

MARCH 7, 1952

The City Council of the City of Idaho Falls, Idaho, met in Regular Session March 7, 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; Arthur Smith, City Attorney; T. R. Peters, Purchasing Agent.

The minutes of Meetings held on February 15<sup>th</sup> and 26<sup>th</sup> were read and approved.

The bills against the City for the month of February, 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:	\$40,319.11	\$4,802.70	\$11,422.37	\$727.02
Supplies:	<u>48,750.72</u>	<u>507.77</u>	<u>27,364.05</u>	<u>    .00</u>
Total:	\$89,069.83	\$5,310.47	\$38,786.42	\$727.02
 <b>GRAND TOTAL:</b>		 <b>\$133,893.74</b>		

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

It was moved by Councilman Rogers and seconded by Foote that the bid made by Nelson Equipment Co., Portland, Ore., for new fire truck and equipment, as per spec:

Seagrave 1250 GPM, price quoted, 22,005.80 FOB Idaho Falls, Idaho.

Plus a 7 man cab. 837.00

Total: 22,842.80, be accepted and the Mayor is hereby

authorized to sign said contract. On roll call voting Aye, 4. Nay, None. Carried.

Application for Electrical Contractors license by the I. F. Electric Co., no fee for the reason that they paid \$25.00 fee in the year 1948 and which has not been refunded; this to cover fee for 1952.

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

Application for Dance Hall license by C. B. McNeil, Cheerio Club, was presented. 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.

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

Mrs. Frank Harris	Mac's Café	West Broadway	Soft Drink	1.00
Rushton Brothers		North Jefferson	Meat Market	1.00
A. M. Smith		331 Eagle Rock	Secondhand	10.00
Donald F. Austin	Circle Dot	331 Eagle Rock	Secondhand	10.00

MARCH 7, 1952

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

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

Paul S. Knight	147 East 13 <sup>th</sup>	Journeyman Plumber	2.50
Charley R. Linger, Jr.	1270 South Blvd.	Journeyman Plumber	2.50
E. J. Prophet	421 East 18 <sup>th</sup>	Journeyman Plumber	2.50
Bingham Plumbing & Heating	141 East 23 <sup>rd</sup>	Master Plumber	20.00

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

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

Owen Denzon	I. F. Electric	375 Broadway	Journeyman Electrician	2.50
A. D. Hill	I. F. Electric	375 Broadway	Journeyman Electrician	2.50
Jack B. Dalton	I. F. Electric	375 Broadway	Journeyman Electrician	2.50
Gem State Electric		610 Shoup	Electrical Contractors	25.00

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

Application by Dave Drysdale, President, Big Chief Lounge, Inc., for the transfer of Beer License No. 343, Big Chief, was presented by the Clerk. It was moved by Councilman Freeman and seconded by Johnson that the above application be granted. On roll call voting Aye, 4. Nay, None. Carried.

The following applications for Beer licenses for the year 1952, were presented, to-wit:

Cyril R. Hersley	Columbus Club Assoc.	Utah Avenue	75.00
Fay Marler	Wally's Grocery	317 Broadway	25.00
C. E. Hubbard	Alaska Bar	336 Park Avenue	100.00
DeVar R. Clark	Home Market	1793 S. Emerson	25.00
Robert P. Libin	Broadway Bowl	455 Broadway	75.00
Wallace Hoffman	Elm Street Grocery	160 Elm Street	75.00

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

The following applications for bartender permits were presented, to-wit: Denzel L. Bergeson, 342 Basalt; Tim Teninty, 394 West 17<sup>th</sup>; Robert M. Atkeson, Grand Hotel and C. E. Hubbard, Alaska Bar. It was moved by Councilman Rogers and seconded by Johnson that the above permits be granted and the proper cards issued. On roll call voting Aye, 4. Nay, None. Carried.

MARCH 7, 1952

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

C. E. Hubbard	Alaska Bar	336 Park Avenue	937.50
J. W. Banks	Hub Bar	398 Broadway	937.50

It was moved by Councilman Freeman and seconded by Rogers that the above liquor licenses be granted and the proper licenses issued for the year 1952. On roll call voting Aye, 4. Nay, None. Carried.

The following applications for coin operated amusement device licenses were presented for the year 1952, to-wit;

C. B. McNeill	Cheerio Club	415 Park Avenue	One Machine	500.00
C. E. Hubbard	Alaska Bar	336 Park Avenue	Six Machines	2,500.00
Martin A. Carlson	Rainbow Café	301 North Lee	One Machine	416.67

It was moved by Councilman Foote and seconded by Rogers that the above applications for slot machine licenses be granted and licenses issued for the balance of 1952; after passing inspection of the Chief of Police. On roll call voting Aye, 4. Nay, None. Carried.

Application from Dave Drysdale, President of Big Chief Lounge, for the transfer of slot machines from Big Chief to the Big Chief Lounge Inc., was presented. Fee \$50.00. It was moved by Councilman Foote and seconded by Rogers that the above transfer be granted. On roll call voting Aye, 4. Nay, None. Carried.

The following applications for substitute licenses for coin-operated amusement devices, were presented, to-wit: B. V. Quillian, Turf Billiards, 498 A Street for 8 machines; George Moore, Topper Club, for one machine; Roger Kellar, Fords, for 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 application of B. V. Quillian for the transfer of 5 machines from the "91" Club to the Turf Billiards was presented by the Clerk. It was moved by Councilman Johnson and seconded by Rogers that the above transfer be granted. On roll call voting Aye, 4. Nay, None. Carried.

RESOLUTION

WHEREAS, the City of Idaho Falls, Idaho, in cooperation with the Civil Aeronautics Administration are proposing to install high intensity and medium on the Idaho Falls Municipal Airport,

AND WHEREAS, the Civil Aeronautics Administration requires as a prerequisite to cooperating in said project that the hazards of the existing telegraph line and the signal line, both of which are now constructed above ground, shall be removed by placing them underground.

AND WHEREAS, both lines are the property of the Union Pacific Railroad Company,

MARCH 7, 1952

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AND WHEREAS, the Union Pacific Railroad Company has in a letter dated February 20, 1952, stated that they will enter into a contract with the City of Idaho Falls to perform said work, the cost of the same to be paid by the City of Idaho Falls upon presentation of the bill for the same, the estimated cost being \$5516.00.

NOW THEREFORE BE IT RESOLVED, that the City Council authorize the Mayor and City Clerk to enter into said contract to be presented by the said Union Pacific Railroad Company to the City of Idaho Falls for the performance to said work.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR THIS 7<sup>th</sup> day of March, 1952.

ATTEST: s/ S. R. Rostad  
City Clerk

s/ E. W. Fanning  
Mayor

Official oath by Bud Oliver Hathaway, patrolman was ordered placed on file.

It was moved by Councilman Freeman and seconded by Johnson that the Mayor is hereby authorized to sign renewal of lease ACE 9036, Highway on right of way, Union Pacific Railroad Co., from December 31, 1951 to December 31, 1956. On roll call voting Aye, 4. Nay, None. Carried.

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 27<sup>th</sup> day of October 1950, recorded in Book 77 of Deeds at Page 397, records of Bonneville County, Idaho, acquire title to and possession of the following described real property, to-wit:

Lots 29-32, Block 28, in South Park Addition to the City of Idaho Falls, Idaho, as per the recorded plat thereof;

WHEREAS, Milton L. Barnes 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 Milton L. Barnes a deed to said property, pursuant to the provisions of Section 50-2751 Idaho Code.

MARCH 7, 1952

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PASSED BY THE COUNCIL THIS 7<sup>th</sup> day of March, 1952.

APPROVED BY THE MAYOR THIS 7<sup>th</sup> day of March, 1952.

ATTEST: s/ S. R. Rostad  
City Clerk

s/ E. W. Fanning  
Mayor

The following applications for light and water assistance were referred to Councilman Vernon S. Johnson, to-wit:

Mrs. Hubert Peele, 1355 Mound; Nora B. Brown, 143 College; Birgith Erickson, 624 L. Street; Eliza A. Burnett, 130 West 14<sup>th</sup>, Keturah Halverson, 308 G Street and Ireta Waddoups, 241 Hill Street.

The Mayor announced that this was the date set for the opening of bids on Airport lighting. The bids for Airport lighting were opened and read as follow, to-wit:

Thompson Electric Service	Salt Lake City, Utah	Per specifications	\$47,853.88
Jewel Electric Co.	Idaho Falls, Idaho	"	66,160.92
Gem State Electric Co.	Idaho Falls, Idaho	"	66,500.00
I. F. Electric Company & Fonnesbeck Elec. Co.	Idaho Falls, Idaho	"	50,891.67
"		Alternate #1	49,897.77
Howard P. Foley	Salt Lake City, Utah	Per specifications	69,862.00
Harbert Electric Co.,	Boise, Idaho	"	50,710.00

It was moved by Councilman Johnson and seconded by Freeman that the low bid of Thompson Electric Service, Salt Lake City, Utah, amount of \$47,853.88, be accepted, subject however, to the approval of the C.A.A. and subject to the compliance by said bidder with all requirements under the laws of State of Idaho. On roll call voting Aye, 4. Nay, None. Carried.

RESOLUTION

By Councilmen: Russell A Freeman, Vernon S. Johnson, John B. Rogers and Donald R. Foote.

Resolution of the City of Idaho Falls, Idaho, accepting the grant offer of the United States of America through the Civil Aeronautics Administration of a maximum sum of \$48,882.00, to be used in the improvement of the Idaho Falls Municipal Airport, Idaho Falls, Idaho.

Be it resolved by the members of the City Council of the City of Idaho Falls, Idaho:

MARCH 7, 1952

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**SECTION I.** That the City of Idaho Falls shall accept the grant offer of the United States of America for the purpose of obtaining Federal Aid for the development of the Idaho Falls Municipal Airport at Idaho Falls, Idaho.

**SECTION II.** That the Mayor of the City of Idaho Falls is hereby authorized and directed to sign the grant offer on behalf of the City of Idaho Falls and the City Clerk is hereby authorized and directed to attest the signature of the Mayor and impress the official seal of the City of Idaho Falls on the aforesaid grant offer.

**SECTION III.** That the City Council hereby specifically ratifies and adopts all statements, representations, warranties, covenants and agreements contained in the project application.

**SECTION IV.** That the grant offer referred to hereinabove shall be as follows:

**GRANT AGREEMENT**

**PART 1- Offer**

**Contract No. C7ca-4279**

**Date of Offer**

**Idaho Falls Municipal Airport**

**Project No. 9-10-060-202**

TO: The City of Idaho Falls, Idaho  
(herein referred to as the "Sponsor")

FROM: The United States of America (acting through the Administrator of Civil Aeronautics, herein referred to as the "Administrator")

WHEREAS, this Sponsor has submitted to the Administrator a project application dated December 6, 1951, for a grant of Federal funds for a project for development of the Idaho Falls Municipal Airport (herein called the "Airport") together with plans and specifications for such project, which project applicator, as approved by the Administrator, is hereby incorporated herein and made a part hereof; and

WHEREAS, the Administrator has approved a project for development of the Airport (herein called the "Project") consisting of the following described Airport development:

Install high intensity lights on NE-SW designated instrument landing runway from Station 8 plus 70 to Station 55 plus 00; install medium intensity lights on N-S runway; construct segmented circle; clear SW, NE and N approach zones of trees and pole lines.

MARCH 7, 1952

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(The Airport development to be accomplished herein described is in addition to that contemplated under the Grant Agreement by the Sponsor and the United States for Project No. 9-10-060-901.)

All as more particularly described in the property map and plans and specifications incorporated in the said project application;

NOW THEREFORE, pursuant to and for the purposes of carrying out the provisions of the Federal Airport Act (60 Stat. 170; Pub. Law 377, 79<sup>th</sup> Congress), and in consideration of (a) the Sponsor's adoption and ratification of the representations and assurances contained in said Project Application, and its acceptance of this Offer, as hereinafter provided, and (b) the benefits to accrue to the United States and the public from the accomplishment of the Project and the operation and maintenance of the Airport, as herein provided,

THE ADMINISTRATOR, FOR AND ON BEHALF OF THE UNITED STATES, HEREBY OFFERS AND AGREES to pay, as the United States' share of costs incurred in accomplishment of project, 75 per centum of the allowable costs of installation of high intensity runway lighting on NE/SW runway, and 56.29 per centum of all other allowable project costs, subject to the following terms and conditions:

1. The maximum obligation of the United States payable under this offer shall be \$48,882.00.
2. The Sponsor shall
  - (A) begin accomplishment of the Project within reasonable time after acceptance of this Offer, and
  - (B) carry out and complete the Project in accordance with the terms of this Offer and the Federal Airport Act and the Regulations promulgated there under by the Administrator in effect on the date of this Offer, which Act and Regulations are incorporated herein and made a part hereof, and
  - (C) carry out and complete the Project in accordance with the plans and specifications and property map incorporated herein as they may be revised or modified with the approval of the Administrator or his duly authorized representatives.
3. The Sponsor shall operate and maintain the Airport as provided in the Project Application incorporated herein.
4. The maximum amounts of building space which the Sponsor shall be obligated to furnish civil agencies of the United States under Paragraph 9 of Part III of the Project Application shall be as set forth in the schedule attached to the Grant Agreement for Project No. 9-10-060-901, accepted by the Sponsor on July 7, 1950, which said schedule is incorporated herein and made a part hereof by reference.
5. Any misrepresentation or omission of material fact by the Sponsor concerning the Project or the Sponsor's authority or ability to carry out the obligations assumed by the Sponsor in accepting this Offer shall terminate the obligation of

MARCH 7, 1952

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the United States, and it is understood and agreed by the Sponsor in accepting this Offer that if a material fact has been misrepresented or omitted by the Sponsor, the Administrator on behalf of the United States may recover all grant payments made.

6. The Administrator reserves the right to amend or withdraw this Offer at any time prior to its acceptance by the Sponsor.
7. The Offer shall expire and the United States shall not be obligated to pay any of the allowable costs of the Project unless this Offer has been accepted by the Sponsor within 60 days from the above date of Offer or such longer time as may be prescribed by the Administrator in writing.
8. The Sponsor specifically agrees as a further consideration for this Grant Offer that it will clear the approaches to the Airport in accordance with the approved master plan and further agrees that final payment under this Grant Agreement shall not be made until said work is accomplished to the satisfaction of the District Airport Engineer.

The Sponsor's acceptance of this Offer and ratification and adoption of the Project Application incorporated herein shall be evidenced by execution of this instrument by the Sponsor, as hereinafter provided, and said Offer and acceptance shall comprise a Grant Agreement, as provided by the Federal Airport Act, constituting the obligations and rights of the United States and the Sponsor with respect to the accomplishment of the Project and the operation and maintenance of the Airport. Such Grant shall become effective upon the Sponsor's acceptance of this Offer and shall remain in full force and effect throughout the useful life of the facilities developed under the Project but in any event not to exceed twenty years from the date of said acceptance.

UNITED STATES OF AMERICA  
THE ADMINISTRATOR OF  
CIVIL AERONAUTICS  
By s/ R. D. Bedinger  
Regional Administrator, Reg. VII

**GRANT AGREEMENT**  
**PART II- Acceptance**

The City of Idaho Falls, Idaho, does hereby ratify and adopt all statements, representations, warranties, covenants, and agreements contained in the Project Application and incorporated material referred to in the foregoing offer and does hereby accept said Offer and by such acceptance agree to all of the terms and conditions thereof.

Executed this 7<sup>th</sup> day of March, 1952.

MARCH 7, 1952

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City of Idaho Falls, Idaho

Name of Sponsor

By s/ E. W. Fanning

Title: Mayor

(SEAL)

ATTEST: s/ S. R. Rostad

Title: City Clerk

CERTIFICATE OF SPONSOR'S ATTORNEY

I, Arthur L. Smith, acting as Attorney for City of Idaho Falls, Idaho, do hereby certify:

That I have examined the foregoing Grant Agreement and the proceedings taken by said City of Idaho Falls relating thereto, and find that the Acceptance thereof by said City of Idaho Falls, has been duly authorized and that the execution thereof is in all respects due and proper and in accordance with the laws of the State of Idaho, and further that, in my opinion, said Grant Agreement constitutes a legal and binding obligation of the City of Idaho Falls in accordance with the terms thereof.

Dated at Idaho Falls, Idaho this 7<sup>th</sup> day of March, 1952.

s/ Arthur L. Smith

Title: City Attorney

Passed by the Common Council of the City of Idaho Falls, Idaho, this 7<sup>th</sup> day of March, 1952.

Approved by the Mayor of the City of Idaho Falls, this 7<sup>th</sup> day of March, 1952.

APPROVED:

s/ E. W. Fanning

Mayor

SEAL

ATTEST:

s/ S. R. Rostad

City Clerk

It was moved by Councilman Freeman and seconded by Rogers that the resolution accepting Grant of U. S. of America through the C.A.A. be passed. On roll call voting Aye, 4. Nay, None. Carried.

It was moved by Councilman Johnson and seconded by Rogers that the Council adjourn. On roll call voting Aye, 4. Nay, None. Carried.

ATTEST: s/ S. R. Rostad

City Clerk

s/ E. W. Fanning

Mayor

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