

JULY 8, 1957

The City Council of the City of Idaho Falls, Idaho, met in recessed session on Monday, July 9, 1957 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; A. L. Smith, City Attorney; T. R. Peters, Purchasing Agent; Claud Black, City Engineer; Alva Harris, City Building Inspector; and Henry Isenhardt, City Gas Inspector.

The minutes of meetings held June 21 and June 27, 1957, were read and approved.

The Mayor announced that this was the date set for the purpose of conducting a public hearing in relation to the rezoning of property across from the Sacred Heart Hospital, commonly known as the Dr. Julien property, as per published notice of public hearing for zoning published in the Post Register, June 23rd, 30th, July 7th, 1957.

Mr. Henry Compton, 2500 South Blvd., former owner of the property in question, presented a brief history of the property and registered his protest against the rezoning to provide for a doctor's clinic.

Mr. W. C. Burns, 2410 S. Blvd. asked, before protests be registered, that arguments in favor of rezoning be presented so that those desiring to protest would have a clearer idea of what they were up against.

Dr. Reed Fife, 1565 S. Blvd., one of the proposed purchasers of the property, explained for what purpose the clinic would be used. He felt that the location was a good one because of the hospital in the immediate vicinity. It was explained that there would be no drug store in connection with the clinic, nor no fountain facilities. Off street parking would be provided. He pointed out that the building and grounds would be attractively arranged on a good comparative vein with other residences in the area. He said that a clinic is not like the usual commercial place of business and in other cities they are to be found in residential areas.

Other verbal protests were made by Mr. Lloyd Stalker, George Apartments, Mr. Reno Marcon, 2300 S. Blvd. and Owen Bauer, 2497 S. Blvd. These men were not nearly so concerned about the proposed clinic as they were the effect it would have if the property were rezoned from the standpoint of the possibility of other property in the immediate area being rezoned.

Mr. Vincent Mullen, 2370 S. Blvd., then presented a petition with sixteen signers, protesting the rezoning.

Councilman Freeman advised all property owners in the general area that they should start working with the County to see that property outside the City limits is properly zoned or all efforts which have been expanded inside the City will have been to no avail. Councilman Foote explained that County officials are anxious to cooperate with anyone seeking zoning action in the County.

It was moved by Councilman Freeman, seconded by Johnson, that the rezoning be denied. Roll call as follows: Ayes, 4; No, None; carried.

The Mayor announced that this was the date set for the purpose of conducting a public hearing in relation to the zoning of the C. J. Taylor property on the Airport Road as per published notice of public hearing to establish zoning published in the Post Register July 30, July 3, and July 7, 1957. there being no protests, written or oral, it was moved by Councilman Petersen, seconded by Foote, that the property be zoned C-2 commercial. Roll call as follows: Ayes, 4; No, None; carried.

An informal discussion followed on the rezoning of the property to be used for the erection of the Keefer Museum which would be donated to the City upon Mr. Keefer's death. Mayor Rogers

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suggested to Mr. Keefer that a rough plan or layout should be presented and he requested that Mr. Keefer meet with the Building Committee on the matter at an early date.

Mayor Rogers announced that this was the time and the place for any protests on the contemplated Gas Ordinance, prior to its being finally approved on its final reading.

Mr. Freeman Hansen, one of the members of the original Gas Board said that, in his estimation the suggested apprentice license was too high. He recommended that the original license should be \$1.00 and that renewals should be \$1.00 as well.

Mr. Glen Brown, local manager of the Rocky Mountain Gas Company, explained several differences in installation between natural and butane gas. He was of the opinion that it would be unfair to his company if an ordinance was passed covering both. Mr. Isenhart then pointed out that, although it was never anyone's intention to hurt the existing Gas Company or make it impossible for them to do business, the new Gas Ordinance must be so worded to cover those who may install for butane now but who intend to switch over to natural when it becomes available. He felt that the State Fire Code law on butane is not safe for natural. Mr. Brown said there is nothing in the ordinance covering tanks. Mr. Smith pointed out that the State Fire Code would cover this phase of the installation and is not inconsistent with the ordinance. Mr. Brown said his main objection to the ordinance was the part pertaining to the size and type of pipe to be used. Mr. Smith then pointed out that it was the original intention of those who drew up the ordinance that all types of gas should be included and that all clauses that would leave any doubt in that regard should be stricken.

Mr. Mullen then reappeared before the Council, asking that the ordinance be so worded as to permit fireplace starters. Mr. Hansen then explained that this would require the gas pipe running through solid masonry which is subject to settling and advised against such procedure. Mr. Isenhart confirmed this latter thinking.

In view of the foregoing discussion, it was moved by Councilman Johnson, seconded by Foote, that the following changes (amendments) be made in the text of the new Gas Ordinance:

- 1- Page one, Section 1, under DEFINITIONS, paragraph "a", under GAS:
Delete the following: "Except liquefied petroleum gas as defined and regulated under Section 39-2201, Idaho Code"

- 2- Page six, Section 6, under LICENSING REQUIREMENTS, paragraph "e"
under LICENSE FEES: Change the following from:

Gas Fitting Contractor	\$100.00
Journeyman Gas Fitter	15.00
Apprentice Gas Fitter	10.00
to	
Gas Fitting Contractor	\$100.00
Journeyman Gas Fitter	15.00
Apprentice Gas Fitter	1.00

Roll call as follows: Ayes, 4; No, None; carried.

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ORDINANCE NO. 889

AN ORDINANCE TO PROMOTE THE SAFETY & WELFARE OF THE PEOPLE OF IDAHO FALLS, IDAHO, BY REGULATING THE DESIGN, INSTALLATION, MAINTENANCE, IMPROVEMENT, AND INSPECTION OF GAS INSTALLATION, OF GAS PIPING, AND OF GAS APPLIANCES IN BUILDINGS AND STRUCTURES; DEFINING THE TERMS THEREOF; ESTABLISHING MINIMUM REQUIREMENTS AND SAFETY STANDARDS FOR GAS INSTALLATIONS AND PIPING; REQUIRING WORK PERMITS AND SPECIFYING REGULATIONS THEREFORE; REQUIRING INSPECTION OF ALL WORK AND INSTALLATIONS; REQUIRING LICENSING OF ALL PERSONS INSTALLING OR WORKING ON GAS PIPING AND APPLIANCES; SETTING UP CLASSIFICATIONS AND REGULATIONS IN REGARD TO LICENSING; REQUIRING BONDING AND INSURANCE CERTIFICATES FOR LICENSES; ESTABLISHING AN EXAMINING BOARD, PROVIDING FOR ITS DUTIES AND SETTING FORTH REGULATIONS THERETO; PROVIDING FOR PENALTIES FOR VIOLATIONS; SETTING FORTH A CONSTITUTIONAL DECLARATION THERETO; PROVIDING FOR PENALTIES FOR VIOLATIONS; SETTING FORTH A CONSTITUTIONAL DECLARATION; REPEALING ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING WHEN THE ORDINANCE SHALL BECOME EFFECTIVE.

The above Ordinance was read by the City Clerk. Even though the caption of this Ordinance is unchanged from the one which was read and passed on two readings in the Council Meeting of June 27, 1957, in view of the foregoing deletion and change in the text, it was construed that this Ordinance as amended was being presented to the City Council for the first time.

It was moved by Councilman Johnson, seconded by Foote, 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, Councilmen Foote, Freeman, Johnson, Petersen. No, None; carried. The majority of all members of the Council 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, Councilmen Foote, Freeman, Johnson, Petersen. No, None; carried. The majority of all members of the Council having voted in the affirmative, the Mayor declared the ordinance passed.

Mr. Milton Wilkey, 1020 Cathryn Avenue, appeared before the Council, asking about the proposed location and zoning of the Veteran's of Foreign Wars Building. Mayor Rogers advised that

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the presently proposed location is to be zoned as a park area. To finally determine a location, the problem was referred to the Finance and Building Committees for recommendations.

Mr. P.R. Muncey, 1241 North Blvd., appeared before the Council regarding the right of way on North Blvd. from Shelley to Crowley Streets, requesting that it be opened up and Willow Creek bridged. It was pointed out that this is not included in the present scope of L.I.D. #25. The matter was referred to Councilman Foote and Johnson to determine whether or not such a project can be financed and is contemplated.

The bills against the City for the month of June, 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	\$94,991.35	\$66,164.72	\$161,156.07
Waterworks Fund	6,989.59	48,696.68	55,686.27
Electric Light Fund	16,753.00	31,459.62	48,212.62
Police Retirement	<u>682.91</u>	<u>.00</u>	<u>682.91</u>
TOTAL			\$265,737.85

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

The monthly reports for the month of June were presented. There being no objections, they were ordered placed on file, in the City Clerk's office.

The following applications for a photographer's license and a bartender's permit were presented to-wit: Quincey M. Jensen, Quincey Jensen Photography, KID TV, Ammon Road; Mervin A. Cook, Ford's Café. It was moved by Councilman Foote, seconded by Petersen, that the license and permit be granted. Roll call as follows: Ayes, 4; No, None; carried.

The following applications for electrical journeyman licenses were presented, to-wit: H. C. Carlson, Idaho Falls Electric; Vernon Priest, Foothill Electric. It was moved by Councilman Johnson, seconded by Foote, 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 were presented to-wit: William Wilmoth Hartley, Jr., 498 A. Street; Warren D. Miles, Box 144, Shelley; Everett Hurst, 1025 Bannock Ave.; Ken Hampton, 215 East 2nd; William D. Prichard, Route #4; Harold Perrenoud, 920 Payne; William M. Decker, 850 East Bonneville Drive; Larry Fullmer, West Bonneville Drive; Bill Anderson, 599 H. Street; Vernal Lloyd, 583 Highland Drive; Lester Binkley, 468 North Water; Weldon H. Lloyd, 927 Payne; Jim L. Croft, 1007 Kearney Street; Arnold L. Underwood, 409 North Water. It was moved by Councilman Johnson, seconded by Foote, that these licenses be granted, subject to the approval of the Chief of Police. Roll call as follows: Ayes, 4; No, None; carried.

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LEASE AND AGREEMENT

was presented between the City of Idaho Falls, party of the first part and the Idaho Aviation Center, Inc., party of the second part, whereby the City agreed to demise, lease and let certain hangars located at the Idaho Falls Municipal Airport for a period of twenty years for consideration as described in the instrument. It was moved by Councilman Foote, seconded by Freeman, that the Mayor be authorized to sign. Roll call as follows: Ayes, 4; No, None; carried.

ORDINANCE NO. 890

AN ORDINANCE ANNEXING CERTAIN LANDS TO THE CITY OF IDAHO FALLS: DESCRIBING SAID LANDS AND DECLARING SAME A PART OF THE CITY OF IDAHO FALLS, IDAHO.

The foregoing Ordinance was read by the City Clerk. It was moved by Councilman Foote, seconded by Johnson, 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. The majority of all members of the Council having voted in the affirmative, the Mayor declared the Ordinance passed.

Purchase order #36148 to the Waterworks Equipment Company of Salt Lake City, Utah, for one minimum carload of 4" cast iron pipe was presented. It was moved by Councilman Petersen, seconded by Johnson, that Mr. Peters, purchasing agent, be authorized to execute said purchase order. Roll call as follows: Ayes, 4; No, None; carried.

It was moved by Councilman Petersen, seconded by Johnson, that the now existing Blue Cross insurance and hospital program for City employees be retained for another year. Roll call as follows: Ayes, 4; No, None; carried.

July 6, 1957

To the Honorable Mayor and City Council
Idaho Falls, Idaho

Gentlemen:

I would like authorization to place Mr. Darrell Landon of Conan and Landon Heating Company and Mr. Wendell Sanderson of American Plumbing and Heating Company on the

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Gas Fitters Examination Board for the City of Idaho Falls to serve until the first regular Council Meeting in January of 1958.

Very truly yours,
s/ Henry Isenhardt
City Gas Inspector

The above letter was read by Mayor Rogers. It was moved by Councilman Johnson, seconded by Petersen, that the Mayor be authorized to make the appointments as recommended. Roll call as follows: Ayes, 4; No, None; carried.

Mr. Claud Black, City Engineer, was instructed to procure bids from Stoddard Ford and Smith-Hart Company on the rental of a car for the ensuing year for his department.

The City Council as a group had previously interviewed Mr. Don Ellsworth as a possible applicant for Assistant City Engineer and it was recommended that he be interviewed by Mr. Claud Black, City Engineer, prior to formal appointment by the Mayor.

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

ATTEST: s/ Roy C. Barnes
CITY CLERK

s/ John B. Rogers
MAYOR
