The City Council of the City of Idaho Falls met in Recessed Regular Meeting, Monday, November 9, 1964 at 7:30 p.m. in the Council Chambers at Idaho Falls, Idaho. There were present at said Meeting: Mayor S. Eddie Pedersen, Councilmen Nelson, Page, Parish, Freeman, Keller. Absent: Councilman Leahy. Also present: Roy C. Barnes, City Clerk; Arthur Smith, City Attorney; Luther Jenkins, City Controller; Ernie Craner, Recreation Director; Don Lloyd, Public Works Director; William Fell, Electrical Engineer; Robert Pollock, Police Chief.

Minutes from the last Recessed Regular Meeting, held October 22nd, 1964 were read and approved.

Mr. Norman Crossley of the State Highway Engineers appeared before the Council relative to a Cooperative Agreement between the State and the City, known as Federal Aid Highway Project No. F-6471(17), covering terms and conditions for the construction of an interchange and approach to the Interstate Highway, commonly known as the John's Hole Bridge Area.

Mr. Brent Davis from the Electrical Department appeared before the Council and posed the question relative to lighting as to whether or not, on a project of this nature which is of so little apparent benefit to the City in comparison to Yellowstone Highway or the interchange at West Broadway, the City should agree to providing electric service and maintenance for the street lighting.

Mr. Crossley said there could be no deviation from State Highway Policy in this regard and that if the City elected not to agree, the lighting would be deleted from the agreement and the project. He said that, in the State's opinion, the lights are an advantage to the City, inasmuch as they clearly identify exits to the motorist.

Mr. Lloyd then noted that the agreement pledged the City to disburse $10,245 to the State to apply toward a water line and that said funds were not budgeted for 1964. Mr. Crossley assured the Council that this posed no major problem, in view of the comparatively short period before the City would be into a new budget year.

The following resolution was then presented:

R E S O L U T I O N (Resolution No. 1964-42)

WHEREAS, the Department of Highways of the State of Idaho has submitted a Cooperative Agreement stating obligations of the State and the City of Idaho Falls, Idaho, and including plans for the construction of a bridge over the Snake River at John's Hole together with a connecting highway between Interstate Highway 15 and the intersection of Latah Avenue and Shelley Street, including improvements to Lindsay Boulevard and connections to local streets, within the corporate limits of the City of Idaho Falls, Bonneville County, Idaho, as described in the Cooperative Agreement and shown on the aforementioned plans, which improvement is to consist of right of way acquisition, grading, draining, structures, lighting, surfacing and fencing on 0.204 miles of Highway F. A. 47 to be constructed under Federal Aid Highway Project F-6471(17); and

WHEREAS, the allotment of Federal and State funds for the improvement is contingent upon compliance with the laws governing State Highway and State Highway traffic, availability of necessary right of way, adequate provisions for the maintenance of the

completed improvements, and the establishment of traffic control measures and means for enforcing them.

NOW THEREFORE, BE IT RESOLVED:

1. That the Cooperative Agreement for Federal Aid Highway Project F-6471(17) is hereby accepted and approved.

2. That the Mayor and the City Clerk are hereby authorized to execute the Cooperative Agreement on behalf of the City of Idaho Falls.

3. That duly certified copies of this resolution shall be furnished the Department of Highways and the Bureau of Public Roads.

It was moved by Councilman Page, seconded by Nelson, that this resolution be adopted and the Mayor and City Clerk be authorized to sign the Cooperative Agreement accordingly. Roll call as follows: Ayes, 5; No, none; carried.

Dr. De Wayne Jones, Howard Thompson and Keith Wadsworth appeared before the Council representing thirteen horse shows, horse racing and horse breeding associations. Mr. Thompson explained that these groups had had meetings and had agreed to form a non-profit organization to be known as the Bonneville County Racing, Rodeo and Fair Grounds Association, said corporation of which would be interested in leasing 67 acres from the City, located in the sand hills area which would be developed for the purpose of sponsoring shows, racing meets, rodeos and controlled riding grounds for public and youth programs. He said the corporation would expect the City to be responsible for certain development work such as the construction of roads, utilities, buildings, etc., and that the corporation in turn, would expect the City to participate in the proceeds of the scheduled events. Mr. Thompson indicated that some assistance from the County could be expected.

Mr. Thompson expressed hope for immediate Council action on their part of the project by permitting certain work to be donated toward the construction of a graded straight track for cutter races this winter on an area now leased to George Day for farming. It was moved by Councilman Page, seconded by Freeman, that this request be granted prior to any negotiations toward a lease as requested and that the Mayor and City Attorney be authorized to arrange for same, including an agreement with Mr. Day in this regard. Roll call as follows: Ayes, 5; No, none; carried.

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

FUND	GROSS PAYROLL	SERVICES & MATERIALS	TOTAL EXPENDITURES
General Fund	$89,946.39	$88,106.44	$178,052.83
Fire Bonds	20,411.02	5,815.10	26,226.12

Water and Sewer	8,969.91	50,102.31	59,072.22
Electric Light Fund	23,248.45	78,451.32	101,699.77
Recreation Fund	1,262.46	339.12	1,601.58
Police Retirement	2,384.94	.00	2,384.94
TOTAL	$146,223.17	$222,814.29	$369,037.46

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, 5; No, none; carried.

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

The City Clerk presented a license application in the name of Jack's Chicken Inn for the dispensing of beer, said license representing a change of ownership only from James and Betty Jo Scheets to Gayle Scheets and others. It was noted that this license application has previously been approved by the Police Chief and had been issued by the City Clerk without formal Council approval by order of the Mayor, in the interest of time. It was moved by Councilman Nelson, seconded by Freeman, that this action be duly ratified. Roll call as follows: Ayes, 5; No, none; carried.

License applications for BARTENDER for Walter A. Elg; AUCTIONEER for Ruben J. Stroh; ELECTRICAL CONTRACTOR, (previously approved by the Electrical Engineer), Clarence Shore for Shore Electric Co.; JOURNEYMAN ELECTRICIAN, (previously approved by Electrical Inspector), for Alfred Holyoak; CLASS D WARM AIR HEATING CONTRACTOR (previously approved by Electrical Inspector), for Alfred Holyoak; CLASS D WARM AIR HEATING CONTRACTOR, (previously approved by the Heating Inspector), Rex Onan; GROCERY STORE (previously approved by the City Sanitarian), Louis Herrbach for Albertson's Food Center; Sidney Stephenson for Albertson's Food Center were presented. It was moved by Councilman Parish, seconded by Keller, that these licenses be approved. Roll call as follows: Ayes, 5; No, none; carried.

License applications for BEER, (bottled and canned, not to be consumed on the premises), Sidney Stephenson for Albertson's Food Center, Louis J. Herrbach for Albertson's Food Center; BEER, (canned, bottled and draft to be consumed on the premises), Millard Divine & Connie Hunnell for Broadway Café & Lounge were presented. It was moved by Councilman Freeman, seconded by Page, that these licenses be granted, subject to the approval of the Police Chief. Roll call as follows: Ayes, 5; No, none; carried.

This legal opinion was read, pertaining to the Darlene Byington damage claim:

City of Idaho Falls
City Attorney
November 3, 1964

S. Eddie Pedersen, Mayor
City Hall
Idaho Falls, Idaho

RE: CLAIMANT DARLENE BYINGTON
LOSS OF DOG
D/A 11-13-1963

Dear Mayor Pedersen:

Some time ago the City Council instructed me to investigate a claim by Darlene Byington for loss of a dog held at our City Pound. From what I can find, it would appear the dog was stolen while in custody of the City. A demand has been made for the value of the dog and an offer of settlement of $25.00 has been made.

The City would be liable if the City was negligent in the care of the dog and its safe keeping, even though it was stolen. It is difficult to come to a conclusion as to whether the City was actually negligent, but it is obvious that this claim appears to have some merit.

The loss occurred while Western Casualty and Surety Company was insuring the City. That company denies all liability under the policy because a provision in the policy excludes loss of personal property while in the care, custody and control of the insured City. This is an unusual provision in liability policies.

Because the offer of settlement now appears to be fairly reasonable, and it appears that the City will receive no assistance from the public liability carrier I would recommend payment of $25.00 in this case. The claimant will sue in the small claims court for at least $50. if no settlement is reached, and in the small claims court the City will not be entitled to legal representation.

Sincerely yours,
s/ A. L. Smith
Office of the City Attorney

It was moved by Councilman Page, seconded by Nelson, that the recommendation by the City Attorney be honored and the claim, as described, in the amount of $25.00 be paid from the general fund. Roll call as follows: Ayes, 5; No, none; carried.

Next, in the form of a legal opinion, the following was presented, having to do with a denial recommendation on the Steve Rhoades damage claim:

City of Idaho Falls
City Attorney
October 27, 1964

S. Eddie Pedersen, Mayor
City of Idaho Falls
Idaho Falls, Idaho

RE: CLAIMANT – STEVE RHOADES - LOSS DATE – 6-12-1964

Dear Mayor Pedersen:

At a recent meeting of the City Council it was ordered that this office review the Notice of Claim filed by Steve Rhoades against the City involving $100.00 property damage to an automobile of claimant by reason of striking a man-hole at Lindsay Boulevard last June 12. The issue involved seems to be whether the insurance carrier of the City properly recommended denial of the claim.

I have reviewed the claim, relying upon information furnished by your insurance carrier as to the facts. If the facts are as reported, the City has no legal liability. This is because a man-hole cover had been removed by vandals, or young children a short time before the collision occurred. The Idaho law provides that a municipality is not liable for defects in its public ways unless the City had notice, actual or constructive, prior to the time of the occurrence causing the damage. Actual notice is of course what the words imply; constructive notice is implied when a condition has existed for a sufficient time that the City should have discovered it. The facts I have received indicate that the man-hole cover was tampered with such a short time before the accident that the City would not be put on notice.

I make no comment as to the quality of the investigation which the previous insurance carrier offered. I do know that your present carrier is highly rated nationally and in this area and has a good reputation for making fair investigations and settlements. The carrier writes its insurance based actually upon the law in existence governing the rights of the particular entity insured. A city is not liable in tort under every circumstance that would make a private corporation liable. The public liability premium is based upon the law governing liability of municipalities, and accordingly it would appear that we must permit the insurance carrier to determine when it will accept liability of claims and when it will not. Of course if a municipality shall decide that the carrier is not giving the public a "fair shake" the insurance should be discontinued. I have been unable to discover any basis for believing that your present carrier is not analyzing the claims fairly. You are aware that if the insurance carrier recommends rejection of a claim and the claimant then sues, the insurance carrier must bear the expense of the defense in court and must pay any judgment rendered. This double expense which the carrier faces would seen to be sufficient deterrent against its rejection of a bona fide claim.

Referring to the subject claim I recommend that the recommendation of the rejection be followed by the City.

Sincerely,
A. L. Smith
City Attorney

It was moved by Councilman Nelson, seconded by Freeman, that the City Attorney's recommendation be honored and the claim be denied. Roll call as follows: Ayes, 5; No, none; carried.

The City Clerk drew attention to two notices of completion of Public Works covering construction in L.I.D. #32 and L.I.D. #33, published without Council approval in the interest of time. It was moved by Councilman Page, seconded by Keller, that the City Clerk's action in this regard be duly approved and ratified. Roll call as follows: Ayes, 5; No, none; carried.

Two notices of completion of Public Works were presented, covering the supplying of 10,000 cubic yards of crushed gravel and also a slurry seal coat at Fanning Field. It was moved by Councilman Page, seconded by Freeman, that the City Clerk be authorized to publish, as required by law. Roll call as follows: Ayes, 5; No, none; carried.

Various recommendations from the Traffic Safety Committee were reviewed by the Council. First was a recommendation that the Public Works Department be authorized to construct a sidewalk on the north side of "F" Street, also a fence to prevent pedestrians from crossing the street and also the posting of signs directing all pedestrians to "F" Street and Shoup Avenue. It was moved by Councilman Parish, seconded by Keller, that clearing and grading be authorized and that, meanwhile, cost of material including the fence be referred to Public Works, the Police Chief and the Controller for study and recommendation. Roll call as follows: Ayes, 5; No, none; carried.

Next was a recommendation that an island be constructed between the underpass and the overpass at Yellowstone and Boulevard extending south approximately 15 feet back which would prevent traffic coming off the overpass from making a "U" turn on Boulevard and channel traffic from both the overpass and underpass into flow lanes on Boulevard. It was moved by Councilman Nelson, seconded by Parish, that this be taken under advisement and a study be made as to availability of funds. Roll call as follows: Ayes, 5; No, none; carried.

The Committee then recommended that funds be budgeted in 1965 for the widening of Holmes Avenue from 9th to 14th Street and eliminating all parking. This was referred to the Engineering and Public Works Departments.

Next from the Committee was a proposal that one way traffic on Ash Street be reversed, thus tying in with the "A" Street crossing and also that Cedar Street be made two-way. It was moved by Councilman Freeman, seconded by Keller, that this be approved. Roll call as follows: Ayes, 5; No, none; carried.

Two non-related recommendations were then considered by the Council, to-wit: that all one way streets from 2nd to 15th between Holmes Avenue and Boulevard be reversed; and, that the scramble system in the downtown area be reinstated. It was moved by Councilman Freeman, seconded by Keller, that these recommendations be referred to the City Planner, Clark, Coleman & Rupeiks for study. Roll call as follows: Ayes, 5; No, none; carried.

Next was a recommendation that a stop sign be installed on 12th and Nixon, stopping 12th Street traffic and also a stop sign on Riviera at Nixon, stopping Riviera traffic at Nixon, that the entire area be posted at 25 miles per hour and that crosswalks be painted at the intersections. It was moved by Councilman Page, seconded by Keller, that this be approved and authorized. Roll call as follows: Ayes, 5; No, none; carried.

A truck route was then proposed along Lava to Capital and onto Broadway. This was referred to the Engineering Department for study and for possible inclusion in the 1965 budget.

A recommendation was then made that no parking be allowed for at least 40 feet on each side of the Skyline parking lot driveway and that proper signs be installed. It was moved by Councilman Nelson, seconded by Freeman, that this be approved. Roll call as follows: Ayes, 5; No, none; carried.

Removal of the south parking stall on the west side of Memorial Drive opposite Legion Drive was proposed and that this area be designated "No Parking". It was moved by Councilman Parish, seconded by Nelson, that this recommendation be approved.

By memo from the Police Chief, it was recommended that the north side of the 200 block on Cliff Street be metered with the one hour type meter and that, to facilitate this, an area now designated "No Parking" be extended a little further west from Eagle Rock. His recommendation also included one loading zone in front of Johnson's Iron Works. It was moved by Councilman Page, seconded by Freeman, that this be approved. Roll call as follows: Ayes, 5; No, none; carried.

Also from the Police Chief it was recommended that ten two-hour meters be installed east of the alley on the north side of Bridge Street and sixteen meters to the west of the alley, all of which would be placed sufficiently close to the buildings to avoid being struck by car bumpers, that the area be properly lighted, that the stalls be painted, that signs be placed prohibiting all night parking every other night. It was moved by Councilman Nelson, seconded by Page, that this recommendation be tabled, pending a cost study relative to the proposed lighting. Roll call as follows: Ayes, 5; No, none; carried.

Mr. Alex Creek and Grant Earl appeared before the Council as First Street businessmen, recommending that the egress lane to First Street used southbound Yellowstone traffic desiring to turn left on First Street be closed because of the traffic hazard it creates. They also suggested that the "Merging Traffic" directional sign at that location be made larger; also, that the highway be striped at that location for the benefit of the merging traffic. It was moved by Councilman Nelson, seconded by Freeman, that these suggestions be referred to the Traffic Safety Committee for study and recommendation. Roll call as follows: Ayes, 5; No, none; carried.

Mr. Creek then referred to the South Yellowstone Highway and drew attention to the fact that speed limit signs which were removed during construction have not been reinstalled. The City Attorney advised that the City has jurisdiction on such matters, subject to the approval of the State.

Reference is made to Page 77 in this Book of Minutes and the Clifton Anderson appeal for variance on Lot 7, Block 8, John Heights Addition, Division #1. Previously, at an unofficial Council Meeting, it was learned that the problem had been resolved. Therefore, the Council, in an informal poll, approved by a majority vote the granting of the variance and the lifting of the stop work order. It was moved by Councilman Freeman, seconded by Nelson, that this informal action on the part of the Council be duly ratified. Roll call as follows: Ayes, 5; No, none; carried.

The Mayor announced that Councilman Leahy, absent from this Meeting, had previously requested through the Mayor that it be made a matter of official record that he is opposed to the granting of the foregoing variance or any other variance which would be in conflict with the existing code. Asked by a Councilman if the granting of variance is within the power of the Council, the City Attorney answered in the affirmative.

This letter was presented and read:

City of Idaho Falls
November 6, 1964

TO: The Honorable Mayor
and City Council
Idaho Falls, Idaho

Gentlemen:

This is an appeal to the City Council of the decision made by the Board of Adjustment in regards to my appeal to the Board. Property is located at 514 S. Capitol Avenue, including all of Block 19, Winns Addition to the City of Idaho Falls, Zone GC-1.

The Appeal is as follows:

> This application is presented for your approval of a variance to remodel and improve the existing trailer court. The proposed layout does not comply with the Ordinance Section 7-12-3, Page III, as this Section requires a front set-back of twenty-five (25) feet. My appeal is for a six (6) foot front set-back.

The Boards action was based on not having the correct information of the City's plan for improving Capital Avenue in front of this property.

The Engineering Department has informed me that this variance will in no way affect the Street Plan.

Respectfully submitted,
s/ Merril Shippley
514 S. Capital
Idaho Falls, Idaho

Acknowledging the fact that the Board of Adjustments did not have complete or correct information when this request for variance was denied, it was moved by Councilman Parish, seconded by Keller, that it be again referred to said Board for their consideration. Roll call as follows: Ayes, 5; No, none; carried.

Two City redemption tax deeds were presented in the names of David Earl Norton and C. H. Peterson, accompanied by appropriate resolutions as follows:

R E S O L U T I O N (Resolution 1964-43)

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 9th day of

November, 1960, recorded in Book 131 of Deeds at Page, 275, records of Bonneville County, Idaho, acquire title to and possession of the following described real property, to-wit:

Lots 23-24, Block 5, South Park Addition to the City of Idaho Falls, Idaho, as per recorded plat thereof.

WHEREAS, DAVID EARL NORTON 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 DAVID EARL NORTON a deed to said property, pursuant to the provisions of Section 50-2951, Idaho Code.

PASSED BY THE COUNCIL this _____ day of _____, 196__.

APPROVED BY THE MAYOR this _____day of _____, 196__.

_____
MAYOR

ATTEST: _____
CITY CLERK

R E S O L U T I O N (Resolution No. 1964-44)

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 7th day of January, 1963, recorded in Book 145 of Deeds at Page 447, records of Bonneville County, Idaho acquire title to and possession of the following described real property, to-wit:

Lots Four (4) and Five (5), Block Thirteen (13), Capitol Hill Addition to the City of Idaho Falls, Idaho, as per the recorded plat thereof.

WHEREAS, C. H. PETERSON 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 C. H. PETERSON a deed to said property, pursuant to the provisions of Section 50-2951, Idaho Code.

PASSED BY THE COUNCIL this _____ day of _____, 19____.

APPROVED BY THE MAYOR this _____day of _____, 19___.

_____
MAYOR

ATTEST: _____
CITY CLERK

It was moved by Councilman Page, seconded by Nelson, that the Mayor and City Clerk be authorized to sign the resolutions and the deeds. Roll call as follows: Ayes, 5; No, none; carried.

An audit contract was presented from Williams and Gaskill covering the audit period from January 1st to December 31, 1964. It was moved by Councilman Parish, seconded by Freeman, that this be referred to the Controller for study and recommendation. Roll call as follows: Ayes, 5; No, none; carried.

This memo from the City Treasurer was presented by the City Clerk:

TO: Honorable Mayor and City Council, City Hall
FROM: Zelda Houchens, Treasurer, City Hall
SUBJECT: L.I.D. #33 URBAN D. OLSEN ASSESSMENT $226.02

It is my understanding that upon action of the City of Idaho Falls Mayor and Council, the above assessment is to be reduced 50%. This being the case $113.01 plus interest of $4.52, a total of $117.53 would be due from the Olsens, with the same amount being paid by the City of Idaho Falls. Upon receiving official notification this office will contact Mrs. Olsen of your action.

s/ Zelda Houchens

It was moved by Councilman Page, seconded by Freeman, that this be referred to the City Attorney to determine the City's legal position. Roll call as follows: Ayes, 5; No, none; carried.

This memo from the Public Works Director was presented:

10-30-64

TO: Mayor and Council
FROM: Don Lloyd
SUBJECT: RETIREMENT OF MR. ROBERT WATSON

Kindly find attached hereto a request from Robert A. Watson for retirement. He has been an employee of the Water Department for the past 20 years, and has requested his early retirement. We wish to acknowledge his faithful and dedicated performance for the City, and respectfully request that his request be granted.

s/ Donald F. Lloyd

It was moved by Councilman Nelson, seconded by Keller, that the request for early retirement be granted as stated. Roll call as follows: Ayes, 5; No, none; carried.

Next, from the Public Works Director, the following letter, addressed to Mr. Ernie Elswood was presented for Council approval:

City of Idaho Falls
Public Works Division
October 29, 1964

Mr. Ernie J. Elswood
Elswood Trailer Sales
South Highway, Idaho Falls, Idaho

Subject: Acquisition of Capital Avenue Right-of Way

Dear Mr. Elswood:

This letter is written to confirm our discussion of the past two days relative to the acquisition of right-of-way. This letter, then, will serve as a declaration of the City's and your intention to acquire the property on the basis of a trade for City owned property as shown on the attached drawing, No. 4A-37.

In addition to agreeing that the two properties so indicated can be traded as equal in value, it has been agreed that the City will accomplish the following items.

1. Provide a final legal description of the Elswood property.

2. If it is the City's desire to construct a roadway prior to the removal of a warehouse building by Elswood Trailer Sales, it shall be the City's responsibility to remove not more than 30 feet of the north end of the building and install a new north wall.

3. Complete and fill in the area along with west boundary of the present City-owned property to a useable grade with at least 55 feet of useable space west from the edge of the present warehouse.

4. Remove from the Capital Avenue right-of-way a single yard lighting pole, and replace on the Elswood property, without responsibility for electrical connections.

Kindly indicate your acceptance of these conditions by signing the second copy of this letter and returning to the City.

Sincerely yours,
s/ Donald F. Lloyd, P.E.
Public Works Director
City Engineer

Approved: s/ S. Eddie Pedersen
MAYOR

s/ Ernie J. Elswood
ERNIE J. ELSWOOD

It was moved by Councilman Parish, seconded by Keller, that authorization be granted to proceed as proposed and the Mayor and the City Attorney be authorized to work toward a satisfactory trade in accordance with this agreement as outlined. Roll call as follows: Ayes, 5; No, none; carried.

At the request of the Mayor, Councilman Page presented a proposition as requested by certain interested citizens, relative to the construction of 775 feet of sidewalk along the north side of John Adams Parkway running easterly and starting at the corner of John Adams Parkway and Holmes Avenue. It was learned that this would cost approximately $1,400 plus preparation and removal of about 200 cubic yards of dirt for a total cost of $1,700. The main objective of a sidewalk in this particular area, it was learned, would be the advantage it afforded to grade school students. It was moved by Councilman Parish, seconded by Page, that this be referred to the Traffic Safety Committee for study and recommendation. Roll call as follows: Ayes, 5; No, none; carried.

At the request of the Mayor, Councilman Parish introduced the subject of a City owned lot on John Adams Parkway between the Boy Scout Building and the Baptist Church, as to the advisability of its sale. This was tabled for Council study and consideration.

ORDINANCE NO.

AN ORDINANCE AMENDING SECTION 4-5-49 OF THE CITY CODE OF IDAHO FALLS, IDAHO, AND PROVIDING THAT WHERE A WATER USER IS SUPPLIED WITH WATER THROUGH MORE THAN ONE METER CHARGES SHALL BE COMPUTED SEPARATELY FOR

EACH METER UNLESS ALL OF SAID METERS SUPPLY ONLY ONE BUILDING.

Councilman Keller again introduced this ordinance. It was learned that there are several heavy water users that would be affected by its passage. Councilman Keller also noted that its passage would jeopardize the City's position as to future commercial water installations. It was moved by Councilman Keller, seconded by Nelson, that the existing water ordinance be not amended at this time and that no action be taken in this regard. Roll call as follows: Ayes, 5; No, none; carried.

Councilman Parish drew attention to certain new forms as required by the Personnel Department. He said these forms served a desirable and necessary function and must be used in the hiring of new employees.

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

ATTEST: s/ Roy C. Barnes
CITY CLERK

s/ S. Eddie Pedersen
MAYOR

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