

MAY 9, 1963

The City Council of the City of Idaho Falls met in Recessed Regular Session, Thursday, May 9, 1963 at 8:00 P.M., in the Council Chambers at Idaho Falls, Idaho. There were present at said Meeting: Mayor W. J. O'Bryant; Councilmen Creek, Foote, Leahy, Page. Also present: Roy C. Barnes, City Clerk; Vern Kidwell, City Attorney; Donald Lloyd, Public Works Director; Harold Davis, Electrical Engineer; Alva Harris, Building Official; Luther Jenkins, Controller.

Minutes of the last Regular Meeting, held April 18th, 1963 were read and approved.

Dr. Wayne Jones, representing the Lions Club, appeared before the Council and offered the City a new merry-go-round at a cost of \$221.75 with the understanding that the City be responsible for its installation and maintenance, and pay for one half of its cost. It was moved by Councilman Page, seconded by Foote, that this be accepted under the conditions as described, with the appreciation of the Mayor and City Council. Roll call as follows: Ayes, 4; No, None; carried. Dr. Jones suggested that the old merry-go-round be moved to the west side park.

The Mayor announced that this was the time and the place for a public zoning hearing, as advertised, for the rezoning of three properties as petitioned by the property owners.

First to be considered was the Wohlschlegel property, described as follows:

Beginning at a point that is 625.00 feet east and 31.7 feet S 0° 16' of the SW corner of the SE ¼ of the SW ¼ of the Section 13, T 2N, R 37 E.B.M. and running thence S 0° 16' E 416.0 feet; thence S 90° 0' W. 208.0 feet to the point of beginning; containing 1.99 acres more or less.

There were no protests. It was moved by Councilman Creek, seconded by Page, that this area be rezoned from R-1 to H-C. Roll call as follows: Ayes, 4; No, None; carried.

The William Holden property was then considered, described as follows:

Tract 4, less 0.20 acres, Section 24, T 2N, R 37 E.B.M. City of Idaho Falls

No protests were registered. It was moved by Councilman Leahy, seconded by Foote, that this be rezoned from R-1 to H-C. Roll call as follows: Ayes, 4; No, None; carried.

The last area for possible rezoning, requested by Dale Parish, was described as follows:

Beginning at a point that is South 0° 16' 30" West 55.42 feet and due East 543 feet from the Northwest corner of the E ½ of the SW ¼ of Section 17, Township 2 North of Range 38 East of the Boise Meridian; running thence East 75 feet; thence South 124 feet; thence West 75 feet; thence North 124 feet to the point of beginning.

Mr. Roy Jewell, an adjacent resident, appeared before the Council and registered a protest on the grounds that this would downgrade his residential property. There were no further protests. Perry Fryslie, also a nearby property owner, appeared briefly but had no objection to the proposed rezoning. It was moved by Councilman Foote, seconded by Creek, that this area be rezoned from R-1 to R-2. Roll call as follows: Ayes, 4; No, None; carried.

The building official was instructed by the Mayor to incorporate the foregoing zoning changes on the official zoning map, located in his office.

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Messrs. Dean Strand and Paul Litteneker, 850 and 845 Judith Circle, appeared before the Council and registered a complaint pertaining to the proposed usage of the new Grant Packer, Jr. residence at 653 9th Street. In this connection a petition was presented with 58 signers which read as follows:

To: Mayor and City Council
City of Idaho Falls, Idaho

The undersigned property owners have been advised that Mr. Grant Packer, Jr., is in the process of constructing a building to be used as an office for his milk route on the property described as Lot 8, in Block 2 of 1st Amended Plat of Blackburn Addition, Division 1 & 2, to City of Idaho Falls. The premises will be served by 9th Street and Judith Circle, with milk trucks checking in from either or both streets.

We understand the property is zoned R-1, and that conducting this type of enterprise is prohibited in an R-1 zone. Will you please make such investigation as will determine the type of activity proposed, and prohibit the same if in violation of zoning.

A letter from Mr. Packer was then read as follows:

508 E 13th Street
Idaho Falls, Idaho
April 4, 1963

To Whom It May Concern:

It appears there has been some concern as to what kind of activity we have planned for the office in our new home at 653 9th Street. The functions of our office are to keep the books for our 4 Idaho Falls routes, check these 4 drivers in, take phone calls, and a few customers come here to pay their bills. Several years ago we had a cooler when our loading station was at 13th and Holmes and a few people came here for dairy products, but that is no longer the case. Our loading station is now on Garfield and the only place dairy products could be stored in our home on 9th Street will be in our own private kitchen refrigerator which will be only for our own family usage.

We have practically no customer traffic, on account of our receipt book for the month of April showed less than 30 customers came during the month to our office. In the milk business nearly everyone takes the convenience of paying the milkman directly or mailing their money in. As an added measure to cut customer traffic we are having our new statements printed with a post office box rather than our address.

There will be no advertising signs of any kind on the premises.

At the present time there are 4 Dairyland trucks operating in the vicinity of Idaho Falls:

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I am handling one myself which I will park in my driveway. One is operated by a distributor who operated the route as his own business, lives in Ammon and checks in once or twice a week. He usually comes in his private car to check in now and we will instruct him to always come in his car after we move. One will be delivering the route in our neighborhood so we will have him deliver our milk at the end of his route and he can check in at that time. This leaves 1 truck to come to the house once each day. This can be handled different ways. He can park on 9th Street for the few minutes he is checking in or if necessary we could purchase an inexpensive car to park at our cooler on Garfield so he could leave his truck there and come to check in, in this car.

The main purpose of the office is so Mrs. Packer can keep our books and take phone calls and not leave the children. Considerable amount of the bookkeeping is being done by Viril Jardine and Sterling Mason. Our main Dairyland office is in Rigby. We are hoping to gradually have more of the bookkeeping done outside of our home so Mrs. Packer can spend more time with the home and children and she is now doing considerable less than she was 2 years ago and the trend is in that direction.

We have looked forward to a nice home in a good neighborhood for many years and even though our office plans were approved 100% by the Building Inspector we still wish to do anything to conform to the desires of the neighborhood because we want to enjoy good neighborhood relationships and hope this will be the case.

s/ Grant P. Packer, Jr.
s/ Beverly W. Packer

Building Official Harris explained that building plans had been presented and that a close study revealed nothing in conflict with the Code. The City Attorney expressed an opinion to the effect that the commercial operation, as described in Mr. Packer's letter, limited as it might be, would be in conflict with the Zoning Ordinance. The City Attorney and the Building Official were directed to draft a letter to Mr. Packer, placing his on notice that any zoning violation would not be permitted by the City and that his business activity, in part at least, as described in his own letter, would be deemed a violation by the City, if practiced.

Bills for the month of April, having been properly audited by the Finance Committee were presented as follows, to-wit:

<u>FUND</u>	<u>GROSS PAYROLL</u>	<u>SERVICES & MATERIALS</u>	<u>TOTAL EXPENDITURES</u>
General Fund	\$89,287.41	\$40,267.29	\$129,554.70
Recreation Fund	1,314.94	69.44	1,384.38
Fire Fund	18,611.13	3,748.19	22,359.32
Electric Light Fund	22,861.32	67,282.95	90,144.27
Water & Sewer	8,712.58	45,416.06	54,128.64
Police Retirement	<u>1,710.83</u>	<u>.00</u>	<u>1,710.83</u>

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TOTAL	\$142,498.21	\$156,788.93	\$299,282.14
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It was moved by Councilman Leahy, seconded by Foote, that the bills be allowed and the Controller be authorized to issue warrants on the respective funds for their payment. Roll call as follows: Ayes, 4; No, None; carried.

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

License applications for BARTENDER, Ronal D. Graham; RESTAURANT (previously approved by the City Sanitarian) Ray's In & Out (2), Flamingo; JOURNEYMAN GAS FITTER (previously approved by the Gas Inspector) Gordon Powell; JOURNEYMAN PLUMBER (previously approved by the Plumbing Inspector) Dallas D. Pope were presented. It was moved by Councilman Creek, seconded by Leahy, that these licenses be granted. Roll call as follows: Ayes, 4; No, None; carried.

License applications for ELECTRICAL CONTRACTOR, Fannesbeck Electric; Priest Electric; JOURNEYMAN ELECTRICIAN, J. Vernon Priest, Owen Benzon, Jack B. Dalton; VENDOR, J. E. Fickbohm; MOTEL, Stardust Motor Lodge, Joe's Motel; BEER (transfer of ownership only) from Ferris Clark to Willard R. Wood of the Westbank Coffee Shop, from Lynn F. Browning to Gerald M. Deschamps of Harry's Tavern were presented. It was moved by Councilman Leahy, seconded by Creek, that these licenses be granted, subject to the approval of the Electrical Inspector, the City Sanitarian and the Police Chief respectively. Roll call as follows: Ayes, 4; No, None; carried.

License application for DANCE HALL, Jack's Club was presented. It was moved by Councilman Leahy, seconded by Creek, that this license be granted, subject to the approval of the Police Chief and the Police Committee. Roll call as follows: Ayes, 4; No, None; carried.

A license application was presented in the name of Leroy Fowler to permit the sale of package BEER, NOT TO BE CONSUMED ON THE PREMISES at Roy's Beeline Service, upon recommendation of the Police Chief and the City Attorney. It was moved by Councilman Page, seconded by Creek, that the license be denied on grounds that the applicant had been convicted of a felony within the past five years and that, under the circumstances, issuance of said license would be in conflict with State Code. Roll call as follows: Ayes, 4; No, None; carried.

The City Clerk drew attention to a notice of intention to lease certain airport farm land property which had, in the interests of time, been published without formal Council approval. It was moved by Councilman Leahy, seconded by Page, that the Clerk's action in this regard be duly ratified. Roll call as follows: Ayes, 4; No, None; carried.

It was noted that bids had been opened April 22, 1963 on the voltage conversion of the 9th Street Substation as follows:

Babbitt Electric	\$17,955.14
Power Line Construction Co.	21,105.00

In the interests of time the Council had, on April 26, 1963, awarded the bid to Babbitt Electric, the low bidder. It was moved by Councilman Leahy, seconded by Foote, that this informal Council action be duly ratified. Roll call as follows: Ayes, 4; No, None; carried.

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A City Redemption Tax Deed in the name of Kay and Nadene Carver was presented, accompanied by this resolution:

RESOLUTION (Resolution No. 1963-08)

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 1st day of September, 1958, recorded in Book 116 of Deeds at Page 297, records of Bonneville County, Idaho acquire title to and possession of the following described real property, to-wit:

Lots 31 and 32 in Block 30 of Capitol Hill Addition to the City of Idaho Falls, Idaho, according to the recorded plat thereof.

WHEREAS, Kay Carver & Nadene Carver, his wife, 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 Kay Carver and Nadene Carver 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____.

s/ _____
MAYOR

ATTEST: s/ _____
CITY CLERK

It was moved by Councilman Foote, seconded by Creek, that the Mayor and City Clerk be authorized to sign the resolution and the deed. Roll call as follows: Ayes, 4; No, None; carried.

The closed utility account of Leroy Wing in the amount of \$44.85 was presented before the Council with a recommendation from the professional collector to which the account had been assigned that it be charged off as uncollectible on the grounds that the party was deceased and the estate was without assets. It was moved by Councilman Creek, seconded by Foote, that approval be granted accordingly. Roll call as follows: Ayes, 4; No, None; carried.

This memo from the City Engineers was read:

April 22, 1963
Acct. No. 9B-49

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Honorable Mayor and City Council
Idaho Falls, Idaho

Gentlemen:

During the course of figuring assessments for Local Improvement District No. 27, an error was made on the Assessment No. 163, Harley B. Markham, Lots 35 thru 45, Block 12, Mayflower Addition. The Assessment was figured for the square footage for the entire ten (10) lots. However, the North Yellowstone Avenue cuts through the corner of this block and cuts the area of the property considerably. The original computation of square footage was 34,375. This correct amount is 25,606 square feet. The assessment per square foot on this project was 0.06¢. This correction necessitates an adjustment of the assessment of Mr. Markham from \$2,062.50 to \$1,536.36.

We, therefore, recommend that the City Treasurer be authorized to make a correction of the assessment roll in the amount of \$526.14 plus the interest and penalty in the amount of \$23.25 or a total of \$549.49. This money is available in the Local Improvement District No. 26 construction fund.

Respectfully submitted,
ENGINEERING DEPARTMENT
s/ Donald Ellsworth, P.E.
City Engineer

Concurred by: s/ Donald F. Lloyd

It was moved by Councilman Page, seconded by Leahy, that the City Treasurer be authorized to correct the assessment roll, as recommended for the reasons as described. Roll call as follows: Ayes, 4; No, None; carried.

This resolution was presented by the City Attorney:

RESOLUTION NO. 1 (Resolution No. 1963-09)

A RESOLUTION DECLARING THE INTENTION OF THE CITY OF IDAHO FALLS, IDAHO, TO CONSTRUCT STORM SEWERS TO SERVE CERTAIN STREETS AND ALLEYS AND PORTIONS OF THE CITY THEREOF, WITHIN THE CORPORATE LIMITS OF THE CITY; TO CREATE A LOCAL IMPROVEMENT DISTRICT TO BE KNOWN AS LOCAL IMPROVEMENT DISTRICT NO. 31 OF THE CITY OF IDAHO FALLS FOR THE PURPOSE OF MAKING SAID IMPROVEMENTS;; TO DEFRAY THE COST AND EXPENSES OF SAID DISTRICT AND OF SAID IMPROVEMENTS BY SPECIAL ASSESSMENTS LEVIED ON AND AGAINST THE LOTS, TRACTS AND PARCELS OF LAND IN SAID DISTRICT SPECIALLY BENEFITED BY SAID IMPROVEMENT; PROVIDING THE BASIS ON WHICH SUCH SPECIAL ASSESSMENT

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SHALL BE LEVIED; STATING THE KIND AND CHARACTER OF SUCH IMPROVEMENTS AND THE ESTIMATED TOTAL COST THEREOF; FIXING THE TIME WHEN PROTESTS AGAINST SAID IMPROVEMENT AND THE CREATION OF SAID DISTRICT MAY BE FILED IN THE OFFICE OF THE CITY CLERK, CITY OF IDAHO FALLS, AND WHEN SUCH PROTESTS WILL BE HEARD AND CONSIDERED BY THE CITY COUNCIL; AND PROVIDING FOR THE GIVING OF LEGAL NOTICE THEREOF.

WHEREAS, the City Council of the City of Idaho Falls, Idaho, deems it for the best interest of said City, to construct storm sewers to service certain portions of streets, alleys and other parcels of land within the corporate limits of said City, hereinafter particularly described, and for the making of said improvements to create Local Improvement District No. 31 of the City of Idaho Falls, Idaho, and

WHEREAS, the estimated total cost of said District and of said improvements is \$395,000.00, and

WHEREAS, the City Council is authorized by law to assess the entire cost of said District and of said improvements against the properties to be benefited thereby, and

WHEREAS, the City Council proposes to defray the cost and expenses of said District and of said improvements by special assessments to be levied upon and against all lots, tracts and parcels of land abutting, adjoining and adjacent and contained within said District specially benefited by such improvements and to defray the entire cost by such assessments.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Idaho Falls, Idaho, as follows:

Section 1. That the City of Idaho Falls, Idaho, does hereby declare its intention to construct storm sewers servicing certain areas within the corporate limits of said City, and for that purpose to create and establish a local improvement district therein, to be known as "Local Improvement District No. 31 of the City of Idaho Falls, Idaho", the boundaries of which district are described as follows:

Beginning at the Southwest corner of Section 30, Township 2 North, Range 38 East Boise Meridian, said point being in the intersection of Rollandet Avenue and Sunnyside Road and running thence Northerly along said Section line 500 feet, more or less, to the Northwest boundary line, extended, of Gustafson Park Addition to the City of Idaho Falls; thence Northeasterly along said boundary line 865 feet, more or less, to the North boundary line of said Gustafson Park Addition; thence Easterly along said boundary line 725 feet, more or less, to the West boundary line of Hughes Imperial Estates Addition to the City of Idaho Falls; thence Northerly along said West boundary line 160 feet, more or less, to the North boundary line of said Hughes Imperial Estates Addition;

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thence Easterly along said boundary line 1,310 feet, more or less, to the Northeast corner of said addition; said point being on the West line of South Boulevard Avenue; thence Northerly along the West line of South Boulevard Avenue 1,060 feet, more or less, to a point 300 feet South of the Section center of Section 30, Township 2 North, Range 38 East Boise Meridian; thence Westerly along a line parallel to the East-West center section line of said Section 223 ½ feet; thence Northerly 300 feet more or less, to a point 219 feet West of said section center along the East-West center line of said section, said point being on the South boundary line extended to Keefer's Addition to the City of Idaho Falls; thence Westerly along said South boundary line 1,121 feet, more or less, to the West boundary line of Keefer's Addition; thence Northerly along said boundary line 335 feet, more or less, to the West boundary of Rose Park Subdivision to the City of Idaho Falls; thence Northerly along said boundary line 330 feet, more or less to the Southeast bank of the Butte Arm Canal; thence Northeasterly along the Southeast bank of the Butte Arm Canal 1,320 feet, more or less, to the center line of the alley of Block 24, South Park Addition, thence Easterly along said alley 490 feet, more or less, to a line, extended, between Lots 13 and 24 of Bremer Homes Addition to the City of Idaho Falls; thence Southerly along said line, extended, 485 feet, more or less, to the center line of Twenty-first Street; thence Easterly along the centerline of Twenty-first Street 790 feet, more or less, to the center line of South Lee Avenue 485 feet, more or less, to the centerline of the alley running between Nineteenth and Twentieth Streets; thence Westerly along said alley 670 feet, more or less, to the centerline of South Boulevard Avenue; thence Northerly along South Boulevard Avenue 810 feet, more or less, to the South bank of the Butte Arm Canal; thence Easterly along the South bank of the Butte Arm, Canal 4,450 feet, more or less, to the centerline of June Avenue; thence Southerly along the centerline of June Avenue 880 feet, more or less, to the centerline of Seventeenth Street; thence Westerly along the centerline of Seventeenth Street 900 feet, more or less, to the East boundary, extended, of Roy H. Bennett Shopping Center; Division No. 1; thence Southerly along said East line 40 feet, more or less, to the Northeast corner of said shopping center; thence Southerly along the Eastern boundary of said shopping center 160 feet; thence Westerly along a line paralleling the centerline of Seventeenth Street 485 feet; thence Northerly 35 feet, more or less to the Southeast corner of Division No. 3 of said Roy H. Bennett Shopping Center; thence Westerly along the South boundary of said Division No. 3, extended, 215 feet, more or less, to the East boundary of Brodbeck's Addition to the City of Idaho Falls; thence Southerly along said East boundary 2,600 feet, more or less, to the centerline of East Twenty-fifth Street; thence Westerly along said centerline of East Twenty-fifth Street 310 feet, more or less, to a point 200 feet East of the West line of South Higbee Avenue; thence Southerly 430 feet along a line parallel to the South Higbee Avenue; thence Westerly along a line parallel to East Twenty-fifth Street 230 feet, more or less, to the centerline of South Higbee Avenue; thence Northerly along the centerline of South Higbee Avenue 430 feet, more or less, to the centerline of Twenty-fifth Street; thence Westerly along the centerline of Twenty-fifth Street 1,020 feet, more or less, to the East boundary line, extended, of Home Ranch Addition, Division No. 1, to the City of Idaho Falls, thence

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2,355 feet, more or less, to the West line of South Boulevard Avenue; thence Southerly along the West line of South Boulevard Avenue 350 feet, more or less, to the Northeast corner of Hughes Imperial Estates Addition, Division No. k, to the City of Idaho Falls; thence Southerly and thence Westerly along the East and South boundaries of said Hughes Imperial Estates Addition, Division No. 1, 1,745 feet, more or less, to the Southeast corner of Hughes Imperial Estates, Division No. 2, to the City of Idaho Falls, thence Westerly and thence Northerly along the South and West boundaries of said Hughes Imperial Estates Addition, Division No. 2, 785 feet, more or less, to the Southwest corner of Gustafson Park Addition, Division No. 1 and 2, as amended, to the City of Idaho Falls; thence Westerly along the South boundary of said Gustafson Park Addition, 1,750 feet, more or less, to the point of beginning.

Section 2. The kind and character of said improvements are the construction of storm sewers, outfall lines, enlargement of existing drainage facilities and bypass installations within the boundaries of said District, as hereinafter described and located, all according to the plans and specifications thereof, to be filed in the office of the City Engineer and in the office of the City Clerk of the City of Idaho Falls, Idaho, on or before the day hereinafter fixed for the hearing of protests against the creation of said District and the making of said improvements.

Section 3. Said improvement is an original improvement.

Section 4. The estimated cost and expense of said District and of said improvement is \$395,000.00, all of which is to be assessed against those lands in said District which will be benefited thereby.

Section 5. The cost of said District and of said improvement shall be paid by special assessments, levied and assessed against the lands of said District which will be benefited by said improvements as follows:

The lots and lands benefited by such improvement and included in the improvement district hereinafter particularly described, in proportion to the number of square feet of said lands as specially benefited, sufficient to cover the entire cost and expenses of said District and said improvements.

Section 6. The lots, parcels and tracts of land included in said District which will be benefited by said improvements and which will be assessed for such improvements, and the costs and expenses of said District are as follows:

IN GUSTAFSON PARK ADDITION

All Blocks and Lots.

IN HUGHES IMPERIAL ESTATES ADDITION

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All Blocks and Lots

IN HOME RANCH ADDITION

All Blocks and Lots

IN MARTIN ADDITION

All Blocks and Lots

IN KEEFER'S ADDITION

All Blocks and Lots

IN ROSE PARK SUBDIVISION

All Blocks and Lots

IN BREMER HOMES ADDITION

Lots 1 to 18 inclusive

IN SOUTH PARK ADDITION

Lots 1 to 3 inclusive, and Lots 44 to 48 inclusive of Block 30; Lots 25 to 28 inclusive of Block 24

IN BRODBECKS ADDITION

All of Blocks 1 to 11 inclusive; Lots 1 to 24 inclusive of Block 12; all of Blocks 14 to 32 inclusive.

IN CROWS ADDITION

All of Blocks 57 and 64; Lots 29 to 42 inclusive of Block 56; Lots 1 and 2 and Lots 39 to 48 inclusive of Block 58; Lots 1 to 20 inclusive and Lots 25 to 48 inclusive of Block 63.

IN ROY H. BENNETT SHOPPING CENTER

The North 160 feet of Division No. 1; the North 160 feet of the East 335 feet of Division No. 2; all of Division No. 3

UN-PLATTED LANDS IN SECTION 30, TOWNSHIP 2 NORTH, RANGE 38, EAST OF THE BOISE MERIDIAN

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Beginning at the point of intersection of the South line of East Twenty-fifth Street and the East line of South Higbee Avenue, thence running Easterly along the South line of East Twenty-fifth Street 200 feet; thence Southerly 400 feet along a line parallel to the East line of South Higbee Avenue; thence Westerly 200 feet, more or less, to the East line of South Higbee Avenue; thence Northerly 400 feet more or less along the East line of South Higbee Avenue; to the point of beginning.

Also:

Beginning at a point 3 rods East of Northwest Corner of Southeast Quarter Section 30, T 2N, R. 38 E.B.M., thence running East 35 rods, thence South 45 rods, thence West 35 rods, thence North 45 rods to the point of beginning.

Also:

Beginning at a point 217.2 feet South of the Northeast Corner of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 30, T 2N, R. 38, E.B.M., thence North $88^{\circ} 14' 30''$ W 322.7 feet; thence S $0^{\circ} 2'$ East 10 feet; thence S $88^{\circ} 14' 30''$ E 219.7 feet to a point; thence in a straight line running in a Northeasterly direction 103.4 feet more or less to the point of beginning. Also commencing at a point 217.2 feet South of the NE corner of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 30, T 2N, R. 38, E.B.M., thence running S $0^{\circ} 2'$ East along the East quarter Section line of said SE $\frac{1}{4}$ NW $\frac{1}{4}$ 100 feet; thence North $88^{\circ} 14' 30''$ West 322.7 feet; thence North $0^{\circ} 02'$ E 90 feet; thence S $88^{\circ} 14' 30''$ East 219.7 feet to a point; thence in a straight line running in a Northeasterly direction 103.4 feet more or less to the point of beginning.

Also:

Beginning at a point that is South $0^{\circ} 0'$ West 16.9 feet and North $87^{\circ} 02'$ West 322.7 feet from the NE corner of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 30, T 2N, R. 38, E.B.M., which point is in the south line of Twenty-first Street and running thence South 289.92 feet parallel to the West line of Boulevard; thence West 100 feet; perpendicular to the West line of Boulevard; thence North 295.1 feet, parallel to the West line of Boulevard to the South line of Twenty-first Street; thence South $87^{\circ} 02'$ East 100.11 feet along the South line of Twenty-first Street to the point of beginning, less the South 40 feet thereof.

Also:

Beginning at a point that is East 233.7 feet and South 249.92 feet from the NE corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 30, T 2N, R. 38, E.B.M. and running thence West 100 feet; thence South 40 feet; thence East 100 feet; thence North 40 feet to the point of beginning.

Also:

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Beginning at a point that is S 0° 0' W 16.9 feet and North 87° 02' West 422.81 feet from the NE corner of the SE ¼ NW ¼ of Section 30, T 2N, R. 38 E.B.M., which point is in the South line of Twenty-first Street, and running thence South 295.1 feet parallel to the West line of Boulevard; thence North 90° 0' West 100 feet, perpendicular to the West line of Boulevard; thence North 300.28 feet parallel to the West line of Boulevard, to the South line of Twenty-first Street; thence South 87° 02' East 100.11 feet along the South line of Twenty-first Street to the point of beginning.

Also:

Commencing at the Northeast corner of the SE ¼ NW ¼ of Section 30, T 2N, R. 38 E.B.M., thence South 217.2 feet; thence North 88° 14' 30" West 322.7 feet, thence North 0° 2' West 225 feet more or less to quarter section line of said SE ¼ NW ¼; thence East 322.7 feet to the point of beginning.

Also:

Beginning at the center of Section 30, T 2N, R. 38 E.B.M., running thence West along the centerline of said Section 30, 219 feet; thence South 300 feet; thence East 223 ½ feet to the North-South centerline through said Section 30, thence North 300 feet to the place of beginning, containing 1.52 acres, more or less, less the following Tract.

Beginning at a point which is 90 feet South of the NE corner of the SW ¼ of Section 30, T 2N, R 38, E.B.M., thence running West 220.35 feet, thence running Southerly 210 feet to a point which is 223.5 feet West of the Quarter line which is common to the SW ¼ and the SE ¼ of said section, thence running East a distance of 223.5 feet to the East line of SW ¼, thence North 210 feet to the point of beginning, containing a calculated area of 1.07 acres.

Section 7. Said improvement is to be made by the installation of storm sewer lines serving the following described streets between the following described points:

Streets receiving benefit from the proposed drainage system are as follows:

East Fifteenth Street from the Butte Arm Canal East to June Avenue.

East Sixteenth Street from the Butte Arm Canal East to June Avenue.

East Seventeenth Street from South Boulevard Avenue East to an extension of the East boundary of the Roy H. Bennett Shopping Center.

The North half of East Seventeenth Street from the said boundary of the Roy H. Bennett Shopping Center East to June Avenue.

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East Eighteenth Street from South Boulevard Avenue East to the Idaho Canal.

East Nineteenth Street from South Boulevard Avenue East to the Idaho Canal.

Easy Twentieth Street from the Butte Arm Canal East to Bremer Drive and from South Lee Avenue East to the Idaho Canal.

Twenty-first Street from the Butte Arm Canal East to a point 160 feet West of the centerline of South Boulevard Avenue.

The South half of Twenty-first Street from said point 160 feet West of South Boulevard Avenue East to South Lee Avenue.

Twenty-first Street from South Lee Avenue East to the Idaho Canal.

Twenty-second Street from South Boulevard Avenue East to the Idaho Canal.

Twenty-third Street from South Boulevard Avenue East to the Idaho Canal.

Twenty-fourth Street from South Boulevard Avenue East to the Idaho Canal.

Twenty-fifth Street from South Boulevard Avenue East to the to the Fieldstream Lane.

The North half of Twenty-fifth Street from Fieldstream Lane to South Higbee Avenue.

Twenty-fifth Street from South Higbee Avenue East to the Idaho Canal.

The West half of June Avenue from the Idaho Canal South to Seventeenth Street.

Cranmer Avenue from the Idaho Canal South to Seventeenth Street.

Holmes Avenue from the Idaho Canal to a line, extended, from the South boundary of the Roy H. Bennett Shopping Center, Division No. 3.

South Higbee Avenue from the Butte Arm Canal South to Twenty-fifth Street.

The East half of South Higbee Avenue from Twenty-fifth Street South to a point 400 feet South of the South line of Twenty-fifth Street.

South Emerson Avenue from the Butte Arm Canal South to the alley between Nineteenth and Twentieth Streets.

The East half of South Lee Avenue from the alley between Nineteenth and Twentieth Streets South of Twenty-first Street.

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South Lee Avenue from Twenty-first Street South to Twenty-fifth Street.

The East half of South Boulevard Avenue from the Butte Arm Canal South to the alley between Nineteenth and Twentieth Streets.

South Boulevard Avenue from Twenty-first Street South to the South boundary line, extended, of the Home Ranch Addition to the City of Idaho Falls.

Bremer Drive, from a point 160 feet West of South Boulevard Avenue South to Twenty-first Street.

South Calkins Avenue from the Butte Arm Canal South to the South line of Keefer Addition to the City of Idaho Falls.

The East half of Park Road from Sunnyside Road North to the North boundary of the Gustafson Park Addition to the City of Idaho Falls.

The following streets are included in their entirety as shown on existing plats and additions to the City of Idaho Falls:

IN GUSTAFSON PARK ADDITION DIVISION NO. 1 AND 2 AS AMENDED

Westmorland Drive

Westmoreland Circle

Gustafson Drive

Gustafson Circle

IN HUGHES IMPERIAL ESTATES ADDITION, DIVISION 1 AND 2

Westmorland Drive

North Morningside Drive

East Morningside Drive

Holley Place

IN HOME RANCH ADDITION

Hartert Drive

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Greentree Lane

Redbarn Lane

Fieldstream Lane

IN KEEFER'S ADDITION

Tautphaus Drive

South Calkins Avenue

IN ROSE PARK ADDITION

North Lloyd Circle

South Lloyd Circle

South Calkins Avenue

Section 8. The cost and expenses of the improvements within the intersection will be paid from lands benefited thereby.

Section 9. That Tuesday, the 28th day of May, 1963, at 8:00 o'clock P.M., of said day, in the Chambers of the City Council, in the City Hall in the City of Idaho Falls, Idaho, be, and the same are hereby designated as the time and place when and where protests against the creation of said District for the making of such improvements, shall be heard and considered by the City Council.

Section 10. All protests against the creation of said District or the making of said improvements to be considered must be in writing, filed in the office of the City Clerk, prior to the time set for the hearing thereof.

Section 11. The City Clerk shall give notice of the passage of this resolution and the time within which protests against said proposed improvement or creation of said District may be filed, and the date when such protests will be heard and considered by the Council, such notice to further describe the general character of the improvement or improvements proposed to be made, and the estimated total cost thereof, and shall refer to the resolution on file in the office of the City Clerk, for further information in regard thereto. Said City Clerk shall cause such notice to be published in the Post Register, the official newspaper of this municipality in three consecutive issues, and shall cause a copy of such notice to be mailed to each owner of property, if known, or his agent, if known, within the limits of said proposed improvement district, addressed to such person at his Post Office address, if known, or if unknown, to the Post Office in the City of Idaho Falls, where said improvements are to be

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made, said notice to provide the expiration of the filing of protest shall be not less than five days after the date of the last publication of such notice or of the posting and mailing of the same. Said City Clerk shall file and maintain in his office proof of publication and an affidavit showing posting and mailing of such notices.

PASSED by the City Council and approved by the Mayor of Idaho Falls, Idaho, this ___ day of May, 1963.

ATTEST: s/ _____
CITY CLERK

s/ _____
MAYOR

It was moved by Councilman Leahy, seconded by Creek, that this resolution be adopted and approved, that the date of the first public hearing be set for May 28th, 1963 and that the Clerk be directed to mail notices to any and all of the proposed participants in the District. Roll call as follows: Ayes, 4; No, none; carried.

The Mayor also announced a meeting of the Police Retirement Committee on May 16th, 1963 at 7:30 P.M. to consider the application of Jay Roper for disability retirement from the Police force.

The Mayor announced that the Council would be meeting with the Planning Commission to discuss the proposed Zoning Ordinance May 14th, 1963 at 7:30 P.M.

The Mayor appointed Mrs. Fay Holm as the Civil Service Secretary. It was moved by Councilman Leahy, seconded by Page, that this appointment be confirmed. Roll call as follows: Ayes, 4; No, None; carried.

A request from H. P. Hill, Airport Manager, was presented through the Mayor that the Idaho Aviation Center lease be renewed for a five year period. It was moved by Councilman Foote, seconded by Creek, that this be approved and, when prepared, the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 4; No, None; carried.

This memo from the Public Works Director was read:

May 7, 1963

Honorable Mayor and City Council
City of Idaho Falls, Idaho

Subject: Water Main Connection from Wells 9 and 10

Gentlemen:

Attached hereto is a requisition for water works materials needed to install a water line connection from Wells 9 and 10 to the 17th Street main. It is our intention that water works crews will install this line.

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A sewer main is planned to this line and because of its depth (14 feet) should be installed prior to the water main. This block of sewer (320) feet will cost about \$2,000.00 and should be installed by a local contractor.

There was no budget request for this sewer and the water main was grossly under estimated at \$8,000.00, principally due to the increased pipe size requirement. Although 12 inch pipe was originally contemplated, well production now dictates the need for 16 inch pipe.

The approved budget item of \$25,000 for a 12 inch water main at Johns Hole Bridge will not be required this year. We are suggesting that a portion of this budget item be used to make up the deficit for this water main connection and the accompanying sewer main.

Respectfully submitted,
s/ Donald F. Lloyd, P.E.
Public Works Director

cc: Phil Leahy, Alex Creek, Luther Jenkins

It was moved by Councilman Leahy, seconded by Foote, that the installation be approved as recommended and also, that the budget be adjusted accordingly, as recommended. Roll call as follows: Ayes, 4; No, None; carried.

Through the Mayor, the Electrical Engineer presented the Standards of Apprenticeship, relative to Apprentice Linemen. It was noted that these had been thoroughly reviewed by the Electric Light Committee, the Joint Apprenticeship and Training Committee, IBEW Local Union #57 and Mr. Lloyd Williams of the U. S. Bureau of Apprenticeship. It was moved by Councilman Foote, seconded by Leahy, that these be approved and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 4; No, None; carried.

The Police Chief, by memo, reported that certain City owned motorcycles had been stripped and that they now qualify as surplus property. He was authorized to so declare and to have them sold at the next regularly scheduled auction sale, date of which is yet to be determined.

Reference was made to a memorandum by the Public Works Director which can be found in this Book of Minutes dated April 18th, 1963, relative to the construction of an eight inch water line along the South Highway and along 25th Street to Rollandet and also the construction of a sewer line from the river interceptor to the new railroad depot area. It was moved by Councilman Leahy, seconded by Foote, that the City Clerk be authorized to advertise for bids accordingly. Roll call as follows: Ayes, 4; No, None; carried.

ORDINANCE NO. 1054

AN ORDINANCE VACATING AND CLOSING THE UNUSED PORTION OF A STREET IN THE CITY OF IDAHO FALLS, IDAHO, FOR THE SOLE AND EXCLUSIVE USE OF GEORGE W. WATKINS AND BRUCE STODDARD, ABUTTING OWNERS; DESIGNATING THE PORTION OF SAID STREET THE TITLE TO WHICH IS VESTED IN THE SAID GEORGE W. WATKINS AND THE SAID BRUCE STODDARD;

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PARTICULARLY DESCRIBING SAID LANDS; PROVIDING WHEN THE ORDINANCE SHALL BECOME EFFECTIVE.

It was moved by Councilman Leahy, 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, 4; 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, 4; No, None; carried.

In connection with the foregoing vacating Ordinance, two quit claim deeds were presented in favor of Bruce Stoddard and George Watkins. It was moved by Councilman Leahy, seconded by Page, that the Mayor and City Clerk be authorized to sign and the City Clerk be authorized to deliver the deeds subject only to the recipients remitting for the cost of publishing the Ordinance. Roll call as follows: Ayes, 4; No, None; carried.

The Mayor appointed Mr. Don Lloyd, Public Works Director, as a member of the Vehicle Accident Review Committee. It was moved by Councilman Leahy, seconded by Creek, that this appointment be confirmed. Roll call as follows: Ayes, 4; No, None; carried.

Attention was drawn to the fact that bids covering a six month period beginning May 1st had been opened May 6th on gas and lubricants, revealing the following low bids:

Regular Gasoline	Continental Oil Company	1940
Ethyl Gasoline	Humble Oil Company	2125
Diesel Fuel	Ray Groth Oil Company	1290
Multiple Viscosity	Ray Groth Oil Company	9251
Furnace Oil	Ray Groth Oil Company	1272
Diesel Engine Oil	Continental Oil Company	.61
Motor Oil	Continental Oil Company	.61

It was moved by Councilman Page, seconded by Leahy, that these low bids be accepted and approved. Roll call as follows: Ayes, 4; No, None; carried.

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

ATTEST: s/ Roy C. Barnes
CITY CLERK

s/ W. J. O'Bryant
MAYOR
