

MAY 18, 1943

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Minutes of a regular Meeting of the City Council of the City of Idaho Falls, Idaho, held May 18<sup>th</sup>, 1943.

There were present at said Meeting: Barzilla W. Clark, Mayor; Lee Walker, City Clerk; Councilmen Evans, Wilkie, Mehlhoff, Ewart, Gourley, Crowley, Wright; Absent: Crabtree; when the following proceedings were had, to-wit:

Minutes of previous Meeting were read and approved.

The following applications for licenses were read: Rialto Rooms, Rooming House and Mrs. E. Tuttle, Rooming House. It was moved by Gourley, seconded by Mehlhoff, that the licenses be granted. Roll call voting Aye: Wilkie, Mehlhoff, Ewart, Gourley, Crowley, Wright, Evans; Absent: Crabtree; Motion carried.

The following building permits were read: No. 1030 signed by Mrs. Orson P. Davis and No. 1031 signed by M. J. Lauder. It was moved by Crowley, seconded by Wilkie, that the above building permits be approved. Roll call voting Aye: Mehlhoff, Ewart, Gourley, Crowley, Wright, Evans, Wilkie; Absent: Crabtree; Motion carried.

The following Resolution was read:

RESOLUTION

WHEREAS, the City of Idaho Falls has entered into an Agreement with the Department of Public Works of the State of Idaho for the improvement of a portion of the Yellowstone Park Highway within the corporate limits on Cottage Avenue; and,

WHEREAS, said improvement will consist, in part, in widening the present pavement on the East between Basalt and Market Streets; and,

WHEREAS, the Oregon Short Line Railroad Company owns and operates a Spur Track, known on their plats as Tract No. 32, lying to the East of and adjacent to said Cottage Avenue; and,

WHEREAS, the use of said Track for team loading and unloading purposes would constitute a grave hazard of accident to highway traffic and shippers alike; and,

WHEREAS, the allotment of Federal and State Funds in contingent upon the City passing an Ordinance prohibiting the use of said Track for team loading and unloading purposes; and,

WHEREAS, the Oregon Short Line Railroad Company owns and operates a Spur Track parallel and adjacent to said Tract No. 32 known on their plats as Track No. 33; and,

WHEREAS, said Track No. 33 is available for use as team loading and unloading Tract; and,

WHEREAS, it is to the best interests of all concerned that Tract No. 32 be no longer used as a team loading and unloading Track and that Track No. 33 be used for this purpose in lieu thereof.

NOW, THEREFORE, BE IT RESOLVED:

1. That no loading or unloading of cars, either by teams, trucks or other vehicles, shall be permitted on Track No. 32 from the East side of Cottage Avenue; that said Track shall

be used solely and only for the storage of cars and that Track No. 33 shall be used to handle such team loading and unloading business as was formerly handled on Track No. 32.

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2. That certified copies of this Resolution shall be furnished the Department of Public Works of the State of Idaho, the U. S. Bureau of Public Roads and the Oregon Short Line Railroad Company."

It was moved by Wilkie, seconded by Crowley, that the above Resolution be approved, and the Mayor be authorized to sign same. Roll call voting Aye: Mehlhoff, Ewart, Gourley, Crowley, Wright, Evans, Wilkie; Absent: Crabtree; Motion carried.

An Ordinance entitled, "AN ORDINANCE MAKING IT UNLAWFUL TO CONNECT WITH OR USE CERTAIN SEWERS HERETOFORE CONSTRUCTED OR WHICH MAY HEREAFTER BE CONSTRUCTED BY THE CITY OF IDAHO FALLS, WITHOUT OBTAINING A SPECIAL PERMIT FOR SUCH CONNECTION AND USE: PROVIDING THE FEE TO BE CHARGED FOR ISSUING SUCH SPECIAL PERMIT: PROVIDING THE TIME IN WHICH A USER MUST OBTAIN SUCH SPECIAL PERMIT: AND DIRECTING THE SUPERINTENDENT OF WATER WORKS TO DISCONNECT THE USER FROM SAID SEWER IF THE SPECIAL PERMIT NOT OBTAINED: PRESCRIBING THE PENALTIES FOR A VIOLATION OF THE ORDINANCE AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH", was read in full by the Clerk. It was moved by Wright, seconded by Crowley, that the Ordinance pass on its first reading. Roll call voting Aye: Ewart, Gourley, Crowley, Wright, Evans, Wilkie, Mehlhoff; Absent: Crabtree; Motion carried. The Ordinance was again read by the Clerk. It was moved by Crowley, seconded by Gourley, 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: Gourley, Crowley, Wright, Evans, Wilkie, Mehlhoff, Ewart; Absent: Crabtree; Motion carried. The Ordinance was again read by the Clerk and it was moved by Wilkie, seconded by Ewart, that the Ordinance pass on its second reading. Roll call voting Aye: Crowley, Wright, Evans, Wilkie, Mehlhoff, Ewart, Gourley; Absent: Crabtree; Motion carried. The Ordinance was again read by the Clerk. It was moved by Gourley, seconded by Mehlhoff, that the Ordinance be placed on its third and final reading and be adopted, passed and approved. Roll call voting Aye: Wright, Evans, Wilkie, Mehlhoff, Ewart, Gourley, Crowley; Absent: Crabtree; Motion carried. The Ordinance was then numbered 470 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.

An Ordinance entitled, "AN ORDINANCE REPEALING SECTIONS 770,772,773, AND AMENDING SECTION 790 OF THE REVISED ORDINANCES OF THE CITY OF IDAHO FALLS: MAKING IT UNLAWFUL FOR ANY PERSON OTHER THAN A LICENSED MASTER PLUMBER OR A LICENSED JOURNEYMAN PLUMBER TO DO PLUMBING WORK WITHIN THE CITY OF IDAHO FALLS: DEFINING THE TERM 'MASTER PLUMBER' AND 'JOURNEYMAN PLUMBER' AND PROVIDING FOR THE ISSUANCE OF A

CERTIFICATE BY SAID BOARD: PROVIDING FOR THE ANNUAL RENEWAL OF SUCH CERTIFICATE: PROVIDING FOR THE SUSPENSION AND REVOCATION OF A PLUMBER'S LICENSE: PROVIDING FOR THE SIZE AND MATERIAL OF WASTE PIPES  
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AND THE METHOD OF INSTALLATION THEREOF: AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH: was read in full by the Clerk. It was moved by Gourley, seconded by Ewart, that the Ordinance pass on its first reading. Roll call voting Aye: Evans, Wilkie, Mehlhoff, Ewart, Gourley, Crowley, Wright; Absent: Crabtree; Motion carried. The Ordinance was again read by the Clerk. It was moved by Wilkie, seconded by Ewart, 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: Wilkie, Mehlhoff, Ewart, Gourley, Crowley, Wright, Evans; Absent: Crabtree; Motion carried. The Ordinance was again read by the Clerk and it was moved by Crowley, seconded by Mehlhoff, that the Ordinance pass on its second reading. Roll call voting Aye: Mehlhoff, Ewart, Gourley, Crowley, Wright, Evans, Wilkie; Absent: Crabtree; Motion carried. The Ordinance was again read by the Clerk and it was moved by Wright, seconded by Ewart, that the Ordinance be placed on its third and final reading and be adopted, passed and approved. Roll call voting Aye: Mehlhoff, Ewart, Gourley, Crowley, Wright, Evans, Wilkie; Absent: Crabtree; Motion carried. The Ordinance was then numbered 471 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:

“To the Honorable Mayor and City Councilmen:

We, the undersigned and property owners in Blocks 23 to 32, inclusive, Capitol Hill Addition to the City of Idaho Falls, do hereby petition the Mayor and City Councilmen of Idaho Falls, Idaho, to prohibit the building of inferior dwellings, commonly known as “shacks” on the above mentioned land. We believe an Ordinance should be passed to govern the construction of homes to protect the present property owners.

<u>s/ C. E. Calvin</u>	<u>s/ Frank Ritter</u>
<u>s/ Walter H. Smith</u>	<u>s/ H. A. Dougal</u>
<u>s/ C. A. Smith</u>	<u>s/ F. P. Schott</u>
<u>s/ W. E. Anderson</u>	<u>s/ Ira Watts</u>
<u>s/ Mary B. Wareham</u>	<u>s/ Arthur C. Hahn</u>
<u>s/ C. E. Bridges</u>	<u>s/ D. E. Danielson</u>
<u>s/ R. H. Ritter</u>	<u>s/ H. Rittel”</u>

The Mayor referred same to the Building Committee.

An invoice from the Eastern Iron & Metal Company for \$293.65 covering COD shipment of 244' of 8" used pipe, etc. and also rental contract for one Byron-Jackson Deep Well Pump two months at \$150.00 per month was read. It was moved by Ewart, seconded by Evans, that the COD shipment in the amount of \$293.65 plus the freight be paid to Garrett Transfer Company and the Mayor be authorized to sign the rental contract as the City Engineer, C. R. Black, has no authority to sign

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any contracts or other papers for the City. Roll call voting Aye: Gourley, Crowley, Wright, Evans, Wilkie, Mehlhoff, Ewart; Absent: Crabtree; Motion carried.

A letter from the Disabled American War Veterans requesting a permit for F. J. Kennedy to operate a Merry-go-round and Ferris wheel under their auspices without taking out a license was read. It was moved by Crowley, seconded by Wright, that the request be denied. Roll call voting Aye: Crowley, Wright, Evans, Wilkie, Mehlhoff, Ewart, Gourley; Absent: Crabtree; Motion carried.

Clark Brothers claim for \$1738.48 covering sewer tile contract dated December 20, 1933, was read. It was moved by Crowley, seconded by Gourley, that the claim be allowed and paid. Roll call voting Aye: Wright, Evans, Wilkie, Mehlhoff, Ewart, Gourley, Crowley; Absent: Crabtree; Motion carried.

Councilman Ewart called attention to the Council that the City should make application to the Federal Government for all power rights on the South Fork Reservoir. It was moved by Ewart, seconded by Gourley, that the City make application for the entire out put of power from the South Fork of Snake River Reservoir when same is constructed. Roll call voting Aye: Evans, Wilkie, Mehlhoff, Ewart, Gourley, Crowley, Wright; Absent: Crabtree; Motion carried.

It was moved by Ewart, seconded by Gourley, that the Meeting adjourn. Roll call voting Aye: Wilkie, Mehlhoff, Ewart, Gourley, Crowley, Wright, Evans; Absent: Crabtree; Motion carried.

Passed and approved this 1<sup>st</sup> day of June, 1934.

ATTEST: s/ Lee Walker  
CITY CLERK

s/ Barzilla W. Clark  
MAYOR

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