

JANUARY 23, 1961

Pursuant to a call by the Mayor the City Council of the City of Idaho Falls met in Special Meeting in the Council Chambers on January 23, 1961, at 8:00 P.M. for the purpose of hearing and considering protests to assessments on L.I.D. #26. There were present at said Meeting: Mayor W. J. O'Bryant; Councilmen Johnson, Creek, Foote, Petersen. Also present: Roy C. Barnes, City Clerk; George Barnard, City Attorney; Don Lloyd, City Engineer; Don Ellsworth, Assistant City Engineer; Bud Evans, Engineering Office Manager; Alva Harris, Building Official.

The Mayor announced that this was the time and the place for a protest hearing on assessments, as charged on property owners under Local Improvement District #26. Before proceeding further, the City Engineer was asked to explain the manner by which the costs were computed. The following was revealed:

COSTS

Utah Contract	\$ 34,435.00
Portion of Skyline	4,400.00
Balance of System	212,301.00
Engineering, Legal, etc.	43,864.00
Less City Participation	<u>30,000.00</u>
	\$265,000.00

ASSESSMENTS

Front 39,377 @ 3.25	\$127,975.00
Area 5,517,874 @ 1 2/3 ¢	92,149.00
Secondary 3,292,850 @ 3/4 ¢	24,696.00
Service Connection	<u>20,180.00</u>
	\$265,000.00

The Mayor instructed the City Clerk to present all written protests. These do not appear verbatim in this Book of Minutes. It should be noted that the entire proceedings of this meeting was taped and a transcript, including, the written protests, will be filed in the City Clerk's Office.

Following are the names, the assessment number where available, and the grounds for protest which were presented:

Mr. C. R. Holden, Sr. #356 and #382 amounts of the assessments are excessive in view of the fact that a sewer with manhole is located nearby.

Mrs. Bessie Jones #336. The State of Idaho is acquiring a portion of her property and the balance will not be benefited by the sewer system.

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Mr. Donald Wickam, 835 Crestmont acting as spokesman for 33 petition signers, mostly residents of Saturn and Crestmont Avenues. Streets should not be used for sewer lines when easements are available.

Harold Shydler, President of Northwest Construction Company. The property of this Company will not be serviced by and therefore will not benefit from sewer line.

Harold Shydler, President of the Gibraltar Corporation. The property of this Company will not be serviced by and therefore will not benefit from sewer line.

Mr. V. E. Stimson, manager, Consolidated Freightways. The property of this Company will not be serviced by and therefore will not benefit from sewer line.

R. L. Drexler #100. Amount of assessment out of line, due to unusual shape of lot.

Mrs. Edith Coles #102. (Telephoned from Los Angeles) Should not locate sewer in front of property.

Bart D. Withers #153. Being discriminated against due to unusual shape of property.

Rulon Baker #373. Property not accessible to sewer except as right of way is acquired and sewer line would not benefit nor add to value of property.

O. H. Hansen #38. Has previously participated in at least two other sewer projects which adequately service property. Proposed line will be of no benefit.

Nettie Forbes #351. No need for new sewer line as the sewer connection is adequate.

Louis Van Dolzer #225. Can hook on to sewer line that will run from Saturn, terminating at Arrington Construction office, rather than to line on Beverly Road, thus saving some expense.

Glenn Collette #286. No access and therefore no special or secondary benefits.

John Sharp #321 (representing Conrad & Bischoff) Amount of assessment unrealistic, confiscatory and beyond the reasonable increase in value which might normally result.

Lyle Lee Reed #26. Unfair and not evenly distributed among those who will benefit.

Lorin Weber #54. Excessive cost to property owners with corner lots. Unjust that there is to be no connection fee or assessment for those served by alley or easement.

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Donald Suckling #99. Impossible to evaluate conditions of assessment. Probably little to be gained by protest due to City Government's preconceived plan of procedure.

Verbal protests on questions were offered by Messrs. Edward Hayes, Hess Hayes, Les O'Brey, Sidney Ralph, and others who did not disclose their names. All verbal protestors and those with questions were answered satisfactorily by the Council or the Engineering Department.

The Council then took formal action on all written protests. Denied were the following: C. R. Holden, Sr., Mrs. Edith Coles, Rulon Baker, R. L. Drexler, Nettie Forbes, John Sharp, Lyle Lee Reed, Lorin D Weber. Disregarded on the grounds that the protests were pertaining to other matters than assessments were the following: Donald Suckling and the petition with 33 signers except on the latter, the Council referred the request to the Engineering Department to study further the feasibility of using easements instead of streets in some areas for sewer line location.

Referred to the City Engineer for further study and recommendation were the following: Harold Shydler, N. W. Construction; Harold Shydler, The Gibraltar Corporation; V. E. Stimson, Consolidated Freightways; Mrs. Bessie Jones.

Approved, subject to a study to determine whether or not the request was feasible from the standpoint of elevation was the protest of Louis Van Dolzer.

The Glenn Collette assessment was lowered by \$155.26 which was the amount of the secondary assessment.

The Bart Withers assessment was reduced approximately \$88.00 due to his frontage being changed to 90 feet.

The O. H. Hansen request was denied except to adjust the assessment downward in a sufficient amount to allow for a dedicated alley which the Engineering Department overlooked in their original computation.

There being no further business, it was moved by Councilman Johnson, seconded by Petersen, that the Council adjourn, carried.

ATTEST: s/ Roy C. Barnes
CITY CLERK

s/ W. J. O'Bryant
MAYOR
