

## FEBRUARY 17, 1961

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The City Council of the City of Idaho Falls met in Regular Session, Friday, February 17, 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 Foote, Petersen, Johnson. Absent: Councilman Creek. Also present: Roy C. Barnes, City Clerk; George Barnard, City Attorney; Don Lloyd, City Engineer; Alva Harris, Building Official; Harold Davis, Electrical Engineer.

Minutes of the last Recessed Meeting, held February 9<sup>th</sup>, 1961 were read and approved.

The Mayor announced that this was the time and the place for a zoning hearing, as advertised in the Post Register January 30<sup>th</sup>, February 6<sup>th</sup>, and February 13<sup>th</sup>, 1961. It was noted that said notice was limited to one parcel described as follows: Lots 25 through 30, Block 60, Crows Addition. The Mayor invited protests to the proposed rezoning. None were registered. It was moved by Councilman Petersen, seconded by Johnson, that this property be rezoned from R-2 to R-3 to permit the construction of professional buildings. Roll call as follows: Ayes, 3; No, None; carried. The Mayor then instructed the Building Official to incorporate this change of zoning on the official zoning map, located in his office.

Again reviewed was the zoning problem which has arisen on the K.I.D. Radio Station property. It was noted that this request for a change of zoning from C Ltd. to H-C Ltd. to permit the construction of a service station was originally presented January 20<sup>th</sup>, 1961, and that, even though all nearby property owners have approved the proposed change, it has been denied twice by the Board of Adjustments.

Mr. Arthur Schwieder, President of K.I.D., appeared before the Council to reiterate on that which was discussed at the earlier meeting and to say that his company was prepared to dedicate sufficient frontage for their share of the 80' arterial on 17<sup>th</sup> Street providing the rezoning was permitted. A Mr. Nelson of the Continental Oil Company appeared briefly to discuss the merits and desirability of a service station in this particular location.

The Mayor noted that this has become a controversial problem and, in the absence of a full Council, asked that the matter again be temporarily tabled. The Council concurred.

Mr. and Mrs. Shoulders, 1605 Elmore, appeared before the Council, appealing for assistance in correcting the flood conditions of Willow Creek around their home. The Mayor explained that this was out of the jurisdiction of the City, due to the fact that the problem involves a natural stream. He explained that Idaho Falls and other nearby communities have approached the Federal Reclamation Bureau and the Army Engineers for a flood control program. Meanwhile it was suggested that an attempt be made to obtain right of ways so that the Creek could be channeled direct to the River. Councilman Johnson agreed to investigate.

License applications for SOFT DRINK were presented: Walgren Agency Foodarama; SECOND HAND STORE: John J. Hays. It was moved by Councilman Johnson, seconded by Petersen, that the licenses be approved. Roll call as follows: Ayes, 3; No, None; carried.

License application for JOURNEYMAN PLUMBER was presented: Wayne Bowden. It was moved by Councilman Petersen, seconded by Foote, that the license be granted subject to the approval of the Plumbing Inspector. Roll call as follows: Ayes, 3; No, None; carried.

License application for MOTEL was presented: Flamingo Motel; ROOMING HOUSE: Eagle Rock Rooms; DANCE HALL: Flamingo Restaurant and Bar. It was moved by Councilman Petersen, seconded by Johnson, that the licenses be granted, subject to the approval of the Chief of Police and the Police Committee. Roll call as follows: Ayes, 3; No, None; carried.

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License applications for JOURNEYMAN ELECTRICIAN were presented for the following: LaVern F. Petska and J. F. Unsworth. It was moved by Councilman Johnson, seconded by Foote, that the licenses be granted, subject to the approval of the Electrical Inspector. Roll call as follows: Ayes, 3; No, None; carried.

The following claim was presented:

February 17, 1961

To the Mayor and City Council  
City of Idaho Falls, Bonneville County, Idaho

Gentlemen:

Sometime between the hours of 5:00 A.M. and 7:00 A.M. on February 15, 1961, a City water main on the 700 block of Oxford Street broke, and forced a large quantity of water into the Street in front of 781 Oxford. This water ran to the intersection of Oxford and Cambridge Streets, filled the Street and flooded the lot on which we, the undersigned, are building a Clinic Building for Dr. Charles E. Rigby and Dr. Eugene Brasseur, causing the following damage:

1. Water was forced under the foundation and up under the concrete basement floor. This raised and buckled the concrete floor, raised partitions, flooded the basement to a depth of three (3) to three and one-half (3 ½) feet.
2. Flooded two gas-fired water heaters.
3. Flooded two gas-fired furnaces.

We find the cost of replacement and repairs to be as follows:

a.	Break-up and remove from basement 1560 feet of 4" conc. floor	\$ 385.00
b.	Dispose of debris (hauling)	60.00
c.	Re-set two (2) gas water heaters and one (1) gas-fired furnace	22.50
d.	Replace and repair motor and burned out controls on one furnace	67.50
e.	Place 1560 feet of 4" concrete floor	480.00
f.	Re-set partitions, posts, and level the ground floor of building	<u>85.00</u>
		\$1100.00

This statement is submitted as a claim for damages against the City of Idaho Falls for your consideration.

Respectfully submitted,  
Heyrend Construction Co.  
s/ Floyd S. Heyrend, Mgr.

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It was moved by Councilman Johnson, seconded by Petersen, that this matter be referred to the City Insurance Carrier for study and recommendation. Roll call as follows: Ayes, 3; No, None; carried.

The following claim was read:

January 24, 1961

City of Idaho Falls  
Idaho Falls, Idaho

Re: Our File: AC 46281  
Insured: Afton Jeffs  
D/A: 8-5-60  
Third Party: City of Idaho Falls, Idaho

Attention: Mayor O'Brien

Gentlemen:

We have a report from this insured that her vehicle struck an open manhole on August 5, 1960 on the North Highway in Idaho Falls, Idaho and damage was caused by her vehicle in the amount of \$78.45.

Since indications are that City employees failed to recover the manhole properly, we are requesting reimbursement from you under our subrogation rights in the above amount.

Enclosed are copies of the repair bills covering our insured's claim. Please advise us regarding payment.

Very truly yours,  
s/ Joseph H. Jeppson  
Claims Examiner

Encl:  
cc: Bonneville County F. B.  
Afton Jeffs

It was noted that this had been referred to the City Insurance Carrier who investigated and recommended as follows:

February 13, 1961

City Council  
City of Idaho Falls  
308 "C" Street  
Idaho Falls, Idaho

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Re: Afton Jeffs - Farm Bureau Mutual  
Insurance Company vs. City of Idaho Falls

Gentlemen:

On January 20<sup>th</sup>, 1961 at a Regular Council Meeting, Lots 1 and 2, Block 1 of the Collins Addition was presented for zoning and action was taken accordingly. It has now been determined that this action was out of order in view of the fact that the property has never been annexed into the City. Both City Engineer and the Building Official were victims of erroneous information on this matter.

It is suggested that the Council act to rescind their action of January 20<sup>th</sup>. When the property is finally annexed, it will be re-advertised and properly zoned at that time.

Respectfully submitted,  
s/ Roy C. Barnes  
City Clerk

The foregoing memorandum was presented. It was moved by Councilman Petersen, seconded by Foote, that the Council action as of January 20<sup>th</sup>, 1961 pertaining to zoning of certain lots in the Collins Addition be rescinded for the reasons as described. Roll call as follows: Ayes, 3; No, None; carried.

The City Clerk then read the following:

February 17, 1961

To the Honorable Mayor and City Council  
Idaho Falls, Idaho

Gentlemen:

Mr. Verl Tenrey, Vice President in charge of the Flamingo Motel and Restaurant, has asked the writer to intercede in his behalf on the following request.

On the Southeasterly corner of the Flamingo property, about fifty feet from the corner of Freeman and Whittier, there is located a City electric pole. He is requesting the use of said pole for the installation of flood light for a portion of the parking area. Certain vandalism has recently occurred to parked cars of guests, including the siphoning of gasoline from the gas tanks.

He would of course, be responsible for the acquisition and installation of the light and has agreed to pay the City a fair monthly or annual rental for same.

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Your consideration on the foregoing is requested.

Respectfully submitted,  
s/ Roy C. Barnes  
City Clerk

It was moved by Councilman Johnson, seconded by Petersen, that the request as explained be granted, the Electrical Engineer to be instructed and authorized to work out the details. Roll call as follows: Ayes, 3; No, None; carried.

The following letter was read:

February 1, 1961

Mr. George C. Petersen, Jr.  
City Parks Commissioner  
520 D Street  
Idaho Falls, Idaho

Dear Mr. Petersen:

Last year a representative of our Department discussed with you the possibility of a cooperative arrangement between the City of Idaho Falls and the Idaho Department of Fish and Game whereby the annual production of goslings from the captive flock of Canada geese held at Tautphaus Park Zoo might be turned over to the Idaho Department of Fish and Game to be used for experimental stocking of Canada geese in areas within the State of Idaho. In return for the geese, this Department would agree to provide Tautphaus Park Zoo with four tons of mixed grain (wheat, barley, rye) annually to help defray the cost of maintaining the large goose flock at Tautphaus.

Attached find a general statement of agreement which I have signed on behalf of the Department and would like to request either yourself or another responsible person to sign on behalf of the City of Idaho Falls.

As soon as one signed copy of the enclosed agreement has been returned to us we will arrange to transport four tons of grain to the Tautphaus Park Zoo from Hagerman to fulfill our portion of the agreement for the current winter. Hereafter we would attempt to deliver the grain by November 1<sup>st</sup> each year so that it would be available for the geese throughout the winter months.

Your cooperation in this worthy undertaking is highly appreciated.

Sincerely yours,  
s/ Ross Leonard  
Director

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It was noted that the foregoing letter was accompanied by an appropriate agreement. It was moved by Councilman Foote, seconded by Johnson, that the Mayor be authorized to sign. Roll call as follows: Ayes, 3; No, None; carried.

The following memorandum was read:

February 17, 1961

Acct. No. 7A-15

Honorable Mayor and City Council  
Idaho Falls, Idaho

Gentlemen:

We have nearly completed the plans and specifications for the construction of the John Adams Parkway bridge over the Idaho Canal and a box culvert over the Meppen Canal on Woodruff Avenue.

We are requesting permission to advertise these two projects on February 26, March 5, and 12, with the bid opening at 2:00 P.M. on March 15<sup>th</sup>.

The estimate for the bridge structure at John Adams Parkway is approximately \$23,000 and that of the box culvert over the Meppen Canal is approximately \$12,000.

It is our understanding that these projects will come out of next year's budget. We will so notify the contractor in the contract documents that he will not receive his first or final payment until June 10, 1961.

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

It was moved by Councilman Foote, seconded by Johnson, that the City Engineer be authorized to proceed as described. Roll call as follows: Ayes, 3; No, None; carried.

The City Engineer presented a final plat of the Jennie Lee Addition, Division #4, and the second amended plat of University Manor Division #1. It was moved by Councilman Johnson, seconded by Foote, that the plat be approved and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 3; No, None; carried.

The City Engineer presented the final second amended plat of the Solaria Tract. It was moved by Councilman Foote, seconded by Johnson, that the plat be approved and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 3; No, None; carried.

Unsealed bids were reviewed covering car towing for purposes of impounding. The following were revealed:

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Smith Chevrolet	Price Per Unit	\$3.25
Ellsworth Brothers	" " "	3.50
Yellow Cab Company	" " "	5.00

It was moved by Councilman Johnson, seconded by Foote, that the low bidder, Smith Chevrolet Company, be awarded the contract for the year 1961. Roll call as follows: Ayes, 3; No, None; carried.

The Mayor read a letter from Mr. David Dick, Secretary-Treasurer of the Upper Valley Water Users Protective Union, inviting the Mayor and Council to attend the annual meeting to be held in the Bonneville County Court House, February 27<sup>th</sup>, 1961 at 1:30 P.M.

The Mayor noted that Mr. Burl Bandel has completed his tenure of office as Chairman of the Planning Commission. Acting in behalf of the City Officials he expressed appreciation to Mr. Bandel for his services in this capacity during the past year and congratulations for an extremely successful program. The Mayor asked that this expression be duly made a matter of record.

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

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