

SEPTEMBER 19, 1960

The City Council of Idaho Falls met in Recessed Session Monday, September 19, 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 Foote, Petersen, Johnson. Absent: Councilman Creek. Also present: Roy C. Barnes, City Clerk; Don Lloyd, City Engineer; George Barnard, City Attorney; Bert Brown, Fire Chief; Alva Harris, Building Official.

Minutes of the last Recessed Meeting held September 7th, 1960, were read and approved.

The Mayor recognized a group of men in the Council Chambers as members of the General Electric Practical Politics Class and thanked them for their presence and interest.

The Mayor announced that this was the time and place for a zoning hearing on various areas as advertised in the Post Register September 4th, September 11th, and September 18th, 1960. First to be considered was the following legally described property which includes the Skyline Lanes Bowling Alley:

Beginning at a point that is South 89° 27' 30" West along the section line 600.0 feet from the Southeast corner of section 14 T. 2. N., R 37 E.B.M. running thence North and parallel with the East side of Section 14 417.5 feet to the South bank of the Anderson Canal, thence Northwesterly along the South bank of the Anderson Canal 590.0 feet more or less, thence South 0° 0' 40" East 693.06 feet, thence North 89° 27' 30" East 475.0 feet to the point of beginning. Containing 5.1 acres more or less.

There were no protests. It was moved by Councilman Petersen, seconded by Johnson, that the South 300' X 475' adjoining West Broadway be zoned HC Limited Business and the remaining portion be zoned R-1. Roll call as follows: Ayes, 3; No, None; carried.

Next to be considered was the following commonly referred to as the Conrad Bischoff Tract:

Beginning at a point that is South 89° 30' 00" West. 25.0 feet and South 0° 23' 00" East 28.0 feet from the Northeast corner of Section 23, Township 2 North, Range 37, East of the Boise Meridian, said point of beginning being the South boundary line of U. S. Highway 91, and the West boundary of Skyline Drive, thence South 0° 23' 00" East, 200.00 feet; thence South 89° 30' 00" West, 200.00 feet; thence North 0° 23' 00" West, 200.00 feet; thence North 89° 30' 00" East, 200.00 feet to said point of beginning and containing 0.918 acres, more or less.

No protests were registered. It was moved by Councilman Petersen, seconded by Foote, that this property be zoned HC Limited Business. Roll call as follows: Ayes, 3; No, None; carried.

Protests were then invited on the Preston B. Ellsworth property, described as follows:

Beginning at a point that is South 89° 30' 00" West 30.0 feet, and South 0° 23' 00" East 228.0 feet from the Northeast corner of Section 23, T. 2N., R. 37 E.B.M., said point of beginning being the West boundary of Skyline Drive; thence S. 0° 23' 00" E. 170.0 feet; thence S. 89° 30' 00" W. 125.0 feet;

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thence N. 0° 23' 00" W. 170.00 feet; thence N. 89° 30' 00" E. 125.0 feet to said point of beginning, and containing 0.488 acres, more or less.

There being no protests it was moved by Councilman Foote, seconded by Johnson, that this be zoned R-3. Roll call as follows: Ayes, 3; No, None; carried.

A request was then given for protests on the Bowl-Ero property described as follows:

The East 125 feet by 333.47 feet of the following described property beginning at a point that is South 89° 51' 06" East 689.28 feet and South 28.22 feet from the Northwest corner of Section 20, Township 2 North Range 38 East of the Boise Meridian and running thence South 333.47 feet thence 89° 17' 10" East 448.48 thence North 0° 16' East 339.81 feet thence West 450.02 feet to point of beginning. Land bounded on the North by First Street on the West by Freeman Avenue, and East by Olive Avenue extending 333.47 feet back from First Street.

No protests were forthcoming. It was moved by Councilman Johnson, seconded by Petersen, that this be rezoned from R-3 to C Limited business, to be used for purposes of parking. Roll call as follows: Ayes, 3; No, None; carried.

Up for rezoning was the following, commonly known as the Grant Packer property:

Lots 10 and 11, Block 25 of the Scotts Addition.

The principal objector, Mr. Ruland Williams, appeared and it was noted that he had personally approved the plat for the proposed new construction on the property. There were no protests. It was moved by Councilman Foote, seconded by Johnson, that this be rezoned from R-1 to C Limited business, subject to the building proceeding in accordance with said plat. Roll call as follows: Ayes, 3; No, None; carried.

Next to be considered for rezoning was the following, commonly referred to as the M. M. Bass property:

Lots 18 and 19, Block 52 of the Crows Addition.

There were no protests but it was noted that this had previously been denied by the Board of Adjustments. Mr. Bass had requested a change of zoning from R-2 to R-3 to permit a three unit dwelling. Mr. M. M. Bass, 128 East 13th, appeared in his own defense, and presented an exhibit of the proposed remodeling. Mr. Harris reported that a petition was in his possession with more than 75% of the immediate property owners, favoring the request. Mr. Bass explained that remodeling had started with considerable expense after which a stop work order had been posted. This apparently, had resulted, due to the fact that the building inspectors office has received what they considered erroneous or incomplete information pertaining to the existing buildings and the size of the lot. Mr. Bass argued that there were many other such dwellings in the community and that perhaps consideration should be given toward rezoning the entire area. Councilman Johnson suggested that

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this question be given the Planning Commission for their study and that Mr. Bass be invited to attend. The Council agreed. Pending their recommendation on the matter, any rezoning of the Bass property was tabled.

The last parcel to be considered for rezoning was that of Mr. M. L. Cutler, legally described as follows:

Lots 1 through 7 inclusive, Block 16, of the South Park Addition.

There were no protests. Mr. Cutler appeared briefly to answer a few questions. It was then moved by Councilman Johnson, seconded by Foote, that this be rezoned from R-1 to R-3 to permit the construction of a professional building, subject to the Building Official's inspection to see that the building was erected in accordance with the plan as presented. Roll call as follows: Ayes, 3; No, None; carried. It was noted that this action complied with the Board of Adjustments recommendations.

On all of the foregoing, where specific Council action was taken on zoning or rezoning, the Mayor instructed the Building Official to incorporate same on the official zoning map, located in his office.

Building Official Harris presented a request from Mr. Louis Garland for a permit to construct a combination commercial and living unit at 625 Airport Road. Harris explained that Mr. Garland has agreed to annex a very small triangular shaped portion of the property to the City in the event Cheyenne Street is ever extended, although it was understood that there is no immediate plan for same. It was moved by Councilman Johnson, seconded by Petersen, that the permit be granted. Roll call as follows: Ayes, 3; No, None; carried.

License applications for BARTENDER for E. R. Hopper, 1100 Bower Drive, was presented. It was moved by Councilman Johnson, seconded by Petersen, that the permit be approved. Roll call as follows: Ayes, 3; No, None; carried.

License applications for POOL TABLES for Mead's Snooker Room, 216 1st Street and Ford's Cigar Store, 444 A Street were presented. It was moved by Councilman Johnson, seconded by Petersen, that these licenses be granted, subject to the approval of the Chief of Police. Roll call as follows: Ayes, 3; No, None; carried.

An extension rider to Lease CE 8263 from the Union Pacific Railroad was presented covering the purchase of power for railroad purposes. It was moved by Councilman Petersen, seconded by Johnson, that the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 3; No, None; carried.

The City Clerk read the following claim:

September 14, 1960

City of Idaho Falls
Idaho Falls, Idaho

Re: 982 HR 1346 O.M. KISSINGER
7/15/60 - SUBROGATION

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Gentlemen:

We have been informed that on or about July 15, 1960 our above named insured was traveling down Main Street in Idaho Falls when his car was sprayed with white paint by your painting contractor.

The information which we have indicates that you are responsible for this accident. Consequently we are enclosing herewith a copy of bill for the repair of our assureds car, which bill we have paid. May we have your check in settlement of this matter.

Your prompt reply will be appreciated.

Yours very truly,
s/ Claude E. Otto
Claim Manager

Encl. Weselch Chev. Bill \$25.00

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

The City Clerk read the following memorandum from the City Engineer:

September 19, 1960
Acct. No. 1A-2

Honorable Mayor and City Council
Idaho Falls, Idaho

Gentlemen:

In accordance with the Controller's recent memorandum requiring approval on all expenditures in excess of \$500.00, we are hereby submitting for your approval the following items of supply and a new Theodolite survey instrument.

| | | |
|--|---|----------------|
| 3 French Curves |) | |
| 2 Engineer's Scales |) | 40.00 |
| 4 Plastic Triangles |) | |
| 1 Gross of Electric Eraser Refills |) | |
| 3 Dozen Yellow Lumber Crayons |) | |
| 1 Gross Castell Lead Refills |) | |
| 1 #KE-ZE Theodolite with Tripod | | 946.00 |
| Less \$200.00 trade-in for David White Transit | | <u>-200.00</u> |
| | | <u>746.00</u> |
| | | \$ 746.00 |

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These items are listed on Purchase Requisition No. 1312. When approval is given, the Purchasing Agent will complete the necessary purchase order.

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

It was moved by Councilman Johnson, seconded by Foote, that permission be granted to acquire the engineering supplies and equipment as described. Roll call as follows: Ayes, 3; No, None; carried.

Another memorandum from the City Engineer was presented as follows:

September 19, 1960
Acct. No. 10A-22

Honorable Mayor and City Council
Idaho Falls, Idaho

Gentlemen:

In accordance with your instructions, we have prepared plans for the correction of the drainage problem at Skyline Drive and West Broadway.

We have asked for bids on this work and received the following bids:

| | |
|-------------------------------------|------------|
| Bateman Brothers Excavating Company | \$2,173.50 |
| Hartwell Excavating Company | \$2,186.75 |

In light of the low bid of the Bateman Brothers Excavating Company, we recommend that this firm be awarded the contract for this work.

Your early approval of this expenditure will be appreciated in order that this work can be done in the very near future.

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

It was moved by Councilman Johnson, seconded by Foote, that Bateman Brothers Excavating Company be awarded the contract as recommended and described. Roll call as follows: Ayes, 3; No, None; carried.

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The Mayor presented a request from the Police Department to acquire a Crown Graphic Camera at a cost of about \$453.00 instead of an ammunition re-loader which was a budgeted item. It was moved by Councilman Johnson, seconded by Foote, that they be given permission to proceed as described. Roll call as follows: Ayes, 3; No, None; carried.

The Mayor then noted that Chester Fancher received the high grade on a recent Civil Service examination and therefore the Fire Chief has recommended that he be raised to the rank of Lieutenant. It was proposed that two asbestos suits included in the budget be forgone to offset the increased salary which would result. It was moved by Councilman Petersen, seconded by Johnson, that the Mayor be authorized to effect this promotion with the confirmation of the Council. Roll call as follows: Ayes, 3; No, None; carried.

The Mayor read the following letter:

September 8, 1960

Mayor W. J. O'Bryant
Idaho Falls, Idaho

Dear Mayor O'Bryant

The Board is pleased to learn by your telephone conversation with Mr. Dixon that the City Council is agreeable to the salary increase for Mr. Clair Humphrey, Civic Auditorium manager.

We will expect to be billed by the City for our proportionate share of the \$360.00, 60% of this amount, effective September 1. Thank you for your consideration and concurrence in this matter.

Sincerely,
s/ Dean Dixon

No further action was considered necessary.

The Mayor read a letter from the Idaho Falls Women Golf Association, expressing appreciation for the manner in which the municipal golf course has been maintained this year.

The Mayor read the following:

August 3, 1960

To the Honorable Mayor
and City Council
Idaho Falls, Idaho

Re: City Parks

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Gentlemen:

We the members of the Central Safety Committee, recommend that a special inspection be made of all the City Parks. There are numerous conditions that exist at our Parks. It is requested that member or members of the City Council accompany this Inspection Team.

Respectfully yours,
s/ Mel Baird
Safety Committee Chairman

The Council concurred that such an inspection would be in order and advisable.

The Mayor announce a divisional meeting of the Idaho Municipal League at Ririe, September 27th, 1960.

The City Attorney presented a lease agreement with Emery McCarty covering terms and conditions for his non-commercial operation at the Airport. It was moved by Councilman Foote, seconded by Johnson, that the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 3; No, None; carried.

A lease agreement was then presented covering terms and conditions for a special boat landing, to be used in conjunction with an excursion boat operated on the fore-bay of the Snake River by Mr. Gerald Petersen. It was moved by Councilman Johnson, seconded by Petersen, that the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 3; No, None; carried.

The City Attorney then presented a lease agreement between the City and the Snake River Boat Club covering terms and conditions in connection with a boat landing above the upper power plant. It was moved by Councilman Johnson, seconded by Petersen, that the Mayor and City Clerk be authorized to sign. Roll call as follows: No, None; carried.

Finally, a maintenance agreement was presented in favor of the First Street Plumbing Company covering terms and conditions whereby that company will provide plumbing and heating maintenance at the Airport Administration building. It was moved by Councilman Johnson, seconded by Foote, that the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 3; No, None; carried.

Fire Chief Brown reported that, several times now, a vacant house at Elva and Royal has caught or been set on fire. The City Attorney advised that a local realtor has been attempting to sell the property. It was agreed that the City is in no position to wait for this to materialize and that the City Attorney should immediately take steps to condemn the property as a fire and safety hazard.

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
