

# Customer Support Services City Council Minutes

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CITY OF  
**REXBURG**  
America's Family Community

**April 18, 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

**6:00 P.M. – Work Meeting with the School Board**

**Mayor Shawn Larsen**  
**Donna Benfield**  
**Farrell Young**  
**Christopher Mann**  
**Terry Wilcox**  
**David Taylor**  
**Brent Mendenhall**  
**Dr. Geoffrey Thomas**

**Mayor Larsen** started with the discussion on the canal at Barney Dairy Road. Public Works Director John Millar explained another signal would have been needed with the original design so the long term design was changed to eliminate the need for a stop light.

**Mayor Larsen** mentioned he met with Superintendent Dr. Geoffrey Thomas to discuss several issues. They thought a quarterly meeting would be sufficient for the two groups. He asked for their input. David Taylor said a quarterly schedule would be appropriate. He asked to continue an open door policy with the city. They will do the new school projects as economical as they can. Terry Wilcox asked to keep the monthly meeting open as needed.

The staffs from the School District and the city will work together on development issues. Public Works Director Millar said fire issues would be modeled on the computer to design the water system needed for the new schools.

**School Board Attorney Greg Moeller** reviewed the new version of the agreement between the School District and the City. District Athletic Director Eric Lords will be the principal's coordinator for the school district buildings.

**David Taylor** asked if the ongoing maintenance issues were resolved. Mayor Larsen said the ball diamonds need to be discussed. It will be clarified in the new agreement.

**Mayor Larsen** said the tennis courts are community courts. David Taylor said they need to be available to student classes. Terry Wilcox said that was resolved a year ago. They are not open to the public yet because the surface is not completed. David Taylor asked who would pay for the light use at night. He asked for a plan. Attorney Greg Moeller said they did not have to be available at night under lights. David Taylor said they just sent out bids for the paving. Public Works Director Millar said the committee has planned on having lights installed with a possible timer. The problem is only one court would be used with lighting on for six courts. Marie Parkinson has been working to resolve the lighting issues.

**Mayor Larsen** said the discussion was to move towards a pay as you go policy. Brent Mendenhall said it was an administrative issue to monitor the lighting issue based on budgets at the School District and the city.

**Mayor Larsen** asked to have the community use the tennis courts without scheduling through the school district. Council Member Young said a sign should be put in place to designate when the school district needs the courts.

**Superintendent Dr. Thomas** said the School District would need the courts in a conference setting and those dates would be available. The dates to cut off the lights were discussed due to city curfew.

**David Taylor** asked when 12<sup>th</sup> West would be upgraded by the city. Public Works Director Millar said it would be several years.

**Mayor Larsen** reviewed the issues and concerns with the new school developments on 12<sup>th</sup> West. The Junior High is a concern in the downtown area. David Taylor said developers have asked about the Junior High Property. Mr. Taylor said they plan to develop it as commercial area and get it on the tax rolls. He referred to the New Broulim's development as an example.

**Council Member Young** asked to continue the open relationship with the School District. He asked for more detail in the agreement. It needs to explain who is responsible to pay, what are they paying and when are they paying it. Attorney Greg Moeller said to make sure there are no disagreements. He gave the example that strong fences make good neighbors.

**Superintendent Dr. Thomas** said huge projects can invigorate the community. These meetings foster open dialogue. It is exciting to be part of the process.

**Terry Wilcox** asked for help to develop the next school site. Mayor Larsen said the city has the same concerns to provide amenities for new growth like city parks.

**Council Member Mann** said this meeting has been successful allowing for a quarterly schedule.

**Attorney Greg Moeller** brought up liability issues for campus procedures. Mayor Larsen said Local Emergency Planning Committee (LEPC) meets on a regular basis with a School District representative in attendance. LEPC is discussing a planning exercise for next month. David Taylor asked how a community can plan for every contingency. They are planning on having an easy access building for security monitoring. Brent Mendenhall said Madison School District has a zero tolerance for weapons on campus.

**Terry Wilcox** asked for more information on the county security plans. Greg Adams could come to the School Board meetings for an update. It is a community issue.

Security issues at Virginia Tech were discussed.

**Council Member Benfield** asked if the class rooms had communication with the school office for security. Most of the class rooms have a speaker system where the class room gets intercom messages from the office.

**Mayor Larsen** adjourned the meeting at 6:45 P.M.

**7:00 P.M. – Pledge to the Flag**

**Roll Call of Council Members:** All Council Members were present except Council Member Schwendiman, who asked to be excused.

**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 April 04, 2007 meeting
- B. Approve the City of Rexburg Bills

**Council Member Mann** mentioned the city paid a \$4,422 light bill to the school district for lights at the ball diamonds. This was the cost for the past 6 years.

**Council Member Mann** moved to approve the corrected consent calendar; Council Member Erickson seconded the motion; all voted aye, none opposed. **The motion carried.**

**Public Comment:** on issues not scheduled on the agenda (limit 3 minutes) - NONE  
Students from BYU-I and Idaho Falls High School were welcomed.

**Presentations:** - NONE

**Committee Liaison Assignments for 2007:**

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

**Council Member Mann** reported no meetings had been held since the last City Council meeting, they are all this week.

**Mayor Larsen** presented two names to serve on the Romance Theatre Committee. He requested the council ratify Cy and Taylor Hepworth to the Romance Theatre Committee. They were involved in Spud Fest and have been recommended by Joanna Carter to serve on the Romance Theatre Committee.

**Council Member Mann** moved to ratify Cy and Taylor Hepworth to the Romance Theatre Committee; Council Member Stevens seconded the motion; all voted aye, none opposed. **The motion carried.**

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

**Council Member Benfield** reported the Beautification Committee met last Friday. They are still working on the proposal plan for trees. They would like to have the plan completed by the next meeting. The main project this summer is the island on 2<sup>nd</sup> East and Main.

**Police Chief Lynn Archibald** spent a lot of time with Soulforce who has been in Rexburg the past few days. It was inspiring to see this group participate in community service at the Nature Park. He felt good about the way the event was handled. They ended with a picnic at Porter Park before they left town.

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

**Council Member Erickson** reported Planning and Zoning met but there are no issues coming up tonight. Discussions on a revision for Transitional Agricultural One (TAG1) and Transitional Agricultural Two (TAG2) will be forth coming to the City Council. The second Planning and Zoning Meeting in April has been canceled.

**Mayor Larsen** said the Planning Commission wants draft minutes approved first; however, the City Council will continue getting the draft copy of the minutes before approval.

**Mayor Larsen** asked the City Council to approve Winston Dyer as a re-appointment for a third term on the Planning and Zoning Commission.

**Council Member Benfield** moved to reappoint Mr. Dyer; Council Member Erickson seconded the motion. All voted aye, none opposed. **The motion carried.**

**Mayor Larsen** also recommended Josh Garner be appointed to the Planning and Zoning Commission. He worked with Rexburg's Planning and Zoning Administrator a few years ago as an intern and he has since graduated from law school. Josh is a local Attorney in town and he has a desire to serve on the Planning Commission. This is a city appointed position on the Planning and Zoning Commission he will be filling.

**Council Member Erickson** suggested talking about names as a City Council before appointing them when the next appointments come up, allowing a good balance of business and professional appointments.

**Council Member Erickson** moved to ratify Josh Garner to the Planning and Zoning Commission; Council Member Mann seconded the motion; all voted aye, none opposed. **The motion carried.**

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

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

**Council Member Young** reported on the Tabernacle Committee. They are trying to put a budget together for next year. They need 10 ceiling fans instead of an air conditioning system. They have arranged for a local bid on this project. They are currently asking for bids for the handicap/wheel chair ramp that will be put on the north side of the building. They have a contractor who is willing to submit a bid to redo existing wood windows. Instead of putting in new windows they are going to redo the existing windows with nylon cords. They would also like to remodel the dressing rooms downstairs so they are presentable and usable for those who come to perform. They are always appreciative of the Parks Department who keep the grounds looking nice.

The Tabernacle Committee is hoping there is a place to move the fire truck temporarily so a new sign can be installed. Council Member Erickson explained that he spoke with John Bagley concerning a building at the airport to store the fire engine. It will be stored on the outside of the museum fence in an enclosed area. John Bagley is funding a fence at the Legacy Flight Museum.

**Council Member Young** also reported the Rexburg Arts Council has another Orchestra Concert scheduled on the 2<sup>nd</sup> of May during City Council meeting. He is very impressed with the success of the summer program. Mayor Larsen would like the City Council to attend a future concert.

**Council Member Mann** asked if the dressing rooms to be remodeled are being used for storage by the museum. They are not storing anything for the museum in this area. Mayor Larsen said the city is working on a budget calendar too. He asked committees who have a budget to have a discussion with the chair and the City Council. The committee liaison would also be involved with those discussions.

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

**Council Member Stevens** explained the Trails of Madison County will be meeting this Thursday at 5:15pm. He talked to the new electrical inspector. The electrical inspector loves his job and he has been a great asset to the staff. The inspectors remain busy, but they are usually able go provide same day inspections.

G. Mayor Larsen *Mayor's Youth Advisory Board· Legacy Flight Museum*

**Mayor Larsen** explained the Mayors Youth Advisory Board met and talked more about the Arbor Day/Pride Day event. This will be April 27 at Porter Park. It will begin at 4:00 P.M. with a presentation by Rocky Mountain Power who will donate \$2,500 for the project. The money will be used to add soft material to playground equipment.

**Public Hearings: None**

**New Business:**

- A.** Discuss on the width of Millhollow Road south of Rolling Hills Drive – Richard Smith

**Richard Smith** asked the City Council for clarification on how Millhollow Road should be constructed going south of Rolling Hills Drive. The width of the right-of-way from Rolling Hills Drive west to 2<sup>nd</sup> East is 34 feet. From Rolling Hills Drive south, there are several different widths for the right-of-way. The Final Plat for his property was approved for a 38 foot right-of-way with a ribbon curb. He would like the City Council to determine what an appropriate width for Millhollow Road would be going south until it intersects with 7<sup>th</sup> South.

**Council Member Young** asked when this road was originally discussed, if the church that will be built this summer in this area was taken into account. The church was discussed. Mr. Smith explained that the west side of the road is RR2 and the east side of the road is LDR1, which requires different road widths. They would like to abide with what the City Council feels would be appropriate. The lower portion of Millhollow Road has been approved with a ribbon curb. Mr. Smith suggested this would be an appropriate type of curb all the way down to 7<sup>th</sup> South and Millhollow Road. At 7<sup>th</sup> South it will be a hide-back curb. Mayor Larsen clarified that the road designs go from 34 feet to 38 feet to 44 feet. Mr. Smith explained Mr. Schneider's plat has been approved with a 22 foot road on the west side. If they make this a 38ft road and have the homeowners agree to a 16 foot right of way it will be more like what has been construction on the north part of this road.

**Public Works Director John Millar** suggested a low back curb with a width of 34 to 38 feet. This will also help with drainage along the street. Council Member Stevens agreed this is a good suggestion. Public Works Director Millar is working with Terry Schneider on drainage for his development.

**Council Member Young** wanted to move to a consistent road width up to 7<sup>th</sup> South. Public Works Director Millar asked for a 38 foot right-of-way with ribbon curb. There is room for a 44 feet right-of-way south of Rolling Hills Drive on Millhollow Road. There will be a landscaped strip and sidewalk on the west side of the road.

**Council Member Erickson** would like a new 38 foot road with ribbon curb completed all the way up past the Schneider development on both sides of the road to 7<sup>th</sup> South. He would like the road completed at one time instead of having part of a 22 foot new road and a 16 foot old road. Mayor Larsen said this brings up a good point to do both sides of the road all at once. He asked if there was a way to do this without an LID. Public Works Director Millar said he can talk to those homeowners. City Attorney Stephen Zollinger explained they cannot stop development because the plat was approved with the old road, so an LID may be in order. Public Works Director Millar is going to look into an open LID to see if these homeowners can be added.

**B. Resolution 2007 – 07 Intent to create LID 38:**

1. Parking lot & alley project north of Main Street between Center St. & 1<sup>st</sup> East. – **Deferred.**

**Mayor Larsen** welcomed the scouts and asked them to introduce themselves and report what merit badge they are working to obtain. They were working on citizenship merit badges.

**Report on Projects:** John Millar

**Public Works Director John Millar** explained they opened a bid for a chip and seal project. The bid came in 10% over the engineers estimate. The bid is \$2.25 per square yard where the city anticipated about \$2 per square yard. The price of oil is causing these higher bids. Prices are not going to decrease by waiting on this project. He recommended awarding the bid to HK. The estimate was about \$170,000 and the actual bid was about

\$190,000. The 10% will come out of the street budget. The project will cover new roads that have not been seal coated. Eaglewood subdivision was included at the developers cost.

**Council Member Young** asked for precautions so the same problems that happened on 7<sup>th</sup> South don't happen again. Will the section in front of Dr. Crouch's property be done at the same time? Public Works Director Millar said it will not be done at the same time; however, it will be reconstructed this year if budget allows for it.

**Council Member Stevens** moved to accept HK's bid for seal coating; Council Member Erickson seconded the motion; all voted aye, none opposed. **The motion carried.**

**Public Works Director Millar** reported on other projects. The parking lot at the airport was completed by HK. They did a very nice job. The city crew will do the striping on this parking lot as weather allows. He also explained the contract for the South Arterial project has been signed and awarded. They are awaiting bonds for the project. The project will be starting early in May. The Downtown project is finally under construction on the north alley from Center Street to the Court House. It will include surfacing on the parking lots. The project will take six weeks to complete.

**Council Member Young** asked if the city is paying more for projects because there is only one company bidding on several projects. Public Works Director Millar explained this chip and seal project is a small project with limited contractors. He explained a \$10,000,000 job in Idaho Falls only had one bidder. The bidding process is being defeated with only one bidder.

**Public Works Director Millar** explained Millhollow Road rebuild will start the 2<sup>nd</sup> week in May. The road will be closed to everyone except homeowners on this road. The project will take three weeks. Richard Smith thought his project could be done on Millhollow Road at the same time.

**Public Works Director Millar** also said the heating ventilating system at the police station will cost \$47,300. It is a complicated small job. The bid is from Commercial Metal Works out of Shelley, Idaho. Council Member Erickson asked if the same company under the same bid can look at the ventilation system in the City Council room. Public Works Director Millar will look into this. He explained the expense will have to come out of contingency. Mayor Larsen said this has been an issue for a long time at the Police Department and encouraged the council to accept this bid. Council Member Stevens said the work would help the value of the building.

**Council Member Mann** asked to go one more season and budget it next year. Public Works Director Millar said the building cannot go another summer without proper ventilation.

**Council Member Stevens** moved to accept the bid for a new ventilating system at the police station and to have the same company look at the system in City Hall. Council Member Benfield seconded the motion; all voted aye, none opposed. **The motion carried.**

**Council Member Mann** asked if the landscaping is done at the animal shelter. Public Works Director Millar said the fence and landscaping is under design. The building is in use.

**Council Member Erickson** asked about the north part of Pioneer Road. He drives the road frequently and it needs curb, gutter and sidewalk. The amount of growth on the southwest part of town makes Pioneer Road a major connector. Public Works Director explained they have been waiting for more development before redoing this road.

**Council Member Erickson** asked about resealing the airport road. Public Works Director Millar said there may be some monies available to petition FAA to crack seal, seal coat and repaint the runway.

**Council Member Benfield** asked on the status of the restrooms at Smith Park. They are under construction and should be completed by June 08<sup>th</sup>, in time for the marathon. She also asked about the Veterans Memorial in Smith Park. It is anticipated to start in about two weeks. It should be completed by early summer as long as the veterans group gets their part done. The hospital project will widen the road by the Smith Park Veterans Memorial. The city's part of this project could be done next week.

**Council Member Stevens** asked about the Washington DC lobbyist's progress. Mayor Larsen said the requests are in to the legislative committees; however, he has not received an update. Mayor Larsen will schedule an update on the lobbyist's progress.

**Financial Officer Report:** Richard Horner

A. Monthly Budget summaries

**Finance Officer Horner** provided an update to the expenses on the budget. The budget report covered 50% of the budget year. He will bring an amended budget to allow budget additions. There are no major concerns on the budget.

**Council Member Benfield** asked about Mrs. Niederer's property which the city is negotiating to buy as part of the airport runway fly zone. City Attorney Zollinger said an updated appraisal and land exchange are moving forward with Mrs. Niederer. This exchange is within FAA guidelines.

**Finance Officer Horner** explained John Bagley has negotiated another airplane sale adding an additional \$35,000 for the Legacy Flight Museum project. City Attorney Stephen Zollinger said the city has a contract for five years to have a vintage aircraft on display. These planes that have been bought and sold do not affect this contract. Finance Officer Richard Horner also reminded the City Council of the free air show on the 16<sup>th</sup> of June.

**Council Member Erickson** moved to accept the budget report; Council Member Mann seconded the motion; all voted aye, none opposed. **The motion carried.**

**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. – NONE

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

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

**Old Business:** - NONE

**Mayor's Report:**

**Mayor Larsen** reported that on Monday, April 23 there will be a ribbon cutting at 9:15 A.M. for the Head Start building on 2<sup>nd</sup> North.

**Calendar:**

April 25: Regional Public Transportation Meeting at 9:00 A.M. All are invited to participate.

April 25: County Meeting at 7:00 P.M. at the County Commissioner's room.

April 27: Rexburg Pride Day/Arbor Day 4:00 P.M. at Porter Park.

**Mayor Larsen** asked for an executive session.

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

**Those voting aye**

Farrell Young

Rex Erickson

Donna Benfield

Bart Stevens

Christopher Mann

**Those voting nay**

None

**The motion carried.**

Executive Session:  
Executive Session ended.

**The City Council** discussed the parking area behind the North Main Street Alley for Main Street businesses.

**Mayor Larsen** asked if the City Council would support an LID for parking lot improvements at some level. The parking area would include City, Wells Fargo, and AMET parking areas. The city would maintain the parking lot based upon an agreement to be drawn up between the property owners. They discussed the possibility of an LID causing property sales.

**The City Council** agreed to bring the proposal forward to a request for intent to create LID 38. Mayor Larsen suggested having an informal meeting with all of these businesses, showing the proposed parking lot upgrade. The City Council was favorable to having an informal meeting with property owners on the proposed parking lot upgrade.

### **Adjournment**

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Mayor Shawn Larsen

Attest:

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Blair D. Kay, City Clerk