

AUGUST 7, 1958

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The City Council of the City of Idaho Falls met in Recessed Session Thursday, August 7<sup>th</sup>, 1958 at 8:00 P.M. in the Council Chambers at Idaho Falls, Regular Session of which was postponed until this time to allow for as many monthly bills as possible before the 10<sup>th</sup> of the month.

There were present at said Meeting: Mayor John B. Rogers; Councilmen Petersen, Johnson, Freeman, Foote. Also present: Roy C. Barnes, City Clerk; Arthur L. Smith, City Attorney; T. R. Peters, Purchasing Agent; Claud Black, City Engineer; Don Ellsworth, Assistant City Engineer; Bert Brown, Fire Chief; Lowell Cramer, Police Chief.

The minutes of the last Regular Meeting held July 18, 1958, and Special Meetings held July 25<sup>th</sup> at 2:00 P.M. and 8:00 P.M., July 29<sup>th</sup> and August 4<sup>th</sup>, 1958 were read and approved.

The Mayor noted that the Special Meeting held 2:30 P.M. July 11, 1958 had never been officially adjourned. It was moved by Councilman Johnson, seconded by Freeman, that that Meeting be officially declared adjourned. Roll call as follows: Ayes, 4; No, None; carried.

The Mayor announced that this was the time and the place for the opening of bids on a fire truck and instructed the City Clerk to proceed: The following bids were revealed:

|   |   |  |
|---|---|--|
| Roneys, Inc.<br>Portland, Oregon            | 200 S Roney-waterous mounted on a Model<br>926B Diamond T Chassis with Model 6156-FE<br>Hall Scott engine   | \$27,031.11                                |
| Starline Equipment<br>Boise, Idaho          | American La France-1000 GPM Pump & Hose<br>car with 500 gal. booster tank and cab   | 26,948.00                                  |
| Sawtooth Co.<br>Idaho Falls, Idaho          | Howe Model HR-102 with waterous Model CM<br>1000 Electronic 2 stage 1000 centrifugal pump<br>and Hall-Scott 6 cylinder 300 horse power engine<br>Model #6156 FE | 3 man cab 28,124.00<br>5 man cab 29,274.00 |
| L.N. Curtis & Sons<br>Oakland, California   | Maxim Model 23610-c 1000 GPM triple<br>combination pumping machine  | 25,524.12                                  |
| Forde Johnson Oil Co.<br>Idaho Falls, Idaho | Mack Type B-21 1000 GPM triple comb.<br>pumper truck  | 23,481.71                                  |
| The Seagrave Corp.                          | Seagrave Class A Triple comb. pumping<br>1000 GPM Eng. Model HS 935-B-1000  |  |
|   | 3 man cab   | 27,463.80                                  |
|   | 300 gallon water tank 7 man cab   | 27,763.80                                  |
|   | Same as above with Engine Model 900-B-1000  | 25,984.80                                  |
|   | 300 gallon water tank 7 man cab   | 26,284.80                                  |
|   | Same as above with Engine Model 800-B-1000  | 24,912.80                                  |
|   | 300 gallon water tank 7 man cab   | 25,212.80                                  |
|   | Same as above with Engine Model 531-BH-1000   | 23,903.80                                  |
|   | 300 gallon water tank 7 man cab   | 24,203.80                                  |

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These were referred to the Fire Chief, the Assistant Fire Chief, the chief mechanic, and Fire Committee with the announcement that it might be several days before a successful bidder was selected and that it might be necessary for some of the equipment on which bids were made to be inspected.

Mr. John Sharp, local attorney, appeared before the Council in the interests of Mr. Melvin Hansen, a resident on Anderson Street, and requested of the Council that they give further consideration to installing his curb and gutter, even though he received a \$500.00 cash payment for land that was taken from him in the Anderson Street side of his property. Mr. Sharp presented two letters from Mr. Worth Wright and Mr. A. W. Naegle and these were read as follows:

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To Whom It May Concern:

Re: Anderson Street Appraisal

In setting a figure of \$500.00 in the above captioned case it was my understanding that this involved purchase of right-of-way only and had nothing to do with setting cost of improvements as it was our understanding that those improvements were to be installed in any event.

s/ Worth D. Wright

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City of Idaho Falls  
Idaho Falls, Idaho

Attention: Honorable John Rogers, Mayor

Gentlemen:

At the request of Mr. Melvin Hanson, I appraised the taking of a portion of his property for the new Anderson Street Improvement Program.

It was my opinion that the property taken had a value of \$500.00. This amount was based on the further consideration that Mr. Hanson would not be charged for any curbing or paving in front of his property. I believe this was also the opinion of other appraisers in connection with this property.

The severance damage was based on a reduction of lot depth to less than 125 feet set aside for these lots with the additional possibility of increased traffic load serving the general public but of no corresponding benefit to Mr. Hanson.

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Yours very truly,  
s/ S. W. Naegle  
Parish & Naegle Realty Co.

The Mayor advised Mr. Sharp that the Council was cognizant of this situation and that they had intended to weigh the problem further.

It was noted that there were several in the Council Chambers awaiting an announcement of the successful bidder on the back hoe. The Mayor reported that said announcement would probably be made at a Special Meeting to be held about the middle of next week.

Mr. Don Hoopes, 205 8<sup>th</sup> Street, appeared before the Council in the interest of the home builders asking that the Council give special consideration to sewer facilities at the site selected for their "Parade of Homes". The Mayor explained that this question could not now be answered until more was known of the progress of the project and its resultant revenues, but that, other things being favorable, the Council would be anxious to see the site provided with this facility and that it should be known by November 1<sup>st</sup>, 1958 if it will be possible. The Council agreed that if it is at all possible to do this, they would probably agree to pay the additional cost of anything over a normal size installation which might seem sensible at the time to handle anticipated growth in or beyond the area.

Mr. Grant Grover, 1211 Bannock, appeared before the Council and explained that, next door at 1203 Bannock, there is a duplex living unit both sides of which are used for rental. It was conceded that it was built prior to the 1955 Zoning Ordinance but that the zone has always been R-1. It was built as a home and was converted to apartments later. This problem was referred to the City Attorney and Mr. Grover agreed to meet with Mr. Smith on the matter.

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

| <u>FUND</u>         | <u>GROSS<br/>PAYROLL</u> | <u>SERVICES &amp;<br/>MATERIALS</u> | <u>TOTAL<br/>EXPENDITURES</u> |
|---------------------|--------------------------|-------------------------------------|-------------------------------|
| General Fund        | \$95,043.60              | \$47,014.43                         | \$142,058.03                  |
| Waterworks Fund     | 7,004.78                 | 10,728.16                           | 17,732.94                     |
| Electric Light Fund | 15,919.81                | 37,064.53                           | 52,984.34                     |
| Police Retirement   | <u>555.83</u>            | <u>.00</u>                          | <u>555.83</u>                 |
| <b>TOTAL</b>        |                          |                                     | <b>\$213,331.14</b>           |

It was moved by Councilman Johnson, seconded by Petersen, that the bills be allowed and the City Clerk be authorized to draw warrants on the respective funds in payment of same. Roll call as follows: Ayes, 4; No, None; carried.

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

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License and permit applications were presented as follows: BARTENDER; Morrie Dallinger; BEER TO BE CONSUMED ON PREMISES OTHER THAN DRAFT; Ted's Coffee Shop, Ted LeBaron, 284 Broadway; JOURNEYMAN PLUMBER; Martin G. Grieve, Kerr Plumbing. It was moved by Councilman Petersen, seconded by Johnson, that the permit and licenses be approved. Roll call as follows: Ayes, 4; No, None; carried.

A license application for a CAB DRIVER license was presented: Farrell Fullmer, Yellow Cab Co. It was moved by Councilman Johnson, seconded by Petersen, that the license be granted subject to the approval of the Chief of Police. Roll call as follows: Ayes, 4; No, None; carried.

A license application for Electrical Inspector was presented. It was moved by Councilman Johnson, seconded by Petersen, that the license be granted. Roll call as follows: Ayes, 4; No, None; carried.

License applications for APPRENTICE GAS FITTERS were presented as follows: Darol Forsythe, Hood Northwest Sheet Metal Co.; Frank McDonald, Elmer Sewell. It was moved by Councilman Johnson, seconded by Foote, that the licenses be granted, subject to the approval of the Gas Inspector. Roll call as follows: Ayes, 4; No, None; carried.

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

RE: Lucille Sullivan with Alias

Gentlemen:

The investigation into the above named person, applicant for a rooming house license, shows that she has been arrested numerous times including charges of prostitution, venereal control, intoxication, driving while under the influence of liquor, and vagrancy.

In an interview and subsequent conversation with this applicant it was disclosed that she is an alcoholic and has practiced prostitution in various cities throughout the west.

It is my opinion that if a rooming house license were granted to this individual it would be a potential trouble spot. I am submitting the complete file on this subject for your review.

Respectfully submitted,  
s/ A. Lowell Cramer  
Chief of Police

The foregoing letter was presented. It was moved by Councilman Petersen, seconded by Johnson, that the rooming house license application be denied. Roll call as follows: Ayes, 4; No, None; carried.

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**RESOLUTION (Resolution No. 1958-17)**

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

Lots 38, 39, and 40, Block 21, Capitol Hill Addition to the City of Idaho Falls, per the recorded plat thereof.

WHEREAS, HEIRS OF HENRIETTA WEBSTER, deceased, has offered to pay to the City of Idaho Falls the amount for which said property was sold to the City, 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 HEIRS OF HENRIETTA WEBSTER, deceased, a deed to said property, pursuant to the provisions of Section 50-2951, Idaho Code.

PASSED BY THE COUNCIL the 7<sup>th</sup> day of August, 1958.

APPROVED BY THE MAYOR this 7<sup>th</sup> day of August, 1958.

s/ John B. Rogers  
MAYOR

s/ Roy C. Barnes  
CITY CLERK

(SEAL)

**RESOLUTION (Resolution No. 1958-18)**

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 14<sup>th</sup> day of January, 1957, recorded in Book 107 of Deeds at Page 99, records of Bonneville County, Idaho, acquire title to and possession of the following described real property, to-wit:

Lot Fourteen (14), Block Fifty-nine (59), Highland Park Addition to the City of Idaho Falls, Bonneville County, State of Idaho

WHEREAS, RONALD BATE has offered to pay to the City of Idaho Falls the amount for which said property was sold and then due, together with penalties and interest thereon;

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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 RONALD BATE, a quit claim deed to said property, pursuant to the provisions of Section 50-2951, Idaho Code.

PASSED BY THE COUNCIL this 7<sup>th</sup> day of August, 1958  
APPROVED BY THE MAYOR this 7<sup>th</sup> day of August, 1958.

s/ John B. Rogers  
MAYOR

(SEAL)

s/ Roy C. Barnes  
CITY CLERK

The foregoing resolutions accompanied by tax deeds were presented. It was moved by Councilman Petersen, seconded by Johnson, that the Mayor and City Clerk be authorized to sign both instruments. Roll call as follows: Ayes, 4; No, None; carried.

The Garbage Ordinance was presented. It was agreed that the section in the old ordinance pertaining to garbage racks should be deleted. It was also agreed that the new ordinance should not attempt to enforce specific times when downtown businesses be allowed to burn combustible garbage and to control this strictly on a nuisance basis. It was also agreed that the passing of the ordinance should not be postponed for the length of time it will take to complete a survey from which to arrive at an equitable charge for commercial customers. It was suggested that this be a project given to the Chamber of Commerce Sanitation Committee for study, perhaps bringing local businessmen in for their views on the matter. Meanwhile it was agreed that, with the help of publicity from the local press so that it will be well known that it is temporary, all business be charged a nominal monthly rate of \$1.00 with the understanding that, as soon as possible, the ordinance be revised to provide a permanent charge for businesses.

With the two previously mentioned deletions, then, pertaining to garbage racks and burning of garbage in the downtown area, and the amendment allowing for a temporary nominal charge for businesses, the following ordinance was presented:

ORDINANCE NO.

AN ORDINANCE PROVIDING THAT THE CITY OF IDAHO FALLS AND ITS AGENTS SHALL HAVE THE EXCLUSIVE AUTHORITY AND DUTY TO COLLECT AND DISPOSE OF ALL REFUSE WHICH SHALL ACCUMULATE WITHIN SAID CITY, DEFINING THE TERMS HEREOF; FIXING MONTHLY CHARGES AGAINST ALL PREMISES FOR THE COLLECTION AND DISPOSAL OF REFUSE; AND REQUIRING THOSE IN POSSESSION OF PREMISES TO CAUSE THE SUMS CHARGED TO BE PAID TO THE CITY; REQUIRING THAT

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REFUSE BE PLACED IN APPROVED CONTAINERS AND THAT SUCH CONTAINERS BE PLACED UPON RACKS; PROVIDING FOR THE CONSTRUCTION MAINTENANCE AND OPERATION OF INCINERATORS; 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 Foote, seconded by Freeman, that the provisions of Section 50-2004 of the Idaho Code requiring all ordinances to be fully 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 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 AS AMENDED". Roll call as follows: Ayes, 4; No, None; carried.

The Mayor announced that one purpose of the meeting was to consider the adoption of an ordinance establishing a schedule of rates for service afforded by the sanitary sewage plant and system of the City of Idaho Falls. Thereupon, the following ordinance was introduced in written form by Foote and was read by title. Johnson moved that the rule requiring the reading of the ordinance three different days be dispensed with and the motion was adopted by the vote of not less than three-fourths of the Council, to-wit: Ayes; Foote, Freeman, Petersen, Johnson, Nay; None. The ordinance was thereupon again read by title and was read in full, after which, pursuant to motion made by Petersen, and seconded by Freeman, the ordinance was adopted by the following vote: Ayes; Foote, Freeman, Petersen, Johnson. Nay; None.

The ordinance was thereupon signed by the Mayor in evidence of his approval, was attested by the City Clerk, was numbered and ordered recorded and is as follows:

**ORDINANCE NO. 920**

AN ORDINANCE FIXING A SCHEDULE OF RATES AND CHARGES FOR SERVICES AFFORDED BY THE MUNICIPAL SEWAGE PLANT AND SYSTEM OF THE CITY OF IDAHO FALLS.

The Electrical Ordinance previously passed on two readings, was presented. Because of certain changes, it was the City Attorneys opinion it should be passed on all three readings as amended. Following is the ordinance caption:

**ORDINANCE NO.**

AN ORDINANCE FOR SAFEGUARDING PERSONS AND PROPERTY AND PROMOTING THE WELFARE OF THE PUBLIC; DEFINING THE QUALIFICATIONS AND DUTIES OF THE ELECTRICAL INSPECTOR; ESTABLISHING STANDARDS FOR ELECTRICAL EQUIPMENT, AND

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THE INSTALLATION OF ELECTRICAL EQUIPMENT WITH PROVISION FOR PERMITS THEREFORE, EXCEPT AS OTHERWISE PROVIDED; AND MAKING IT UNLAWFUL, EXCEPT AS OTHERWISE PROVIDED, TO UNDERTAKE THE INSTALLATION OF ELECTRICAL EQUIPMENT WITHOUT A STATE CONTRACTORS LICENSE; PROVIDING PROVISIONS FOR ENFORCEMENT OF THIS ORDINANCE AND PROVIDING PENALTIES FOR VIOLATION; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE.

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, 4; No, None; carried. The majority of 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 AS AMENDED"? Roll call as follows: Ayes, 4; No, None; carried.

August 14, 1958

Mr. John B. Rogers  
Mayor  
Idaho Falls, Idaho

Dear Mr. Rogers:

Please find enclosed an original and three copies of a Cooperative Traffic Signal Agreement for traffic signal installations at the intersections of River Parkway, Airport Road and North Utah with West Broadway in Idaho Falls.

Also included for your information are two copies of cost estimates, bill of materials and specifications for signal equipment for the above location.

If these agreements meet with the approval of the City, please have all copies signed and returned to this office for final execution. Upon completion, a copy of each agreement will be forwarded to you for your files.

Very truly yours,  
s/ B. L. Mathes  
Planning & Traffic Engineer  
G. Bryce Bennett  
State Highway Engineer

Enclosures (4)

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After this letter was read, it was moved by Councilman Foote, seconded by Petersen, that the Mayor and City Clerk be authorized to sign the agreements. Roll call as follows: Ayes, 4; No, None; carried.

The Mayor announced that he was requesting authority to call for bids on the re-roofing or patching the roofs of the Armory, the City garage and the City Building. The Council authorized the Mayor to select the date and to proceed accordingly.

The Gas Ordinance was again brought up for discussion and the City Attorney presented a suggested revision of Section 6. After some discussion there still seemed to be problems unanswered in the revision. Councilman Petersen said he was taking a trip to Salt Lake City and would study their ordinance and would report his findings back to the Council.

Mr. William Hatch appeared before the Council with regard to almost 12 acres of his property south of the Airport zoned "Clear Zone" by the City about two years ago which he asserted the City is obliged to acquire from him for a consideration yet to be determined. He verbally reported on the results of an appraisal made by David Benton, Dan Hoopes, and William Gourley, said appraisal being in the amount of \$5,000 an acre. He indicated that he felt this was a fair price for the property if a suitable contract could be drawn up immediately. He warned however, that he was soon leaving the Country and if there was any delay he would have no alternative but to turn the matter over to his attorney in which case it would be necessary to include other charges such as damages, interest on his money for the past two years, etc. The Council felt they needed time for weighing the problem and possibly for another appraisal. They tried to point out that this was preceding setting and that they had a grave responsibility to the City Taxpayer to make no hasty move and to take only the action that could be considered fair. It was moved by Councilman Freeman, that the \$5000 per acre offer be rejected. This motion died for want of a second.

It was felt that no decision could be reached this night and the Mayor declared this Meeting recessed until 2:00 P.M. Friday, August 8<sup>th</sup>, 1958.

ATTEST: s/ Roy C. Barnes  
CITY CLERK

s/ John B. Rogers  
MAYOR

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