no reimbursement either in crops or moneys to the City.

The ensuing three years would be handled with the standard Idaho Crop Lease.

This 36.9 acres of ground represents the last of the farm ground that we can get into production at this time.

The Purchasing Department would appreciate early Council action in the affirmative.

Respectfully submitted,
s/ Boyd P. Wright
Purchasing Agent

It was moved by Councilman Johnson, seconded by Creek, that the City go on record as accepting Mr. Cook's offer and the City Attorney be instructed to prepare a farm lease, incorporating all the terms as described in the memo. Roll call as follows: Ayes, 4; No, None; carried.

A contract was presented between the City and Cornell, Howland, Hayes & Merryfield stating terms and conditions covering their services as Consulting Engineers on the City water system improvements, proposed under the \$700,000 water revenue bond election, recently passed. It was moved by Councilman Creek, seconded by Johnson, that the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 4; No, None; carried.

A purchase requisition was presented in the amount of \$3,741.00 covering the acquisition of 12 transformers for the Electric Department. It was moved by Councilman Johnson, seconded by Creek, that this expenditure be approved. Roll call as follows: Ayes, 4; No, None; carried.

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A request and a recommendation was made for an expenditure in the amount of \$200.00 for a rebuilt engine for the hot mix plant. It was moved by Councilman Johnson, seconded by Petersen, that this be approved. Roll call as follows: Ayes, 4; No, None; carried.

It was noted that the Board of Adjustments had recently recommended favorably that a petition by Mr. G. R. Beazer be approved to remodel an existing home, plans of which call for a two foot eve projection, making the eve one foot closer to the lot line than is allowed by Ordinance, said remodeling of which is proposed on Lots 38, 39, and 40, Block 23, South Park Addition. It was moved by Councilman Foote, seconded by Creek, that the request be approved. Roll call as follows: Ayes, 4; No, None; carried.

The second recommendation of the Board of Adjustments was presented as follows: that a request for rezoning from R-3 to C-2 be approved for D. L. Westergard covering all of Block 3 of the Original Town-site Addition. It was moved by Councilman Creek, seconded by Johnson, that this proposed rezoning be incorporated in a notice of zoning hearing, that said hearing be scheduled for April 7th, 1961 and that the City Clerk be authorized to publish said notice. Roll call as follows: Ayes, 4; No, None; carried.

The K.I.D. Radio rezoning request, previously proposed, was again reviewed. After considerable discussion it was moved by Councilman Foote, seconded by Petersen, that the petition for rezoning be denied and the City Clerk be directed to so notify the Company's president accordingly. Roll call as follows: Ayes, 3; No, None; Councilman Creek abstaining from voting. Motion carried.

A report from the Civic Auditorium Committee was presented as follows:

CIVIC AUDITORIUM COMMITTEE

APPOINTMENT

The Civic Auditorium Committee shall consist of five members and a non-voting secretary. One member shall be chosen from the City Council, one member from the School Board of Trustees, and three members appointed by the Mayor from the citizenry at large. The Committee shall elect their own chairman, and the Auditorium Manager shall serve as secretary.

TERMS OF OFFICE

Appointees to the Civic Auditorium Committee shall serve for a period of three years. Appointment of the three at large members shall be so made that one term of office shall expire each year. Reappointments or appointments to fill unexpired terms shall be made by the Mayor. The Auditorium Manager shall serve as secretary to the Committee during the period he is employed by the City and the schools.

DUTIES AND RESPONSIBILITIES

A. The Civic Auditorium Committee shall have complete administrative responsibility for the Civic Auditorium, art room, and the band room. To this end they shall:

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1. Direct the Civic Auditorium Manager in the performance of his managerial duties.
 2. Establish rules and regulations for the use of these facilities.
 3. Recommend to the City Council schedules of rental rates and fees to be charged for use of these facilities.
- B. The Civic Auditorium Committee shall serve as an advisory body to the School Board of Trustees in the administration of the Little Theatre, gymnastics, cafeteria, library, and other school facilities. To this end they shall:
1. Act in an advisory capacity to the Trustees in the establishment of schedules of rental rates and fees to be charged for use of these facilities.
 2. Cooperate with the Board of Trustees in suggesting policies governing community use of school facilities.

APPOINTMENT

The Civic Auditorium Manager shall be appointed by the Civic Auditorium Committee with the approval of the City Council and the School Board of Trustees. He shall be a joint employee of the City and the schools.

SALARY APPORTIONMENT

The salary of the Civic Auditorium Manager shall be determined by the Civic Auditorium Committee with the approval of the City Council and the School Board of Trustees. Sixty percent of this salary shall be paid by the School District and 40 percent shall be paid by the City.

DUTIES

The Civic Auditorium Manager shall serve as non-voting secretary to the Civic Auditorium Committee and administer the policies of the Committee. To this end he shall:

1. (To be determined by Committee)
- 2.
- 3.
- 4.
- 5.
- 6.

It was moved by Councilman Johnson, seconded by Petersen, that its various provisions be adopted and made a matter of record. Roll call as follows: Ayes, 4; No, None; carried.

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The Mayor asked that he and Electrical Engineer Davis be authorized to attend the Burns Creek hearing in Washington D.C. March 13th to March 18th. It was moved by Councilman Johnson, seconded by Creek, that the request be approved. Roll call as follows: Ayes, 4; No, None; carried.

The Mayor reported on a notation from Reverend H. A. Thon to the effect that the recently constructed ski ramp opposite the boat landing at the fore bay of the Snake River offers potential danger as the skier's route will conflict with that of the boats. This matter was referred to the River Rouges and the local boat club for investigation.

The Mayor said Captain Perrin has reported to him that the impounding area at Tautphaus Park is full. It was agreed that an auction sale is in order to alleviate this problem.

The City Engineer presented a safety chart, explaining that all job accidents will be charted by Department and that this program will include an incentive plan of one to three days of paid vacation by those in the so called winning bracket. After considerable study it was moved by Councilman Johnson, seconded by Creek, that the safety program and the chart be adopted and approved. Roll call as follows: Ayes, 4; No, None; carried.

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

ATTEST: s/ Roy C. Barnes
CITY CLERK

s/ W. J. O'Bryant
MAYOR
