

DECEMBER 12, 1958

The City Council of the City of Idaho Falls met in Recessed Session Friday, December 12, 1958, at 8:00 P.M. in the Council Chambers at Idaho Falls, Idaho. There were present at said Meeting: Mayor Pro tem Donald R. Foote; Councilmen Petersen, Johnson, Freeman. Also present: Louise Anderson, Acting City Clerk; T. R. Peters, Purchasing Agent; Alva Harris, Building Official; Donald Lloyd, City Engineer; Don Ellsworth, Assistant City Engineer. Absent: Mayor John B. Rogers.

The Mayor Pro tem announced that the minutes of the last Regular Meeting, November 21, 1958 and a Special Meeting, December 1, 1958, would not be read at this Meeting but, would be read, together with the minutes of this Meeting, and the adjourned Meeting of December 8, 1958, at the Council Meeting on December 19, 1958.

The Mayor Pro tem announced that this was the time and the place for the opening of the bids on the Sewer pipeline suspension bridge crossing. The Acting City Clerk read the bids which are as follows:

Davis Construction Co., Provo Utah	\$29,895.00
alternate bid (depending of material used) less	1,144.00
Arrington Const. Co., Idaho Falls, Idaho	31,600.00
alternate (depending on material used) less	1,100.00
Pettijohn Const. Co., Portland, Oregon	40,580.00
(telegram reducing bid)	250.00
Wehyer Const. Co., Sale Lake City, Utah	34,760.00
Aiman Construction Co.	34,625.00

A bid from Thompson Pipe Line Co. was presented, but was considered in the above inasmuch as it represented materials only as a portion of the project. These bids were referred to the Engineering Department.

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

The Council was asked to ratify the action of the two Councilmen who attended the Recessed Meeting December 8, 1958, said action of which was to instruct the City Clerk to pay the monthly bills which had been audited by the Finance Committee at that time and which were as follows:

<u>FUND</u>	<u>GROSS PAYROLL</u>	<u>SERVICES & MATERIALS</u>	<u>TOTAL EXPENDITURES</u>
General Fund	\$82,566.49	\$96,140.147	\$178,706.66
Waterworks Fund	8,289.87	10,139.48	18,429.355
Electric Light Fund	15,223.71	57,568.43	72,792.14
Police Retirement	<u>1,121.25</u>	<u>.00</u>	<u>1,121.25</u>
TOTAL			\$269,928.15
		Police Retirement Fund	1,121.25

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It was moved by Councilman Johnson, seconded by Petersen, that this action be so ratified. Roll call as follows: Ayes, 3; No, None; carried.

NOTICE AND CLAIM

NOTICE IS HEREBY GIVEN to the City of Idaho Falls, Idaho, that Luther Hines and Lawrence Charbonneau of Idaho Falls, County of Bonneville, State of Idaho, claimants herein, claim damages against said City in the amount of \$350.00 special damages and \$5,000.00 general damages.

The injury for which we claim damages against the City occurred on or about the 11th day of November, 1958.

The cause and character of such injuries and facts connected therewith are as follows:

That on the said 11th day of November, 1958, while traveling on Crowley Street between Jefferson and Canyon Avenues in the City of Idaho Falls, Idaho, in a car owned and operated by Lawrence Charbonneau, the car suddenly went into an open excavation or sunken depression in the street thereby damaging the car and causing injuries to Luther Hines. Said injuries were so received without any fault on our part and solely through the carelessness and negligence of the City in failing to provide a safe street for travelers. That said City permitted said defect to exist for a long period of time, so as to constitute a menace and danger to the public. That by reasons of the premises, the said claimants have been put to expense in procuring necessary medical treatment for the said Luther Hines and repair work on the automobile the exact sum of which cannot be ascertained at this time. That claimants have been damaged in the amount of approximately \$350.00 special damages and \$5,000.00 general damages.

s/ Lawrence Charbonneau

s/ Luther Hines

The foregoing notice and claim was presented. It was moved by Councilman Johnson, seconded by Petersen, that this claim be turned to the insurance adjuster and the City Attorney. Roll call as follows: Ayes, 3; No, None; carried.

A recommendation from Cornell, Howland, Hayes & Merryfield with regard to the successful bidder on the pumping equipment for the new well at the sewage treatment plant was presented. It was moved by Councilman Freeman, seconded by Johnson, that their recommendation be accepted by selecting Mel Brown and Company of Idaho Falls, Idaho with their Layne & Bowler submersible pump as the successful bidder. Roll call as follows: Ayes, 3; No, None; carried.

RESOLUTION (Resolution No. 1958-24)

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 ___ day of November, 1958, recorded in Book 107 of Deeds at Page 105, records of Bonneville County, Idaho, acquire title to and possession of the following described real property, to-wit:

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Lots Twenty-eight (28) and Twenty-nine (29), Block Thirty-two (32), Capitol Hill
Addition to the City of Idaho Falls, Idaho.

WHEREAS, GEORGE H. FERGUSON 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 GEORGE H. FERGUSON a deed to said property, pursuant to the provisions of Section 50-2951, Idaho Code.

PASSED BY THE COUNCIL this 12th day of December, 1958.

APPROVED BY THE MAYOR this 12th day of December, 1958.

ATTEST: s/ _____
CITY CLERK

s/ _____
MAYOR

The foregoing resolution accompanied by the City redemption Tax Deed was presented. It was moved by Councilman Freeman, seconded by Johnson, that the Mayor and City Clerk be authorized to sign the instruments. Roll call as follows; Ayes, 3; No, None; carried.

December 1, 1958

Honorable Mayor and City Council

I recommend that you establish a Fire Prevention Bureau for the City of Idaho Falls. Due to the rapid growth of the City I feel that this is necessary in order for us to carry out an effective inspection program.

I also request that Les Corcoran who is now a driver in our Department be promoted to the rank of Lieutenant and transferred to the Fire Prevention Bureau effective December 1st, 1958.

Respectfully,
s/ Bert Brown
Chief of Fire Department

It was moved by Councilman Johnson, seconded by Petersen, that a Fire Prevention Bureau be established and the appointment of Les Corcoran to that Bureau be approved. Also the Fire Chief was to meet with Art Smith, City Attorney, in drawing up the necessary ordinance. Roll call as follows: Ayes, 3; No, None; carried.

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A gentlemen presented himself to the Council inquiring as to the number of fire exits required by law, for buildings. Mr. Alva Harris informed the man, according to the International Building Code and the Uniform Building Code, two exists are required for places having over ten occupancy. The Council's attention was called to a particular location, namely the Broiler. This situation was referred to the Fire Chief and the newly organized Fire Prevention Bureau.

ORDINANCE NO. 927

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 SUM CHARGES TO BE PAID TO THE CITY; REQUIRING THAT REFUSE BE PLACED IN APPROVE 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.

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

Leo Clawson, Western Machinery Company, appeared before the Council in an attempt to impress that group with regard to the future need for another garbage truck and supplied them with quotations supplied by his and other companies. No action was taken in this regard.

It was moved by Councilman Johnson, seconded by Petersen, that the Council adjourn; carried.

ATTEST: s/ Louise Anderson
ACTING CITY CLERK

s/ Donald R. Foote
MAYOR PRO TEM
