

APRIL 22, 1960

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The City Council of the City of Idaho Falls met in Recessed Session Friday, April 22, 1960 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, Johnson. Also present: Roy C. Barnes, City Clerk; George Barnard, City Attorney; Boyd Wright, Purchasing Agent; Alva Harris, Building Official; Don Ellsworth, Assistant City Engineer.

Minutes of the last Recessed Meeting, held April 7<sup>th</sup>, 1960 and a Special Meeting held April 15<sup>th</sup>, 1960, were read and approved.

The Mayor announced that there are several properties which are in need of zoning or rezoning and that these have received study and recommendation from the Planning Commission. He selected the date of May 20<sup>th</sup>, 1960 for a zoning hearing meeting. It was moved by Councilman Johnson, seconded by Petersen, that the City Attorney be instructed to prepare a notice accordingly, after which the City Clerk be authorized to publish same. Roll call as follows: Ayes, 4; No, None; carried.

Mrs. Mervin Coover, 160 North Morningside Drive, appeared before the Council as spokesman for a group, some of which were present, protesting the City's permitting the L.D.S. Hospital, whether it be by sale, lease, or any other arrangement to obtain river front park property for purposes of a parking lot. Others appearing in this regard were: Mr. Don Kruger, Mr. Ferris Clark, Mr. Alma Hanson, representing the American Legion, Mr. Eugene Smith, Mr. Lloyd Decker, Mr. Mervin Coover and others. Some of these had made a survey of existing parking facilities and had found them to be, in their way of thinking, adequate. Other arguments presented were the commercializing of City park property. The use of public property when private property is available, etc.

The Mayor thanked the group for appearing and giving the Council the benefit of their thinking, which will be taken into consideration when the time is right for a decision on the matter.

Mr. Albert Aumick, 1573 Summit Circle, appeared before the Council as spokesman for a rather sizeable group of West Side residents, also present, suggesting immediate action in the formulating of a West Side sewer district as a means of raising funds for lateral sewer lines etc. so that that area would be made available to the main trunk lines and, thus, the interceptor plant. Others appearing in this regard were Mr. Richard Davis, Mr. Neil Frandsen, Mr. Robert Boozer, Mr. Leonard Osborne, and others. In this connection a petition was presented with 121 signatures and a memorandum from the City Engineer was presented, explaining the problems involved as follows:

April 22, 1960  
Acct. No. 9B-53

Honorable Mayor and City Council  
Idaho Falls, Idaho

Gentlemen:

We are enclosing herewith a petition which appears to be of approved form, addressed to the Mayor and City Council bearing 121 signatures. This petition is urging an early start for construction of the proposed Westside Sewer Improvement District.

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As you are well aware, the need for such a district is acute for a good portion of the property owners within this area. The Mayor and Council have previously authorized this Department to prepare the plans and specifications for this district. Up to the present time we have been working on the design and plans as time and manpower would permit. The following is the approximate percentages of the work completed:

Field Work	85%	Complete
Design	90%	"
Plans and Specifications	40%	"
Office Administration & Assessments	5%	"

With the foregoing percentages in mind, it is our estimate that the time required to complete all work for this project and advertise for bids would be approximately 100 man days. Although this represents only about five months time for one man, with our present work load which is increasing every day, we are unable to keep a man working on this project continually. In fact, it often happens that many days go by with no work accomplished on this project.

With the River Crossing, Westside Interceptor Sewer, and the Skyline Trunk Sewer, the City has already invested or committed \$270,000.00 in anticipation of the completion of the Westside Sewer District. To the present time, these facilities are carrying no sewerage at all.

If the Mayor and Council wished to get this project under contract by fall of this year, the City Engineer would recommend that some provision be made for additional help in the Engineering Department so that at least one man can devote nearly full time to this project.

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

Councilman Foote then said a few words, explaining that the City Council is just as anxious to see this work proceed as those citizens present but that the trunk line project must be completed first.

The Mayor assured the group that this project would materialize just as soon as possible and that in the interim, perhaps within the next week or two a meeting would be scheduled with representatives from their group together with the City Engineer and Councilman Foote, to discuss and plan further toward the desired program.

Mr. Owen Bauer, manager of the C. C. Anderson Department Store, appeared before the Council representing the retail Council, several other members of which were present, protesting the existing business and commercial electric rates and presented a written study of local rates in comparison to rates in other towns and cities throughout the northwest where certain allied stores are located. Mr. Harold Babbitt of the H. L. Electric Company explained that their group recognized the fact that residential rates are as low as any in the area and that they feel commercial rates should be

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downward adjusted accordingly. Others of this group who appeared on the subject were Messrs. Lowell Page, Henry Hance, Gib Miller, and others. It was the feeling of this group that mill levy should be raised and commercial light rates lowered accordingly so that revenue would not be affected but that the load would be spread more evenly throughout the tax paying public of the City.

The Mayor advised that this matter was being given consideration and that, in fact, the Electrical Engineer was prepared this night to present a proposed commercial electric rate which would be more equitable. Recognizing that others waiting to be heard on other matters might not be interested and that the presentation might be time consuming, he invited these businessmen to accompany Mr. Davis to the Mayor's Chambers.

Mr. Ed Reno, 635 East 17<sup>th</sup>, appeared before the Council as spokesman for a group of 17<sup>th</sup> Street residents, also present, seeking information relative to the zoning problem across 17<sup>th</sup> from these residences on an area to be called the University Shopping Center. It was pointed out that he and his group were at a loss to know where to turn to register a protest, in view of the fact that this property has not to date been annexed into the City and the fact that the Planning Commission has apparently changed their thinking on the matter from their original decision. Councilman Petersen explained that the County Zoning Board would welcome a recommendation from the City Council and/or the Planning Commission. Mr. Reno explained further that his group strongly favored R-2 zoning as a buffer along 17<sup>th</sup> Street starting from the corner of 17<sup>th</sup> and Holmes and that the area to be zoned Commercial, in their estimation, should run south from that corner along Holmes. Mrs. June Munther, 625 East 17<sup>th</sup>, appeared and explained that they were of the opinion that this was originally to be the recommendation of the Planning Commission but that they had apparently reversed themselves.

It was then moved by Councilman Creek, seconded by Foote, that the City Council go on record as recommending to the County Zoning Board that there be a 170 foot strip including an alley bordering 17<sup>th</sup>, zoned R-2, and that the Commercial area be limited to a strip running south on Holmes. Roll call as follows: Ayes, 4; No, None; carried.

Mr. Earl Brunt of the Realtor firm of A. W. Brunt, appeared before the Council acting as spokesman for a small group, also present, to determine whether or not they could plan on the trunk line sewer being extended on 17<sup>th</sup> Street east of Woodruff for 1000 feet. It was explained that this project, if accomplished at all, must be financed from sewer bond construction funds and that it would be difficult to determine the answer until Memorial Drive was resurfaced as this expense must also come from this source. The Council agreed, however, that subject to funds being available or to the extent that they would be available, Mr. Brunt and his group could be assured that this project would be forthcoming.

Mr. Burt Brown, Fire Chief, appeared before the Council and explained that the Federal Communication Commission is requiring that all fire truck radio units be equipped with split channeling which would provide more accurate broadcasting control, and that one unit is already so equipped leaving six not so equipped. He explained that the cost of this installation will approximate \$324.00. The Council authorized Mr. Brown to proceed accordingly.

License applications were presented, previously approved by the Chief of Police, for SOFT DRINK: Mrs. Carl Jensen; MASTER PLUMBER: Reed Plumbing and Heating; ROOMING HOUSE:

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Rex Hotel. It was moved by Councilman Johnson, seconded by Petersen, that these licenses be approved. Roll call as follows: Ayes, 4; No, None; carried.

License applications were presented for ELECTRICAL CONTRACTORS: Davis Electric, Ray Griffith Electric, Bruce Wheeler, Jameson Electric, Babbitt Electric; JOURNEYMAN ELECTRICIANS: Thayne Monson, Edward Snider. It was moved by Councilman Johnson, seconded by Foote, that the licenses be granted, subject to the approval of the Electrical Inspector. Roll call as follows: Ayes, 4; No, None; carried.

The Madeline Brassell claim was presented and the City Clerk advised that the City Insurance Carrier had denied same, due to the fact that it had been filed in excess of thirty days after the alleged damage was sustained. It was moved by Councilman Johnson, seconded by Petersen, that the claim be denied. Roll call as follows: Ayes, 4; No, None; carried.

The following memorandum from the City Engineer was read:

April 19, 1960  
Acct. No. 12A-22  
25<sup>th</sup> Street Water Main

Honorable Mayor and City Council  
Idaho Falls, Idaho

Gentlemen:

This letter is written with reference to the Council's recent agreement to participate in a water installation by Mr. Arden Lee at 25<sup>th</sup> and Holmes Avenue.

In accordance with the Mayor's memorandum of November 10, 1959, this letter shall serve as required written agreement.

The amount of participation as calculated by this office shall not exceed the following:

8 inch pipe	118 L.F. @ \$ 1.10 = \$129.80
8 inch gate valve	1 each @ 37.50 = 37.50
8 X 6 inch reducer	1 each @ 15.00 = 15.00
8 X 12 inch cross	1 each @ 53.00 = 53.00
8 inch plug	1 each @ 3.30 = 3.30
12 inch plug	2 each @ 14.00 = 28.00

Total Participation \$266.60

It is recommended that the Council authorize the Mayor to sign this letter for the City's acceptance of this agreement.

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

cc: Arden Lee

APPROVED:  
s/ W. J. O'Bryant  
MAYOR

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

This memorandum from the City Engineer was then presented:

April 13, 1960  
Acct. No. 3B-70  
University Manor  
Water Main Participation

Honorable Mayor and City Council  
Idaho Falls, Idaho

We have been requested by the developer of the above named subdivision through his attorney, Mr. Sharp, to request the City's participation in the 8-inch water mains installed in this subdivision.

On November 6<sup>th</sup> of last year the Council established a policy requiring written agreement for any participation of improvements on the part of the City. However, the installation referred to here was installed prior to the establishment of this policy.

This Department did require an 8-inch line be installed, and in all probability related to the sub-divider the generally accepted policy of participation at that time. This is, that the City pays for the cost difference between the minimum 6-inch pipe and the 8-inch required by this Department. If allowed, the City's participation in this project as calculated on the basis of the unit prices previously established would total \$2,453.00.

Your early consideration of this matter would be appreciated.

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

cc: Mr. Sharp

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The Council was not entirely clear on the details of this proposition and so it was agreed that it be tabled until the City Engineer is available for consultation.

Next to be presented was the following recommendation from the City Engineer:

April 21, 1960  
Acct. No. 3B-67  
Westgate Addition

Honorable Mayor and City Council  
Idaho Falls, Idaho

Gentlemen:

With reference to the April 13<sup>th</sup> Minutes of the Planning Commission, we are attaching hereto a final plat of the Westgate Addition, Division No. 1.

We are recommending the Council authorize the Mayor and City Clerk to sign the City's approval on this addition subject to final checking by the Engineering Department.

We are withholding any recommendation on annexation of this area to the City until such time as the developer submits plans for his improvements.

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

Encl:

It was moved by Councilman Johnson, seconded by Petersen, that the final plat of Westgate Division No. 1 be approved. Roll call as follows: Ayes, 4; No, None; carried.

**ORDINANCE NO. 967**  
**JENNIE LEE #2**

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 Foote, seconded by Petersen, 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

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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. 968**  
**MELBOURNE PARK #3**

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 Foote, seconded by Petersen, 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. 969**

AN ORDINANCE AMENDING SECTION XIV OF ORDINANCE NO. 905 OF THE CITY OF IDAHO FALLS, TO PROVIDE A UNIFORM CHARGE FOR BURIAL SPACES AND SERVICES IN ROSEHILL CEMETERY AND FIELDING MEMORIAL PARK; PROVIDING WHEN THE AMENDMENT SHALL BECOME EFFECTIVE.

The foregoing Ordinance was read in title. It was moved by Councilman Foote, seconded by Petersen, 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 presented two City Redemption tax deeds covering two lots in Highland Park Addition in the name of Gary D. Hudman, Assignee of Mary Medran. It was moved by

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Councilman Petersen, seconded by Johnson, that the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 4; No, None; carried.

ORDINANCE NO. 970

AN ORDINANCE VACATING AND CLOSING THE ALLEY EXTENDING IN AN EAST-WEST DIRECTION ACROSS BLOCK SIXTEEN (16) OF THE MAYFLOWER ADDITION TO THE CITY OF IDAHO FALLS, BONNEVILLE COUNTY, STATE OF IDAHO, ACCORDING TO THE RECORDED PLAT THEREOF.

The foregoing Ordinance was read 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.

Deeds were presented in favor of Max Ker Lumber Company and S. L. Squires, said deeds of which have reference to the vacated alley covered by Ordinance #970, just passed. It was moved by Councilman Foote, seconded by Johnson, that the Mayor and City Clerk be authorized to sign both deeds. Roll call as follows: Ayes, 4; No, None; carried.

An ordinance was presented which would prohibit the keeping of bees within the City limits as follows:

ORDINANCE NO.

AN ORDINANCE PROHIBITING THE KEEPING OF BEES WITHIN THE CORPORATE LIMITS OF THE CITY OF IDAHO FALLS; PRESCRIBING THE PENALTY FOR VIOLATION OF THE ORDINANCE; AND PROVIDING WHEN THE ORDINANCE SHALL BECOME EFFECTIVE.

It was moved by Councilman Johnson, seconded by Foote, that this be passed on its first reading. Roll call as follows: Ayes, 4; No, None; carried.

The City Attorney presented the question as to whether or not the City Council felt that the City should obligate itself to inspect, police and otherwise control the transportation and delivery of butane gas within the City. It was moved by Councilman Johnson, seconded by Foote, that the City Attorney be instructed to prepare an ordinance accordingly with the understanding that this be added to the duties of the Gas Inspector, working with the Fire Department. Roll call as follows: Ayes, 4; No, None; carried.

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The Mayor presented the question regarding possible revision of the Zoning Ordinance which would broaden certain of its zoning categories. It was moved by Councilman Johnson, seconded by Foote, that the City Attorney be instructed to proceed on this matter and that the Building Official assist in an advisory capacity. Roll call as follows: Ayes, 4; No, None; carried.

The Mayor noted that he and the Council had made a thorough and complete study of a City personnel organization chart, prepared by the City Engineer. This instrument was officially approved and it was asked by the Mayor that a record be made accordingly in this Book of Minutes.

The Mayor announced that he was making one other appointment to the Mayor's Committee for the physically handicapped in the person of Mr. James Meikle. It was moved by Councilman Foote, seconded by Petersen, that this appointment be confirmed. Roll call as follows: Ayes, 4; No, None; carried.

The Mayor noted that the dog training group has again asked permission to use Kate Curley Park for their activities the first week in May. The Council objected to this but, instead, agreed to offer them the inside of the race track arena at Tautphaus Park.

The Mayor reported that bids had been opened April 20<sup>th</sup> in the presence of the Mayor, the Purchasing Agent and the City Engineer covering a sprinkling system at Tautphaus Park and that the following firms had entered bids:

Rogers Irrigation Supply	Horlan's
Annis Irrigation Company	Mel Brown
Reed Hardware	

It was moved by Councilman Foote, seconded by Petersen, that the low bid of \$5,500.00 from Rogers Irrigation Supply be accepted. Roll call as follows: Ayes, 4; No, None; carried.

The Mayor informed the Council that by a recent letter from the Idaho Municipal League, he was advised that he had been named on the Resolutions Committee. To this the Council agreed and gave their hearty endorsement.

The minutes of the Planning Commission dated April 13<sup>th</sup>, 1960 were studied and it was noted that there was one item needing Council attention as follows:

#### **LAMONT BAIR MOBILE HOME SITE**

A drawing of the proposed Lamont Bair Mobile Home Site was shown. This project lies within the area bounded on the west by Skyline Drive; on the east by the Andrew W. Olsen, L.A. Hartert and Co. and the Delmar Hennie properties; on the north by the David Smith, Harold J. Bishop and Charles Sleppy properties; and on the south by the Grace Garrett property.

After discussion, it was agreed to accept the proposed site as being feasible subject to planning for an adequate R-2 buffer between the site and areas on its boundaries. It was also agreed that residents along the northwest boundary have an opportunity of expression at an open meeting.

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Pertaining to Lamont Bair Mobile Home Site, it was moved by Councilman Petersen, seconded by Johnson, that the Council concur with the recommendation of the Planning Commission in this regard with the addendum that the buffer referred to be R-2 and that this Council recommendation be passed on to the County Zoning Board accordingly. Roll call as follows: Ayes, 4; No, None; carried.

The Retail Council group, having retired to the Mayor's Chambers earlier in this meeting to discuss the proposed commercial electrical rate with the Electrical Engineer, returned to the Council Chambers. In the absence of Mr. Bauer, Mr. Hance acted as their spokesman and reported that, in their estimation, the commercial electric rate proposed revision is a step in the right direction but that his group wanted to go on record as favoring a substantial raise in mill levy if necessary, as a means of giving the business concerns relief from what they consider exorbitant electric rates.

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

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