

SEPTEMBER 9, 1965

The City Council of the City of Idaho Falls met in Recessed Regular Meeting, Thursday, September 9, 1965, at 7:30 P.M. in the Council Chambers at Idaho Falls, Idaho. There were present at said Meeting: Mayor S. Eddie Pedersen; Councilmen Freeman, Keller, Leahy, Nelson, Page, Parish. Also present: Roy C. Barnes, City Clerk; Arthur Smith, City Attorney; Luther Jenkins, City Controller; Robert Pollock, Police Chief; Don Lloyd, Public Works Director.

The minutes of the last Recessed Regular Meeting, held August 26th, 1965, were read and approved.

The Mayor announced that this was the time and the place for the reconvening of a recessed zoning hearing to consider two petitions for rezoning. First to be reviewed was the Lee C. Murphy request to rezone Lots 25 and 26, Block 53, Crows Addition from R-3 to C-1 to rezone a nonconforming grocery store. It was noted that the Planning Commission had recommended denial. None appeared for purposes of protest or other comment. It was moved by Councilman Leahy, seconded by Parish, that the Planning Commission's recommendation be upheld and the petition be denied. Roll call as follows: Ayes, 6; No, none; carried.

Next to be considered was the Sacred Heart Hospital petition. In this connection, the following was read:

City of Idaho Falls
Office of the City Clerk
9/9/65

To the Honorable Mayor and City Council
Idaho Falls, Idaho

Gentlemen:

At the last Council Meeting, two petitions for rezoning were recessed until this night. By the time this memo is presented, one of these will have been considered.

We have a request on the other one, being the petition of the Sacred Heart Hospital, from their attorney, Mr. Tom White, that this be further recessed until the 21st of October. The reason for said request is that the Planning Commission is awaiting an architect's plot plan of proposed construction, including parking facilities, before making recommendation to the Council.

Your approval on the foregoing is requested.

Respectfully submitted,
s/ Roy C. Barnes
City Clerk

It was moved by Councilman Nelson, seconded by Leahy, that this portion of the zoning hearing be recessed until October 21st, 1965 with the understanding that, shortly prior to that time, the City Clerk be responsible for a news release so that all interested parties would be made aware that this hearing was scheduled as indicated. Roll call as follows: Ayes, 6; No, none; carried.

SEPTEMBER 9, 1965

Bills for the month of August, having been properly audited by the Fiscal Committee, were presented as follows, in caption form, to-wit:

<u>FUND</u>	<u>GROSS PAYROLL</u>	<u>SERVICES & MATERIALS</u>	<u>TOTAL EXPENDITURES</u>
General Fund	\$109,528.17	\$183,112.40	\$292,640.57
Fire Bonds	25,608.91	3,682.64	29,291.55
Water & Sewer Fund	9,583.56	18,766.98	28,350.54
Electric Light Fund	26,677.84	175,392.10	202,069.94
Recreation Fund	6,919.17	2,404.30	9,323.47
Police Retirement Fund	<u>2,234.43</u>	<u>.00</u>	<u>2,234.43</u>
<u>TOTAL FUNDS</u>	<u>\$180,552.08</u>	<u>\$383,358.42</u>	<u>\$563,910.50</u>

It was moved by Councilman Page, seconded by Keller, that the bills be allowed and the Controller be authorized to draw warrants on the respective funds for their payment. Roll call as follows: Ayes, 6; No, none; carried.

Reports from Division and Department Heads were presented for the month of August, 1965, and there being no objection, were ordered placed on file in the office of the City Clerk.

License application for PHOTOGRAPHER, previously approved by the Chief of Police, Philip L. Ingersoll for Mark Associates was presented. It was moved by Councilman Leahy, seconded by Freeman, that this license be approved. Roll call as follows: Ayes, 6; No, none; carried.

These damage claims were presented and read:

Alva A. Harris
Attorney-At-Law
P.O. Box 502
Shelley, Idaho 83274
August 26, 1965

City Clerk
City of Idaho Falls
Idaho Falls, Idaho

Dear Sir:

My services have been retained by Phillip Hoehn, doing business as Idaho Falls Meat Company, to present to you this claim for damages arising out of the negligence of Idaho Falls City employees when they burned the ditch north of the Idaho Falls Meat Company on South Yellowstone Highway. Extensive fire damage was caused to the Idaho Falls Meat Company scale house and three scales therein. The exact amount of claim has not been determined from the fire, which took place on August 3, 1965, but I would appreciate it if you would have your claims adjustor contact me in regards to the this claim.

SEPTEMBER 9, 1965

Yours truly,
s/ Alva A. Harris

Marvin Shurtliff
311 Gladstone
Idaho Falls, Idaho
August 31, 1965

Roy C. Barnes
City Clerk:

I hereby file a claim for \$10.90 for damage to my car for dropping into a hole on Park Avenue at the railroad crossing.

The date of accident was July 27, 1965, and the report is on file at the local Police Department.

Sincerely,
s/ Marvin D. Shurtliff

It was moved by Councilman Parish, seconded by Freeman, that these be referred to the City Insurance Adjustor for investigation. Roll call as follows: Ayes, 6; No, none; carried.

Four City redemption tax deeds were presented, accompanied by the following resolutions, to-wit:

RESOLUTION (Resolution No. 1965-19)

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 16th day of January, 1956, recorded in Book 101 of Deeds at Page 69, Records of Bonneville County, Idaho, acquire title to and possession of the following described real property, to-wit:

Lots 43 and 44, Block 36, Highland Park Addition to the City of Idaho Falls, Idaho, as per the recorded plat thereof.

WHEREAS, STATE OF IDAHO 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

SEPTEMBER 9, 1965

STATE of IDAHO a deed to said property, pursuant to the provisions of Section 50-2951, Idaho Code.

PASSED BY THE COUNCIL this 9th day of September, 1965.

APPROVED BY THE MAYOR this 9th day of September, 1965.

ATTEST: s/ _____
CITY CLERK

s/ S. Eddie Pedersen
MAYOR

RESOLUTION (Resolution No. 1965-20)

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 3rd day of May, 1965, recorded as #347423, records of Bonneville County, Idaho acquire title to and possession of the following described real property, to-wit:

Lot 35, Block 35, Highland Park Addition to the City of Idaho Falls, Idaho, as per the recorded plat thereof.

WHEREAS, STATE OF IDAHO 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 STATE OF IDAHO a deed to said property, pursuant to the provisions of Section 50-2951, Idaho Code.

PASSED BY THE COUNCIL this 9th day of September, 1965.

APPROVED BY THE MAYOR this 9th day of September, 1965.

ATTEST: s/ _____
CITY CLERK

s/ S. Eddie Pedersen
MAYOR

RESOLUTION (Resolution No. 1965-21)

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 3rd day of May,

SEPTEMBER 9, 1965

1965, recorded as #347428, records of Bonneville County, Idaho acquire title to and possession of the following described real property, to-wit:

Lots 1-5, inclusive, Block 44, Highland Park Addition to the City of Idaho Falls, Idaho, as per the recorded plat thereof.

WHEREAS BONNEVILLE COUNTY, a political subdivision of the State of Idaho, 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 BONNEVILLE COUNTY, a political subdivision of the City of Idaho Falls, a deed to said property, pursuant to the provisions of Section 50-2951, Idaho Code.

PASSED BY THE COUNCIL this 9th day of September, 1965.

APPROVED BY THE MAYOR this 9th day of September, 1965.

ATTEST: s/ _____
CITY CLERK

s/ S. Eddie Pedersen
MAYOR

It was moved by Councilman Page, seconded by Keller, that the Mayor and City Clerk be authorized to sign the resolution and the deeds. Roll call as follows: Ayes, 6; No, none; carried.

This memo from the Purchasing Department was read:

City of Idaho Falls
Office of the Purchasing Agent
September 8, 1965

Miscellaneous Fire Equipment

Honorable Mayor and Councilmembers:

Low bids received from Invitation to Bid IF-65-20 for miscellaneous fire equipment for stations 1, 2, and 3 are as follows:

Starline Equipment Co., Boise, Idaho	
3 Circul-Air Hose Loading Tables	\$ 232.00
1000 ft. 2 1/2" Fire Hose	1,024.00
500 ft. 1 1/2" Fire Hose	<u>342.00</u>
	\$1,598.00

SEPTEMBER 9, 1965

Wagner Corporation, Salt Lake City 2 Circul-Air Hose Dryer	\$1,678.00
General Fire Equipment Co., Boise, Idaho 1 Circul-Air Roto-Jet Hose Washer	\$ 937.00
L. N. Curtis Co., Salt Lake City 2 Circul-Air "A-Z" Hose Washers	\$1,148.00

It is the recommendation of the Fire Department and the Purchasing Department that the low bids of the above firms be accepted.

This recommendation subject to your approval.

s/ W. J. Skow
Purchasing Department

It was moved by Councilman Freeman, seconded by Leahy, that the low bids, in each instance, be accepted as recommended. Roll call as follows: Ayes, 6; No, none; carried.

The City Clerk presented a notice of completion of public works, covering the Fire Defense Water Improvement. It was moved by Councilman Freeman, seconded by Leahy, that he be authorized to publish, as required by law. Roll call as follows: Ayes, 6; No, none; carried.

This memo from the Police Chief was presented through the City Clerk:

City of Idaho Falls
Office of Police Division
August 27, 1965
RDP-75-65

TO: Honorable Mayor and City Council, City of Idaho Falls
FROM: Office of the Chief of Police
SUBJECT: APPOINTMENT OF PROBATIONARY PATROLMEN

It is herein recommended that the following listed be appointed as Probationary Patrolmen with the Idaho Falls Police Department to become effective 13 September 1965.

These men have met the provisions of the Civil Service Commission and have been certified by the Commission as eligible for such appointment.

Charles J. Remsen
Robert L. Cramer
Tom D. King, Jr.
Alton D. Rainey

Gary O. Larsen
Bobby Lee Harrison
Terrill L. Ockerman

SEPTEMBER 9, 1965

Your appointment of these officers will be appreciated.

Respectfully submitted,
s/ Robert D. Pollock
Chief of Police

Approved: s/ S. Eddie Pedersen
S. Eddie Pedersen, Mayor

s/ J. R. Freeman
James R. Freeman, Councilman

s/ P. C. Leahy
Philip C. Leahy, Councilman

The Mayor proceeded to make the appointments accordingly. It was moved by Councilman Freeman, seconded by Leahy, that these appointments be confirmed. Roll call as follows: Ayes, 6; No, none; carried.

Next, from the Police Chief, the following memo was read:

City of Idaho Falls
Office of Police Division
September 8, 1965
RDP-88-65

TO: Honorable Mayor and City Council
FROM: Office of the Chief of Police
SUBJECT: LEASING OF EIGHT (8) PATROL CARS

Request permission for purchasing to ask for bids on the yearly lease of eight (8) vehicles with full maintenance to replace those on lease at this time which lease expires December 31, 1965.

It is suggested that bids be let with approximate specifications as for present vehicles and delivery date to be on or prior to January 1, 1966.

Respectfully submitted,
s/ Robert D. Pollock
Chief of Police

It was moved by Councilman Leahy, seconded by Freeman, that approval be granted to ask for bids as recommended, with the understanding that the vehicles, when acquired, be 1966 models. Roll call as follows: Ayes, 6; No, none; carried.

Finally, from the Police Chief, acting in the capacity of Chairman of the Traffic Safety Committee, this memo was presented and read:

SEPTEMBER 9, 1965

City of Idaho Falls
Office of Police Division
September 8, 1965
RDP-89-65

TO: Honorable Mayor and City Council
FROM: Traffic Safety Committee
SUBJECT: CHANGE OF SPEED IN SCHOOL ZONES

At the Council Meeting of August 26, 1965, the memorandum suggesting amendment of the City Code pertaining to speed in school zones was referred to this Committee.

It is the recommendation of this Committee that the City Code pertaining to speed in school zones be amended to read in substance - the speed in school zones shall be twenty (20) miles per hour or as otherwise posted.

Respectfully submitted,
s/ Robert D. Pollock, Chairman
Traffic Safety Committee

Mr. Pollock appeared and explained, further, that this recommendation is being made only after a thorough study which included the opinions of certain informed sources, including the Superintendent of School District #91, the Police Judge and the Chamber of Commerce. He said at a recent meeting, several representatives of P.T.A. groups were present and, although originally opposed, registered no strong criticism after the proposal was thoroughly explained. The Chief explained further that, in the opinion of the Committee, twenty miles an hour around schools is a controllable speed in most areas. He said those that were determined to be in need of fifteen miles per hours limits could and would be posted accordingly. He said that, on the other hand, certain wider streets around schools could have twenty miles per hour speed limits without jeopardizing the safety factor. It was moved by Councilman Leahy, seconded by Keller, that the City Attorney be directed to amend the Code accordingly so that speed limits could be dictated by Council resolution. Roll call as follows: Ayes, 6; No, none; carried.

Upon recommendation of the Building Official, the Mayor appointed Mr. Ray Austin as a member of the City of Idaho Falls Plumbing Board to replace Mr. Vern Copes who is leaving the City. It was moved by Councilman Parish, seconded by Page, that this appointment be confirmed. Roll call as follows; Ayes, 6; No, none; carried.

The Police Judge, by written memo, asked permission to attend the annual convention of the National Association of Municipal Judges to be held in Quebec, Canada October 4th through October 8th. It was moved by Councilman Leahy, seconded by Freeman, that this request be granted. Roll call as follows: Ayes, 6; No, none; carried.

This letter, in the form of an appeal notice, was presented and read:

Hartwell-Callan, Inc.
689 Park Avenue

SEPTEMBER 9, 1965

Idaho Falls, Idaho
September 1, 1965

Mayor and City Councilmen
City of Idaho Falls
Idaho Falls, Idaho

Gentlemen:

At the last meeting of the Board of Adjustment this firm applied for a variance on the setback of Lot Six (6), in Block Five (5) of the Pine Acres Subdivision. The specific request was to reduce the setback by 2 ½ feet in order to allow construction of a house of a size equal to those in the neighborhood. This request was denied by the Board of Adjustment. In accordance with information received from the City Building Official we so hereby file a notice of appeal.

It should be pointed out that the lot in question is located on a cul-de-sac so that a minor variation in the setback will have virtually no effect on the adjoining Lot. The variance in the setback requested is only necessary at one corner of the house as was shown by the plans submitted to the Board of Adjustment. Conforming with the required setback would reduce the size of the house by 100 square feet and more specifically reduce the room size to an impractical degree. We respectfully request your consideration.

Sincerely,
s/ R. M. Hartwell
Hartwell-Callan, Inc.

By written memo, the Building Official indicated that, in his opinion, the appeal should be granted, due to the curve of the street and the fact that a five foot encroachment on a next door house had been approved by the Board. It was moved by Councilman Nelson, seconded by Parish, that this be referred back to the Board of Adjustments for further consideration. Roll call as follows: Ayes, 6; No, none; carried.

A final plat was presented of the Rosewood Acres Subdivision. It was noted that this had been approved by the Planning Commission, the Assistant City Planner and the Engineering Department. It was noted, further, that there was no immediate intention that this area be annexed. It was moved by Councilman Page, seconded by Keller, that the plat be approved and the Mayor and City Clerk be authorized to sign accordingly. Roll call as follows: Ayes, 6; No, none; carried. Councilman Parish asked that, in the future, when final plats are presented, the Assistant City Planner be available for questions and explanation. This met with general Council agreement.

The Public Works Director presented an annexation ordinance covering the Home Ranch Addition, Division #3, caption of which appears as follows:

ORDINANCE NO. 1149
(Home Ranch Addition, Division No. 3)

SEPTEMBER 9, 1965

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 foregoing Ordinance was presented in title. It was moved by Councilman Nelson, seconded by Page, 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 as follows: Ayes, 6; No, none; carried. The majority of all the members of the Council present having voted in the affirmative, the Mayor declared the rule dispensed with and ordered the Ordinance placed before the Council for final consideration, the question being, "SHALL THE ORDINANCE PASS?" Roll call as follows: Ayes, 6; No, none; carried.

ORDINANCE NO. 1150
(Jennie Lee Addition, Division No. 10)

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 foregoing Ordinance was presented in title. It was moved by Councilman Nelson, seconded by Keller, 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 as follows: Ayes, 6; No, none; carried. The majority of all the members of the Council present having voted in the affirmative, the Mayor declared the rule dispensed with and ordered the Ordinance placed before the Council for final consideration, the question being, "SHALL THE ORDINANCE PASS?" Roll call as follows: Ayes, 6; No, none; carried.

ORDINANCE NO. 1151

AN ORDINANCE REPEALING CHAPTER 16, TITLE 10, CITY CODE, IDAHO FALLS, IDAHO, 1962; PROVIDING WHEN THE ORDINANCE BECOMES EFFECTIVE.

The foregoing Ordinance was presented in title. It was moved by Councilman Leahy, seconded by Freeman, 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 as follows: Ayes, 6; No, none; carried. The majority of all the members of the Council present having voted in the affirmative, the Mayor declared the rule dispensed with and ordered the Ordinance placed before the Council for

final consideration, the question being, "SHALL THE ORDINANCE PASS?" Roll call as follows: Ayes, 6; No, none; carried.

The foregoing Ordinance, having been passed, created the necessity for consideration of the following:

RESOLUTION (Resolution No. 1965-22)

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

"Pursuant to the provisions of Section 10-2-8 of the City Code of Idaho Falls, Idaho, 1962, the following streets, or portions of streets, are declared to be one-way traffic streets, as follows:

2 nd Street	West	Holmes to Boulevard
3 rd Street	East	Boulevard to Holmes
4 th Street	West	Holmes to Boulevard
5 th Street	East	Boulevard to Holmes
6 th Street	West	Holmes to Boulevard
7 th Street	East	Boulevard to Holmes
8 th Street	West	Holmes to Boulevard
9 th Street	East	Boulevard to Holmes
10 th Street	West	Holmes to Boulevard
11 th Street	East	Boulevard to Holmes
12 th Street	West	Holmes to Boulevard
13 th Street	East	Boulevard to Holmes
14 th Street	West	Holmes to Boulevard
15 th Street	East	Boulevard to Holmes
"A" Street	West	Yellowstone to Memorial Drive
"B" Street	East	Memorial Drive to Yellowstone
"D" Street	West	Yellowstone to Memorial Drive
"F" Street	West	Yellowstone to Memorial Drive
Shoup Avenue	North	Broadway to "G" Street
Park Avenue	South	"G" Street to Eagle Rock
Capital Avenue	North	Broadway to "G" Street
Louis Drive	East	Memorial Drive to Capital
Legion Drive	West	Capital to Memorial Drive
Lava Street	West	Oneida to Capital
Ash Street	West	Boulevard to Yellowstone
Eagle Rock Street	West	Cliff to Shoup and Park to Capital
Corner Avenue	South	Elm Street to Walnut

"IT IS FURTHER RESOLVED that the Police Department of the City of Idaho Falls shall designate by the erection of appropriate signs, said one-way traffic streets, and portions thereof, and shall enforce compliance with such designation according to law".

SEPTEMBER 9, 1965

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR THIS 9TH DAY OF SEPTEMBER, 1965.

ATTEST: s/ _____
CITY CLERK

s/ S. Eddie Pedersen
MAYOR

It was moved by Councilman Page, seconded by Leahy, that this resolution be adopted and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 6; No, none; carried.

The City Clerk drew attention to the need for a public hearing to consider various parcels for zoning or rezoning. It was moved by Councilman Parish, seconded by Freeman, that a hearing, as described, be scheduled for October 7th, 1965 and the City Clerk be authorized to publish legal notice accordingly. Roll call as follows: Ayes, 6; No, none; carried.

Councilman Parish reintroduced the proposal as presented by the Employees' Retirement Committee at the Council Meeting of August 26th, 1965, pertaining to this City's contracting with the State for employee participation under the State Retirement Plan. Parish said that, to his knowledge, all interested parties had, by now, received the information and statistics they had requested and that their questions had been satisfactorily answered. Therefore, he recommended to the Council that the proposal be given favorable consideration. It was moved by Councilman Leahy, seconded by Page, that the City of Idaho Falls, by contractual agreement with the State of Idaho under the Idaho Public Employee Retirement System, approve and adopt an employees retirement plan, effective October 31st, 1965, for the benefit of all eligible City employees and that the Mayor and City Clerk be authorized to sign the contract documents. Roll call as follows: Ayes, 6; No, none; carried.

Public Works Director Lloyd, speaking as a member of the Employees Retirement Committee and in behalf of all employees, expressed appreciation for the foregoing Council action.

The Mayor asked Public Works Director, Lloyd, to report on his further study of proposed L.I.D. #35, relative to the area to be assessed and the manner of assessment. Lloyd, in turn, delegated a member of the Engineering Department, Mr. Rance Bare, to submit said report and, by the use of slides, furnished a complete topography map of the affected area which revealed two drainage basins, located on Garfield Street at Royal Avenue and Marshall Avenue. It was noted that the Engineering Department had been asked by the Council to determine the estimated cost of draining only the area served by the basin at Garfield and Marshall. Rance explained that a logical outlet for this drainage water would be Crow Creek at Redwood and Hemlock. Inasmuch as this is also a logical outlet for storm drainage from North Bel-Aire, a 24 inch line was recommended by Rance. However, he explained, further, that the immediately affected area could be adequately served by a fifteen inch line. Rance submitted an estimated L.I.D. cost for the 24 inch line in the amount of \$4,950 and a 15 inch line in the amount of \$3,600. It was learned that the 15 inch installation would result in an assessment of .609 cents per square foot, based upon the approximate assessment area of 586,400 square feet.

Rance then referred to the second drainage area served by the basin at Garfield and Royal and noted that this could be serviced by an 18 inch line but that a 24 inch line is also recommended for long term planning to serve North Bel-Aire. This estimated L.I.D. cost, according to Bare, would be in the amount of \$33,250.00, assessable cost of which would be \$29,700 for an 18 inch line, resulting in an assessment of 1.872 cents per square foot, based upon an approximate assessment area of 1,586,400 square feet. In answer to a question by a Councilman, the City Attorney advised that the City could

not legally proceed with the district on any other basis except equal assessments for all affected private property. It was generally agreed that a fair and reasonable solution would be a private property square foot assessment of approximately .6 cents. The Council recognized that this would result in greater participation from both the City and the School District than heretofore anticipated. It was, therefore, moved by Councilman Page, seconded by Freeman, that the public hearing on L.I.D. #35 be further recessed to date yet to be determined, pending the results of negotiations with the School District in this regard. Roll call as follows: Ayes, 6; No, none; carried.

Public Works Director Lloyd appeared and presented a verbal request from Mr. Ben Brothers for the annexing of one block with boundaries of Atlanta, Houston and Colorado Streets. After a brief discussion, it was moved by Councilman Nelson, seconded by Keller, that this be referred to the Planning Commission and the Public Works Committee for study and recommendation. Roll call as follows: Ayes, 6; No, none; carried.

The City Attorney introduced an ordinance and a deed in favor of the Upper Snake River Valley Dairymen's Association for the vacating of a portion of an alley through Block 20, Winn's Addition. At the request of the Public Works Director, it was moved by Councilman Freeman, seconded by Page, that this matter be referred to the Public Works Committee for purpose of negotiation on certain other properties. Roll call as follows: Ayes, 6; No, none; carried.

Councilman Parish made reference to an open irrigation ditch, originally presented by Mr. Farren Martin in the interests of Dr. John Hatch, said presentation of which can be found on Page 192 in this Book of Minutes. It was noted that the ditch has since been relocated and covered by the developer. It was moved by Councilman Parish, seconded by Page, that this be referred to the Public Works Committee to determine what value if any, this corrective action has for the City and to what extent, if any, the City should therefore participate in the cost. Roll call as follows: Ayes, 6; No, none; carried.

The City Attorney reported on his findings relative to the advantageous effect the special Federal census will have on City revenue, provided said census reveals an increased population. He said there is no question in the mind of the Attorney General that, the City will receive increased revenue from the State Highway Appointment Fund, liquor licenses or the State Liquor Funds as distributed by the State, due to the particular wording which makes reference to the "last" Federal census. He said it might be necessary to file a declaratory judgment in the State Supreme Court in the form of a test suit for a final answer. The City Attorney felt that, in spite of this gray area, the special Federal census could be justified. This met with general Council approval.

Councilman Page reported that installation of the playground equipment at the Ethel Boyes School is virtually completed and the school authorities have expressed sincere appreciation for same.

The Mayor noted that this day, September 9th, was the Golden Anniversary of ex-Councilman and Mrs. Russell Freeman and rendered praise for Mr. Freeman's accomplishments in park and golf course development and his long tenure as a Councilman. It was moved by Councilman Keller, seconded by Page, that the City Clerk be directed to write to Mr. and Mrs. Freeman accordingly, extending congratulations of the Mayor and Councilmen. Roll call as follows: Ayes, 6; No, none; carried.

There being no further business, it was moved by Councilman Page, seconded by Leahy, that the Meeting adjourn. Carried.

SEPTEMBER 9, 1965

ATTEST: s/ Roy C. Barnes
CITY CLERK

s/ S. Eddie Pedersen
MAYOR
