

Customer Support Services

City Council Minutes

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CITY OF
REXBURG
America's Family Community

May 03, 2006

Mayor Shawn Larsen

Council Members:

Donna Benfield – Council President
Farrell Young Christopher Mann
Rex Erickson Randy Schwendiman
Bart Stevens

City Staff :

Stephen Zollinger — City Attorney
Richard Horner – Finance Officer
John Millar — Public Works Director
Val Christensen – Building Official
Kurt Hibbert — Planning & Zoning Administrator
Blair Kay — City Clerk

7:00 P.M. – Pledge to the Flag

Mayor Larsen welcomed the current events students to the meeting. Police Officer Larsen was welcomed to the meeting too.

Roll Call of Council Members: All City Council Members were present.

Consent Calendar: The consent calendar includes items which require formal City Council action, however they are typically routine or not of great controversy. Individual Council members may ask that any specific item be removed from the consent calendar for discussion in greater detail. Explanatory information is included in the City Council's agenda packet regarding these items.

- A. Minutes from March 22nd, April 05th, and April 19th, 2006 meetings
- B. Approve the City of Rexburg Bills

Council Member Erickson asked to have a change for April 19, page seven: change east to west for the Bart Smith comment. Council Member Benfield requested a change on March 22, page eight in the last paragraph: of needs to be changed to off. On page ten, on City Attorney Zollinger's comments the word is should be "planes in use." On page eleven her comments should say "Theatre Committee not Tabernacle Committee." Council Member Stevens requested a change for April 19th on the top of page twenty: He "asked if Charley Allen had done a walk through of the Theatre," not that he had done a walk through.

Council Member Benfield moved to approve the minutes from March 22, April 05, and April 19, as amended and the City bills; Council Member Young seconded the motion; all voted aye, none opposed. **The motion carried.**

Public Comment: on issues not scheduled on the agenda (limit 3 minutes)

Jill Anderson at 419 Morgan Drive asked about a Conditional Use Permit for the hospital in regards to Reed Street, Morgan Drive, and Millhollow Road. The questions are detailed below:

1. Who is the governing body?
2. Where is the traffic study for the Conditional Use Permit?

They are extremely concerned with traffic study because increased services at the hospital have caused increased traffic and parking in the aforementioned streets. There have not been any additional entrances added to the hospital. She mentioned the lower Millhollow residents are concerned with the additional traffic. She asked for a copy the landscape plans for Morgan Drive and Millhollow Road. There is a question of having City Attorney Zollinger with his position with

the City sitting on the hospital board. Also, Richard Smith's hospital board position was questioned, because of his interaction with the City in his profession. Jill was concerned with a conflict of interest between the several entities. Mayor Larsen will find out the conditions on the hospital and the hospital's Conditional Use Permit. Jill asked if the hospital had been issued a building permit. Planning and Zoning Administrator Hibbert explained the hospital is doing some ground work while they are seeking a building permit from the City. The neighborhood would like a "No through traffic" sign on Reed and Morgan per Jill. Mayor Larsen asked Public Works Director Millar about the traffic study. Public Works Director Millar anticipated the traffic study would be done this week. He indicated the City does have an unapproved copy of the landscaping plans in his office. There were some corrections coming on the plans.

Presentations:

A. Chris Sutherland was introduced as a new intern for Planning and Zoning Office. He is working on identifying the historical records for issuing Conditional Use Permits. Planning and Zoning Administrator Hibbert explained Chris is searching the minutes from prior Planning and Zoning hearings for this information. Chris is studying Construction Management for Urban Planning at the University.

B. Mayor's Youth Advisory Board – Governor's Roundtable Report

Kylie Peterson and Jordyn Bochenek went to the Governor's Roundtable representing the Mayor's Youth Advisory Board. There were a lot of displays and several amazing speakers. Troy McClain from the TV show "The Apprentice" was one of the speakers. Kylie learned that one voice can change something and together we can make a difference. They participated in a breakout session for after school programs. Kylie and Jordyn were able to explain how they make a difference in the City of Rexburg. Governor Kempthorne and the first lady spoke to the participants. They gave very good speeches. It was a really good experience. Kylie commented that she wanted to be Governor of Idaho some day.

Committee Liaison Assignments for 2006:

A. Council Member Chris Mann: *Parks & Recreation · Museum Committee:*

Council Member Mann reported the Westwood Committee met last week to plan the Cinco De Mayo celebration this coming Friday night. The Committee is making plans and progressing towards finding out the costs for making the outside of the Theatre more appealing. They are working hard. Mayor Larsen referenced a letter from the building inspector Charley Allen concerning the building. The City Clerk will give the approval letter to the City Council. Council Member Mann said the letter did approve the use of the building.

B. Council Member Donna Benfield: *Beautification Committee · Police Department update:* Council Member Benfield reported the Police Department is doing just fine. They are moving right along with their Department.

C. Council Member Rex Erickson: *Airport Board · Planning & Zoning:*

Council Member Erickson will report later in the meeting on Planning and Zoning approvals.

D. Council Member Randy Schwendiman: *Golf Board · Traffic & Safety · Emergency Services Board:*

Council Member Schwendiman reported the nine hole putting course is probable on hold. The new street light going up at Taco Time is operational. It is an intersection that the Traffic and Safety Committee wanted to add more light. Mayor Larsen reported the Millhollow Mobile Home Park Community has asked about a speed bump in their area. Mayor Larsen asked Public Works Director Millar if a speed bump had been installed at the Rotary Park. John was not sure; however, he will check with the Street Department and get back with Mayor Larsen.

F. Council Member Farrell Young: *Tabernacle Committee · Rexburg Arts Council:*

Council Member Young reported the Arts Council is meeting regularly. They have put together the Wednesday evening summer programs. The schedule is filled with delightful musical performances all summer long. In the past the Sun Birds (retired residents from out of the area) have attended these performances. The Committee is anxious to see what attendance they will have this summer. They have worked hard to put together a good program. Mayor Larsen asked if the City could help with the promotions by doing a news letter and a calendar. The calendar could be posted on "www.rexburg.org", the City's web sight. The Tabernacle Committee is meeting regularly too. The next Orchestra Concert is planned for June 7th. These concerts will run through August. The public is invited to the free concerts; however, donations are accepted at the door.

G. Council Member Bart Stevens: *Trails of Madison County · IBC Committee:*

Council Member Stevens reported the Trails Committee is meeting every week to prepare for the Spud Race on June 17th in conjunction with Legacy Flight Museum Air Show. He mentioned students are working on a trail design on both sides of the river behind Cal Ranch. They will report to the City Council when time permits, probably after the Spud Race on June 17th. May 11, 2006, at 6:00 p.m. the Trails Committee has scheduled a ground breaking ceremony for a trails project from Rexburg to Sugar City. It is on the same day as the City Councils planning session.

H. Mayor Larsen: *Mayor's Youth Advisory Board:*

Mayor Larsen reported he will be the City's liaison to Legacy Flight Museum Board. The Board has been appointed by the County and the City. The City has appointed one of the five members. Neil Erickson is the City's appointment to be on the Board. Mayor Larsen recommended the City Council Member be aware of the next meeting on the 11th of May, at 7:00 a.m. Mayor Larsen will attend the meeting with interested City Council Member to facilitate the establishment of new processes for the Board.

Report on Projects:

Public Works Director Millar reported on the progress of the Animal Shelter. He showed slides on the overhead. The Animal Shelter is scheduled to finish in another week to ten days. The City Council is invited to visit the facility.

A. Millhollow Road discussion:

Public Works Director Millar reviewed a drawing of the proposed alignment of Millhollow Road and Shoshone Avenue. Upper Millhollow Road down to 2nd South would be re-done. It would dead-end by entering into Shoshone Avenue. The new road construction would eliminate a four-way intersection and install a three-way intersection. The current drawing shows the proposed modifications. The driveways have not been designed yet. In a neighborhood meeting at Lincoln School, he had mentioned a thirty two foot width for the road off the top of his head. After drawing the road plan and analyzing it, they decided it should be a thirty four foot road width. This plan would allow for a one foot flat concrete boarder and a twelve foot traffic lane on each side of the road. The remaining eight foot would be a pedestrian way. This design would be in place of installing sidewalks on each side of the road. The road has been stake seventeen foot off center line in the proposed area of road construction. One area has been staked one to two feet to the west to avoid some terrain issues.

Mayor Larsen invited residents to comment on the thirty four (34) foot road proposal.

Jim Brannon at 321 Millhollow Road indicated the project needs to be done; its time to do it. He referenced the questions on the alleys. Will they be re-paved? He asked for cost estimations for the concrete strip too.

Public Works Director Millar referenced the alleys, indicating some are in good condition and some are in poor condition. There are five side streets (alleys) that have become driveways. There has been some discussion of turning them back to the residents. Planning and Zoning Administrator Hibbert explained some of them are accesses to homes. Director Millar said two of alleys will be resurfaced in the budget.

Council Member Erickson asked if those two alleys were in the budget for repair. Director Millar explained they are in the budget.

Council Member Stevens remembered the conversation on the alleys.

Jim Brannon measured bike lanes around the City (Millhollow, 2nd East) and he still wants a thirty two foot road as was discussed and agreed to at the neighborhood meeting. He asked if the thirty two foot road could still have an eight foot path way or can the pathway be reduced? The bike lanes he measured were around six feet four inches. The curb makes up the difference in the eight (8) foot path. Mayor Larsen did not know if there was an agreement at the neighborhood meeting to keep the road at thirty two feet. He explained it is the job of the engineer to design the road, even though this proposal deviates from the City standards. Mayor Larsen explained the City

Council kind-of gave the City engineer the go ahead. Let's look to deviate from the standard; however, let's let the City engineer design the road.

Jim Brannon said he has a concern with decision made at meetings. They always change after a meeting. He did not think the bike path was eight feet in other areas of the City. He was agreeable to a thirty two (32) foot road with a six foot bike path.

Council Member Young asked about the area in green. Pubic Works Director Millar explained it is City property.

Steve Hart at 285 Millhollow Road was at the meeting where he remembers hearing: "We can make the road thirty two (32) feet; can you agree to that width?" The residents were agreeable to thirty two (32) feet for the road. He reference Alice Ward's request to have her alley way fixed and taken care of by the City. It has some pot holes. She has a nurse that needs to get into her home for her husband's care during construction. Public Works Director Millar said they could accommodate her request. Steve asked for land in front of his house to be abandoned after the construction. He wanted the alleyway to remain a roadway for future development of a home behind his home.

Mayor Larsen explained the City is trying to work with the neighborhood to work with the situation. He did not think it is in the best interest of the Community to abandon the right-of-way.

Steve Hart asked to widen the road at the turn. Council Member Erickson agreed it was a good idea. Steve agreed to a thirty two (32) feet road. That is why he wrote a letter to the City.

Ron Mills at 290 Shoshone Avenue was concerned with turning Millhollow Road into Shoshone. He was not in favor of the traffic flow coming from Millhollow Road to Shoshone Avenue. He thinks the City has to work on consistency. It looks bad for the City Council to be inconsistent. He referenced the Master Plan connecting to 7th South. He commented that address changes may need to be addressed. He thinks new people coming to the area will be confused without an address change. Mayor Larsen indicated the Transportation Plan does call for Shoshone Avenue connecting to 7th South.

David Wood at 280 Shoshone Avenue appreciates the effort to improve the intersection at Millhollow Road and Shoshone Avenue. He travels on Millhollow Road to work. He is concerned with the additional traffic that would be turning onto Shoshone Avenue. Shoshone Avenue is not a main thoroughfare. He is speaking for his neighbors: (Mcpheeters, Wades & Tanners). The road will be slick coming down Millhollow Road in the winter. People will go off the road at the proposed intersection. He is concerned because people go off the road now and hit the neighbor's fence. Why change the intersection at this point.

Larry Wickam at 310 Millhollow Road is not opposed to many of the proposals; however, he took an emergency services response team course. In the course he learned to do the most good for the most people. He asked why this is a priority over other areas of the City. He agreed the street does need to be fixed. He was in agreement with Steve on the thirty two (32) feet for the road width. He and the neighbors went home after the last neighborhood meeting and measured the street. They felt good about widening the road to thirty two (32) feet. He was shocked to see the letter stating a thirty four (34) foot road. He measured bike paths in Rexburg and Idaho Falls too. The average width for a bike path was between five (5) and six (6) feet. He asked why it was eight (8) foot on this road and ending it on Shoshone. Larry proposed to continue the bike path on Shoshone Avenue up to 7th South. He was worried about an ambulance getting to the Ward family. It was less than twenty nine (29) years since the current Millhollow configuration was a done deal. A previous City Council and Mayor said they would leave Millhollow as it currently exits. He asked about the costs that would be put on the home owners. He would appreciate some answers to his questions.

Chad Price at 269 Millhollow Road has lived there for the last twelve (12) years. The thanked the Mayor and the City Council for working on this proposal. After waiting a few years for elevation information on the proposed road changes, he decided to go ahead and finished his driveway a couple of years ago. He likes thirty two foot (32) road width proposal. The access road between him (269) and Steve Hart's property (285) is not put in correctly. He wanted the side road put in correctly when Millhollow Road is fixed. He also wanted the back lot to have access for future development. He wanted to have some closure for planting trees and yards.

Korin Tueller at 240 Shoshone Avenue mentioned it was a difficult issue with neighbors on Shoshone Avenue feeling differently than neighbors on Millhollow Road. The neighbors have a difference of opinion. The neighbors on Millhollow Road left the neighborhood meeting feeling good about a thirty two (32) foot roadway. Her husband and her left the same meeting wondering if they should sell their home. They purchased their home on Shoshone Avenue because it was relatively untouched by the Millhollow Road traffic. She understands compromise is necessary; however, they did not buy a house with a sixty foot road in front of it for that purpose. She, Mary and Rod Wade are concerned with the intersection. She is concerned with where the stakes have been put on the roadway. She is concerned having the roadway intersection built the way it is drawn. She said without 7th South being extended to Shoshone Avenue, it would be difficult for trucks to negotiate the proposed intersection between Shoshone Avenue and Millhollow Road.

Vaughn Price at 315 Millhollow Road recognized it has not been comfortable to work on this issue. They appreciate the effort of all parties involved. They are interested in getting the road completed. He is concerned with the side roads being plowed in the winter. He has only seen the side roads off Millhollow Road plowed one time in the winter. If they are City property, they should be maintained as City property. He is with the rest of the people on Millhollow Road requesting a thirty two (32) foot road.

Mayor Larsen reviewed the questions with John Millar:

1. Homeowners have plowed the roads. Public Works Director Millar mentioned the neighbors have taken care of the side roads and the City has treated them as driveways. If the City plowed them, it would be without parking in the winters. They are twenty five feet (25) wide and the City will start plowing them.
2. John reviewed the future plans for connecting Shoshone Avenue to 7th South. It would take a realignment of the right-of-way on the extension of Shoshone Avenue.
3. The extension of 7th South would be a least two (2) years out for construction to Shoshone Avenue.
4. Public Works Director Millar was not aware of the situation of the side road alignment by Harts.
5. The cost would be determined as an element of a Local Improvement District. The LID notices would go out to the residents indicating a notice to create an LID; then a preliminary assessment that details the cost and the cost projections. This proposed assessment based on a front footage basis would be sent to the residents on the LID; then, after construction a final assessment notice (within 10%) would be sent to the residents on the LID.

The curbing would be paid by the property owners if approved by the City Council and ½ of bike path would be charged to the property owners in lieu of a sidewalk. The proposal is to have the LID assessed on both sides of the road and paid by the property owners. This would take the place of the required sidewalk. Mayor Larsen asked if an eight foot bike path is necessary. Other areas are a minimum of forty to fifty feet wide. An opposing traffic requires an eight foot path. Public Works Director Millar mentioned his hardest decision was to find a way to meet the **American Association of State Highway and Transportation Officials** (AASHTO) Standards for pedestrian pathways. He reviewed some bike paths in Rexburg that are stripped less than the AASHTO Standards; however, those streets are a minimum of forty to fifty feet wide. This allows traffic more space to shy away from bicycle or pedestrian traffic using that pathway. In this case we are only proposing a twenty four (24) foot travel way. When you have opposing cars come, it does crowd the pedestrian pathway area; not leaving any real room to shy away to get a margin of safety. Therefore, a six (6) foot pathway is a risk that is not in the best interests of the City. Public Works Director Millar indicated it would be a very unsafe condition. Two (2) additional feet when you are talking six (6) feet versus eight (8) feet makes a lot of difference on a pathway.

Council Member Mann asked for legal advice from the City Attorney.

City Attorney Zollinger reviewed the AASHTO Standards with requirements of ten feet for bikes and joggers. If you limit the path to bikes only; you could go to six (6) feet. Public Works Director Millar said this area gets a lot of pedestrians on the road. The goal is to get a safe road for bikes and pedestrians. City Attorney Zollinger explained merging the two pathways (bike and pedestrian) into one pathway requires pedestrians to have five feet and the bikes would require

three (3) feet. If it is a two directional path, then twelve (12) feet is required. The real risk is anticipating the movement of people when they come into contact with each other.

There was discussion on the plan for connecting a pathway from the high school to the farms because students don't have a sidewalk down below this area. City Attorney Zollinger mentioned the intent is to carry the path the full distance from the high school to the farms.

Council Member Stevens asked if this proposed pathway is taking the place of a sidewalk. Public Works Director Millar indicated the City standard is sidewalks on both sides of the street. Some sidewalks are ten foot wide and some are five foot wide. The question was raised: Can a "pedestrian only" path be allowed at six (6) feet. City Attorney Zollinger said it needed to have an elevation set off.

Vaughn Price mentioned bicycles are considered to be traffic. The bikes coming down Millhollow Road won't use a pedestrian lane.

The City Council discussed liability issues and addressing concerns with the road changes. Public Works Director Millar mentioned it does lead to an addressing problem.

6. Does the Street name become Millhollow Road or Shoshone Avenue. This is a question for the Addressing Committee.
7. Why is the Millhollow project a high priority project? Public Works Director Millar said safety and the road is deteriorating. It has been put off for many years. The residents would like to get this project behind them.
8. Who is in charge of the landscaping on the City property. It is the City's responsibility to landscape the area of City property.
9. If the City would turn the triangle area green, would the residents take care of it. Some residents have expressed an interest in caring (mowing) the land at the triangle.
10. Can the intersection be widened for easier turning. Public Works Director Millar said it could be reviewed. He was not sure if there was a need for a left turn lane; however, they will take a look at it.

Council Member Schwendiman asked how much the project would cost. Public Works Director Millar stated it could be around \$130,000 with some alley work.

A question was asked about safety south of this block. Public Works Director Millar said the City does not have right-of-way on the west side of the road at this time. The east has been platted with City right-of-way; however, the developer has chosen to wait for his development to continue. The City will work with developers as the land is developed.

Chad Price stated speed is an issue. He asked about stop signs at 2nd South and Millhollow Road.

Council Member Stevens asked if a new road would cause them to slow down at the intersection.

The question was asked why the current configuration was chosen.

Mayor Larsen indicated the discussion came out of the neighborhood meeting. The consensus out of the neighborhood meeting was to move to this type of configuration.

Public Works Director Millar indicated the transportation plans over the last twenty years have shown Shoshone Avenue is a more direct connector to 7th South and it is a wider street for traffic.

Another question was asked about the traffic coming from the high school. Will there be a stop sign on 2nd South and Shoshone Avenue? It was suggested that a stop sign there would interrupt traffic flow to control speeding. Public Works Director Millar indicated traffic would not change appreciable until 7th South is connected.

Council Member Stevens does agree with the three-way stops at Millhollow Road and 2nd South.

Mayor Larsen asked how the City Council would like to proceed.

Council Member Mann would like to see a compromise on the thirty two (32) foot road width because thirty two (32) feet was the number given to the neighbors in the neighborhood meeting. Public Works Director Millar said thirty two (32) feet is not wide enough. There were some questions about the location of the stakes showing the new road location. Some of the stakes may have been moved from the intended locations. The stakes should be located seventeen feet from the center of the road. The center line shifts towards the north end. The line is staked at the center of the right-of-way.

Council Member Stevens indicated the neighbors would appreciate shifting the road to the west.

Council Member Young thanked the residents for making their wishes known in such a peaceful way to the City Council. The City Council is trying to do the very best they can.

Council Member Benfield thanked the residents for thinking of their neighbors. She is good with the design going either way. She thinks it has been done fairly.

Mayor Larsen indicated the City would put cost estimates together for a public hearing if the City Council gives Public Works Director Millar the authority to move forward with the process. It would take a public hearing for a typical fifteen year LID. The public could attend the public hearing to make public comment on the assessment. The payment could be made up front or it could be paid monthly on the property owner's water bill over the fifteen year period. Public Works Director Millar mentioned the construction would take about three weeks starting in July, 2006. He referenced Sunset Circle as an example of the time frame. It was done fairly quickly last year.

Council Member Benfield asked if the City Council would have the option to say yea or nay later in the process. Public Works Director Millar reviewed the process with up-coming public hearings on the LID and the bid award. Mayor Larsen indicated the \$130,000 is just an estimate for the City portion of the cost of the project.

Council Member Schwendiman asked if the design is set in stone. Will there be any modifications? Public Works Director Millar mentioned the width and the proposed alignment needs clarified.

Mayor Larsen clarified the request. You (John) are asking for the width of the road and the intersection design. Mayor Larsen said the City Council could take a look at the proposed layouts with the understanding that you will put the engineering to this drawing. If it makes sense to widen the intersection, you will do it. Mayor Larsen did not think the Mayor and City Council should spell out the width of the intersection.

Council Member Schwendiman would agree with the engineers design for the width; however, he is concerned with people losing front yards.

Public Works Director Millar referenced a prior City Council decision on 2nd East to narrow the Road. That portion of 2nd East will need to be widened later.

Council Member Mann would vote for thirty two (32) feet for the Millhollow road width.

Council Member Stevens measured Millhollow Road and he found the road width to vary from nineteen (19) to twenty two (22) feet. The thirty two foot proposal is better than it is at this time. The concern is over the two (2) feet. He is comfortable with the thirty two feet.

Council Member Schwendiman asked to have a bike on the street and make it a pedestrian path only. He wanted 7th South completed.

Council Member Erickson asked if this project is really a priority. Many streets need work. Is this project a real priority. Let's leave in a nice country path. Let's fix patches if they can be fixed. He agreed thirty two feet is plenty of road width on Millhollow Road. He wanted a walking path only instead of combining a walking path with a bike path. If widening Millhollow Road is a necessity, thirty two feet is enough. He likes the current design with a six foot path which is in regard to a previous City Council discussion with the neighbors. He asked for a fan shaped design

for more room at the intersection.

Council Member Benfield is fine with the public decision to do it with a six foot path. Bikes will be on the pavement not on the bike path. She wants to move forward with current proposal.

Council Member Stevens said a flared intersection would impact the neighbors across the street with headlights.

Council Member Young is fine with the thirty two foot proposal.

Council Member Stevens moved to have Public Works Director Millar move forward with a thirty two (32) foot road width with a six (6) foot pedestrian lane; Council Member Erickson seconded the motion; Discussion: City Attorney Zollinger reviewed the requirements from the **American Association of State Highway and Transportation Officials** (AASHTO) Standards. He recommended removing the pathway from the thirty two (32) foot road proposal to avoid the conflict with the AASHTO Standards concerning the width of the bike path and the pedestrian path. Council Member Stevens moved to amend the motion to thirty two (32) feet without a six (6) foot bike path. Council Member Erickson seconded the amendment; Discussion: Council Member Young asked where the public would be able to walk. Council Member Erickson mentioned they will walk where they are walking now, in the road; except the road will be wider and there will be a one (1) foot concrete strip on each side of the road for walking. There was a question concerning the pathway issue coming up at a later date. Mayor Larsen indicated the current City Council is unable to bind future City Councils. If a future City Council desires to install a pathway on Millhollow Road; they would be allowed to do it. Mayor Larsen called for a vote: All voted aye, none opposed. **The motion carried.**

Mayor Larsen thanked the neighbors for their input. Their input has been very helpful. It will be a good project in the end. The City will be getting rid of an eye sore in the landscaping area; He hopes some arrangements could be worked out with the neighborhood to help maintain the green area.

Council Member Erickson was concerned with setting a precedent by abandoning a right-of-way.

Public Hearings: - NONE

New Business:

A. **Preliminary Plat** Riverwoods Townhomes Division NO. 2 (Trejo Street)

Brandon Jenks with Jenks Brothers Inc. at 3680 West Mountain View Drive reviewed the Riverwoods Townhomes, Division 2 Preliminary Plat with the City Council on the overhead screen. He mentioned it is in a townhome corridor. It has street frontage on three sides. The thirty foot set back in back can not be used to park vehicles. Planning and Zoning approved it without the five parking stalls in the set back. They are trying to keep the parking off the street and in the back of the property. On this lot there is a problem with getting parking in the back of the lot due to the three sided lot. They are complying with the design standards to make it as good looking as possible.

Mayor Larsen clarified Planning and Zoning's recommendation for approval of the proposal without the parking in the back of the lot because the applicant is legal without the parking in the rear of the lot. Brandon Jenks has plenty of parking across the street; however, he would like to use parking on sight. He wants to keep the same development plan going to the next building; however, they don't have parking on the side of the building. He presented a drawing that was not approved by Planning and Zoning because it included five stalls in the back of this proposal. This proposal would be better for the people using the facility because it has five on sight parking stalls in the back of the lot. He was told there used to be a City Ordinance for a three sided lot; however, it is not covered in the current City Ordinance. He reviewed the possibility of six or seven parking stalls in the back of the lot if approved by the City Council. He has abided by the requirements for a Planned Unit Development in the City Ordinance.

Council Member Erickson mentioned Planning and Zoning recommended this Plat without the parking stalls in the rear of the development. He recommended following the Planning and Zoning recommendation. There was discussion on the development across the street and using the parking there for this development. There are fourteen parking stalls across the street.

Council Member Young asked if there was a crosswalk across the street. There is not a crosswalk at the present time.

Council Member Mann asked to stay with the rules. He did not recommend a compromise.

Mayor Larsen referred to the common sense approach that was used on the Millhollow decision. He recommended a common sense approach by allowing the six (6) parking stalls on sight.

City Attorney Zollinger indicated the request would have to come before the City Council as a variance at a later date. An ordinance modification for three sided lots or a variance request could be the vehicle to allow for the on sight parking stalls.

Council Member Erickson referred to a request for a variance on the Henderson development. It was needed due to a road that was put in after the owner purchased the lot.

Council Member Erickson moved to approve the Preliminary Plat for Riverwoods Townhomes Division NO. 2 as recommended by Planning and Zoning Commission without the five additional guest parking stalls; Council Member Benfield seconded the motion; Council Member Young asked about garages. There are two parking stalls included in the foot print for each unit. All voted aye, none opposed. **The motion carried.**

Mayor Larsen asked Planning and Zoning Administrator Hibbert if this item was omitted from the current Zoning Ordinance in the conversion to the new Ordinance format. There was discussion on the item being in Ordinance 725.

Calendared Bills and Tabled Items:

A. BILL Introductions: - NONE

B. First Reading: Those items which are being introduced for first reading. – NONE

C. Second Reading: Those items which have been first read.

1. **BILL 958** – Business Registration

Mayor Larsen explained the BILL has been modified from the first reading. He asked the Council how to proceed.

Council Member Young said he has had calls to avoid raising the fees above the current twenty dollars. He indicated a \$20.00 or \$25.00 fee plus \$1.00 per unit for apartments would be agreeable to the business community.

Mayor Larsen referenced Ordinances 707 for business licenses signed by Mayor Boyle; Ordinance 745 amended Ordinance 709, and Appendix “Schedule A.” He reviewed the Ordinances and the fees on “Schedule A” with the City Council. Mayor Larsen said it is confusing to have several Ordinances and several types of forms for business registrations. The City issues business registrations now without tracking the businesses for zoning, parking, conditional use permits, etc. Mayor Larsen referred to other communities that do track businesses. He asked Compliance Officer Powell to review the City of Blackfoot’s processes for business registration.

Compliance Officer Powell was impressed with Blackfoot’s process for business registration. They were able to show her the history of a business in past years. If you are tracking businesses by the knowledge in your head, it can be lost forever. They register all of their businesses.

Council Member Erickson asked Compliance Officer Powell how Blackfoot City registers their businesses. They are on a time line and their application is updated when they pay their yearly fees. Council Member Erickson requested the Staff to address the business information issues at the time the business does their annual registrations with the City of Rexburg. If the business does not pay their registration fee; then the City Compliance Officer could go out and visit the business.

Compliance Officer Powell said that she is swamped right now with complaints. Council Member Erickson agreed she could be busy with complaints and checking businesses that don't pay the registration fee. He did not think she had time to inspect every business in the City and every apartment in the City once a year. Compliance Officer Powell agreed with the idea of reviewing the business information when they are getting their annual registration, which would cut down on the complaints by requiring the information within an appropriate time-line. She thought it could be a simple process of bringing them into compliance when they pay the registration fee. She believed everyone could come into compliance by reviewing the businesses through the registration process and Council Member Erickson agreed. He did not think the City needed BILL 958. He requested the City set up a registration form to collect the necessary information and start keeping track from that time forward. He requested the Compliance Officer to go and inspect the businesses that are getting the complaints and if they are not registered, the Compliance Officer needs to bring them up to speed for a business registration.

Compliance Officer Powell asked how she will find out about businesses that are non-compliant if they are registered. Council Member Erickson believed those businesses would (over time) be exposed by a complaint.

Council Member Young mentioned if we don't do something we still have a problem. He recommended equalizing the charges for every business including professional businesses. He requested a City ordinance to require that policy. It needs to be made more uniform.

Council Member Erickson was opposed to creating a City ordinance to set the fees. He was not opposed to a \$25.00 or even a \$50.00 fee for business registration; however, he has had more complaints on BILL 958 than any other issue because businesses do not want the City to show up at their door without some reason. He recommended the process of registering every business in the City begin with the 2007 registrations and start keeping track from that point. The problem areas are the ones the Compliance Officer will have to investigate which are the businesses that are not legitimate.

Compliance Officer Powell commented on feed back from businesses she works with for compliance. They respond by saying "why aren't you inspecting everybody?" Council Member Erickson did not have a problem with Compliance Officer Powell going and inspecting every business if she had time. His concern is putting an ordinance in place that would require the annual business inspections which would require a whole fleet of people to carry it out. He referenced Virginia Pratt's recommendation of doing a random apartment inspection. If that apartment is up to standard, the City would not need to inspect the remaining seven hundred apartments in the complex.

Compliance Officer Powell understood his position. She commented on the uniqueness of every apartment she has visited. She wanted to proceed with the inspections in what-ever manner the City Council recommended.

Mayor Larsen requested the City Council read the proposed BILL section by section. He did not understand their concerns. The BILL has been changed to eliminate the required annual inspection and the amount for the fees has been taken out of the BILL. City Attorney Zollinger reviewed those changes to the BILL. He commented on the City of Blackfoot's business registration process. They do an annual fire code inspection of every business with their Fire Department and they go into a business room by room. Other Cities do annual business inspections with Fire Departments too. The City of Rexburg's Fire Department does not do annual Fire Department inspections at this time due to a lack of available man power.

Mayor Larsen reviewed sample forms for business registrations from other Cities. One example spelled out the zone, if there was a conditional use permit, number of beds, and parking stalls. The form was used to track this information.

Council Member Schwendiman commented on the attempt to rewrite the BILL to take out the amount of the fees, etc; however, he has taken more calls on this BILL because the business owners do not want it. The City does not need a new BILL to track them; just start tracking them.

Mayor Larsen commented on the confusion that exists in trying to administer several ordinances for business compliance. He did not think the reason for the BILL was understood by the businesses.

Council Member Erickson recommended (as discussed with Mayor Larsen yesterday) sending out an inventory sheet and a registration form to each business. Let the businesses fill out the forms and then let them send the forms back to the City when they pay their fees. This will provide the City with the requested information. He thought the process was already in place to register businesses. If there is a compliance issue; then send out the Compliance Officer.

Mayor Larsen was agreeable to do the forms for registration and he will bring a BILL back to the City Council that codifies the other ordinances that are associated with business registration. He recommends having only one ordinance for business registration.

Council Member Erickson said the business registration ordinances have not been combined or do they need to be combined. They already cover everything we want to do.

Mayor Larsen wanted to clarify his reasons for codifying the business registration ordinances. Council Member Erickson understood the reason for ordinance codification; however, he was opposed to codifying these ordinances into one ordinance.

Mayor Larsen reviewed the current effort to codify ordinances and resolutions. It spells out the scope, definitions, types of fees, license fees, licensing payments, license application, and terms for all of the City's current ordinances. The City has variance ordinances on the books that do not fit the codification process.

Compliance Officer Powell mentioned the business review process would be simplified if there was only one ordinance to reference for zoning, fire, and building issues. It simplifies everything for the compliance review.

Council Member Erickson referred back to the inventory sheet. If the Compliance Officer will work off from the inventory sheet, she can do the very same thing with BILL 958. If the business is not in compliance, the City could issue a citation or use another remedy by using the Fire Department, engineers, etc. to bring the business into compliance. This whole thing can be taken care of without BILL 958 if the City keeps track of them during the registration process. He does not think there are very many businesses in the City that are not registered. If they are not registered, it is the Compliance Officers responsibility to get them registered.

Council Member Schwendiman was concerned with inspecting home businesses. The City Clerk referenced Ordinance 926 for home business compliance.

Council Member Young asked Council Member Mann and Council Member Stevens why he voted nay on the first reading of BILL 958. Council Member Mann did not see a reason to vote yea when he did not understand it. There is a bad taste in the Community for this BILL 958. He is willing to look at this issue. He wanted to look at it as the basis of what the City Council wants to do. We created something that wasn't good. His concern was "it was too big."

Council Member Stevens was concerned with the inspection process. Is it an inspection or a life safety inspection? The Compliance Officer is not sure if she is doing an inspection or a safety check. If it is called an inspection, it needs to come under the guidelines of the Building Department. To do building inspections, a professional engineer by law has to be someone who is

qualified as a building inspector. When the Compliance Officer is sent out to a house, even though she uses the correct terminology, it will be perceived as an inspection. He did not know if the City wanted to assume the liability of continuing to make sure every building and every apartment is safe. All the City has to do is verify the safety issues when an occupancy permit is issued. It goes to the liability of the insurance companies and the home owner of anything else that happens to the property. He perceived the City assuming a huge liability if there was ever an accident, fire, or anything because the City has assured through a received inspection that the building, business, or apartment is safe. He was not willing to go anywhere with that concern.

Council Member Young voted for the first reading of BILL 958 to consolidate the paperwork that is found in several different ordinances into one ordinance. He liked the revisions to the BILL that was made after the first reading of BILL 958. Since the first reading of BILL 958, he has fielded many calls from people asking for the same fee, register everyone the same, without a dictatorial rule of having to be inspected. A lot of those calls asked for a unified fee schedule, instead of going through the required inspection process. Council Member Young suggested putting the unified fee schedule and the other ordinances under one umbrella to avoid all of the paper work. He thought the businesses would be happy if the City did not charge the businesses differently and the City did not show up on their door step every year for an annual inspection. He thought there were some unsettling feelings out in the Community over this issue.

Mayor Larsen suggested letting BILL 958 die in Committee and bring a new BILL back to the City Council that includes a registration tracking form covering all of these circumstances (peddler, home occupation, apartment, or a business.) The City would track the zone it is in, conditional uses, and all of the current Planning and Zoning issues. In ten years, if the City Council asked how that condition was allowed, the approval information would be documented on the business registration form for a permanent record. The City will have a registration application which codifies these ordinances, plus a simplified fee schedule resolution to clean up the current fee schedule. Some of the businesses would be charged differently, like a fire works stand which requires a \$50.00 fire marshal inspection and apartments because they are treated differently than a regular business.

Council Member Young asked if the form would do away with the current business registration ordinances. Mayor Larsen indicated it was possible to construct the form to take care of the requirements in those ordinances. The purpose of the form is to utilize the City's current permit tracking system. This information will be tracked in the permitting system or some other system like the one used in Blackfoot.

Council Member Benfield expressed some concerns with the business registration process. She has had so many calls with BILL 958. In the future she will not vote for a first reading if there is problems with the BILL. Council Member Benfield has had many calls with concerns over this BILL because it is threatening. She would use current Ordinances with better tracking processes.

Mayor Larsen reiterated the City's need for legislative authority to track business. Council Member Benfield indicated it would be an administrative responsibility to track the business registrations. Council Member Schwendiman voted for the first reading due to the parking issues.

The City Council indicated the current ordinances were sufficient to track businesses.

Council Member Erickson clarified his reasons for asking for the first reading. He wanted to end the discussion after an hour and a half of endless discussion. It was out of desperation and frustration to get out of the discussion.

Mayor Larsen reviewed the process and he said it worked. The BILL was given to the City Council to review for two weeks. In the next meeting the BILL was discussed and first read. In the third meeting the BILL was discussed again and the decision was made to delay the second reading. He felt the process worked.

Council Member Schwendiman does not want to first read a BILL that is so far from what the City Council want to debate. The fees were too large.

Council Member Erickson reviewed the parking discussion from the first reading. It is not mentioned in the rewrite of the BILL.

Mayor Larsen asked the City Council if they would support tracking the number of units and the parking stalls based on the date they built the apartment. If the apartment came into the City on a one to one (1-1) ratio or a point four (.4) ratio of apartments to parking stalls, it would be tracked. If someone comes in and says there is no parking in the apartment complex. Council Member Erickson has no problem with a form to track businesses, if they fill out the form themselves and then return it to the City with their business registration payment. If the City finds the number to be wrong; the Compliance Officer could go out and verify the number of parking stalls with the apartment owner/manager.

Mayor Larsen said there is one area that has not been addressed. The students coming to the University need to be notified if they have a parking stall for their apartment contract or they do not have a parking stall noted in their apartment contract.

Council Member Young noted that there is overlapping of the ordinances. The City already has a parking ordinance; do we need to spell it out again? It is duplicating an existing City ordinance.

Council Member Schwendiman concurred that it was a matter of tracking, so let's track it. He was OK with codifying the City ordinances; however, he wants to take more time to do it.

Mayor Larsen asked the City Council if they would support wording stating: "if you have four hundred parking stalls, you can issue four hundred parking passes."

Council Member Schwendiman was concerned with requiring the apartment owners to issue parking passes. "How far can you go?" Do you require them to register parking? He wants additional time to think about it. He does not rush business decisions.

Mayor Larsen perceives a problem with an apartment issuing more parking passes than parking stalls. The student can not park legally in the lot or on the street if the student is not provided a parking stall. He is left with a parking sticker without a parking stall; therefore, he tries to illegally park in the apartment lot or park on the street where the City gives him a ticket. They come back and say they had a parking sticker. There is not enough parking there for the students.

Council Member Schwendiman asked if the Council is going to require the apartments to have parking stickers. He does not want the City policing parking passes. He wants to talk to some apartment owners before making a decision.

Council Member Young asked University Attorney Richard Smith if the University would rather the City police parking verses the University.

Attorney Richard Smith acknowledged that BILL 958 came out with a lot of problems; however, it had a lot of good things too. The City has had a number of different parking ordinances over the year's requiring a number of different ratios. He asked the City to enforce their parking Ordinances. The students (or their parents) coming to Rexburg for the first time are unaware of the several parking ordinances that control parking in the City and on the City streets. They come to the City very unknowing of the existence of any parking requirements. When the City proposed BILL 958, it was a real positive thing. It did not say the apartment owners did not have enough parking, it did not require more parking; the BILL was asking the apartment owners to notify the students whether they have a parking place or not. He did not talk to one apartment owner that felt the request was unreasonable to be honest and truthful. There are misunderstandings every semester when the students come to Rexburg. "They do not know." All that portion of BILL 958 did was to simple say "if you don't have parking for a student, just tell the students." That is a very proper function of the City Council to enforce the parking ratios in the City ordinances. It will

take care of many problems when the students come to the City and find out they can't park on the street. He did not know if it should be part of the business registration; however, it ought to be addressed. It is a great compromise and it does not require any more parking; it requires them to be truthful and provide some information to the students.

Council Member Schwendiman is ready to go there and require student notification on parking. He did not know if it should be addressed in the business registration BILL or the parking ordinance.

Attorney Richard Smith indicated it was a very proper function for the City Council to enforce the parking regulations.

Council Member Stevens asked what mechanism does the City Council or the Enforcement Officer need to ensure the agents of apartment owners or apartment owners would be truthful. Does it need to be in the contract for the student?

Attorney Richard Smith read from BILL 958 where it states the City Clerk shall register each business applicant on a form with the following information.

BR.06.020 Registration-Application-Issuance procedure.

A. The city clerk shall be charged with the collection of all business registration fees required by the city. The city clerk shall provide for applications in connection with the issuance of registration. As directed by the city clerk, each applicant for registration shall file with the city clerk an application in writing on a form which shall contain the following information:

1. General Business Registration.

- a. Name, permanent address, business, home, and emergency phone numbers of the applicant;*
- b. Full business name.*
- c. Number of employees including owners and managers and part-time employees;*
- d. A brief description of the nature of the business;*
- e. If an agent or representative, the name and address and phone number of the principal;*
- f. The endorsement of the city zoning officer showing the business location sought to be registered has been reviewed;*
- g. The total square footage of all space used in conjunction with the business.*
- h. The total number of parking stalls available for use in conjunction with the business.*
- i. Identify any known legal nonconforming use of property or building;*
- j. Proof of having been inspected within the previous calendar year for compliance with applicable city regulations;*
- k. Such other information as the ordinances of the city shall require.*

2. Trailer Court or Mobile Home Park Business Registration.

- a. Name of owner, owner's address, rental agency, manager, owner's local representative if owner lives outside of Rexburg;*
- b. Name of trailer court/mobile home park, if applicable;*
- c. The address of the trailer court or mobile home park including a full nine-digit zip code number;*
- d. The business, home, and emergency phone number of applicant and their local agent if applicable;*
- e. The number of trailer hookups;*
- f. The endorsement of the city zoning officer showing the business location sought to be registered has been reviewed;*
- g. Identify any known legal nonconforming use of property or building;*

- h. The information required herein must be kept current if any changes occur, as well as such other information as the ordinances of the city shall require shall be provided;*
- i. In the case of Trailer Courts or Mobile Home Parks registration issued pursuant to this section shall not be transferable to successors in interest. Successors in interest must apply for a new registration in their name.*
- j. Proof of having been inspected within the previous calendar year for compliance with applicable city regulations;*
- k. Such other information as the ordinances of the city shall require.*

3. Office Space, Retail; Wholesale or Warehouse Space.

- a. Name or rental agency, manager, or owner;*
- b. Name of building, if applicable;*
- c. The address of the building;*
- d. The business, home, and emergency phone number of applicant;*
- e. Amount of square footage in the building;*
- f. The endorsement of the city zoning officer showing the business location sought to be registered has been reviewed;*
- g. The total square footage of all space used in conjunction with the business;*
- h. The total number of parking stalls available for use in conjunction with the business;*
- i. Identify any known legal nonconforming use of property or building;*
- j. Proof of having been inspected within the previous calendar year for compliance with applicable city regulations;*
- k. Such other information as the ordinances of the city shall require.*

4. Apartments or Residential Units.

- a. Name, permanent address, business, home, and emergency phone numbers of the applicant;*
- b. Full business name;*
- c. Number of beds including on sight managers;*
- d. Verification of compliance with applicable parking requirements;*
- e. If applicant is an agent or representative, the name and address and phone number of the principal;*
- f. The endorsement of the city zoning officer showing the business location sought to be registered has been reviewed;*
- g. The total number of parking stalls available for use in conjunction with the business;*
- h. The total number of parking stalls designated as visitor or short term parking;*
- i. Identify any known legal nonconforming use of property or building;*
- j. Proof of having been inspected within the previous calendar year for compliance with applicable city regulations;*
- k. Such other information as the ordinances of the city shall require.*

Attorney Richard Smith recommended this type of information should be collected and reviewed each year for businesses. He did not know if the process could be done administratively or by a City ordinance. The City needs to be asking this type of information. The apartment section asked for the number of beds, occupancy, and the number of parking spaces. The City should be requiring this information. Once the City has the information, the City could monitor the businesses by this BILL or another BILL. The student has to be notified if he does not have a parking stall when the parking stalls have been issued on other student contracts.

Council Member Stevens asked how that could be monitored. Attorney Richard Smith proposed to obtain the information on parking as part of business registration. If the apartment owners deviate from the disclosed count on parking stalls; they need to notify the students. He asked the City Council to encourage full disclosure on parking for the temporary residents (University Students) of Rexburg. It is a very proper function of the City Council to require the apartment owners to tell the students if they don't have parking.

Council Member Mann reminded the City Council of his conflict because he has rental units. He is not opposed to a residential parking ordinance. The City has mixed too many things together in BILL 958 and it is way over our heads. He does think there is a problem with parking

being regulated and enforced. The BILL was too big with too many problems. He wanted to address parking issues first before worrying about business registrations.

Council Member Erickson speculated if the City found apartments out of compliance with notifying students on the lack of parking; we never have, and he guaranteed we never will (as a City) close down an apartment for non-compliance with parking. City Attorney Zollinger explained the City is taking legal action against an eight Plex apartment at the present time.

Council Member Erickson wanted the University to have some responsibility. He referenced sun birds apartments followed the University. He noted every apartment owner followed the University's recommendation so they would not lose the University's endorsement. The University would only have to pull their endorsement one time and that would be the last one time. He did not feel the City would close them down.

Attorney Richard Smith did not agree that an apartment complex could not lose the University endorsement by actions of the City. If any of the apartment complexes violate any of the City Ordinances; they can lose their University endorsement for approved student housing. Attorney Richard Smith asked where does the University draw the line in taking care of its interests under Title Nine (9); and the University trying to enforce City Ordinances. It is improper for the Church or BYU-Idaho to be an enforcer of City's Zoning Ordinances or life safety conditions.

Council Member Erickson referenced a prior University decision to endorse apartment complexes to have both Sun City residents and students in the same complex. In that case the apartment owners listened to the University. Attorney Richard Smith respectfully disagreed with that analysis. The University did not tell anyone they could not rent to Sun City folks. The University simply said and they have always said the apartment complexes can't mix Sun Birds with students. That is what the University is entitled to in Title Nine (9). The University has been down this path year after year after year. The University can't mix; they require gender separation. The University can't mix non-students with students.

Council Member Erickson stated the apartment owners did mix others with the students until the University came out with a statement on the issue.

Council Member Erickson wanted the University to police the parking issue. He believed the apartment owners would listen to the University if they put something out on the parking issue stating the apartments had to abide by the parking ratios. Compliance to the parking ratio could be tied to the University's housing endorsement for the apartment complex.

Attorney Richard Smith indicated the University fully intends to support everything that has been talked about here in trying to solve these parking problems that occur with all the University students. The University believes one of the ways to solve the problem is to give the students good, clear information about the circumstances concerning the apartment complexes' parking. The University believes the proper approach is to have the City enforce the City Parking Ordinances, requiring prior disclosure because the students come to Rexburg without knowledge of the parking issues.

Mayor Larsen noted the City is better off to working with the University verses trying to oppose the University. He appreciated the University in their new apartment registration process requiring them to be in compliance with all City ordinances.

Council Member Schwendiman asked if the University is asking for disclosure. He was unsure if the City could dictate to the apartments to require parking stickers; however, he did support parking disclosure for the students.

Council Member Erickson was OK with parking disclosure too.

Mayor Larsen explained in Provo, Utah the student gets a stamp on the contract stating there is parking or there is "no parking provided" for that unit.

Council Member Stevens asked can the City make sure the apartments make full disclosure. He concluded that it needs to be part of the student contract in writing.

Attorney Richard Smith stated: “this is the beauty of it, it places responsibility on the apartments and the students. When winter comes and the students can’t park on the street, the Compliance Officer can ask the student “What does your contract say?” “Parking” or “no parking” will be on the contract. BILL 958 had that requirement in it. It is a good thing for the students to know if they have parking or not. If there is no parking, the student can choose to go where there is parking. It will take the pressure off the City.

Mayor Larsen reviewed the BILL Introduction item that was added to the agenda. The BILL system works because it allows for public input and comments. This BILL generated a lot of public input. If the City Council is agreeable, another BILL to do some of the things proposed in this BILL for business registration plus a second BILL to amend the parking Ordinance will come before the City Council in the future. He asked City Attorney Zollinger to set up a work meeting with apartment owners. BILL 958 was sent to Committee at the last meeting, so it will die in Committee.

The City Council voiced a desire to take more time and work on the BILL from the bottom up instead of the top down. This would allow time to visit with apartment owners and the general public. Streamlining other ordinances (with the same issues) into one ordinance was proposed too.

D. Third Reading: Those items which have been second read. – NONE

1. **Tabled Items:** Those items which have been the subject of an affirmative vote to a motion to table: - NONE
2. **Old Business:** - NONE

Mayor’s Report:

Mayor Larsen received a letter concerning the Downtown Revitalization Block Grant. It came out of the Economic Advisory Council with a Recommendation to the Governors’ Office for \$500,000. The governor will announce the Grant. It is for the removal of the Cenex building (County building), parking, and the alley way behind the businesses on the north side of Main Street. It was a complete Grant request because the City and the County partnered to remove slum and blight.

Council Member Mann commended Public Works Director Millar for the work done on Evergreen/Kiwanis Park. It looks wonderful. Public Works Director Millar gave the credit to The Parks, Recreation and Arts Department under Jack Bowman. Keola was the supervisor on the project. Mayor Larsen noted about one hundred and twenty volunteers helped too with an Arbor Day/Pride Day cleanup project at the sight. The Department of Lands through (ITD Transportation Enhancement) provided a re-imbursement Grant for \$15,000.00. The City provided in-kind work from the volunteers and City employees to satisfy the Grant requirements.

Council Member Benfield asked if there were any positive comments received on the “Welcome to Rexburg” sign. Mayor Larsen has had many positive comments on the sign, noting that it looks great.

Council Member Young noted the heads on sprinklers at Smith Park along the path have been broken off. Public Works Director Millar will take a look at preventing future damage to the sprinklers.

Council Member Mann asked about the schedule for the construction of the Spray Park. Public Works Director Millar noted the City broke ground today on the 10,000 gallon water recirculation vault for the water equipment. The primary equipment has been ordered. The restroom building has been sent out for a bid.

Council Member Benfield asked about the Animal Control facility bill for \$58,000.00. Public Works Director Millar indicated the project is within the scope of the budget discussed at the last meeting.

Council Member Young thanked the Standard Journal Reporter for his reports on the City. He has treated the City very well. Thank you Josh.

Calendar:

May 11th Chamber of Commerce location, City Council Training
May 17th City Council work meeting at 6:00 p.m. & 7:00 p.m.
May 18th Joint City/County meeting at the Commissioners office 6:00 p.m.
May 15-19th 2007 & 2008 Budget meetings with Departments, Mayor & Oversight Team Members.
May 31st Teton Dam Anniversary 6:00 p.m. at the Tabernacle
June 1st Joint City/County meeting
June 7th City Council Meeting 7:00 p.m.
June 14, 15, 16, Youth Track Program &
June 10 Teton Dam Marathon
June 16th and 17th Air show & Spud Race
June 21st City Council work meeting at 6:00 p.m. & 7:00 p.m.

Executive Session: – 67-2345 (C)

Mayor Larsen asked for a motion to go into Executive Session:

Council Member Stevens moved to go into Executive Session per State Statute 67-2345 (C);

Council Member Erickson seconded the motion; Mayor Larsen called for a roll call vote:

Those voting aye

Donna Benfield
Farrell Young
Christopher Mann
Rex Erickson
Randy Schwendiman
Bart Stevens

Those voting nay

None

The motion carried.

Executive Session

Executive Session ended.

Adjournment

Shawn Larsen, Mayor

Blair D. Kay, City Clerk