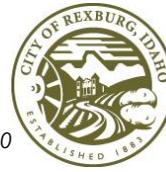


Customer Support Services City Council Minutes

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CITY OF
REXBURG
America's Family Community

April 04, 2007

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
Gary Leikness — Planning & Zoning Administrator
Blair Kay — City Clerk

7:00 P.M. – Pledge to the Flag

Roll Call of Council Members: All 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 21, 2007 meeting
- B. Approve the City of Rexburg Bills

Council Member Benfield had a few corrections: On page one and three, Mayor Larsen was excused from the meeting. On page four, Bryce Owen's comments were rebuttal comments. On page six, Kerry Schneider's comments were rebuttal comments. On pages five and seven, Council President Benfield voted aye. On page seven, Council Member Mann said behind the curve not curb. Council Member Erickson corrected the spelling for the Erikson name (no c) on the Erikson annexation.

Council Member Benfield moved to approve the corrected consent calendar; 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) - NONE

Presentations:

- A. **Recognition Plaque** for Joseph Laird's service to the City of Rexburg.



CITY OF
REXBURG
America's Family Community

Joseph Laird

*In recognition of outstanding service to the
City of Rexburg as City Engineer, Building Official,
and Planning & Zoning Commissioner,
from a grateful community.*

*City Engineer/ Building Official 1994-2001
Planning & Zoning Commissioner 2003-2007*

Mayor Larsen welcomed Mrs. Laird and her son to the meeting. Mayor Larsen presented a plaque for Joseph Laird's service to the community. Mayor Larsen explained that Mr. Laird helped Rexburg navigate through much change and growth. The city is grateful for his dedicated service.

B. Eastern Idaho Low Income Dental Clinic – Brandon Keiser

Mayor Larsen reviewed the free low income dental clinic. It is open and running. The facility is located in the EICAP Head Start building on 2nd North. The clinic is asking for a \$2,000 donation from the city. Council Member Young asked if the city would participate in a donation to the clinic. He suggested waiting for a formal proposal and perhaps waiting for a budget item next year to award this donation. Council Member Erickson asked if the request was for one time or annual. The City Council thought it was a one time request.

Brandon Keiser explained that the clinic is up and running. They still need an X-Ray machine. The clinic is run like any professional dental office. There are automatic chairs with high and low speed hook-ups. Most items were donated. A compressor and pump needed to run dental tools were donated. They only do basic dental care. Instead of a root canal they will pull a tooth. These people are not on Medicaid or Medicare and have absolutely no means to pay for proper dental care. The clinic targets a very specific group. The screening is done carefully to verify the applicant's poverty level. Eight dentists have committed to work at the facility for about 4 hours every Saturday. They are hoping to get 20 dentists committed. The clinic is only open on Saturdays.

Council Member Erickson asked about the \$2,000 request. Mr. Keiser explained this is a one time start up request. Brandon explained the clinic is working to get private grants which take three to four months. Most grants require some proof of stability which the \$2,000 donation from the city would help show. They hope to get grants that will give them a two to four year commitment. They pay \$25.00 to \$50.00 per month for rent. Insurance costs are about \$5,000 per year for the building and some coverage for the doctors. Council Member Stevens said this seems very high for building insurance. Council Member Mann asked if the donation would create any liability for the city. City Attorney Stephen Zollinger said a donation will not create liability. Council Member Schwendiman asked for their estimated annual operation budget. Brandon said they are projecting about \$10,000. This will cover rent, insurance and supplies. They are hoping to get most supplies donated.

Mayor Larsen would like to talk to EICAP about insurance to get that down for the clinic. Council Member Young said the dentists would have their own insurance coverage. The clinic has only asked the county and the city for a donation so far. They will ask surrounding cities, but since the clinic is located in Rexburg they wanted to start with the City of Rexburg first.

Council Member Erickson recommended granting the request with the condition of getting the details on the insurance worked out. It is a very worth while project. Council Member Stevens said it would set a good precedent to award the \$2,000; however, he felt the clinic should look further into the insurance. He felt it was a very high estimate.

Council Member Benfield asked how they were letting the public know about the clinic. They are mostly doing it through networking. They want those who need it to take advantage of the clinic; however, they do not want to publicize a free service to those who do not need it. They are working with District Seven Health and Community Action Partnership, and especially local dentists to screen applicants. The dentists can refer patients with financial need who need dental work to the clinic. Mayor Larsen asked to meet with Brandon and Russ Spain from EICAP to work on the insurance questions.

Council Member Mann moved to make a one time donation of \$2,000; Council Member Erickson seconded the motion; all voted aye, none opposed. **The motion carried.**

Council Member Mann said it was an impressive job for a student in school.

Committee Liaison Assignments for 2007:

1. Council Member Christopher Mann *Parks & Recreation· Museum Committee· Romance Theatre Committee*

Council Member Mann reported the Urban Renewal Committee is coming forward with some proposals in the future. They had a five month assignment they will complete within the five months. The Romance Theatre Committee has not met for a few weeks. The Romance Theatre Committee has done an amazing job renovating the Romance Theatre building. The City Council is going to have to make some tough decisions in the future about the theatre. Decisions will have to be made about how much funding the city can continue to give it, how much fundraising will be required, and how much will be spent on maintenance and operation.

2. Council Member Donna Benfield *Beautification Committee· Police Department*

Council Member Benfield said the Beautification Committee will meet this Friday so there is currently nothing new to report. The Police Department does a very good job of interacting with the public. She did a police “ride along” last week for two or three hours. They have excellent public relations with the city.

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

Council Member Erickson explained the Airport Board has not met. Planning and Zoning has some items on the City Council Agenda that will be addressed.

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

Council Member Schwendiman attended Emergency Services meeting with no new information to report. Mayor Larsen met with the County Commissioners on the Golf Board request for adding nine holes to the Teton Lakes Golf Course. The city should know what the county is doing within the next few weeks.

5. Council Member Farrell Young *Tabernacle Committee· Rexburg Arts Council*

Council Member Young said the Tabernacle Committee has not met. The projects they are working on are moving forward. The Arts Council is planning another concert for the first week in May. Mayor Larsen asked to confirm Rebecka Page to the Rexburg Arts Council. Council Member Erickson said she is an outstanding lady with dedication.

Council Member Young moved to ratify Rebecka Page’s appointment to the Rexburg Arts Council; Council Member Benfield seconded the motion; all voted aye, none opposed. **The motion carried.**

6. Council Member Bart Stevens *Trails of Madison County· IBC Committee· School Board*

Council Member Stevens reported on the International Building Code Committee (IBC). They spoke about the sanitation issue and what the city requires. The School Board has not met since the last joint meeting with the city. The City Council will meet with the School Board again on April 18, 2007. Council Member Erickson asked for the Joint Facilities agreement to be on the next City Council agenda.

7. Mayor Larsen *Mayor’s Youth Advisory Board· Legacy Flight Museum*

Mayor Larsen reported the Mayor’s Youth Advisor Board had a meeting today and invited Mayor Furman and the MYAB from Idaho Falls to join them. They came up to the Rexburg Mayor’s Youth Committee to observe how the committee works. The Rexburg MYAB received a grant of \$2,500 from Rocky Mountain Power to support Rexburg’s Pride Day/Arbor Day on April 27, 2007 from 4:00 P.M. to 7:00 P.M. at Porter Park. This grant will refurbish playground equipment and put in soft bark instead of rocks underneath the play ground equipment. The MYAB also received an Arbor Day Grant for \$150. They will be giving out cookies and free T-shirts to the first 100 people that come and participate.

Public Hearings:

7:20 P.M. – Annexation request for approximately 45 acres of land on the south side of 7th South, east of 12th West and west of Hwy 20 – Blair Heinz

Planning and Zoning Administrator Gary Leikness reviewed the annexation request on the overhead screen. The zoning will be LDR2 and CBC. The Planning and Zoning Commission recommended the annexation as requested with some conditions to the right of way. There is a building planned to be built on the CBC portion of the annexation.

Mayor Larsen opened the public hearing.

Those in favor: NONE
Those neutral: NONE
Those opposed: NONE

Mayor Larsen closed the public hearing.

Council Member Young moved to accept the Planning and Zoning recommendation and approve the annexation and rezone the property to LDR2 and CBC as long as conditions are met. Council Member Stevens seconded the motion; all voted aye, none opposed. **The motions carried.**

7:40 P.M. – Variance of the Parking Regulation code 5.6 in Ordinance 926 – Head Start at 55 West 2nd North.

City Attorney Stephen Zollinger asked to have this item stricken from the agenda as it was approved in Planning and Zoning.

New Business:

1. **Set Date for Public Hearing** on the Budget to September 05, 2007 – Richard Horner

The City Council reviewed the date to set the public hearing for the budget hearing.

Council Member Erickson moved to set the public hearing at 7:30 P.M on September 5, 2007; Council Member Schwendiman seconded the motion; all voted aye, none opposed. **The motion carried.**

2. **Review 2008 Budget Calendar** – Richard Horner

The city staff will have a detailed review of the department budgets sometime in June.

3. **Employee Cost of Living adjustment** – Richard Horner

Finance Officer Richard Horner said the cost of living index increase this year was 2.1%. It is lower than it has been in the past. Last year the index increase was 4% and two years ago it was at 3%. Finance Officer Horner asked for approval to use the 2.1% index amount to make the budget for the coming year.

Council Member Mann asked for a review of entry level pay scales for new employees in the cost of living review. Finance Officer Horner said the national running index is used to make the cost of living estimates for the proposed budget. Council Member Schwendiman was concerned with the total increase verses the cost of living. The City Council advised Finance Officer Horner to use 2.1% to set the budget for 2008. The City Council will further review the budget in June when they have a detailed report for all department budgets.

4. **Set Cost Sharing on Health and Dental Insurance** for May 01, 2007

Finance Officer Richard Horner explained the employee committee has reviewed the cost and increase of benefits. The total increase will be 2.3% from last year for benefits. The

employees agreed to increase their share of this 2.3% to keep the same benefits. The employee's committee and the employees are looking at some options to add funds to the insurance savings account. They are looking at increasing the medical deductible from \$500/\$1000 to \$650/\$1300. Another option may be to increase prescription costs from a \$10/\$20 plan to a \$10/\$25/\$40 plan to encourage employees to go with generic brand prescriptions as opposed to brand name prescriptions. A third option may be a mini/max option that Blue Cross offers. If claims remain under 80% of premiums paid, a 10% discount is given or about \$76,000; however, if claims go over 80%, there is a 5% penalty or about \$37,000. This option is a bit of a risk; however, the city only claimed 47% of premiums paid last year. The employees can choose to do nothing this year as well.

Deputy City Clerk April Howard who is on the employee committee, commented employees realize they need to preserve the insurance savings account and will probably choose one of the options to save costs. The employee committee is also going to work with all employees and encourage them to save costs by asking for generic instead of brand name prescriptions, using Community Care instead of the emergency room when possible, etc. The monthly newsletter will also remind employees of the importance of managing their health insurance.

Mayor Larsen asked about the \$5,000 buy down. The city paid 90% of the \$4,500 and the employees paid \$500. He is concerned with the deductible going up so much from \$500 to \$650. Finance Officer Horner explained the city employees are spending more now than they are adding to the savings account. Costs are going up and the deductible may need to be increased.

Council Member Erickson asked if the employee committee would give the City Council a recommendation. They will provide the employee input to the City Council. The employee insurance savings fund is decreasing with inflation.

Finance Officer Horner asked if the health insurance budget could be planned by May 01, 2007 for the insurance carrier commitment. It would increase the insurance budget the city pays 1.5 % for next year. The employees will make a decision on the savings account issue to preserve the savings account.

Council Member Stevens moved to approve a 1.5% increase to keep the same benefits; Council Member Young seconded the motion; all voted aye, none opposed. **The motion carried.**

5. **Sign height discussion** – Gary Leikness

Planning and Zoning Administrator Gary Leikness presented information on a sign height ordinance amendment for sign heights near interchanges. The memo explores unique characteristics of interchange areas. The purpose in having the Planning and Zoning Commission explore the issue was to find one of two possible outcomes. 1) To initiate an ordinance amendment to allow for greater sign heights in specific areas around interchanges, or 2) Provide a recommendation to the City Council to leave the sign height standards as they are presently in city code. The Planning and Zoning Commission chose to leave the sign heights as currently represented in the sign ordinance.

The memo is based on draft minutes for the Planning and Zoning meeting from March 15, 2007. The memo has specific reasons why the recommendation was to leave sign heights unchanged at a 24 foot maximum height.

Planning and Zoning reasons to keep a 24 foot maximum sign height:

1. There is adequate signage along the highway already, with the blue state-sponsored advertising signs.
2. There are a dozen billboards potential businesses can use to attract business.
3. The rural western setting of our community allows for more open landscapes, so there is less potential clutter, such as trees.
4. We want to maintain an attractive vista to attract business into our community, and we feel that raising the sign height limit will detract from that.

5. Giving preferential treatment to businesses along the highway could potentially harm businesses that are not in that location.
6. The current major highway interchanges are curved, creating the ability to see the current 24 foot signs, both during the day and at night, as illustrated by pictures shown to us.

Council Member Young wants to be as fair as possible to all businesses. The Chevron/Burger King sign is much higher than 24 feet, so is it fair to allow other businesses in this area to have higher signs? The City Council has received several requests from other businesses to have higher signs and they have been turned down by the City Council for these requests. He is not sure how to be fair to all businesses.

Council Member Schwendiman is pro business and he is concerned about dictating to businesses.

Planning and Zoning Administrator Leikness said there must be a level playing field. Council Member Schwendiman said the businesses should have some kind of influence on what the level playing field should be. City Attorney Zollinger proposed having Planning and Zoning prepare a proposed ordinance for a formal public hearing process in order to get input from the businesses this sign height issue would affect. It is the only way to find out what the public really wants.

Council Member Stevens agrees the city needs to be consistent. It is going to be hard if we change the sign heights for those businesses that have been turned down on their request for a higher sign previously. Council Member Benfield is very pro business and feels it would be very fair to hold a public hearing. She would like to hear from the business community. Council Member Mann also wants to be consistent. He does not want to create a sign war in town.

Council Member Benfield explained Rexburg has 4-5 million people passing through the area each year on Hwy 20. The whole community benefits from people coming into Rexburg to visit. The money circulates 4-7 times before it leaves the community. Businesses all over town will feel the impact of each dollar that comes into Rexburg. She feels it is very important to get people off of the highway into Rexburg. A 24 foot sign may not be high enough along the interchange on Hwy 20. She is very much in favor of a public hearing because there is room for change.

Council Member Erickson said the businesses who want higher signs are not the down town merchants. He requested clarification; does the City Council want the ordinance changed or not. Is 24 feet sufficient or not? If it is sufficient, then we need to leave things the way they are and make a final resolution. He feels there have been some unfair situations in the past when the City Council has turned down sign height requests. He recommended a change to the sign ordinance. Council Member Stevens asked for public input. Mayor Larsen said a public hearing is required to change the sign ordinance. Council Member Stevens asked for public input before an ordinance is written. Council Member Schwendiman was in favor of raising the sign heights at the interchanges; however, he just doesn't know how high. Council Member Benfield feels there needs to be more discussion about how high the sign height should be and also about what area this would affect. It does sound like this is specifically for businesses at freeway interchanges.

Planning and Zoning Administrator Leikness explained he can draft a sign ordinance with a new sign height to take to the Planning and Zoning Commission for them to review and change from that point. By the time it comes back before City Council it will have gone through a public hearing process.

City Attorney Zollinger said Planning and Zoning has offered discussions and opinions without input from the public in a public hearing setting. It is never a waste of time to provide more input into the Planning and Zoning process especially on a question that consistently comes up. It is a Planning and Zoning Ordinance which requires a public hearing.

Council Member Stevens would like to have a public hearing without giving the impression that the City Council is recommending a change. Before any changes are made he needs public input.

Council Member Young said there are several situations that have changed because the city has annexed new areas around the interchanges. Now Hwy 20 goes right through Rexburg instead of around the town. The city is not redoing something that has already been done; it is a new circumstance to review. He recommends having Planning and Zoning Administrator Leikness draw up a new ordinance with a new sign height and then have the public come give the City Council feedback.

City Attorney Zollinger said the question the City Council needs to answer tonight is if they are willing to consider a change for sign heights. Mayor Larsen asked if there was City Council consensus for an ordinance to be prepared and then go to a public hearing before the Planning and Zoning Commission. There was a majority consensus to do this.

Mayor Larsen asked if the City Council would like a fill in the blank number with a recommended sign height. Council Member Mann does not want a blank because the number could get really high. Council Member Stevens also wants a number in the new ordinance.

Mayor Larsen asked Planning and Zoning Administrator Leikness to go back with current sign ordinance and have Planning and Zoning hold a public hearing to determine height.

Council Member Young asked Commission Chairman Winston Dyer how he feels a public hearing would help in this situation. Chairman Dyer is not sure if a solution will be found.

Mary Haley who is also on the Planning and Zoning Commission asked if the City Council would value non business input as much as they would value input from businesses. Mayor Larsen asked her the same question. It is the choice of the Planning and Zoning Commission if they want to take input from residents and businesses that have an interest in this situation. The public hearing process will provide feelings from both residents and businesses.

Mayor Larsen suggested putting this in an ordinance form with the understanding that there may or may not be a change. The City Council is comfortable with having Planning and Zoning Administrator Leikness find a number for a possible sign height change. Council Member Stevens said he would like the ordinance to say the city is considering leaving the sign ordinance as is or possibly have a modest increase.

Chairman Dyer explained the current sign ordinance was established with public input. The city has an established standard in town; however time and circumstances may have changed enough to revisit this issue. He suggests having a public hearing in a City Council Meeting instead of a Planning and Zoning Meeting. Council Member Mann would like to be at the public hearing. Mayor Larsen asked the City Council how they would feel about having the public hearing in a City Council Meeting. The consensus of the City Council is to have the public hearing before the City Council.

The public hearing will be scheduled for the May 2, 2007. Those who cannot be at the public hearing can submit input in writing.

6. **Resolution 2007 – 08** “Safe Routes to School” – Engineer Keith Davidson

City Engineer Keith Davidson asked the City Council to approve Resolution 2007-07 for a funding application. The resolution must be passed before the application can be submitted. Up to \$100,000 can be requested for infrastructure projects. LID 37 is what allows this application since this would fund sidewalks going to Kennedy School. If the city gets the funding; the money would be spent and the grant would then reimbursement the costs that were paid.



Resolution 2007 – 08
“SAFE ROUTES TO SCHOOL”

WHEREAS, the City of Rexburg supports the “SAFE ROUTES TO SCHOOL” project; and

WHEREAS, as SPONSOR, the City of Rexburg has the legal authority to apply for and pledge the funds required to receive reimbursement for the requested “SAFE ROUTES TO SCHOOL” funds; and

WHEREAS, as SPONSOR, the City of Rexburg will provide maintenance for the project (infrastructure) upon completion; and

WHEREAS, it is understood the funds are requested for reimbursement through a federal aid system instead of a grant application; and

WHEREAS, the City of Rexburg will comply with all federal rules for contracting, auditing, and payment for the project;

NOW, THEREFORE, the City Council and Mayor support the funding and maintenance requirements of the project “SAFE ROUTES TO SCHOOL”.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR THIS 04TH DAY OF APRIL, 2007.

SHAWN LARSEN
MAYOR

ATTEST:

BLAIR D. KAY
CITY CLERK

Council Member Schwendiman wanted to make sure the city wouldn't spend the money and then apply for the funding. City Engineer Davidson explained that we would first be approved for the funding before any money was spent.

Council Member Mann moved to pass resolution 2007-08; Council Member Benfield seconded; all voted aye, none opposed. **The Motion carried.**

Report on Projects: John Millar

1. **South Arterial** – LTAC has not forwarded a letter yet to ITD.
2. **Paving the parking lot for the airport museum – Public Works Director John Millar** explained that he and Mayor Larsen met with the county commissioners to discuss paving the parking lot for the airport museum. The county has obtained bids for this project. The cost was going to be split between the city and the county, however the county pointed out, they have done all of the preparation work for the building and parking lot and have already spent \$50,000 in county funds for this project. They feel it is the city's responsibility to cover the paving costs. The cost of the parking lot would be \$26,600 per the county meeting on Monday. The city has put in the French drains and provided water and sewer capability for the site. Out of pocket costs have been \$2000-\$3000 for this site.

Finance Officer Richard Horner estimated \$12,000 of city costs for fees to build the building. The fencing was discussed as well, and the consensus was to split the cost. The county would also like to look at funding the fence out of operation revenue. Mayor Larsen recommended having the city pay for paving the parking lot and split any future costs.

Council Member Erickson feels a parking lot and a fence are essential to for the museum to be successful and feels these improvements should be paid out of the operating funds from the Legacy Flight Museum. The golf course is required to pay for their improvements. He understands that the museum would like to purchase another plane; however, the last plane sale would pay for both the parking lot and the fence. These improvements are more important right now than acquiring another plane. He does not want to set a precedent that the city will cover all improvement costs for the museum.

Council Member Stevens said there are several streets that need paving more than this parking lot; however we would not be good partners with the county by not paying at least a portion of this project. He agrees the funds for the parking lot could come out of operation funds. Mayor Larsen mentioned the county has committed resources to the Legacy Flight Museum and they would like the city to make the same commitment.

The City Council agrees we need to be good partners with the county and pay for the parking lot. They would like things done differently in the future on these types of projects. There is \$122,900 left in the contingency fund before this request. Public Works Director John Millar said HK was the low bidder. They hope the parking lot will be done for the air show.

Council Member Benfield asked if the Smith Park restroom was over budget. Public Works Director Millar said they are not seeing anything to change the final bid. They are not using any money out of contingency for the restrooms.

Council Member Erickson move to spend \$26,600 out of contingency funds to pave the parking lot; Council Member Young seconded the motion; Discussion: Finance Officer Horner will talk to the Legacy Flight museum board and let them know the city will not pay for the fencing. This must come out of operating revenue. All voted aye, none opposed. **The Motion carried.**

Public Works Director Millar reported on other city projects. The city is taking bids on a chip seal project for about 100,000 square yards. The alley-sewer project will start construction next week. He will meet with a landscape architect in the morning on the alley-sewer project. Co-op property was discussed in a meeting with the county. There is still no resolution for a commitment from the county. The veteran's monument in Smith Park is ready for excavation work. The city will be doing the site work and the county will provide the gravel.

Council Member Benfield asked about air conditioning at the police department. Public Works Director Millar met with the architect last week. They are going back to the bidder on this project to get the price down. The city is actively moving on this issue. Council Member Benfield also asked about the animal shelter. The site work has been done. The bid on the fence at the animal shelter has been awarded and the work should be done in the next few weeks. The area will be ready to pave in the next 2-3 weeks.

Council Member Benfield asked about the new city engineer. Brett McDermott graduated from Boise State University with an engineering degree. He came from Idaho Transportation Department (ITD) in Rigby. He grew up in Blackfoot. His current job assignment is tracking storm water facilities at the roundabout and utilities around the temple along with other projects. His job was advertised across the state. Three applicants were received, but all three turned the position down. Public Works Director Millar went to Mr. McDermott and he accepted the position after some negotiations.

Council Member Young asked about fire hydrants on the hill. Some hydrants are already installed; additional water capacity will be installed on the hill at 7th South this summer with a 12 inch water line.

Council Member Benfield asked if trucks are running again on Millhollow Road. Public Works Director Millar said they have opened Millhollow Road again. They are working with the State Port of Entry and they will have roving scales tomorrow to weigh trucks. The Millhollow Road will be paved by the 1st of June.

Calendared Bills and Tabled Items:

A. BILL Introductions: - NONE

B. First Reading: Those items which are being introduced for first reading.

1. **BILL 982** – Annexation of the Erikson Farm on 12th West

The City Council reviewed the annexation ordinance for the Erikson farm.

Council Member Erickson moved to suspend the rules on the Erikson annexation, BILL 982; Council Member Schwendiman seconded the motion. **Roll call vote:**

Those voting aye

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

Those voting nay

None

The motion to suspend the rules carried.

Council Member Schwendiman moved to third read and adopt BILL 982; Council Member Erickson seconded the motion; Roll call vote:

Those voting aye

Randy Schwendiman
Farrell Young
Donna Benfield
Rex Erickson
Bart Stevens

Those voting nay

Christopher Mann

The Motion carried.

2. **BILL 984** – Annexation of Blair Heinz Farm on 12th West

The City Council approved the annexation of the Blair Heinz farm in the public hearing.

Council Member Young moved to suspend the rules on BILL 984 for the annexation of the Blair Heinz farm; Council Member Erickson seconded the motion. Roll call vote:

Those voting aye

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

Those voting nay

None

The motion carried.

Council Member Young moved to adopt and third read BILL 984; Council Member Erickson seconded the motion. Roll call vote:

Those voting aye

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

Those voting nay

None

The motion carried.

C. Second Reading: Those items which have been first read. – NONE

D. Third Reading: Those items which have been second read.

1. **BILL 981** – Creation of LID 37

Engineer Keith Davidson review costs for corner and half lots concerning charging home owner partial costs due to the fact they are receiving limited or no benefit for these improvements.

Council Member Stevens recommended having the city take care of curb and gutter for corner lots and have the property owner be responsible for the sidewalk. There are too many sidewalks this would affect and doing curb and gutter would limit future city responsibility. The derived benefit on side yards is the issue for those yards that do not use the side yard.

The City Council discussed the merits of doing the curb and gutter; thus setting a precedent for corner lots with the lack of a derived benefit.

Mayor Larsen asked for a motion to set policy on existing corner lots that do not have a derived benefit from a street improvement.

Council Member Stevens said the home owner has some benefit derived from a sidewalk, but he couldn't necessarily say there was benefit derived from a curb and gutter.

Council Member Stevens moved to have the city adopt a policy where the city will bear the cost of curb and gutter on existing corner lots where streets are added along one side and no access is derived and no benefits are derived for the homeowners, and the land owner will bear the cost of the sidewalk; Council Member Erickson seconded the motion; all voted aye, none opposed. **The Motion carried.**

Council Member Young move to approve BILL 981 as third read and approve subject to the policies and regulations of the city; Council Member Schwendiman seconded the motion; all voted aye, none opposed. **The Motion carried.**

Tabled Items: Those items which have been the subject of an affirmative vote to a motion to table: - NONE

Old Business:

Mayor's Report:

A. Proclamation 2007 – 01 (Arbor Day)

Mayor Larsen asked the City Council to approve this proclamation for Arbor Day on April 27, 2007. There will be 150 tree seedlings to give to volunteers to plant at home.



2007 - ARBOR DAY PROCLAMATION

WHEREAS, the City Council approved Ordinance Number 919 on May 5, 2004, which created the City Tree Ordinance and designated the Trails of Madison County Committee to act as the City's Tree Commission; and

WHEREAS, *the Trails of Madison County Committee monitors trees that are publicly owned or maintained on public property, sponsors an annual community tree event, promotes public education related to forestry concerns, and seeks forestation of public property; and*

WHEREAS, *the City of Rexburg is recognized as a Tree City USA community, and Tree City USA communities show a level of dedication and care for urban forests, and value trees for their beauty, grace, color and comfort; and*

WHEREAS, *trees in Rexburg help to clean the air, conserve soil and water, reduce heating and cooling costs by moderating temperatures, and make Rexburg a more pleasant place to live and work; and*

WHEREAS, *in recognition of **2007 Arbor Day**, the City of Rexburg, will sponsor Rexburg Pride Days which will include the Mayor's Youth Advisory planting trees at Porter Park around the new Splash Park on **Saturday, April 27, 2007, at 4:00 p.m.***

NOW, THEREFORE, I, *Shawn D. Larsen, Mayor of the City of Rexburg, on behalf of the Rexburg City Council, and the entire community, do hereby support*

2007 ARBOR DAY in conjunction with REXBURG PRIDE DAYS

in the City of Rexburg, Idaho, and urge all Rexburg residents to participate in Rexburg Pride Days and their own tree planting and tree maintenance programs that will ensure a more beautiful community and to enjoy the practical blessings and pleasures trees provide.

Dated this 04th day of April, 2007

Approved:

Attest:

Shawn D. Larsen
Mayor

Blair D. Kay
City Clerk

Council Member Mann moved to approve proclamation 2007-01 Arbor Day. Council Member Schwendiman seconded the motion; all voted aye, none opposed. **The motion carried.**

Council Member Benfield asked where the trees by the Kennedy School would be placed. Mayor Larsen said they would be placed throughout the City of Rexburg.

B. Proclamation 2007 – 03 (April 2007 Fair Housing Month)

Mayor Larsen reviewed the proclamation for April 2007 Fair Housing Month and asked the City Council to approve this proclamation.

PROCLAMATION
No. 2007- 03

WHEREAS, April 2007 marks the 38th anniversary of the passage of Title VIII of the Civil Rights Act of 1968, commonly known as the Federal Fair Housing Act; and

WHEREAS, the Idaho Human Rights Commission Act has prohibited discrimination in housing since 1969; and

WHEREAS, equal opportunity for all – regardless of race, color, religion, sex, disability, familial status or national origin – is a fundamental goal of our nation, state and city; and

WHEREAS, equal access to housing is an important component of this goal - as fundamental as the right to equal education and employment; and

WHEREAS, housing is a critical component of family and community health and stability; and

WHEREAS, housing choice impacts our children's access to education, our ability to seek and retain employment options, the cultural benefits we enjoy, the extent of our exposure to crime and drugs, and the quality of health care we receive in emergencies; and

WHEREAS, the laws of this nation and our state seek to ensure such equality of choice for all transactions involving housing; and

WHEREAS, ongoing education, outreach and monitoring are key to raising awareness of fair housing principles, practices, rights and responsibilities; and

WHEREAS, only through continued cooperation, commitment and support of all Idahoans can barriers to fair housing be removed;

NOW, THEREFORE, I, Shawn Larsen, Mayor of the City of Rexburg of Madison County, do hereby proclaim April 2007, to be

FAIR HOUSING MONTH

in the CITY OF REXBURG, Madison County, State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand at Rexburg City Hall in Rexburg, Madison County, on this 04th day of April in the year of our Lord two thousand and seven.

ATTEST:

Shawn Larsen, Mayor

Blair D. Kay, City Clerk

Council Member Stevens moved to approve proclamation 2007-03 Fair Housing Month. Council Member Erickson seconded the motion. All voted aye; none opposed.
The Motion carried.

Calendar

April 12 – AIC Spring District Seminar will be held in Idaho Falls at the Shilo Inn.

April 18 – City Council Meeting will be held at 7:00 P.M. with the School Board meeting preceding this meeting at 6:00 P.M. Council Member Schwendiman will be absent from this meeting.

April 25 – There will be a joint City/County meeting at 7:00 P.M. at the county commissioners room. Mayor Larsen asked the City Council to look at the 4th Wednesday of each month for these meetings.

May 25 – City Council will meet for a drive around at 10:00 A.M. and stop for lunch in the park.

Council Member Schwendiman moved to go into executive session Pursuant to State Statute 67-2345 due to contract negotiations; Council Member Benfield seconded the motion. Mayor Larsen called for a Roll call vote:

Those voting aye

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

Those voting nay

None

The Motion carried.

Executive Session:
Executive Session ended.

Mayor Larsen asked the City Council to authorize his signing of a contract.

Council Member Erickson moved to authorize Mayor Larsen to sign a contract with Fujimoto's; Council Member Mann seconded the motion; all voted aye, none opposed. **The motion carried.**

Adjournment

Mayor Shawn Larsen

Attest:

Blair D. Kay, City Clerk