

OCTOBER 8, 1959

The City Council of the City of Idaho Falls met in Recessed Session Thursday, October 8, 1959 at 8:00 P.M. in the Council Chambers at Idaho Falls. There were present at said Meeting: Mayor W. J. O'Bryant; Councilmen Foote, Petersen, Johnson, Creek. Also present: Roy C. Barnes, City Clerk; Don Lloyd, City Engineer; George Barnard, City Attorney; Boyd Wright, Assistant Purchasing Agent; John Putnam, Chief of Police.

Minutes of the last Regular Meeting, held September 18th, 1959 and Special Meetings held September 28th, and October 1st, 1959 were read and approved.

Mr. Frank Ryset, representing the Veterans Council of Bonneville County and the American Legion, appeared before the Council, acting as spokesman for a representative group which were also present, appealing to the Council to give consideration to an earlier proposition whereby those groups would in some manner, acquire the armory building, located on Memorial Drive. It was explained that they had recently met with the County Commissioners who had agreed to levy one-half mill for its proper maintenance. The proposal was to effect an exchange of the American Legion Building for the Armory on an equitable basis. The Mayor and Council assured the group that this would be taken under advisement and meanwhile it was referred to the City Attorney to investigate the legality of such a transaction.

Bills against the City for the month of September, having been audited by the Finance Committee, were presented as follows:

<u>FUND</u>	<u>GROSS PAYROLL</u>	<u>SERVICES & MATERIALS</u>	<u>TOTAL EXPENDITURES</u>
General Fund	\$83,494.31	\$146,343.01	\$229,837.32
Fire Fund	18,879.18	730.43	19,609.61
Electric Light Fund	15,835.27	40,954.10	56,789.37
Water & Sewer Fund	10,770.05	60,861.50	71,631.55
Police Retirement	<u>1,883.74</u>	<u>.00</u>	<u>1,883.74</u>
TOTAL			\$377,867.85
		Police Retirement	\$1,883.74

It was moved by Councilman Johnson, seconded by Petersen, that the claims be allowed and the City Clerk be authorized to issue warrants from the respective funds for their payment. Roll call as follows: Ayes, 4; No, None; carried.

Monthly reports from Department Heads for the month of September were presented and, there being no objections, were ordered placed on file in the City Clerk's office.

Applications for licenses were presented as follows: BARTENDER: Donald A. Haught; SOFT DRINK: The Den, Bowl-Ero, Hong Kong Café. It was moved by Councilman Johnson, seconded by Creek, that the permit and licenses be granted. Roll call as follows: Ayes, 4; No, None; carried.

License applications for JOURNEYMAN GAS FITTER: Karl W. Harris; APPRENTICE GAS FITTER: Melvin Baron, J. Stotts were presented. It was moved by Councilman Foote, seconded by Creek, that these licenses be granted, subject to the approval of the Gas Inspector. Roll call as follows: Ayes, 4; No, None; carried.

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RESOLUTION (Resolution No. 1959-20)

WHEREAS, the City of Idaho Falls, did, under and pursuant to the provisions of Chapter 29, Title 50, Idaho Code, and by deed of the City Treasurer dated the 1st day of September, 1958, recorded in Book 116 of Deeds at Page 291, records of Bonneville County, Idaho acquire title to and possession of the following described real property, to-wit:

Lot Six (6) in Block Sixteen (16) of Dwight's Addition to the City of Idaho Falls, Idaho according to the recorded plat thereof.

WHEREAS WILLIAM LABRUM has offered to pay to the City of Idaho Falls the amount for which said property was sold to the City, together with all the installments of assessments subsequent to the one for which said property was sold and then due, together with penalties and interest thereon;

That the Mayor and City Clerk be, and they hereby are, authorized and directed, upon the payment of said sum of money by said purchaser to make, execute and deliver to the said WILLIAM LABRUM a deed to said property, pursuant to the provisions of Section 50-2951, Idaho Code.

PASSED BY THE COUNCIL this 8th day of October, 1959.

APPROVED BY THE MAYOR this 8th day of October, 1959.

ATTEST: s/ Roy C. Barnes
CITY CLERK

(SEAL)

s/ W. J. O'Bryant
MAYOR

The foregoing resolution, accompanied by a City Redemption Tax Deed, was presented. It was moved by Councilman Johnson, seconded by Foote, that the Mayor & City Clerk be authorized to sign both instruments. Roll call as follows: Ayes, 4; No, None; carried.

A sales contract between the Western Machinery Company and the City of Idaho Falls was presented, covering payment on two pack-mor units by February 15th, 1960. It was noted that these have already been purchased and delivered and that the contract in only requested so that the Western Machinery can transfer the amount owing out of open account. It was moved by Councilman Johnson, seconded by Petersen, that the Mayor be authorized to sign, providing the due date is changed and extended to July 1st, 1960. Roll call as follows: Ayes, 4; No, None; carried.

A petition was presented covering a request to rezone the following described property, owned by Herbert and Dorothy Lehman:

Lots Nineteen (19), Twenty (20), Twenty-one (21), Twenty-two (22), Twenty-three (23) and Twenty-four (24), Block Seventy-eight (78) of Highland Park Addition to the City of Idaho Falls, Idaho, per the recorded plat thereof.

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It was noted that said petition requests a change of zoning from R-1 to R-2 and was signed by Herbert and Dorothy Lehman. This was referred to the Board of Adjustments.

A summons was presented, covering alleged damages incurred by one Mark Hauge, claiming an injury due to a faulty sidewalk at 201 East 19th Street. It was moved by Councilman Petersen, seconded by Foote, that this be referred to the City Insurance Carrier. Roll call as follows: Ayes, 4; No, None; carried.

The City Clerk reminded the Council that the two notices of intention to lease City property to Monte Seeley and to Bruce Stoddard had been duly published according to law. It was moved by Councilman Johnson, seconded by Petersen, that the City Attorney be instructed to prepare an agreement in each case, covering said offer to lease, after which said lease would be presented for Council approval. It was noted that, in each case, the Council had previously agreed that \$100.00 a year with certain provisions for maintenance would be satisfactory. Roll call as follows: Ayes, 4; No, None; carried.

The following letter from the Gas Inspector was read by the Mayor.

October 8, 1959

To the Honorable Mayor and City Council
Idaho Falls, Idaho

Gentlemen:

The writer recommend the following men be appointed to the City Gas Board listed in the City Gas Code as Examining Board.

Mr. Wendell Sanderson	American Plumbing & Heating
Mr. Darrell Landon	Conan and Landon Heating
Mr. George Petersen	City Councilman
Mr. Lovell Harrop	Ahrco Heating (Bonneville Service)
Mr. Lloyd Little	Intermountain Gas Company
Mr. Henry C. Isenhardt	Secretary (Non-voting, advisory capacity)

These men are well qualified to serve in this capacity and have agreed to work towards a better and safer gas code for Idaho Falls.

It is felt that the Board should hear all complaints concerning the Gas Ordinance and the enforcement of same. Complaints to the Mayor and individual Councilmen could be referred to this Board and they in turn would study them and make their recommendation to the Mayor and City Council in writing. This Board will operate in an advisory capacity to the City Council in the same manner as the City Planning Commission.

s/ Henry C. Isenhardt
City Gas Inspector

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The new replacement members being Mr. Landon and Mr. Little, the Mayor made these appointments accordingly. It was moved by Councilman Johnson, seconded by Creek, that the appointments be confirmed, after which the Gas Board would consist of members as indicated in the letter. Roll call as follows: Ayes, 4; No, None; carried.

The Mayor read a letter from R. J. Smith of the Bank of Commerce, which stressed the need for a cross walk across North Yellowstone, in front of their new establishment. This was referred to the Traffic Safety Committee with the suggestion that they, in turn, review it with the State Highway Department.

September 30, 1959

City of Idaho Falls
Idaho Falls, Idaho

Gentlemen:

By letter of May 8 you were advised of the acceptance, on behalf of the United States, of a lease covering a parcel of land described as the North 50 feet of Lot 11, Block 4, Capitol Hill Addition, Idaho Falls, Idaho, together with building thereon, and of the renewal of that lease through June 30, 1960.

We are advised that the building on this property was razed by the City of Idaho Falls sometime in June and was therefore no longer available for use by this Bureau. In the circumstances we will consider the lease terminated as of June 30, 1959.

Sincerely yours,
s/ _____
Regional Director

The Mayor read the foregoing letter. It was moved by Councilman Foote, seconded by Creek, that the lease be officially terminated as of June 30th, 1959 and that any pro-rata rent, if any, be refunded. Roll call as follows: Ayes, 4; No, None; carried.

Councilman Foote read a letter of appreciation from Roy E. Swanson, 1095 Lovejoy, speaking for himself and other interested parties, relative to the City's participation and efforts in the removal of an irrigation ditch which was routed along the back yards of certain properties on the north side of Lovejoy Street.

The Mayor again brought up the fact that Mr. Byron Howell is interested in acquiring a small piece of City owned property, adjoining his property at 981 W. Elva. This was originally presented July 17, 1959. It was moved by Councilman Johnson, seconded by Petersen, that the City Attorney be instructed to prepare a notice of auction sale after which the City Clerk be authorized to publish same. Roll call as follows: Ayes, 4; No, None; carried.

Chief of Police Putnam presented a plan, previously approved by the Traffic Safety Committee, for the installation of pedestrian walk and wait signals at the intersection of

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Yellowstone and D Streets. It was noted that no new equipment need be to purchased in this regard. To this the Council agreed.

Mr. Merlin Clark, represented by his attorney, Mr. R. Vern Kidwell, appeared before the Council requesting that certain City owned land be leased to him for a 15 year period, part of which is now being used by him without lease, said land being in the vicinity of his concrete plant and the City dog pound. In this regard it was noted that about a mile of trunk line sewer has recently been installed through his property and that a written easement for same has not as yet been acquired. It was his hope and desire that consideration for the lease could be represented by said easement. In this connection, Mr. Clark protested the present location of the dog pound, as it is offensive to his business site. He agreed, if the City saw fit to move it, to provide at his expense, a new concrete slab, and to move the building and dig the trenches for the utilities. The Councilmen agreed to visit the grounds to better study all of these problems and proposals and, meanwhile, City Attorney Barnard and Mr. Kidwell were authorized to confer with regard to the drawing up of a mutually satisfactory, appropriate and legal lease agreement.

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
