

SEPTEMBER 11, 1961

The City Council of the City of Idaho Falls, Bonneville County, Idaho, met in Special Public Session at the regular meeting place of the Council in the City Hall in the City of Idaho Falls, at 8:00 o'clock P.M. on September 11, 1961. The roll was called and the following found to be present: Mayor W. J. O'Bryant; Councilmen Alex Creek, Donald Foote, Philip C. Leahy, Karl G. Page. Absent; none. There was also present: Roy C. Barnes, City Clerk; George Barnard, City Attorney; Don Lloyd, City Engineer; Richard Fox, Fiscal Agent representative from Edward L. Burton.

After the Meeting had been duly called to order the Mayor announced that one purpose of the Meeting was to open the sealed bids received for the purchase of \$700,000 Water and Sewer Revenue Bonds, Series 1961, of the City of Idaho Falls.

The City Clerk presented an affidavit showing that a copy of the notice of the sale of said bonds was mailed to the State Auditor of the State of Idaho on August 14, 1961, in full compliance with law, and presented another affidavit showing publication of said notice of sale, in full compliance with law, in the Post Register, the official newspaper of the City of Idaho Falls on August 13, 1961, August 20, 1961, and August 27, 1961, said publications having been made at weekly intervals, the first having been made 21 full days prior to the date fixed for the sale of said bonds. Such modification and publication and said affidavits were approved and the affidavits were ordered placed on file.

The City Clerk announced that pursuant to said notice of sale six sealed bids for the purchase of said bonds had been received. The bids were opened and tabulated and found to be as follows:

<u>NAME OF BIDDER</u>	<u>INTEREST RATE</u>	<u>PREMIUM</u>
Kidder Peabody Hornblower & Weeks Pacific Northwest Co.	(Average) 3.543089%	\$397.00
Edward L. Burton & Co. Blyth & Co. Harkness & Hill Kalman & Co.	3.524	\$480.00
Boettcher & Co. Merrill Lynch, Pierce Fenner & Smith	3.589	None
John Nuveen & Co. J. A. Hogle & Co.	3.5986	None
Paine, Weber, Jackson & Curtis Stein Bros. & Co. Braun, Bosworth & Co.	3.6064	\$70.00

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A. C. Allyn & Co.
Mullaney Wells & Co.
Coughlin & Co., Inc. 3.5918 \$707.00

After a general discussion it was determined that the bid of Edward L. Burton and Company of Salt Lake City, Utah, offering to purchase said bonds at the price of par and accrued interest to the date of delivery and a premium of \$480.00 was the best and most advantageous bid received for the purchase of said bonds. Said bid reads in full as follows:

EDWARD L. BURTON & COMPANY - Established 1899
174 South Main Street
Salt Lake City, Utah

Municipal Bond Department
Davis 8-1511

TO: Honorable Mayor and City Council
 Idaho Falls, Idaho

September 11, 1961

Gentlemen:

As per your Notice of Sale, which said notice is made a part of our bid for \$700,000 Water and Sewer Revenue Bonds of Idaho Falls, Idaho, which said bonds are to be dated August 1, 1961, both principal and interest (February 1 and August 1) being payable at Office of City Treasurer, Idaho Falls, or First Security Bank of Idaho, N.A., Idaho Falls, Idaho, we offer the following proposal:

For the bonds being in the denomination of \$1,000 each, maturing serially and bearing interest rates set forth below, we will pay you \$700,000 and accrued interest to the date of delivery to us and a premium of \$480.00.

<u>Amount</u>	<u>Maturity</u>	<u>Rate(%)</u>	<u>Amount</u>	<u>Maturity</u>	<u>Rate(%)</u>
\$25,000	1962	5.00%	\$35,000	1972	3.25
25,000	1963	5.00	35,000	1973	3.25
25,000	1964	5.00	40,000	1974	3.50
25,000	1965	5.00	40,000	1975	3.50
30,000	1966	3.25	40,000	1976	3.50
30,000	1967	3.25	40,000	1977	3.50
30,000	1968	3.25	45,000	1978	3.625
30,000	1969	3.25	45,000	1979	3.625

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<u>Amount</u>	<u>Maturity</u>	<u>Rate(%)</u>	<u>Amount</u>	<u>Maturity</u>	<u>Rate(%)</u>
30,000	1970	3.25	45,000	1980	3.625
35,000	1971	3.25	50,000	1981	3.625

We compute the gross interest cost on the above specified rates from August 1, 1961, to be \$289,700.00, and that the net interest cost, deducting premium offered, is \$289,220.00, (Net Effective Rate 3.524%).

Enclosed please find our check in the amount of \$35,000.00 which said check is to be held uncashed by you and applied as part payment for the bonds in the event we are the successful bidders, and to be forfeited by us as full liquidated damages if we fail to take up and pay for said bonds when they are ready for delivery, otherwise to be returned to us immediately.

This purchase proposal is subject to the legality of the bonds being approved by Messrs. Chapman and Cutler, attorneys at Law, Chicago, Illinois, whose unqualified approving legal opinion, together with the printed bonds and transcript of the legal proceedings will be furnished the purchaser at your expense.

The above proposal is for immediate acceptance only.

Respectfully submitted,
Blyth & Co., Inc.
Edward L. Burton & Company
Harkness & Hill, Inc.
Kalman & Company
s/ Richard S. Fox

ACCEPTED for and on behalf of Idaho Falls, Idaho, pursuant to authorization by its governing body on this 11th day of September, 1961.

ATTEST: s/ Roy C. Barnes
CITY CLERK

s/ W. J. O'Bryant
MAYOR

(SEAL)

The following ordinance was introduced in written form by Councilman Foote and was read by title. Councilman Leahy moved that the rule requiring the reading of the ordinance three different days be dispensed with and the motion was adopted by the vote of not less than three-fourths of the Council, to-wit: Ayes, Councilmen Alex Creek, Donald Foote, Philip C. Leahy, Karl G. Page. Nay: None.

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The ordinance was thereupon signed by the Mayor in evidence of his approval, was attested by the City Clerk, was numbered and ordered recorded and is as follows:

ORDINANCE NO. 1011

AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$700,000 WATER AND SEWER REVENUE BONDS, SERIES 1961, OF THE CITY OF IDAHO FALLS FOR THE PURPOSE OF PROVIDING FUNDS WITH WHICH TO IMPROVE THE COMBINED MUNICIPAL WATER SYSTEM AND SEWER PLANT AND SYSTEM BY IMPROVING AND EXTENDING THE WATER SYSTEM, PROVIDING FOR THE PAYMENT OF SUCH BONDS AND THE SALE AND DELIVERY THEREOF, AND MAKING CERTAIN COVENANTS AND AGREEMENTS WITH RESPECT TO THE SECURITY AND PAYMENT FOR SUCH BONDS

Mr. Fox then presented a contract between his company, the other bond brokers in the group and the City of Idaho Falls covering the provisions and responsibilities of his company in the selecting of the \$700,000 in bonds. It was moved by Councilman Page, seconded by Leahy, that the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 4; No, None; carried.

Notation was made of certain Council action taken at the Council Meeting as of September 8th, 1961, denying the William Melville re-zoning request. The City Attorney advised it had recently been brought to his attention a little used section of the Zoning Ordinance, requiring zoning hearings on all matters of zoning. It was therefore moved by Councilman Foote, seconded by Leahy, that said action be rescinded, that the property be included in a zoning hearing meeting to be scheduled for October 9th and the City Clerk be authorized to publish a notice of same. Roll call as follows: Ayes, 4; No, None; carried.

Various written or oral protests to the establishment of L.I.D. #27 having been referred to the Engineering Department for study and recommendation, the City Engineer appeared with a complete report on any and all protests in that category. First to be considered were the protests of William McKinley, Joseph McNeil, and J. F. White relative to their property on 17th Street. His recommendation was to the effect that the original route, south of 17th Street be used, as sewers located in easements pose a maintenance problem. It was moved by Councilman Foote, seconded by Leahy, that the protests of William McKinley, Joseph McNeil and J. F. White be denied. Roll call as follows: Ayes, 4; No, None; carried.

The Orland Eddins protest was reviewed. The City Engineer reported that his was a legitimate argument. It was moved by Councilman Leahy, seconded by Creek, that the name of Orland Eddins be excluded from the district and removed from the assessment roll. Roll call as follows: Ayes, 4; No, None; carried.

The City Engineer reported that Dr. Charles Rigby is now properly connected to a sewer. It was moved by Councilman Leahy, seconded by Foote, that Dr. Rigby be excluded from the district and his name be removed from the assessment roll. Roll call as follows: Ayes, 4; No, None; carried.

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With regard to J. W. Brady it was reported that, to satisfy his protest, the engineers plan has been revised to extend the sewer approximately sixty feet further into his property. According to the City Engineer this should be sufficient to satisfactorily service his property.

The engineer investigation revealed that Richard Carter and John Burgener, living in the same immediate area had presented protests well founded. It was moved by Councilman Leahy, seconded by Page, that these parties be excluded from the district and their names withdrawn from the assessment roll. Roll call as follows: Ayes, 4; No, None; carried.

With regard to the Boise Cascade property, the City Engineer advised that all possible routes had been studied and that the original route has proved, engineering-wise, most expedient. It was moved by Councilman Leahy, seconded by Foote, that the protest be denied. Roll call as follows: Ayes, 4; No, None; carried.

It was recognized that the company's portion of the protest pertaining to the method and cost of assessment in relation to benefits should be presented at a later assessment hearing.

Last to be reviewed was the Lawrence Teel protest. The City Engineer recommended that this protest be denied on the grounds that any given sewer district should not extend nor attempt to service un-platted or undeveloped ground. It was moved by Councilman Page, seconded by Leahy, that Mr. Teel's protest be denied for the reasons as stated. 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
