

MAY 17, 1929

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The Council met in regular session on the above date at the hour of eight o'clock p.m.

There were present; Barzilla W. Clark, Mayor, Harry H. Payne, City Clerk, and Councilmen Coy, Driscoll, Ewart, Holmes, Randall, Shattuck and Shippen, absent; Schwarz, when the following proceedings were had to-wit:

The minutes of the previous meeting were read and approved.

The Finance Committee presented the following list of claims which had been checked and OK'd by the Purchasing Agent, and recommended that the same be allowed:

1778	Anderson & Sons Company	\$546.00
1779	American Natl. Bank	125.00
1780	Anderson Bros. Bank	153.50
1781	Eastern Idaho Loan Co.	6.68
1782	R. B. Ewart	25.00
1783	I. F. Transfer Co.	6.00
1784	First Christian Church	10.00
1785	Graybar Electric Co.	31.95
1786	Milwaukee Dustless Broom Co.	6.00
1787	Mine & Smelter Supply Co.	11.98
1788	Harry H. Payne, Clerk	438.80
1789	Salt Lake Stamp Company	5.90
1790	L. C. Smith Typr. Co. Inc.	130.00
1791	Anderson Bros. Bank	54.00
1792	General Electric Co.	7.33
1793	Graybar Electric Co.	8.14
1794	A. McLaughlin	25.00
1795	Progressive Irrigation Dist.	709.60
1796	Carl A. Moore and Ind. L. & C. Co.	2,490.00
	Total	\$4,790.88

It was moved by Shattuck, seconded by Coy, that the report of the Finance Committee be accepted and the claims be allowed and warrants ordered drawn on the proper funds in payment of same. Roll call voting aye; unanimous.

An ordinance entitled, "AN ORDINANCE VACATING AND CLOSING CERTAIN PORTIONS OF TWO ALLEYS IN BLOCK TWENTY-ONE, RE-SUBDIVISION OF WIN'S ADDITION TO THE CITY OF IDAHO FALLS, IDAHO, FOR THE SOLE AND EXCLUSIVE USE OF A.F. WILLECKE AND E.E. PRICE, THEIR HEIRS, SUCCESSORS AND ASSIGNS" was read in full by the City Clerk, and it was moved by Shattuck, seconded by Shippen, that the ordinance pass its first

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reading. Roll call voting aye; Holmes, Randal, Shattuck, Shippen, Coy, Driscoll and Ewart, voting nay; none, absent and not voting; Schwarz, whereupon the Mayor declared the motion carried.

It was moved by Shattuck, seconded by Holmes, that the rule of law requiring an ordinance to be read and passed at three separate meetings of the City Council be suspended and that we proceed to pass and approve the above ordinance under the suspension of the rules. Roll Call voting aye; Ewart, Holmes, Randall, Shattuck, Shippen, Coy and Driscoll, voting nay; none, absent and not voting; Schwarz, whereupon the Mayor declared the motion carried, and the necessary three-fourths having voted in the affirmative the rules were declared suspended.

The Clerk again read the ordinance in full and it was moved by Shattuck, seconded by Ewart, that the ordinance pass its second reading. Roll call voting aye; Randall, Shattuck, Shippen, Coy, Driscoll, Ewart and Holmes, voting nay; none, absent and not voting; Schwarz, whereupon the Mayor declared the motion carried.

The Clerk again read the ordinance in full and it was moved by Shattuck, seconded by Randall, that the ordinance pass its third and final reading and be finally passed, adopted and approved. Roll call voting aye; Shattuck, Shippen, Coy, Driscoll, Ewart, Holmes and Randall, voting nay; none, absent and not voting; Schwarz, whereupon the Mayor declared the motion carried and the ordinance duly passed and adopted.

The said ordinance was then numbered Ordinance #437 and passed to the Mayor for his approval and was by him, the Mayor, in the presence of the City Council, duly signed and approved and ordered published in one issue of the Idaho Falls Daily Post, the official paper of the City of Idaho Falls, Idaho and having a general circulation therein.

At this time a claim of the Idaho Falls Electric Company, in the amount of \$99.50 was presented and it was moved by Shattuck, seconded by Shippen, that the claim be not allowed because it covered two lamp posts that were installed in front of private property. Roll call voting aye; unanimous.

A claim for the Progressive Irrigation District in the amount of \$709.60 was presented and it was moved by Holmes, seconded by Shattuck, that the claim be allowed and paid out of the waterworks fund. Roll call voting aye; unanimous.

The following communication from the Electric Light & Water Committee was read,

Honorable Mayor and City Council  
Idaho Falls, Idaho

Relative to the claim of the Independent Lumber & Coal Company, which was referred to this committee, we beg leave to report that this account is for the amount that this company claims is due

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them from Carl A. Moore for material furnished him for use in the construction of the concrete work at the new power plant.

As we understand this claim is based on the assumption that the cost of the work done by Mr. Moore is represented by the money the City has paid to him and the accounts for material and labor which have not been paid, a total of \$55,888.71, and that the City should pay the actual value of the work done.

We have gone over the Engineer's figures for the work and the allowances for extra work done by Mr. Moore, and in our opinion, the estimate of the Lumber Company is not correct, and that the City is not under obligations to pay this claim.

However, there is, possibly a balance due Mr. Moore from the City for this work, and as he has agreed that the amount so due may be paid to the Lumber Company, we respectfully recommend that the City pay the sum of \$2,490.00 in full settlement for this work, as a compromise settlement only in order to avoid litigation.

Signed,  
F. Driscoll  
W. P. Holmes,  
Electric Light & Water Committee

It was moved by Shattuck, seconded by Shippen, that the claim of Carl A. Moore and Independent Lumber & Coal Company be allowed in the amount of \$2,490.00, this being the total and final amount due him for all labor and materials furnished by him in the construction of the new power plant dam, including all extras, and that the warrant be made payable to Carl A. Moore and Independent Lumber & Coal Company. Roll call voting aye; unanimous.

This being all of the business to be transacted before the old council, the retiring members adjourned, and the new members of the council were called into session by the Mayor.

There were present; Barzilla W. Clark, Mayor, Harry H. Payne, City Clerk, and Councilmen Anderson, Rhule, Coy, Brandl, Ewart, Holmes, Randall and Rigby.

The Mayor read a communication to the Council, reviewing the progress of the City in the past two years and outlining the activities for the next two years.

Upon reorganization of the Council it was moved by Holmes, seconded by Randall, that the report read by the Mayor, ratifying J. A. Coy, as president of the Council and naming the following committee be adopted. Roll call voting aye; unanimous.

Committees

Finance	Coy	Rigby	Holmes
Street & Ditch	Randall	Anderson	Rigby
Electric Light & Water	Rhule	Ewart	Holmes

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Building & Grounds	Ewart	Brandl	Coy
Ordinance	Holmes	Brandl	Rhule
Police & Fire	Anderson	Coy	Rhule
Cemetery & Parks	Rigby	Randall	Ewart
Health & Sanitation	Brandl	Anderson	Randall
Band	Rigby	Brandl	Ewart

The Mayor then proceeded to announce appointments as follows:

For City Electrician, C. R. Robinson, and on motion of Ewart, seconded by Rhule, the appointment was confirmed unanimously.

For Fire Chief, Julius Marker, and on motion of Ewart, seconded by Anderson, the appointment was confirmed unanimously.

For Purchasing Agent, T. R. Peters, and on motion of Coy, seconded by Holmes, the appointment was confirmed unanimously.

For Official Newspaper, The Post Company, and on motion of Coy, seconded by Ewart, the appointment was confirmed unanimously.

For Street Commissioner, G. W. Buchanan, and on motion of Ewart, seconded by Rhule, the appointment was confirmed unanimously.

For Cemetery Sexton, Chas. Boyenger, and on motion of Randall, seconded by Anderson, the appointment was confirmed unanimously.

For Superintendent of Waterworks, Wyatt Hill, and on motion of Rhule, seconded by Rigby, the appointment was confirmed unanimously.

For City Attorney, Ralph Albaugh, and on motion of Rhule, seconded by Randall, the appointment was confirmed unanimously.

For City Engineer, Claude Black, and on motion of Coy, seconded by Rhule, the appointment was confirmed unanimously.

For pond keeper, James Stevens, and on motion of Randall, seconded by Anderson, the appointment was confirmed unanimously.

For Chief of Police, Larry Hanson, and on motion of Holmes, seconded by Rhule, the appointment was confirmed. Roll call voting aye; Holmes, Randall, Rigby, Anderson, Rhule, Coy and Brandl, voting nay; Ewart, stating that he wished to vote no in protest to an open town, absent and not voting; none, whereupon the Mayor declared the motion carried.

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For Police Judge, Douglas Hix, and on motion of Holmes, seconded by Rhule, the appointment was confirmed unanimously.

For Desk Sergeant, Sidney Whitehead, and on motion of Rhule, seconded by Holmes, the appointment was confirmed unanimously.

At this time Councilman Rigby gave notice that he would ask that the Whitehead appointment be reconsidered at the next meeting.

It was moved by Rigby, seconded by Ewart, that we do now recess until 8 p.m., May 20<sup>th</sup>, 1929. Roll call voting aye; unanimous.

Passed and approved this seventh day of June, A.D., 1929.

s/ Barzilla W. Clark  
Mayor

(SEAL)

Attest:

s/ Harry H. Payne  
City Clerk