

SEPTEMBER 18, 1959

The City Council of the City of Idaho Falls met in Regular Session, Friday, September 18, 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 Creek, Foote, Petersen, Johnson. Also present: Roy C. Barnes, City Clerk; Don Lloyd, City Engineer; R. Vern Kidwell, City Attorney; George Aupperle, Purchasing Agent; John Putman, Chief of Police.

Minutes of the last Recessed Meeting, held September 8, 1959, were read and approved as amended.

The Mayor read a memo from the Building Official which pointed out the areas to be included in the next zoning hearing and the contemplated zoning and/or rezoning of same. It was moved by Councilman Johnson, seconded by Foote, that the zoning hearing meeting be held October 16th, 1959. Roll call as follows: Ayes, 4; No, None; carried.

Mr. Kent Everett, 296 Alpine Drive, appeared before the Council acting as spokesman for a group of citizens who were also present. He presented a petition with 482 signers representing residents in the Willowbrook and Hillcrest Additions, protesting the construction of an alfalfa mill at the Jack Thomas Livestock yards because of the disagreeable dust, odors etc. which would develop. The petition also requested the City to compel the Idaho Falls Animal Products Company and the Idaho Falls Livestock Company to maintain their promise to prevent objectionable odors from being discharged from their respective premises.

City Attorney Kidwell explained that it is not within the City's power to rezone against an existing location. Complaints should be filed and presented in Police Court. The loud speakers at the Livestock Company were also discussed. Mr. Kidwell said he would be glad to check on this matter.

Mr. John Schwantes, engineer for Lawn Dale Estates, appeared before the Council and asked that reconsideration be given toward approving the Lawn Dale Estates plat. After some discussion with regard to size of lots, it was moved by Councilman Johnson, seconded by Petersen, that the plat be approved. Roll call as follows: Ayes, 4; No, None; carried.

Mr. Paul Crowder appeared before the Council and presented a proposal whereby he would be placed on the payroll to service all City radio equipment, and other work as time permitted. This was taken under advisement.

License and permit applications were presented for BARTENDER: Gene Wynia; SOFT DRINK: Hiway Drug, North Hyway Café, Mary's Café, Idaho Aviation Center; DRAIN TILE LAYER; Hartwell Excavating Co. Clyde G. Charles; PHOTOGRAPHER; William Melville, Melville's. 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.

NOTICE OF COMPLETION OF PUBLIC WORKS

Notice is hereby given that the contract with Kloefer Construction Company, 900 East Center Street, Logan, Utah, dated July 18, 1958 for the construction of Phase I Interceptor Sewers, consisting of the installation of concrete sewer pipe along Sunnyside Road, South Boulevard, 17th Street, St. Clair Road, and certain connecting private properties, together with the necessary appurtenances, was accepted as completed on September 14, 1959.

Any person, company or corporation who has furnished labor, materials or supplies used on the work, payment for which has not been made, shall file with the City of Idaho Falls, Idaho,

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within 90 days from the date of completion, an itemized statement of his claim for all amounts due and unpaid by the contractor.

Failure on the part of any claimant to file his claim within 90 days after completion shall constitute a waiver against the surety.

s/ Roy C. Barnes
City Clerk
City of Idaho Falls

Published September 21, 22, 23, 24, and 25, 1959.

The City Clerk presented the foregoing. It was moved by Councilman Foote, seconded by Creek, that the project, as described, be officially proclaimed as completed and the City Clerk be authorized to publish the notice. Roll call as follows: Ayes, 4; No, None; carried.

The following claim was presented:

September 17, 1959

The Honorable Mayor and City Council
City Building
Idaho Falls, Idaho

Re: Elizabeth Patton

Gentlemen:

This letter is in compliance with law and to inform you that on the 18th day of August, 1959, Mrs. Elizabeth Patton tripped and fell on a faulty place in the sidewalk in front of 353 N. Ridge Avenue in Idaho Falls.

As a result of this fall, Mrs. Patton suffered a fracture of an arm requiring hospitalization and the application of a cast.

We are therefore, making demand upon the City for damages sustained by Mrs. Patton. We will be open for negotiations of this matter at any time.

Yours very truly,
BLACK AND RIDDLEMOSER
s/ Jack C. Riddlemoser

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

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A letter was presented from Mont Seeley, 1534 Beverly Road, requesting permission to lease the farm known as the "Mori Place", located in the clear zone at the airport, for pasture land. It was moved by Councilman Foote, seconded by Creek, that a one year lease would be acceptable with option to renew, that the City Attorney be instructed to prepare a Notice of Intention to lease, after which the City Clerk be authorized to publish same. Roll call as follows: Ayes, 4; No, None; carried.

Idaho Falls, Idaho
September 10, 1959

Mayor W. J. O'Bryant
308 C Street
Idaho Falls, Idaho

Dear Sir:

We have been asked by the Rogers Hotel to furnish an extension telephone from the hotel switchboard to the City parking lot at Yellowstone and A Street for the convenience of hotel customers.

We would like to provide this service by attaching an outdoor telephone to the utility pole in the alley between A and B Streets (see attached drawing). This pole is equipped with electrical conduit and a meter to provide lighting for a sign for the telephone.

We have been advised by your Mr. Moore that this arrangement is feasible but attachment to the power pole must be approved by the City Council.

We would appreciate your consideration in this matter.

Yours very truly,
s/ E. M. Murphy
Manager

Attachment

This letter was read and referred to the Electric Light Committee.

The following letter was read:

September 10, 1959

Mayor Jack O'Bryant
City Hall
Idaho Falls, Idaho

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Dear Mayor:

We note with interest the paper release of September 9 of your Council Meeting activity of the prior night relative to the request of the Jr. Chamber of Commerce for the Highland Park facilities for a fire works display, July 4th, 1960.

Our Club sponsored the fire works display at Highland Park on July 4th, 1959 which was very successful and drew an audience of approximately 2,400 people. The activity definitely filled a civic need.

We feel that we should again have consideration for the fireworks display for the 4th of July, 1960.

We gained considerable experience in this performance; have developed the "know how"; and because of our prior position in this function, we feel we should be entitled to repeat this program again next year.

Sincerely,
s/ Sam H. Bennion
President

This was referred to the Parks Committee.

The City Clerk read this letter:

September 16, 1959

City Clerk
City of Idaho Falls
Idaho Falls, Idaho

Dear Mr. Barnes:

I have a client who is interested in purchasing the certain real property adjacent to the old City dump, which property is described as Blocks 18, 19, and 20, Highland Park Addition.

If such property is not needed for any specific public purpose, it would be appreciated if you would ask the Council to have such property inspected, with a view towards determining a price for which such land might be purchased.

Very truly yours,
s/ Reginald R. Reeves

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It was agreed that, until the old garbage dump is entirely removed, real estate in this area would be appraised at only nominal values in relation to true worth. It was moved by Councilman Johnson, seconded by Petersen, that the request be rejected. Roll call as follows: Ayes, 4; No, None; carried.

ORDINANCE NO. 951

AN ORDINANCE AMENDING SECTION II OF ORDINANCE NUMBER 852 OF THE ORDINANCES OF THE CITY OF IDAHO FALL, IDAHO; DIVIDING SAID CITY INTO DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN; SETTING FORTH THE PURPOSES OF THE ZONING ACCOMPLISHED THEREBY AND THE REGULATIONS AND RESTRICTIONS IMPOSED WITHIN SAID DISTRICTS; CHANGING THE ORIGINAL BOUNDARIES OF CERTAIN DISTRICTS BY THE INCLUSION OR THE EXCLUSION THEREOF OR THERE FROM OF CERTAIN TRACTS OF LAND; PARTICULARLY DESCRIBING SAID TRACTS OF LAND; AND DESIGNATING THE DISTRICTS IN WHICH THEY SHALL HEREAFTER BE INCLUDED; PROVIDING THAT A DISTRICT MAP DESIGNATING SAID DISTRICTS SHALL BE MAINTAINED IN THE OFFICE OF THE BUILDING INSPECTOR SHALL CAUSE SAID DISTRICT MAP TO CONFORM WITH THE PROVISIONS OF ORDINANCE NUMBER 852 AS AMENDED HEREIN; PROVIDING THAT ORDINANCE NO. 852, EXCEPT SECTION II THEREOF, SHALL REMAIN UNCHANGED; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH: PROVIDING WHEN THE ORDINANCE SHALL BECOME EFFECTIVE.

The foregoing Ordinance was read in title. It was moved by Councilman Foote, 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.

Councilman Creek described the inadequate wiring situation at the City Garage and asked permission to get bids for a rewiring job. It was moved by Councilman Johnson, seconded by Foote, that this request be granted. Roll call as follows: Ayes, 4; No, None; carried.

A sales contract was presented between Charles S. and Helen Reed and the City of Idaho Falls involving sale of their property (7.77 acres) to the City for \$25,000 with terms as follows: \$10,000 cash and \$15,000 plus interest on or before January 1, 1960. It was moved by Councilman Johnson,

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seconded by Foote, that the Mayor be authorized to sign. 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
