



ORDINANCE NO. 430

AN ORDINANCE PROVIDING FOR, AND PRESCRIBING DETAILS IN CONNECTION WITH, A SPECIAL ELECTION TO VOTE UPON THE QUESTION OF ISSUING WATER AND SEWER REVENUE BONDS FOR THE PURPOSES OF DEFRAYING IN PART THE COST OF CONSTRUCTING A SEWAGE AND EXTENDING THE MUNICIPAL SEWAGE COLLECTION SYSTEM; RATIFYING ACTION PREVIOUSLY TAKEN TOWARD THE CONSTRUCTION OF SAID STABILIZATION POND AND INTERCEPTOR LINES, AND IMPROVING, BETTERING AND EXTENDING THE MUNICIPAL SEWAGE COLLECTION SYSTEM, AND THE ISSUANCE OF WATER AND SEWER REVENUE BONDS THEREFOR; OTHERWISE CONCERNING SAID SYSTEM AND SAID BONDS; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Rexburg, in the County of Madison and State of Idaho, is a municipal corporation duly organized and existing as a city of the second class under the laws of the State of Idaho; and

WHEREAS, the City is presently in need of additional sewage stabilization ponds, interceptor lines and appurtenances thereto; and other general improvements to the municipal sewage collection system; and

WHEREAS, the lack of an additional sewage stabilization pond, interceptor lines, and an improved sewage collection system creates substantial health hazard within said City; and

WHEREAS, the City Council has determined and does hereby determine that the interest of the community and the public interest and necessity require an improved municipal sewage collection system including, without limiting the generality of the foregoing a sewage stabilization pond, interceptor lines and appurtenances thereto; and

WHEREAS, the City Council has determined and does hereby determine that the City shall provide an improved municipal sewage collection system by constructing a sewage stabilization pond, interceptor lines, and appurtenances thereto; and

WHEREAS, for the purpose of constructing a sewage stabilization pond and interceptor lines, and improving, bettering and extending said municipal sewage collection system the City Council further deems it necessary to issue its negotiable, coupon, water and sewer revenue bonds in the aggregate principal amount of \$330,000.00, payable solely from the revenues of the City's water and sewage works, pursuant to the Idaho Revenue Bond Act, cited as Chapter 47, Session Laws of Idaho, 1951, and all laws thereunto enabling; and

WHEREAS, said revenue hands shall not be a debt of said city and it shall not be liable thereon, nor shall said bonds be payable out of any funds other than the revenue from said works pledged to the payment thereof; and

WHEREAS, said revenue bonds cannot be issued without the assent of two-thirds of the qualified electors of said City voting at an election held for the purpose of authorizing or refusing to authorize said liability or obligation.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF REXBURG, IDAHO:

SECTION I: That all action heretofore taken (not inconsistent with the provisions of this ordinance) by the City Council and the officers of the City of Rexburg, directed toward improving the municipal sewage collection system including, without limiting the generality of the foregoing, construction of sewage stabilization pond, interceptor lines and appurtenances thereto and the issuance of water and sewer revenue bonds therefor; and toward holding the special municipal bond election hereinafter authorized be, and the same herby is, ratified, approved and confirmed.

SECTION II: That, subject to the assent of two-thirds of the electors voting thereon, it is hereby ordered that the City of Rexburg shall issue its water and sewer revenue bonds to improve, better and extend its municipal sewage collection system.

SECTION III: That such improvements, betterments and extensions briefly and generally described, shall consist of constructing a sewage stabilization pond, interceptor lines, and necessary appurtenances thereto.

SECTION IV: That the details of construction of said system are more specifically shown and described in the maps, plans, and specifications prepared therefor by Cornell, Howland, Hayes & Merryfield, Consulting Engineers to said City; and reference for further details is hereby made to said maps, plans and specifications now on file and available for inspection in the office of the Clerk of said City.

SECTION V: That the cost of improving, bettering and extending said system, including all incidental expenses, has been established by said Consulting Engineers to be approximately \$451,000.00, of which \$330,000.00 will be defrayed with the proceeds of water and sewer revenue bonds, and the remaining cost will be defrayed with the proceeds of a Federal grant.

SECTION VI: That pursuant to the Revenue Bond Act of the State of Idaho, it is deemed advisable by said City Council to issue, there shall be issued, and said Council hereby orders the issuance of, subject to the assent of two-thirds of the electors voting thereon, water and sewer revenue bonds of said City, in one or more series, in not to exceed the aggregate principal amount of \$330,000.00.

SECTION VII: That such revenue bonds shall bear interest at a rate not to exceed six per cent (6%) per annum, payable semiannually, and shall mature serially commencing not later than twenty-one years from the date or dates of the bonds, subject to prior redemption ten years from the date or on any interest payment date thereafter upon such terms and conditions as the City Council may determine, payable solely from the revenues of said water and sewage works in

accordance with the provisions of the revenue Bond Act of the State of Idaho; and that said bonds shall be in the denomination of One Thousand Dollars (1,000.00), numbered consecutively, beginning with the number one, the bonds being payable in numerical order, the lowest number first.

SECTION VIII: That a special municipal bond election be, and the same hereby is, called to be held on Tuesday, the 31st day of July, 1962, between the hours of 12:00 o'clock noon and 8:00 o'clock p.m. on said day, for the purpose of enabling the qualified electors of said City to vote upon the question of issuing said water and sewer revenue bonds; and that at said election the voting places and the officials serving thereat shall be as follows:

PRECINCT NO. I Polling Place; Adams School, 110 No. 2nd East. Officials; Edna Nichols, Judge; Mabel Chantrill, Judge; Laura Jensen, Judge; Annette Poulsen, Clerk; Ada Sharp, Clerk.

PRECINCT NO. II Polling Place; Washington School, 47 No. 1st West. Officials; Patricia Pederson, Judge; Janet McCulloch, Judge; Caddie Jenkins, Judge; Irene Louder, Clerk; Myrtle Bell, Clerk.

PRECINCT NO. III Polling Place; Women's Residence Hall, 72 College Avenue. Officials; Lilly Briggs, Judge; Margaret Davis, Judge; Estella Shail, Judge; Luella Christensen, Clerk; Jessie Atkinson, Clerk.

SECTION IX: That the polls and the ballot boxes shall open at the hour of 12:00 o'clock noon on said day and shall remain open continuously until the hour of 8:00 o'clock p.m. of said day, at which time the polls shall be closed.

SECTION X: The voting at such election on the question of issuing water and sewer revenue bonds shall be by ballot substantially in the following form:

**OFFICIAL BALLOT SPECIAL MUNICIPAL BOND
ELECTION WATER AND SEWER REVENUE BONDS CITY
OF REXBURG, COUNTY OF MADISON STATE OF IDAHO
July 31, 1962**

QUESTION SUBMITTED: Shall the City of Rexburg, Idaho be authorized to issue and sell its negotiable, coupon, water and sewer revenue bonds in the aggregate principal amount of \$330,000.00, or so much thereof as may be necessary, in one or more series, bearing interest at a rate not to exceed six per cent (%6) per annum, maturing serially, commencing not later than two and ending not later than twenty-one years from the date of said bonds, being subject to prior redemption ten years from date or on any interest payment date thereafter, upon such terms and conditions as the City Council may determine, and payable solely from the revenues of the water and sewage works in accordance with the Revenue Bond Act of Idaho, for the purpose of constructing a sewage stabilization pond and interceptor lines, and improving, bettering and extending the municipal sewer collection system in accordance with the provisions of Ordinance No. 430, signed and approved the 6th day of June, 1962?

IN FAVOR of issuing revenue bonds to the amount of \$330,000.00 for the purpose provided by ordinance No. 430.

AGAINST issuing revenue bonds to the amount of \$330,000.00 for the purpose provided by Ordinance No. 430.

INSTRUCTIONS TO VOTERS: The voter must make a cross (x) in the appropriate space opposite the words which express his choice in the above question.

SECTION XI: Said ballots shall be furnished by the City Clerk to the judges of election to be by them furnished to the voters. At said election only those persons who are qualified to vote, as aforesaid, shall be permitted to vote on said question. An elector shall vote at the polling place for the precinct in which he resides.

SECTION XII: That notice of such special bond election shall be given prior to said election in the Rexburg Journal, a newspaper publishing notice of election in the Rexburg Journal, a newspaper published weekly in Rexburg, Idaho, and of general circulation in the City of Rexburg, Idaho, once a week for two successive weeks, prior to the election, and by posting such notice for not less than twenty days in at least three (3) public places in each Voting Precinct in said City, which notice shall be in substantially the following form:

(Form of Notice)
NOTICE OF SPECIAL MUNICIPAL BOND ELECTION
July 31, 1962

PUBLIC NOTICE IS HEREBY GIVEN that a special municipal bond election will be held in the City of Rexburg, Madison County, Idaho, on Tuesday the 31st day of July 1962 for the purpose of voting as the following question:

“Shall the City of Rexburg, Idaho, be authorized to issue and see its negotiable, coupon, water and sewer revenue bonds in the aggregate principal amount of \$330,000.00, or so much thereof as any be necessary, in one or more series, bearing interest at a rate not to exceed six per cent (%6) per annum, maturing serially, commencing not later than two and ending not later than twenty one years from the date of said bonds, being subject to prior redemption ten years from date or on any interest payment date thereafter, upon such terms and conditions as the City Council may determine, and payable solely from the revenues of the water and sewage works in accordance with the Revenue Bond Act of Idaho, for the purpose of constructing a sewage stabilization pond and interceptor lines, and improving, bettering and extending the municipal sewage collection system in accordance with the provisions of Ordinance No. 430, signed and approved the 6th day of June, 1962”

A qualified elector shall be over the age of twenty-one years, a citizen of the United States and a resident of the State of Idaho for the six months, and of the City of Rexburg and County of Madison for the three months immediately preceding said election, and who is not disqualified pursuant to Section 3, of Article VI, Idaho Constitution, or Sections 34-402 to 34-407, Idaho Code.

The polls will be open at the hour of 12:00 o'clock noon on said day, and will be open continuously until the hour of 8:00 o'clock p.m., at which time the polls will be closed.

The voting places for the qualified electors and the officials serving thereat shall be as follows:

PRECINCT NO. 1 – Polling place and officials:
Adams School, 110 No. 2nd East
Edna Nichols, Judge

Mabel Chantrill, Judge
Laura Jensen, Judge
Annetter Poulson, Clerk
Ada Sharp, Clerk

PRECINCT NO. 2 – Polling Place and officials:

Washington School, 47 No. 1st West
Patricia Pederson, Judge
Janet McCulloh, Judge
Caddie Jenkins, Judge
Irene Louder, Clerk
Myrtle Bell, Clerk

PRECINCT NO. 3 – Polling place and officials

Women’s Residence Hall, 72 College Avenue
Lilly Briggs, Judge
Margaret Davis, Judge
Estella Shail, Judge
Luella Christensen, Clerk
Jessie Atkinson, Clerk

Loretta M. Rigby, City Clerk, is ex-officio Registrar of said City. The place of registration is the office of said City Clerk at the City Hall, 26 North Center, Rexburg, Idaho.

It shall not be necessary to register for said special elections, unless a person is not correctly registered as provided by Section 50-1707, Idaho Code. Persons who are not correctly registered may register on each day at any time during the office hours of said Clerk, beginning with the day that this Notice of Election is given, and continuing until and including the Saturday next preceding the election; and on Thursday, Friday and Saturday next preceding the election persons may register between the hours of 9:00 o’clock a.m. 5:00 o’clock p.m. and between the hours of 7:00 o’clock p.m. and 9:00 o’clock p.m.

The voting at said election shall be by ballot. The ballots to be supplied the voters for their use at said election shall be in the form set out in said Ordinance No. 430.

Said Ordinance No.430 was adopted for the purpose of ordering the construction of a sewage stabilization pond, interceptor lines and appurtenances thereto, and improving, bettering and extending the municipal sewage collection system, of ordering the issuance of water and sewer revenue bonds subject to the assent of two-thirds of the qualified electors voting on the question, and of ordering the submission of the question authorizing the issuance and sale of said water and sewer revenue bonds at said special municipal election.

BY ORDER OF THE CITY COUNCIL OF THE CITY OF REXBURG, IDAHO, this 6th day of June, 1962.

Gilbert C. Larsen, Mayor

County of Madison)

I, LORETTA M. RIGBY, City Clerk of the city of Rexburg, Idaho, do hereby certify: That the above and foregoing is a full, true and correct copy of the Ordinance Entitled:

AN ORDINANCE PROVIDING FOR, AND PRESCRIBING DETAILS IN CONNECTION WITH, A SPECIAL ELECTION TO VOTE UPON THE QUESTION OF ISSUING WATER AND SEWER REVENUE BONDS FOR THE PURPOSES OF DEFRAYING IN PART THE COST OF CONSTRUCTING A SEWAGE AND EXTENDING THE MUNICIPAL SEWAGE COLLECTION SYSTEM: RATIFYING ACTION PREVIOUSLY TAKEN TOWARD THE CONSTRUCTION OF SAID STABILIZATION POND AND INTERCEPTOR LINES, AND IMPROVING, BETTERING AND EXTENDING THE MUNICIPAL SEWAGE COLLECTION SYSTEM, AND THE ISSUANCE OF WATER AND SEWER REVENUE BONDS THEREFOR: OTHERWISE CONCERNING SAID SYSTEM AND SAID BONDS: AND DECLARING AN EMERGENCY.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR this 6th day of June, 1962.

Loretta M. Rigby, City Clerk

(SEAL)