

SEPTEMBER 2, 1938

Minutes of a Regular Meeting of the City Council of the City of Idaho Falls, Idaho, held September 2nd, 1938.

There were present at said Meeting: Chase A. Clark, Mayor; Lee Walker, City Clerk; Councilmen Evans, Sutton, Crabtree, Wing, Fanning, Gourley, Mehlhoff, Wasley; Absent: None; when the following proceedings were had, to-wit:

Minutes of the last Regular Meeting were read and approved.

The following monthly reports were read and approved: City Clerk and City Electrician.

The following applications for building permits were read:

- No. 1913 signed by Walter Cook
- No. 1914 signed by C. W. Mulhall
- No. 1915 signed by Mrs. Emily W. Matheson
- No. 1916 signed by Harry W. Matheson
- No. 1918 signed by J. L. Grimmett
- No. 1919 signed by A. W. Oswald
- No. 1920 signed by B. Madsen
- No. 1921 signed by John M. Shearer
- No. 1922 signed by Albert Baker
- No. 1923 signed by Mark D. Bigler
- No. 1924 signed by E. J. Thompson
- No. 1925 signed by Robert V. Harding

It was moved by Crabtree, seconded by Wing, that the application be approved. Roll call as follows: Voting Aye: Sutton, Crabtree, Wing, Fanning, Gourley, Mehlhoff, Wasley, Evans; Nay: None; Motion carried.

Building Permit No. 1917 signed by Loren Nelson was read. It was moved by Sutton, seconded by Mehlhoff, that the permit be referred to the Building Committee with power to act. Roll call voting Aye: Crabtree, Wing, Fanning, Gourley, Mehlhoff, Wasley, Evans, Sutton; Nay: None; Motion carried.

It was moved by Fanning, seconded by Wasley, that the Building Inspector issue no more building permits for residences until applicant has paid for a sewer permit. Roll call voting Aye: Wing, Fanning, Gourley, Mehlhoff, Wasley, Evans, Sutton, Crabtree; Nay: None; Motion carried.

After discussion of the offer of the United States of America to aid by way of grant in financing the construction of Street Improvements, including the acquisition of necessary lands and rights of way, the following Resolution, numbered One and entitled, "a Resolution accepting the offer of the United States to the City of Idaho Falls, Idaho, to aid by way of Grant in financing the construction of street improvements" was proposed by Gourley and read in full:

RESOLUTION NO.1

A RESOLUTION ACCEPTING THE OFFER OF THE UNITED STATES TO THE CITY OF IDAHO FALLS, IDAHO, TO AID BY WAY OF GRANT IN FINANCING THE

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CONSTRUCTION OF STREET IMPROVEMENTS, INCLUDING ACQUISITION OF LANDS AND RIGHTS OF WAY.

Be it resolved by the City Council of the City of Idaho Falls, Idaho.

Section 1. That the offer of the United States of America to the City of Idaho Falls, Idaho, to aid by way of grant in financing the construction of street improvements, including the acquisition of lands and rights of way, a copy of which offer reads as follows:

“Washington, D. C.
Dated: Aug. 22, 1938
Docket No. Idaho 1158-F

“City of Idaho Falls,
Idaho Falls, Bonneville County, Idaho

“1. Subject to the Terms and Conditions (P. W. A. Form No. 230, as amended to the date of this offer), which are made a part hereof, the United States of America hereby offers to aid in financing the construction of street improvements, including acquisition of necessary lands and rights of way (herein called the “Project”) by making a grant to City of Idaho Falls (herein called the “Applicant”) in the amount of 45 percent of the cost of the Project upon completion, as determined by the Federal Emergency Administrator of Public Works (herein called the “Administrator”), but not to exceed, in any event, the sum of \$62,591.00.

2. By acceptance of this offer the Applicant covenants to begin work on the Project as early as possible, but in no event later than 12 weeks from the date of this Offer and to complete such Project with all practicable dispatch, and in any event within 12 months from the commencement of construction.

3. This offer is made subject to the express condition that, if the Administrator shall determine at anytime that the Applicant’s application or for alleged services in procuring or in attempting to procure such approval, or for activities of the nature commonly known as lobbying performed or agreed to be performed in connection with the application, then the Administrator shall have the right, in his discretion, to rescind this offer and any agreements resulting here from and, in the event of such rescission, the United States of America shall be under no further obligation hereunder.

UNITED STATES OF AMERICA
Federal Emergency Administrator of
Public Works
s/ H. A. Gray, Assistant Administrator

be and the same is hereby in all respects accepted.

Section 2. That said City of Idaho Falls, Idaho, agreed to abide by all the Terms and Conditions of said offer, including the Terms and Conditions annexed thereto and made a part thereof.

Section 3. That the City Clerk be and he is hereby authorized and directed forthwith to send to the Federal Emergency Administration of Public Works three certified copies of the proceedings of the City Council in connection with the adoption of this Resolution, setting forth this Resolution in full, and such further documents or proofs in connection with the acceptance of said offer as may be requested by the Federal Emergency Administration of Public Works.

s/ Chase A. Clark, Mayor

s/ Lee Walker, City Clerk

The above Resolution was seconded by Fanning and was adopted, with the following voting Aye: Fanning, Gourley, Mehlhoff, Wasley, Evans, Sutton, Crabtree, Wing; and the following, Nay: None. The Mayor thereupon declared said Resolution carried and the Mayor thereupon signed said Resolution in approval thereof.

The following protests against Special Improvement District No. 18, were opened and read: H. Schade, John Irwin, Fred Bossler, Mary Thomas, Union Pacific Railroad Company. After considerable discussion it was moved by Crabtree, seconded by Wing, that the protests be overruled. Roll call voting Aye: Gourley, Mehlhoff, Wasley, Evans, Sutton, Crabtree, Wing, Fanning; Nay: None; Motion carried.

An Ordinance entitled, "AN ORDINANCE CREATING AND SETTING FORTH THE BOUNDARIES OF LOCAL IMPROVEMENT DISTRICT NO. 18 IN AND FOR IDAHO FALLS, IDAHO, FOR THE PURPOSE OF GRADING, GRAVELING, PRIME COATING, TACK COATING, PAVING, CURBING, GUTTERING, AND SURFACE DRAINING CERTAIN STREETS AND PARTS OF STREETS, ALLEYS AND PARTS OF ALLEYS THEREIN: PROVIDING THAT SUCH IMPROVEMENTS SHALL BE MADE AND THAT THE COST AND EXPENSE OF SUCH IMPROVEMENTS LESS AT LEAST FORTY-FIVE PER CENT THEREOF SHALL BE TAXED AND ASSESSED UPON ALL PROPERTY IN SAID DISTRICT IN PROPORTION TO THE NUMBER OF SQUARE FEET OF LANDS AND LOTS ABUTTING, ADJOINING, CONTIGUOUS, AND ADJACENT THERETO INCLUDED IN SAID DISTRICT: AND IN PROPORTION TO THE BENEFITS DERIVED TO SUCH PROPERTY BY SAID IMPROVEMENTS, AND PROVIDING THAT THE WHOLE COST AND EXPENSE OF SAID IMPROVEMENTS WITHIN STREET INTERSECTIONS SHALL BE PAID FROM THE GENERAL FUNDS OF THE CITY AND ONE-FOURTH OF THE COST OF GRADING, GRAVELING, PRIME COATING, PAVING, CURBING, AND GUTTERING BETWEEN THE STREET AND ALLEY INTERSECTIONS ON SOUTH BOULEVARD BETWEEN THE SOUTH PROPERTY LINE OF 13TH STREET AND THE NORTH PROPERTY LINE OF 21ST STREET AND BETWEEN THE STREET AND ALLEY INTERSECTIONS ON NORTH BOULEVARD BETWEEN THE SOUTH LINE OF ALLEY IN BLOCK 3, DWIGHT'S

ADDITION AND A LINE CONNECTING THE SOUTH LINE OF ALLEY IN BLOCK 99, RIVERSIDE ADDITION TO THE NORTH PROPERTY LINE OF WHITTIER STREET SHALL BE PAID FROM THE GENERAL FUNDS OF THE CITY: AND PROVIDING FURTHER THAT THE MAKING OF SAID IMPROVEMENTS IS DEPENDENT UPON A DONATION OF NOT LESS THAN FORTY-FIVE PERCENT OF THE COST AND EXPENSE THEREOF BEING MADE BY PUBLIC WORKS ADMINISTRATION OF THE UNITED STATES OF AMERICA, AND THE ISSUANCE AND SALE OF LOCAL IMPROVEMENT BONDS OF SAID DISTRICT TO DEFRAY THE REMAINDER OF THE COST OF SAID IMPROVEMENTS OTHER THAN THE COST AND EXPENSE TO BE PAID FROM THE GENERAL FUNDS OF THE CITY” was read in full by the Clerk. It was moved by Crabtree, seconded by Mehlhoff, that the Ordinance be passed on its First reading. Roll call voting Aye: Mehlhoff, Wasley, Evans, Sutton, Crabtree, Wing, Fanning, Gourley; Nay: None; Motion carried. It was moved by Fanning, seconded by Crabtree, that the rule of law requiring that an Ordinance be read at three separate Meetings be suspended and the Ordinance be placed on its second and third readings. Roll call voting Aye: Wasley, Evans, Sutton, Crabtree, Wing, Fanning, Gourley, Mehlhoff; Nay: None; Motion carried. The Ordinance was again read in full by the Clerk and it was moved by Evans, seconded by Sutton, that the Ordinance be passed on its second reading. Roll call voting Aye: Evans, Sutton, Crabtree, Wing, Fanning, Gourley, Mehlhoff, Wasley; Nay: None; Motion carried. The Ordinance was again read in full by the Clerk. It was moved by Wing, seconded by Wasley, that the Ordinance be passed on its third and final reading and be adopted and approved. Roll call voting Aye: Sutton, Crabtree, Wing, Fanning, Gourley, Mehlhoff, Wasley, Evans; Nay: None; Motion carried. The Ordinance was then numbered 514 and passed to the Mayor for his approval and was by him, the Mayor, duly signed and approved, and ordered published in one issue of the Post Register, the official newspaper of the City of Idaho Falls.

The following Petition was read:

“Idaho Falls, Idaho

We, the undersigned residents and taxpayers of Idaho Falls, do hereby petition the Honorable Mayor and City Council for a water line extension to the extreme north end of Cassia Avenue.

s/ A. S. Williams
s/ Wendle Gilyard
s/ Bessie Waters
s/ Emmett Murphy
s/ Bessie Whitney
s/ Jessie L. Williams”

The Mayor referred the petition to the Light & Water Committee.
The following Petition was read:

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“Idaho Falls, Idaho
August 20, 1938

The Honorable Mayor & City Council,
Idaho Falls, Idaho

We, the undersigned land owners in the City of Idaho Falls, hereby petition your Honorable Body to open the road on East 22nd Street, Lee to Boulevard, for improvement of our fair City:

s/ Ernest M. Brown
2055 Emerson Ave.
s/ W. L. Hankins
s/ Walter L. Storer
s/ Estate of C. W. Sandles
s/ Bernard Hyde
s/ E. M. Anderson”

The Mayor referred the Petition to the Street & Alley Committee.

Agreements and easements covering roadside improvements with State of Idaho Department of Public Works was read. It was moved by Gourley, seconded by Crabtree, that the Mayor be authorized to execute the agreement for the maintenance of said project when completed, and the easement covering 17 feet of land for the Highway Beautification Project designated as Federal Aid Project No. 21-A(2) Road Improvements. Roll call voting Aye: Fanning, Gourley, Mehlhoff, Wasley, Evans, Sutton, Crabtree, Wing; Nay: None; Motion carried.

The Mayor appointed Thomas Jephson as patrolman for four months at \$135.00 per month to replace Captain W. Williams who was granted a leave of absence for four months. It was moved by Crabtree, seconded by Sutton, that the appointment be confirmed. Roll call voting Aye: Gourley, Mehlhoff, Wasley, Evans, Sutton, Crabtree, Wing, Fanning; Nay: None; Motion carried.

It was moved by Mehlhoff, seconded by Wing, that the Fire Chief and Captain be allowed \$80.00 expenses to attend the state convention at Preston and convention at Salt Lake. Roll call voting Aye: Mehlhoff, Wasley, Evans, Sutton, Crabtree, Wing, Fanning, Gourley; Nay: None; Motion carried.

It was moved by Gourley, seconded by Fanning, that the Meeting recess until Tuesday night at 8 o'clock P.M., September 6th, 1938. Roll call voting Aye: Wasley, Evans, Sutton, Crabtree, Wing, Fanning, Gourley, Mehlhoff; Nay: None; Motion carried.

Passed and approved this 16th day of September, 1938.

ATTEST: s/ Lee Walker
CITY CLERK

s/ Chase A. Clark
MAYOR
