

JANUARY 9, 1961

The City Council of the City of Idaho Falls met in Recessed Meeting, Monday January 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; Boyd Wright, Purchasing Agent; George Aupperle, Controller; Harold Davis, Electrical Engineer.

Minutes of the last Regular Meeting held December 16th, 1960 and Special Meeting held December 22nd, 1960 and Special Meeting held December 30th, 1960 were read and approved.

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

<u>FUND</u>	<u>GROSS PAYROLL</u>	<u>SERVICES & MATERIALS</u>	<u>TOTAL EXPENDITURES</u>
General Fund	\$57,630.62	\$37,145.58	\$94,776.20
Recreation Fund	15.00	9,264.41	9,279.41
Fire Fund	12,939.79	737.43	13,677.22
Electric Light Fund	13,235.41	70,093.02	83,328.43
Water & Sewer Fund	8,710.94	20,267.10	28,978.04
Police Retirement	1,321.24	.00	<u>1,321.24</u>
		TOTAL:	\$230,039.30
		Police Retirement:	\$1,321.24

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

Reports from Department and Division Heads, both for the month of December and annual for 1960 were presented and, there being no objection, were ordered placed on file in the City Clerk's Office.

License applications for BARTENDERS were presented as follows: Jack W. Banks, Mervin A. Cook, and Victor E. DeJulis; SOFT DRINK: Keller's Koffee Kup, Mart Luncheonette, Hub Bar, Sutton Grocery, Keith's Food Market, Sears, Roebuck & Co., J. J. Newberry Co., Fairway Service Station, Russ's Super Market, and Airport Restaurant and Bar; SUNDAY MOTION PICTURES: Paramount Theatre; RESTAURANT permits: Sears Roebuck and Co., Tobe's Eat'n House, Bonneville Lounge, and Keller's Koffee Kup. It was moved by Councilman Foote, seconded by Creek, that the permits and licenses be approved. Roll call as follows: Ayes, 4; No, None; carried.

License applications for MEAT MARKET were presented as follows: Sutton Grocery, Keith's Food Market, and Russ' Super Market; MILK VENDOR: Fife Dairy. It was moved by Councilman Petersen, 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 ELECTRICAL CONTRACTORS were presented as follows: Almon L. Brown, J. Wayne Van Orden, Elec. Enterprise, Inc., and H. L. Babbitt; JOURNEYMAN ELECTRICIAN: Walter L. Whipple, Almon L. Brown, Frank R. Dransfield, and Claude Lewis. It was

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

License applications for MASTER PLUMBER were presented as follows: Wallace Pendleton, F. L. Pendleton, D. E. Fairless, W. C. Sanderson, and E. L. Holmgren. 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 as follows: D. E. Fairless, W. C. Sanderson, E. L. Holmgren and Wesley D. Ennis; JOURNEYMAN GAS FITTER: Warren Olson, Wallace Pendleton, George L. Hardenbrook, Wesley D. Ennis, Dan E. Fairless, Wayne Bowden, Francis B. Street and Verne E. Copes; APPRENTICE GAS FITTER: Lyle Charlesworth. It was moved by Councilman Johnson, 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 CAB DRIVERS were presented as follows: Gary R. Lewis, Joe Scheer, Weldon Lloyd, Richard Walker, Leonard E. Kelly, Le Roy Raichart, Jim Clark, James I. Roland, Frank Johnson, Don Fouts, Arthur Hammer, and Lloyd Hayward; ROOMING HOUSE: Oregon Rooms; HOTEL: Hanson Hotel, Miles Hotel, and Marion Hotel; MOTEL: Phippen Motel; CANNED AND BOTTLED BEER NOT TO BE CONSUMED ON PREMISES: Sutton Grocery, Keith's Food Market, Fairway Service, and Russ's Super Market; CANNED AND BOTTLED BEER TO BE CONSUMED ON PREMISES: Airport Restaurant & Bar. It was moved by Councilman Johnson, seconded by Foote, that these licenses be granted subject to the approval of the Police Chief. Roll call as follows: Ayes, 4; No, None; carried.

License application for DANCE HALL for Hub Bar was presented. It was moved by Councilman Johnson, seconded by Petersen, that the license be granted subject to the approval of the Police Committee and the Chief of Police. Roll call as follows: Ayes, 4; No, None; carried.

License applications for RETAIL LIQUOR were presented as follows: Ford's Cigar Store, Happy Jacks, Bonneville Lounge, Hub Bar, Mint Bar, Jack's Club, Russet Bar & Café, Bon Villa Club, Jack's Chicken Inn, Inc., Flamingo Services, Inc., Lobby Cigar Store, Fred & Kelly's, Turf Café & Bar, Stockman Bar, and B.P.O.E. Elks Lodge #1087. It was moved by Councilman Petersen, seconded by Johnson, that these licenses be approved. Roll call as follows: Ayes, 4; No, None; carried.

The following claim was read by the City Clerk:

December 29, 1960

Gentlemen:

Approximately 2 or 3 weeks ago the City Electrical Department started to put up new lines on St. Clair Road and during their work in front of our home they drove across our front lawn leaving deep tracks from their trucks wheels and in leaving the premises they drove across the back yard and across our cesspool without our consent and in doing so damaged it to the extend that we are unable to use our bathroom. We are willing to overlook the damage to our lawn if there are repairs done on the cesspool. We would appreciate your cooperation in this matter.

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Yours very truly,
s/Preston D. Shirley
1191 St. Clair
Idaho Falls, Idaho

It was moved by Councilman Petersen, seconded by Foote, that this be referred to the City Insurance Carrier for investigation and recommendation. Roll call as follows: Ayes, 4; No, None; carried.

The City Clerk read the following claim denials from the General Adjustment Bureau:

January 5, 1961

Roy C. Barnes, City Clerk
City of Idaho Falls
308 "C" Street
Idaho Falls, Idaho

Re: Paul Yorgensen -vs.- City of Idaho Falls

The claim of Paul Yorgensen has been submitted to the City's Liability Carrier. They suggest that the claim be denied as the basis of contributory negligence. Further, this claim was not filed within the prescribed 30 days limit. We, therefore, suggest that you formally deny this claim.

Yours truly,
s/ A. W. Knight
Manager

December 16, 1960

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

Re: Referral of 10-28-60 Mountain States Tel. & Tel.
Co. -vs.- Lloyd Nash -vs.- City of Idaho Falls

Gentlemen:

We received the attached Mountain States Telephone and Telegraph Company bill which was especially billed the Lloyd Nash & Sons, Inc. on a job being performed by them for us which was in regard to the removal of curbs and gutters on South Boulevard between 9th and 10th Streets during the month of September, 1960.

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Upon review of the facts, we do not feel that we have any obligation to protect Lloyd Nash & Sons, Inc. or any obligation to the Mountain States Telephone and Telegraph Company and, therefore, request that denial of their claim be made.

Yours very truly,
s/ Gray I. Clawson
Adjustor

December 20, 1960

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

Re: Charles Stewart -vs.- City of Idaho Falls
Accident of November 13, 1960, corner
of Lee and 10th Streets

Gentlemen:

This is to advise you that from our investigation, we find no negligence upon the City of Idaho Falls, and therefore, advise you to please respectfully deny the claim placed by Mr. Charles Stewart for the damages to his automobile on the above named date.

Yours very truly,
s/ Gray I. Clawson
Adjustor

December 30, 1960

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

Gentlemen:

In reference to the claim placed by Mrs. Ethel Higgins against the City of Idaho Falls for the occurrence of October 22, 1960, we respectfully request that denial be made of her claim on the basis of Idaho State Statute, Chapter 50, Section 162 in reference to damage claims which refers that all claim for damages against the City must be filed with the City Clerk within thirty days

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after the time when such claim for damages shall have occurred, specifying the time, place and character and cause of said damage.

Yours very truly,
s/ Gray I. Clawson
Adjustor

It was moved by Councilman Petersen, seconded by Foote, in each case, concur with the Bureau's recommendation and that the claims be denied for the reasons as stated. Roll call as follows: Ayes, 4; No, None; carried.

The City Clerk noted that an application for surplus property eligibility from the State of Idaho was signed by the Mayor and City Clerk on January 3rd, 1961. Also, on the same date, the Mayor's signature was obtained on an appointment certification, naming Lewis C. Ross, Jr. as Civil Defense Director and that, in the interests of time, these signatures were affixed without official Council approval. It was moved by Councilman Petersen, seconded by Johnson, that, in each instance, the Council ratify the action of the Mayor and City Clerk at that time. Roll call as follows: Ayes, 4; No, None; carried.

The following memorandum was read:

January 4, 1961
Acct. No. 6C-13

Honorable Mayor and City Council
Idaho Falls, Idaho

Gentlemen:

Pursuant to your request, the Engineering Department and the Traffic Division of the Police Department have made a study of the traffic problems at North Holmes Avenue and Elva Street. We are presenting our analysis and recommendations for your consideration.

In general, traffic control signals should only be installed and operated when abnormal vehicular or pedestrian delay is created by the physical inability of traffic to flow smoothly at an intersection. In order to provide a general yardstick in determining the merits of a given traffic situation relative to signal control, warrants have been developed to fit a number of conditions. We have evaluated this intersection against these warrants as follows:

1. Minimum Vehicular Volume (See attached sheets)
 - a. Total vehicular volume entering intersection should be near 750 vehicles per hour for any 8 hours at Elva and Holmes - 625
 - b. Total vehicular volume entering the intersection from the minor street must average 175 vehicles per hour for 8 hours, at Elva and Holmes - 220

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2. Minimum Pedestrian Volume
At Elva and Holmes there was not pedestrian traffic during the time of the traffic counts, thus eliminating pedestrian volume from being a warrant for a fixed-time signal.

3. Coordinated Movement
The closet fixed-time signal to the south of Elva and Holmes is 2600 feet. This spacing means that a platoon of vehicles will be distributed over quite a distance making it very difficult to find sufficient opening between cars to enable safe cross traffic.

4. Accident Hazard
If five or more accidents of types susceptible to correction by a fixed-time signal have occurred within a 12 month period, a signal may be necessary. Upon reviewing the accidents at Elva and Holmes, we find there have been 8 accidents in the past 11 months. (See Collision diagram). Three of these accidents might have been averted with a fixed-time signal.

By way of summary, we find that the total vehicular volume in the intersection is below the minimum warrant, but that the minor street traffic exceeds minimum warrant. There is no pedestrian warrant. Coordinated movements and interruption of continuous traffic is desirable. A reduction of accidents is necessary.

From this analysis we would like to recommend that a fixed-time signal be installed at North Holmes and Elva Street as soon as possible.

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

s/ Don Ellsworth
Traffic Engineer

It is recognized that there are presently no funds for the traffic light at the location as described and it was agreed that this should be considered for the next budget period.

The City Clerk presented, in the interests of the Electric Department, two bids from General Electric Company in the form of contracts to reconnect the switch gear at the Temple View substation from 2400 volts to 4160 volts as follows: \$1425.00 and \$2875.00 with explanation that the higher bid was identical to the lower one except to include labor. Mr. Davis explained that the City was in a position to provide its own labor and recommended that the contract for the lower bid be accepted. It was moved by Councilman Petersen, seconded by Johnson, that the lower bid be accepted and the

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Mayor be authorized to sign the contract accordingly. Roll call as follows: Ayes, 4; No, None; carried.

The following memorandum was presented:

January 9, 1960

Memorandum

To: The Mayor and Council
Subject: Sewer Roding Machine

Gentlemen:

As per your instructions of Council Meeting on November 7, 1960 Mr. Chester Truman of the Flexible Pipe and Tool Company, Portland Oregon, brought a new Sewer Roding Machine to Idaho Falls and left it with the Sewer Department for a thirty day trial, no obligation period.

This machine has been in operation for the past thirty days and in the opinion of the Sewer Department, the Engineering Department, and the Purchasing Department, it is the only machine that we would be interested in, in the City Sewer System.

The Purchasing Department at this time is asking authorization to issue a purchase order to the Flexible Pipe and Tool Company for \$4,525.80 to purchase the Sewer Roding Machine.

Your earliest consideration in this regard, would be appreciated by this Department.

Yours very truly,
s/ Boyd P. Wright
Purchasing Agent

It was moved by Councilman Johnson, seconded by Foote, that the Sewer Roding Machine as described, be acquired. Roll call as follows: Ayes, 4; No, None; carried.

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To the Honorable Mayor
and City Council
Idaho Falls, Idaho

Gentlemen:

As administrative head of the Building Department, I see the urgent need to set up and appoint a Board of Plumber Examiners, consisting of four qualified members.

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I am making these recommendations in behalf of the local plumbers and contractors also Mr. Hugh Fairless, our Plumbing Inspector. The Board will help Mr. Fairless in controlling plumbers and contractors, that are not qualified to conduct, carry on, or engage in the plumbing business in the City of Idaho Falls, Idaho.

Under part one and part two, of the 1958 Edition of the Uniform Plumbing Code, it states these requirements also administration qualifications of plumbers, general provisions, appointment of Board of Plumber Examiners, duties of the Board and the issuance of Certificate of Qualification or Registration, with the approval of the Mayor and Council.

Mr. Fairless and myself have chosen four members that we feel are well qualified and will accept their appointment.

Master Plumbers and Contractors

- (1) Elmer Homegreen (First Street Plumbing)
- (2) Vern Saxton (Vern Saxton Plumbing)

Journeyman Plumbers

- (1) Burl Street, employee (Duke Fairless Plumbing Co.)
- (2) Ray Austin, employee (First Street Plumbing Co.)

Thank you for your consideration and cooperation.

Respectfully yours,
s/ Alva C. Harris
Building Official
City of Idaho Falls, Idaho

The foregoing memorandum from the Building Official was read. It was moved by Councilman Johnson, seconded by Foote, that his recommendation as described be accepted and made a matter of policy. Roll call as follows: Ayes, 4; No, None; carried.

The following Resolution was introduced by Councilman Foote, seconded by Johnson, read in full and considered, and unanimously adopted:

Resolution No. 1961-01

RESOLUTION ACCEPTING, ADOPTING, APPROVING AND AUTHORIZING THE EXECUTION OF A GRANT AGREEMENT RECEIVED FROM THE ADMINISTRATOR, FEDERAL AVIATION AGENCY, UNITED STATES OF AMERICA, BEING PROJECT NO. 9-10-060-6110, AND CONTRACT FOR CONTROL TOWER FOR THE DEVELOPMENT OF THE FANNING FIELD AIRPORT, IDAHO FALLS, IDAHO

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Be it resolved by the City Council of the City of Idaho Falls, Idaho.

Section 1. That the City of Idaho Falls, Idaho, by and through its City Council, shall enter into a Grant Agreement for the purpose of obtaining Federal Aid in the development of the Fanning Field Airport and that such agreement shall be as set forth below.

Section 2. That the Mayor be, and he is hereby authorized and directed, to execute said Grant Agreement in quintuplet on behalf of the City of Idaho Falls, and the City Clerk is hereby authorized and directed to impress the Official Seal of the City of Idaho Falls, Idaho thereon and to attest said execution.

Section 3. That all statements, representations, warranties, covenants, and agreements contained in the Project Application for Federal Aid in the development of the Fanning Field Airport are hereby specifically ratified and adopted.

Section 4. That the Grant Agreement referred to hereinabove shall be as follows:

Federal Aviation Agency
GRANT AGREEMENT
Part I - Offer

Date of Offer - December 30, 1960
Fanning Field Airport
Project No. 9-10-060-6110
Contract No. FA4-1158

TO: The City of Idaho Falls, Idaho
(Herein referred to as the "Sponsor")
FROM: The United States of America (Acting through the Federal Aviation Agency:
Herein referred to as the "FAA")

WHEREAS, the Sponsor has submitted to the FAA a Project Application dated October 6, 1960, for a grant of Federal Funds for a project for development of the Fanning Field Airport (herein called the "Airport"), together with plans and specifications for such project, which Project Application, as approved by the FAA is hereby incorporated herein and made a part hereof; and

WHEREAS, the FAA has approved a project for development of the Airport (herein called the "Project") consisting of the following described airport development:

Construct Control Tower on existing terminal building.

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(The Airport development to be accompanied, herein described, is in addition to that contemplated under the Grant Agreements between the Sponsor and the United States for Projects 9-10-060-901, -202, -203, -504, -065, -0606, -5907, -5908, -and 6009.

All as more particularly described in the property map and plans and specifications incorporated in the said Project Application;

NOW THEREFORE, pursuant to and for the purposes of carrying out the provisions of the Federal Airport Act, as amended (49 U.S.C. 1101), and in consideration of (a) the Sponsor's adoption and ratification of the representations and assurances contained in said Project Application, and its acceptance of this Offer as hereinafter provided, and (b) the benefits to accrue to the United States and the public from the accomplishment of the Project and the operation and maintenance of the Airport as herein provided, THE FEDERAL AVIATION AGENCY, FOR AND ON BEHALF OF THE UNITED STATES, HEREBY OFFERS AND AGREES to pay, as the United States' share of the allowable costs incurred in accomplishing the Project, 55.82 per centum of said allowable project costs, subject to the following terms and conditions.

This Order is made on and subject to the following terms and conditions:

1. The maximum obligation of the United States payable under this offer shall be \$92, 840.00
2. The Sponsor shall:
 - (a) begin accomplishment of the Project within sixty days after acceptance of this Offer or such longer time as may be prescribed by the FAA, with failure to do so constituting just cause for termination of the obligations of the United States hereunder by the FAA;
 - (b) carry out and complete the Project without undue delay and in accordance with the terms hereof, the Federal Airport Act, and Sections 550.7 and 550.8 of the Regulations of the Federal Aviation Agency (14 CFR 550) in effect as of the date of acceptance of this Offer; which Regulations are hereinafter referred to as the "Regulations".
 - (c) carry out and complete the Project in accordance with the plans and specifications and property map, incorporated herein, as they may be revised or modified with the approval of the FAA, or his duly authorized representative.
3. The allowable costs of the project shall not include any costs determined by the FAA to be ineligible for consideration as to allowability under Section 550.4 (a) of the Regulations.

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4. Payment of the United States' share of the allowable project costs will be made pursuant to and in accordance with the provisions of Section 550.9 of the Regulations. Final determination as to the allowability of the costs of the project will be made at the time of the final grant payment pursuant to Section 550.9(d) of the Regulations: Provided, that in the event a semi-final grant payment is made pursuant to Section 550.9(c) of the Regulations, final determination as to the allowability of those costs to which such semi-final payment relates will be made at the time of such semi-final payment.
5. The Sponsor shall operate and maintain the Airport as provided in the Project Application incorporated herein.
6. The FAA reserves the right to amend or withdraw this Offer at any time prior to its acceptance by the Sponsor.
7. This Offer shall expire and the United States shall not be obligated to pay any part of the costs of the Project unless this Offer has been accepted by the Sponsor on or before February 28, 1961 or such subsequent date as may be prescribed in writing by the FAA.
8. The maximum amounts of building space which the sponsor shall be obligated to furnish civil agencies of the United States under Paragraph 9 of Part III of the Project Application shall be as set forth in the schedule attached to the Grant Agreement for Project No. 9-10-060-6009, which said schedule is incorporated herein and made a part hereof by reference.
9. It is understood and agreed by and between the parties hereto that the terms "Administrator of Civil Aeronautics", "Administrator", "Civil Aeronautics Administration", "Department of Commerce" , "CAA" or "Section 303 of the Civil Aeronautics Act of 1938" wherever they appear in this Agreement, in the Project Application, plans and specifications or in any other documents constituting a part of this Agreement shall be deemed to mean the Federal Aviation Agency or the Administrator thereof or Section 308(a) of the Federal Aviation Act of 1958 as the case may be.

(SPACE)

The Sponsor's acceptance of this Offer and ratification and adoption of the Project Application incorporated herein shall be evidenced by execution of this instrument by the Sponsor, as hereinafter provided, and said Offer and Acceptance shall comprise a Grant Agreement, as provided by the Federal Airport Act, constituting the obligations and rights of the United States and the Sponsor with respect to the accomplishment of the Project and the operation and maintenance of the Airport. Such Grant Agreement shall become effective upon the Sponsor's acceptance of this Offer and shall remain in full force and effect throughout the

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useful life of the facilities developed under the Project but in any event not to exceed twenty years from the date of said acceptance.

UNITED STATES OF AMERICA
FEDERAL AVIATION AGENCY
Region IV (LA)
Acting: s/ H. E. Aldridge
By: Chief, Facilities and Material
Field Division (TITLE)

Part II-Acceptance

The City of Idaho Falls, Idaho does hereby ratify and adopt all statements, representation warranties, covenants, and agreements contained in the Project Application and incorporated materials referred to in the foregoing Offer and does hereby accept said Offer and by such acceptance agrees to all of the terms and conditions thereof.

Executed this 9th day of January, 1961.

THE CITY OF IDAHO FALLS, ID
(Name of Sponsor)
By: s/ W. J. O'Bryant
Title: MAYOR

(SEAL)

ATTEST: s/ Roy C. Barnes
Title: CITY CLERK

The foregoing Grant Agreement having been accepted, it then became in order to present the Contract Agreement with Wadsworth Construction Company in the amount of \$142,500.00 for the construction of the Airport Control Tower. 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.

It was understood that, even though the foregoing instruments have been executed, actual construction on the Airport Control Tower must await official authorization from the FAA which agency must first receive said instruments, as well as copies of the performance bond, and have then checked for legality of execution.

ORDINANCE NO. 990

AN ORDINANCE ORDERING THE IMPROVEMENT OF THE
COMBINED MUNICIPAL WATER SYSTEM AND SEWER PLANT AND
SYSTEM OF THE CITY OF IDAHO FALLS BY IMPROVING AND

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EXTENDING THE MUNICIPAL WATER SYSTEM OF SAID CITY; ESTIMATING THE COST THEREOF, DIRECTING, SUBJECT TO THE APPROVAL OF THE QUALIFIED ELECTORS OF SAID CITY, THAT REVENUE BONDS OF SAID CITY IN THE AMOUNT OF \$700,000 BE ISSUED TO PAY THE COST THEREOF, CALLING AN ELECTION FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED ELECTORS OF SAID CITY THE PROPOSITION OF THE ISSUANCE OF SUCH BONDS, AND PROVIDING FOR THE ISSUANCE OF SUCH BONDS IN THE EVENT THEY ARE VOTED AT SUCH ELECTION.

The foregoing ordinance was presented in title. It was moved by Councilman Foote, 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.

ORDINANCE NO. 992

AN ORDINANCE TO PROMOTE THE SAFETY AND WELFARE OF THE PEOPLE OF IDAHO FALLS, IDAHO, BY REGULATING THE DESIGN, INSTALLATION, MAINTENANCE, IMPROVEMENT, AND INSPECTION OF GAS INSTALLATION, OF GAS PIPING, AND OF GAS APPLIANCES IN BUILDINGS AND STRUCTURES; DEFINING THE TERMS THEREOF; ESTABLISHING MINIMUM REQUIREMENTS AND SAFETY STANDARDS FOR GAS INSTALLATIONS AND PIPING; REQUIRING WORK PERMITS AND SPECIFYING REGULATIONS THEREFORE; REQUIRING INSPECTION OF ALL WORK AND INSTALLATIONS; REQUIRING LICENSING OF ALL PERSONS INSTALLING OR WORKING ON GAS PIPING AND APPLIANCES; SETTING UP CLASSIFICATIONS AND REGULATIONS IN REGARD TO LICENSING; REQUIRING BONDING AND INSURANCE CERTIFICATIONS FOR LICENSES; ESTABLISHING AN EXAMINING BOARD, PROVIDING FOR ITS DUTIES AND SETTING FORTH REGULATIONS THEREOF; PROVIDING FOR PENALTIES FOR VIOLATIONS; SETTING FORTH A CONSTITUTIONAL DECLARATION, REPEALING ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING WHEN THE ORDINANCE SHALL BECOME EFFECTIVE.

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The foregoing was again presented, having been passed on its first reading at the Council Meeting as of December 16th, 1960. It was moved by Councilman Petersen, seconded by Johnson, that the Gas Ordinance, as amended, be passed on its second and third reading. Roll call as follows: Ayes, 4; No, None; carried.

Also having been presented at the December 16th, 1960 Meeting was the following:

ORDINANCE NO. 991

AN ORDINANCE PROVIDING FOR THE LICENSING OF PERSONS PROPOSING TO ANALYZE CHARACTER FROM HANDWRITING; PROVIDING THAT THIS ORDINANCE SHALL NOT APPLY TO PERSONS LICENSED TO PRACTICE PSYCHOLOGY OR PSYCHIATRY; PROVIDING PENALTIES FOR THE VIOLATION OF THIS ORDINANCE, AND FIXING THE TIME WHEN THIS ORDINANCE SHALL TAKE EFFECT.

Notation was made that, on that date, this Ordinance was passed on its first two readings. It was moved by Councilman Foote, seconded by Creek, that the handwriting analysis ordinance be passed on its third and final reading. Roll call as follows: Ayes, 4; No, None; carried.

Three City redemption tax deeds were presented in the following names:

1. Adeline L. Bergman and Kathryn Miller, Assignees of Orban J. Kearney.
2. Class A School District #91, Assignee of Frontiers, Oregon.
3. Lorin C. Anderson, Assignee of William P. Gray, Jr.

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

The following agreement was presented:

I-15-3(3)117
Bonneville County
Parcel Number 18 ½
City of Idaho Falls

AGREEMENT

This agreement made and entered into this 9th day of January, 1961 by and between the Idaho Department of Highways, hereinafter called the Department and the City of Idaho Falls hereinafter called the City.

WITNESSETH:

THAT WHEREAS, the Department and the City are negotiating a contract of sale for certain lands now belonging to the City and required by the Department of Highway purposes; and

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WHEREAS, immediate possession is required by the Department; and

WHEREAS, the parties are having difficulty in arriving at a price for the said contract;

NOW THEREFORE, it is mutually agreed as follows:

1. The City hereby agrees to give to the Department the right to enter into possession of the said lands immediately upon the execution of this agreement.
2. The parties hereby agree to continue negotiations for a period of ninety (90) days during which they will attempt to arrive at a satisfactory price for the required lands.
3. If the parties have not agreed upon a price at the end of the said ninety (90) days, it is mutually agreed that the controversy will be presented to a Court of Law to be settled by the ordinary process of a Court trial.

s/ B. E. Sessions
Idaho Dept. of Highways
B. E. Sessions, P.E.
District Engineer

s/ W. J. O'Bryant
City of Idaho Falls, Idaho
Mayor

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

Two unsealed bids were presented on thirty pair of safety glasses to be used by certain City employees in hazardous occupations, as determined by the Safety Committee. The following were revealed: Dr. O. V. Blackstead, \$379.50; Eye Clinic, \$346.00. It was moved by Councilman Petersen, seconded by Johnson, that the low bid from Eye Clinic be accepted. Roll call as follows: Ayes, 4; No, None; carried.

The Council was presented with a joint Committee report of the Police Association of Idaho Falls and Pocatello with recommendations of needed legislative changes in the State law relating to the Police Retirement Fund. After some discussion this was taken under advisement for further study.

The Mayor read a letter announcing a meeting of the Idaho Safety Council in Boise, January 27, and 28th, 1961. This was referred to the City Engineer for consideration with instructions that he should determine whether or not it would be advisable for Mr. Mel Baird, Chairman of the local Safety Committee, to attend.

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A car wash proposal was presented from the Whirlwind Car Wash Company. This was tabled with the suggestion that City vehicles be washed by prisoners detained in the City jail.

It was noted that the City Engineer recommended that a consulting Engineer be selected and employed, pertaining to the \$700,000 water project, bond issue of which is to be voted on by special election March 7th, 1961. It was moved by Councilman Johnson, seconded by Creek, that Cornell, Howland, Hayes and Merryfield be selected and employed accordingly. Roll call as follows: Ayes, 4; No, None; carried.

Councilman Foote introduced the following resolution in writing and moved its adoption:

RESOLUTION (Resolution No. 1961-02)

“WHEREAS, the City Engineer and the Committee on Streets of the City Council have made out an Assessment Roll for Local Improvement District No. 26, according to the provisions of Section 50-2915, Idaho Code, and the provisions of Ordinance No. 837, and have certified the same to the Council as provided by law:

NOW THEREFORE, BE IT RESOLVED:

That Monday, the 23rd day of January, 1961, at 8:00 o'clock P.M. of said day, at the Council Chambers in the City Building in the City of Idaho Falls, Idaho, be, and the same hereby are appointed and fixed as the time and place when and where objections to said Assessment Roll by the property owners in said District shall be heard, and that said Assessment Roll be filed in the office of the City Clerk”.

Councilman Creek seconded the adoption of said Resolution and the same on being put to a vote was unanimously carried by the affirmative vote of all Councilmen present. The Councilmen being as follows: Councilman Johnson, Councilman Foote, Councilman Creek, Councilman Petersen. Absent: None.

s/ Roy C. Barnes
City Clerk
Idaho Falls, Idaho

The following notice was then presented by the City Attorney:

NOTICE OF TIME TO FILE OBJECTIONS TO
ASSESSMENT ROLL OF LOCAL IMPROVEMENT
DISTRICT NO. 26 OF THE CITY OF IDAHO
FALLS, IDAHO

Pursuant to a Resolution and Order of the City Council of the City of Idaho Falls, Idaho, made on the 9th day of January, 1961, notice is hereby given that Monday, the 23rd day of January, 1961, at 8:00 P.M. of said day, in the Council Chambers in the City Building in Idaho Falls, Bonneville County, Idaho, have been fixed and appointed at the time and place of hearing and considering objections to the Assessment Roll of Local Improvement District No. 26 of any party aggrieved by said assessments.

JANUARY 9, 1961

YOU ARE FURTHER NOTIFIED that such Assessment Roll was filed in my office on the 9th day of January, 1961, and that the owner or owners of any property that is assessed in such Assessment Roll, whether named or not in such Roll, may, within ten (10) days from the first publication of this notice, file with the undersigned his objections in writing to said assessment.

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

Publish this Notice on January 11,12 and 13, 1961.

It was moved by Councilman Foote, seconded by Petersen, that the City Council approve the form of notice, as above indicated and that the City Clerk be authorized to publish on the dates as indicated. 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
