ORDINANCE NO. 534

"AN ORDINANCE SUBMITTING TO THE QUALIFIED ELECTORS OF THE CITY OF PAYETTE WHO ARE TAXPAYERS THEREOF AT A SPECIAL ELECTION TO BE HELD ON TUESDAY, THE 20TH DAY OF APRIL, 1948, THE QUESTION OF ISSUING THE GENERAL OBLIGATION BONDS OF THE CITY OF PAYETTE FOR THE FOLLOWING PURPOSES: (1) $70,000.00 FOR ENLARGING, EXTENDING, REPAIRING, ALTERING AND IMPROVING THE MUNICIPAL WATERWORKS SYSTEM; (2) $10,000.00 FOR PURCHASING SUITABLE AND NECESSARY APPARATUS FOR THE FIRE DEPARTMENT, CONSISTING OF A NEW FIRE TRUCK AND ACCESSORIES; (3) $35,000.00 FOR GRADING, PAVING, CURBING AND OTHERWISE IMPROVING THE STREETS AND ALLEYS IN THE CITY; (4) $70,000.00 FOR THE IMPROVEMENT OF PARKS BY THE CONSTRUCTION OF A NEW SWIMMING POOL; PROVIDING FOR THE ISSUANCE OF BONDS AUTHORIZED AT SAID ELECTION; PRESCRIBING THE FORM OF BALLOT AND ELECTION NOTICE AND DIRECTING THE PUBLICATION AND POSTING OF THE ELECTION NOTICE."

BE IT ORDAINED By the Mayor and Council of the City of Payette, Idaho:

SECTION 1. That whereas the City of Payette, Idaho, hereinafter referred to as the City, is in immediate need of replacing old wooden pipe, laying new water mains, digging a new water well, covering the present reservoir and connecting up the same, and otherwise enlarging, extending, repairing, altering and improving the water works system owned by the City, such need being caused by length of time the old pipe to be replaced has been in service and also by reason of the rapid expansion in the number of users of water and the additions of new territory into the limits of the said City and the prospective additions of new territory into the said limits;

And whereas the present fire trucks owned by the City are obsolete and worn and in case of a serious fire it is doubtful whether the present fire trucks could adequately protect the City in the event of even a medium sized outbreak of fire;

And whereas by reason of the rapid expansion of the size of the City new streets and alleys must be constructed and the old streets and alleys must be graded, paved, curbed and otherwise improved;

And whereas the matter of a municipal swimming pool to be located in the City Kiwanis park has been heretofore submitted to the voters of the City of Payette, and the issuance of Municipal Coupon Bonds has been authorized by the qualified electors of the City to the extent of $36,000.00 but which said sum of $36,000.00 is at this time not sufficient and whereas reliable estimates place the present cost of constructing the said municipal swimming pool according to the plans and specifications which are now on file in the office of the City Clerk and other needed park improvements at the sum of approximately $70,000.00, and whereas it would be more convenient for the City as well as being easier to market bonds for the proposed Municipal Swimming Pool if no bonds under the old election for the swimming pool were issued by the City but that if a new, single and entire series of municipal coupon bonds were marketed by the City for said swimming pool and other park improvements for the entire estimated cost of said swimming pool and other park improvements, and therefore it is hereby declared the intention of the said City not to issue any of the municipal coupon bonds heretofore authorized by the electors at a special election for park improvements and swimming pool, but to propose the issuance of a complete new, separate and entire issue of municipal coupon bonds for the entire construction of said swimming pool and other park improvements, for the estimated amount of $70,000.00; That said swimming pool will constitute a park improvement; Said park improvement and swimming pool to be located on a part of the public park of the City of Payette, Idaho, situated in Payette, Idaho, and particularly described as follows:

> Commencing at the Northwest corner of the intersection of Sixth Avenue South and Ninth Street as shown on the official plat of the City of Payette, Idaho; thence North along the West line of said Ninth Street a distance of 124 feet, more or less, to the Westerly side line of the 80 ft. right-of-way of State Highway as now constructed (said Highway

Ordinance #534 for calling Bond Election

The Mayor and City Council of the City of Payette, Payette County, State of Idaho, met in Special session on Friday, the 12th day of March, 1948, at the hour of 8 o'clock P. M., at the regular meeting place of said Council in the City of Payette, due, legal and timely notice of said meeting having been served upon all members as required by law and the rules and ordinances of said City.

On roll call, the following members were present:

J. A. McMillan, Mayor
C. U. Carlton, Councilman
Geo. Sedlmayer, Councilman
W. N. Rowberry, Councilman
Geo. H. Wisner, Councilman
Leland Barber, Councilman
_____, Councilman

Also present:

Alice Bulmer, City Clerk

Absent:

Councilman W. N. Rowberry introduced ~~the following ordinance in writing and moved its adoption:~~ to the Council, in writing, what is now Ordinance No. 534, and moved its adoption. The proposed Ordinance was then read in full, section by section. It was moved by Councilman Carlton, seconded by Councilman Rowberry, to suspend the rules requiring the reading of Ordinances on three separate occasions, (Idaho Code Annotated, Section 49-1804) so that what is now Ordinance No. 534 could be passed upon its first reading. On this motion the ayes and nays were called for; those voting "yes" were: Councilmen Carlton, Sedlmayer, Rowberry, Wisner and Barber, so the motion to suspend the rules requiring three separate readings was unanimously carried and the Mayor declared the rules suspended. It was then moved by Councilman Rowberry, seconded by Councilman Wisner, that Ordinance No. 534 as read in full, section by sect ion, be passed. On this motion the ayes and nays were called for, those voting "yes" were: Councilmen Carlton, Sedlmayer, Rowberry, Wisner and Barber, so the motion carried, and Mayor McMillan declared Ordinance No. 534 duly enacted. Said Ordinance No. 534 as so enacted, reads in full, as follows:

being generally designated as the Eighth Street Highway approach to Payette); thence Northeasterly along the Westerly side line of said right-of-way a distance of 725 feet, more or less, to the South side line of Pence Subdivision of Payette, Idaho; thence West 711.5 feet, more or less, to the East side line of Sixth Street; thence South along the East side line of said Sixth Street a distance of 1009 feet, more or less, to the North side line of Sixth Avenue South, at a point located 1065 feet West of the point of beginning; thence East 1065 feet to the point of beginning; the following described tracts of land, to-wit:

Commencing at a point on the North side line of Sixth Avenue South from which the Section corner common to Sections 33 and 34, Twp. 9 N.R. 5, W.B.M. and Sections 3 and 4, Twp. 8, N.R. 5, W.B.M., bears South 28 feet and East 522 feet; thence West 655 feet; thence North 20 feet; thence East 655 feet; thence South 20 feet, to the place of beginning; and commencing at a point from which the Section corner common to Sections 33 and 34, Twp. 9 N.R. 5, W.B.M. and Sections 3 and 4, Twp. 8 N.R. 5 W.B.M. bears South 28 feet and East 1162 feet; thence North 203 feet; thence South at an angle of 4° 15' West 206 feet; thence East 15 feet, more or less, to the point of beginning;

And whereas reliable estimates place the costs of purchasing, constructing, enlarging, extending, improving and the doing of all of the things described above as follows:

Cost of enlarging, extending, repairing, altering and improving the Waterworks system of the City,	$70,000.00
Cost of grading, paving, curbing or otherwise improving the streets and alleys of the City,	35,000.00
Cost of purchasing new fire truck and necessary Underwriter-approved accessories therefor,	10,000.00
Total	$115,000.00
Cost of Public Park improvement and constructing proposed new swimming pool, as a park improvement,	70,000.00
Grand Total	$185,000.00

SECTION 2. NOW THEREFORE, The Mayor and Council of the City of Payette, County of Payette, State of Idaho, recognizing that it is for the best welfare and interest of the City to issue municipal coupon bonds of said City as hereinafter provided, for the purpose of raising the necessary funds to cover the needs of the City as outlined above, do hereby call a special election of the qualified electors, who are taxpayers of the City of Payette, Idaho, to be held on the 20th day of April, 1948, between the hours of 9:00 A. M. and 7:00 P. M., Mountain Standard Time of said day, for the purpose of submitting to the qualified electors, who are taxpayers of said City, the question of the issuance by the said City of four (4) separate and distinct issues of Municipal Coupon Bonds as described in the next section of this ordinance.

SECTION 3.

(a) A separate issue of municipal coupon bonds of the City of Payette, Idaho, for the total principal sum of $70,000.00 to be used by the City to enlarge, extend, repair, alter and improve the Waterworks System of the City of Payette.

(b) A separate issue of municipal coupon bonds of the City of Payette, Idaho, for the total principal sum of $35,000.00 with which to construct new streets and alleys and to grade, pave, curb and otherwise improve the existing streets and alleys of the City.

(c) A separate issue of municipal coupon bonds of the City of Payette, Idaho, for the total principal sum of $10,000.00 to be used by the City for the purchase of a new fire truck together with necessary Underwriter-approved equipment and accessories for the proper operation of said fire truck.

(d) A separate issue of municipal coupon bonds of the City of Payette, Idaho, for the total principal sum of $70,000.00 to be used by the City for the purpose of providing funds for park improvement in the public park hereinabove described, and building and constructing in such park a public municipal swimming pool with the necessary or proper equipment and machinery for the operation of the same.

SECTION 4. The City will issue such municipal coupon bonds described in Section 3 of this ordinance as are authorized by the vote of the taxpayers of said City who are duly qualified electors, at the special election hereinabove called. Such bonds as may be so authorized by the qualified voters at the election hereinabove called shall be issued, mature and be payable upon an annual amortization plan in accordance with Chapter 2 of Title 55, Idaho Code Annotated, as amended, known as the "Municipal Bond Law," the first annual amortized principal payment shall mature and be payable at the expiration of two years from and after the date of issue, and the various annual maturities shall, as nearly as practicable be in such principal amounts as will, together with the accruing interest on all outstanding bonds of each particular issue that may be authorized at said election, be met and paid by an equal annual tax levy for the payment of the principal of such authorized issue of bonds and interest thereon during the term such bonds shall be issued; the amortized annual maturities of such bonds as may be authorized by said voters shall be prescribed by the Mayor and Council of said City at the time the interest rate to be borne by such bonds shall have been ascertained upon and after sale thereof.

SECTION 5. The Mayor and Council of the City, for each and every particular above described issue of bonds that may be authorized by the voters at said above described election, shall levy and cause to be levied annually at the time when and in the manner in which other general taxes of such City are levied, upon all the taxable property within the limits of the City of Payette, Idaho, in addition to all other authorized taxes and assessments, a tax or assessment sufficient to meet the payments of principal and interest on such bonds as the same mature, and to constitute a sinking fund for each such issue as may be authorized at said election for the payment of the principal of each such particular authorized bond issue within twenty years from the time of contracting the indebtedness evidenced by such particular authorized bond issue and in accordance with the provisions made for the payment of the principal and interest of each such particular authorized bond issue and also to constitute a sinking fund for the payment of the principal of each such particular authorized bond issue as will be provided by ordinance to be passed by the Mayor and Council of the City and as required by the constitution and laws of Idaho; and such taxes shall be levied, assessed, certified, extended and collected by the proper officers and at the times, all as fixed by law and as other taxes are levied, assessed, certified, extended and collected in, for and by the City and by the same officers thereof until the principal and interest of all such bonds as may be authorized at said election shall be fully paid.

SECTION 6. Such municipal coupon bonds as may be authorized to be issued at said election shall be in denominations of $100.00 each, or any multiple thereof, not exceeding $1,000.00, as shall be fixed by future ordinance to be passed by the Mayor and Council of the City prior to the issuance of such bonds, and all such bonds shall bear interest at a rate or rates not exceeding

four (4) per cent per annum, as shall be fixed by future ordinance prior to the issuance of such bonds, which interest shall be payable semi-annually on the dates likewise to be fixed by future ordinance prior to the issuance of any such bonds, and such bonds shall be issued in conformity with and after full compliance with the constitution of Idaho and the "Municipal Bond Law" of the State of Idaho, and all other laws applicable thereto, and the full, faith, credit and all taxable property within the City of Payette, Idaho, shall be and will continue to be pledged for and until the entire principal and interest of all of such bonds as may so be authorized to be issued have been paid in full and the bond form and the coupon form shall be prescribed by the Mayor and City Council by future ordinance prior to the delivery of such bonds as may be authorized to the purchasers thereof; all bonds authorized by the vote of the electors upon each distinct proposition so submitted to such voters shall constitute a distinct series.

SECTION 7. The City Clerk of the City is hereby directed and authorized to give notice of the above described election by publication of such notice in the Independent-Enterprise, a weekly newspaper printed and published in the City of Payette, Idaho, and having a general circulation therein, such notice to be published for a period of not less than thirty days before the date of said election, and by the posting of such notice in three public places in each of the three wards of the City not less than thirty days previous to the said election and said election shall be conducted as other municipal elections.

SECTION 8. The voting at said election shall be by ballot and the ballots shall be so prepared as to permit the qualified electors to express their desire on the issue of each one of the four distinct and separate proposed classes of bonds separately. Such ballots shall contain all necessary and proper voting instructions, together with substantially the following:

FIRST PROPOSITION $70,000.00

WATERWORKS EXTENSION AND IMPROVEMENT BONDS

In favor of issuing bonds to the amount of Seventy Thousand ($70,000.00) Dollars for enlarging, extending, repairing, altering and improving the waterworks system owned by the City of Payette, Idaho, as provided in Ordinance No. 534.

( )

Against issuing bonds to the amount of Seventy Thousand ($70,000.00) Dollars for enlarging, extending, repairing, altering and improving the waterworks system owned by the City of Payette, Idaho, as provided in Ordinance No. 534.

( )

SECOND PROPOSITION $10,000.00

FIRE EQUIPMENT BONDS

In favor of issuing bonds to the amount of Ten Thousand ($10,000.00) Dollars for the purpose of purchasing a new fire truck together with necessary Underwriter-Approved Accessories and equipment for such truck, as provided in Ordinance No. 534.

( )

Against issuing bonds to the amount of Ten Thousand ($10,000.00) Dollars for the purpose of purchasing a new fire truck together with necessary Underwriter-Approved Accessories and equipment for such truck, as provided in Ordinance No. 534.

( )

THIRD PROPOSITION $35,000.00

STREET CONSTRUCTION AND IMPROVEMENT BONDS

In favor of issuing bonds to the amount of Thirty-five Thousand ($35,000.00) Dollars for constructing new streets and alleys within the City of Payette, Idaho, and for the grading, paving, curbing and otherwise improving the existing streets and alleys within the City of Payette, Idaho, as provided in Ordinance No. 534.

( )

Against issuing bonds to the amount of Thirty-five Thousand ($35,000.00) Dollars for constructing new streets and alleys within the City of Payette, Idaho, and for the grading, paving, curbing and otherwise improving the existing streets and alleys within the City of Payette, Idaho, as provided in Ordinance No. 534.

( )

FOURTH PROPOSITION $70,000.00

PARK IMPROVEMENT AND SWIMMING POOL BONDS

In favor of issuing bonds to the amount of Seventy Thousand ($70,000.00) Dollars for the purpose of improving the public park of the City of Payette, Idaho, and building and constructing in such park as a further park improvement a public municipal swimming pool with the necessary or proper equipment and machinery for the operation of such swimming pool, as provided in Ordinance No. 534.

( )

Against issuing bonds to the amount of Seventy Thousand ($70,000.00) Dollars for the purpose of improving the public park of the City of Payette, Idaho, and building and constructing in such park as a further park improvement a public municipal swimming pool with the necessary or proper equipment and machinery for the operation of such swimming pool, as provided in Ordinance No. 534.

( )

That said notice of said election to be given by the City Clerk shall be substantially in the following form, to-wit:

"PUBLIC NOTICE OF REGISTRATION OF VOTERS AND OF A MUNICIPAL COUPON BOND ELECTION OF THE CITY OF PAYETTE, IDAHO, TO BE HELD IN THE CITY OF PAYETTE, IDAHO, THE 20TH DAY OF APRIL, 1948.

Pursuant to the "Municipal Bond Law" of the State of Idaho and Ordinance Number 534 passed by the Mayor and Council of the City of Payette, Idaho, and approved on the 12th day of March, 1948, notice is hereby given that a special election will be held within the City of Payette, Idaho, on Tuesday, the 20th day of April, 1948, beginning at the hour of 9:00 o'clock A. M. and will close at the hour of 7:00 o'clock P. M. of said day for the purpose of submitting to the qualified electors of said City, who are taxpayers thereof, the following four separate and distinct propositions:

1. Whether or not the City of Payette shall incur an indebtedness and issue its municipal coupon bonds in the principal sum of $70,000.00 for the purpose of enlarging, extending, repairing, altering and improving the waterworks system owned by the City of Payette, Idaho.

2. Whether or not the City of Payette shall incur an indebtedness and issue its municipal coupon bonds in the principal sum of $10,000.00 for the purpose of purchasing a new fire truck together with necessary Underwriter-Approved accessories and equipment for such truck.

3. Whether or not the City of Payette shall incur an indebtedness and issue its municipal coupon bonds in the principal sum of $35,000.00 for the purpose of constructing new streets and alleys within the City of Payette, Idaho, and for the grading, paving, curbing and otherwise improving the existing streets and alleys within the City of Payette, Idaho.

4. Whether or not the City of Payette shall incur an indebtedness and issue its municipal coupon bonds in the principal sum of $70,000.00 for the purpose of improving the public park of the City of Payette, Idaho, and building and constructing in such park as a further park improvement a public municipal swimming pool with the necessary or proper equipment and machinery for the operation of such swimming pool, as provided for in the general plans on file in the office of the City Clerk of said city and also as provided for in Ordinance No. 534 of said City to which said plans and ordinance reference is hereby made.

Said election will be held at the following named polling places in the City of Payette and the following named persons have been appointed to act as judges and distributing clerks of said election.

FIRST WARD

Polling Place:	Judges
City Hall at Corner of 8th Street and Third Avenue North	Malinda Precht Elizabeth Reed
	Distributing Clerks
	Emma Pacha Joy Irwin

SECOND WARD

Polling Place:	Judges
Payette Public Library Building in Central Park	Delia Pence Edna Horton
	Distributing Clerks
	Elva Griggs Irene Little

THIRD WARD

Polling Place:	Judges
S. D. Sallee residence 325 North 6th Street	Edna Surber Ida Zimmerman
	Distributing Clerks
	Georgia Baldridge Lavonia Fenske

All persons who at the time of said election are qualified electors of the City of Payette and taxpayers thereof and who are registered, shall be qualified to vote at said election on said questions. The voting at said election will be by ballot and the ballot shall be supplied voters at the polls on the day of said election and shall be in the form as set forth in said Ordinance Number 534.

NOTICE OF REGISTRATION

NOTICE IS HEREBY GIVEN That there are three Wards within the corporate limits of the City of Payette, Idaho, and that said Wards are designated, bounded and described as follows, to-wit:

FIRST WARD: All of that portion of said City of Payette, Idaho, lying North of the Center line of Center Avenue and East of the Center line of the main track of the Union Pacific Railroad.

SECOND WARD: All of that portion of said City of Payette, Idaho, lying South of the Center line of Center Avenue and East of the center line of the main track of the Union Pacific Railroad.

THIRD WARD: All of that portion of the City of Payette, Idaho, lying West of the center line of the main track of the Union Pacific Railroad.

NOTICE IS HEREBY FURTHER GIVEN That the name of the Registrar is as follows, to-wit:

Alice Bulmer, City Clerk, Registrar.

You are hereby further notified that all persons must register before said special election to be entitled to vote regardless of whether or not they have at any time before the publication of this notice registered for any city election of the City of Payette, Idaho.

All persons over the age of twenty-one (21) years, who, at the time of said election are citizens of the United States of America and have resided in the State of Idaho for a period of six months and in the City of Payette for a period of three months immediately preceding said election and are taxpayers of the City of Payette are entitled to vote at said Election, provided such electors are duly registered for said Election as required by law.

NOTICE IS HEREBY FURTHER GIVEN That the place of registration for each and all of said wards of the City of Payette is the Office of the City Clerk of the City of Payette, in the City Hall, at the corner of 8th Street and 3rd Avenue North in said City of Payette.

NOTICE IS HEREBY FURTHER GIVEN That the Registrar will register any qualified elector who is a taxpayer of the City of Payette desiring to be registered in the above designated place of registration and at any time during office hours beginning with the day that this notice of Election is given and each and every day thereafter until and including the 17th day of April, 1948; that on Thursday, Friday and Saturday next preceding said election being the 15th, 16th and 17th days of April, 1948, the said Registrar shall and will, at the place above designated, register qualified electors who are taxpayers of the City of Payette, Idaho, for such Election during the hours from 9:00 o'clock A. M. to 5:00 o'clock P. M. and from 7:00 o'clock P. M. to 9:00 o'clock P. M.

Dated this 18th day of March, 1948, at Payette, Idaho.

Alice Bulmer
City Clerk of the City of Payette, Idaho.

SECTION 9. The voting places shall be the places provided in the notice herein in this ordinance contained and the persons named in said notice are hereby appointed judges and distributing clerks of said election respectively for the purpose of conducting the same in their respective wards.

STATE OF IDAHO)
) SS
COUNTY OF PAYETTE)

I, Alice Bulmer, the duly chosen, qualified and acting City Clerk of the City of Payette, Payette County, State of Idaho, do hereby certify that the above and foregoing is a full, true and correct copy of the minutes of a Special meeting of the City Council of the City of Payette, Idaho, of which all members had due, legal and timely notice as required by law and the ordinances of said City, held at the regular meeting place of said City Council on Friday, the 12th day of March, 1948, at the hour of 8:00 o'clock P. M., insofar as the same refer to or concern the issue of $185,000.00 aggregate bonds of said City, as the same appear of record in my office; that I personally attended at that meeting and that the foregoing proceedings were in fact held as in said minutes specified.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said City, this 22nd day of March, 1948.

Alice Bulmer
City Clerk, City of Payette,
State of Idaho.

(SEAL)

SECTION 10. The Clerk of said City of Payette, is hereby authorized and directed to secure the printing of and have printed the ballots for said election, and make all other necessary arrangements for the holding of said election.

SECTION 11. This ordinance shall be in full force and effect from and after its passage and approval and the publication thereof as provided by law.

Passed by the Council this 12th day of March, 1948.

Approved by the Mayor this 12th day of March, 1948.

Mayor

ATTEST:

Alice Bulmer
City Clerk.

(SEAL)