

MARCH 20, 1959

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The City Council of the City of Idaho Falls met in Regular Session Friday, March 20, 1959 at 8:00 P.M. in the Council Chambers at Idaho Falls, Idaho. There were present at said Meeting: Mayor John B. Rogers: Councilmen Johnson, Foote, Petersen. Absent: Councilman Freeman. Also present: Roy C. Barnes, City Clerk; Alva Harris, Building Official; Arthur L. Smith, City Attorney; George Aupperle, Purchasing Agent; Don Ellsworth, Assistant City Engineer; Lowell Cramer, Chief of Police; Don Lloyd, City Engineer.

The Minutes of a Recessed Meeting held March 9<sup>th</sup>, and a Special Meeting held March 18<sup>th</sup>, 1959 were read and approved.

Mr. Karl Page, acting as Chairman of the Chamber of Commerce Parking Committee and also in behalf of the Idaho Falls Retail Merchants, appeared before the Council and presented a petition with 158 signers requesting that the Council enact an ordinance restricting downtown parking to one hour. The Mayor reported that this problem had previously been brought to his attention and that he had already taken the liberty of writing the Twin Falls City Manager to find how this is working in that City. Meanwhile, he referred the problem to the Chief of Police, the Traffic Committee and the City Attorney.

Mr. Ron Fry of the Chamber of Commerce presented the following and asked for City cooperation in this regard.

IDAHO FALLS CHAMBER OF COMMERCE

March 18, 1959

Administrator  
Federal Aviation Agency  
Washington 25, D.C.

Dear Sir:

The Idaho Falls Chamber of Commerce would like to be placed on record with the Federal Aviation Agency as having no objection to the construction of radiological emission towers in the area one to two miles northeast of Idaho Falls.

The latitude and longitude coordinates of this area are as follows:

43 degrees, 29 minutes north latitude to 43 degrees.  
35 minutes, 30 seconds north latitude  
111 degrees, 50 minutes west longitude, to 111 degrees  
56 minutes, 30 seconds west longitude.

This same area is that located in the following sections of Bonneville County, Idaho:

Sections 25 & 36, Township 3N, Range 38 EBM.  
Sections 27, 28, 29, 20, 21, 32, 33, and 34, Township 3N. Range 39 EBM.  
Sections 1, 12, 13, and 24, Township 2N, Range 38, EBM.  
Sections 3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, and 22, Township 2N, Range 39 EBM.

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This is done to facilitate FCC and Airspace Subcommittee of the Air Coordinating Committee action on proposed radiological emission towers in this area. It is submitted only after a two year period of discussion and agreement along all local and Air Carrier Aviation interests, as well as present radio and television station owners.

Thank you for the consideration you will give this letter.

Sincerely,  
s/ John S. Gamble  
President

cc: Western Regional Administrator  
Seattle Regional Airspace Subcommittee  
Idaho Falls Planning Commission  
Bonneville County Planning Commission

It was moved by Councilman Foote, seconded by Johnson, that the City Attorney be instructed to prepare a resolution of agreement, copy of which should go to all four names listed at the bottom of the letter. Roll call as follows: Ayes, 3; No, None; carried.

The City Clerk read the following letter from Reginald Reeves, local attorney:

March 18, 1959

City Council  
Idaho Falls, Idaho

RE: USE OF CITY COUNCIL CHAMBERS

Attention: City Clerk

Dear Mr. Barnes:

I have been asked to petition the City Council for the use of the Council Chambers on Sunday mornings from 10 to 12, for the purpose of conducting the Idaho Falls Jewish Sunday School. Although several families will participate, such use of the facilities, will, initially, be limited to two teachers and approximately 12 children.

We appreciate that in the past, Sunday use of the City Building has been restricted, due to the need for conducting maintenance and cleaning on that day, but this new group, representative of the many Jewish families in this community, finds itself in need of the use of public facilities until such time as private accommodations can be made available. Such use, then, would be temporary, but it cannot be stated at this time when other space will be available.

It is understood that in the past, there has been a problem concerning inadequate supervision of children using space in the building, resulting in minor damage to the premises.

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With this in mind, the group submitting this request will be especially cautious and alert to prevent a recurrence of such damage.

Please submit this request to the Council at its next Meeting and advise this office of the decision thereon.

Very truly yours,  
s/ Reginald Reeves

Mrs. William Rosenthal was also present to represent those of the Jewish faith. It was moved by Councilman Johnson, seconded by Petersen, that permission be granted for the use of the Council Chambers for Sunday Services beginning March 22<sup>nd</sup>, 1959. Roll call as follows: Ayes, 3; No, None; carried.

License applications for journeyman plumber and soft drinks were presented as follows: JOURNEYMAN PLUMBER: Francis B. Street. SOFT DRINKS: 19<sup>th</sup> Hole, Kellers Koffee Kup, Fred's Café. It was moved by Councilman Johnson, seconded by Petersen that the licenses be approved.

License applications for JOURNEYMEN ELECTRICIANS were presented. LaVar Bosworth, James N. Jeppesen. It was moved by Councilman Johnson, seconded by Petersen, that these licenses be granted, subject to the approval of the Electrical Inspector. Roll call as follows: Ayes, 3; No, None; carried.

A license application for MILK VENDOR for All Star Dairy was presented. It was moved by Councilman Johnson, seconded by Petersen, that the license be granted subject to the approval of the City Sanitarian. Roll call as follows: Ayes, 3; No, None; carried.

License applications for taxi cab driver and bottled and canned beer were presented as follows: TAXI CAB DRIVER: Lloyd Hayward. BOTTLED AND CANNED BEER TO BE CONSUMED ON THE PREMISES, The 19<sup>th</sup> Hole, Ross Corbett. It was moved by Councilman Johnson, seconded by Petersen, that these licenses be granted, subject to the approval of the Chief of Police. Roll call as follows: Ayes, 3; No, None; carried.

March 19, 1959

Mr. Roy Barnes, City Clerk  
City Hall, P. O. Box 220  
Idaho Falls, Idaho

Dear Roy:

Your records will show that some time ago the City authorized me to quiet title to Lots 19 and 20, Block 78, Highland Park Addition on behalf of Herbert Lehman who had offered to pay the City the delinquent L.I.D. assessments. As a preliminary matter to quieting title, it is necessary that the Council pass the enclosed Resolution and that you and the Mayor execute the Quit Claim Deed to Herbert Lehman. I will pay these assessments through this office as I am now holding the money. Following the issuance of the deed to Herbert Lehman the County of Bonneville will issue its Redemption Deed on the tax matter. Then the legal title will lie in Herbert Lehman and we can commence quiet title proceedings.

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Sincerely yours,  
s/Arthur L. Smith  
City Attorney

encl.

**RESOLUTION (Resolution No. 1959-04)**

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 19<sup>th</sup> day of March, 1956, recorded in Book 101 of Deeds at Page 23, records of Bonneville County, Idaho, acquire title to and possession of the following described real property, to-wit:

Lots Nineteen (19) and Twenty (20), Block Seventy-eight (78) Highland Park Addition to the City of Idaho Falls, as per the recorded plat thereof.

WHEREAS, HERBERT LEHMAN 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;

NOW THEREFORE, BE IT RESOLVED:

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 HERBERT LEHMAN a deed to said property, pursuant to the provisions of Section 50-2951, Idaho Code.

PASSED BY THE COUNCIL this \_\_\_\_ day of March, 1959.

APPROVED BY THE MAYOR this \_\_\_\_ day of March, 1959.

\_\_\_\_\_  
MAYOR

ATTEST: \_\_\_\_\_  
CITY CLERK

The foregoing letter from the City Attorney and also the Resolution were presented by the City Clerk. It was moved by Councilman Foote, seconded by Johnson, that the Mayor and City Clerk be authorized to sign the resolution and the deed referred to in the City Attorney's letter. Roll call as follows: Ayes, 3; No, None; carried.

License applications for journeyman gas fitter and apprentice gas fitter were presented as follows: JOURNEYMAN GAS FITTER, Marvin Sego, Clyde Hess & Son. APPRENTICE GAS FITTER: Lyle Charlesworth, Hood Northwest Sheet Metal Company. It was moved by Councilman Johnson, seconded by Petersen, that these licenses be granted subject to the approval of the Gas Inspector. Roll call as follows: Ayes, 3; No, None; carried.

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**RESOLUTION (Resolution No. 1959-05)**

WHEREAS, by resolution duly passed, and approved the 6<sup>th</sup> day of February, 1959, the City Council of Idaho Falls, Idaho, ordered that the following described land lying and being in Idaho Falls, Bonneville County, Idaho, be sold at public auction,

Beginning at a point described as being 20 rods South of the Northeast corner of the West Half of the Northeast Quarter ( W ½ NE ¼ ) of Section Eighteen (18), Township Two (2) North, Range Thirty-eight (38) East Boise Meridian, thence West 150 feet more or less to the center line of Willow Creek, thence Southwesterly along the center line of Willow Creek to a point described as being 60 rods South of the North line of said Section Eighteen (18), thence West to a point that is 30 feet East of the centerline of Lee Avenue and Dunbar Drive as existing, thence North and Northeasterly parallel and 30 feet from the centerline of existing Dunbar Drive to a point that is 60 feet South from the Southeast corner and on the East line of Lot Seven (7), extended, of Block One (1) of Rappleye Addition to the City of Idaho Falls, Bonneville County, Idaho, thence Northeasterly and along the East line of said Lot Seven (7) a distance of 186.66 feet to the South right-of-way line of the railroad, thence Southeasterly along the railroad right-of-way 120 feet more or less, thence South 90 feet, more or less, to the point of beginning.

WHEREAS, said lands have been sold as ordered and in conformity with law;

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF IDAHO FALLS, AS FOLLOWS:

1. The following proceedings were had and done in connection with said sale, to-wit: On February 6, 1959, V. R. Larsen, Worth D. Wright, and D. V. Groberg, disinterested freeholders of said City were appointed to appraise said property; thereafter, and prior to February 19, 1959, said appraisers appraised said property at \$100.00, and filed a statement setting forth said appraised value for said auction sale, and a description of said property to be published in the Post Register, the official newspaper of said City, for ten days prior to said sale; that EARL E. BAGLEY, TRUSTEE IN TRUST, IDAHO FALLS 18<sup>th</sup> WARD, CHURCH OF JESUS CHRIST, LATTER DAY SAINTS was the highest bidder at said sale and \$100.00 was the highest bid thereat; that said property was sold to EARL E. BAGLEY, TRUSTEES IN TRUST, IDAHO FALLS 18<sup>th</sup> WARD, CHURCH OF JESUS CHRIST, LATTER DAY SAINTS FOR \$100.00, which sum has been paid to the City.

2. That said sale be, and the same is hereby confirmed.

3. That the Mayor and City Clerk of the City of Idaho Falls be, and they are hereby, authorized and directed on behalf of said City to execute and deliver to EARL E. BAGLEY,

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TRUSTEE IN TRUST, IDAHO FALLS 18<sup>th</sup> WARD, CHURCH OF JESUS CHRIST, LATTER DAY SAINTS a good and sufficient Quit Claim Deed, conveying said lands to EARL E. BAGLEY, TRUSTEE IN TRUST, IDAHO FALLS 18<sup>th</sup> WARD, CHURCH OF JESUS CHRIST, LATTER DAY SAINTS.

PASSED BY THE COUNCIL, APPROVED BY THE MAYOR this 20<sup>th</sup> day of March, 1959.

ATTEST: s/ John B. Rogers  
MAYOR OF THE CITY OF IDAHO FALLS

s/ Roy C. Barnes  
CITY CLERK

STATE OF IDAHO            )  
  : ss  
County of Bonneville    )

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 20<sup>th</sup> day of March, 1959, and now on file in my office in said City.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City in Idaho Falls, Idaho, this 20<sup>th</sup> day of March, 1959.

(SEAL) s/ Roy C. Barnes  
CITY CLERK

It was moved by Councilman Foote, seconded by Petersen, that the Mayor and City Clerk be authorized to sign the foregoing resolution. Roll call as follows: Ayes, 3; No, None; carried.

1525 Juniper Drive  
Idaho Falls, Idaho  
March 16, 1959

Honorable John B. Rogers  
Mayor of the City of Idaho Falls  
Idaho Falls, Idaho

Dear Sir:

It is with a great deal of interest and commendation that we are reading of the formation and activity of the Zoning Board and Recreation Commission. There has been reference to the rapid growth of the City, zoning of residential and commercial areas, recreation programs, cooperation between the City and Idaho Falls District 91 on the use of school facilities, an ordinance to be proposed that would establish a recreation trust fund into

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which property or money could be donated, and the fact that the Recreation Commission may recommend development programs. The need for a development program is urgent. Lack of playgrounds in the newer residential area is a City-wide problem. Procurement and development of land for playgrounds is an issue which merits immediate attention.

Land is rapidly disappearing for residential and commercial purposes. None has been reserved for playgrounds. In the newer additions, children are playing in the streets. This condition is alarming as we observe the gradual disappearance of each piece of land that could have been a playground. We feel that the City should direct its attention to obtaining land in the newer residential areas and reserving land in areas that are being zoned residential for future use.

In the Southeastern part of the City, Idaho Falls District 91 made an original 8 acre purchase for the Edgemont Garden School. Two acres of this land are available to the City. We, the undersigned, request that the City makes the necessary budget appropriation for the purchase and development of this 2 acre piece of land for a playground area.

Yours very truly,  
"Signed by 46 area residents.  
Original filed in City Clerk's  
Office."

The foregoing was presented by the Mayor but no action was considered necessary as it is already planned to include in the next budget an expenditure for the acquisition of land as outlined in the letter.

ORDINANCE NO.

AN ORDINANCE ESTABLISHING AND CREATING A COMMISSION TO BE KNOWN AND DESIGNATED AS THE RECREATION COMMISSION OF IDAHO FALLS, IDAHO FOR THE PURPOSE OF PLANNING AND STUDYING THE ECONOMIC AND TECHNICAL CONDITIONS AND PROBLEMS IN CONNECTION WITH THE OPERATION, MANAGEMENT, REGULATION AND CONTROL OF PLAYGROUNDS AND RECREATIONAL FACILITIES OF IDAHO FALLS; PROVIDING THE DUTIES OF SAID COMMISSION, INCLUDING THE DUTY OF PROVIDING RULES AND REGULATIONS FOR THE OPERATION, MAINTENANCE, MANAGEMENT AND REGULATION OF PLAYGROUND AND RECREATIONAL FACILITIES AND THE DEVELOPMENT, USE AND EXPENSE OF SUCH PLAYGROUND FACILITIES AND THE DEVELOPMENT, USE AND EXPENSES OF SUCH PLAYGROUND AND RECREATIONAL FACILITIES; AND PROVIDING FOR A TRUST FUND TO BE ADMINISTERED BY THE MAYOR AND COUNCIL OF IDAHO FALLS.

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The foregoing Ordinance was read in title. It was moved by Councilman Johnson, seconded by Foote, that the foregoing recreational ordinance be passed on two readings. Roll call as follows: Ayes, 3; No, None; carried.

A notice of zoning hearing was presented, covering Falls Valley Subdivision #3, Skyline Terrace Division #1, and other property described as follows:

Lots 1 to 8, inclusive, Block 11 and Lots 2 to 8, inclusive, Block 10 of West Broadway Addition to the City of Idaho Falls, per the recorded plat thereof.

Also:

Beginning at a point on the West property line of River Parkway that is South 429.94 feet and West 328.88 feet from the Meander Corner on the west bank of the Snake River on the section line that is common to Sections 13 and 24, Township 2 North, Range 37 East, Boise Meridian, and running thence North 64° 39' West 148 feet; more or less, to a point on the Easterly Right-of-Way line of the Porter Canal; thence Northeasterly along the Easterly Right-of-way line of the Porter Canal 1208 feet, more or less, to the intersection of the said Right-of-Way line and the West property line of River Parkway; thence Southerly, following the West property line of River Parkway 1480 feet, more or less, to the point of beginning.

The Council authorized the City Clerk to have published said Notice and set the date of the hearing for April 9<sup>th</sup>, 1959.

March 16, 1959

John B. Rogers, Mayor  
City of Idaho Falls, City Hall  
Idaho Falls, Idaho

RE: MEYERS EASEMENT

Dear John:

I am writing this letter because we are usually too busy to discuss certain details in conference. You will recall that Bill Holden prepared a suggestive easement from Meyers to the City which provided that Meyers would have free hook-ons for any number of future sewer connections and would be exempt from the payment of any monthly sewer charges. I advised him that the City did not have authority to waive any future monthly charges because of the Revenue Bond Ordinance. I also advised him that I did not believe the City would give Mr. Meyers a blank check as to the number of hook-ons which would be free. We then prepared an easement which provided that he would have free hook-on authority for the existing building, that he would have to pay the future monthly charges, and that the City would build a certain lateral line for him.

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Holden today said Meyers would sign the easement if he could get one future free hook-on in addition to the existing building and if the City could agree to put the lateral line up to his present hook-on point. Would you discuss this with Don Lloyd? If the latter expense is not too great we might be better off to sign him up on this basis.

Kindly advise.

Sincerely yours,  
s/ Arthur L. Smith  
City Attorney

This letter was read and discussed. It was moved by Councilman Johnson, seconded by Petersen, that the proposition as outlined by Mr. Holden be accepted. Roll call as follows: Ayes, 3; No, None; carried.

ORDINANCE NO. 936

AN ORDINANCE AMENDING SECTION II OF ORDINANCE NUMBER 852 OF THE ORDINANCES OF THE CITY OF IDAHO FALLS, IDAHO: DIVIDING SAID CITY INTO DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN; SETTING FORTH THE PURPOSE 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 IN THE CITY HALL OF SAID CITY AND FURTHER PROVIDING THAT 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 ORDINANCE IN CONFLICT HEREWITH; PROVIDING WHEN THE ORDINANCE SHALL BECOME EFFECTIVE.

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

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Council for final consideration the question being, "SHALL THE ORDINANCE PASS?" Roll call as follows: Ayes, 3; No, None; carried.

Mr. Alva Harris, Building Official, presented a letter which had recently been written to Susie Leggroan, 521 East Lomax, by Mr. William Cole, City Sanitarian instructing her that she must connect up to the sewer. She has reported back that she is willing to cooperate but can remit for same only on a monthly payment plan. To this, the Council agreed, details of which should be arranged by the Inspector's Department.

ORDINANCE NO. 937

AN ORDINANCE AMENDING SECTION II OF ORDINANCE NUMBER 852 OF THE ORDINANCES OF THE CITY OF IDAHO FALLS, 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 DISTRICTS BY THE INCLUSION OR THE EXCLUSION THEREOF OR THERE FROM OR CERTAIN 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 IN THE CITY HALL OF SAID CITY AND FURTHER PROVIDING THAT 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 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, 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.

The City Engineer asked for Council approval to replace a makeshift bridge, torn out at the time the sewer was installed, across South Boulevard and close to Sunnyside Road, said bridge of which housed the Gustafson lateral to the Idaho Canal. It was the City Engineer's recommendation

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that this be accomplished by means of a 66 inch concrete pipe with lateral diversions on the west side. It was moved by Councilman Foote, seconded by Petersen, that the job proceed immediately as recommended. Roll call as follows: Ayes, 3; 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/ John B. Rogers  
MAYOR

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