

JULY 17, 1959

The City Council of the City of Idaho Falls met in Regular Session Friday, July 17, 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 Johnson, Creek, Foote, Petersen. Also present: Louise Anderson, Deputy City Clerk; R. Vern Kidwell, City Attorney; Alva Harris, Building Official; Bert Brown, Fire Chief; George Aupperle, Purchasing Agent; Don Ellsworth, Assistant City Engineer.

The minutes of the Recessed Meeting held July 8, 1959 were read and approved.

Mr. Lloyd Hill, representing the Off Street Parking Association, appeared before the Council with a new proposal. Said proposal being, the City entering into a lease or lease purchase agreement of the Eastern Avenue parking lot now owned by the Off Street Parking Association. According to Mr. Hill, the City has been and still is paying \$100.00 per month for the Cliff Street parking lot. It is proposed that as soon as the Cliff Street parking lot is paid off, they could have the same agreement on the Eastern Avenue lot. Mr. Hill also mentioned the possibility of the City removing the 48 parking meters now on the Eastern Avenue lot and install them on the Cliff Street lot, thus making the Eastern Avenue lot free parking thus alleviating the curb parking in that area. Mr. Hill mentioned that it was assumed by the Off Street Parking Association that cleaning up and removing the snow from the lot was the obligation of the City, but that this was not in the written agreement. It was called to Mr. Hill's attention that on the new parking lot there are several curb cuts, some of which have been abandoned, it was felt that these could present a hazard to pedestrians. It was also called to Mr. Hill's attention, that no permits had been taken out when the new curb cuts were made. Mr. Hill assured the Council that they, the Off Street Parking Association, were under the impression that the contractor had secured all the necessary permits and they would look into this situation. These matters were referred to the Street and Alley Committee.

Mr. Morse, Arcadia California, speaking as a visitor to Idaho Falls spoke in regard to the removal of the entire center strips on Memorial Drive to be replaced by parking meters. As a visitor to Idaho Falls he mentioned how impressive these strips were and in behalf of other visitors to Idaho Falls registered a plea to replace at least a narrow strip instead of making it all parking. Councilman Petersen informed Mr. Morse that our need for parking has been so great that we have to get more downtown parking. This will be free parking. The Mayor commented to the fact that the memorial plaques will be placed in a suitable place in the park across the street, by the River. The Council thanked Mr. Morse for his comments and interest in our City.

Applications for JOURNEYMEN ELECTRICIANS: Edwin C. Zollinger, Kenneth J. Fisher, Clarence Shore were presented. It was moved by Councilman Johnson, seconded by Creek, that the licenses be granted subject to the approval of the Electrical Inspector. Roll call as follows: Ayes, 4; No, None; carried.

A license application for an APPRENTICE GAS FITTER: Wendell Richardson was presented and previously approved by the Gas Inspector. It was moved by Councilman Johnson, seconded by Petersen, that the license be granted. Roll call as follows: Ayes, 4; No, None; carried.

Mr. Jack Moir, Bonneville County Fair Board, requested the annexation of the Bonneville Fair Grounds to the City. He explained that lower insurance rates could be acquired if this property was annexed to the City. The Mayor referred this to the City Engineer. Mr. Don Ellsworth, Assistant City Engineer, being present informed Mr. Moir that said property was annexed to the City some time ago. Mr. Jack Moir then asked if some arrangement might be worked out to have the City machine take care of the hill by this area mentioned in the above request. Mr. Moir was told that the City had

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one machine, mower, and that it traveled in the City using up all available time. Mr. Moir thanked the City for their information in this regard.

The Deputy City Clerk presented two bids, previously opened, on a motor sweeper and asked for Council action on the acceptance of the low bidder, Southern Idaho Equipment. It was moved by Councilman Foote, seconded by Creek, that the Purchasing Agent be authorized to send the lease option agreement and the Mayor be authorized to sign said agreement. Roll call as follows: Ayes, 4; No, None; carried.

Councilman Creek asked that the Council substantiate the \$4.00 per square yard charge for oil patching on street repairs, rather than by per hundred weight as formerly charged. The change in charges had previously been discussed at the Council Meeting held on July 8, 1959 and referred to Councilman Creek and Street Commissioner Grover Bennett for further study. It was moved by Councilman Creek, seconded by Johnson, that the \$4.00 per square yard change be substantiated. Roll call as follows: Ayes, 4; No, None; carried.

The Mayor presented a lease agreement between the City of Idaho Falls and the Smith Chevrolet Company covering the leasing of one four door sedan for the Police Department for a twelve month period at \$115.00 per month. It was moved by Councilman Johnson, seconded by Creek, that the Mayor be authorized to sign said lease. Roll call as follows: Ayes, 4; No, None; carried.

July 14, 1959

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

Gentlemen:

The undersigned Idaho Falls Country Club, Inc., respectfully requests that the alley across Block Two (2) of Capitol Hill Addition in the City of Idaho Falls, Idaho, be vacated for the sole and exclusive use of the Idaho Falls Country Club, Inc., and that this application be heard at the next Regular Meeting of the City Council.

Respectfully,
Idaho Falls Country Club, Inc.
s/ G. W. Miller
President

The foregoing letter was read by the Mayor. It was moved by Councilman Johnson, seconded by Foote, that the alley be vacated and the City Attorney be authorized to prepare an ordinance. Roll call as follows: Ayes, 4; No, None; carried. The City Attorney called attention to Ordinance No. 623, in which said alley had been vacated some time ago.

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July 9, 1959

City Councilmembers
City of Idaho Falls
Idaho Falls, Idaho

Dear Councilmembers:

This letter is to request the replacement of one girl's bicycle valued at \$50.00. The bicycle to be replaced was smashed beyond repair when it was run over by one of the City's garbage trucks.

The accident happened on the corner of Wheeler and Royal in North Bel-Aire at the time when Pauline Cox was run over and killed. My little girl (Sheila Swensen) was also a passenger on the bicycle and narrowly escaped being run over and crushed too.

I feel that due to the inquest ruling of negligence on the part of the City garbage crew, we should receive restitution for the cost of the said bicycle.

I would appreciate your consideration on this matter because at the present time, I am unable to replace my daughter's bicycle.

Thank you.

Sincerely,
s/ Ray C. Swensen
927 Quincey Avenue
Idaho Falls, Idaho

The foregoing letter was read by the Mayor. It was moved by Councilman Foote, seconded by Johnson, that the claim be referred to the City's insurance carrier. Roll call as follows: Ayes, 4; No, None; carried.

The following letter was read by the Mayor:

July 8, 1959

To the City of Idaho Falls, Idaho

City Council

On July 7th, 1959, playing a round of golf at the municipal golf course in Idaho Falls, in company of Otto Korte and Jerry Christensen of Shelley, Idaho, I stepped into an unmarked watering hole and severely injured by left leg and knee. I reported this to Mr. Kidwell, City

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Attorney so he could take steps to have them (the unmarked watering holes) marked to avoid other accidents of this sort.

This is to notify the Council in case of complications.

Yours truly,
s/ Carl J. Jensen

No action was considered necessary, but it was the suggestion of the Council that the Golf Course men be advised to trim around these holes to make them more visible.

The following letter accompanied by a photograph was presented by the Mayor.

July 10, 1959

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

Dear Mr. O'Bryant:

In conjunction with our conversation this morning I am submitting the details concerning the construction of a 40 foot outdoor display on the roof of the Money Saver Market at West Broadway and River Parkway.

This unit ties in with the one on the Boise Payette parking lot in that it will be a leg of our rotary plan enabling our accounts to have their location changed every 60 days.

Dimensions are 40 feet long by 15 feet high. It is of all steel construction and is engineered by Butler Steel Corporation. It will offer night-time illumination and all construction will be kept within the boundaries of the roof on the building.

Each of these units carry public information for approval by you and the City Council at your meeting Monday morning.

The attached photo is enclosed for store identification.

Your truly,
Markham Advertising Company
s/ John T. Wrigley

It was moved by Councilman Johnson, seconded by Foote, that the request be granted. Roll call as follows: Ayes, 4; No, None; carried.

The Mayor presented a lease between the City of Idaho Falls and the Teton Peaks Council, Inc., covering a narrow 30' strip of land between the doctors clinic and the Teton Peaks Council. It was

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moved by Councilman Johnson, seconded by Petersen, that the Mayor be authorized to sign the lease on behalf of the City of Idaho Falls. Roll call as follows: Ayes, 4; No, None; carried.

RESOLUTION (Resolution No. 1959-12)

WHEREAS, the City of Idaho Falls, Idaho, is the owner of two one-story frame houses and one two story frame house, situated on property acquired by the City of Idaho Falls in conjunction with the expansion of the Idaho Falls Municipal Airport, and

WHEREAS, said buildings are not used or needed for public purposes and the sale of the same is in the best interests of the inhabitants and taxpayers of said City:

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Idaho Falls:

1. That the above described buildings be sold by the City Clerk for cash to the highest bidder at public auction on the steps at the front door of the City Hall in Idaho Falls, Bonneville County, Idaho, on the ___ day of _____, 1959, at 10:00 o'clock A.M. of said day; provided however, no bids shall be accepted for less than the appraised value of said buildings, which value shall be determined as in the next paragraph set forth, and to be placed on file in the office of the City Clerk prior to said sale.

2. That Charles Thompson, Don Thompson, and Worth Wright, disinterested freeholders of said City, be, and they are hereby appointed to appraise said buildings and file a statement setting forth the appraised value thereof in the office of the City Clerk prior to _____, 1959.

3. That the City Clerk shall give public notice of said sale by publishing a notice containing the time and place of said sale, and the description of said buildings for at least ten (10) days in the Post Register, the official newspaper of said City.

4. That said appraisal, notice and sale shall be made and conducted in conformity with the provisions of the Idaho Code.

PASSED by the Council and approved by the Mayor this ___ day of July, 1959.

ATTEST: s/ _____
CITY CLERK

s/ _____
MAYOR

(SEAL)

STATE OF IDAHO
County of Bonneville

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I, Roy C. Barnes, City Clerk of the City of Idaho Falls, Idaho, hereby certify that the above and foregoing is a full, true and correct copy of a resolution filed the ____ day of July, 1959, in the office of the City Clerk of said Idaho Falls, Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City in Idaho Falls, Idaho, this ____ day of July, 1959.

(SEAL)

s/ _____
CITY CLERK

The foregoing resolution was presented. It was moved by Councilman Johnson, seconded by Creek, that the City Clerk and City Attorney get together and fix the date and time for the sale and that the Mayor and City Clerk be authorized to sign the resolution. Roll call as follows: Ayes, 4; No, None; carried.

The minutes of the Planning Commission meeting held July 8, 1959 were read by the Mayor. The Planning Commission moved and seconded to recommend to the Mayor and Council that they approve the revised preliminary plat of Packer Addition, Division 3, and that all lots in this subdivision be zoned R-1. It was moved by Councilman Creek, seconded by Johnson, that the City accept the proposal of Packer Addition, Division 3. Roll call as follows: Ayes, 4; No, None; carried.

Also in the Planning Commission minutes were comments on Mr. Dale Despain, consulting planner from Utah, who presented a bill of \$1,100 to the Planning Commission for work done on preparation of the County Zoning Ordinance and master plan, and some related work. The main area involved is the fringe area surrounding Idaho Falls. It was moved, seconded and approved by the Planning Commission to recommend to the Mayor and Council that they approve payment of \$500.00 to Dale Despain as the City's share of the cost of his advisory work. Considerable discussion was carried on by the Council at which time it was stated that the City appropriates in its budget a certain amount each year allocated to the Planning Commission. It was felt that if the City was to approve payment of the \$500.00 it would be to the Planning Commission and they in turn could use that money to pay Mr. Despain. It was moved by Councilman Foote, seconded by Creek, to authorize the Purchasing Department to issue a claim of \$500.00 to give the Planning Commission to pay Mr. Despain. Roll call as follows: Ayes, 4; No, None; carried.

The Mayor read the minutes of a Meeting held by the Board of Adjustment on July 13, 1959. The following is an excerpt from those minutes:

"A special meeting of the Board Of Adjustment was held in the Building Official's office on Monday, July 13, 1959 at 3:00 P.M. The purpose of this meeting was to act on a zoning violation by Mr. J. D. Fewins, 486 12th Street, Idaho Falls, Idaho.

The meeting was called to order by Chairman Stalker by reading a letter dated November 18, 1957, to Mr. Fewins from Mr. Arthur Smith, then City Attorney, informing Mr. Fewins of the violation of the Zoning Ordinance #852, Section IV.

After much discussion of the Board, it was decided that Mr. Fewins had made a deliberate attempt to violate a City Ordinance, after he had been advised by Mr. Smith of this violation and had previously been denied a permit from the Building Inspector's office.

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The purpose of this decision was to further protect the City Codes and Ordinances.

A motion was made by Vince Mullin and seconded by Worth Wright to stand behind Mr. Harris, Building Official in sustaining the issuance of a Certificate of Occupancy to Mr. Fewins."

After the reading of these minutes, Mr. Harris, Building Official, related the history of this case dating back to 1956 and also the reasons for denial. It was moved by Councilman Johnson, seconded by Petersen, that the Council and Mayor uphold the ruling of the Appeal Board and request the City Attorney to file a complaint against Mr. Fewins. Roll call as follows: Ayes, 4; No, None; carried.

It was called to the attention of the Councilmen that a letter from Attorneys Lee, Bates and Jergensen had been mailed to the Mayor, in regard to the claim filed against the City by Vernard D. Cox and Joyce Cox in the death of their daughter, caused by a City garage truck. No action was considered necessary and a copy of said letter was forwarded to the General Adjustment Bureau the City's Insurance Carrier.

Byron Howell, 981 W. Elva, appeared before the Council with a request for the purchase of a plot of ground adjoining his lot. The City owns this property but Mr. Howell has been maintaining it. Mr. Howell commented that there are \$1,200 of improvement taxes. He asked the City to make some arrangements for him to attach this property to his property and offered to buy it for possibly \$75.00 or have the City evaluate it. Councilman Johnson volunteered to look over the property and give his opinion as to the value of the property to the City.

The Mayor reminded the Council that there are still 4 vet's housing units and advised the Clerk and City Attorney to send a notice to the purchaser to remove these remaining units within 30 days.

The Mayor read a memo from the City Clerk with regard to Max Yost, Associated Tax Payers, long distance call from Boise on July 15, 1959. Mr. Yost reported that funds are available to the City from the A.E.C. for projects such as sewer trunk lines, etc. He will be working with the Mayor and City Council to procure these funds. No action was taken as the Council would act at a later time after meeting with Mr. Yost.

The Mayor asked for Council approval of closing the City Hall on July 24. It was moved by Councilman Petersen, seconded by Creek, that the City Hall close on July 24th. Roll call as follows: Ayes, 4; No, None; carried. This had been the custom in the past and so it was felt that the precedent should not be broken this year.

There being no further business, it was moved by Councilman Petersen, seconded by Johnson, that the Council adjourn, carried.

ATTEST: s/ Roy C. Barnes
CITY CLERK

s/ W. J. O'Bryant
MAYOR
