

SEPTEMBER 6, 1957

The City Council of the City of Idaho Falls, Idaho, met in Regular Session, September 6, 1957, Friday at 8:00 P.M. in the Council Chambers at Idaho Falls, Idaho. Present: John B. Rogers, Mayor; Councilmen Foote, Freeman, Johnson and Petersen. Absent, None. Also present: Roy C. Barnes, City Clerk, Truman Peters, Purchasing Agent, Claud Black, City Engineer, Henry Isenhardt, Gas Inspector and Arthur Smith, City Attorney.

Minutes of the Regular Meeting held August 14th, 1957 and the Recessed Meeting held August 15th, 1957, were read and approved.

Mr. Martin Hill, local manager of Intermountain Gas Company, appeared before the Council and introduced Mr. Bruce Young and Mr. Jim Hedges, of the Fish Engineering Corporation. Mr. Young explained that natural gas is just about ready to be piped into the City and that a problem has been presented, relative to a location for their pressure reducing regulating station. He said it would be very convenient for their company if the City could arrange to let them have a small area on Rollandet Avenue on the southwest corner of Tautphaus Park. The Gas Inspector and the Council did not feel too friendly toward the suggestion, due to the potential danger involved, especially as pertains to the crowds that occasionally gather in the park. The Mayor suggested that the Council discuss the problem and that they would be advised of the decision.

The Mayor announced that this was the date set for the purpose of conducting a public hearing in relation to the rezoning of area recently annexed into the City, commonly known as the Utah Idaho Sugar property. There being no protests, either verbal or written, it was moved by Councilman Petersen, seconded by Foote, that the property be rezoned C-1 Business. Roll call as follows: Ayes, 4; No, None; carried.

Mr. Patrick F. Brown, 845 Judith Circle, appeared before the Council with regard to the City dump site. He had noted that it is now being cleared and he suggested that the City bring in a consultant for the purpose of planning a park in that location. The Mayor advised Mr. Brown that this is already being considered and thanked him for appearing.

The bills against the City for the month of August, 1957, 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	\$85,252.10	\$38,618.75	\$123,870.86
Waterworks Fund	5,994.67	16,866.25	22,860.92
Electric Light Fund	12,967.40	36,365.63	49,333.03
Police Retirement	<u>678.33</u>	<u>.00</u>	<u>678.33</u>
TOTAL			\$196,743.14

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

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

The following applications for a transfer of a beer license and bartenders permits were presented as follows, to-wit:

TRANSFER OF BEER LICENSE (BEER NOT TO BE CONSUMED ON PREMISES):

Lowell G. Bybee, new owner of Uneda Grocery, 753 Park Avenue.

BARTENDERS:

Harry W. Parker, Russett Bar; L. A. Winchester, Stockman's Bar; James I. Roland, Eagles Lodge.

It was moved by Councilman Johnson, seconded by Petersen, that the transfer and the permits be granted. Roll call as follows: Ayes, 4; No, None; carried. One application for a cab driver license was presented, as follows, to-wit: R. Brent Lindholm, Rt. #2, Idaho Falls. It was moved by Johnson, seconded by Freeman, that the license be granted, subject to the approval of the Chief of Police. Roll call as follows: Ayes, 4; No, None; carried.

One application for a journeyman's plumber license was presented as follows, to-wit: F. Grant Pendleton, 2225 Curlew Drive, Idaho Falls. It was moved by Councilman Johnson, seconded by Foote, that the license be granted, subject to the approval of the Plumbing Inspector. Roll call as follows: Ayes, 4; No, None; carried.

The following applications for gas licenses were presented, to-wit:

GAS CONTRACTORS:

Wayne Hammond, Bingham Plumbing and Heating.

JOURNEYMAN GAS FITTERS:

Glen B. Reed, 1145 Kathryn Street; Eugene L. Kunard, 284 East 17th; Jay F. Pincock, 429 West 18th; Verne Copes, Route #4; Max R. Conan, 965 Wheeler.

APPRENTICE GAS FITTER:

Paul M. Ostler, 1240 Utley Circle.

It was moved by Councilman Freeman, seconded by Petersen, that these license be granted, subject to the approval of the Gas Inspector. Roll call as follows: Ayes, 4; No, None; carried.

The following applications for electrical contractors licenses were presented, to-wit: Fred W. Colson, Colson Sign Service; Roy Griffith, Roy Griffith Electric. It was moved by Councilman Johnson, seconded by Petersen, that these licenses be granted, subject to the approval of the Electrical Inspector. Roll call as follows: Ayes, 4; No, None; carried.

The following applications for cab driver licenses, rejected by Chief of Police Perrin were presented, as follows, to-wit: Mortell Blair, 801 Garfield; Bert Wickham, Route #2. It was moved by

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Councilman Petersen, seconded by Foote, that these licenses be rejected. Roll call as follows: Ayes, 4; No, None; carried.

The application for a cab driver's license, at the specific request of Mr. Vernal Lloyd, applicant, was presented for a second time and for further review, said application having been previously rejected by both the Council and the Chief of Police. It was moved by Councilman Foote, seconded by Petersen, that the application be denied. Roll call as follows: Ayes, 4; No, None; carried.

The City Clerk presented the electric bill of Mrs. R. D. Brockway, 201 Beacon Drive, for Council consideration, explaining that she had been in and had left a check in the amount of \$100.00 as offer to be accepted or rejected, in full satisfaction of the Dept. The Clerk pointed out that, according to information available to him, the debtor has a reputation of being conscientious about her obligations but with extremely limited ability to pay due to sickness, hospital bills, etc. Now she has been ordered to leave the country by her doctor, due to local climate and if the \$100.00 is rejected it would be strictly conjecture and speculation as to whether or not the City would ever effect collection. It was moved by Councilman Freeman, seconded by Johnson, that her offer be accepted. Roll call as follows: Ayes, 4; No, None; carried.

RESOLUTION (Resolution No. 1957-14)

WHEREAS, UNITED STATES OF AMERICA, has requested the exclusive use of a room for one year in the Administration Building, Municipal Airport in Idaho Falls, Idaho, and has submitted for consideration to the City its proposed designated C4ca-4137-A, which embodied a Lease Agreement for said room; and

WHEREAS, it appears to be for the best interests of said City and its inhabitants that the City enter into said contract;

NOW THEREFORE, BE IT RESOLVED: That Donald R. Foote, Acting Mayor of said City, be, and he is hereby, authorized and directed on behalf of said City to execute and deliver to the United States of America said Contract and Lease designated C4ca-4137-A.

IT IS ORDERED, that a duplicate original of said contract and lease be retained by the City Clerk in the permanent files of the City.

PASSED BY THE COUNCIL AND APPROVED BY ITS ACTING MAYOR this ___ day of June, 1957.

s / _____
Acting Mayor of the City
of Idaho Falls, Idaho

In connection with the above resolution, the following letter was read:

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September 5, 1957

Roy C. Barnes
City Clerk
Idaho Falls, Idaho

Re: Government Lease of Room in Administration Building-Airport

Dear Roy:

Enclosed find an original and three copies of the resolution which was passed at a meeting of the City Council the 7th of June or a short time before that. When this is signed by Don Foote and yourself, the copy and certificate should be mailed to Mr. Main of the C.A.A.

At the next meeting of the Council a simple motion should be made to correct the minutes of the applicable meeting to add this resolution.

I am returning herein the City's copy of the Lease and the other correspondence.

Sincerely yours,
s/ Arthur L. Smith
City Attorney

It was moved by Councilman Johnson, seconded by Freeman, that the minutes of the Council Meeting on June 7th, 1957 be amended to include the above resolution and that Mr. Donald Foote, Mayor Pro Tem at that Meeting and the City Clerk be authorized to sign. Roll call as follows: Ayes, 4; No, None; carried.

RESOLUTION (Resolution No. 1957-15)

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

Lot Thirty-eight (38), Block Nine, (9), Capitol Hill Addition, to the City of Idaho Falls, Idaho, per the recorded plat thereof.

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

PASSED BY THE COUNCIL this ____ day of September, 1957.

APPROVED BY THE MAYOR this ____ day of September, 1957.

ATTEST: s/ _____
CITY CLERK

s/ _____
MAYOR

The above resolution, together with a tax deed was presented. It was moved by Councilman Johnson, seconded by Freeman, that the Mayor and City Clerk be authorized to sign the resolution and tax deed. Roll call as follows: Ayes, 4; No, None; carried.

AGREEMENT AND LEASE

An agreement and lease was presented between Smith-Hart Company, referred to as the Lesser, and the City of Idaho Falls, referred to as the Lessee, whereby the Lesser agreed to provide an automobile on a rental basis to the Lessee for Mr. Black, City Engineer, under terms provided for in the instrument. It was moved by Councilman Johnson, seconded by Petersen, that the Mayor be authorized to sign. Roll call as follows: Ayes, 4; No, None; carried.

Councilman Petersen introduced the following resolution in writing and moved its adoption:

RESOLUTION (Resolution No. 1957-16)

WHEREAS, the City Engineer and the Committee on Streets of the City Council have made out an Assessment Roll for Local Improvement District No. 25, according to the provisions of Section 50-2915, Idaho Code and the provisions of Ordinance NO. 885, and have certified the same to the Council as provided by law:

NOW THEREFORE, BE IT RESOLVED:

That Friday, the 20th day of September, 1957, at 8:00 o'clock P.M. of said day at the Council Chambers in the City Building in the City of Idaho Falls, Idaho, be, and the same hereby are appointed and fixed as the time and place when and where objections to said Assessment Roll by the property owners in said district shall be heard, and that said Assessment Roll be filed in the office of the City Clerk.

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Councilman Foote seconded the adoption of said resolution and the same on being put to a vote was unanimously carried by the affirmative vote of all Councilmen present.

ORDINANCE NO.

AN ORDINANCE VACATING AND CLOSING PORTIONS OF ANDERSON STREET IN IDAHO FALLS, IDAHO, FOR THE SOLE AND EXCLUSIVE USE OF DESIGNATED PERSONS AND CORPORATIONS; PARTICULARLY AND SEPARATELY DESCRIBING THE PORTIONS OF ANDERSON STREET SO VACATED AND CLOSED FOR THE USE OF EACH; AND NAMING SAID PERSONS AND CORPORATIONS; PROVIDING WHEN THE ORDINANCE SHALL BECOME EFFECTIVE.

The foregoing Ordinance was read by the Mayor. 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 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, 4; No, None; carried.

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To the 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 and Heating Co.
Darrell Landon	Conan and Landon Heating Co.
Kenneth Deardon	City Fireman
George Petersen	City Councilman

Respectfully yours,
s/ Henry Isenhart
City Gas Inspector

The Mayor read the foregoing letter and, following the recommendations of the City Gas Inspector, and with the approval of the Councilmembers, made the appointments accordingly.

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The Bird Sub-division plan was presented and the Mayor read the recommendations of the Planning Commission and observed that all suggested changes have been made. It was moved by Councilman Johnson, seconded by Petersen, that the tentative plan be accepted. Roll call as follows: Ayes, 4; No, None; carried.

EXCERPT FROM THE PLANNING COMMISSION REPORT DATED 8/21/57
VACANCY ON PLANNING COMMISSION

It was agreed to recommend to Mayor Rogers that the vacancy existing on the Planning Commission be filled by the appointment of an attorney. The commission specifically agreed to recommend Vern Kidwell and Orval Hansen for consideration by the Mayor.

Taking into consideration this recommendation, the Mayor appointed Mr. Orval Hansen to fill the vacancy.

The Mayor drew the attention of the Council to a recent communication from Mr. Burrows, President of Edward L. Burton Company where he had made the suggestion that the proposed sewer bond issue, in his estimation should be in the amount of \$1,700,000.00 instead of \$1,600,000.00 to allow for extension of water lines. However, it was the opinion of the Council that the original figure would allow for same and no change was authorized.

ORDINANCE NO.

AN ORDINANCE REGULATING THE CONSTRUCTION, MAINTENANCE, OPERATION AND ALTERATION OF TRAILER COURTS AND TEMPORARY TRAILER HOUSING WITHIN THE CITY OF IDAHO FALLS; PROVIDING FOR THE LICENSING OF TRAILER COURTS AND TEMPORARY TRAILER HOUSING; ESTABLISHING STANDARDS FOR SUCH LICENSING, AND THE AMOUNT OF THE PERMIT FEES; PROVIDING FOR INSPECTIONS OF TRAILER COURTS AND TEMPORARY TRAILER HOUSING; DEFINING THE TERMS HEREOF; PROVIDING PENALTIES FOR THE VIOLATION OF THE ORDINANCE; REPEALING ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING WHEN THE ORDINANCE SHALL BECOME EFFECTIVE.

The above ordinance was presented to the Council for the first reading. There was some discussion with regard to fees, use of gas, recreational area, etc. It was then moved by Councilman Johnson, seconded by Freeman, that the ordinance be passed on one reading, subject to the proposed amendments. Roll call as follows: Ayes, 4; No, None; carried.

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RESOLUTION (Resolution No. 1957-17)

WHEREAS, the CITY OF IDAHO FALLS desires to purchase the following described real property lying south of its Airport in Bonneville County, Idaho, and described particularly as follows, to-wit:

Beginning at the Southwest Corner of the Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section Thirteen (13), Township Two (2) North, Range Thirty-seven (37) East of the Boise Meridian, thence North $0^{\circ} 13'$ West 100 feet, thence South $89^{\circ} 26'$ East 150 feet, thence South $0^{\circ} 13'$ East 100 feet, thence North $89^{\circ} 26'$ West 150 feet to the point of beginning, Bonneville County, State of Idaho, and

WHEREAS, the owner of said land Talmage P. Grimmett and Maurine Nelson Grimmett, his wife, purchased and paid for said property September 20, 1955 the sum of \$2500.00., and they made an offer to said City to sell said land for \$3500.00, being the principal amount paid plus interest, taxes and a reasonable increment; and

WHEREAS, the City Council of the City of Idaho Falls deems it to be for the best interest of said City that said land be purchased and said amount be paid therefore;

NOW THEREFORE BE IT RESOLVED, by the Mayor and City Council of the City of Idaho Falls that said City purchase said land and pay therefore to the owners the sum of \$4500.00 upon delivery to the City of a good and sufficient Warranty Deed conveying fee simple merchantable title to said property (subject only to one-fourth ($\frac{1}{4}$) of the 1957 taxes levied and assessed against said property, all Restrictive Covenants of record against the same, and a right of way as disclosed in deed dated November 17, 1937, recorded July 19, 1938, in Book 41, of Deeds at Page 43, Records of Bonneville County, Idaho) together with a policy of title insurance insuring fee simple merchantable title in the City.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR this ____day of September, 1957.

ATTEST: s/ _____
CITY CLERK

s/ John B. Rogers
MAYOR

The above resolution, with deed and title insurance policy attached, was presented to the Council. It was moved by Councilman Petersen, seconded by Foote, that the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 4; No, None; carried.

The Mayor announced that, effective September, 21st, all business offices in the City Hall would close all day Saturday.

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

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ATTEST: s/ Roy C. Barnes
CITY CLERK

s/ John B. Rogers
MAYOR
