

APRIL 8, 1952

The City Council of the City of Idaho Falls, Idaho, met in Recessed Session on April 8, 1952 at 8 P.M. in the Council Chambers of Idaho Falls, Idaho. There were present: E. W. Fanning, Mayor; Councilmen Freeman, Foote, Rogers and Johnson. Also present: S. R. Rostad, City Clerk; T. R. Peters, Purchasing Agent; Arthur L. Smith, City Attorney.

The minutes of Meetings held on March 21st, and April 4th, were read and approved.

Mr. Gulick, co-chairman of the Citizens Committee on Public Affairs, presented to the Council, a petition signed by 2386 qualified voters to determine whether Idaho Falls shall have an Ordinance to enable the citizens to employ, the Initiative, Referendum and Recall. The petition was referred to the Council for consideration.

The bills against the City for the month of March, 1952, having been audited by the Finance Committee, were recommended for payment as follows:

	<u>General Fund:</u>	<u>Water Works:</u>	<u>Elec. Light Fund:</u>	<u>Police Retirement:</u>
Salaries:	\$41,612.70	\$4,603.21	\$11,061.17	\$582.02
Supplies:	<u>44,646.31</u>	<u>330.12</u>	<u>21,956.14</u>	<u>.00</u>
Total:	\$86,259.01	\$4,933.33	\$33,017.31	\$582.02
GRAND TOTAL:		\$124,791.67		

It was moved by Councilman Johnson and seconded by Freeman that the bills be allowed and the City Clerk authorized to draw warrants on the proper funds, in payment of the same. On roll call, voting Aye, 4. Nay, None. Carried.

The monthly reports of the various Departments were presented by the City Clerk. There being no objection, the reports were accepted and ordered placed on file.

The following applications for Journeyman Electrician licenses were presented by the City Clerk, to-wit:

Earl R. Moore, 802 S. Lee, 2.50; Heber Hadlock, 515 W. 19th, 2.50; A. F. Kidd, 2.50; Winford Taylor, Riv-Eon Sign, 2.50; Cecil Mason, Riv-Eon Sign, 2.50; Walter Whipple, 1015 N. Boulevard, 2.50; J. Vernon Priest, 1176 Bear Avenue, 2.50. It was moved by Councilman Freeman and seconded by Johnson that the applications be granted and proper licenses issued. On roll call, voting Aye, 4. Nay, None. Carried.

Application for Electrical Contractor's license by Riv-Eon Sign Co., was presented by the City Clerk. It was moved by Councilman Johnson and seconded by Rogers that the above application be granted and the proper license issued. On roll call, voting Aye, 4. Nay, None. Carried.

Application by George M. Davis, renewal Journeyman Plumber license, was presented by the City Clerk. It was moved by Councilman Rogers and seconded by Freeman that the above application be granted and the proper license issued. On roll call, voting Aye, 4. Nay, None. Carried.

The following application for Dance Hall licenses were presented by the City Clerk, to-wit:

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Big Chief Lounge,	Denny Lyons	342 Park Avenue	100.00
Hub Bar,	Madeline Banks	309 Broadway	100.00
Buffet Lounge,	H. W. Reeve	338 Broadway	100.00
Bon Villa Club,	Dean Packer	342 Broadway	100.00
Whitehorse Lounge,	E. Minkler	Hotel Rogers	100.00

It was moved by Councilman Freeman and seconded by Foote that the above applications be granted and the proper licenses issued. On roll call, voting Aye, 4. Nay, None. Carried.

Application for Junk Dealer's license for 1952 by McCarty's Inc. was presented by the City Clerk. It was moved by Councilman Johnson and seconded by Rogers that the above license be granted. On roll call, voting Aye, 4. Nay, None. Carried.

The following applications for Bartender's permits were presented by the City Clerk, to-wit: Gayle Scheets, 944 Paulson; Joseph B. Krysty, 327 N. Water. It was moved by Councilman Rogers and seconded by Foote that the above permits be granted and proper cards issued. On roll call, voting Aye, 4. Nay, None. Carried.

The following applications for Soft Drink licenses were presented by the City Clerk, to-wit: Tom Beaslin, Western Amusement and C. F. Patchins, Rays In and Out, S. Highway and 1898 N. Yellowstone. It was moved by Councilman Johnson and seconded by Rogers that the above applications be granted and proper licenses issued. On roll call, voting Aye, 4. Nay, None. Carried.

The following applications for Repairman's license were presented by the City Clerk, to-wit: Dean Seedall, 310 W. 17th Street, 50.00; Ray Ross, 169 E. 25th Street, 50.00; Garold Ross, 169 E. 25th Street, 50.00; John Shelby, Rex Hotel, 50.00; Roger B. Hougen, 1100 Cranmer Avenue, 50.00. It was moved by Councilman Freeman and seconded by Foote, that the above applications be granted and proper licenses issued. On roll call, voting Aye, 4. Nay, None. Carried.

The following applications for Photographers licenses were presented by the City Clerk, to-wit: Jensen's Studio, 362 Park Avenue and L. W. Bacon, 165 East 16th Street, fees 5.00. It was moved by Councilman Johnson and seconded by Rogers that the above applications be granted and proper licenses issued. On roll call, voting Aye, 4. Nay, None. Carried.

The following applications for substitute licenses for coin operated amusement devices were presented by the City Clerk, to-wit: J. A. McAtee, Samoa Club, one machine and F. E. Cushing, Bon Villa Club, one machine. It was moved by Councilman Rogers and seconded by Foote that the above substitutions be granted. On roll call, voting Aye, 4. Nay, None. Carried.

The following applications for licenses to operate coin operated amusement devices, were presented, to-wit: B. V. Quillian, The Turf, 498 A. Street, five machines, fee, \$1875.00 and E. A. Lewis, Union Bar, 246 Park Avenue, one machine, fee, \$375.00. It was moved by Councilman Rogers and seconded by Freeman that the above applications for slot machine licenses be granted and licenses issued for the balance of 1952. On roll call, voting Aye, 4. Nay, None. Carried.

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RESOLUTION

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 5th day of November, 1951, recorded in Book 81 of Deeds at Page 147, records of Bonneville County, Idaho, acquire title to and possession of the following described real property, to-wit:

Lots 3 and 4, Block 64, of Crow's Addition to the City of Idaho Falls per recorded plat thereof; and

WHEREAS, Leslie A. Wilkins 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 payment of said sum of money by said purchasers, to make, execute and deliver to the said Leslie A. Wilkins a deed to said property, pursuant to the provisions of Section 50-2951 Idaho Code.

PASSED BY THE COUNCIL THIS 8th DAY OF APRIL, 1952.
APPROVED BY THE MAYOR THIS 8th DAY OF APRIL, 1952.

ATTEST: s/ S. R. Rostad
City Clerk

s/ E. W. Fanning
Mayor

It was moved by Councilman Freeman and seconded by Rogers that the above resolution be adopted and approved. On roll call, voting Aye, 4. Nay, None. Carried.

ORDINANCE NO. 790

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 above Ordinance was read at length by the Clerk. It was moved by Councilman Freeman and 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 resulted as follows: Ayes, 4; Nay, None. Three-fourths of the Council having voted in the affirmative, the Mayor declared the rule dispensed with

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and ordered the Ordinance placed before the Council for final consideration, the question being, "Shall the Ordinance pass?" Roll call resulted as follows: Ayes, 4; Nay, None. The majority of all the members of the Council present having voted in the affirmative, the Mayor declared the Ordinance passed.

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF IDAHO FALLS, IDAHO:

That the following described lands situated in the City of Idaho Falls, Bonneville County, Idaho, to-wit:

Beginning at a point that is 89° 51' 06" E., 29.28 feet and South 295.92 feet from the Northwest corner of Section 20, Township 2 North, Range 38, East Boise Meridian and running thence South, 326 feet; thence S. 89° 17' 10" E., 660.05 feet; thence South 326 feet; thence S. 89° 17' 10" E., 505.73 feet; thence N. 0° 16' E., 651.97 feet; thence N. 89° 17' 10" W., 1168.82 feet to the point of beginning, containing 12.531 acres.

be forthwith zoned "C-1"; and that an ordinance in due and proper form be enacted so zoning the same.

PASSED BY THE CITY COUNCIL OF THE CITY OF IDAHO FALLS, THIS 8th DAY OF APRIL, 1952.

APPROVED BY THE MAYOR THIS 8th DAY OF APRIL, 1952.

ATTEST: s/S. R. Rostad
City Clerk

s/ E. W Fanning
Mayor

It was moved by Councilman Foote and seconded by Freeman that the above resolution be adopted. On roll call, voting Aye, 4. Nay, None. Carried. It was moved by Councilman Johnson and seconded by Rogers that the petition presented by Rex Schwendiman, for rezoning Lots 1 to 22, Block 7, Capitol Hill Addition, to a R-1 zone, be approved. The Board of Appeals was unanimous in approving this petition. On roll call, voting Aye, 4. Nay, None. Carried.

It was moved by Councilman Johnson and seconded by Rogers that the Purchasing Agent is hereby authorized to purchase 2 Class 13-100, 440/550 volts, 3 phase, 60 cycle; A. C. Magnetic primary and secondary full voltage non-reversing starter panel #665 @ \$1,728.00; 2 1033337 Type HD, Westinghouse push-button, @ 9.90. The total cost \$3495.00, Westinghouse Electric Supply Company, Salt Lake City. On roll call, voting Aye, 4. Nay, None. Carried.

It was moved by Councilman Freeman and seconded by Johnson that the petition presented by J. Richard Rapp, for rezoning Lots 1-2, Block 30, Capitol Hill Addition be denied, in accordance with the recommendations by the Board of Appeals. On roll call, voting Aye, 4. Nay, None. Carried.

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INVITATION TO BID AND INSTRUCTIONS TO BIDDERS.

SEALED BIDS, subject to the conditions contained herein, will be received until 8:00 P.M. April 22, 1952, at the City Hall, Idaho Falls, Idaho, and then publicly opened, for furnishing all labor and materials and performing all work for lighting installation and other appurtenant work at the IDAHO FALLS MUNICIPAL AIRPORT, IDAHO FALLS, IDAHO. The proposed work is estimated as follows: 56 High Density Marker Lights; 59 Medium Intensity Marker Lights; 6 Field Transformer Vaults; 60,000 Feet Underground Cable; 25,000 Feet Cable Trench; 1 Control and Wiring; 1 Segmented Circle; 1 8-Way Underground Duct and Two Manholes.

Copies of plans, specifications and other contract documents are on file in the office of C. R. Black, City Engineer, Idaho Falls, Idaho, or the office of the City Clerk. Contract documents will be forwarded to prospective bidders upon receipt of a request accompanied by a \$10.00 deposit. Deposit will be refunded to each bidder submitting a bonafied bid, upon return of the document within 10 days of bid opening.

Minimum rates of wages for the construction of the proposed work have been established by the Secretary of Labor, and a schedule of labor classifications such minimum wage rates to be paid for are contained in or attached to the specifications. The bid form shall contain a statement that the bidder will pay no less than those rates.

Payment Bond and Performance Bond will be required for an amount of not less than 50% of the contract price, for each or 100% for both.

Payment Bond and Performance Bond must contain provisions necessitated by Idaho State and Municipal Laws.

Each bid must be accompanied by Bid Bond, Certified Check, Cashier's Check or equal in the amount of 5% of the total bid.

The time limit for the construction of the proposed work is 200 calendar days.

Bids must be submitted on the bid form furnished or facsimile thereof, and the successful bidder will be required to execute the standard form of contract for construction within ten days after formal award of contract.

The owner (The City of Idaho Falls, Idaho) has obtained an allotment of controlled materials and delivery order for same, of the description and in amount listed below.

For delivery in the second quarter of 1952; copper wire 4,750 pounds and carbon steel three short tons. This allotment will be transferred to the successful bidder.

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Right is reserved by the City of Idaho Falls, Idaho to reject any and all bids, to waive any informality in bids received, and to accept or reject any items on any bid unless subject bid is qualified by specific limitation.

Envelopes containing bids must be sealed, marked and addressed as follows:

City Clerk- City Hall- Idaho Falls, Idaho.
Bid - Airport Lighting.

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s/ S. R. Rostad
City Clerk

It was moved by Councilman Rogers and seconded by Johnson that the City Clerk is hereby instructed to issue call for bids, as per above invitation. On roll call, voting Aye, 4. Nay, None. Carried.

It was moved by Councilman Johnson and seconded by Rogers that the City Clerk is hereby authorized to notify Holden & Holden that the City of Idaho Falls consents to an Assignment by James J. Martineau, Jim's Bargain Barn, for the benefit of creditors. On roll call, voting Aye, 4. Nay, None. Carried.

It was moved by Councilman Foote and seconded by Rogers that the present easement 10' in width, existing on the south side of Lots 13 and 15 and on the north side of Lot 12, in Block 1, Blackburn Addition, Division No. 1, to the City of Idaho Falls, Idaho, as shown on recorded plat thereof, recorded in Plat Book #2, Page 14, of the records of Bonneville County, Idaho, be vacated, upon receiving from owner of said property a deed of dedication covering an easement as appears on the plat as submitted. On roll call, voting Aye, 4. Nay, None. Carried.

It was moved by Councilman Johnson and seconded by Rogers that the City will remove trees on Boulevard, between 12th and 13th Streets. (Flower & Garden Club). On roll call, voting Aye, 4. Nay, None. Carried.

It was moved by Councilman Rogers and seconded by Johnson that the City donate \$500.00 toward defraying the expenses of the I. F. High School Band, to the State Music Festival to be held at Moscow, Idaho. On roll call, voting Aye, Rogers, Johnson, and Foote. Absent, Freeman. Carried.

It was moved by Johnson and seconded by Foote that the City purchase a new ½ ton pickup for Electric Light and Waterworks Departments, at the best price or deal obtainable. On roll call, voting Aye, Foote, Rogers, and Johnson. Absent, Freeman, Carried.

RESOLUTION

WHEREAS, the City of Idaho Falls, Idaho, proposes and desires to acquire by purchase, pursuant to Section 50-1127 Idaho Code for use as a cemetery for the burial of the dead, that tract of land known as Fielding Memorial Park and owned by Fielding Memorial Park, Inc. an Idaho Corporation. Said lands lying and being in Bonneville County, Idaho, and described more particularly as follows, to-wit:

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Beginning at a point on the South Section line 1133.98 feet West from the Southeast corner of Section Thirty-five (35), Township Two (2) North, Range Thirty-seven (37), East of the Boise Meridian, which point is the intersection with said South Section line and the Westerly line of the State Highway right of way, thence West on the Section line 1503.52 feet to the South Quarter corner of said Section Thirty-five (35), thence North 1 degree 30 minutes West 1492.50 feet, thence due East 2376.56 feet to the Westerly line of said State Highway right of way 1701.46 feet to the point of beginning, together with all ditch and water rights, tenements and appurtenances thereto belonging or appertaining.

Also beginning at a point which is South 89 degrees 40 minutes West 1133.89 feet and North 29 degrees 20 minutes East 1787.46 feet, West 582.41 feet, from the southeast corner of Section 35, Township 2 North, Range 37, East of the Boise Meridian; thence Southeasterly 56.57 feet to the point of beginning. Excepting there from however all those lots and parcels of the above described lands heretofore sold and conveyed by FIELDING MEMORIAL PARK, INC. as shown by the plat book of said Corporation, which plat book is herewith delivered to the City: and subject to all contracts for sale of lots and parcels of the above described lands as shown by said plat book; and

WHEREAS, The acquisition of said lands is for public purposes and necessary for conserving the health and general welfare of the inhabitants of said City; and

WHEREAS, In order to purchase said lands most economically and at the lowest net cost to the City, it is necessary to purchase all the assets of the said Fielding Memorial Park, Inc.

NOW THEREFORE BE IT RESOLVED, that the Mayor and City Clerk of said City be and they are hereby authorized and directed to execute a contract on behalf of said City for the purchase of all the assets of said Fielding Memorial Park, Inc., for the sum of \$82,300.00 to be paid in manner following:

Thirty Thousand and No/100 Dollars (\$30,000.00) on delivery of this contract, the receipt whereof is hereby acknowledged; and all of the balance of the purchase price on or before April 1, 1954.

The said contract shall contain a covenant on the part of the City not to erect or permit the erection of headstones, monuments or grave markers above the surface of the ground within the sections of the said Park, now named as follows, to-wit:

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Wasatchlawn, Sunset, Roselawn, Forestlawn, Pinehurst, Parkhurst, Valleyview, Nauvooolawn, Lacresta.

And the said contract shall contain the further provision that said lands shall be used and maintained as a municipal cemetery.

PASSED BY THE COUNCIL OF THE CITY OF IDAHO FALLS, this 8th day of April, 1952.

APPROVED BY THE MAYOR this 8th day of April, 1952.

ATTEST: s/ S. R. Rostad
City Clerk

s/ E. W. Fanning
Mayor

It was moved by Councilman Freeman and seconded by Johnson that the above resolution be adopted. On roll call, voting Aye, 4. Nay, None. Carried.

The following applications for light and water assistance were presented and referred to the Finance Committee, to wit: Orilla Malone, 460 S. Emerson, Ruth Bybee, 463 Cliff Street and Sarah E. Wilson, 512 N. Boulevard.

It was moved by Councilman Johnson and seconded by Freeman that the following applications for light and water assistance are hereby denied; Hilda Lund, 373 May Street, Keturah Halverson, 308 G Street, and Eliza A. Burnett, 130 W. 14th Street. On roll call, voting Aye, 4. Nay, None. Carried.

It was moved by Councilman Johnson and seconded by Freeman that the applications for light and water assistance by Bergeth Erickson, 624 L Street, and Mrs. Mubert Peele, be allowed on the basis of 5.50 light and 2.25 water or up to \$7.75 per month and that the old bills be cancelled. On roll call, voting Aye, 4. Nay, None. Carried.

It was moved by Councilman Freeman and seconded by Rogers that the appointment by Mayor Fanning of Orla Poulter to the rank of Captain in the Fire Department, be approved. The effective date being October 1. On roll call, voting Aye, 4. Nay, None. Carried.

Mayor Fanning appointed the following as Probationary Police, to-wit: Claude E. Webster, Ralph Hutchins, Bud Hathaway, Max Dumont and Orville Bailey. It was moved by Councilman Johnson and seconded by Freeman that the above appointments be approved. On roll call, voting Aye, 4. Nay, None. Carried.

Mayor Fanning appointed Byron Taylor as probationary Fireman. It was moved by Councilman Rogers and seconded by Johnson that the above appointment be approved. On roll call, voting Aye, 4. Nay, None. Carried.

It was moved by Councilman Rogers and seconded by Johnson that the Council adjourn. Carried.

ATTEST: s/ S. R. Rostad
City Clerk

s/ E. W. Fanning
Mayor
