

DECEMBER 20, 1957

The City Council of the City of Idaho Falls, Idaho met in Regular Session Friday, December 20, 1957 at 8:00 P.M. in the Council Chambers at Idaho Falls, Idaho. Present: Donald R. Foote, Mayor Pro Tem; Councilmen Freeman, Johnson, Petersen. Absent: Mayor John B. Rogers. Also present: Roy C. Barnes, City Clerk, Claud Black, City Engineer, Don Ellsworth, Asst. City Engineer; T. R. Peters, Purchasing Agent.

Minutes of a Regular Meeting held December 6, 1957, and two Special Meetings held December 11, 1957 and December 17, 1957 were read and approved as amended.

Messrs. Clair Gale, Leonard Manwaring, and their architect, Mr. Merle Whitney of Norman J. Hamill & Associates appeared before the Council and presented a sewer problem relative to the proposed West Side School. It was explained that plans are completed and the contract is scheduled to be let the latter part of January, 1958. It was pointed out that the money which otherwise would be expended on septic tanks, storm sewer, etc., could well be held in reserve so that they might eventually connect on to the new City sewer and the request was made that they, temporarily be allowed to resort to a sink hole. It was further emphasized that speed is of the essence because of Government funds now available to them which specify building within certain time limits. The problem was referred to the Engineering Department and the Sanitation Committee for further study and recommendation. The group was given to understand that the Council would abide by any decision reached by those two governing bodies.

Mr. Manwaring then requested of the Council that a foot bridge be built across the canal on 25th Street making the South Side School more easily accessible to foot traffic by the school children. This was referred to the City Street Commissioner for further study and investigation.

Mr. Robert Mitchell, 385 East 18th, appeared before the Council seeking permission to sell his vitamin pill product door-to-door. The matter was referred to the City Attorney for an interpretation to determine whether or not said practice conflicted with the Green River Ordinance.

Mr. Boyd Thomas, local attorney, appeared before the Council representing Mr. Grant Packer, Sr., and Mr. Grant Packer, Jr., who were also present. Mr. Thomas presented a petition with twenty signers, requesting rezoning of Lots 10 and 11 in Block 25 of Scott's Addition from R-1 to Commercial. Councilman Peterson was of the opinion that the Appeal Board had previously made a decision on this petition. Mr. Thomas replied by saying this was being presented in the form of a new request for Council consideration. The petition was referred to the Zoning Board.

The following applications for bartender permits were presented as follows, to-wit: Jesse R. Walters, Sr., White Elephant; Ray Metcalf, Capital Bar. It was moved by Councilman Johnson, seconded by Freeman, that the permits be granted. Roll call as follows: Ayes, 3; No, None; carried.

One application for a cab driver's license in the name of Gale E. Young was presented. It was moved by Councilman 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.

The following applications for rooming house licenses were presented as follows, to-wit: E. S. Mc Neill, New Porter Hotel; Betty Harden, Oregon Rooms; Jackie Hahn, New Grand Hotel. It was moved by Councilman Johnson, seconded by Petersen, that the licenses be granted, subject to the approval of the Chief of Police. Roll call as follows: Ayes, 3; No, None; carried.

The following applications for Sunday Motion Pictures were presented as follows, to-wit: Irving Simpson, Paramount Theatre; Kenneth Tracey, Rio Theatre; Kenneth Tracey, Falls Theatre. It

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

One application for a peddler's license to sell Christmas Trees from his own land, door to door was presented in the name of C. L. Salisbury, Irwin, Idaho. It was moved by Councilman Freeman, seconded by Johnson, that the license be granted. Roll call as follows: Ayes, 3; No, None; carried.

An application for a taxi cab license covering fifteen cabs in the name of the Falls Cab Company, was presented, signed by Norris W. Hendrickson. It was moved by Councilman Freeman, seconded by Petersen, that the license be granted. Roll call as follows: Ayes, 3; No, None; carried.

Two applications for pool table licenses, covering five tables each, were presented as follows, to-wit: Mead's Snooker Room; Ford's Cigar Store & Café. It was moved by Councilman Johnson, seconded by Freeman, that the licenses be granted. Roll call as follows: Ayes, 3; No, None; carried.

The following applications for beer licenses for 1958 were presented as follows, to-wit:

DRAFT AND BOTTLED BEER TO BE CONSUMED ON THE PREMISES

Jack McLaine, Happy Jacks
C.B. McNeill, Bon Villa Club
Gerald Hicks, Mint Bar

Ross L. Simmons, Turf Club
Robert M. Atkeson, The Lobby
Robert Newman & Lynn Pierce, Russett Bar

BOTTLED BEER TO BE CONSUMED ON THE PREMISES

Julia Russell and Kermit Purcell, Jack's Cub
J. A. McAtee, Samoa Club
Ronald Graham, White Elephant
Ray V. Robison, Robison Sport Shop

Fred Huth, Fred & Kelly's
Charles R. Jachetta, Topper Supper Club
Ruland E. Williams, Pres., I. F. Country Club
Gordon Culver, Gordon's

PACKAGE BEER NOT TO BE CONSUMED ON THE PREMISES

Frank Hartwell, Hartwell's Market
William J. Mc Kinley, Wize Bi Food Center
Donald W. Baldwin, Baldwin's Food King
Donald W. Baldwin, Baldwin's Food King
Donald W. Baldwin, Baldwin's Food King
Lowell G. Bybee, Uneeda Grocery

J. Russell Brown, Russ's Super Market
C. L. Crowley, Crowley's Cold Storage
E. J. Guderjohn, Corner Grocery
Grant Earl, Earl's Foodliner #1
Grant Earl, Earl's Foodliner #2
Glen Monson, Monson's Grocery

It was moved by Councilman Johnson, seconded by Petersen, that these licenses be granted. Roll call as follows: Ayes, 3; No, None; carried.

MEAT MARKET LICENSES

Glenn Monson, Monson's Grocery
Grant Earl, Earl's Foodliner #2
Grant Earl, Earl's Foodliner #1
E. J. Guderjohn, Corner Grocery
C. L. Crowley, Crowley's Cold Storage
J. Russell Brown, Russ's Super Market

Lowell G. Bybee, Uneeda Grocery
Donald Baldwin, Baldwin's 17th & Rollandet
Donald Baldwin, Baldwin's 740 W. Broadway
Donald Baldwin, Baldwin's 815 S. Holmes
Phil Barlow, Wize Bi Food Center
Frank Hartwell, Hartwell's Market

It was moved by Councilman Freeman, seconded by Petersen, that these licenses be granted, subject to the approval of the City Sanitarian. Roll call as follows: Ayes, 3; No, None; carried.

SOFT DRINK LICENSES

Grant Earl, Earl's Foodliner, 1 & 2
E. J. Guderjohn, Corner Grocery
Robert Newman, Russett Bar
Gordon Culver, Gordon's
Ruland Williams, Pres., I. F. Country Club
Charles R. Jachetta, Topper Club
C. L. Crowley, Crowley's Cold Storage
J. Russell Brown, Russ's Super Market
Jack McLaine, Happy Jack's
Lowell G. Bybee, Uneeda Grocery
Robert M. Atkeson, The Lobby
Ross L. Simmons, Turf Club
Donald W. Baldwin, Baldwin's-Bdwy.

Donald Baldwin, Baldwins- Holmes, Rollandet
Fred Huth, Fred & Kelly's Broiler
Ray Metcalf, Capital Bar
Gerald E. Hicks, The Mint Bar
C. B. McNeill, Bon Villa Lounge
Ray Robison, Robison Sports Bar
Ronald D. Graham, White Elephant Club
Carl W. Wyatt, J. J. Newberry Co.
William J. McKinley, Wize Bi Food Center
J. A. McAtee, Samoa Club
Julia Russell & Kermit Purcell, Jack's Club
Frank Hartwell, Hartwell's Market

It was moved by Councilman Freeman, seconded by Johnson, that these licenses be granted. Roll call as follows: Ayes, 3; No, None; carried.

Two applications for retail liquor licenses were presented, to-wit: Vernon Scheets, Jack's Chicken Inn; Jackie Hahn, New Grand Bar. It was moved by Councilman Freeman, seconded by Johnson, that these licenses be granted. Roll call as follows: Ayes, 3; No, None; carried.

RESOLUTION (Resolution No. 1957-36)

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 117, records of Bonneville County, Idaho, acquire title to and possession of the following described real property, to-wit:

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Lots Twenty-five (25), Twenty-six (26), Block Sixty-four (64), Highland Park Addition to the City of Idaho Falls, per the recorded plat thereof.

WHEREAS, D. D. BANKS AND E. E. BANKS 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 D. D. BANKS AND E. E. BANKS a deed to said property, pursuant to the provisions of Section 50-2951, Idaho Code.

PASSED BY THE COUNCIL this ___ day of December, 1957.

APPROVED BY THE MAYOR this ___ day of December, 1957.

ATTEST: s/ _____
CITY CLERK

s/ _____
MAYOR

The foregoing resolution, together with a City tax redemption deed was presented. It was moved by Councilman Johnson, seconded by Petersen, that the Mayor and City Clerk be authorized to sign both instruments. Roll call as follows: Ayes, 3; No, None; carried.

R E S O L U T I O N (Resolution No. 1957-37)

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, 1957, recorded in Book 101 of Deeds at Page 119, records of Bonneville County, Idaho, acquire title to and possession of the following described real property, to-wit:

Lots Twenty-seven (27), Twenty-eight (28), Twenty-nine (29), inclusive, Block Sixty-four (64), Highland Park Addition to the City of Idaho Falls, per the recorded plat thereof.

WHEREAS, WESTERN BAPTIST HOME MISSION BOARD 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;

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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 WESTERN BAPTIST HOME MISSION BOARD a deed to said property, pursuant to the provisions of Section 50-2951, Idaho Code.

PASSED BY THE COUNCIL this ___ day of December, 1957.

APPROVED BY THE MAYOR this ___ day of December, 1957.

ATTEST: s/ _____
CITY CLERK

s/ _____
MAYOR

BLACK AND RIDDLEMOSER
Attorneys & Counselors at Law
Salisbury Building
Idaho Falls, Idaho
December 12, 1957

Mr. Arthur L. Smith
City Attorney of Idaho Falls, Idaho
Rogers Building
Idaho Falls, Idaho

Re: Lots 27, 28, and 29, Block 64 of Highland Park Addition to Idaho Falls

Dear Art:

The above referenced lots have gone to the City of Idaho Falls for failure to pay the special sewer assessment against this property. The amount of the assessment to this date is \$349.79, and we enclose a check for this amount.

This property is the site of the Second Baptist Church of Idaho Falls, and a quit claim deed is recorded for these 3 lots transferring them to Sarah Stevens, Charlie Washington, and D. D. Banks and the Board of Trustees for this Church. However, at the time the transaction was handled, a prior deed of this property to D. V. Groberg was not placed on record, and there is thus a break in the chain of title to this property to the Board of Trustees of this Church. However, this property has been used as a Church under this deed for long over the 5 year adverse possession statute, and there appears to be no reason why this property could be cleared by a quiet title suit, but this will involve considerable additional expense, and the land is not worth it except as a church.

The Western Baptist Home Mission Board, a corporation, is the regional home office of this local church, and they desire to have the redemption deed granted directly to them upon

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the payment of the special assessments against this property. It is also the desire of the local church that the redemption deed go directly to the Western Baptist Home Mission Board. The local church is unable to pay this special assessment. However, if this would not be possible, the redemption deed could go to the before mentioned Board of Trustees of the local church, and they could deed this property to the Western Baptist Home Mission Board.

The Western Baptist Home Mission Board has been informed of the condition of the title to this property and is perfectly willing to accept the quit claim deed to this property upon our opinion that the title to this property at this time is in the Board of Trustees of the local church, even though this could not be shown by record title at this time.

We will greatly appreciate it if this matter could be presented to the City Council of Idaho Falls, Idaho, at the earliest possible date with your recommendation, and the redemption deed executed according to our request.

Very truly yours,
s/ Jack C. Riddlemoser
Black and Riddlemoser

December 17, 1957

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

Re: Redemption Deed – Western Baptist Home Mission Board

Dear John:

I am enclosing the following papers concerning the redemption by the Western Baptist Home Mission Board of certain lots hereto fore deeded to the City for delinquent assessments. Check in the amount of \$349.79 in full payment of the delinquency from Attorney Jack C. Riddlemoser, a City Deed and a supporting resolution.

The letter is self-explanatory and it is my recognition that the land be quit claimed to the Western Baptist Home Mission Board. We have done this in several cases when there is a cloud on the title but when we believe the actual ownership is in the grantee.

Sincerely yours,
s/ Arthur L. Smith
City Attorney

The foregoing resolution, accompanied by a City Tax redemption deed and the supporting letters shown above, were presented. It was moved by Councilman Petersen, seconded by Johnson,

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that the Mayor and City Clerk be authorized to sign the resolution and the deed. Roll call as follows: Ayes, 3; No, None; carried.

The City Clerk drew the Councilmen's attention to the fact that the new code books, prepared by Sterling Codifiers, have been completed and 100 copies have been shipped to the City and that an ordinance must eventually be adopted approving same. It was their opinion that this will be impossible until each Councilman has an opportunity to peruse the edition. Also, it was agreed that no decision on the sales price of the code book should be made for the same reason. A bill from Sterling Codifiers in the amount of \$3,464.02 was temporarily tabled for the same reason.

It was noted that the name of Keturah Halverson had previously been presented for light and water assistance and that the application had been denied on the theory that she should apply for aid from the County. Because said application was denied by the County, it was moved by Councilman Petersen, seconded by Freeman, that her present light bill in the amount of \$15.70 be waived. Roll call as follows: Ayes, 3; No, None; carried.

December 17, 1957

To the Honorable Mayor and City Council

I, Henry C. Isenhart, City Gas Inspector, hereby request that the following men be appointed to serve with me on a Board to be known as the Gas and Heating Advisory Board.

Wendell Sanderson	American Plumbing & Heating Co.
Lovell Harrop	Bonneville Service
Kenneth Deardon	City Fireman
George Petersen	City Councilman

s/ Henry C. Isenhart
City Gas Inspector

It was moved by Councilman Johnson, seconded by Freeman, that the appointments indicated in the above letter be confirmed. Roll call as follows: Ayes, 3; No, None; carried.

December 17, 1957

To The Honorable Mayor and City Council

Gentlemen:

I would like authorization to place Mr. Lovell Harrop of Bonneville Service and Mr. Wendell Sanderson of American Plumbing and Heating Company on the Gas Fitters Examination Board for the City of Idaho Falls to serve until the first Regular Council Meeting in January of 1959.

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Very truly yours,
s/ Henry Isenhardt
City Gas Inspector

It was moved by Councilman Johnson, seconded by Freeman, that the appointments indicated in the above letter be confirmed. Roll call as follows: Ayes, 3; No, None; carried.

The Andrew et al easement which was presented and described in detail at the December 6th Council Meeting was again presented. It was noted that Attorney Joe Anderson is preparing a different agreement involving conduit and eliminating the head ditch. It was agreed that formal action should be postponed until said instrument is presented.

December 6, 1957

To the Mayor and City Council
Idaho Falls, Idaho

Gentlemen:

Attached is a schedule of existing rates now being charged at Rosehill and Fielding cemeteries, both for property and services, and also certain recommended changes which have been made by the Sexton and the City Clerk.

It is our opinion that existing rates have long since been antiquated and that the proposed changes are fair and equitable, based upon present conditions and costs of operation.

Your consideration of the recommendations is requested.

Respectfully submitted,
s/ Roy C. Barnes
City Clerk

PRESENT RATES

PROPOSED RATES

FIELDING
(12 spaces per lot)

Price per space	\$50.00
Grave opening (Sexton's fee)	30.00

Price per space	\$50.00
Grave opening for steel or cement vault	30.00
Grave opening for wooden box cemented in	40.00

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ROSEHILL
(8 spaces per lot)

Price per space	\$25.00	Price per space	\$40.00
Price per infant		Price for infant	
grave space	12.00	grave space	15.00
Grave opening	20.00	Grave opening	30.00
Grave opening		Grave opening	
for children	12.00	for children	20.00
Grave opening		Grave opening	
for infants	8.00	for infants	10.00

The foregoing recommendations were referred to the Cemetery and Parks Committee for further study and consideration.

Upon the suggestion of the Mayor and City Clerk requested from the Councilmen that the administrative offices of the City Hall close on Tuesday, December 24th, at noon. Permission granted.

At the November 15th Council Meeting the City Gas Inspector proposed certain changes in Gas Ordinance #889 and again appeared before the Council requesting their approval to said changes and stressed the timely need that this be done so that the Ordinance can be re-written. Included was the following proposed change: "Every employer who employs one or more journeyman steadily may have one apprentice and may have one additional apprentice for every five additional journeyman on the job." Councilman Petersen contested that proposed change on the theory that this would not provide for a sufficient number of apprentices in some cases. It was moved by Councilman Freeman, seconded by Johnson, that all proposed changes be placed in the Ordinance, subject to the approval of the City Attorney. Roll call as follows: Ayes, Councilmen Freeman and Johnson. Nay, Councilman Petersen. Carried.

City Treasurer Ellen Bertrand has requested authorization from the Council to cancel one half of the sewer assessment, L.I.D. #23, of William Keele; also the entire assessment of Leo Morishita in L.I.D. #24. These were referred to the City Engineer for investigation.

NOTICE OF CALL FOR BIDS

Sealed bids will be received by the City Council of the City of Idaho Falls, Idaho, at the office of the City Clerk, City Building, Idaho Falls, Idaho until two (2:00) o'clock P.M. on the 13th day of January, 1958, and will at that hour be opened and publicly read, for the following:

1. Pulling, cleaning and preparing for storage of one 3,000 G.P.M. pump and motor.
2. Furnishing and installing one 4,000 G.P.M. deep well turbine pump together with all pertinent equipment to deliver the water into the water mains.
3. Install the 4,000 G.P.M. pump in the well, connect the same to the water main, and run the specified tests for the same.

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All three items above are located at the Central Park Well in Capitol Hill Addition to the City of Idaho Falls, Idaho.

A guarantee will be required with each bid in the amount equal to five per cent (5%) of the total amount of the bid, in the form of a bid bond, certified check or a cashier's check.

Performance bond will be required for an amount not less than fifty percent (50%) of the contract price.

Time is of the essence of the contract, therefore liquidated damage for delay in fulfilling the contract will be \$15.00 per day.

Bids must be submitted upon the Standard Form of Bid and the successful bidder will be required to execute the Standard Form of Contract for furnishing the equipment and the completion of all other items on the contract. This form may be examined at the City Building, Idaho Falls, Idaho.

The right is reserved, as the best interests of the City of Idaho Falls, Idaho, may require, to reject any and all bids, to waive any informality in bids received, and to accept or reject any items of any bid, unless such bid is qualified by specific limitations. Each bidder will be required to submit with the bid itemized specifications of the equipment that will be furnished.

Envelopes containing bids must be sealed, marked and addressed as follows: Bid for Capitol Hill Well Improvement, City Clerk, City Building, Idaho Falls, Idaho.

Advertise Dec. 21, 28, 1957 and Jan. 4th, 1958

City of Idaho Falls, Idaho
s/ _____
CITY CLERK

The foregoing call for re-bids was presented. It was moved by Councilman Freeman, seconded by Johnson, that the City Clerk be authorized to enter the notice on the days indicated in the Post Register. Roll call as follows: Ayes, 3; No, None; carried.

A petition was presented with ten signers requesting re-zoning from R-1 to HC of an area calculated to be about 2.12 acres at the corner of Skyline Drive and West Broadway and East of Skyline Drive. This was referred to the Planning Board for their study and recommendation.

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
