

OCTOBER 21, 1960

The City Council of the City of Idaho Falls met in Regular Session, Friday, October 21, 1960, at 8:00 P.M. in the Council Chambers at Idaho Falls, Idaho. There were present at said Meeting: Mayor W. J. O'Bryant; Councilmen Creek, Foote, Petersen, Johnson. Also present: Roy C. Barnes, City Clerk; George Barnard, City Attorney; Don Lloyd, City Engineer; Boyd Wright, Purchasing Agent; Bert Brown, Fire Chief.

Minutes of the last Regular Meeting held October 7th, 1960 were read and approved.

The Mayor announced that this was the time and the place for a zoning hearing on certain properties as described in a notice of zoning hearing, published in the Post Register October 2nd, 9th, 16th, 1960.

First to be considered was the following:

Lots 12 and 13, Block 1, Lot 11, Block 5, Lots 1 through 18, inclusive, Block 6, Lots 15 through 27 inclusive; Block 7, all in the Jennie Lee Addition; Division #3.

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

Next to be presented was the following:

Lot 1, Block 1, Highland Garden Center Addition.

No protests were registered. It was moved by Councilman Foote, seconded by Creek, that this be zoned C Limited Business with the understanding that a Garden Center be constructed as per building plans previously presented to the Building Official or the property revert to R-1. Roll call as follows: Ayes, 4; No, None; carried.

The Mayor instructed the Building Official to incorporate the foregoing zoning on the official zoning map, located in his office.

Mr. and Mrs. Denzil Clark appeared before the Council, explaining that they had presented a petition to the Board of Adjustments requesting that the following legally described property be rezoned to permit construction of four single family dwelling units:

Beginning at a point 20 feet East and 594 feet North of the Southwest corner of the Northeast quarter of Section 18, Township 2 North, Range 38, E.B.M. running thence North 66 feet, thence East 310 feet thence South 66 feet, thence West 310 feet to the place of beginning.

Mrs. Clark noted that the Board had denied the request do to lack of sufficient space, but recommended, instead, that they would approve the construction of a 4-plex and if the Clarks had a change of mind to so notify the Council. Mrs. Clark advised that they would agree to the latter. It was moved by Councilman Petersen, seconded by Johnson, that this property, therefore, be included in a notice of zoning hearing to be held November 18th, 1960. Roll call as follows: Ayes, 4; No, None; carried.

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Mr. Zane Hall appeared before the Council, explaining that he also had presented a petition to the Board of Adjustments requesting rezoning of Lot 3, Block 1, Edgemont Gardens Addition and that this had been denied. In the interim period, he pointed out, he had talked with at least one member of the Board, explaining to him the fact that this property bordered 17th Street and would not be conducive to building construction under R-1 zoning. The Board member said that, in his opinion, had the Board been aware of its location, different action would have resulted. Mr. Hall said that he was now appearing before the Council to request that official Council action be tabled until he had an opportunity to appear before the Board. To this the Council agreed.

The next recommendation from the Board of Adjustments meeting of October 20th was pertaining to the property of LaVern C. Krueger, Lots 23, 24, 25 and 26, Block 19, Capitol Hill Addition which involved rezoning. It was moved by Councilman Petersen, seconded by Foote, that this area be included in the next notice of zoning hearing to be held November 18th, 1960. Roll call as follows: Ayes, 4; No, None; carried.

Mr. R. W. Sorenson, Utah Oil Refining Company, appeared before the Council, protesting the existing ordinance which prohibits large gasoline transport trucks from delivering gasoline to service stations. He explained that in his Company's opinion, substantiated by various safety codes that he could site, larger and fewer deliveries were safer than smaller and more numerous ones, Fire Chief Brown interjected a comment to the effect that the thought behind the passage of the ordinance was to prohibit the large units on this City's narrow streets. Councilman Creek suggested, with Council approval, that this matter be tabled for further study in the presence of the Fire Chief and the Fire Prevention Inspectors.

License application for JOURNEYMAN GAS FITTER for D. E. Fairless was presented. It was moved by Councilman Johnson, seconded by Petersen, that the license be granted, subject to the approval of the Gas Inspector. Roll call as follows: Ayes, 4; No, None; carried.

License applications for JOURNEYMAN ELECTRICIAN for R. C. Timmons was presented. It was moved by Councilman Johnson, seconded by Petersen, that the license be granted, subject to the approval of the Electrical Inspector. Roll call as follows: Ayes, 4; No, None; carried.

The following claim was presented:

October 21, 1960

To the Honorable Mayor and City Council
Idaho Falls, Idaho

Gentlemen:

On October 18, 1960, while driving through the alley between Cassia and Jefferson, I hit a rock that was in the middle of the alley and covered with weeds. The City Street Department had recently graded the alley leaving the rock there and covered with weeds. This accident apparently damaged the oil pan, power steering on my automobile, which is a 1952 Chrysler.

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I have not been able to drive the car to a garage for an estimate of the damages and therefore cannot give an estimate at this time. My preference of garages makes no difference and I would be willing to have an estimate from someone of the City's preference.

I would appreciate your considering this claim for damage to my car and approving it for what ever expense is involved in correcting the situation resulting from the accident mentioned.

Sincerely,
s/ Harold Anderson
1135 Cassia
Idaho Falls, Idaho

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

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

October 12, 1960

City of Idaho Falls
308 C Street
Idaho Falls, Idaho

Attn: Roy C. Barnes, City Clerk

Re: Charles D. Clark -vs.-
City of Idaho Falls
Date of Accident: 9-3-60
Place: At 10th & St. Clair Rd.

Gentlemen:

We are in receipt of your referral of October 11, 1960.

Since this accident occurred September 3rd, and demand was not received until October 7th it is felt it falls beyond the statutory time for consideration and therefore suggest such claim be referred back to the maker.

Yours very truly,
s/ Gray I. Clawson
Adjustor

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It was moved by Councilman Petersen, seconded by Johnson, that the Bureaus recommendation be followed and the claim be denied. Roll call as follows: Ayes, 4; No, None; carried.

October 21, 1960

To the Honorable Mayor and City Council
Idaho Falls, Idaho

Gentlemen:

Included in our may closed utility accounts is a water account in the name of Maude Davis, 1269 Houston, (W-D-4) in the amount of \$15.55.

This is a small ill-kept home in Happyville with the only water facility being a tap away from the house on the back of the lot from which Mrs. Davis, while she was living there, carried buckets of water for her nominal needs. During the winter months she would acquire her water in this manner from a neighbor as it was a shorter haul and her tap was usually frozen.

Several months before she left the premises when the bill amounted to about \$6.00 a disconnect order was issued for non-payment. A man from the Water Department went out to effect the disconnect and Mrs. Davis instructed him to proceed, as the water facility was not that important to her. Finally, the Water Department representative reported back that it was impossible to disconnect this occasion as there was no shut off valve at the property line. He said the only means of accomplishing this would be to disconnect the entire community, dig down to Mrs. Davis' water line, install a shut off valve and then turn the water off. Even though we had Mrs. Davis' permission and instructions to proceed, it appeared not that important.

Since July of this year Mrs. Davis has been in a local rest home and very recently she had a heart attack from which she is not expected to recover.

Another closed utility account on which there would appear no hope for recovery is that of Frank McGill, 140 4th Street (K-96) who left these premises September 18th, 1958. The amount owing is \$60.00. Mr. McGill is deceased and a local collection agency reports that, to their knowledge, the widow is without assets and cannot be located.

It is the recommendation of your City Clerk that these two accounts be charged off as worthless and uncollectible.

Respectfully submitted,
s/ Roy C. Barnes
City Clerk

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The foregoing memorandum from the City Clerk was presented. It was moved by Councilman Petersen, seconded by Johnson, that the two closed utility accounts, as described, be charged off as worthless and uncollectible. Roll call as follows: Ayes, 4; No, None; carried.

This memorandum from the City Engineer was read:

October 21, 1960
Acct. No. 4B-28
Proposed 1961 St. Improvement

Honorable Mayor and City Council
Idaho Falls, Idaho

Gentlemen:

This memorandum is written with reference to a future street improvement district.

We are submitting herewith a map of the City showing streets which we feel need improvement. In many cases we have received requests for their development.

An approximate value of the improvements shown on this map will require a contract in the neighborhood of \$375,000. If the City participates in the same manner as in past improvement districts, the City's share is estimated to be \$58,000, with an estimated \$31,000 returned to the City for engineering costs.

On the attached map are the following approximate quantities:

Surfacing	4 Miles
Curb and Gutter	8 Miles
Sidewalks	6 Miles

These quantities are entirely flexible and can be increased or diminished at the discretion of the Council. In order to place any contemplated street improvements under contract during the next construction season, a decision is necessary at this time. A minimum of 6 months time is required to accomplish the field surveys and design work preparatory to letting a contract of this size.

Your early consideration and decision on this matter would be appreciated.

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

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It was moved by Councilman Foote, seconded by Johnson, that the Council go on record as favoring the formulation of a street improvement district in 1961 and the City Engineer be authorized to proceed with his planning accordingly. Roll call as follows: Ayes, 4; No, None; carried.

A second memorandum from the City Engineer was presented as follows:

October 19, 1960
Acct. No. 4A-1

Honorable Mayor and City Council
Idaho Falls, Idaho

Gentlemen:

In accordance with your instructions on October 7, 1960, we are submitting herewith our recommendation and estimate relating to a proposal from Mr. William McKinley to extend an irrigation siphon on the north side of 17th Street.

We find the existing culvert-siphon and wing walls to be constructed of a formed concrete section. The continuation of this siphon to the north property line will entail the removal of the existing head wall structure and drop section to obtain a surface that could be joined with a new pipe line. Approximately 25 additional feet of pipe would be required.

A manhole will be required behind the sidewalk to provide an access for cleaning and maintaining the siphon under the street. This manhole would project approximately two feet above the sidewalk level.

Our cost estimate for this work is \$800 and is itemized below:

Remove existing concrete headwall structure	\$100.00
36" reinforced concrete pipe - 25 L.F. @ \$15.00	375.00
Fabrication and encasement of connecting joint	50.00
Manhole behind sidewalk	<u>275.00</u>
Total Estimated Cost	\$800.00

Since monies for this type of project have not been budgeted and since this improvement is contemplated for the next street improvement district, we are recommending that this request be denied at this time. We feel the extension of this siphon structure should logically be designed and developed with the street improvements planned for the near future.

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

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It was moved by Councilman Johnson, seconded by Foote, that for the reasons as stated and described, the request be denied. Roll call as follows: Ayes, 4; No, None; carried.

The City Engineer then presented a plan which had been worked out with the approval and cooperation of the head of the Sanitation Department for a system of residential refuse collection whereby all refuse within a particular concentrated area be collected on a certain day, the entire residential area of the City to be so affected. It was moved by Councilman Johnson, seconded by Foote, that the program as presented by approved. Roll call as follows: Ayes, 4; No, None; carried.

October 19, 1960
Acct No. 4A-14
Woodruff Avenue Development

Honorable Mayor and City Council
City of Idaho Falls, Idaho

Bonneville County Commissioners
Bonneville County, Idaho

Gentlemen:

During a joint meeting of the Mayor and City Council and the Bonneville County Commissioners on August 30, 1960, the undersigned were instructed to prepare a master plan for the development of Woodruff Avenue and John Adams Parkway. We are submitting herewith for your review and approval the attached 5 year program which would complete the first stage development of these two arterials.

During the joint meeting the need for this development was discussed and recognized to be as outlined below:

1. Woodruff Avenue would provide a N-S connecting link between North Yellowstone Highway and Sunnyside Road. The only existing connections between these two thoroughfares now exist at Holmes Avenue and a County road to the east. Woodruff Avenue would provide this connection 1 ¼ miles east of Holmes.
2. Woodruff Avenue would promote desirable lines of traffic and relieve overloaded conditions existing presently on Holmes Avenue.
3. The cost of arterial street development is beyond that cost normally expected of sub-dividers and is therefore a community obligation to subsidize the development in some manner.
4. John Adams Parkway would provide a needed and desirable link from a residential development to the City center.

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With a plan for the development of these two arterials, it is anticipated that all rights of way will be deeded to the public without cost, with the possible exception of the Johnson property lying just north of 9th Street. Also, may we point out that the portion of the program which may be encompassed within the City limits would not be applicable for County participation.

Your early review and comments on this proposed plan would certainly be appreciated.

Respectfully submitted,
s/ Jay E. Painter
Bonneville County Engineer

s/ Donald F. Lloyd
City Engineer

DEVELOPMENT SCHEDULE
for
WOODRUFF AVENUE AND JOHN ADAMS PARKWAY

City Participation

County Participation

1961 Partial Woodruff Avenue bridge at Meppen Canal.

Construct 24 foot roadbed with base course from Highway south to 1st St., including miscellaneous structures.

Woodruff Avenue culvert for Crow Creek .

Phase I of John Adams Pkwy. bridge over Idaho Canal.

1962 Negotiate John Adams Pkwy. thru Johnson property.

Construct 24 foot roadbed with base course from 1st Street to St. Clair Road via Woodruff & John Adams, including miscellaneous structures

Complete bridge on John Adams Pkwy. at Idaho Canal.

Culvert on John Adams at St. Clair Road.

1963 Partial bridge for John Adams Pkwy. at Meppen Canal.

Construct 24 foot roadbed with base course from Woodruff to Meppen Canal, including miscellaneous structures

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	Pay R/W costs for John Adams Pkwy. thru Johnson property.	Construct 24 foot roadbed plus base course from 17 th St. south 1/2 mile, including miscellaneous structures
1964	Start negotiation for Woodruff Avenue thru Johnson property	Construct 24 foot roadbed with base course from Sunnyside Road north 1/2 mile, including miscellaneous structures
	Participation in surfacing Woodruff Ave. from 17 th to 12 th Street	Gravel surface Woodruff Ave. from Highway to 1 st Street
1965	Pay R/W cost for Woodruff Ave. Johnson property.	Construct 24 foot roadbed for Woodruff Avenue from John Adams to 9 th Street
	Participate in surfacing John Adams Pkwy. from St. Clair to Woodruff	Provide temporary surface treatment 1 st Street to Highway

This tentative schedule must necessarily be flexible, and therefore reviewed annually to meet changing conditions. The proposed improvements will require an annual expenditure of approximately \$15,000 from each government unit.

Approved by: _____ Date: _____
Mayor, City of Idaho Falls

_____ Date: _____
Chairman, Board of Bonneville
County Commissioners

Last to be presented from the City Engineer was the foregoing memorandum signed jointly by the City Engineer and the Bonneville County Engineer. It was moved by Councilman Foote, seconded by Creek, that the five year joint City-County program for the development of Woodruff Avenue be approved as described. Roll call as follows: Ayes, 4; No, None; carried.

The following memorandum from the Electrical Engineer was read:

October 18, 1960

To the Honorable Mayor and City Council
City of Idaho Falls

Gentlemen:

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On October 7, 1960, the Mayor and Council authorized this Division to select the firm of Cornell, Howland, Hayes, and Merryfield as the consulting engineers for a power system study involving the Upper and Lower Power Plants.

The reason for this study is two-fold: (1) the ever-present danger presented by the dam at the Upper Power Plant, and (2) the possible annual savings to be realized in the cost of operation in the Upper and Lower generating plants.

Attached to this letter is a letter written by Mr. Earl C. Reynolds, Jr. representing Cornell, Howland, Hayes, and Merryfield, in which he points out the type of study to be made and that this study could be completed by March 15, 1961. The cost to make this study, which would be handled on a fixed fee basis, would be \$6,500. They propose that payment be made upon completion of the study and that should it be necessary to defer the payment from April 1, 1961, that an interest charge of 6% per annum be allowed to cover their investment in the study.

For the fiscal year of 1960-1961, the Electric Light Division does not have budgeted \$6,000 for such a study, but this amount will be placed on the proposed budget for 1961-1962. In view of the very serious situation which persists at the upstream plant, it would be wise for the Mayor and Council to authorize the expenditure of these from the next fiscal year in order that the study could be completed and possible corrective action also be budgeted in the 1961-1962 fiscal year.

Therefore, I recommend that the Mayor and Council authorize Cornell, Howland, Hayes, and Merryfield to proceed with their electric power system study as presented in the attached letter.

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

cc: Don Foote
Alex Creek
Vernon Johnson
George Petersen

It was moved by Councilman Creek, seconded by Foote, that Cornell, Howland, Hayes, & Merryfield be selected as stated with the understanding that there be no interest charge to the City and that their fee be paid in full by July 1st, 1961. Roll call as follows: Ayes, 4; No, None; carried.

October 18, 1960

To the Honorable Mayor and City Council
City of Idaho Falls

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Gentlemen:

The attached quotation is for the necessary repair of five transformers which have been burnt by lightning. These transformers have been shipped to Salt Lake City, and Westinghouse has made an investigation and determined that re-coring would be wise. The total cost to re-core these five transformers would be \$1,029.50.

The cost to do the re-coring is standard in the industry, and therefore, this price is competitive.

It is necessary that these transformers be re-cored or that replacements be purchased in the immediate future.

Therefore, I recommend that the Mayor and Council authorize Mr. Boyd P. Wright, City Purchasing Agent, to issue a purchase order to the Westinghouse Electric Supply Company to re-core these five transformers.

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

cc: Roy Barnes
Don Foote
Alex Creek

After studying the foregoing memorandum it was moved by Councilman Johnson, seconded by Petersen, that the expenditure as explained be approved for re-coring five transformers. Roll call as follows: Ayes, 4; No, None; carried.

The Mayor noted that there is a vacancy in the Recreation Committee and duly appointed Mr. M.P. Coover as a member of that Committee. It was moved by Councilman Johnson, seconded by Petersen, that the appointment be confirmed. Roll call as follows: Ayes, 4; No, None; carried.

The Mayor read a letter from Mr. Blaine Sessions, residents engineer for the State Highway Department recommending an authorized truck route through the City. It was moved by Councilman Foote, seconded by Johnson, that the Mayor be authorized to reply and to approve the State proposal. Roll call as follows: Ayes, 4; No, None; carried.

The Mayor read a letter from the Bureau of Land Management announcing the retirement of Charles R. Nettleton as District Manager of the Idaho Falls office and Mr. Jesse Kirk, formerly District Manager at Ely, Nevada, as his successor. No action was required.

A letter was read from the Idaho Falls Junior Chamber of Commerce, requesting permission to proceed with plans for an Air Show in 1961 by their group. The Council went on record as assenting to such a project.

Two tax redemption deeds were presented in the names of Marion L. and Millie Cutler and Bertha Holverson. It was moved by Councilman Petersen, seconded by Johnson, that the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 4; No, None; carried.

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ORDINANCE NO. 985

AN ORDINANCE AMENDING SECTIONS I AND VI OF ORDINANCE NO. 929 OF THE CITY OF IDAHO FALLS BY PROVIDING THAT THE CERTAIN CODE KNOWN AS THE FIRE PREVENTION CODE RECOMMENDED BY THE NATIONAL BOARD OF FIRE UNDERWRITERS, EDITION OF 1960 BE ADOPTED BY THE CITY OF IDAHO FALLS FOR THE PURPOSE OF PRESCRIBING REGULATIONS GOVERNING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY FROM FIRE OR EXPLOSION, AND PROVIDING THAT CERTAIN SECTIONS OF FIRE PREVENTION CODE BE AMENDED AS TO THE REQUIRED STANDARDS WET FORTH THEREIN, AND PRESCRIBING WHEN THIS AMENDMENT SHALL BE IN FORCE AND EFFECT.

The foregoing ordinance was presented in title. It was moved by Councilman Petersen, seconded by Johnson, 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.

The City Attorney explained that Mr. Roy Laird has, sometime shortly prior to this meeting night reported to him, verbally, a claim for damages on his automobile driven by his wife as a result of the vehicle having hit a hole in the street in the vicinity of West Broadway and Skyline. Mr. Barnard said investigation revealed said hole resulted from a water connection service which was apparently backfilled improperly by a contractor other than City crews. The City Council asked that a written claim be presented to the City Clerk.

The City Attorney said that Mr. L. R. Bird is again protesting, and apparently not adhering to the terms of the trailer contract with the City, particularly with regard to egress via Saturn Avenue. The Council agreed that all terms of said contract must be enforced.

It was moved by Councilman Creek, seconded by Foote, that the front-end loader be acquired from the Southern Idaho Equipment Company and a snow remover be acquired from the Western Machinery Company. 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
