

APRIL 8, 1958

The City Council of the City of Idaho Falls, Idaho met in recessed Session Tuesday, April 8, 1958, at 8:00 P.M. in the Council Chambers at Idaho Falls, Idaho. Present: Mayor John B. Rogers: Councilmen Foote, Petersen, Freeman. Absent: Councilman Johnson. Also present: Don Ellsworth, Asst. Engineer; T.R. Peters, Purchasing Agent.

Minutes of the Regular Meeting held March 21, 1958, and two Special Meetings held March 28, 1958 and April 2, 1958, were read and approved.

The Mayor announced that this was the time and the place for bid opening on the trucks for the Street Department, whereupon the City Clerk proceeded to open the sealed bids which revealed the following:

	<u>Truck #385</u>		<u>Truck #388</u>		<u>Truck #433</u>
Smith Chevrolet Co.	\$5407.00		\$5407.00		\$5407.00
Idaho Falls, Idaho	<u>500.00</u>	less allow	<u>390.00</u>	less allow	<u>350.00</u>
Chev. Truck with Lang or Williamson Body	\$4907.00		\$5017.00		\$5057.00
Ellsworth Brothers	\$5721.00		\$5721.00		\$5721.00
Idaho Falls, Idaho	<u>551.00</u>	less allow	<u>421.00</u>	less allow	<u>321.00</u>
Dodge Truck with Williamson Body	\$5170.00		\$5300.00		\$5400.00
J. H. Boozer Oil Co.	\$6649.33		The above figures, submitted by Boozer, would apply to all three truck trade-ins.		
Idaho Falls, Idaho	<u>1100.00</u>	less allow			
WC-20-White Truck with Large Dump Body	\$5549.33				
Snake River Equipment Co.	\$7976.90		\$7976.90		\$7976.90
Idaho Falls, Idaho	<u>400.00</u>	less allow	<u>576.90</u>	less allow	<u>250.00</u>
International Truck with Lang or Williamson Body	\$7576.90		\$7200.00		\$7216.90
Stoddard Ford	\$6531.28		\$6531.28		\$6531.28
Idaho Falls, Idaho	<u>400.00</u>	less allow	<u>350.00</u>	less allow	<u>300.00</u>
Ford Truck with Lang Dump Body	\$6131.28		\$6181.28		\$6231.28
Stoddard Ford	\$6421.68		\$6421.68		\$6421.68
Idaho Falls, Idaho	<u>400.00</u>	less allow	<u>350.00</u>	less allow	<u>300.00</u>
Ford Truck with Williamson Dump Body	\$6021.68		\$6071.68		\$6121.68

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J. Ed Browning & Son	\$5528.00		\$5528.00		\$5528.00
Idaho Falls, Idaho	<u>385.00</u>	less allow	<u>600.00</u>	less allow	<u>275.00</u>
GMC Truck with Lang Dump Body 900 X 20-10 Ply Front & Dual Rear	\$5143.00		\$4928.00		\$5253.00
J. Ed Browning & Son	\$5396.68		\$5396.68		\$5396.68
Idaho Falls, Idaho	<u>960.00</u>	less allow	<u>988.00</u>	less allow	<u>710.00</u>
GMC Truck with Land Dump Body 828 X 20-10 Ply Front & Dual Rear	\$4466.68		\$4408.68		\$4686.68
J. Ed Browning & Son	\$5539.15		\$5539.15		\$5539.15
Idaho Falls, Idaho	<u>430.00</u>	less allow	<u>600.00</u>	less allow	<u>275.00</u>
GMC Truck with Williamson Dump Body	\$5109.15		\$4939.15		\$5264.15
J. Ed Browning & Son	\$5163.25		\$5163.25		\$5163.25
Idaho Falls, Idaho	<u>930.00</u>	less allow	<u>988.00</u>	less allow	<u>710.00</u>
GMC Truck with Hercules Dump Body	\$4233.25		\$4175.25		\$4453.25

The Mayor then referred all bids to the Street Commissioner and the Street Committee for study and review.

The bills against the City for the month of March, 1958, having been audited by the Finance Committee, were presented for payment as follows, to-wit:

<u>FUND</u>	<u>GROSS PAYROLL</u>	<u>SERVICES & MATERIALS</u>	<u>TOTAL EXPENDITURES</u>
General Fund	\$86,469.15	\$40,728.62	\$127,197.77
Waterworks Fund	6,181.32	45,953.34	52,134.66
Electric Light Fund	14,844.75	39,684.31	54,529.06
Police Retirement	<u>929.16</u>	<u>.00</u>	<u>929.16</u>
TOTAL			\$234,790.65

It was moved by Councilman Petersen, seconded by Foote, that the bills be allowed and the City Clerk be authorized 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 for the month of March were presented and, there being no objection, were ordered placed on file in the City Clerk's office.

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The following HEALTH PERMIT applications previously approved by the City Sanitarian for eating and drinking establishments were presented: Jensen Trailer Concession, River Parkway at Boat Dock; Ball Park Concession, Highland Park. It was moved by Councilman Freeman, seconded by Foote, that the Ball Park be granted but that the Jensen Trailer Concession to be operated on River Parkway at the Boat Dock be tabled and referred to the Park Committee. Roll call as follows: Ayes, 3; No, None; carried.

Applications for BARTENDERS permits and SOFT DRINK licenses and BOTTLED BEER TO BE CONSUMED ON PREMISES were presented as follows: BARTENDERS; Eugene Petersen, Bonneville Hotel Lounge; SOFT DRINK, Luke's Cafe, Elsie Bala, Baseball Park, Dwight Johnson; BOTTLED BEER CONSUMED ON THE PREMISES; Baseball Park, Highland Park, Dwight Johnson. It was moved by Councilman Freeman, seconded by Foote, that the permit and licenses be granted. Roll call as follows: Ayes, 3; No, None; carried.

Applications for ELECTRICAL CONTRACTORS AND JOURNEYMAN ELECTRICIANS licenses were presented as follows: ELECTRICAL CONTRACTOR; Jewell Electric, A. C. Bidstrup; JOURNEYMAN ELECTRICIANS; A. R. Morton, Gem State Electric; Pat J. Moran, Snake River Electric. It was moved by Councilman Petersen, seconded by Freeman, that the licenses be granted, subject to the approval of the Electrical Inspector. Roll call as follows: Ayes, 3; No, None; carried.

The following application for MASTER PLUMBER was presented. MASTER PLUMBER; Ted Workman State License #188, expires 12-31-58, Workman Plumbing Co.. It was moved by Councilman Foote, seconded by Petersen, that the license be granted. Roll call as follows: Ayes, 3; No, None; carried.

A JOURNEYMAN PLUMBER license application for John L. Enell was presented. It was moved by Councilman Petersen, seconded by Foote, that the application be denied, in view of the fact that the applicant is employed by a contractor outside the City limits, plus the fact that we have not been presented with his state license number. Roll call as follows: Ayes, 3; No, None; carried.

An application for JOURNEYMAN GAS FITTER license for Maurice Jacobson, was presented. It was moved by Councilman Freeman, seconded by Foote, that the license be granted, subject to the approval of the Gas Inspector. Roll call as follows: Ayes, 3; No, None; carried.

The following license applications for ROOMING HOUSE AND PHOTOGRAPHERS were presented. ROOMING HOUSE; Luke Cabins, 1315 W. Broadway, Elsie Bala; PHOTOGRAPHERS; Ray Crosby Studios. T. F. Blakeley, Portland, Oregon. It was moved by Councilman Foote, seconded by Freeman, that the ROOMING HOUSE license be granted, subject to the approval of the Chief of Police, but that the PHOTOGRAPHERS application be tabled, pending an investigation by the Chief of Police. Roll call as follows: Ayes, 3; No, None; carried.

April 7, 1958

City Clerk
City of Idaho Falls
Idaho Falls, Idaho

Re: Malmberg Matter

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Dear Mr. Barnes:

Enclosed, for presentation to the City Council at its next meeting, is a petition requesting that a certain alley and segment of a street be vacated.

As I would like to be present to answer any question which might arise, please advise me as to the time when said petition will be presented.

For his information, I am sending a copy of the petition and of this letter to the City Attorney.

Very truly yours,
s/ Reginald R. Reeves

Enclosure
Petition
cc: City Attorney

The foregoing letter accompanied a petition in the interest of L. E. Malmberg, requesting that a certain alley and segment of a street be vacated; said alley adjoining Mr. Malmberg's property described as follows: "Tract 5, Block 15, Dwight's Addition to the City of Idaho Falls, consisting of 2.43 lots, being parts of Lots 25, 26, 27, 28 and 29." The petition was referred to the City Engineer and the Street Committee for further study and recommendation.

4/4/58

To the Honorable Mayor and City Council
Idaho Falls, Idaho

Gentlemen:

Today, Mr. Lynn Crandall contacted me and advised that Mrs. Ethel Smith's term, as a member of the Library Board, has now expired. It was his recommendation that she be reappointed for another three year term and he asked that the writer present this before you for your consideration.

Your attention on this matter is requested.

Respectfully submitted,
s/Roy C. Barnes
CITY CLERK

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This letter was read by the City Clerk. It was moved by Councilman Freeman, seconded by Foote, that Mrs. Smith's re-appointment be approved. Roll call as follows: Ayes, 3; No, None; carried.

NOTICE AND CLAIM

NOTICE IS HEREBY GIVEN to the City of Idaho Falls, Idaho, that George Ostler of Idaho Falls, County of Bonneville, State of Idaho, claimant herein, claims damages against said City in the amount of \$42.00 special damages and \$5,000.00 general damages.

The injury for which I claim damages against the said City occurred on the 8th day of March, 1958. The cause and character of such injury and facts connected therewith are as follows:

That on the 8th day of March, 1958, at about 2:00 o'clock P.M. of said day, while walking in a southerly direction across a street at the intersection of Shoup Avenue and A Street, in the City of Idaho Falls, Idaho, and more particularly at the southwest corner of said intersection, claimant walked over a storm sewer grate which had been installed by the said City at said point, and while so walking over said storm sewer grate, it gave way, thereby causing claimant to fall into the storm sewer a distance of about two to three feet, and he was, by reason thereof, injured in that his legs were severely cut and bruised, causing him great physical pain. Said injuries were so received without any fault on his part and solely through the carelessness and negligence of the said City of Idaho Falls in failing to provide a safe sidewalk and storm sewer grill for the said claimant to travel at the time and place aforementioned; that by reason of the premises, the said claimant has been put to an expense in procuring necessary medical and surgical treatment and care for the said claimant, George Ostler, and have been and will hereafter be put to loss and expense.

That as a result of said defective storm sewer grill, the claimant herein has been damaged in the sum of \$42.00 for doctor's treatment and drugs, which said claimant will be obliged to expend hereafter. That as a result of said defective storm sewer grill and the resulting injuries, the said claimant has been damaged in the sum of \$5,000.00 general damages.

s/ George Ostler

STATE OF IDAHO)
) ss.
County of Bonneville)

George Ostler, being first duly sworn, deposes and says: That he is the above named claimant and that he has read the above and foregoing notice and claim, and knows the contents thereof, and believes the same to be correct, reasonable and just.

s/ George Ostler

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Subscribed and sworn to before me this 3rd day of April, 1958.

Dorothy Grimmett
Notary Public
For the State of Idaho
Residing at Idaho Falls, Idaho

(Seal)
My commission expires:
May 10, 1961

The foregoing notice and claim, prepared by Mr. Reed Williams local Attorney, in the interest of George Ostler, was presented and referred to the City Attorney and the City Insurance Carrier.

RESOLUTION (Resolution No. 1958-11)

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 25th day of January, 1957, recorded in Book 107 of Deeds at Page 119, records of Bonneville County, Idaho, acquire title to and possession of the following described real property, to-wit:

Lots One (1), Two (2), Three (3), Four (4), Five (5) and Six (6).
Block Eleven (11), Bel Aire Addition to the City of Idaho Falls,
per the recorded plat thereof.

WHEREAS, Irene Putnam 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;

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

PASSED BY THE COUNCIL this 8th day of April, 1958.

APPROVED BY THE MAYOR this 8th day of April, 1958.

s/ John B. Rogers
Mayor

ATTEST: s/ Roy C. Barnes
City Clerk

(SEAL)

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

LEASE AGREEMENT

A Lease Agreement was presented between the City of Idaho Falls and the Smith Chevrolet Company covering one Chevrolet Sedan for the Detective Department. This was referred to the Chief of Police who, together with the Mayor, will discuss the terms of agreement with the lessor.

801 Saturn Avenue
Idaho Falls, Idaho
March 20, 1958

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

Dear Mr. Mayor:

This letter is a protest against the removal of the grass plots and the trees on Memorial Drive. Aside from their scenic beauty, they are a Memorial for the boys who gave their lives in 1918, World War 1, and to remove them would be to destroy the handiwork of many citizens and the loving care that has made these trees grow from small shrubs, to the beautiful trees that they are today.

I realize that we cannot stand in the way of progress, but is it not possible that we may become too commercialized? Surely there are other places that can be used for parking meters, without destroying these memorials that many organizations worked so hard to bring into actuality. Idaho Falls is known over the entire state for the fine living memorial that they have used to honor these boys who did not return. Is it not better to plant a tree, than to erect a shaft of granite or marble, out in the cemetery?

I urge you to give this careful consideration before orders are given to destroy in a few hours, with a bull dozer, what it has taken nearly half a century to nurture.

Sincerely yours,
s/ Mrs. Bruce S. Arrington

This letter was read by the City Clerk. No action was taken.

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Mr. Earl C. Reynolds, Jr.
Cornell, Howland, Hayes and Merryfield
Idaho Building
Boise, Idaho

Dear Earl:

\$1,600,000 Idaho Falls Water and Sewer Bonds

With respect to the information for Idaho Falls, we have now agreed upon the \$1.50 per month for sewers, and I don't know what connection charge the City will impose in the future.

I thought that you should project the growth as you have, showing the amount of money available from connection charges, based upon the growth. I assume that for the connection charge the City would run the line from the Street to the property line so that all of the money would not be clear from the connection charge imposed, or the City might impose a slightly smaller connection charge and have the property owner run the line to the sewer at their own expenses.

I think in new subdivisions the City should require the sub-divider to put in all of the utilities and turn them over to the City for operation without cost to the City, and in that case some projection should be made in the Bond Ordinance that where this is done by the sub-divider the connection charges to be imposed will be worked out between the City and the Sub-divider.

I assume that the City will place in effect immediately its rate ordinance for sewer connections and monthly service charge so that it can be accumulating some money to pay their interest on the bonds. I think you could suggest this to the City.

On the maturity schedule, we sent several schedules to the City, and I think it decided pretty much on one of those schedules. It has slipped by mind now which one, it has been so long, but I think if you check with the City officials they can tell you which schedule.

You should also protect water revenue from the 1957 experience based upon this projected growth. We don't want to have to use any of the water revenue to service the bonds, but we do want to have in the reasibility finance table to show the coverage for the bonds.

I don't know whether the City has a water connection fee or not. I assume that it does and that it will continue to do so. My suggestion would be that you project your growth as you did, the estimated number of sewer connections, the gross from sewers, maintenance and operation for sewers, and the net from sewers, and that you do the same thing with the Water Department. Then show any available net for debt service, the combined net of the Water

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Department and the Sewer Department. You would not take out any capital outlay or depreciation in fixing your net figures.

There will be no taxes levied in connection with these bonds.

The maturity of the bonds will be somewhat different than the maturity outlined in your feasibility table. I think you should figure interest at about 4%.

I don't know when the City's fiscal year ends. I assume May 31, and it might be that we could get the figures to the end of 1958 also to include in the figures that we requested you supply us in our former letter.

Please suggest to the City in getting the figures that in showing the revenues that it delete the costs of capital outlay, materials, and labor in the various years and that it also delete depreciation. We want to know what the net revenues were in each of the years required after maintenance and operation but before capital outlay or depreciation.

I think that all we will need in addition to what was in your first report will be a statement from you as to what is going to be done and as to whether or not we can take it out of your report. If not, then we probably should have some summaries as to what is going to be constructed.

I would like to have some idea from you on timing so that we can proceed and have the bond ordinance prepared. This will take some time, as we will want to confer with the City Officials as to what provisions it should contain.

In your feasibility table you could show the annual surplus and the accumulative surplus.

Very truly yours,
s/J. A. Burrows
President

JAB:mb

cc: Honorable John Rogers, Mayor
Arthur L. Smith, City Attorney

The foregoing letter was referred to the Councilmen by the Mayor with particular emphasis on the portion of the letter stating that "\$1.50 monthly service charge has been agreed upon." No action was taken.

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P E T I T I O N

In this month of March 1958, we as citizens and taxpayers of the City of Idaho Falls do hereby petition the City Council of said City to enact, through the powers vested, traffic control measures felt necessary for the safety of children and grown-ups alike in the City controlled recreation area known as Kate Curley Park. Our extreme interest in this area stems from observance of the problems through living immediately adjacent to the park on the north, south, east and west.

Several years ago one child was struck down by a car on Tenth Street when crossing to the park. Fortunately this child received no permanent injury. We have observed numerous "near mishaps" which could have resulted in the permanent injury or death of a loved one. Our City is growing rapidly with each passing month. This growth brings with it an influx of vehicular traffic which necessitates the changing of traffic control measures to conform with the influx. Examination of police accident records should further establish this need.

Now is the time to act - not after the funeral of some unfortunate victim of an accident, which might possibly have been prevented by adequate control measures; therefore, we propose the following:

The erection of four stop signs at each intersection adjacent to the four corners of the park to supplement the present (inadequate) fifteen (15) mph playground speed signs.

This petition with 24 signers was presented by Councilman Freeman. After some discussion it was moved by Councilman Freeman, seconded by Petersen, that in lieu of stop signs as suggested, special speed limits around the park be instituted, supplemented with crosswalks. Roll call as follows: Ayes, 3; No, None; carried.

The Mayor wanted it made a matter of public record the appreciation of his office and that of the Councilmen directed to the Idaho Falls Police Department for their part they played in the recent local dynamiting case.

Councilman Petersen reported his findings on the Light and Water assistance application of Mrs. O. E. Fudge. In view of an anticipated inheritance within the predictable future it was moved by Councilman Petersen, seconded by Freeman, that the application be withdrawn. Roll call as follows: Ayes, 3; No, None; carried.

The Mayor advised that negotiations have been completed for the purchase of property for \$1,600.00 on the Lewisville Road as a site for the new substation. It was moved by Councilman Freeman, seconded by Foote, that the Mayor be authorized to sign the contract of purchase. Roll call as follows: Ayes, 3; No, None; carried.

Mr. Wilbur Sterling, 421 East 15th, appeared before the Council explaining that he is in the tree trimming business and asked permission to dump trimmings in the pit east of the Airport. The Council did not offer any encouragement and it was suggested that he discuss the matter with the City Sanitarian in an attempt to locate a more suitable spot.

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Mr. Henry Eisenhart, City Gas Inspector, appeared before the Council and suggested that in some manner, stricter provisions should be made for the qualifications of a GAS CONTRACTOR, referring to such factors as to whether he has a place of business, is he a capable tradesman and is he a permanent resident. The Mayor suggested to Mr. Eisenhart that this be discussed at a later date with the Council in a private session.

The Mayor welcomed a rather sizable group of high school students from the government Class and asked if there were any comments or questions. Dennis Lyons, asked about examinations for policemen. This and other questions were satisfactorily answered by the Mayor and Councilmen.

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

ATTEST: s/ Roy C. Barnes
CITY CLERK

s/ John B. Rogers
MAYOR
