

MAY 28, 1962

The City Council of the City of Idaho Falls met in Recessed Regular Session Monday, May 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 Leahy, Page, Creek. Absent: Councilman Foote. Also present: Roy C. Barnes, City Clerk; George Barnard, City Attorney; Luther Jenkins, Controller; Don Ellsworth, City Engineer; Harold Davis, Electrical Engineer; Alva Harris, Building Official.

Minutes of the last recessed Regular Meeting, held May 8th, 1962, were read and approved.

The Mayor announced that this was the time and the place for a public protest hearing, as advertised, relative to the establishment of Local Improvement District #29.

The City Engineer was invited by the Mayor to explain and otherwise comment on the District. It was pointed out, after describing the District's area and boundaries by map, that the main lines are necessary and construction costs are estimated at \$98,000; Engineering, legal, advertising, etc., is estimated at \$20,000 for a total cost of \$118,000. Deducted from this amount to arrive at a net amount of \$79,100 to be raised by assessment is the following: City's share of construction costs, \$25,000; City's share of assessments, \$5,500; City's assessment cost because of certain properties excluded from the District, \$8,400.00.

There was some discussion on the latter expenditure. It was explained that any properties in the immediate area not annexed nor included in the District would not be entitled to City services and when any such areas were annexed, the owners would be expected to pay an amount equivalent to what his assessment would now be.

The City Clerk was directed by the Mayor to present all written protests, as follows:

PROTEST TO PROPOSED SPECIAL IMPROVEMENT DISTRICT 29

HONORABLE MAYOR AND CITY COUNCIL
Idaho Falls, Idaho

Gentlemen:

On behalf of PAUL D. DEMORDAUNT and HUGH DRENNEN, a co-partnership, doing business as DeMordaunt & Drennen, the undersigned hereby submits a written protest for the proposed inclusion within Special Improvement District 29 of a portion of that certain acreage being purchased under a contract of sale from Motor-Vu, Inc., a corporation, as "Vendor", and DeMordaunt & Drennen as "Vendees", said property being situate in the County of Bonneville, and particularly described as follows, to-wit:

Beginning at a point which is 911.0 feet South 0° 39' East and 1040.4 feet North 50° 45' East of the Northwest corner of the Southwest Quarter of the Southeast Quarter (SW ¼ SE ¼) of Section Eight (8), Township Two (2) North, Range Thirty-eight (38), East of the Boise Meridian; thence North 23° 54' West a distance of 859.2 feet; thence North 66° 06' East a distance of 538 feet to the property line, thence South 68° 30' East a distance of 65 feet, thence South 23° 54' East a distance of 626.4 feet to center line of highway;

MAY 28, 1962

thence South 50° 45' West along the center line of said highway a distance of 623.49 feet, more or less, to the point of beginning.

In support of the undersigned's protest for including a portion of the above described property in proposed Improvement District 29, the partnership hereby submits on behalf of itself, the following reasons for excluding said property:

1. That the annexation of that certain portion of the property described recently annexed by the City in Ordinance No. 1027 is void in that said ordinance attempted to annex a portion of the partnership's property within the City limits of Idaho Falls, which annexed portion was taken from a tract of land in excess of 5 acres, but is in fact a tract of 7.9 acres; that said tract has not been laid off, subdivided, or platted by said partnership into lots or blocks containing not less than five acres; that therefore said tract or any portion thereof does not qualify for annexation under the provisions of the statutes of the State of Idaho.

2. That the undersigned partnership has expended the sum of \$3,600.00 in the past two years for the purpose of providing the above property with adequate well facilities and a sufficient water system to take care of the needs of the partnership in its outdoor movie operation within the foreseeable future.

3. That the proposed line would extend over the entire frontage of 623.49 feet of the partnership and stub off at the Northeast boundary line of the above described property, said line being of no value or use to any of the properties Northeast of the partnership's Northeast boundary line.

4. That at the present time the above described property is principally being used as an outdoor drive-in movie theatre; and, therefore, the need of a large water supply as would be available from the improvements of the proposed Improvement District 29 is of no economical value to the undersigned.

5. That the partnership has a considerable investment in its outdoor movie plant; and, therefore, it does not appear that the above described property will be used for any other purpose within the foreseeable future.

6. That the equities of the proposed district would not balance the undue economical hardship suffered by the partnership in comparison with any public benefit that might come from including the above property in the proposed Improvement District 29.

Respectfully submitted,
DEMORDAUNT & DRENNEN,
a Co-partnership
By s/ Hugh Drennen, Partner

MAY 28, 1962

PROTEST TO PROPOSED SPECIAL IMPROVEMENT DISTRICT 29

HONORABLE MAYOR AND CITY COUNCIL
Idaho Falls, Idaho

Gentlemen:

On behalf of KEN GARFF SALES, INC., a corporation qualified to do business in the State of Idaho, the undersigned local manager of said corporation hereby submits a written protest against the proposed inclusion within special Improvement District 29 of a portion of that certain acreage being purchased under a contract of sale with OSCAR JOHNSON, as Vendor", and KEN GARFF SALES, INC., as "Vendee", said property being situate in the County of Bonneville, and particularly described as follows, to-wit:

That tract of land beginning at a point which is 877.0 feet East and 41.5 feet North of the Southwest corner of the Southeast Quarter (SE ¼) of Section Eight (8), Township Two (2) North, Range Thirty-eight (38), East of the Boise Meridian, County of Bonneville, State of Idaho; thence running North 2° 12' West a distance of 970.3 feet, more or less, to the Southerly right of way line of U.S. Highway No. 191; thence North 51° 20' East with said right of way line a distance of 602.9 feet; thence South 5° 50' West 172.2 feet; thence South 67° 45' West 557.9 feet; thence South 2° 12' East 344.4 feet; thence West 20.0 feet, more or less to the point of beginning containing a calculated area of 9.4 acres, more or less.

In support of the undersigned's protest for including a portion of the above described property in proposed Improvement District 29, the undersigned hereby submits on behalf of Ken Garff Sales, Inc., the following:

1. That the annexation of that certain portion of the property described recently annexed by the City in Ordinance No. 1027 is void in that said ordinance attempted to annex a portion of the corporation's property within the City limits of Idaho Falls, which annexed portion was taken from a tract of land in excess of 5 acres, and is in fact a tract of 9.4 acres; that said tract has not been laid off, subdivided, or platted by said corporation into lots or blocks containing not less than five acres; that therefore said tract or any portion thereof does not qualify for annexation under the provisions of the statutes of the State of Idaho.
2. That the proposed line would extend over the entire frontage of 602.9 feet of the property and stub off at the Northeast boundary line of the above described property, said line being of no value or use to any of the properties Northeast of the corporation's Northeast boundary line.

MAY 28, 1962

3. That the said Ken Garff Sales, Inc. uses said described property merely for the storage of vacant trailer house units and has one warehouse structure located thereon for temporary storage of dry goods, and therefore has no present or foreseeable need for the water facilities proposed in said ordinance.

4. That without sewage facilities accompanying said proposed water facilities, it would be economically unfeasible to, and Ken Garff Sales, Inc. has no present intention of engaging in any other commercial use of said premises than same are now used for; and that as a consequence, the need for a large water supply as would be available from the improvements of the proposed Improvement District 29 is of no economic value to Ken Garff Sales, Inc.

5. That because the present and foreseeable use of said premises by Ken Garff Sales, Inc. is of a non-income producing nature, said premises would not economically sustain and pay for the assessment burden proposed by the aforementioned ordinance.

6. That the advantages of the proposed District would not balance the undue economical hardship suffered by Ken Garff Sales, Inc., in comparison with any public benefit that might come from including the above property in the proposed special Improvement District 29.

Respectfully submitted,
KEN GARFF SALES, INC.
A Corporation,
By: s/ J. I. McBroom
Idaho Falls Manager

May 28, 1962
RE: LID No. 29

Gentlemen:

We wish to protest the assessment against the following property for the reason stated below:

Beginning at a point that is 20 feet North of the Southeast corner of the Southwest Quarter of the Southwest Quarter of Section 8, Township Two (2) North, Range 38, E.B.M., and running thence North 200 feet, thence East 100 feet; thence South 200 feet; thence East 100 feet; thence South 200 feet; thence West 100 feet; to the point of beginning.

At the time we were taken into the City we paid approximately \$1,600.00 to extend the 6 inch main from the Southeast corner of the Sears Roebuck building to the Anderson Street right-of-

MAY 28, 1962

way. At this time we were assured by the City that we would have no further water assessment in the future.

Very truly yours,
s/ Charlotte S. Watson
Hilltop Reality Co.

C17, E. Anderson Street
Idaho Falls, Idaho
May 26, 1962

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

Dear Mr. Barnes:

This is to notify you that I am protesting the establishment of Local Improvement District No. 29 in the City of Idaho Falls for the following reasons:

The part of my property that runs along East Anderson Street is a piece of my 32 acre farm that I am still farming and there is no building program or such as that planned for it.

In the May 9, 1962 Post Register I read an article saying that the property of Joseph A. Phillipp was being annexed to the City of Idaho Falls which is the only notice I had to that effect. Then on May 18, 1962, I received the Notice of Improvement District No. 29 which does not mention annexing my property but lists certain improvements you want to put along E. Anderson Street. I have not been contacted or notified that the City wants to annex my property, but in case that is what is planned, I do not desire to have my property in the City as the cost of the improvements including water lines now, and later sewers, curbing and widening of the Street etc. would cost more than my property is worth.

Two years ago the City asked me to give 200 feet so that they could have the necessary ground to widen the street. I deeded the 20 feet to the City at no cost to them.

As long as I have no building program or business of any kind on my property and my land is used strictly for agricultural purposes I am protesting the Improvement District and being annexed to the City. I hope you will give this protest your favorable consideration.

Respectfully submitted,
s/ Joseph A. Phillipp

MAY 28, 1962

May 28, 1962

To the Honorable Mayor and City Council
City Building
Idaho Falls, Idaho

Gentlemen:

The undersigned, Joe Aldana and Frances Aldana, his wife, the owners of the following described real property, situated in the County of Bonneville, State of Idaho, to-wit:

Beginning at the Quarter corner common to Sections Eight (8) and Seventeen (17), in Township Two (2) North, Range Thirty Eight (38), E.B.M., and running thence North 400 feet along the center line of Section Eight (8) to the intersection of said line with the Yellowstone Highway; thence South 51° 50' West 640 feet along the Highway to the intersection with the South line of Section Eight (8), thence South 89° 14' East 502 feet along said South line of Section Eight (8) to the point of beginning, all being in the southeast Quarter of the Southwest Quarter (SE ¼ SW ¼) of Section (8), Township Two (2) North, Range Thirty Eight (38), East Boise Meridian,

protest the inclusion of said lands in Local Improvement District No. 29 of the City of Idaho Falls, Idaho, for the following reasons:

1. We have a good, adequate and sufficient water supply from our own well.
2. The estimated total assessment of \$2,373.00 is oppressive, and greatly disproportionate to the benefit that might be received from the inclusion of our property in Local Improvement District No. 29.
3. Our property is not within the corporate limits of the City of Idaho Falls, Idaho.

Respectfully submitted,
s/ Joe Aldana
s/ Francis Aldana

Verbal protests were then invited.

Mr. Ira Holley appeared and explained that he was representing both the Hollywood Bowl and the Holley Real Estate Company and that in the interest of both, wished to protest the establishment of the District.

MAY 28, 1962

Mr. Glen Harvey, representing the Western Livestock Transportation Company, appeared and registered a similar protest.

Mr. George Petersen, local attorney, appeared on behalf of his clients, Messrs. Paul DeMordaunt and Hugh Drennen, also present to elucidate on the written protest, previously presented. He pointed out that, in his opinion, the ordinance annexing the Motor Vu property was void, insofar as it pertained to that portion of the annexed properties and cited a Supreme Court case to substantiate his position. He further explained how and why the annexation, the district or the water service would not benefit the property in question.

A question was asked by one of the Councilmen about fire protection. Mr. Peterson said that the danger of fire was not a major hazard and that the property would still have the benefit of the County fire truck.

Mr. DeMordaunt appeared and explained further that, even in the event the annexation were legal and remained, the property most susceptible to fire, namely the projection booth and refreshment stand, were not in the portion of the property which was annexed.

Mr. Reed Moss, local attorney, appeared in behalf of his client, Ken Garff Sales Inc., local manager of which was also present, and elucidated on the written protest, presented earlier, covering and emphasizing most of the same points of issue as did Mr. Petersen.

Mr. Roy Hall appeared and drew attention to the written protest of the Hilltop Realty & Insurance, presented earlier, verbally correcting same by saying that it was an 8" line instead of 6" that was extended to their property from the Sears Roebuck Buildings.

Hearing no more protests, it was moved by Councilman Creek, seconded by Page, that all protests, written and verbal, be referred to the City Engineer and the City Attorney for study and recommendation. Roll call as follows: Ayes, 3; No, None; carried.

Messrs. Hubert Barlow and Ken Slusser, Jr., appeared before the Council proposing a project which would be sponsored by their organization and perhaps aided by others, whereby funds would be raised for the complete lighting of the Falls, including under water, providing the City would agree to maintain them and furnish electric service. Mr. Barlow acted as spokesman. He emphasized the fact that this could be a major tourist attraction. He explained that this would probably be accomplished over a five year period and asked that the Engineering Department provide them with a topography map.

The proposition met with general Council approval, although they were told that, due to seasonal work load plus the relatively high water, the map would probably not be prepared until the winter months.

Mrs. Lillian Harvey appeared before the Council and presented a petition with 29 signers, all Boise Avenue residents, asking that the City give consideration to the paving of that street. It was explained to her that present plans call for the street to be included in the next paving district in 1963.

Mr. Eldon Harker of the Equitable Life Assurance Society appeared before the Council and presented the City with a check in the amount of \$2,522.21 representing a dividend on the group life insurance policy. The Mayor thanked Mr. Harker on behalf of the City for appearing in this regard.

License application for JOURNEYMAN ELECTRICIAN for William D. Webb was presented. It was moved by Councilman Leahy, seconded by Creek, that this license be granted, subject to the approval of the Electrical Inspector. Roll call as follows: Ayes, 3; No, None; carried.

MAY 28, 1962

License applications for CAB DRIVER for Frederick W. Martindale; HOTEL, New Porter Hotel; CANNED AND BOTTLED BEER TO BE CONSUMED OF THE PREMISES (Transfer of ownership only) for Edward DeJulis of Jack's Chicken Inn; RETAIL LIQUOR (Transfer of ownership only) for Edward DeJulis of Jack's Chicken Inn; were then presented. It was moved by Councilman Page, seconded by Creek, that these licenses be granted, subject to the approval of the Chief of Police. Roll call as follows: Ayes, 3; No, None; carried.

The following damage claim was presented:

May 22, 1962

Mr. Roy C. Barnes, City Clerk
P.O. Box 220
Idaho Falls, Idaho

Dear Mr. Barnes:

On or about May 9th past your electric light and power crew were working on some power lines changing poles, transformers, etc. in the process they crossed some wires which reversed one of the motors on our hoist which had a car on it at the time. The station attendant pushed the switch to lower the hoist but the motor being reversed, the hoist went up instead of down and before he could shut off the motor the cable broke, dropping the car and damaging the hoist to the extend of \$62.22.

Will you kindly run this through the proper channels and see that we are reimbursed for this damage.

Yours very truly,
s/ J. H. Boozer

It was moved by Councilman Leahy, seconded by Page, that this be referred to the City Insurance Carrier for investigation and recommendation. Roll call as follows: Ayes, 3; No, None; carried.

An agreement was presented between the City and Bonneville County, covering the acquisition of gravel material. It was noted that under the agreement the City would agree to purchase from the County 10,000 tons of ¾" crushed rock from the Skyline Drive site at \$1.05 per ton; 10,000 tons from the pit site at 70¢ per ton; that the City would agree further to pay a 3¢ royalty per ton and costs of inspection and weighing.

Memorandum from Public Works Director regarding the above mentioned County Agreement on gravel material was then presented. It was moved by Councilman Leahy, seconded by Creek, that the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 3; No, None; carried.

A Municipal Audit Contract was presented, covering auditing services by Burnett & Humphreys, on an hourly basis, from May 1st, 1961 to December 31, 1961, to be completed July 31, 1962. It was noted that this had been informally approved at an earlier meeting May 23rd. It was

MAY 28, 1962

moved by Councilman Page, seconded by Leahy, that the Council's action in this regard be duly ratified. Roll call as follows: Ayes, 3; No, None; carried.

Also in need of ratification, having been informally approved May 23rd, 1962, was an agreement between the Idaho Aviation Center and L.C. McCarly covering an aerial spraying business. It was moved by Councilman Creek, seconded by Page, that Council approval on this agreement be duly ratified. Roll call as follows: Ayes, 3; No, None; carried.

An annual renewal agreement was presented which would provide for the continuation of a cooperative health program with the following participating to the degree as stated: Bonneville County \$29,939.00, City of Idaho Falls \$12,500.00, State Health Department \$17,000.00 for a total of \$59,439.00. It was moved by Councilman Page, seconded by Leahy, that the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 3; No, None; carried.

The following was presented from the Electrical Engineer:

May 18, 1962

To the Honorable Mayor and City Council
Idaho Falls, Idaho

Gentlemen:

This letter is written as an addendum to my letter dated May 8, 1962, regarding the appointment of certain persons to the General Apprentice Committee.

It is recommended that the following persons be considered by the Mayor and Council for appointment to that Committee: Messrs. Harold W. Davis; Roy C. Barnes; Ray Moore; Chuck Bateman; and Boyd Beckett.

This will allow the Council to choose those three persons whom they feel qualified to serve. Each of these persons has indicated his availability to serve on this Committee if appointed by the Mayor and Council.

It is requested further, that these persons be notified of their appointment in writing as soon as possible so that this Committee can commence to function.

Respectfully submitted,
s/ Harold W. Davis
City Electrical Engineer

cc: Mayor W. J. O'Bryant
Mr. Alex Creek
Mr. Phil Leahy
Mr. Don Foote
Mr. Karl Page

MAY 28, 1962

It was moved by Councilman Leahy, seconded by Creek, that the Committee be created and that all five members recommended by the Electrical Engineer be selected to act as Committeemen. Roll call as follow: Ayes, 3; No, None; carried.

The Mayor explained that Mr. Leo Higham, Chairman of the Chamber of Commerce Committee for Christmas decorations, had recently contacted him to determine whether or not the City would, again this year, install and take down the Christmas decorations and provide electric service for same. Mr. Higham had pointed out that the Chamber has nothing in its budget for this project. After some discussion this was tabled for one week.

The following proposal was presented, covering a preliminary study of the 17th Street river crossing as follows:

May 9, 1962

Mr. Donald F. Lloyd, P.E.
Public Works Director
City of Idaho Falls

and

Mr. J. E. Painter, P.E.
County Engineer
Bonneville County
Idaho Falls, Idaho

RE: Proposed 17th Street River Bridge and Connecting Roadways

Gentlemen:

In response to Mr. Lloyd's letter of May 4, 1962, we are pleased to submit the following proposal for making preliminary engineering studies and estimates for the extension of 17th Street westward from U.S. Highway 191 across the Snake River to a connection with the South Utah Avenue - Interstate Overpass structure. Our services will include the following:

1. A review of the traffic volumes as projected by the State Highway Department and any updating of this information that may be required.
2. A review of the State Highway Department's plans in connection with their proposed improvement of U.S. Highway 91 in the vicinity of the 17th Street railroad underpass.

MAY 28, 1962

3. A review of the State Highway Department's proposed plans for the construction of Interstate Highway 15 in the vicinity of the proposed South Utah Avenue grade separation structure.
4. Preliminary studies and layouts for the junction of the 17th Street extension and preliminary drawings depicting the alignment selected.
5. Preliminary studies and layouts for the junction of the 17th Street extension with U.S. Highway 91, including layouts of any channelization that may be required and correlation of this design feature with the State Highway Department.
6. Preliminary profile of the entire project.
7. Supervision of preliminary foundation investigations for the proposed river bridge.
8. Preliminary layouts and sketches of two or more bridges proposed for the Snake River crossing.
9. Preliminary construction cost estimates of the proposed roadway and structure, including alternates.
10. Preparation of a preliminary report, including information collected in the accomplishment of the above outlined services and recommendations as to which alternate should be constructed.

Our fee for supplying the above outlined services would be \$1,740.00, lump sum, payable on completion of the report. We estimate that we could begin work on this project within ten (10) days after receiving notice to proceed and would have it completed within forty-five (45) days from the date of notice to proceed.

The above quotation is based on the assumption that we will have no field work to do other than that required in the supervision of foundation investigational work. We presume that you would be able to supply us with a large scale map of the area and an approximate field profile of the route selected. If the workload is your Department is such that you would be unable to supply this field information, we would proposed to accomplish it with our own field party and bill you in accordance with the per diem rate of \$10.00 per hour for a two-man field party.

With regard to foundation investigation, it would be or intent to confer with you to establish the amount of drilling work to be done at this time and that any drilling decided upon would

MAY 28, 1962

be paid for directly to the driller by you. Any supervisory work required of us in this phase would be included in the above quoted fee.

Any oblique aerial photographs required for illustration purposes will also be included in the above fee.

Two (2) copies of this letter are enclosed herewith. The return of one copy signed by you will constitute your acceptance of its general intent.

Yours very truly,
Barton, Stoddard & Milhollin
CONSULTING ENGINEERS
By: s/Bruce W. Stoddard, Partner
BRUCE W. STODDARD, P.E.

Accepted May 28th, 1962

BY: s/ W. J. O'Bryant

In the above connection, this memorandum from the Public Works Director was read:

May 17, 1962

Honorable Mayor and City Council
Idaho Falls, Idaho

Gentlemen:

In accordance with your instructions at a joint meeting of the Mayor and Council and the Bonneville County Commissioners on May 1st, we are attaching hereto a proposal for preliminary studies in connection with the 17th Street river crossing.

Mr. Jay Painter and I have discussed this proposal and feel that it essentially covers the general requirements. There are, however, two items which we feel should be included:

1. Right of way requirements.
2. The integration of the City's South Capital Avenue extension into the 17th Street plan.

The engineering firm, of course, was not aware of the plans for South Capital Avenue extension, and we felt the right of way requirements were implied but inadvertently omitted.

Mr. Painter has submitted this proposal to the Bonneville County Commissioners, and has received their approval to participate in one half of the lump sum fee. We would recommend that the Mayor and Council approve this proposal with the suggested revisions, and authorize

MAY 28, 1962

the expenditure of 50% of the lump sum fee. With your authorization, Mr. Painter and I will ask Mr. Stoddard to come to Idaho Falls and we can discuss and revise the details of the proposal.

We urge your early consideration of this matter. Thank you kindly.

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

cc: Jay Painter
Don Ellsworth

It was moved by Councilman Leahy, seconded by Page, that the Mayor be authorized to sign with the understanding that the two additional items recommended by the Public Works Director and the County Engineer be also incorporated in the proposal. Roll call as follows: Ayes, 3; No, None; carried.

The following, with an attached layout drawing was presented:

May 17, 1962

Honorable Mayor and City Council
Idaho Falls, Idaho

Gentlemen:

Please find attached hereto a drawing showing a general layout of the proposed dog pound. We believe this plan can adequately serve the immediate needs of the City, and is so designed as to be easily expanded as the needs of the community increase.

If this general plan meets the approval of the Mayor and Council, we are suggesting that we be authorized to turn this plan over to a local architect for the preparation of final plans and specifications for construction. This work, of course, would include the heating, ventilating, electrical, and plumbing layouts and specifications, as well as all masonry and carpentry door and window details.

Since we anticipate there will be a need to vacate the existing dog pound within the very near future, we are requesting you give this matter your early attention.

Thank you kindly.

MAY 28, 1962

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

It was moved by Councilman Creek, seconded by Page, that the Public Works Director be authorized to proceed as described. Roll call as follows: Ayes, 3; No, None; carried.

A drawing was presented, of a boat ramp in connection with the new river park site, south of the City. It was explained that the primary purpose in presenting the matter was so that the proposed location could be approved by the Council, as recommended by the Recreation Committee. It was explained that funds for its construction will be provided from the County Commissioners boat fund. Bids had been accepted from Goldie Wadsworth in the amount of \$3892.00 and Jack Hurley for \$2975.00, the latter of which was accepted.

It was moved by Councilman Creek, seconded by Page, that the proposed location be approved with the understanding that the City would assume some responsibility for negotiating with the Contractor, relative to such basic problems as grade, angle etc. Roll call as follows: Ayes, 3; No, None; carried.

The following was read:

Marvella Harding
395 Utley Circle
Idaho Falls, Idaho
May 24, 1962

Milton C. Jones, Chief
Idaho Falls Police Department
P.O. Box 220
Idaho Falls, Idaho

Dear Chief Jones:

Due to my illness of the past few months, I would appreciate your taking whatever action you deem necessary to consider my request for a one year's "leave of absence" from the department. I have thoroughly discussed this matter with my Doctor and I have his recommendation for same.

I would like the above request for my "leave of absence" to become effective June 16, 1962.

Yours respectfully,
s/ Marvella M. Harding

cc: Mayor & City Council

MAY 28, 1962

It was moved by Councilman Creek, seconded by Page, that the request be granted, subject to job availability after one year. Roll call as follows: Ayes, 3; No, None; carried.

Bids had been opened earlier, it was noted, on Public Liability Insurance for the coming year, revealing the following:

Tandy & Wood	\$12,467.25
Tandy & Wood (not meeting specifications)	12,185.15
Metcalf-Anderson	12,288.25

In the interests of time, Metcalf-Anderson had been informally named the successful bidder. It was moved by Councilman Page, seconded by Creek, that this informal Council action be duly ratified. Roll call as follows: Ayes, 3; No, None; carried.

The Mayor drew attention to the fact that on May 22nd 1962, at an informal meeting of the Council, a sales contract had been presented and approved by the Council for the purchase of certain lands from Clarice Sayer, described as Lot 4, Block 24, Eagle Rock Addition, said contract of which provided for \$1,000.00 to be paid upon its execution and the balance of \$7,000.00 to be paid at the rate of \$135.00 per month plus interest. It was moved by Councilman Creek, seconded by Leahy, that the Council's action in this regard be duly ratified. Roll call as follows: Ayes, 3; No, None; carried.

Also by informal action on May 15th, 1962, it was noted that the Council had approved and adopted a new plan of fire insurance known as a Public and Institutional Plan of Fire Insurance, in favor of Tandy & Wood, and Homer-Koster Company. It was moved by Councilman Page, seconded by Leahy, that this action be duly ratified. Roll call as follows: Ayes, 3; No, None; carried.

A request was made by the Eagle Lodge #576, through the Mayor, for the free use of various parking meters for the purpose of parking an automobile on which chances would be publicly sold. This was denied by the Council.

Bids on a one ton dump truck for the Cemetery Department, opened earlier, revealed the following:

Snake River Equipment	\$3,056.41
Stoddard Ford	3,150.00
Ellsworth Brothers	3,135.00
Roy J. Keller	3,197.34

It was moved by Councilman Page, seconded by Leahy, that the low bid, submitted by Snake River Equipment, be accepted. Roll call as follows: Ayes, 3; No, None; carried.

A Memorandum of Understanding was presented from the State of Idaho Department of Highways, outlining, in general, the responsibilities and obligations of the railroad, the State of Idaho and the City of Idaho Falls, relative to the widening of the Yellowstone Highway, south of the G Street underpass. It was moved by Councilman Page, seconded by Creek, that the instrument be approved and the Mayor be authorized to sign. Roll call as follows: Ayes, 3; No, None; carried.

MAY 28, 1962

ORDINANCE NO. 1029

AN ORDINANCE AMENDING SUBSECTIONS (F) AND (G) OF SECTION 10 OF CHAPTER 9 OF TITLE 4 OF THE CITY CODE OF IDAHO FALLS, IDAHO, BY PROVIDING THE REQUIREMENTS FOR UNDERGROUND ELECTRICAL INSTALLATIONS, AND PROVIDING THE REQUIREMENTS FOR UNDERGROUND INSTALLATIONS SHALL BE ACCEPTED AS PART OF THE CITY ELECTRICAL SYSTEM ONLY AFTER WRITTEN APPROVAL BY THE CITY ELECTRICAL ENGINEER; FURTHER AMENDING SECTION 10 OF THE CHAPTER 9 OF SAID CODE BY ADDING TWO NEW SUBSECTIONS THERETO: REPEALING ALL INCONSISTENT ORDINANCES, AND PROVIDING THEN THE ORDINANCE SHALL TAKE EFFECT.

The foregoing Ordinance was presented in title. 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, 3; 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, 3; No, None; carried.

A notice of renewal of Government Lease was presented, covering the lease rental of the West Wing of Tautphaus Park Armory to the U.S. Navy for a period from July 1st, 1962, to June 30th, 1963, in the amount of \$720.00. This met with general Council approval.

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
