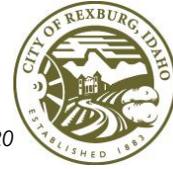


# Customer Support Services City Council Minutes

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

**May 02, 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 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 April 18, 2007 meeting
- B. Approve the City of Rexburg Bills

**Council Member Benfield** asked about the Intermountain Management Services collections for \$5,202. Council Member Schwendiman said it was a billing for collection services on medical bills. Under the Downtown Revitalization fund there is an amount of \$4,258. Mayor Larsen explained it would be reimbursed from the grant or it would be counted as a matching amount for the grant.

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

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

**Council Member Young** on behalf of the citizens of Rexburg gave a sincere commendation to the Parks Department. The City Parks are green, clean and look beautiful. There are new picnic tables and water fountains. The winter debris has been cleaned up. Things just look good. Mayor Larsen also commended the Water Department for helping with the work in the City Parks. He said they are working on more water fountains.

**Eric Jeide**, Emily McKeen, and Ashley Condie, from the Communications Department at BYU-Idaho proposed an event to be held in Rexburg on June 30<sup>th</sup>, 2007. The event will be called "LOCKS & WALK" to help with cancer research. Locks of Love will be at the event. There will be a walk where they are hoping to get businesses to sponsor laps, etc. This activity will help the university and the City of Rexburg to be more united as we work together for the same cause. They need a sponsorship from the city. Mayor Larsen asked them to work out the details with the Parks and Recreation Department for scheduling the park. He also referred them to the Chamber of Commerce.

**Presentations:**

- A. Proclamation 2007 – 04 (Proclaiming "MAY" Community Action Month)**  
Russell Spain (Executive Director Eastern Idaho Community Action Partnership (EICAP))

**Russell Spain** explained EICAP to the City Council. EICAP fights war on poverty. It helps low income individuals become self sufficient. He went over several of the services EICAP offers. Head Start has a new building on 2<sup>nd</sup> North which services 38 children. This same building houses the new Low Income Dental Clinic. Twin Pines Apartments is subsidized housing where rent is based on income. The Senior Citizens Center is benefited by EICAP as it reimburses part of the meals that are served. They also offer Mutual Self Help Housing where the individuals work 30 hours per week to help build their own home. Energy Assistance to heat homes is also a service offered. He handed out a brochure. EICAP especially benefits low income families in Madison County.

**Mayor Larsen** Read Proclamation 2007-04:

**PROCLAMATION  
No. 2007- 04**

**Community Action Month  
“For Older Americans”**

WHEREAS, community action agencies were created when the Economic Opportunity Act of 1964 was signed into law; and

WHEREAS, Eastern Idaho Community Action Partnership has a 39-year history of promoting self-sufficiency for the limited income; and

WHEREAS, Eastern Idaho Community Action Partnership has made an essential contribution to individuals and families in Rexburg, by providing them with innovative and cost-effective programs; and

WHEREAS, Eastern Idaho Community Action Partnership is needed as a major participant in the reform of the welfare system as we know it; and

WHEREAS, the limited income continue to need opportunities to improve their lives and their living conditions, thus ensuring that all citizens are able to live in dignity; and

WHEREAS, Rexburg and the entire United States must continue to wage war on poverty by providing support and opportunities for all citizens in need of assistance;

NOW, THEREFORE, I Shawn Larsen, Mayor of Rexburg, Madison County, Idaho do hereby proclaim May, 2007 as

**COMMUNITY ACTION MONTH**

in Rexburg, in recognition of the hard work and dedication of Eastern Idaho Community Action Partnership.

APPROVED AND ADOPTED By the Mayor and City Council of the City of Rexburg, Idaho, this 2<sup>nd</sup> day of May, 2007.

*IN WITNESS WHEREOF, I  
have hereunto set my hand at Rexburg  
City Hall in Rexburg, Madison  
County, on this 02<sup>nd</sup> day of May in the  
year of our Lord two thousand and  
seven.*

ATTEST:

\_\_\_\_\_  
Shawn D. Larsen  
MAYOR

\_\_\_\_\_  
Blair D. Kay  
CITY CLERK

**Council Member Benfield** moved to accept Proclamation 2007-04. Council Member Erickson seconded the motion. All voted aye, none opposed. **The motion carried.**

## **B. Drinking Water Protection Award – Jack Rainey (DEQ)**

**Jack Rainey** from Department of Environmental Quality (DEQ) explained that in 2006 Chuck Velman, Jack Bowman and other community members formed a drinking water protection plan. He presented a plaque from DEQ to the City of Rexburg. A lot of hard work went into the effort. He asked the city to continue to be proactive to protect the city's water. Mayor Larsen accepted the plaque from DEQ.

### **Committee Liaison Assignments for 2007:**

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

**Council Member Mann** said all of his committees have met. He said the Riverside Park Committee voted to recommend an outdoor pool for 4.5 million dollars and an indoor building next to it (dry facility including track and soccer field) for 2.5 million dollars. The Riverside Park Committee will meet with the Urban Renewal Board for the final recommendation. If the Urban Renewal Committee accepts this recommendation, the proposal will come before the City Council.

The Museum Committee is working towards some great goals. They have new exhibits planned to make the museum more attractive. He would like the City Council to visit the museum on their drive around later this month.

The Romance Theatre Committee met. They presented some awards called “Rexie” awards to Council Member Stevens, Mayor Larsen and Pam Wren. Joanna Carter who has been the chair of this committee is retiring. RonaLee Flansburg will be the new chair of this committee.

**Mayor Larsen** presented the name of Neil Floyd to be on the Parks and Recreation Committee.

**Council Member Mann** moved to approve Neil Floyd to Parks & Recreation Committee; Council Member Stevens seconded the motion. All voted aye, none opposed. **The motion carried.**

**Mayor Larsen** also submitted the name of Ben Jensen to serve on the Legacy Flight Museum board for the city.

**Council Member Young** moved to ratify Ben Jensen to the Legacy Flight Museum board. Council Member Schwendiman seconded the motion. All voted aye, none opposed. **The motion carried.**

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

**Council Member Benfield** explained the Beautification Committee has a meeting scheduled for Friday. There is nothing to report from the Police Department. She asked the City Council to be thinking of ways to make 7<sup>th</sup> South safer especially when the Temple opens. They need to do something about the intersection. She would like the city to be proactive in thinking about what can be done so future accidents, such as the bus accident a few months ago doesn't happen again.

**Mayor Larsen** explained a Pedestrian Island at the Temple site is being planned.

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

**Council Member Erickson** explained the Airport Board met. They talked about the Air Show June 16. John Bagley would like a C131 Hercules airplane to be at the show. He wanted the city to okay this so the plane would be insured. The Airport Board said no, the city will not be liable for this large plane. They have a great air show planned! They are also planning to seal coat the runway as long as there is funding to do this. John Bagley is looking into the costs. Council Member Erickson also reported that Planning and Zoning will meet tomorrow.

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

**Council Member Schwendiman** explained Traffic Safety Committee met. The committee is working hard to keep things safe in Rexburg. They are working on better lighting at crosswalks, etc. He also reported that for Emergency Services, Stan Crittenden replaced Steve Hall. Mayor Larsen reported Emergency Services applied for a grant to replace the aerial truck.

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

**Council Member Young** had nothing to report.

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

**Council Member Stevens** had nothing to report. He met with Brent Mendenhall and David Taylor from the school board. Mayor Larsen also said he met with Dr. Thomas to work on facilities sharing.

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

**Mayor Larsen** reported that the Mayor's Youth Advisory Board had a successful project on Friday with Rexburg's Pride Day/Arbor Day. Some scouts showed up on Thursday and helped get the project started. There were about 150 volunteers both Thursday and Friday to work on the project of taking out gravel and planting new trees.

**Public Hearings:**

**7:20 P.M. – BILL 987 Rezone property** located adjacent to Barney Dairy Road and 4<sup>th</sup> North between 3<sup>rd</sup> East and 6<sup>th</sup> East from MDR1 to CBC

**City Attorney Stephen Zollinger** presented the proposal to rezone property north of Madison High School from MDR1 to CBC. He reviewed the property on the overhead screen. The current owner is Johnny Watson. The property was originally zoned as commercial; apartment complexes were proposed in this area so zoning was changed to MDR1 conditioned upon the apartment complexes being completed, otherwise the zoning should revert back to Commercial. The project was not completed and the zoning did not change back to commercial as discussed. It is requested to change this area back to commercial at this time. Planning and Zoning recommended the property be rezoned to Commercial.

**Those in favor: NONE**

**Those neutral: NONE**

**Those opposed: NONE**

**Mayor Larsen** closed the public hearing.

**Council Member Erickson** said this is something that already should have happened; it just fell through the cracks.

**Council Member Stevens** moved to accept the rezone request from MDR1 to CBC and accept BILL 987. Council Member Erickson seconded the motion. All voted aye, none, opposed. **The motion carried.**

**7:30 P.M. – Update and modify Sign Ordinance 908 – Gary Leikness**

**Planning and Zoning Administrator Gary Leikness** reviewed the current sign height at 24 feet with a new proposal to increase the sign height around interchanges for businesses coming into Rexburg. He presented the information on an overhead presentation. The signs heights are at 24 feet maximum throughout the city. Cars traveling at highway speeds need higher signs to be able to make a decision to exit the highway. He provided the City Council with a staff report and analysis. See chart below:

**Other Cities with Regional and Economic Similarities**

City	Zone					Interchanges
	Commercial	Professional Office	Regional Shopping	Industrial		
Rexburg	24	12	24	24		24
Provo	35	25	40	5		40
Idaho Falls	60	60	60	60		60
Boise	30	15	30	25		30
Pocatello	30	30	30	30		60
Moscow	25	10	25	25		25
Eagle	15	15	15	15		15
Rock Springs, Wyoming	20	20	20	20	25 above centerpoint of interchange for property within 2500 feet of said center point.	15
Green River, Wyoming	15	10	15	15		12
Jackson, Wyoming	12	6	12	12		12
<b>Average</b>	<b>27</b>	<b>21</b>	<b>27</b>	<b>23</b>		<b>28</b>
<b>Median</b>	<b>25</b>	<b>15</b>	<b>25</b>	<b>22</b>		<b>25</b>

### Forbes “Best Places for Business” Year 2002

City	Zone					Interchanges
	Commercial	Professional Office	Regional Shopping	Industrial		
San Diego	30	15	30	30	50 Within 1500 feet of a freeway ramp, and within 660-feet of freeway ROW	9
Santa Rosa	9	9	9	9		9
Las Vegas	40	12	40	40	30 feet above elevated freeway (within 200 feet of ROW), and up to 80-feet in height when sign is within 200-feet of highway ROW)	25-feet, specifically for freeway service facilities
Ventura	no pole signs	no pole signs	no pole signs	no pole signs	80-feet when located within 200 feet of Freeway	
McAllen Metro Area	35	35	35	35		30
Boise City	30	15	30	25		30
<b>Average</b>	<b>29</b>	<b>17</b>	<b>29</b>	<b>28</b>		<b>46</b>
<b>Median</b>	<b>30</b>	<b>15</b>	<b>30</b>	<b>30</b>		<b>40</b>

It was suggested a higher sign may invite economic growth.

### Staffs Conclusions

- There are a wide range of acceptable sign heights near interchanges, 9-feet (Santa Rosa to 80-feet (Las Vegas).
- The places ranked as “best places to do business” have a higher average and median sign heights standards, although Santa Rosa and Las Vegas are both ranks as a top place to do business.
- Each community acts independent and enacts sign height standards that best meet the needs and atmosphere of their communities.

### Options for Rexburg include:

1. Do nothing
2. Allow greater heights around interchanges
3. Modify the information with public input

**Council Member Erickson** pointed out that in 2002 (according to Forbes) Santa Rosa was in the top 10 out of 200 best cities to do business. Today, Santa Rosa is 187 out of 200. He also explained that in Boise, they allow clusters of businesses on interchanges to petition as a group to raise the sign heights. Boise has maintained a high ranking on the Forbes list of the top cities to do business. The City of Driggs allows variances to the sign heights.

**Mayor Larsen** opened the public hearing:

### Those in favor of changing the sign ordinance:

**Jim McAllister** representing Valley RV explained that the proposal would only affect about two businesses. He asked for a bigger buffer or a higher sign allowance with a variance. He is in favor of increasing the sign heights.

**Andrew Grove** representing Applebee’s would like to see a change allowing a higher sign on the interchanges. He went through the reasons Planning and Zoning recommended not to change the current ordinance and had a rebuttal for many of them.

## Advantages of Different Areas

### City Center

- \*35 MPH Speed Limit
- \*Traffic Signals
- \*Established Consumer Behavior
- \*Large Activity Generators  
(ex. Wal-Mart and Movie Theatre)

### Highway Corridor

- \*Easy Access from Highway
- \*Taller Signs?

Mr. Grove also explained that the population of Rexburg alone does not warrant an Applebee's, so they are depending on the highway traffic traveling through Rexburg to help make Applebee's in Rexburg successful.

He gave information on other city populations that have an Applebee's:

City	Interchange Sign Height	Population	Applebee's?
Rexburg, Idaho	24 Feet	26,000	Coming Soon
Provo, Utah	40 Feet	113,459	Yes
Idaho Falls, Idaho	60 Feet	52,338	Yes
McAllen, Texas	80 Feet	106,414	Yes
Las Vegas, Nevada	30 Feet above Elevated Freeway	545,147	Yes
San Diego, California	50 Feet	1,255,540 (48x)	Yes
Boise, Idaho	30 Feet	193,161 (7x)	Yes
Pocatello, Idaho	30 Feet	53,372 (2x)	Yes
Santa Rosa, California	9 Feet	153,158 (5x)	Yes
Ventura, California	25 Feet	104,017 (4x)	Yes
Moscow, Idaho	25 Feet	21,862*	Yes
Rock Springs, Wyoming	25 Feet above Center Point	18,772	Yes
Green River, Wyoming	15 Feet	11,787	No
Jackson, Wyoming	12 Feet	9038	No
Eagle, Idaho	15 Feet	11,085	No

\*Pullman, Washington has an addition 25,262 residents

## Conclusions

- Sign height should be determined by multiple factors such as size of population and proximity to highways.

- A 24 foot sign will be hidden by visual clutter in the background and is not effective at high rates of speed.
- Both the city center and highway corridor have individual pros and cons; and presently the city center has more advantages
- Increasing sign height alone will not, by itself, destroy the appearance of the city's gateways

**Appeal**

- As Highway traffic and visibility is critical to the success of businesses on the highway corridor, we request an increase in the current sign height restrictions
- We request 15 foot increase over the interchange center point, rather than 10, so that signs will not be impacted by background visual clutter
- 500 foot distance from center-point is acceptable as it will help reduce clutter

**Mr. Grove** also reviewed some pictures showing signs at different locations on highway 20 as traffic approaches the South interchange 50 foot 40 foot 34 foot and 24 foot. He thought 34 to 40 was an appropriate height.

**DJ Barney**, a local Rexburg business owner said other businesses will profit from bringing customers off Highway 20. He explained that customers who get off the highway may eat, buy fuel, stay in a hotel, etc. He also wanted on and off premise signs (billboards) to be addressed. He did not think 200 sq feet billboard signs were adequate along a highway corridor. He suggested 14 by 48 foot signs would be more appropriate. He emphasized one sign size does not fit all in Rexburg.

**Mayor Larsen** entered a letter from Adam Stout in favor of changing the sign ordinance into public testimony.

**Those neutral to changing the sign ordinance:** NONE

**Those opposed to changing the sign ordinance:**

**Mayor Larsen** entered three letters into testimony from Randall Porter, Millie Andrus and Joseph Romney who are all opposed to changing the sign ordinance.

**Mary Ann Mounts** at 20 East 2<sup>nd</sup> North said she has a degree in City Planning. It would be backward thinking to raise the sign heights. She went through several points as to why sign heights should not be changed:

- Polls reveal that Americans do not like signs
- Blue board signs are what people look at
- On Star and other electronic devices are available for many cars now
- Sign competition would be a problem as businesses would try to outdo one another
- Higher signs will take away from the beauty of our community. It would be backward thinking to increase the sign heights in Rexburg.

**Winston Dyer** at 667 Summerwood is speaking as a private citizen. He has not heard of any particular changes in the social, economic or geographic conditions for Rexburg which constitutes a need to change the sign ordinance. He has not seen businesses turn away from Rexburg due to sign issues. He referred to the Planning and Zoning recommendation to keep the sign ordinance unchanged. He said Rexburg has just completed the third year of 15% growth. Rexburg is experiencing some of the highest growth in the country.

Rexburg is neither limiting nor liberal with sign heights; we are somewhere in the middle on the sign ordinance. Each business is different; they have different needs. He explained Rexburg would be a much different place if every business was granted a waiver. He referred to the community vision (Comprehensive Plan). He feels strongly to hear from the citizens instead of the developers. He is opposed to changing the sign ordinance and suggested the “no action” option.

**Thaine Robinson** at 390 Maple Drive wants to maintain the attractiveness of the city. He challenged the City Council to look 15 years ahead and this south interchange will become the center of town.

**Mayor Larsen** closed the public hearing.

**Mayor Larsen** asked the City Council to deliberate the proposed change to the sign ordinance.

**Council Member Benfield** thanked Planning and Zoning for all their work on this proposal, landscaping projects and other projects in the city. She referred to comments from others on this issue. She indicated the City Council knew how Planning and Zoning felt about changing the sign ordinance. The City Council asked for a public hearing to see how the public felt on changing the sign ordinance. Three people have come forward in support of changing the sign ordinance in the meeting. No one has come forward in the meeting to testify in opposition to changing the sign ordinance; however, there have been a couple of letters in the negative that higher signs would give an unfair advantage to businesses on the interchange verses downtown businesses.

**Council Member Benfield** was concerned that smaller signs at the interchanges would give Rexburg businesses an unfair position in relation to signage at other cities on Highway 20 like Pocatello, Blackfoot, Idaho Falls, and other cities all the way up the region. She did not want to loose business to other cities. 24 feet signs are the lowest in Eastern Idaho along the Highway 20 corridor which gives all of Rexburg an unfair disadvantage. The bottom line for her personally is economic development. The City Council listed economic development as one of the top priorities for the city at the first of the year. She wants to promote economic development. This is economic development that other people are paying the price. We spend a lot of money on economic development trying to bring new business to our city. Now we have businesses trying to bring business to our community. Council Member Benfield is very much in favor of raising the sign height; maybe to the 40 foot level depending on the information given at this meeting. Raising sign heights will help economic development. She felt a 24 foot sign height limit puts Rexburg merchants at a disadvantage. She is in favor of a higher sign height.

**Council Member Erickson** wanted to make sure everyone understood that he built his business with a 24 foot sign. He is going to keep the 24 foot sign. This is not for his benefit at all. He thinks other businesses could benefit from a higher sign allowance. Rexburg is in the Upper Snake River Valley. He talked about some other cities in the Upper Snake River Valley. Pocatello allows a 60 foot sign within a 1000 foot radius of the highway. They also allow a 40 foot sign within a residential area. Blackfoot allows a 45-60 foot sign in commercial areas (depending on the commercial zone) and Blackfoot allows a 40 foot sign in residential areas. Idaho Falls can have a 60 foot sign in any commercial area. Rigby has five signs ranging from 40 to 60 feet. Ashton and St. Anthony have no sign height ordinance at this time. Boise has a gateway sign ordinance with several possibilities. A "gateway" in Boise is 10 foot above the back ground on entrance ways into Boise. He is in favor of raising the sign height. He recommended between 40-50 feet for a free standing sign. He did not recommend a billboard.

**Council Member Mann** was impressed with the Applebee's presentation. He will support the recommendation of Planning and Zoning to maintain the current sign ordinance. The recommended area won't affect enough businesses.

**Council Member Benfield** explained the recommended 500 foot radius can be expanded if the City Council chooses.

**Council Member Stevens** likes the comparison to other cities; however, he does not think it helps in this issue to go against the Planning and Zoning recommendation. Rexburg is unique and he attributes much of this to Planning and Zoning's effort for preserving the city. He supports their work on the sign ordinance. He also appreciated the presentation from Applebee's and he can see how a higher sign could benefit businesses.

**Council Member Young** respects Council Members Benfield and Council Member Erickson and their insight with the business community; however, he has a close relationship with the residential community, and 10 to 1 the community is against raising the sign height. He supports the Planning and Zoning recommendation to keep the current sign height ordinance. He quoted from Joseph Romney’s letter stating that “the visual image of Rexburg as America’s Family Community and the economic basis for its prosperity can be fostered without giving it the image of a commercial jungle.” He agrees with Mr. Romney and does not feel higher signs are appropriate for Rexburg.

**Council Member Schwendiman** said he cannot see a 24 foot sign as he travels down a highway. He is in favor of raising the sign height 10 to 15 feet from center point. He mentioned the 500 foot radius of the highway would not affect the beauty of Rexburg.

**Council Member Erickson** said the circle could increase etc. The height needs an agreement.

**Council Member Stevens** mentioned sign height negotiations may not be practicable. He wants to see the Applebee’s sign; however, he does not want to change the sign height on the interchanges.

**Council Member Erickson** moved to consider Ordinance 908 revision first read. Council Member Benfield seconded the motion. Roll call vote:

<u>Those voting aye</u>	<u>Those voting nay</u>
Donna Benfield	Farrell Young
Rex Erickson	Bart Stevens
Randy Schwendiman	Chris Mann

This 3 to 3 vote requires the Mayor to vote.

**Mayor Larsen** said he appreciated Applebee’s presentation. He explained that economic development is critical to Rexburg. He also said 129 new businesses came to Rexburg last year with the current sign ordinance. He supports the current ordinance. He voted NO to changing the sign height ordinance.

**The motion failed.**

**New Business:**

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

1. Parking lot & alley project north of Main Street between Center St. & 2<sup>nd</sup> East.

**Finance Officer Richard Horner** referred to a meeting with the property owners on the north alley. The parking area adjacent to the north alley was discussed at the meeting. They also discussed sharing the cost of resurfacing the parking lot. He asked the City Council to set a public hearing for LID 38.

**Council Member Erickson** moved to set a public hearing date for the 16<sup>th</sup> of May at 8:00 P.M.; Council Member Mann seconded the motion; all voted aye, none opposed.

**The motion carried.**

- B. Amend Ordinance 926** providing changes to Transitional Agriculture One (TAG1); and Transitional Agricultural Two (TAG2).

**Planning and Zoning Administrator Gary Leikness** explained the entire Ordinance 926 is being reviewed. TAG1 and TAG2 are up to be amended. He reviewed the modified TAG1 and TAG2 zoning with the City Council. It is recommended by the Planning and Zoning Commission to modify Ordinance 926 because the Comprehensive Plan has changed.

**Council Member Young** asked who requested this amendment. City Attorney Stephen Zollinger said there are some loopholes in this ordinance that needs to be modified before someone takes advantage of it. No one person or organization has made this request.

**Council Member Erickson** said this is a situation where Planning and Zoning has remedied these loopholes and they should be commended for their work.

**City Attorney Stephen Zollinger** asked the City Council to waive the rules on Bill 983 amending Ordinance 926 and approve as third read.

**Council Member Stevens** motioned to suspend rules considering BILL 983 third read. Council Member Erickson seconded the motion. Roll call vote:

**Those voting aye**

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

**Those voting nay**

None

**The motion carried.**

**Council Member Erickson** motioned to 3<sup>rd</sup> read and adopt BILL 983. Council Member Young seconded the motion. All voted aye, none opposed. **The motion carried.**

**C. Annexation of lands request north of Teton Lakes Golf Course – Curtis Ferney**

**Mayor Larsen** explained the item is before the City Council as a heads-up without any need for comments. It will go before the Planning and Zoning Commission for a public hearing and then it will come before the City Council. John Millar reviewed the properties on the overhead screen.

**Council Member Young** said we have annexed past the impact area in the past. He asked if the impact area was being considered for change. Mayor Larsen said the county is meeting with the city to work on the impact area.

**D. Cost of Living adjustment for elected official: BILL 986**

**Finance Officer Richard Horner** referred to BILL 986 to set the new salaries for City Council and the Mayor. The salaries need to be set for elected officials before a new election. He proposed a salary increase of \$50 per month for City Council Members based on a citizen's committee recommendation about four years ago. Elected official's salary can only be reviewed every two years before a city election. The cost of living the last two years was 4% and 2.1% respectively. The Mayor's cost of living salary increase would be raise the salary from \$55,512 to \$58,944 (\$3,432 increase) based on these cost of living increases.

**Council Member Stevens** doesn't want City Council salaries to increase because he wants those interested in running for this office to do it for the right reasons instead of the money. Council Member Young agrees with this.

**Council Member Mann** would like the salaries raised as recommended by the citizen's committee to attract people to run for City Council. He has an interest in the community and he is not on the City Council for the money; however, if he needed a seconded job, this position would prevent him from having a second job. Council Member Mann has had a second job his whole life. He wants those interested in the community to run for City Council, not just wealthy members of the community.

**Council Member Schwendiman** is uncomfortable voting in a raise for himself; however, he thinks the City Council needs a raise. Council Member Mann said unfortunately, it is the

only process to raise the salaries. The ugly part of this is the salary reviews must be done before an election which looks like you are voting yourself a raise.

**Council Member Erickson** stated he would vote for the raise because he would not be running for a second term; therefore, he would not be voting himself a raise if he did run for office and win.

**Finance Officer Horner** explained the citizen's committee recommended raising the City Council salaries every two years by \$50.00 a month or \$600 per year (\$4,200 to \$4,800 for this request) until they were paid \$6,000 per year.

**Council Member Young** said the Mayor is a full time salaried position. He would like the Mayor to have the increase for the cost of living increase because that is his job. The City Council may deserve a raise; however, he would not vote for a City Council raise.

**Council Member Stevens** appreciated the added discussion to clarify the proposal; however, he felt it was good to serve on the City Council on a service level like the Planning and Zoning Commission. Council Member Erickson reminded Council Member Stevens the Planning Commission is paid a stipend of \$25.00 per meeting. Council Member Erickson asked Finance Officer Horner when the raises would go into effect. The proposed raises would go into effect January 01, 2008.

**Council Member Erickson** said he would vote for the raise to attract more people into the process. When he ran for City Council, he was told there would be one or two meetings a month for a couple of hours. He said in reality, City Council and the Planning Commission spend a lot more time with meetings going to 1:00 A.M. many times a couple of times per month. Council Member Erickson stated half his days are taken up with city work.

**Council Member Schwendiman**, he would never vote for a raise for himself; however, in this case he would vote for the increase. If the City Council is relying on other committees for recommendations to make decisions, the City Council should follow the citizen's committee recommendation.

**Council Member Mann** reminded the City Council the proposed raises were not approved on the last request in 2005 for City Council salaries. Council Member Erickson voted against the raise then because he was voting on his own salary. This time around, he votes for the proposal to increase the salaries.

**Mayor Larsen** reminded the City Council this BILL is up for a first reading.

**Council Member Stevens** moved to consider BILL 986 first read increasing the Mayor's salary and keeping the City Council salary at the current level. Council Member Young seconded the motion. Roll call vote:

**Those voting aye**

Farrell Young  
Donna Benfield  
Bart Stevens

**Those voting nay**

Randy Schwendiman  
Rex Erickson  
Chris Mann

3 to 3 vote requires the Mayor to cast the deciding vote. Mayor Larsen voted **Nay** to the motion.

**The motion failed.**

**Council Member Mann** moved to approve BILL 986 as first read raising both the Mayor's salary and the City Council salaries. Council Member Erickson seconded the motion. Discussion: Council Member Stevens asked if the vote could be separated so the Mayor's salary is approved separate from the City Council salaries. City Attorney Stephen Zollinger said BILL 986 must be approved as first read and recommendations could be made amending BILL 986. Changes to BILL 986 can only be made at the third reading. It needs to be considered first read and those who would like changes made need to make it clear

that they will vote against it if changes are not made at the final reading. Mayor Larsen asked for a vote. All voted aye; none opposed. **The motion carried.**

**Council Member Stevens** said he would like to change line item B and leave the City Council salaries at the current level before he could support BILL 986 in the future.

**Council Member Schwendiman** agreed with Council Member Erickson and he reiterated his support to raise the salaries for City Council to attract more people to serve on the City Council. He was not in favor of voting for a raise to his own salary.

#### **E. Budget Summary 2007 – Richard Horner**

**Finance Officer Richard Horner** passed out the budget summary for review for a re-cap of the current budget year. The City Council reviewed the 2007 Budget presentation on the overhead screen. A copy of the budget summary is available at City Hall.

#### **Report on Projects:** John Millar

**Public Works Director John Millar** reviewed current projects. The alley sewer project is behind schedule but they are moving forward. Restrooms at Smith Park are on schedule and should be completed by June 8. The project for the heating and air conditioning system at the police department has been awarded and will begin in about 3 weeks.

**Public Works Director Millar** had a conference with Idaho Transportation Department (ITD) who said the project on University Blvd (South Arterial) should begin May 10<sup>th</sup>. Funding for this project was an issue. Items are being suggested to lower the cost without changing the value. The Fujimoto contract was signed leasing some property from them saving about \$50,000. They are also looking at changing the grade of asphalt. The sidewalk from 5<sup>th</sup> West to across campus fields is requested to change from a concrete sidewalk to an asphalt sidewalk saving about \$250,000.

**Council Member Mann** asked about an asphalt sidewalk. He wants to make sure it is not going to cost the city more in the long run. Public Works Director Millar said it is along undeveloped ground. It will not cost the city more in the long run. Total savings for these change orders is about \$500,000.

**Public Works Director Millar** also reported the waste water treatment plant project is on schedule. The South Millhollow Road project is the other big project this summer. Bob Siephert who owns the subdivision to the south is willing to work with the city to get Millhollow Road re-paved by his development down to Harvest Heights. The project is planned for the 21<sup>st</sup> of May. The re-construction of Shoshone Avenue is underway; however, half of Shoshone will need to be change ordered due to the inability of the contractor to bond for the entire road. The city will work with Depatco on a separate contract for this half of Shoshone.

**Council Member Benfield** asked what it would take to get the population signs changed around town. Public Works Director Millar said the signs are put up by the Transportation Department. He wrote them a letter several months ago. He will follow up on this. Council Member Benfield also asked when the carousel would be up and running. It should be going by Memorial Day weekend or sooner. She also asked about the spray park. This should also be open by Memorial Day weekend or sooner.

**Council Member Mann** asked about the barricades on Widdison Lane as you turn left towards Rexburg Motor Sports. The barricades completely block vision for oncoming traffic. Public Works Director Millar said these barricades are there for safety, but he will look at them and see if they can make better visibility for traffic. The city has a new mower to mow roadways as well to trim the weeds down at this intersection.

**Council Member Erickson** asked if 12<sup>th</sup> West will be changed as the high school is developed. It will be changed in some ways. He also asked where the status of the project

on 2<sup>nd</sup> West is at. The project has not yet been bid, but the project will be done this summer.

**Council Member Benfield** also asked about the animal shelter. Public Works Director Millar said fencing is being installed now and should be done this week. The sign is being made for the facility. The area will be paved. They will pave it with another project this summer. It should be done by mid June. The State inspected and certified the facility as one of the finest in the State of Idaho.

**Calendared Bills and Tabled Items:**

**A. BILL Introductions:** - NONE

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

1. **BILL 983 – Amend Ordinance 926** providing changes to Transitional Agriculture One (TAG1) and Transitional Agricultural Two (TAG2).

**Council Member Stevens** moved to suspend the rules on BILL 983; Council Member Erickson seconded the motion. Roll call vote:

**Those voting aye**

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

**Those voting nay**

None

**The motion carried.**

**Council Member Erickson** moved to third read, approve and adopt BILL 983. Council Member Schwendiman seconded the motion. All voted aye, none opposed. **The motion carried.**

2. **BILL 986 – Cost of Living** adjustment for elected officials

**Council Member Stevens** moved to consider 986 first read increasing the mayor's salary and keeping the City Council salary as is. Council Member Young seconded the motion. Roll call vote:

**Those voting aye**

Farrell Young  
Donna Benfield  
Bart Stevens

**Those voting nay**

Randy Schwendiman  
Rex Erickson  
Chris Mann

3 to 3 vote requires the Mayor to cast the deciding vote. Mayor Larsen voted nay to the motion.

**The motion failed.**

**Council Member Mann** moved to approve BILL 986 as first read raising both the mayor's salary and the City Council salary. Council Member Erickson seconded the motion. Discussion: Council Member Stevens asked if the vote could be separated so the mayor's salary is approved separate of the City Council salary.

**City Attorney Stephen Zollinger** said the BILL 986 must be approved as first read and recommendations could be made amending BILL 986. Changes are made at the final reading. It needs to be considered first read and those who would like changes made need to make it clear that they will vote against it if changes are not made at the final reading. Mayor Larsen asked for a vote. All voted aye; none opposed. **The motion carried.**

**Council Member Stevens** said he would like to change line item B and leave the City Council salary as is before he could support BILL 986 in the future.

3. **BILL 987 – Zone Change** 4<sup>th</sup> North MDR1 to CBC

**Council Member Young** moved to waive the rules; Council Member Schwendiman seconded the motion. Roll call vote:

**Those Voting Aye**

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

**Those Voting Nay**

None

All voted aye. **The motion carried.**

**Council Member Young** moved to third read and pass BILL 987; Council Member Erickson seconded the motion; all voted aye, none opposed. **The motion carried.**

**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:**

- **Planning Contract with Cooper, Roberts, Simonsen Associates**
- **Appropriations Update**

**Review Golf Course meeting with the County (Golf Course Contract w/County)**

**Mayor Larsen**, Finance Officer Richard Horner and Council Member Benfield met with County Commissioners to discuss funding of the new 9 hole golf course.

**Finance Officer Richard Horner** explained it was agreed upon pending approval of the City Council that the city would loan the money to the golf course to construct a new 9 hole golf course. The county will guarantee half of this loaned amount. The interest rate would be set at the current investment rate which is about 4.5 to 5%. Payments would be made with the revenue from the golf course.

**Council Member Schwendiman** asked if the city funds were coming out of city reserves. Finance Officer Richard Horner said the revolving loan fund could be used for part of the monies and the rest would be borrowed from other funds. The amount of the golf course is \$850,000. The county doesn't have enough in their loan account to fund this project.

**Council Member Benfield** asked for proof or a track record showing that the golf revenue would cover payments. Finance Officer Horner said the proposal is based on the anticipated increased revenue from the new 9 hole course.

**Council Member Schwendiman** complimented the Golf Board for their work. He was concerned this golf course project was initiated when used sprinkler equipment became available. He would like to wait for a down payment before the city commits to such a big project. He would prefer the county pay their share of the funding up front.

**Council Member Young** asked about the sun bird population helping on the revenue.

**Council Member Mann** is concerned with waiting to construct because it is only going to get more expensive; however, he does not want the county to donate in-kind work instead of

paying cash. He thinks a new golf course would promote tourism. A new golf course would be a benefit to the city.

**Council Member Stevens** wanted to know what Impact Fees the city would borrow. It would come from water and sewer hookup fees.

**Council Member Mann** suggested that because the land is paid for, the City Council could consider the land as a down payment. Finance Officer Horner said the Golf Board also has \$50,000 cash.

**Council Member Benfield** was concerned with the lack of solid numbers to make accurate projections. She does not want to bind future City Councils if this project fails. It seems like too much of a risk. City Attorney Stephen Zollinger said this will not legally bind another City Council. What the City Council cannot do is bind a future City Council politically.

**Council Member Schwendiman** was concerned with timing and the county's position. City Attorney Zollinger said the contract will bind the county the exact same as the city. The county can make the payments; however, they can't come up with the principle payment.

**Finance Officer Horner** said this will be an asset to the city. If the golf course fails, the land could be sold to pay off the balance of the loan plus some extra.

**Council Member Erickson** was concerned with the golf course being over capacity. There may be a few people leave the course on a Saturday because they didn't want to wait, but that is not typically the case. He did not think the golf course was over taxed. He wanted to give the Golf Board a year or two to demonstrate their ability to save a down payment; however, he will support the proposal if it is the desire of the City Council to move forward at this time.

**Council Member Erickson** discussed the idea of subsidizing the accounting fees for the golf course.

**Mayor Larsen said** the county was projecting a two year subsidy for the proposal.

**City Attorney Zollinger** said the course is losing golfers on Saturday. They plan to draw more people to the course. The golf course can put \$30,000 a year towards the payment putting at risk \$16,000 per year for the county and \$16,000 for the city.

**Council Member Erickson** said one source of revenue for the city would be to take over the golf cart rentals.

**Council Member Stevens** said the area is growing making the expansion a good idea.

**Finance Officer Horner** went over the revenue projections for the golf course. Rexburg is adding about 200 homes per year at this time.

**Mayor Larsen** explained the county has voted to go ahead and enter into a contract with the city.

**Council Member Mann** moved to authorize Mayor Larsen to execute a contract for the new 9 hole golf course for a maximum amount of \$850,000; Council Member Stevens seconded the motion. Discussion: Council Member Stevens asked to amend the motion so they will only accept a bid up to \$850,000. If bids come in over this amount, the City Council must revisit the situation. Finance Officer Horner suggested capping the loan at \$850,000 and the total construction cost at \$900,000. Council Member Mann amended his motion capping the loan at \$850,000 and capping the total construction cost at \$900,000.

**Those voting aye**  
Chris Mann

**Those voting nay**  
Donna Benfield

Bart Stevens  
Rex Erickson

Farrell Young  
Randy Schwendiman

3 to 3 vote requires the Mayor to cast the deciding vote. Mayor Larsen feels this is a worthwhile project. Mayor Larsen voted aye.

**The motion carried.**

Calendar:

**May 16** - City Council Meeting at 7 pm

**May 23** - Joint Meeting with City and County at 7 pm

**May 23** - Rexburg 301, Drive around workshop from 9 am to 1 pm

**May 30** - City Council budget review at 7:00 am

**Mayor Larsen** requested that the City Council go into executive session.

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

**Those voting aye**

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

**Those voting nay**

None

**The motion carried.**

**Executive session**

**Executive session ended**

**Council Member Mann** motioned to approve the budget request for \$63, 275 from the contingency fund for a new planning contract shared with Madison County and Sugar City; Council Member Benfield seconded the motion; discussion: Council Member Stevens asked if this was with the understanding that the city would get \$20,000 of this money back from the University. It is with this understanding. All voted aye, none opposed. **The motion carried.**

**Mayor Larsen** asked the City Council if they wanted to wave the park reservation fees for the Army National Guard family event. The City Council would like these fees waved for the National Guard.

**Adjournment**

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Mayor Shawn Larsen

Attest:

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Blair D. Kay, City Clerk