

MAY 21, 1937

Minutes of a Regular Meeting of the City Council of the City of Idaho Falls, Idaho, held May 21st, 1937.

There were present at said Meeting: Chase A. Clark, Mayor; Lee Walker, City Clerk; Councilmen Mehlhoff, Wasley, Evans, Sutton, Crabtree, Wing, Fanning; Absent: Gourley; when the following proceedings were had, to-wit:

Minutes of the last Regular Meeting were read and approved.

The following applications for building permits were read:

No. 1612 signed by Ralph B. Schick
No. 1613 signed by Lulu M. Coughlin
No. 1614 signed by H. F. Garriott
No. 1615 signed by O. O. Price
No. 1616 signed by F. S. Heyrend
No. 1617 signed by Glen Hackwell
No. 1618 signed by Wilburt Oswald
No. 1619 signed by J. M. Hammon
No. 1620 signed by George Gould
No. 1621 signed by Joe J. Momberger
No. 1622 signed by Eva Russell
No. 1623 signed by J. T. Evans
No. 1624 signed by Wells Magleby
No. 1625 signed by George Cole
No. 1626 signed by Mrs. Roy Rivers
No. 1627 signed by G. E. Pope
No. 1628 signed by Ardy Vest

It was moved by Crabtree, seconded by Wing, that the permits be approved. Roll call voting Aye: Mehlhoff, Wasley, Evans, Sutton, Crabtree, Wing, Fanning; Absent: Gourley; Motion carried.

The following applications for licenses were read:

Brendel Rooms, Butte Rooms, Mipihon Sukiyaki, Rex Hotel, Yellow Cab Company, Owl Cab Company, Buffet Company, John Ford, **Billiard Tables**; Rio Theatre and Gayety Theatre, **Sunday Pictures**.

It was moved by Fanning, seconded by Sutton, that the licenses be granted. Roll call voting Aye: Wasley, Evans, Sutton, Crabtree, Wing, Fanning, Mehlhoff; Absent: Gourley; Motion carried.

The following applications for water extensions were read: Mrs. Likes, Warren Lords, Henry McCullough, James S. Allen. The Mayor referred the applications to the Water & Light Committee.

The following letter was read:

"Idaho Falls, Idaho
May 18, 1937

Mr. M. P. Goudy
City Hall
Idaho Falls, Idaho

MAY 21, 1937

Dear Mr. Goudy:

Several years ago when the Federal Power Commission granted a preliminary permit to the City of Idaho Falls at Mesa Falls, the Commission required the City to pay the expenses of securing stream flow measurements on Henry's Fork near Warm River. The City at that time deposited a sum of money, which was \$300.00 according to my recollection, with the Federal Power Commission which has been used by this office from stream gauging funds.

The City's deposit with the Federal Power Commission has now been exhausted and it occurs to me that perhaps the City would hereafter prefer to pay the observers salary each month directly to the observer rather than to deposit money with the Federal Power Commission in advance.

The observers name is Mrs. Levi Stone, Boc 131, Ashton. Her rate of pay is \$5.00 per month beginning May 14th.

After the Mesa Falls plant is in operation, I believe it would be best for the City to move the present measuring station upstream to a point just below the power plant where the plant operator can attend to it, thus eliminating the need for a special observer.

Yours truly,
s/ Lynn Crandall
District Engineer"

It was moved by Evans, seconded by Mehlhoff, that the Mayor be authorized to make an agreement with Lynn Crandall, District Engineer, so that the City could pay \$5.00 per month for an observer to make stream flow measurements on Henry's Fork near Warm River. Roll call voting Aye: Sutton, Crabtree, Wing, Fanning, Mehlhoff, Wasley, Evans; Absent: Gourley; Motion carried.

After considerable discussion on the bids submitted under date of May 7th, 1937, for one 975 H. P. Turbine, it was decided to defer replacing the turbine for the present as all of the available money would be used on the Mesa Falls Project. It was moved by Crabtree, seconded by Mehlhoff, that the bids submitted under date of May 7th, 1937, for one 975 H. P. Vertical Hydraulic Turbine be rejected and a letter of explanation of the Council's action be sent to each concern who submitted a bid. Roll call voting Aye: Crabtree, Wing, Fanning, Mehlhoff, Wasley, Evans, Sutton; Absent: Gourley; Motion carried.

It was called to the attention of the Council that the present Garbage Removal Contract with Roe E. Gillespie expired on April 30th, 1937. It was moved by Fanning, seconded by Sutton, that the City Clerk be authorized to advertise for garbage removal bids, said bids to cover a contract for two years. Roll call voting Aye: Wing, Fanning, Mehlhoff, Wasley, Evans, Sutton, Crabtree; Absent: Gourley; Motion carried.

Ordinance No. 495 entitled, "AN ORDINANCE AMENDING ORDINANCE NO. 467 OF THE CITY OF IDAHO FALLS AND DEFINING AN ITINERANT MERCHANT, AND RELATING TO, AND PROVIDING FOR THE LEVYING AND COLLECTION OF A LICENSE TAX UPON ITINERANT MERCHANTS: PROVIDING FOR BOND IN LIEU OF LICENSE

TAX: PRESCRIBING PENALTIES FOR THE VIOLATION OF ANY OF THE TERMS OF THIS ORDINANCE: PROVIDING THAT THE CITY SHALL NOT FURNISH AN ELECTRIC
MAY 21, 1937

METER OR ELECTRIC CURRENT FOR ANY ITINERANT MERCHANT WHO HAS FAILED TO COMPLY WITH THE TERMS OF THIS ORDINANCE: AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH" was read. The Mayor and Council decided that Ordinance No. 495 was void for unreasonable discrimination, and oppressive, and therefore unconstitutional. It was moved by Wing, seconded by Crabtree, that the rules of law governing the passing or repealing of Ordinance at three separate Meetings be suspended. Roll call voting Aye: Fanning, Mehlhoff, Wasley, Evans, Sutton, Crabtree, Wing; Absent: Gourley; Motion carried. It was moved by Wing, seconded by Crabtree, that Ordinance No. 495 in its entirety be repealed. Roll call voting Aye: Fanning, Mehlhoff, Wasley, Evans, Sutton, Crabtree, Wing; Absent: Gourley; Motion carried. Ordinance No. 465 which was passed by the Council on August 4th, 1933, according to Section 49-317, Idaho Code laws, should now be repealed as a Police Judge had been appointed for the term 1937-1939. It was moved by Sutton, seconded by Wing, that Ordinance No. 465 be repealed. Roll call voting Aye: Mehlhoff, Wasley, Evans, Sutton, Crabtree, Wing, Fanning; Absent: Gourley; Motion carried.

Councilman Evans presented the following bids on plumbing for the Golf Course Club House:

Smith Plumbing Co.	Bid	\$1185.00
Leonard D. Sautter	Bid	1375.00
Geo. C. Tway & Co.	Bid	1096.00

It was moved by Sutton, seconded by Wasley, that the bids be referred to the Park Committee and City Engineer with power to act. Roll call voting Aye: Mehlhoff, Wasley, Evans, Sutton, Crabtree, Wing, Fanning; Absent: Gourley; Motion carried.

C. R. Black, City Engineer, stated that the P. W. A. State office requests the City to deposit an additional \$7,000.00 in the bank before the contractor starts work on Special Improvement Paving District No. 17. It was moved by Evans, seconded by Mehlhoff, that an additional \$7,000.00 be deposited in the First Security Bank as the balance due from the City for intersections on Special Improvement District No. 17. Roll call voting Aye: Wasley, Evans, Sutton, Crabtree, Wing, Fanning, Mehlhoff; Absent: Gourley; Motion carried.

The matter of replacing all pipe service lines on Broadway before the State resurfaces Broadway with new paving was called to the attention of the Council. The cost would be about \$1200.00. It was moved by Crabtree, seconded by Sutton, that the replacement be referred to the Finance Committee with Power to act. Roll call voting Aye: Evans, Sutton, Crabtree, Wing, Fanning, Mehlhoff, Wasley; Absent: Gourley; Motion carried.

R. A. Freeman, member of a Special Committee which has been negotiating for the purchase of property on Memorial Drive, addressed to the Council and stated that a sum of \$6460.00 is needed to obtain two additional pieces of property. The Mayor referred the matter to the Finance Committee, and requested the Committee to make a report at the next Regular Meeting.

After considerable discussion the Council agreed to withdraw the City's application for a filing on the South Fork of Snake River for 1000 second feet on water for a proposed power site, as all canal companies have filed protests, and the Federal Reclamation Bureau would not grant the permit. It was moved by Evans, seconded by Wasley, that the Mayor be authorized to withdraw the filing on

MAY 21, 1937

the South Fork of the Snake River, and request the return of the filing fee of \$254.00 from the Reclamation Department, Commissioner R. W. Farris. Roll call voting Aye: Crabtree, Wing, Fanning, Mehlhoff, Wasley, Evans, Sutton; Absent: Gourley; Motion carried.

It was moved by Sutton, seconded by Mehlhoff, that the Mayor be authorized to issue a proclamation regarding the use of City water for lawn and garden irrigation, and instructions as to repairing leaks and using hose without a nozzle. Roll call voting Aye: Wing, Fanning, Mehlhoff, Wasley, Evans, Sutton, Crabtree; Absent: Gourley; Motion carried.

It was moved by Mehlhoff, seconded by Wasley, that the Purchasing Agent be authorized to place an order for about \$2000.00 worth of copper wire for the Electric Light Department. Roll call voting Aye: Fanning, Mehlhoff, Wasley, Evans, Sutton, Crabtree, Wing; Absent: Gourley; Motion carried.

It was moved by Fanning, seconded by Sutton, that the Meeting adjourn. Roll call voting Aye: Mehlhoff, Wasley, Evans, Sutton, Crabtree, Wing, Fanning; Absent: Gourley; Motion carried.

Passed and approved this 4th day of June, 1937.

ATTEST: s/ Lee Walker
CITY CLERK

s/ Chase A. Clark
MAYOR
