

SEPTEMBER 8, 1958

The City Council of the City of Idaho Falls met in recessed Session, Monday, September 8, 1958 at 8:00 p.m. in the Council Chambers at Idaho Falls, Idaho. There were present at said Meeting: Donald R. Foote, Mayor Pro-Tem; Councilmen Johnson, Freeman, Petersen. Absent, Mayor John B. Rogers. Also present: Louise Anderson, Acting City Clerk; T. R. Peters, Purchasing Agent; Alva C. Harris, Building Inspector; Arthur L. Smith, City Attorney; Don Lloyd, City Engineer; Don Ellsworth, Assistant City Engineer.

The minutes of the Regular Meeting held August 15, 1958 and Special Meetings held August 26<sup>th</sup>, September 2<sup>nd</sup>, and September 3<sup>rd</sup>, 1958 were read and approved.

The bills against the City for the month of August, having been audited by the Finance Committee, were presented as follows, to-wit:

<u>FUND</u>	<u>GROSS PAYROLL</u>	<u>SERVICES &amp; MATERIALS</u>	<u>TOTAL EXPENDITURES</u>
General Fund	\$84,934.81	\$29,122.10	\$104,056.91
Waterworks Fund	6,698.56	4,948.05	11,916.61
Electric Light Fund	13,000.03	45,627.87	58,627.90
Police Retirement	<u>1,133.75</u>	<u>.00</u>	<u>1,133.75</u>
<b>TOTAL</b>			<b>\$174,601.42</b>
		Police Retirement	1,133.75
		W. & S. Rev. Bonds, Int.	1,754.33

It was moved by Councilman Freeman, seconded by Johnson, that the bills be allowed and the City Clerk be instructed to draw warrants on the respective funds for payment of same. Roll call as follows: Ayes, 3; No, None; carried.

The monthly reports from Department Heads were presented and there being no objection, were ordered placed on file in the City Clerk's office.

The following permits and license applications were presented as follows: BARTENDERS PERMITS: Gene Brown, James Scheets. APPRENTICE GAS FITTER, previously approved by the Gas Inspector, Leathel Seamons, Armstrong Co. JOURNEYMAN PLUMBERS, E. C. Martin, Scott Bair, Dale Mathews. It was moved by Councilman Petersen, seconded by Freeman, that the permits and licenses be granted. Roll call as follows: Ayes, 3; No, None; carried.

The following license applications were presented as follows: SOFT DRINK, Money Saver Stores, George Hayward; PACKAGED BEET NTBCOP, Money Savers Stores, George Hayward. It was moved by Councilman Freeman, seconded by Petersen, that the licenses be granted. Roll call as follows: Ayes, 3; No, None; carried.

PERMITS FOR EATING AND DRINKING ESTABLISHMENTS, previously approved by the City Sanitarian, were presented for: B & B Drug Store, La Marge Catering Service, Barrell Drive-In, Snowballs. It was moved by Councilman Petersen, seconded by Freeman, that the permits be granted. Roll call as follows: Ayes, 3; No, None; carried.

The following license application for POOL HALL for Mead's Snooker Room was presented. It was moved by Johnson, seconded by Freeman, that the license be granted subject to the approval of the Chief of Police. Roll call as follows: Ayes, 3; No, None; carried.

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The following license application for MEAT MARKET license for Money Saver Stores, George Edwards was presented. It was moved by Councilman Petersen, seconded by Freeman, that the license be granted subject to the approval of the City Sanitarian. Roll call as follows: Ayes, 3; No, None; carried.

Applications for GAS CONTRACTORS license and JOURNEYMAN GAS FITTERS licenses were presented as follows: GAS CONTRACTOR, Wesley Dale Ennis. JOURNEYMAN GAS FITTERS, Ken Kinnison, Wesley Dale Ennis. It was moved by Councilman Petersen, seconded by Freeman, that the licenses be granted, subject to the approval of the Gas Inspector. Roll call as follows: Ayes, 3; No, None; carried.

A petition signed by fourteen signers, protesting the property of Herbert Lehman on grounds that it constitutes a nuisance, was presented. The Mayor pro tem referred this petition to the City Sanitarian and the City Sanitarian Committee.

The following bids for the Fielding Memorial Park boiler were presented:

American Plumbing & Heating Co.	\$761.30
First Street Plumbing & Heating Co.	590.30

No formal action was taken on these bids. The Mayor pro tem referred the bids to the Cemetery Department and the Gas Inspector.

**RESOLUTION (Resolution No. 1958-20)**

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 this 25<sup>th</sup> day of August, 1958, recorded in Book 112 of Deeds at Page 269, records of Bonneville County, Idaho, acquire title to and possession of the following described real property, to-wit:

The South Six (6) feet of Lot Eight (8), Lot Nine (9), less the South Three (3) feet and the West Five (5) feet therefore, in Block Two (2) of W. O. Kunter Addition to the City of Idaho Falls, per the recorded plat thereof.

WHEREAS, BRUNT BETTER BUILT HOMES, INC. 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 BRUNT BETTER BUILD HOMES, INC. a deed to said property, pursuant to the provisions of Section 50-2951, Idaho Code.

PASSED BY THE COUNCIL this 25<sup>th</sup> day of August, 1958.

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APPROVED BY THE MAYOR this 25<sup>th</sup> day of August, 1958.

ATTEST: s/ Roy C. Barnes  
CITY CLERK

s/ John B. Rogers  
MAYOR

The foregoing resolution was presented. It was explained that said resolution had been accompanied by a City Tax Redemption Deed in the name of BRUNT BETTER BUILT HOMES, INC. but in the interest of time, said City Tax Redemption was signed by the Mayor and City Clerk and delivered to Brunt Better Built Homes. A request was made for Council ratification. It was moved by Councilman Petersen, seconded by Johnson, that the action of the Mayor and City Clerk be ratified in signing a resolution and City Tax Redemption Deed in favor of Brunt Better Built Homes, Inc. Roll call as follows: Ayes, 3; No, None; carried.

DEPARTMENT OF HIGHWAYS  
AUGUST 21, 1958

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

Re: Cooperative Traffic Signal Agreements for Idaho Falls

Dear Mayor Rogers:

Enclosed please find your copies of the Cooperative Traffic Signal Agreements, covering the installation of traffic signals at the intersection of River Parkway Drive and West Broadway Avenue, North Utah Avenue and West Broadway Avenue, and Airport Road and West Broadway Avenue in Idaho Falls, which have been duly executed by this office.

Very truly yours,  
s/ G. Bryce Bennett  
State Highway Engineer

Encl.: 3

The foregoing letter and Traffic Signal Agreement were presented. It was moved by Councilman Johnson, seconded by Petersen, that the Mayor and City Clerk be authorized to sign said agreement. Roll call as follows: Ayes, 3; No, None; carried.

An extension rider with the Oregon Short Line Railroad Company and the Union Pacific Railroad Company and the City of Idaho Falls, covering overhead guy wire crossings was presented. It was moved by Councilman Johnson, seconded by Freeman, that the Mayor and City Clerk be authorized to sign said rider. Roll call as follows: Ayes, 3; No, None; carried.

A recommendation requested by Councilman Johnson was presented to the effect that the sidewalks behind Simplots be deleted from L.I.D. #25. Some discussion followed after which it was

moved by Councilman Johnson, seconded by Petersen, that the request be granted. Roll call as follows: Ayes, 3; No, None; carried.

The dog leash ordinance having previously been passed on two readings was presented for discussion. Mr. Jim Allen, spokesman for the group present in this regard, appeared before the Council, criticizing and suggesting possible changes. Others in the group appeared to protest on other provisions of the ordinance. No action was taken at this time but the Mayor pro tem asked for a representative from the dog training group to meet with the Mayor and Council for a final summing up of the ordinance on the dog leash law. Councilman Johnson suggested the time of the Meeting be determined by the Mayor.

Mrs. Chris Jockumson and one other representative of the Hawthorne P.T.A. appeared before the Council, requesting some action in getting a stop light on the corner of 17<sup>th</sup> Street and Calkins. The stop light was requested because of the children crossing at that particular area. The light was to be used only during school hours. The Mayor pro tem assured the representative that this situation was still under consideration by the Council and was to be referred to the Traffic & Safety Committee of the Council.

Ammon Benson, 275 S. Eastern, appeared before the Council protesting to the carelessness shown on the fore-bay by the boats toward the skiers and swimmers. The Mayor pro tem informed Mr. Benson that in order to enforce a law we would have to go to the County Commissioners as part of the river is in Bonneville County. It was the opinion of the Council to leave the situation up to the Boat Club to write some rules and regulations governing this particular situation. It was also suggested that there could possibly be outlined a time for skiing and a time for boating.

Mr. W. H. Elkington, 237 S. Ridge Avenue, appeared before the Council requesting permission to build a garage on his property line. The request had previously been rejected by the Board of Adjustment and the Council. After some discussion, it was moved by Councilman Petersen, seconded by Freeman, that permission be granted with the understanding that Mr. Elkington stay in 12' from the alley with his building. Roll call as follows: Ayes, 3; No, None; carried.

Members of the Trailer Owners Committee appeared before the Council with reference to the trailer house ordinance. Specific reference was made with regard to a R-T zone for trailers. The Committee was assured that this matter of zoning was coming before the Planning Commission as soon as possible. The Mayor pro tem and the Council authorized Arthur Smith, City Attorney, to set the 19<sup>th</sup> day of September, 1958 as the date for the change of zoning hearing. Mr. Smith then read a list of proposed recommendations presented to him by the Trailer Committee as fair and equitable changes for both the City and the trailer owners. The recommendations were in regard to fees; sanitary conditions in trailer courts; lighting of outside walkways; containers for and disposal of garbage-septic tanks; attendant immediately available at the court; no pet animals allowed to run at large in the court. The Council voiced their approval of these recommendations and authorized the City Attorney to draft an ordinance with these recommendations included.

A request to purchase aerial survey maps from the Whitehorse Aerial Surveys for \$410.40 and a Zeiss Self Leveling level from the Pembroke Company at a price of \$635.00 for the Engineering Department, was presented by Mr. Peters, Purchasing Agent. It was moved by Councilman Johnson, seconded by Petersen, that Mr. Peters be authorized to purchase these articles. Roll call as follows: Ayes, 3; No, None; carried.

Ordinance No. 915, commonly referred to as the Plumbing & Sewer Ordinance, was presented with regard to charging of a sewer tap fee of \$4.50. It was agreed this Ordinance be amended to

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include a sewer tap fee of \$4.50 and the City Attorney was instructed to amend the Ordinance accordingly. The caption of which is as follows:

ORDINANCE NO. 915

AN ORDINANCE REQUIRING A PERMIT BEFORE MAKING ANY PLUMBING INSTALLATION OR ALTERATION WITHIN THE CITY OF IDAHO FALLS; REQUIRING A PERMIT BEFORE CONNECTING ANY PLUMBING INSTALLATION OR PRIVATE SEWER TO ANY SEWER LINE OWNED OR CONTROLLED BY SAID CITY; PROVIDING FOR THE FORM OF APPLICATION FOR PERMITS, AND THE ISSUANCE OF THE PERMITS; FIXING THE FEES FOR PERMITS PROVIDING PENALTIES FOR VIOLATION OF THE ORDINANCE; REPEALING ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING WHEN THE ORDINANCE SHALL BECOME EFFECTIVE.

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 the members of the Council present having voted in the affirmative, the Mayor pro tem declared the rule dispensed with and ordered the ordinance placed before the Council for final consideration the question being, "SHALL THE ORDINANCE PASS AS AMENDED?" Roll call as follows: Ayes, 3; No, None; carried.

An A.E.C. bus representative through Mr. Alva Harris, Building Inspector, presented a request to use an area as bus parking in a C-1 portion of the following described property: "Starting 125' South of 3<sup>rd</sup> Street extended, East of the property line of the Post Office property to the West side of Olive Avenue extended; North 125' to the South line of Third Street extended and West to the point of beginning". The C-1 zone is temporarily under a similar arrangement of the now existing parking lot. The above request was approved by the Council.

The Mayor pro tem presented a request from the Mayor that Charles Graves be appointed as foreman at the City Garage effective October 1, 1958. After some discussion this matter was tabled until such time as Mayor Rogers be present.

August 21, 1958

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

Re: Jack Gobble vs. City of Idaho Falls

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Dear Mayor Rogers:

After consultation with the City's insurance carrier, I have been instructed to report to you and the City Council that the claim of Jack Gobble may be approved in the amount of \$813.47, but no more. You will recall a claim was filed against the City by Mr. Jack Gobble following the flooding of his basement at 450 10<sup>th</sup> Street, on June 11, 1958. This letter is being written at the request of the City's Insurance carrier.

Sincerely yours,  
s/ Arthur Smith  
City Attorney

The foregoing letter was presented by the Mayor pro tem. No action was considered necessary at this time. The Council agreed that the amount arrived at by the City Insurance Carrier was fair and acquiesced to the carrier in this regard.

The audit contract for the year May 1, 1958 to April, 1959 was presented by the Mayor pro tem. In view of the fact that there was no final tabulation of contract price no action was taken on its approval.

August 29, 1958

City of Idaho Falls  
Idaho Falls, Idaho

Attention: T. R. Peters, Purchasing Agent

Dear Mr. Peters:

In line with our conversation of the 26<sup>th</sup> on the additional parking meter order, I am enclosing the original and four copies of the letter of authorization to add this order to your existing contract, and also the rate of payment per month for both the double meter and the single meter. If you would kindly acknowledge the original and two copies, and return same to me, I will forward it on the Dual Company for their acceptance. Thereafter the original will be returned to you for your files.

Your will note that the rate of monthly payment is proportionately the same as the original contract. The original contract as you know, covered only the mechanism at the rate of \$1.00 per month. Since this order includes mechanisms and cases, the rate per single meter will be \$2.00, and the double meter will be \$4.00.

Yours very truly,  
s/ James Dunn  
Starline Equipment Company

Enclosure

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The Mayor pro tem presented the foregoing letter accompanied by an addendum to Contract Number 19383 existing between the City of Idaho Falls and the Dual Parking Meter Company. It was moved by Councilman Johnson, seconded by Petersen, that the Purchasing Agent be authorized to purchase additional parking meters and the Mayor to sign the addendum to the contract as indicated. Roll call as follows: Ayes, 3; No, None; carried.

September 2, 1958

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

Dear Mayor Rogers:

This letter is written to you in behalf of Ben Brothers and concerns certain property held by him on the West Highway, near the westerly limits of the City of Idaho Falls.

You are advised that Mr. Brothers desires a rezoning of the property hereinafter described from R-1 classification to H-C (Highway Commercial). Mr. Brothers has an opportunity to lease said property on a ten year basis for a trailer sales lot, and it is contemplated the property will be used for no other purpose during said lease-hold period.

It would be appreciated if you would consider this application immediately to enable Mr. Brothers to determine his future course of conduct with reference to this property.

The property to which we are referring is described as follows:

“The northerly 300 feet, facing West Broadway, of the following described property: Beginning at a point that is 31.7 feet South 0° 16' East of the Northwest corner of the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$ ) of Section 24, Township 2 North, Range 37, E.B.M., running thence South 0° 16' East 834 feet; thence East 208.5 feet; thence North 0° 16' West 834 feet; thence West 208.5 feet to the point of beginning, containing 4 acres, more or less, in Bonneville County, Idaho.

Very truly yours,  
s/ John M. Sharp  
Attorney at Law

The foregoing letter was presented and it was considered advisable not to take any final action until the Mayor had an opportunity to peruse it.

A petition was presented from a number of merchants and professional men, with 6 signers, requesting scramble traffic on Shoup Avenue and A Street. It was noted that the Council has previously taken this matter under consideration and consequently no further action was considered necessary.

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

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ATTEST s/ Louise Anderson  
ACTING CITY CLERK

s/ Donald R. Foote  
MAYOR PRO TEM

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