

JUNE 28, 1962

---

The City Council of the City of Idaho Falls met in Recessed Regular Session Thursday, June 28, 1962 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 Page, Leahy, Creek, Foote. Also present: Roy C. Barnes, City Clerk; George Barnard, City Attorney; Don Lloyd, Public Works Director; Luther Jenkins, Controller; Kelvin Nelson, Recreation Director; Parley Gillen, Fire Chief.

Minutes of the last Regular Meeting held June 7<sup>th</sup>, 1962, and a Special Meeting held June 12<sup>th</sup>, 1962, were read and approved.

The Mayor announced that this was the time and the place for an informal hearing on Ordinance #1032, recently passed but declared by the Council as not to be enforced for the time being.

Mr. Reed Williams, local attorney, appeared before the Council representing the Mobile Oil Company and protested the ordinance on the grounds that it would create hardships on the gasoline transporting industry. He cited several major cities which have not resorted to such a stringent ordinance except in hazardous fire district areas. He also drew attention to the National Board of Fire Underwriters Code which, he said, carried no such limitation in maximum gasoline haulage. He said their restrictions were limited only to size of compartments within the tank. He argued further that the bid danger lies in the spillage at the time the gasoline is being transmitted from the tanker to the underground service station tanks.

Mr. Arthur Smith, local attorney representing Forde Johnson, Ray Groth and John Boozer, appeared and protested the ordinance. He pointed out that any ordinance, to be of value, must constructively contribute to the health, welfare or safety of the people and that Ordinance No. 1032, in the opinion of his clients, by limiting gasoline haulage to 1800 gallons, does not add to the safety factor but, in fact, adds to the danger factor instead. He referred to the National Fire Protective Association who has said in a printed bulletin, that size of gasoline transporting units has little bearing on safety and that the larger truck, being built stronger and sturdier, can stand more impact and, thus, is safer than a smaller unit. There was then some general discussion between Mr. Smith and Mr. Barnard relative to the hazards of transporting gasoline vs. the hazards of unloading same.

Mr. George Petersen, local attorney representing Mr. Monte Bair, appeared and explained, by blackboard illustration, the compartment application in the large truck and trailer unit. He said that, under the new ordinance, it would take 4 ¼ trips, involving 10 ½ hours at a cost of \$190.00 for his client to transport to one service station the same amount of gas he now transports and unloads in 40 minutes. He pointed out, further, that his clients stations are on the main highway and that the I.C.C. permits the large tanker, even under the new ordinance, to travel these roadways. He said this would force Mr. Bair, with his large tanker, to pass immediately by his own stations to a point beyond the City limits or to a bulk plant and convert the large load into a series of small loads to service his own stations.

Mr. Don Pieper, local gas dealer, appeared and emphasized the fact that, in considering all facets of the ordinance and the problems it creates, the economic factors supersede the safety factors and that the ordinance favors one group over another.

Mr. Warren Wright, local gas dealer and operator of several small tank units, appeared in favor of the ordinance. He pointed out that, in his opinion, the small unit is safer from the standpoint

JUNE 28, 1962

---

of the amount of gasoline being transported at any given time and that they are just as safe as the large unit from the standpoint of safety control equipment while unloading.

Others appearing to protest the ordinance were Messrs. Forde Johnson, local gas dealer, Herman Longhurst of the Continental Oil Company and the Idaho Petroleum Association, Wayne Conrad, local gas dealer, John Boozer, local gas dealer, Ray Groth, local gas dealer.

Mr. Parley Gillen, Fire Chief, appeared and explained his position in recommending passage of the ordinance. He said it is a simple matter of being better able to cope with an 1800 gallon gasoline fire, in the event it were to occur, than involving 5 to 8 thousand gallons.

Councilman Creek spoke briefly and reminded all present that the petition with seven signers, previously referred to in this hearing, was not the motivating force which prompted the Council to pass the ordinance but, rather, the recommendation of the Fire Chief and the over-all safety of the City.

The Mayor concluded the hearing by thanking all those who appeared and said that all testimony and protests would be thoroughly studied, weighed and considered by the Council

Mr. Vaughn Woolf, 618 Gladstone, appeared before the Council, relating a rumor that a few palisades homes were to be moved in to his residential area. After some discussion it was generally agreed by the Mayor and Council that Building Official Harris would issue no moving permits of this nature without first conferring with the Council.

Mr. Reed Williams again appeared in the interests of certain City employees who had registered objection to having had one weeks salary allegedly withheld. Mr. Williams commented to the effect that this creates an economic hardship, especially to the lower paid employee. He asked that some remedial action be considered, if possible. The Mayor explained that this action was considered necessary to avoid salary payment to employees for work not performed at the time the payroll was prepared.

License applications for JUNK & SALVAGE DEALER (2<sup>nd</sup> half of year) for Joe Kushmider; PHOTOGRAPHER, J. J. Newberry; RESTAURANT, Iffi's Pizza; GROCERY STORE, Stillwell Milk Station; CANNED & BOTTLED BEER, TO BE CONSUMED ON THE PREMISES at Tautphaus Park for Sports Round Table, Inc. The RESTAURANT and GROCERY STORE applications had previously been approved by the City Sanitarian and the application for BEER license had previously been approved by the Police Chief. It was moved by Councilman Creek, seconded by Foote, that these licenses be approved. Roll call as follows: Ayes, 4; No, None; carried.

The following damage claims were presented:

David Park  
1265 North Boulevard  
Idaho Falls, Idaho

June 20, 1962

Honorable Mayor and City Council  
City of Idaho Falls  
Idaho Falls, Idaho

JUNE 28, 1962

---

Gentlemen:

On Friday, June 15<sup>th</sup>, sometime during the afternoon, the City Electric Light Department crews dropped a cross arm from an electric light pole on the right rear fender of my automobile denting the top and side of the fender and the right rear hub cap. The crews themselves did not make a report of this and upon my return from work my family advised me of what had happened. I called the Electric Light Department Friday evening and was advised that a report had been filed. However, I am unable to find out where the report was filed.

Today I was able to bring this to the attention of Mr. Brent Davis, Asst. Electrical Engineer, and was advised to make a report in writing of this incident.

I would appreciate your taking the necessary steps to have the damage to my automobile corrected.

Very truly yours,  
s/ David Park  
1265 North Boulevard  
Idaho Falls, Idaho

Idaho Falls, Idaho

June 26, 1962

Mayor O'Bryant:

I'm writing in reference to a fall I had at Basalt & Chamberlain on June 19, 1962. It cut my leg in 1 place and I got infection. I went to the doctor he gave me some medicine, he said if it wasn't better by Thursday he'd put me in the hospital.

I really think the City should pay the doctors bill.

In case you want to verify this letter the doctor is Doctor Joseph Hatch, of the Hatch Clinic.

Thank you,

Yours truly,  
s/ Mrs. (LaVon) Frandsen  
231 Hill Street

JUNE 28, 1962

---

It was moved by Councilman Leahy, seconded by Page, that these be referred to the City Insurance Carrier for investigation and recommendation. Roll call as follows: Ayes, 4; No, None; carried.

The following was read:

June 22, 1962

Morgan's Equipment, Inc.  
1155 N. Yellowstone Avenue  
Idaho Falls, Idaho

Attention: Mr. M.E. Picanco

RE: Our Assured: City of Idaho Falls  
Accident of: 11-21-61

Gentlemen:

We have received your letter of June 6, 1962, regarding an alleged claim which happened on November 21, 1961. In this letter, you state that a sanding truck threw a rock through your plat glass window. We were contacted by the City on December 19, 1961, however, no one in the City Street Department would verify the facts that the sanding trucks were operating on November 21, 1961.

Therefore, as there were no sanding trucks on duty on this date, it is our feeling that possibly the rock was flipped up by a truck's wheels. This would be considered a hazard of the road and there would be no negligence on the driver's part.

Under the above circumstances we have no alternative but to respectfully deny your claim, as we do not know the specific vehicle involved, and our City employees maintain it would have been impossible for one of the sanding trucks to do this damage.

Our only suggestion would be that possibly you could turn this claim over to your fire and glass insurance carrier. If they feel they have a legitimate claim against the City, they will then contact us with more information.

Thank you for bringing this matter to our attention.

Yours very truly,

s/ Robert M. Pierce  
Claims Adjustor, Idaho Falls Field Office

JUNE 28, 1962

---

It was moved by Councilman Creek, seconded by Leahy, that the recommendation be honored and the claim be denied. Roll call as follows: Ayes, 4; No, None; carried.

The following was read:

June 15, 1962

Mr. Roy Barnes, City Clerk  
City of Idaho Falls  
Idaho Falls, Idaho

RE: Accident of: May 9, 1962  
Claimant: J. H. Boozer Company

Dear Mr. Barnes:

We have completed our investigation of the claim submitted by the J. H. Boozer Company for damages to their cable hoist. You will recall all this property damage occurred when the City employees hooked up some three phase wires backwards, causing this hoist to go up instead of down.

This letter will advise you that we feel the City employees were responsible and settlement has been made with the J.H. Boozer Company.

Yours very truly,

GENERAL INSURANCE COMPANY OF AMERICA

s/ A. D. Connet  
Claims Adjuster, Idaho Falls Field Office

It was moved by Councilman Leahy, seconded by Creek, that the Council go on record as approving the claim settlement as described. Roll call as follows: Ayes, 4; No, None; carried.

Notation was made that, on June 26<sup>th</sup>, 1962, informal Council action had been taken to approve a farm lease in favor of Marvin Hutchings for a period of one year from April 1, 1962, with privilege or renewal, consideration of which was in the amount of \$100.00. The land in question was described as follows: That portion of Lot 6, Section 1, Township 2 North, Range 37 E.B.M. which lies Easterly of the Right-of-way of the Oregon Short Line Railroad, containing 19 acres, more or less.

It was moved by Councilman Leahy, seconded by Page, that this Council action in authorizing the Mayor and City Clerk to sign the instrument be duly ratified. Roll call as follows: Ayes, 4; No, None; carried.

JUNE 28, 1962

---

The City Clerk made reference to the minutes of the Board of Adjustments meeting, held June 26, 1962 and read the following excerpt from those minutes:

**FIRST PETITION:**

A petition was presented by Grant Ovard requesting a change of zone from R-1 to R-2 on Lots 4, 5 and 6, Block 32, of Crows Addition. The purpose of this request was to allow an apartment to be built in the basement of his single family dwelling at 482 8<sup>th</sup> Street. This petition was denied by the Board of Adjustment on February 13<sup>th</sup>, 1962, and was returned to the Adjustment Board by the Council on March 8, 1962, for further consideration. As Alex Creek and Grant Ovard were invited to attend the meeting but were not present, it was moved by Vincent Mullen that the petition be tabled until Mr. Ovard and Mr. Creek would be present. This was seconded by W. D. Miller and agreement was unanimous by the Board.

No Council action was considered necessary.

Next, from the same minutes, the following was read:

**SECOND PETITION:**

Richard Clayton and Dean Wackerli presented a petition requesting a change of zone from R-2 to R-3 on Lots 17, 18, and 19, Block 31, Capital Hill, to permit construction of an office building to be occupied by G.M.A.C. The motion was made by W. D. Miller and seconded by Vincent Mullen to grant this change and was unanimously approved by the Board.

It was moved by Councilman Foote, seconded by Leahy, that this be made the subject of a public hearing, to be held July 19, 1962. Roll call as follows: Ayes, 4; No, None; carried.

In light of the foregoing, the following was presented:

**NOTICE OF ZONING HEARING**

NOTICE IS HEREBY GIVEN, that a Meeting of the City Council of the City of Idaho Falls, Idaho, will be held in the Council Chambers in the City of Idaho Falls, Idaho, on Thursday, the 19<sup>th</sup> day of July, 1962, at 8:00 o'clock P.M. of said day, for the purpose of conducting a public hearing in relation to the zoning of all of the following described lands within said City of Idaho Falls, State of Idaho, to-wit:

Lots 17, 18, and 19, Block 31, Capital Hill Addition to the City of Idaho Falls, Bonneville County, Idaho.

JUNE 28, 1962

---

Following said hearing, any and all lawful zoning regulations, restrictions and district boundaries may be established within and upon any or all of said lands. At said hearing all parties in interest and citizens of Idaho Falls shall have an opportunity to be heard in relation to all matters pertaining to said zoning.

This notice is given pursuant to Section 50-404, Idaho Code.

s/ Roy C. Barnes  
City Clerk

It was moved by Councilman Foote, seconded by Page, that the City Clerk be authorized to publish. Roll call as follows: Ayes, 4; No, None; carried.

The following was read:

June 28, 1962

MEMORANDUM

TO: Mayor and City Council  
FROM: Kelvin J. Nelson, Superintendent of Parks and Recreation  
SUBJECT: MERIT RAISE

This Division respectfully requests Council approval of a merit raise for Mr. J. Kindrick Gates who is responsible for general maintenance at Kate Curley Park.

This is the second season of Mr. Gate's employment in the Parks Department. He was hired at a salary of \$200.00 monthly which is also his present rate. During the seasons of employment with the Division, Mr. Gates has demonstrated his dependability and alertness in maintaining this area to the best interests of the community and has presented himself well to the public at all times. He maintains approximately four acres of park grounds that include restrooms, playground equipment, picnic facilities, in addition to the usual turf, trees, and shrubs.

We submit that his salary should be comparable to the other temporary park employees.

Respectfully submitted,  
s/ Kelvin J. Nelson  
Supt. of Parks and Recreation

It was moved by Councilman Page, seconded by Leahy, that the recommendation be approved in the amount of \$230.00 per month, effective with the pay period beginning July 8<sup>th</sup>, 1962. Roll call as follows: Ayes, 4; No, None; carried.

JUNE 28, 1962

---

Next, from the Recreation Director this memorandum was read:

June 28, 1962

MEMORANDUM

TO: Mayor and City Council  
FROM: Kelvin J. Nelson, Supt. of Parks and Recreation  
SUBJECT: GROUNDS MAINTENANCE MAN

In the January request under personnel services in the Parks budget, this Division requested that two grounds maintenance men be hired for five months at a salary of \$200 a month. This request was not approved in the 1962 budget. We have found during the last two months that our baseball fields are generally in poor condition and constitute a hazard to the people playing on them. There have been one or two accidents as a result.

We therefore, request that the Mayor and Council give favorable consideration to the employment of one grounds keeper whose duties and responsibilities would be to maintain the some 25 ball diamonds that are part of the City's recreation program for the City of Idaho Falls.

If approved, the effective date of employment would be Monday, July 2.

Respectfully submitted,  
s/ Kelvin J. Nelson  
Supt. of Parks & Recreation

It was moved by Councilman Page, seconded by Leahy, that the recommendation be approved and that the salary be set at \$200.00 per month, effective July 2<sup>nd</sup>, 1962. Roll call as follows: Ayes, 4; No, None; carried.

Another memorandum from the Recreation Director was presented, as follows:

June 28, 1962

MEMORANDUM

TO: Mayor and City Council  
FROM: Kelvin J. Nelson, Supt. of Parks and Recreation  
SUBJECT: MILEAGE ALLOWANCE

JUNE 28, 1962

---

With the deletion of the present monthly mileage allowance and the change to an eight cents per mile allowance, this Division would like to make the following changes in practice:

1. We recommend that the ½ ton pickup presently on order for the Recreation Department be placed at the disposal of Mr. H. L. Jensen, Parks Supervisor. At the present time he is paid \$15.00 monthly allowance which is inadequate and at the same time he is required by the nature of his work to use his car as a truck for hauling mowing equipment, gasoline, hose, and other maintenance items in the trunk of his car. The allowance of eight cents per mile will not adequately reimburse Mr. Jensen for the depreciation of his automobile used in this matter. We, therefore request that the Mayor and Council give favorable consideration to transferring the new ½ ton truck on order to Mr. Jensen for use during the season.
2. With the deletion of the \$50 monthly transportation allowance for the Superintendent of Parks and Recreation and the subsequent change to eight cents per mile allowance, the Superintendent of Parks and Recreation respectfully requests that the Mayor and Council give favorable consideration toward providing suitable City transportation in lieu of the eight cents per mile allowance. The situation here is comparable to that of Mr. Jensen's previously mentioned, although the duties of this position require the services of a car much more than those of a pickup.

Respectfully submitted,  
s/ Kelvin J. Nelson  
Supt. of Parks and Recreation

It was moved by Councilman Page, seconded by Creek, that the Public Works Director select two of the City's better used units for temporary use by Mr. Jensen and Mr. Nelson. Roll call as follows: Ayes, 4; No, None; carried.

The memorandum was then read:

June 28, 1962

MEMORANDUM

To: Mayor and City Council  
FROM: Kelvin J. Nelson, Supt. of Parks and Recreation  
SUBJECT: PROBLEM OF VANDALISM

JUNE 28, 1962

---

With the problem of undesirable transients loitering in certain areas and with the incidence of vandals in certain other park areas, this Division requests that the Council give consideration toward deputizing responsible park employees as park patrolmen.

If approved, we feel that the person or persons given this responsibility should be of good health, strength and agility, absolute honesty, resourcefulness, tact, good address, and able to follow direction and work harmoniously with others. The regular duties would be: Under supervision of the Chief of Police to patrol assigned areas; to courteously direct users of parks to proper area or facility; to direct traffic and properly park cars; to give first aid and summon medical aid when necessary whenever possible to assist Park Foreman and workers in preparation of facilities and equipment for groups use; to note any infractions of park regulations; to arrest offenders if deemed necessary; to make reports to his Chief of all accidents or irregularities as instructed; whenever possible (if it does not interfere with other duties) to keep grounds clear of rubbish and aid in cleaning tables, fireplaces, etc., and to perform any other related duties as directed.

We should also like to take this opportunity to compliment Mr. Grover Bennett and the Building Maintenance Department for the excellent preventative maintenance procedures and immediate repair. His work has proven a strong bulwark against vandalism problems. We feel that where vandals are apprehended, restitution is important – whether it be provided in work or money by the vandals, or money by the parents. Further, we feel that in patrolling these areas they should be well lighted with modern “vandal proof” lighting equipment.

We would also like to compliment Mr. Harold Davis and the Electrical Department for the example provided by re-lamping Kate Curley Park.

Respectfully submitted,  
s/ Kelvin J. Nelson  
Supt. of Parks and Recreation

It was moved by Councilman Page, seconded by Leahy, that the Recreational Director be authorized to work with the Chief of Police to correct the problems as described as pertains to vandalism by deputizing certain responsible Park employees, this to be done on a trial basis and using every discretion. Roll call as follows: Ayes, 4; No, None; carried.

Finally, the Recreation Director presented a rather involved memorandum proposing certain cooperative agreement procedures between the City and the School District, relative to lands adjacent to schools to be used jointly by both agencies as parks or recreation areas. This was tabled for study and consideration.

The Mayor drew attention to the fact that Mr. Mel Brown owns certain improved property, part of which is outside the City. It was generally agreed that his entire property should be annexed into the City.

JUNE 28, 1962

---

The Bessie Jones property, previously the subject of discussion in a Council Meeting, was again reviewed. Her property, near the Interstate Highway, according to the Mayor, has now become entirely inaccessible, due to a high fence recently installed by the Highway Department. It was noted that there exists an unimproved easement right-of-way. It was agreed by the Council that this should be opened up for travel.

ORDINANCE NO.

AN ORDINANCE PROHIBITING THE THROWING OR DEPOSITING OF LITTER IN PUBLIC PLACES IN THE CITY OF IDAHO FALLS; REGULATING THE DISTRIBUTION OF COMMERCIAL AND NON-COMMERCIAL HANDBILLS; CONTROLLING THE DEPOSITING OF LITTER ON PRIVATE PREMISES; PROVIDING A LIEN FOR CITY CLEANUP; PRESCRIBING PENALTIES FOR THE VIOLATIONS OF ITS PROVISIONS; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

The foregoing ordinance was presented in title. It was moved by Councilman Foote, seconded by Leahy, that this ordinance be passed on its first reading. Roll call as follows: Ayes, 4; No, None; carried.

ORDINANCE NO.

AN ORDINANCE PROVIDING FOR THE ESTABLISHMENT OF A SANITARY SYSTEM FOR THE DISPOSAL OF WASTE, REFUSE, AND OTHER DEBRIS FROM THE CITY OF IDAHO FALLS; PROVIDING REGULATIONS GOVERNING THE ACCUMULATION, TEMPORARY CARE, REMOVAL AND DISPOSAL THEREOF; PROVIDING FOR THE ASSESSMENT AND COLLECTION OF FEES FOR THE OPERATION OF SUCH SYSTEM; PROVIDING FOR PENALTIES FOR THE VIOLATION OF SAID ORDINANCE; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH.

The foregoing ordinance was presented in title. It was moved by Councilman Page, seconded by Leahy, that this ordinance be passed on its first reading. Roll call as follows: Ayes, 4; No, None; carried.

The Mayor drew attention to the fact that the telephone console, from whence all incoming phone calls are directed to the proper extensions by the operator, has been operated by the Fire Department after 5:00 P.M. weekdays, weekends and holidays and that there are several good

JUNE 28, 1962

---

reasons why this responsibility should be given to the Police Department. He noted further that this can be done for an expenditure of \$40.00. To this the Council agreed.

The Mayor relayed a report from Gas Inspector Isenhart that all gas lines within the City have recently been tested.

The Mayor reported that bids will be received July 6<sup>th</sup> for construction on the widening of the Broadway Bridge and that work will commence about a week thereafter.

Councilman Creek drew attention to the fact that the Texaco Company had been billed \$165.72 by the City for installing two electric utility poles to provide sufficient clearance for a sign for a new Texaco Service Station on the West Highway. He explained that the building permit had been obtained from the City in good faith at which time the building plans were approved and after which the sign was ordered. In view of the circumstances, it was moved by Councilman Leahy, seconded by Page, that this be charged off and that collection effort cease. Roll call as follows: Creek, abstained; Foote, Aye; Page, Aye; Leahy, Aye.

On Motion of Councilman Creek, seconded by Councilman Page; the following resolution was adopted by the unanimous vote of the Council and the Mayor.

**RESOLUTION (Resolution No. 1962-06)**

“Resolved that the actual value of the real property included in proposed Local Improvement District No. 28 is \$2,427,608.00; that the actual value of the real property included in said district, exclusive of the improvements therein, is \$485,521.60; that certain protests against portions of the proposed work have been made by the owners of less than two-thirds of the abutting, adjoining, contiguous and adjacent lots and lands within such proposed improvement district; that each and all of said protests have been carefully considered; that certain property is included within said district which should not be assessed to pay the costs and expenses of such improvement and that portions of such improvements should not be made and that the same may be eliminated from the district; that the creation of said district is proper, and the district, after such portions are eliminated there-from, will be for the best interests of the property affected and the City of Idaho Falls, Idaho; that there is reasonable probability that the obligations of said district, as modified, will be paid; that the resolution of intention passed by the City Council and approved by the Mayor on the 8<sup>th</sup> day of May, 1962, shall be, and the same hereby is, amended and modified as to the streets and parts of streets, alleys and parts of alleys and lots and lands to be included within said local improvement district to read as follows: to-wit:

**STREET PAVING**

Cascade Drive, in Falls Valley, Subdivision No. 4, from the North property line of First Street a distance of 552 feet in a northerly direction.

JUNE 28, 1962

---

The alley running in an East-West direction through Block 2, Safstrom Addition, Division No. 1.

The alley running in an East-West direction through Block 17, Scotts Addition.

Flora Circle, running South 185 feet from the South property line of Eighth Street, in First Amended Plat of Blackburn Addition.

Twenty-fifth Street, in Brodbeck Addition, running 475 feet East from the East property line of Higbee Avenue.

In Edgewater Avenue, from the North property line of I Street to the South property line of J Street, in Edgewater Heights Addition.

The alley running in a Easterly-Westerly direction through Block 6, Edgewater Heights Addition.

In North Boulevard Avenue, from the North property line of Shelley Street to the South property line of Crowley Street, in Highland Park Addition.

The alley running in a Northwesterly-Southeasterly direction through Block 14, Holmes Subdivision, from the Easterly property line of Capital Avenue to the Westerly property line of Park Avenue.

In South Boulevard, from the North property line of Morningside Drive to the South property line of Lot 7 of Block 2, Hughes Imperial Estates Addition, Division No. 1.

In Lincoln Drive, from the North property line of Ninth Street to the South property line of Russet Street, in First Amended Plat of Linden Park Addition, Division No. 1.

The alley running in an Easterly-Westerly direction through Block 6, from the Easterly property line of Chamberlain Avenue to the Westerly property line of Oneida Avenue, in Original Town site of Idaho Falls.

The alley running in a Northwest-Southeast direction through Block 11, from the Easterly property line of Capital Avenue to the Westerly property line of Park Avenue, Railroad Addition.

In North Boulevard from the North property line of Shelley Street to the South property line of Rappleye Addition, in Section 18, Township 2 North, Range 38, E.B.M.

JUNE 28, 1962

---

In the alley running East-West between 7<sup>th</sup> Street and 8<sup>th</sup> Street from the East property line of Cranmer Avenue to the West property line of Wabash Avenue, in Section 20, Township 2 North, Range 38, East of the Boise Meridian.

Azalea Street from the East property line of Edgemont Gardens Addition to the West property line of University Manor Addition, in Section 29, Township 2 North, Range 38, E.B.M.

Twenty-first Street, from the East property line of Edgemont Gardens Addition to the West property line of University Manor Addition, in Section 29, Township 2 North, Range 38, E.B.M.

Twenty-fifth Street, from the East property line of Higbee Avenue a distance of 475 feet East, in Section 30, Township 2 North, Range 38, E.B.M.

### SIDEWALKS

On Flora Circle, from the Northwest corner of Lot 14, Block 1, South around circle to a point approximately 25 feet Northeast of the Southeast corner of Lot 4, in said Block 1, First Amended Plat of Blackburn Addition.

On Edgewater Avenue, from the Northeast corner of Lot 20, Block 6, to the Northeast corner of Lot 1, Block 6, Edgewater Heights Addition.

On North Boulevard, on the West side of the Street, from the Southeast corner of Lot 1, Block 54, to the South property line of Crowley Street, Highland Park Addition.

On Lincoln Drive, from the Southwest corner of Lot 31, Block 5, North to the South property line of Russet Street, in First Amended Plat of Linden Park Addition, Division No. 1.

On Ninth Street, from the Southeast corner of Lot 31, Block 5, West of the East line of Lincoln Drive, in First Amended Plat of Linden Park Addition, Division No. 1.

On the South side of Azalea Street from the Northwest corner of Lot 1, Block 6, University Manor Addition, running West 318 feet, all in Section 29, Township 2 North, Range 38, E.B.M.

On the North side of Twenty-first Street from the Southeast corner of Lot 7, Block 5, Edgemont Gardens Addition to the Southwest corner of Lot 16, Block 6, University Manor Addition, in Section 29, Township 2 North, Range 38, E.B.M.

JUNE 28, 1962

---

On the South side of Twenty-fifth Street from a point approximately 165 feet East of the East line of Higbee Avenue East for a distance of 310 feet, in Section 30, Township 2 North, Range 38, E.B.M.

The lots and lands to be assessed to cover the cost of said district and the improvements to be made there under are as follows:

Lot 10 of Block 2, and Lots 1, 2, and 3 of Block 8, Falls Valley Subdivision No. 4.

Lots 4, 6, 10, 11, 12 and 14, of Block 1, First Amended Plat of Blackburn Addition.

Lots 23 to 41, inclusive, of Block 32, Brodbeck Addition.

Lots 1 to 20, inclusive, of Block 6, Edgewater Heights Addition.

Lots 1 to 18, inclusive, of Block 14, Holmes Subdivision.

Lots 1 to 7, inclusive, of Block 2, Hughes Imperial Estates, Division No. 1.

Lot 11 of Block 1, the Easterly 125 feet of Lots 12 and 13, inclusive, and Lot 31, of Block 5, of the First Amended Plat of Linden Park, Division No. 1.

Lots 1 to 32, inclusive, of Block 6, of the Original Town site.

Lots 1 to 12, inclusive, of Block 11, of Railroad Addition.

Lots 11 to 20, inclusive, of Block 2, Safstrom Addition.

Lots 1 to 20, inclusive, of Block 17, Scotts Addition.

The land lying East of North Boulevard Avenue to a depth of 125 feet, extending from the North property line of Shelley Street to the South property line of Rappleye Addition, in Section 18, Township 2 North, Range 38, E.B.M.

The land lying South of Seventh Street to a depth of 125 feet, extending from the East property line of Cranmer Avenue to the West property line of Wabash Avenue, in Section 20, Township 2 North, Range 38, E.B.M.

The land lying North of Azalea Street to a depth of 125 feet, extending from the East property line of Edgemont Gardens Addition to the West property line of University Manor Addition, in Section 29, Township 2 North, Range 38, E.B.M.

JUNE 28, 1962

---

The land lying North of Twenty-first Street to a depth of 125 feet, extending from the East property line of Edgemont Gardens Addition, to the West Property line of University Manor Addition, in Section 29, Township 2 North, Range 38, E.B.M.

The land lying South of Twenty-fifth Street to a depth of 125 feet, extending from the East property line of Higbee Avenue, in an Easterly direction to the canal right-of-way, in Section 30, Township 2 North, Range 38, E.B.M.

Lots 1 to 24, inclusive, of Block 54, Highland Park Addition.

The land lying South of Azalea Street to a depth of 125 feet, extending from the East property line of Edgemont Gardens Addition to the West property line of University Manor Addition, in Section 29, Township 2 North, Range 38, E.B.M.

**ORDINANCE NO. 1034**

AN ORDINANCE CREATING LOCAL IMPROVEMENT DISTRICT NO. 28 OF THE CITY OF IDAHO FALLS, IDAHO; PROVIDING THAT THE PURPOSE OF SAID DISTRICT IS TO PROVIDE PAVING, CURBING, GUTTERS, AND SIDEWALKS ON CERTAIN STREETS OR ALLEYS WITHIN SAID DISTRICT; PROVIDING THAT SUCH IMPROVEMENTS SHALL BE MADE AND THE COST AND EXPENSES THEREOF AND OF SAID DISTRICT SHALL BE TAXED AND ASSESSED AGAINST ALL PROPERTY IN SAID DISTRICT BENEFITED BY SAID IMPROVEMENTS IN PROPORTION TO THE NUMBER OF SQUARE FEET OF SUCH LOTS AND LANDS ABUTTING, ADJOINING, CONTIGUOUS AND ADJACENT THERETO INCLUDED IN THE IMPROVEMENT DISTRICT FORMED AND IN PROPORTION TO THE BENEFITS OF SUCH PROPERTY BY THE SAID IMPROVEMENTS, EXCEPT SUCH PROPORTION OF SAID COST AS MAY BE BORNE BY THE CITY OF IDAHO FALLS; PROVIDING FOR THE AMOUNT TO BE CONTRIBUTED TO SAID DISTRICT, BY THE CITY OF IDAHO FALLS FOR THE MAKING OF SAID IMPROVEMENTS WITHIN INTERSECTIONS AND FOR OTHER CITY PURPOSES; FIXING THE POINTS BETWEEN WHICH SAID PAVING, CURBING, GUTTER AND SIDEWALKS ARE TO BE PLACED; SPECIFYING AND DESCRIBING THE LOTS AND LANDS WITH SAID DISTRICT WHICH ARE TO BE ASSESSED FOR SAID IMPROVEMENTS; AND PROVIDING FURTHER, THAT THE MAKING OF SAID IMPROVEMENTS IS DEPENDENT UPON THE ISSUANCE AND SALE OF LOCAL IMPROVEMENT

JUNE 28, 1962

---

BONDS OF SAID DISTRICT TO DEFRAID THE COST OF SAID IMPROVEMENT.

The foregoing Ordinance was presented in title. It was moved by Councilman Foote, 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.

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

ATTEST: s/ Roy C. Barnes  
CITY CLERK

s/ W. J. O'Bryant  
MAYOR

\*\*\*\*\*