

MARCH 21, 1958

The City Council of the City of Idaho Falls, Idaho, met in Regular Session, Friday, March 21, 1958, at 8:00 P.M. in the Council Chambers at Idaho Falls, Idaho. Present: Mayor John B. Rogers; Councilmen Foote, Johnson, and Petersen. Absent: Councilman Freeman. Also present: Arthur L. Smith, City Attorney; T. R. Peters, Purchasing Agent; Claud Black, City Engineer; Alva Harris, Building Inspector; Bert Brown, Fire Chief; F. G. Perrin, Acting Police Chief; Louise Anderson, Acting City Clerk.

Minutes of a Regular Meeting held March 6, 1958, were read and approved.

The following protest with reference to the zoning hearing scheduled for that evening, was read, with fourteen signatures of property owners appearing on the protest, as follows:

To the Honorable Mayor and Honorable Members of the City Council of Idaho Falls, Idaho

Gentlemen:

The undersigned, a property owner and taxpayer residing on West Broadway, Idaho Falls, County of Bonneville, State of Idaho, hereby wishes to protest the changing of the property along West Broadway, Idaho Falls, Idaho, between Skyline Drive and Saturn Avenue, and specifically that part of property fronting on West Broadway and formerly known as the Craig property, now owned by Messrs. Page and Bird; and all of said property back and north a distance of three hundred (300) feet from the north line of said West Broadway from an R-1 zone as it is now designated to an H-C Highway, Commercial zone.

This protest is being made upon the grounds that it would be unwise and inadvisable to make a change in the zoning of this property at this time. That there is no need for such change and that same would only tend to lessen all property owned by the undersigned and other home and property owners adjacent or near the said described area.

Dated at Idaho Falls, Idaho, this 9th day of January, 1958.

It was the decision of the Mayor and Council that no action be taken now and that the protest serve as a matter of record and reference would be made to the matter at another Council Meeting.

Mr. Paul Marking, 685 8th Street, presented a written protest with regard to the use of City owned property being used as a dumping ground for snow. The protest reads as follows:

We the undersigned residents of the 600 Block of Eighth Street wish to protest the use of City property adjacent to ours. The City owned property referred to is the half block bordered by Seventh Street on the north, Cranmer Street on the west, Wabash Street on the east and an alley on the South. This property has been used as a dumping ground for now removed from the City streets, the snow being mixed with paper, trash, tree leaves and branches, and oily substance dropped by cars. We request removal of the trash and residue now on the property as this would appear to be misuse of R-1 zoned property.

There were nine names on the protest. The Mayor assured Mr. Marking the situation would be taken care of on the following Monday. The acting Clerk was advised to inform Mr. Chet Taylor,

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Street Commissioner, of the present condition and have the situation taken care of at once. Mr. Marking then asked what assurance could be given that this situation would not occur again, so that any prospective buyers of adjacent property would not have the same conditions to put up with. The Mayor informed Mr. Marking that the City could not give a definite assurance, but they would do their best to keep from using the property for snow removal if at all possible.

The following petition signed by twenty-four property owners was read by Mr. Marvin Walker, 386 10th Street, who appeared in behalf of the petition signers.

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 this 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 proposed 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 was referred to the Police Committee, the Chief of Police, and the Traffic Sergeant for further action.

The following license applications for JOURNEYMAN PLUMBERS AND MASTER PLUMBERS were presented as follows: JOURNEYMAN PLUMBERS: C. E. Englund, R. H. Richman, Robert S. Keele; MASTER PLUMBERS: Wilford Bingham, George A. Greene. It was moved by Councilman Johnson, seconded by Petersen, that the licenses be granted subject to the approval of the Plumbing Inspector. Roll call as follows: Ayes, 3; No, None; carried.

The following license applications for JOURNEYMAN ELECTRICIANS AND ELECTRICAL CONTRACTORS were presented as follows: JOURNEYMAN ELECTRICIANS, Ariel Hill, Paul

Hartman; Dale Docstader, Max Cobbley, Byron Roskelley. ELECTRICAL CONTRACTOR, O.K. Shoemaker. It was moved by Councilman Johnson, seconded by Foote, that the licenses be granted subject to the approval of the Electrical Inspector. Roll call as follows: Ayes, 3; No, None; carried.

The following license applications for SOFT DRINK AND HEALTH PERMITS were permitted. SOFT DRINK, Jane N. Johnson & Marjorie E. Hicks, The Lobby; 19th Hole, Ross Corbett; Glendolyn Emery, Fred's Café; HEALTH PERMITS, 19th Hole Golf Course. It was moved by Councilman Petersen, seconded by Johnson, that the licenses be granted. Roll call as follows: Ayes, 3; No, None; carried.

The following license applications for JOURNEYMAN GAS FITTER AND APPRENTICE GAS FITTER were presented. JOURNEYMAN GAS FITTER, Wayne Hammond; APPRENTICE GAS FITTER, already approved by the Gas Inspector, Ken Kennison. It was moved by Councilman Johnson, seconded by Foote, that the licenses be granted subject to the approval of the City Gas Inspector. Roll call as follows: Ayes, 3; No, None; carried.

An application for DRAIN TILE LAYER'S license for George Hartwell, and ROOMING HOUSE license application for Sundown Motel, James L. Cropley were presented. It was moved by Councilman Johnson, seconded by Foote, that the licenses be approved. Roll call as follows: Ayes, 3; No, None; carried.

An application for a female BARTENDER'S permit for Maye Whitmore was presented. It was moved by Councilman Johnson, seconded by Petersen, that the permit be granted subject to the approval of the Chief of Police and subject to receipt of the date and State Permit Number. Roll call as follows: Ayes, 3; No, None; carried.

Applications for BEER LICENSE TRANSFER AND BEER LICENSE FOR BEER TO BE CONSUMED ON THE PREMISES were presented. BEER LICENSE TRANSFER, Marjorie E. Hicks & Jane N. Johnson, the Lobby Cigar Store. BEER LICENSE FOR BEER TO BE CONSUMED ON THE PREMISES, Ross Corbett, the 19th Hole. It was moved by Councilman Johnson, seconded by Petersen, that the licenses be granted. Roll call as follows: Ayes, 3; No, None; carried.

The following request by the Purchasing Agent was presented to confirm orders for 7000 lbs of copper wire at a quotation of 40 ½¢ costing approximately \$2835.00 from G. E. Supply Co. for the Electric Light Department and Capacitor Equipment costing \$20,014.50 for the Electric Light Department. It was moved by Councilman Petersen, seconded by Foote, that the Purchasing Agent be authorized to order the wire and other equipment. Roll call as follows: Ayes, 3; No, None; carried.

An application for light and water assistance for Mrs. O.E. Fudge was presented. The Mayor referred the application to Mr. Petersen and the Light and Water Committee.

A recommendation by Claud Black, City Engineer, was presented for new bids for the pump at I.F. Golf Course and authorization for new notice of call for bids be advertised. It was moved by Councilman Petersen, seconded by Foote, that the notice of call for bids be published. Roll call as follows: Ayes, 3; No, None; carried.

A renewal of the lease with the CAA Stand-by Generator site at Fanning Field was presented. It was moved by Councilman Petersen, seconded by Johnson, that the Mayor and City Clerk be authorized to sign the lease. Roll call as follows: Ayes, 3; No, None; carried.

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RESOLUTION (Resolution No. 1958-09)

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 16th day of January, 1956, recorded in Book 101 of Deeds at Page 49, records of Bonneville County, Idaho, acquire title to and possession of the following described real property, to-wit:

Lots Forty-three (43) and Forty-four (44), Block Twelve (12),
Capitol Hill Addition to the City of Idaho Falls, per the
recorded plat thereof.

WHEREAS, Faber Tway 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 the 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 Faber Tway a deed to said property, pursuant to the provisions of Section 50-2951, Idaho Code.

PASSED BY THE COUNCIL this 21st day of March, 1958.

ATTEST: s/ _____
CITY CLERK

s/ _____
MAYOR

RESOLUTION (Resolution No. 1958-10)

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 21st day of February, 1958, recorded in Book 112 of Deeds at Page 261, records of Bonneville County, Idaho, acquire title to and possession of the following described real property, to-wit:

Lot Six (6), Block Eight (8), South Hillcrest Addition to
the City of Idaho Falls, per the recorded plat thereof.

WHEREAS, Eldon Bird 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 the 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 Eldon Bird a deed to said property, pursuant to the provisions of Section 50-2951, Idaho Code.

PASSED BY THE COUNCIL this 21st day of March, 1958.

APPROVED BY THE MAYOR this 21st day of March, 1958.

ATTEST: s/ _____
CITY CLERK

s/ _____
MAYOR

The foregoing resolutions, accompanied by tax deeds in the name of Faber Terry and Eldon Bird, were presented. It was moved by Councilman Johnson, seconded by Petersen, that the Mayor and City Clerk be authorized to sign both instruments in each case. Roll call as follows: Ayes, 3; No, None; carried.

PETITION FOR ZONING

TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF IDAHO FALLS:

Pursuant to the provisions of Ordinance No. 852 of the City of Idaho Falls, the undersigned petition and represent as follows:

The undersigned are the owners of all the lands for which a change in zoning is herein requested. The undersigned request that all the land lying south of First Street, north of the south side of Second Street extended, east of the east side of Freeman Avenue extended and west of the west side of Olive Avenue extended be rezoned C-1 Business district.

The undersigned agree to dedicate to the City the right-of-way for Freeman Avenue from First Street to Second Street, reserving an easement for an underground pedestrian tunnel on Freeman Avenue to connect the properties on either side of Freeman Avenue in the future. In consideration of such deed, the undersigned will require that the City and/or other parties defray the expenses of improving the street.

The request for rezoning is made for the reason that the above described land is now in an B-1 Residential zone, yet it adjoins business property on two sides and fronts an arterial street which is bounded by commercial property for its whole length to the west. This situation deprives the undersigned of any economic use of their property.

Dated this 5th day of March, 1958.

s/ Jack and Olive E. Adams
PETITIONERS

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The foregoing petition was presented. The Mayor referred the petition to Mr. Alva Harris, City Building Inspector, to present to the Zoning Committee.

To the Honorable Mayor and City Council
Idaho Falls, Idaho

Gentlemen:

The members of the Board of Adjustment met Thursday, March 19, 1958 at 8:00 P.M. Those present were: Lloyd Stalker, Chairman, Henry Hance, Grover Bennett, George Cope, Sr., Vince Mullen, Dick Poitevin and Alva C. Harris, Building Inspector. Those absent were Orland Buck.

The Board of Adjustment met to make recommendation to the Mayor and City Council on the request of a change of zone, from R-1 to C Limited Business for purpose of constructing an Elks Lodge Building on the following described property: Lots 7 through 18 inclusive, Block 1, and Lots 31 through 42 inclusive, Block 1, Capitol Hill Addition to the City of Idaho Falls, Idaho. The Board recommends to the City Council that this request be granted with the provision that this property be developed for the sole purpose of a building for the Benevolent and Protective Order of the Elks and if this property is not so developed it shall automatically revert to R-1 zoning.

Also submitted to the Board of Adjustment was a request by A. W. Hunter to build a small duplex on Lot 22, Block 3, South Lawn Addition to the City of Idaho Falls, Idaho. This lot is located in an R-2 zone. Although this lot area does not meet the requirements for street frontage in R-2 zone according to City Zoning Ordinance, the request was considered because of existing buildings in that neighborhood. In the opinion of the Board, the above mentioned duplex would be a definite asset and improvement in this area and it is their recommendation that this request be granted.

Also submitted to the Board was a request by Mrs. Wilma Voge, 159 South Corner Avenue, Lot 4, Block 54, Original Townsite, Idaho Falls, Idaho for permission to open a Natural Food Store in her home. It is recommended by the Board to the City Council that this request be granted provided stock is kept to a minimum and sign requirements in this particular zone are complied with; provided also that business is conducted by one or more members of an immediate family, without employees, and located in not more than two rooms of residence, or accessory buildings, with no outside indication of occupation, except as provided in City of Idaho Falls zoned Ordinance No. 852.

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Each of the above claimants has circulated a petition and acquired signatures of 75% of the adjacent property owners within 200 feet; such petitions being on file in the office of the Building Inspector of the City of Idaho Falls.

Very truly yours,
s/ Lloyd Stalker, Chairman
Board of Adjustment

LS:bf

The foregoing letter was read. It was moved by Councilman Petersen, seconded by Johnson, that authorization be given for change of zoning hearing to be published for the Elks property mentioned in the above letter. Roll call as follows: Ayes, 3; No, None; carried.

It was moved by Councilman Petersen, seconded by Johnson, that A. W. Hunter, mentioned in the above letter, be issued a building permit for the duplex. Roll call as follows: Ayes, 3; No, None; carried.

It was moved by Councilman Johnson, seconded by Petersen, that Mrs. Voge be granted permission to open a Natural Food Store in her home with certain stipulation that the zoning requirements be met with. Roll call as follows: Ayes, 3; No, None; carried.

ORDINANCE NO. 905

AN ORDINANCE DECLARING ROSEHILL CEMETERY AND FIELDING MEMORIAL PARK TO BE UNDER SUPERVISION AND CONTROL OF THE CITY OF IDAHO FALLS; SETTING FORTH THE LEGAL DESCRIPTION OF SAID CEMETERIES; SETTING FORTH THE PROCEDURE FOR TRANSFERRING TITLE TO SAID LANDS FOR BURIAL PURPOSES, FIXING FEES THEREFORE, AND THE PRICE THEREOF; PRESCRIBING THE DUTIES OF THE SEXTON AND OF THE CITY CLERK IN CONNECTION WITH BURIALS AND MAINTENANCE OF SAID CEMETERIES AND TRANSFER OF TITLE TO BURIAL SPACES; ESTABLISHING A SCHEDULE OF FEES FOR GRAVE OPENINGS; PRESCRIBING 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 Johnson, 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

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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.

January 14, 1958

Honorable Mayor and City Council
City of Idaho Falls
City Building

Sirs:

We have listed below four trucks that have served this Department for several years, and with a careful inspection find that their usefulness is almost over.

We further find that the cost of maintaining and up keep is beyond question, and in checking the records we find a great deal of wasted man hours in our Department.

One 1948 Ford Truck Lic. 381
One 1951 Ford Truck Lic. 385
One 1952 Ford Truck Lic. 388
One GMC 1952 Truck Lic. 400

We respectfully submit the above for your consideration for replacement of the above listed equipment.

Respectfully submitted,
s/ Chet G. Taylor
Street Commissioner
City of Idaho Falls

The foregoing letter was read. It was the decision of the Mayor that Mr. Taylor ask for bids for three trucks to be presented at the next meeting.

The opening of bids for the 17th Street crossing, previously set for Wednesday evening, at 8:00 P.M. was changed to the time of 8:30 P.M. due to plane arrival on which the Mayor and majority of the Councilmen were returning to Idaho Falls.

The Mayor informed the Council that he had signed the contract for Mrs. Koster accompanied by a check for \$500.00 for the sewer disposal site. This transaction was not completed, however, due to the fact that City Clerk was not in town. It was requested that the City repair the fence along the north and west side of Fielding Memorial Park. It was moved by Councilman Foote, seconded by Petersen, that the Street Department be authorized to repair the fence. Roll call as follows: Ayes, 3; No, None; carried.

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Mr. Don Cook, who had previously requested a lease of City land at the Airport, informed the Mayor he had since purchased some land. Mr. Chet Taylor informed the Mayor and Council that he has two more lessee's. It was the decision of the Mayor and Council that they renegotiate on the matter.

The Fire Chief requested authorization to purchase a new Scott Air Pack priced at \$225.00. The air pack had been allowed for in the budget. It was moved by Councilman Petersen, seconded by Johnson, that the Chief be given authority to purchase the air pack. 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
