

AUGUST 19, 1960

The City Council of Idaho Falls met in Regular Session Friday, August 19, 1930 at 8:00 P.M. in the Council Chambers at Idaho Falls. There were present at said Meeting: Mayor W. J. O'Bryant; Councilmen Creek, Foote, Petersen. Absent: Councilman Johnson. Also present: Roy C. Barnes, City Clerk; Don Lloyd, City Engineer; George Barnard, City Attorney; Alva Harris, Building Official; Boyd Wright, Purchasing Agent; Harold Davis, Electrical Engineer; George Aupperle, Controller.

Minutes of the last Recessed Meeting, held August 8th and Special Meetings held August 9th and August 10th, 1960 were read and approved. It was noted that the latter Meeting reconvened on August 11th and August 15th, 1960.

Mr. Harold Davis, Electrical Engineer, appeared before the Council to explain a problem which has arisen on frequencies. The Intermountain Gas Company has applied to the Federal Communications Commission for a frequency to operate a two-way mobile radio system, only to find from that agency that it will be on the same as that used by Boise and Pocatello which is only 30 Kilocycles from that used by this City. This would have a desensitizing effect. The Intermountain Gas Company has offered, with F.C.C. approval, to change the City frequency. To this the Council agreed. It was understood that the Gas Company will stand this cost.

Mr. Nick Smith of the investment firm of Edward L. Burton & Co., Salt Lake City, Utah, appeared before the Council and offered the services of his company as exclusive selling agent for the L.I.D. #26 bonds for a fee of 4% or \$4.00 a hundred of bonds sold. It was explained that this would guarantee certain services such as obtaining proper certification by qualified bond attorneys; preparing the prospectus and the bonds, and guaranteeing sale of the bonds for the best price obtainable, based upon market conditions at the time they are available for sale.

The Councilmen felt they should take no action on the offer until others have had an opportunity to present a proposal and until certain local men had been contacted to ascertain whether here is sufficient local buying interest to acquire the issue, in which case an outside selling agent would not be necessary.

The Council assured Mr. Smith that they would be able to advise him on the matter of Edward L. Burton & Co.

License application for MILK VENDOR for Nelson Stillwell of the Layton Jersey Farm, was presented. It was moved by Councilman Creek, seconded by Foote, that the license be granted, subject to the approval of the City Sanitarian. Roll call as follows: Ayes, 3; No, None; carried.

License application for CAB DRIVER for Jim Clark of the Falls Cab Co. was presented. It was moved by Councilman Foote, seconded by Creek, that the license be granted, subject to the approval of the Chief of Police. Roll call as follows: Ayes, 3; No, None; carried.

The City Clerk read the following claim:

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City of Idaho Falls
Municipal Airport
Idaho Falls, Idaho

Subject: Insurance Claim

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On August 12, 1960, I was proceeding out of the main entrance of the Municipal Airport Building at about 11:30 A.M. As I walked past the large cement pillar located in front of the building, my sport coat caught on an exposed wire end that was used to attach a (5 minute parking limit) sign to the pillar.

The resulting damage was a right angle tear on the upper arm of the coat approximately three (3) inches both ways. In view that a tear this size when repaired would still be very obvious, I feel that I have lost the remaining usefulness of this coat.

I purchased this coat approximately one year ago at a cost of \$40.00. I wish to submit a claim in the amount of one half that amount, or \$20.00.

s/ E. J. Beukelman
Idaho Falls, Idaho
P.O. Box 313

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

Two claim denial letters were presented from the General Adjustment Bureau and read by the City Clerk as follows:

August 18, 1960

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

Re: Demand of Bestway Building Center
vs. City of Idaho Falls
Date of Accident - 6/3/60

Gentlemen:

It is suggested that the claim placed by the claimant, Bestway Building Center on August 1, 1960 be denied on the basis of failure to meet the City Ordinance requiring submission of such claims within thirty days of accident. Date of Accident was June 3, 1960.

Yours very truly,
s/ Gray I. Clawson
Adjuster

August 15, 1960

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The Honorable Mayor & City Council
City of Idaho Falls
308 C Street
Idaho Falls, Idaho

Gentlemen:

We wish to acknowledge receipt of the letter dated August 6, 1960, submitted to you by Attorney Ariel L. Crowley, Idaho City, Idaho. It is our understanding that you received this letter on August 8, 1960.

The letter outlines a claim apparently sustained by the Franklin Factory Outlet, 344 Park Avenue, Idaho Falls, Idaho. Sometime during the winter apparently gravel was thrown against the window of the Franklin Factory Outlet Service, breaking same. Claim was submitted in the amount of \$180.94.

It is suggested that you deny this claim on the basis of late reporting. Attorney Ariel L. Crowley did not comply with the 30 day limit for filing claims against the City, therefore, this claim cannot be entertained at this time.

Yours truly,
s/ A. W. Knight
Manager

It was moved by Councilman Petersen, seconded by Foote, that the Bureau's recommendation be followed and the claims be denied. Roll call as follows: Ayes, 3; No. None; carried.

The next memorandum from the City Engineer was read as follows:

August 19, 1960
Acct No. 3B-51
Melbourne Park

Honorable Mayor and City Council
Idaho Falls, Idaho

Gentlemen:

During a Special Meeting of the Mayor and City Council on December 14, 1959, a proposal was accepted relative to participation in the paving of John Adams Parkway through the above named tract.

The proposal dated December 9, 1959 obligated the City to pay in the amount of \$5,911.65 to the Homer-Koster Company when the work was completed. Since Mr. Homer has requested

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payment, this office has inspected the work and found it to be satisfactory. We would, therefore, recommend to the Mayor and Council that this item be approved for payment.

An item for City participation in the amount of \$10,000.00 was allowed in the Street Department budget for development of arterial streets.

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

It was moved by Councilman Foote, seconded by Petersen, that the City Engineer's recommendation be approved as described in his memorandum. Roll call as follows: Ayes, 3; No, None; carried.

A memorandum from the City Engineer pertaining to Rosehill Cemetery was then considered as follows:

August 19, 1960
Acct No. 16A-2
Rosehill Cemetery

Honorable Mayor and City Council
Idaho Falls, Idaho

Gentlemen:

At the request of the Sexton, we are resubmitting a request for drainage facilities at the Rosehill Cemetery.

During March of this year the southwesterly portion of the cemetery was covered with 4 to 5 inches of water. It is felt that this situation could be corrected with the installation of approximately 500 feet of storm sewer and accompanying French drain.

Should the Council elect to correct this drainage problem, we suggest authorization for expenditures not to exceed \$800.00 for the equipment and materials necessary for the installation of this storm sewer French drain.

Respectfully submitted,
ENGINEERING DEPARTMENT
s/ Donald F. Lloyd, P.E.
City Engineer

cc: Sexton

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It was moved by Councilman Foote, seconded by Creek, that an expenditure not to exceed \$800.00 be made to correct the drainage problem at Rosehill Cemetery as described. Roll call as follows: Ayes, 3; No, None; carried.

Last to be considered from the City Engineer was the following:

Account No. 10A-25

Honorable Mayor and City Council
Idaho Falls, Idaho

Gentlemen:

In accordance with your instructions on July 22nd, we are submitting herewith a report of our investigation of storm sewers in the Brodbeck Addition.

A preliminary design has been completed which includes approximately 19,000 lineal feet of pipe ranging in size from 6 inches to 48 inches. This design will service the entire area between Holmes Avenue and the Butte Arm of the Idaho Canal and between 17th and 25th Streets. The project includes the areas of the Brodbeck, Rose Park, Keefer, and Bremer Homes Additions.

Simply stated, we contemplate a storm sewer installation to intercept all existing catch basins. These storm sewers would flow south and be intercepted in an outfall line along 25th Street, then southwesterly through the park area to empty into the lower portion of the Butte Arm branch of the Idaho Canal.

Our estimate of the total cost of this particular design would be approximately \$210.00. The project would service about 210 acres of area and includes 140 acres of assessable property. The total estimated cost then can be borne by private property. The total estimated cost then can be borne by private property at the rate of 3 ½ cents per square foot. For an average lot with dimensions of 62 feet by 125 feet, the cost would be \$272.00.

Although this design is not intended to be complete and final, we believe sufficient work has been done to indicate that this is entirely feasible and within reasonable economic limits.

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

It was agreed that this project would be acceptable to the City if the area residents as described wished to proceed with financing as described. It was understood that on the latter, they would have the option of remitting cash or forming an L.I.D. The City Clerk was directed to send copies of this

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memorandum to Mr. C. S. Lowrie and Mr. Talcott Hopkins, accompanied by a letter suggesting that, in the event the area residents elect to form an L.I.D. the City be notified as soon as possible so plans can be drafted accordingly.

ORDINANCE NO. 981

AN ORDINANCE CREATING LOCAL IMPROVEMENT DISTRICT NO. 26 OF THE CITY OF IDAHO FALLS, IDAHO; SETTING FOR THE BOUNDARIES THEREOF; PROVIDING THAT THE PURPOSE OF SAID DISTRICT IS TO PROVIDE SEWER SERVICE THEREIN; PROVIDING THAT SUCH IMPROVEMENTS SHALL BE MADE AND THAT THE COSTS AND EXPENSES OF SUCH DISTRICT AND THE IMPROVEMENT TO BE MADE THERE UNDER SHALL BE TAXED AND ASSESSED UPON ALL PROPERTY IN SAID DISTRICT IN PROPORTION TO THE NUMBER OF SQUARE FEET OF SUCH LOTS AND LANDS ABUTTING, ADJOINING CONTIGUOUS AND ADJACENT THERETO INCLUDED IN THE IMPROVEMENT DISTRICT FORMED AND IN PROPORTION TO THE BENEFITS DERIVED TO SUCH PROPERTY BY SAID IMPROVEMENT; FIXING THE POINTS BETWEEN WHICH SAID SEWER LINES ARE TO BE PLACED; SPECIFYING AND DESCRIBING THE LOTS AND LANDS WITHIN SAID DISTRICT WHICH ARE TO BE ASSESSED FOR SAID IMPROVEMENT; AND PROVIDING FURTHER THAT THE MAKING OF SAID IMPROVEMENT IS DEPENDENT UPON THE ISSUANCE AND SALE OF LOCAL IMPROVEMENT BONDS OF SAID DISTRICT TO DEFRAY THE ENTIRE COST OF SAID IMPROVEMENT.

The foregoing Ordinance was read in title. It was moved by Councilman Petersen, 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, 3; 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, 3; No, None; carried.

ORDINANCE NO. 982

AN ORDINANCE CREATING A YOUTH ADVISORY COUNCIL FOR THE CITY OF IDAHO FALLS, PRESCRIBING THE QUALIFICATIONS FOR APPOINTMENT THERETO, THE DUTIES AND AUTHORITY OF SUCH COUNCIL, AND FOR MEETINGS THEREOF.

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The foregoing Ordinance was read in title. It was moved by Councilman Petersen, seconded by Foote, 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, 3; 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, 3; No, None; carried.

In connection with the Youth Advisory Council just created by the foregoing passage of Ordinance #982 the following was presented:

Idaho Falls, Idaho
August 17, 1960

Mayor and City Council
City of Idaho Falls
Idaho Falls, Idaho

Gentlemen:

In accordance with your request, transmitted by Mayor O'Bryant on August 11, we herewith respectfully submit a panel of nominees to serve on the Youth Advisory Commission of the City of Idaho Falls. We have followed our earlier recommendation to you in that we have indicated that some of the Commission should at first serve only one year, so that at the end of that time, appointments will be made for two year terms, providing for continuity in the Commission.

One Year Term	Two Year Term
Eugene Bush, Bonneville County Attorney	C. G. Berggren, Idaho Falls Ministerial Association
Ira Corey, Probate Judge	Charles Brizzee, LDS Stake President
Doris Crowther, Idaho Falls Chamber of Commerce	John Casper, Bonneville County Health Unit
Al Heslop, Bonneville County Sheriff	Dwight Johnson, Sports Round Table
Major Ira Hood, Salvation Army	Parley Rigby, Member at large
Glenn Manion, Idaho Falls High School	Dewey Wilmot, Service Clubs

We have indicated after the name of each nominee the agency or group he or she represents. It is our conviction that the Commission will best operate with representation from these agencies and groups.

Respectfully submitted,
s/ Parley Rigby
s/ Dewey Wilmot
s/ Clifford Berggren
s/ Charles P. Brizzee

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The Mayor then proceeded to make the appointments accordingly. It was moved by Councilman Petersen, seconded by Creek, that the appointments be approved for the periods indicated. Roll call as follows: Ayes, 3; No, None; carried.

The Mayor related an incident involving a claim from Mr. George L. Roberts. His car was recently impounded for having been parked several days in an unauthorized place. He entered a claim in the amount of \$65.88 for personal possessions allegedly taken from the car. It was moved by Councilman Petersen, seconded by Creek, that the claim be denied and the City Attorney so advise on the grounds that said personal possessions could well have been taken from the car prior to impounding. Roll call as follows: Ayes, 3; No, None; carried.

The Mayor read the minutes of the Civic Auditorium Coordinating Committee dated July 6th, 1960 as follows:

Minutes of
CIVIC AUDITORIUM COORDINATING COMMITTEE - Idaho Falls, Idaho

July 6, 1960

A meeting was held by the Civic Auditorium Coordinating Committee on July 6th, 1960 in the Post Register with all members present, namely; Mr. C. P. Humphrey, Chairman, Mr. E. F. McDermott, Mr. Alf P. Olson, Mr. Don Foote, and Mrs. Hilda M. Compton, Secretary.

A discussion was held concerning some of the uses of the Civic Auditorium and as a result a proposal, which is recommended by the Committee for approval, setting forth the following:

1. That the Civic Auditorium shall not be used for those lesser occasions that may be accommodated by the use of the gymnasium, the band room, or the choir room.
2. The Committee referred to the item C in the Civic Auditorium Schedule dated August 1, 1958 which recites as follows:

"For each performance when admission is charged for any commercial enterprise or non-commercial enterprise, when sponsored by a non profit organization, the charge is \$125.00."

The Civic Auditorium Coordinating Committee recommends that the additional words be added, namely; School Clubs, School Societies or School Groups of any kind. (Charge is \$125.00)

3. The Committee approved the change in the "follow spot light" charge from \$2.25 to \$1.25.

The meeting adjourned.

Respectfully submitted,
s/ Hilda M. Compton
Secretary

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Copies sent to Mayor O'Bryant and to Dr. Dauchy Migel, School Board District #91 member.

It was moved by Councilman Foote, seconded by Petersen, that the Council go on record as favoring the recommendations incorporated in these minutes and that they be so adopted. Roll call as follows: Ayes, 3; No, None; carried.

The Mayor referred to a letter written by Robert B. McCall, Director of Traffic Safety and Driver Improvement Division, Department of Law Enforcement, which stated that this City had been furnished a program and planning kit on the subject of driver education by the State Traffic Safety Division. The Mayor said he had in his office the speaker's kit and urged the Councilmen to do everything in their power to see that it was used by qualified persons in an effort to further driver education in the schools, civic organizations, etc.

August 5, 1960

Dear Friend:

Under substantial urging of a wide factor of the business community the Department of Commerce and Development is making arrangements for an economic development trip into the San Francisco area on October 16 through 19. We want your area represented in the group and will appreciate all of the help that you can give to see that a good delegation from your County is in attendance.

We have much evidence that the promotional trip into the Los Angeles area last October developed an increasing interest in Idaho as a location for future business expansion. We feel that the San Francisco area will be just as fruitful.

You will be interested in knowing that even though plans for this trip are still in the initial stage, I have heard from more than thirty Idahoans who are scheduled to go.

Enclosed is a tentative schedule and we will augment this information for those who are definitely planning to make the trip.

Idaho needs your area represented on this trip and I hope you will personally urge industrial leaders to attend. If someone from your community is planning to be in California at that time on other business, perhaps he could be persuaded to devote one day to Idaho promotion in San Francisco. Please let us know if you and others will be able to participate and we will continue arrangements and contact you again soon.

Cordially yours,
s/ Robert E. Smylie
GOVERNOR

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The Mayor read the foregoing letter from Governor Smylie. Councilman Creek volunteered to discuss the economic development trip with Chamber of Commerce Manager Charles Stark.

A conditional sales contract was presented covering the purchase of an Austin-Western Grader in the amount of \$19,382.36 including carrying charges and a trade-in allowance for an Allis Chalmers Grader. It was moved by Councilman Foote, seconded by Creek, that the Mayor be authorized to sign. Roll call as follows: Ayes, 3; No, None; carried.

ORDINANCE NO. 983

AN ORDINANCE ANNEXING CERTAIN LANDS TO THE CITY OF IDAHO FALLS: DESCRIBING SAID LANDS AND DECLARING SAME A PART OF THE CITY OF IDAHO FALLS, IDAHO.

The foregoing Ordinance was read in title. It was moved by Councilman Petersen, seconded by Foote, 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, 3; 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, 3; No, None; carried.

August 11, 1960
Acct. No. 3B-82
Skyline Lanes, Inc.

Honorable Mayor and City Council
Idaho Falls, Idaho

Gentlemen:

This letter is written with reference to a request submitted to the Mayor and Council July 21st by this office for City participation in a 12 inch water main along West Broadway.

Permission was granted for the installation of this water main, but consideration for City participation was tabled for future consideration. We are resubmitting this request on the basis of participating in the cost difference between an 8 inch and a 12 inch installation, but not to exceed an amount of \$1,249.20.

It is understood, should this request be granted, that this payment will be made to Skyline Lanes, Inc. only when the installation is installed and proved, and funds are available from the City.

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Your consideration of this matter would be greatly appreciated.

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

The foregoing memo from the City Engineer was read. It was moved by Councilman Foote, seconded by Petersen, that the difference between an 8 inch and a 12 inch water line be borne by the City as described. Roll call as follows: Ayes, 3; No, None; carried.

The Mayor read an excerpt from the minutes of a Special Meeting of the Board of Adjustments August 19th, 1960 as follows:

A plot plan and petition were presented to the Board by Mr. Kirkendall, requesting a change of zoning, from R-3 to C Limited Business on a vacant piece of property 125' X 333.47', west of Olive and south of First Streets.

The purpose for the change was to provide parking for a new proposed Idaho Department Store adjoining the Bowl-Ero on the west. The Board made several recommendations.

- (1) That the Commercial zoning would not extend across Olive Street, to the east which is now zoned R-2 residence.
- (2) That the developers would provide a loading dock at the south side of the building to limit street congestion.
- (3) It was the opinion of the Board that this additional parking being less than the three (3) to one (1) requirement, would still be sufficient, due to the volume of parking at different hours of the day for each business.

After checking the plot and the location of the new proposed building, the motion was made by Del Miller, seconded by Henry Hance, that C Limited Business zoning be granted. This motion was unanimously passed by the Board that this petition be granted.

Harris said he had in his possession a petition of nearby residents approving this rezoning. It was agreed that this should be included with the areas to be advertised in a notice of zoning hearing meeting and it was agreed that the date of said Meeting should be September 19th, 1960.

The Mayor reported that he had letters in his office to each member of the Committee on Interior and Insular pertaining to the Burns Creek Hearing and asked the Councilmen to sign same prior to their being mailed.

Councilman Foote presented a letter from G. Bryce Bennett, State Highway Engineer, in which he indicated concern with regard to a local highway committee that had been formed as, in his estimation, it might possibly be in conflict with the objectives of the Metropolitan Transportation

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Committee. Foote has prepared a rough draft of a reply which explained that the local citizens Advisory Committee was formed for the purpose of making recommendations on proposals which would come from the Metropolitan Transportation Committee and would be in a position to resolve local controversy on any problem prior to public presentation. The reply reassured Mr. Bennett of the City's confidence that the Metropolitan Transportation Committee is the most logical agency to solve Traffic problems. Foote was given authority to reply accordingly to Mr. Bennett.

Councilman Petersen reported that a request has come to his attention from a party who desires to install a headstone in one of the cemeteries bearing a sacrilegious or atheistic inscription. This was tabled for investigation to determine whether or not the City can legally interfere.

It was announced that there is a possibility that Woodruff Avenue may, within the predictable future, be opened up by the County as a North-South arterial. Before proceeding further, the County Commissioners would like to meet with the City Council to determine their planning for canal bridges providing intra-City East-West traffic to Woodruff. It was agreed that this joint meeting be held for preliminary study as soon as possible.

Councilman Creek said that there had been a recent request that certain City equipment be borrowed for the purpose of constructing a "Cart" track in the County. This was denied by the Council.

Creek then presented two proposals covering Airport Administration Building maintenance as follows:

First Street Plumbing \$324.00 annual fee, covering all servicing of plumbing, heating, etc. Idaho Falls Electric, \$100.00 annual fee covering all servicing of electric installation.

It was moved by Councilman Creek, seconded by Foote, that these proposals be accepted and the City Attorney be instructed to prepare appropriate contracts accordingly. Roll call as follows: Ayes, Councilmen Foote, Creek; No, Councilman Petersen; carried.

Finally, Councilman Creek proposed a one way grid on a trial basis in the Highland Park Addition with the north boundary to, but not to include, Highland Drive; the south boundary to, but not to include, G Street; the west boundary to, and to include Sage Avenue; the east boundary to, and to include, Lake Avenue. It was moved by Councilman Creek, seconded by Foote, that this be accomplished and the Police Chief be authorized to issue a Police order accordingly. Roll call as follows: Ayes, 3; No, None; carried.

There being no further business to come before the Council, it was moved by Councilman Petersen, seconded by Foote, that the Council adjourn. Carried.

ATTEST: s/ Roy C. Barnes
CITY CLERK

s/ W. J. O'Bryant
MAYOR
