

JANUARY 20, 1961

The City Council of the City of Idaho Falls met in Regular Meeting, Friday, January 20, 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; Councilman Creek, Foote, Petersen, Johnson. Also present: Roy C. Barnes, City Clerk; Don Lloyd, City Engineer; George Barnard, City Attorney; Alva Harris, Building Official.

Minutes of the last Recessed Meeting, held January 9th, 1961 were read and approved.

The Mayor announced that this was the time and the place for a zoning hearing on certain properties as advertised in the Post Register January 1st, 8th, and 15th, 1961 and invited protests first on the following:

MAY ADDITION

Lots 1 to 10 inclusive, Block 2

Lots 6 to 10 inclusive, Block 1

There were no protests. It was moved by Councilman Foote, seconded by Johnson, that this property be zoned R-1. Roll call as follows: Ayes, 4; No, None; carried.

Next to be considered was the following:

HARRY STAVROS ADDITION - ASPER ADDITION

Lots 1 and 2, Block 1, Stavros Addition

Lots 1 and 2, Block 1, Asper Addition

No protests were registered. It was moved by Councilman Petersen, seconded by Creek, that the particular lots in Block 1 of the Stavros Addition be rezoned from R-1 to C Ltd. and the particular lots in Block 1 of the Asper Addition be rezoned from R-3 to C Ltd. Roll call as follows: Ayes, 4; No, None; carried.

Protests were invited next, on the following:

COLLINS ADDITION

Lots 1 and 2, Block 1

No protests were forthcoming. It was moved by Councilman Creek, seconded by Johnson, that this area be zoned R-1. Roll call as follows: Ayes, 4; No, None; carried. (THIS ACTION RESCINDED. SEE MINUTES 2/17/61-R.C.B.)

Last to be considered was the following:

KID ADDITION

The southeast 125.0' X 155.0' of the following legal description:
Beginning at a point that is N 89 degrees 23' 30" W 1820.24 feet
and N 0 degrees 05' 00" 40.00 feet from the southeast corner of
Section 20 T2N R38 E.B.M. and running thence S 89 degrees 23'
30" E 506.07 feet; thence N 0 degrees 05' 00" E 664.00 feet; thence
N 89 degrees 23' 30" W 486 feet; thence S 40 degrees 29' W 30.98

JANUARY 20, 1961

feet; thence S 0 degrees 05' 00" W 640.23 feet to the point of beginning containing 7.708 acres.

There were no protests. It was noted that a request had been made for rezoning of this property from C Ltd. to H-C Ltd. and that said request had been presented to the Board of Adjustments, who not only denied same but recommended, instead, that it be up-graded to R-3. Mr. Arthur Schwieder, President of K.I.D. appeared before the Council to explain that a petition had been obtained with signatures of all the near-by property owners, approving their request for rezoning. He explained further, that the rezoning was requested so that a service station could be constructed and that nearby property owners preferred this development to the existing status of the ground in question which is presently grown up to weeds. Mr. Schweider introduced Mr. Bruce McRae of the Continental Oil Company who presented pictures and plans of the contemplated new building. Also present was Mr. David Smith, a Board Member of the K.I.D. Corporation. It was brought out in Mr. Schweider's comments that if the Board of Adjustments recommendation were approved, this would not only prevent construction of the service station but would prohibit any future construction of a business building which is part of their future plans. Also brought out was the fact that they had not been present at the Board of Adjustment meeting and had not been given the opportunity of presenting the petition or their reasons for feeling that the rezoning is justified. The Council tabled rezoning action and were in complete agreement that they should have right to an audience with the Board at their next meeting.

The Mayor then instructed the Building Official to incorporate all of the foregoing zoning or rezoning on the official zoning map, located in his office.

The Building Official then noted that there was one or more requests for zoning which will necessitate a zoning hearing at an early date. It was agreed that the next zoning hearing be scheduled for February 17th, 1961 and the City Clerk was authorized to publish a notice accordingly.

License applications for SOFT DRINK were presented for the following: Pizza Prince Restaurant, Liberty Café, Money Saver Store (3), Aiman's Market, and Atties Coffee Shop; JUNK & SALVAGE DEALER: Joe Kushminder; PHOTOGRAPHER: Lisle Ramsey Studios. It was moved by Councilman Johnson, seconded by Petersen, that the licenses be approved. Roll call as follows: Ayes, 4; No, None; carried.

License applications for MEAT MARKET were then presented for the following: Money Saver Store (3), and Aiman's Market; MILK VENDOR: Upper Snake River Valley Dairyman's Association, Inc., Cream Top Dairy, and Layton Jersey Farm. It was moved by Councilman Johnson, seconded by Creek, that the licenses be granted, subject to the approval of the City Sanitarian. Roll call as follows: Ayes, 4; No, None; carried.

License applications for MASTER PLUMBER were presented for the following: Terry Plumbing & Heating, J & R Plumbing & Heating, Bingham Plumbing & Heating, and Lake Plumbing & Heating; JOURNEYMAN PLUMBER: First Street Plumbing, D. L. Davis. It was moved by Councilman Petersen, seconded by Johnson, 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 GAS CONTRACTOR were presented for the following: H-L Electric Co., Inc., Idaho Potato Growers, Ahrco Co., Lake Plumbing & Heating, Bingham Plumbing &

JANUARY 20, 1961

Heating, Holland Furnace Co., Nugent Metal Works, Upper Snake River Valley Dairymen's Association, Inc., and Forsythe Heating & Air Conditioning; JOURNEYMAN GAS FITTERS: Morley W. Longmore, D. L. Davis, Moyes Barney, Lovell Harrop, Kenneth Dean, Dave Harmon, Jack Hall, Lloyd Winn, Edward Nixon, Dean Kirkham; APPRENTICE GAS FITTER: Arlo Belnap, and Kermit (Gene) Blanchard. It was moved by Councilman Johnson, seconded by Petersen, that the licenses be granted, subject to the approval of the Gas Inspector. Roll call as follows: Ayes, 4; No, None; carried.

License applications for ELECTRICAL CONTRACTOR were presented for the following: Class A School District #91, and Alva Lewis Electric Contractor; JOURNEYMAN ELECTRICIAN: Max Cobbley, Clarence Shore, Sam Knox, Larry Jensen, Leo R. Heer, Wayne M. Harris, Alva Lewis, and Norman Reno. It was moved by Councilman Johnson, seconded by Petersen, 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 CAB DRIVER was presented for the following: William Dee Pritchard, Chester Francher, Joseph A. Moser, and Alvin E. Clark; ROOMING HOUSE: New Oxford Hotel; CANNED AND BOTTLED BEER NOT TO BE CONSUMED ON THE PREMISES: Money Saver Stores(3), and Aiman's Market. It was moved by Councilman Johnson, seconded by Petersen, that the licenses be granted, subject to the approval of the Chief of Police. Roll call as follows: Ayes, 4; No, None; carried.

License applications for RETAIL LIQUOR were presented as follows: Le Baron's Port Restaurant, Capitol Club, and Samoa Club. It was moved by Councilman Johnson, seconded by Petersen, that the licenses be approved. Roll call as follows: Ayes, 4; No, None; carried.

An addendum for L.D. #17444 from the Union Pacific Railroad was presented, covering a sewer pipe line encroachment. It was moved by Councilman Johnson, seconded by Petersen, that the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 4; No, None; carried.

A farm lease was presented covering terms and conditions for the operation of certain farmland by Charles S. and Helen Reed. It was moved by Councilman Petersen, seconded by Johnson, that the Mayor and City Clerk be authorized to sign and that the duration of the lease be for five years. Roll call as follows: Ayes, 4; No, None; carried.

RESOLUTION (Resolution No. 1961-03)

WHEREAS, the Department of Highways of the State of Idaho has submitted a Cooperative Agreement stating obligations of the State and the City of Idaho Falls, Idaho and including plans, for the construction of U.S. Interstate Highway 15, U.S. Highway 20-91, and connections to local streets, portions of which are within the corporate limits of the City of Idaho Falls, Bonneville County, Idaho, as described in the Cooperative Agreement and shown on the aforementioned plans, which improvement is to consist of right of way acquisition, grading, draining, lighting, surfacing and fencing on 1.073 miles of Interstate Highway 15 and 0.311 miles of U. S. Highway 20-91 to be constructed under Federal Aid Interstate Highway Project I-15-3(3)117, and

JANUARY 20, 1961

WHEREAS, the allotment of Federal and State funds for the improvement is contingent upon compliance with the laws governing State Highways and State Highway traffic, availability of necessary right of way, adequate provision for the maintenance of the completed improvement, and establishment of traffic control measures and means for effecting them.

NOW THEREFORE, BE IT RESOLVED:

1. That the Cooperative Agreement for Federal Aid Interstate Project I-15-3(3)117 is hereby accepted and approved.
2. That the Mayor and City Clerk are hereby authorized to execute the Cooperative Agreement on behalf of the City of Idaho Falls.
3. That duly certified copies of this resolution shall be furnished the Department of Highways and the Bureau of Public Roads.

The foregoing resolution was presented, accompanied by a Cooperative Agreement between the City and the State of Idaho. In this connection, the following memorandum from the City Engineer was read:

January 20, 1961
Acct. No. 4C-10

Honorable Mayor and City Council
Idaho Falls, Idaho

Gentlemen:

Attached hereto are five copies of a Resolution and an accompanying Cooperative Agreement between the State of Idaho Highway Department and the City of Idaho Falls.

Simply stated, this Agreement calls for City responsibility in removing and relocating all City property and utilities which now fall within the interstate rights of way. Further, it requires that we vacate those portions of streets which will be located within the right of way of the new highway, and also pay the costs of the maintenance of all traffic signal equipment.

The City Attorney and Electrical Engineer have reviewed these documents and find no objections. Since this Division finds the Agreement in order, we are recommending to the Council that the Mayor and City Clerk be authorized to sign on behalf of the City.

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

Attach. -5

JANUARY 20, 1961

It was moved by Councilman Johnson, seconded by Petersen, that the resolution be adopted subject to an agreement to be worked out by the City Engineer to determine who is responsible for the moving of the Gas Company and Telephone Company utilities and also subject to other technical details to be resolved by the City Attorney and the City Engineer. Roll call as follows: Ayes, 4; No, None; carried.

It was noted that the foregoing Council action in adopting the resolution automatically provided authorization for the Mayor and City Clerk to execute the Cooperative Agreement on behalf of the City of Idaho Falls.

The following memorandum from the City Engineer was read:

January 20, 1961
Acct. No. 3B-89
Roy H. Bennett Shopping
Center, Division No. 1

Gentlemen:

We are presenting herewith a plat of the Roy H. Bennett Center, Division No. 1 for your review and approval.

Since the Planning Commission will recommend that this plat be approved and this Department find no objection, we are recommending to the Council that the Mayor and City Clerk be authorized to sign the City's approval.

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

Attach.

It was moved by Councilman Creek, seconded by Johnson, that the City Engineer's recommended action be tabled until such time as the City Council can meet with the County Commissioners on the matter. Roll call as follows: Ayes, 4; No, None; carried.

Mr. Edward Reno, 635 East 17th Street, appeared briefly before the Council and asked for continued cooperation in protecting the interests of the 17th Street residents.

The following memorandum was read:

January 20, 1961
Acct. No. 19A-1
Parks & Recreation

Honorable Mayor and City Council
Idaho Falls, Idaho

JANUARY 20, 1961

Gentlemen:

We are presenting herewith a preliminary layout of an area on the west side which includes a possible City Park location.

This area, shaded in green on the attached map, represents 7 full acres of park area. The park is bounded on the south by church property, and has two points of access from improved streets.

Mr. Reinhart is making this land and the street improvements available to the City at the total cost of \$13,380, which represents \$6,030 for adjacent street improvements and \$7,350 for the land. This total cost represents \$1,900 per acre in the same area. A purchase agreement could be arranged for \$6,690 per year for two years, if desired.

In our opinion, the above proposal represents the most reasonable offer for park acquisition this Division has had the opportunity to review. We would recommend to the Council that this offer be given full consideration.

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

Attach.

After some discussion this was tabled for a matter of consideration in next years budget.

A contract was presented between the City and Markham Advertising Company stating terms and conditions for illuminated signs at both ends of the City Garage. It was moved by Councilman Johnson, seconded by Creek, that the Mayor and City Clerk be authorized to sign and that the contract be for a three year period. Roll call as follows: Ayes, 4; No, None; carried.

The Mayor noted that Don Lloyd has been invited to participate in a five minute panel discussion at the Idaho Municipal League Convention. This met with Council agreement.

The Mayor explained a proposition which had been presented the City by the Russet Lions Club, whereby they will raise funds for tennis courts at Tautphaus Park and are asking for 50% City participation. To this the Council agreed.

The west side sewer contract was presented between Goodwin Construction Company and Hartwell Excavating Company, joint venture, and the City of Idaho Falls. It was moved by Councilman Foote, seconded by Johnson, that the Mayor and City Clerk be authorized to sign. 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.

ATTEST: s/ Roy C. Barnes
CITY CLERK

s/ W. J. O'Bryant
MAYOR