

Customer Support Services City Council Minutes

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CITY OF
REXBURG
America's Family Community

May 16, 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: Council Member Schwendiman asked to be excused. All other 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 May 02, 2007 meeting
- B. Approve the City of Rexburg Bill

Council Member Benfield moved to approve the 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)

BYU-I University Students were welcomed.

Presentations: - None

Committee Liaison Assignments for 2007:

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

Council Member Mann said Parks and Recreation met. They talked about goals. They are working on a master plan. They also talked about what their priority projects are going to be. It was a good meeting.

He also commented on how beautiful Porter Park looks. He commended the Parks Department for their great work. Mayor Larsen announced the opening of the Spray Park on May 15, 2007.

Mayor Larsen presented the name of Leah Allen to serve on the Museum Committee.

Council Member Mann moved to ratify Leah Allen to serve on the Museum Committee. Council Member Benfield 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 met last Friday. They were not able to make any official decisions because a full quorum was not in attendance. They talked about current projects. The flower baskets are out and the baskets are beautiful.

The Beautification Committee is working on the tree project on Main Street, landscaping on the island at 2nd East, and directional signage. They will be giving out residential awards for homes again this year.

Council Member Benfield also reported the Police Department will be making changes around the end of August by rotating the detectives at the schools.

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

Council Member Erickson explained the Airport Board hasn't met. Planning and Zoning did have a meeting and they have some items on the agenda tonight. They will meet again tomorrow night.

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

Council Member Schwendiman was excused.

City Attorney Stephen Zollinger said the Golf Board is starting the formal process for bids on the new 9 hole golf course at Teton Lakes. They are working on an agreement between the county and the city that should come before the City Council next meeting.

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

Council Member Young explained the Tabernacle Committee met last night. They are seeking funding in their budget for upgrading windows; building new bathrooms, building a handicap ramp on the north side of the tabernacle, remodeling the dressing rooms, etc.

The Tabernacle Committee has established a fundraiser committee called "Friends of the Tabernacle." Former Lieutenant Governor for Idaho, Mark Ricks has been appointed as the chairman of this committee. They do not expect the city to provide all the money for these projects, so the Tabernacle Committee is hoping this sub-committee will help provide some money for these improvements.

The Rexburg Arts Council will be hosting an event every Wednesday at 7:30 P.M. They are free performances offered for the community. These events were originally started for the Sunbirds that came to Rexburg for the summer, but it became so popular for the community they have continued these events.

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

Council Member Stevens mentioned new 2006 Building Codes coming in January, 2008. He did not meet with Trails or the School Board.

Mayor Larsen explained the grant for a trail behind Cal Ranch was not successful; however, local land owners including the Development Company and the Surgical Center with Dr. Hansen are interested in doing the trail. Mayor Larsen said the Urban Renewal District could fund part of the trail from 2nd East to the Development Company. He suggested working with Joseph West on this project.

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

Mayor Larsen reported the Mayors Youth Advisory Board met. Miss Rexburg came to the meeting. He also mentioned the free Air Show on June 16. The air show will bring planes from around the country. The Legacy Flight Museum has purchased a new airplane to benefit the museum.

Public Hearings:

8:00 P.M. Creation of LID 38 for the North Alley from Center St. to 2nd East

Deputy Finance Officer Matt Nielsen presented the LID 38 proposal. It is basically a two part LID. One part involves parking lot improvements and the other part involves replacing the alleyway with concrete or asphalt.

Mayor Larsen opened the public hearing.

Those in favor of the proposal: NONE

Those neutral to the proposal:

Sticks and Stones - Heather Williams at 113 West 1st South is in favor and against the proposal. It will be nice to see the alley improved for customer parking. It is very exciting to have parking for the customers. She is for the project. She asked about the 10 parking spaces her business would be responsible for on the project. The improvement will cost about \$11,000 with the 10 parking spaces. She is willing to pay for the alley improvement; however, confused at the cost for the 10 parking spaces.

Those against the proposal: NONE

Mayor Larsen closed the Public Hearing.

Deputy Finance Officer Matt Nielsen explained for the Sticks and Stones business, the 10 parking spots are not tied to the business building. They are tied to community parking. The cost was allocated on square footage of retail space and apartment rentals. Each parking spot was allocated 350 square feet. This was the most efficient way to allocate costs to each business. Cost would not change if it was calculated differently. The formula used also gave businesses credit for existing parking spaces tied to their building.

LOCAL IMPROVEMENT DISTRICT 38

EXHIBIT "A" OF CREATION ORDINANCE 988

ITEM #	No.	DIR	STREET	OWNER	TOTAL ESTIMATED COST FOR PROPERTY OWNER
100	31,35	N	1st E	S & S Investments LLC	0.00
101	12	N	Center	City of Rexburg	21,368.26
102	26,34	N	Center	ESD	17,585.31
103	7,11	E	Main & 8 N Center	G & K Ventures LC	22,033.13
104	15	E	Main	EW LLC	4,787.73
105	19	E	Main	City of Rexburg	10,506.69
106	25	E	Main	City of Rexburg	9,864.05
107	39	E	Main	DELOITTE TAX LLP	4,449.31
108	43	E	Main	Rick Merrill	6,703.01
109	45,47	E	Main	Michael Rowley	13,256.99
110	49,51	E	Main	Brian Williams	10,737.85
111	55	E	Main	Man's Image LTD	4,729.73
112	57,59	E	Main	James Brague	23,284.99

Council Member Mann asked if there were apartments above the Sticks and Stones building. They have one renter and one employee.

Council Member Erickson reviewed the allocation method. The whole project was broken down by square footage with the right to use the parking in back of the alley.

Deputy Finance Officer Matt Nielsen said they took the total square footage of the business divided by 350 square feet to get the number of parking spaces each business would be assigned on the LID. He used the example of Sticks and Stones who are actually responsible for 12 parking spaces; however, they have 2 existing parking spaces, so they only have to pay for 10 additional spaces.

Mayor Larsen explained the total cost has been mitigated with a grant to bring the costs down. Other city parking areas such as Gringo's were purchased by allocating square footage.

Council Member Young asked if the agreement with AMET has been completed. Deputy Finance Officer Nielsen said the contract with AMET has not yet been completed. Money for parking will give access to a parking lot that they do not have at this time; therefore, if this contract is not negotiated successfully, the parking lot would fall off the LID.

City Attorney Zollinger said the agreement would be a lease with AMET and Wells Fargo Bank for a long term lease to develop the parking area. Council Member Young asked if the city is getting the cart before the horse to ask for the LID before the lease agreements are secured. City Attorney Zollinger explained the LID portion for parking would be dissolved if the lease agreement is not secured.

Council Member Stevens said the upside of the LID is the increased value added to the property with the additional parking.

Council Member Benfield reviewed the costs. She asked why the city needed 150 parking stalls on the LID. City Attorney Zollinger said if the businesses were new today, they would be required to have sufficient parking. Current city requirements would actually require 298 parking spaces in total for all of these businesses. There will only be a total of about 200 parking spaces with this proposal; so the city is still falling short of what would be required with the current parking code requirements.

Council Member Young asked about the term of the proposed lease. City Attorney Zollinger explained a long term 20 year lease is needed to make the project viable for the businesses. The city is offering to revamp the AMET parking lot in this proposal. If businesses were to sell their buildings, it would be subject to the lease.

Council Member Benfield said the parking improvements would increase the value of the businesses. They would have access to the whole parking lot of about 200 parking stalls. Sticks and Stones would have at least 10 stalls allocated. Sticks and Stones would own a "use" interest in the parking lot. If they sell their building, they do not get to sell 10 parking spaces.

Council Member Stevens asked if the LID term could match the term of the lease to lessen the cost per year. City Attorney Zollinger said this is possible. They will look into a 20 year pay back term on the LID.

Council Member Young asked if the parking stalls would be managed by the city or the business owner. City Attorney Zollinger said some businesses would be giving up some parking stalls; however, they may have control of parking immediately adjacent to their businesses. Some reserved parking will be permitted. Mom's Candy Kitchen and Gringo's parking lot is shared in the same manner. Some of those parking stalls are signed by the separate businesses.

New Business:

A. Preliminary Plat for Summerfield Subdivision (Weimer property off 12th West)

Planning and Zoning Administrator Gary Leikness presented the plat on the overhead screen. On May 03, 2007 Kartchner Homes presented the preliminary plat to the Planning Commission. They are proposing 132 lots on this phase including an area designated for church use. One of the design concepts calls for 250 retirement units on 41 acres to be designed at a future date. They have also designated some areas for possible future multi-

family use. They will have to apply for appropriate use permits before this area can be used for these purposes. These areas would just be considered un-plotted lots at this time.

The Planning Commission approved the plat with conditions for the development. Planning and Zoning Administrator Leikness reviewed street cross sections for the development. They are proposing 68, 59 and 47 foot cross sections. The 68 foot cross sections are for the main collector streets and the 59 and 47 foot cross sections are for the smaller streets around the park area. They are also requesting a 68 foot right-of-way where the city standard is a 79 foot right of way. The streets that are proposed at 59 and 47 feet have a city standard of a 68 foot right of way.

Planning and Zoning Administrator Leikness also explained the city is looking into a Planned Unit Development (PUD) Ordinance which would allow the Planning Commission and City Council to be more flexible in deviating from city standards with street cross sections.

Council Member Erickson asked why the developer is requesting narrower streets. Kartchner Homes has been working with an engineer and this is a street system that will work for the developer. Residential collector streets are 79 feet. They are asking for a narrower street collector at 68 feet. Council Member Erickson asked why we would consider this request. Planning and Zoning Administrator Leikness said this is a common request. This street design can limit street parking on one side of the road or both sides of the road. In this subdivision, the 68 foot streets would allow parking on both sides of the street where the 59 and 47 foot streets would allow parking only on one side of the street. Mayor Larsen explained the City Council would entertain this request because if the city had a PUD Ordinance, these streets would be allowed. The lack of a narrow street option in a PUD Ordinance requires the City Council to approve a narrower street. Mayor Larsen also explained he lives on a street that is narrower than the city standard and he likes it because it slows down traffic. He is neither for nor against the plat, but he suggested getting some information from the applicant and from Public Works Director John Millar before making a decision.

Council Member Stevens said the street width is dropping from 47 feet to 23 feet of pavement if land strip is removed from one side of the street. He has a problem with removing the sidewalk from one side of the street along the park area because the City Council has been requiring sidewalks on both sides of the street throughout the city.

City Attorney Zollinger said it would be 2 feet narrower than K Street from back of curb to back of curb. K Street has 37 feet of drivable space from back of curb to back of curb where this subdivision would have drivable space of 35 feet from back of curb to back of curb.

Council Member Benfield asked about the Light Industrial Use on the plat. There is not a zone designated for Light Industrial at this time on the property. This concept plan for different zones does not meet the current LDR2 Zone. The City Council would only be approving phase one which is only for single family housing. The other concepts for this area are for discussion purposes only at this time.

Council Member Young reminded the City Council part of this area is outside the current Impact Zone. He asked if the city has services in this area. Public Works Director Millar said there are city services on 12th West.

Planning and Zoning Administrator Leikness read the Planning and Zoning motion to recommend the plat.

Mayor Larsen asked to hear from the applicant and the Public Works Director.

Wayne Crow is the engineer for the project. The layout is the old grid style fashion. There is good traffic flow in a neighborhood style layout. They want it to feel like a neighborhood instead of a busy cross section. Parking will be allowed. The 68 foot street cross section calls for parking on both sides of the street. Inside the block goes to a 59 foot street without

parking on one side of the street. There are sidewalks on both sides of the 59 foot streets. On the 47 foot street adjacent to the parks with parking on one side of the street; the street section does not have sidewalk on the park side of the street. The overall benefits will be less pavement, more green space and an overall more comfortable feel. They want very little traffic on the interior streets where the pocket parks are located to encourage pedestrian traffic. They are only asking for narrower streets inside the subdivision. Everything else is standard.

Council Member Mann asked about the drainage plan for the development.

Wayne Crow said this area will be developed with appropriate drainage. They are presenting phase one for approval. The sewer will drain into the 12th West pump station.

Council Member Stevens likes the concept except for the street width proposal. The City Council has worked very hard to develop a city standard and he does not want to deviate from the city standard. He wants to maintain an area for snow removal where the sidewalk is off the street.

Wayne Crow said the snow removal is the same design as other streets. The pavement area is narrower. The homeowners association will take care of the parks. The city would take care of the streets.

City Attorney Stephen Zollinger reviewed the snow removal issues. He explained this plan takes off a sidewalk, a park strip and a parking area. This allows snow removal to work the same as those streets that are wider.

Public Works Director Millar explained the city does not want this to be developed as a standard. They are not concerned with the snow removal issues or the street widths. They are concerned with parking issues. People will park where they will park including on the no parking side of the street which causes a policing issue.

Wayne Crow said the bigger streets are only a half block away from where street parking is allowed on both sides of the street.

Planning and Zoning Administrator Leikness reviewed some of the lots which are designed for 5,000 square feet instead of 8,000 square feet. LDR2 Zones require lots to be no smaller than 8,000 square feet. The developer will have to revisit the size of the lots requiring some changes to the preliminary plat.

Council Member Erickson asked if this concept plan is the same throughout the project. Planning and Zoning Administrator Leikness said the concept plan was the same. Island strips will be put in to break up the visual runway.

Council Member Stevens asked how the rest of the City Council felt about deviating from current city street standards.

Council Member Mann was in agreement with City Council Member Stevens to maintain the city standards. It took a lot of work to get standards where they are at this time.

Council Member Benfield said the concept of this subdivision sounds nice, but she concurred with Council Member Stevens and Council Member Mann. Why develop a standard to deviate from that standard.

Council Member Erickson concurred except he was a little more lenient with the 68 foot streets. The streets with a 47 foot area were too narrow. He agrees deviating from current city standards is not a good thing, though the plan does make sense to him.

Planning and Zoning Administrator Leikness said the first plat was completely different from this plat. This design was done to be more creative with the interior area. It is designed with the old grid system which is great for emergency services. This plan allows the developer to take advantage of the empty space that would be created.

Council Member Erickson asked about lot sizes and lot frontages. If a 68 foot road was around the park it would not allow for 60 foot lots. Planning and Zoning Administrator Leikness said this design would yield more lots.

Council Member Benfield referred to the issue of the city staying the course instead of reacting to the developer's plans. The City Council needs to decide if the city wants to stay consistent or change requirements.

Council Member Erickson moved to deny the preliminary plat and send it back to the developer; Council Member Mann seconded the motion; Discussion: Council Member Young asked for input from the Planning and Zoning Commission. Chairman Dyer said the Planning Commission had two concerns, the street width issue and the twin home lots. They are in the process of working on a Planned Unit Development Ordinance that may be helpful on this type of design; however it is not a tool available at this time. Mayor Larsen called for a vote: all voted aye, none opposed. **The motion carried.**

B. Preliminary Plat for Snell-Grove Townhomes (347 West Main Street)

Planning and Zoning Administrator Gary Leikness presented the proposal to the City Council. The applicant is proposing 36 units in 9 four-plexes which will actually be town homes. They will be used for single family housing. He reviewed the Planning and Zoning recommendation to have staff approval. The developer is working on some of the staff issues.

FINDINGS OF FACT issues from Planning and Zoning

1. The application should be strictly considered under the current development code
2. No access would be granted from Main Street
3. Use 3rd West with a 22 foot minimum width

Council Member Stevens asked about a turn around for emergency services. Planning and Zoning Administrator Leikness said this will be included in the development. All other city standards for set backs and building heights will be met.

Council Member Young asked if the Main Street access could be right turn only.

Council Member Erickson reviewed developments a half block to the west with a turn lane. Why would Main Street access not be allowed in this development? Planning and Zoning Administrator Leikness explained the Planning Commission would be fine with this access if the Idaho Transportation Department (ITD) approved. The developer is using the Comprehensive Plan for his input.

Mayor Larsen asked to hear from the applicant.

Kevin Snell at 3784 East 175 North in Rigby said the past residence had access to Main Street. He was surprised at the recommendation not to grant access to Main Street. He would like a through street from Main Street to 4th West. He has applied to ITD for access to Main Street. ITD is looking for input from the City of Rexburg for direction.

Public Works Director John Millar said a mid block access at Main Street would be better than forcing all the traffic to 4th West.

Council Member Stevens liked the curved street layout. It will work very well.

Kevin Snell said the street design will slow down traffic and allow the existing trees to remain.

Council Member Mann asked the developer to maintain the privacy of existing neighbors.

Kevin Snell said the public hearing process is in place to take public input. They may have to put a fence in to keep the privacy for existing residence.

Mayor Larsen asked if it was a private drive. Yes, it is a private drive.

Council Member Stevens suggested greenery or trees along with a fence. Kevin Snell stated he would prefer installing trees and bushes instead of a fence. He is very willing to work with the city and home owners. Some of the neighbors do not want parking against their property.

Council Member Stevens moved to approve the preliminary plat for Snell-Grove Townhomes as presented with the recommendations given by Planning and Zoning; Council Member Benfield seconded the motion; all voted aye, none opposed. **The motion carried.**

C. Preliminary Plat for Hidden Valley Trails (East of Millhollow Road)

Winston Dyer at 310 North 2nd East is an authorized representative for VALEO Management Group. He reviewed the proposal on the overhead screen. This development will connect to Hidden Valley Road and 7th South then to 9th East (East Side Parkway). This development is just less than 93 acres of property comprising 147 single family lots matching surrounding subdivisions. The streets will be built to city standards at 68 feet. The only exception is Hidden Valley Road which will be wider to match a collector street. The property is zone LDR1 consistent with the Comprehensive Plan. There is steep terrain on the project. They are working with the city engineer to lay out the development around the steep terrain. It has good connectivity for trails and recreation. Storm water will be controlled by storm water piping. Each lot will be required to control their storm drainage. There is 200 feet of fall in elevation from the south end of the development to the north end of the development. The plan is to preserve the drainage area in its natural state to avoid fencing and storage in the area. Turn around areas would be put in for emergency services.

They are master planning the entire acreage with follow-up phases as the development is built. 7th South will need to be completed before the South Hidden Valley Road could be connected to 7th South. Until 7th South is developed, all traffic would have to go north to get out of the development.

Council Member Mann questioned the expected number of children impacting the school system from this development. It is estimated that 220 students would be in this new development. Would the school children attend Adams or Lincoln schools? They will probably go to Lincoln, but nothing has been decided about this as of yet. The planned arterial road for the city is 9th East.

Council Member Benfield asked where Phase III and Phase IV would be in the development. Winston Dyer showed this area on the overhead. It would be on the east side of the canyon and could be put into one phase or divided into two phases.

Council Member Young moved to accept the preliminary plat for Hidden Valley Trails as presented; Council Member Erickson seconded the motion; all voted aye, none opposed. **The motion carried.**

D. Final Plat for Aspen Village Apartments at 545 South 2nd East

City Attorney Zollinger presented the proposal on the overhead screen. The buildings are being platted as independent lots with 10 lots and 7 individual buildings. Included on the development is a maintenance shed a parking lot and common area. The common area is controlled by the other parcels. Planning and Zoning recommended approval if allowed by the CCR's.

Council Member Stevens was concerned with the parking lot being parceled off. City Attorney Zollinger explained a parking building could replace the parking lot.

Council Member Young asked if there were any changes since the last review. City Attorney Zollinger said the CCR's was the only issue under discussion. Planning and Zoning Administrator Leikness wanted the parcel lines around the parking lot reviewed.

Council Member Stevens moved to approve the final plat for Aspen Village Apartments subject to staff review of the right of way with the SW corner in relation to lot 5; Council Member Erickson seconded the motion. Roll call vote:

Those voting aye:

Farrell Young
Donna Benfield
Rex Erickson
Bart Stevens

Those voting nay:

Chris Mann

The motion carried.

E. Conditional Use Permit for bottled propane at Walgreen's

Jason Kimber at 112 Michelle Drive in Sugar City asked for a CUP to sell bottled propane at Walgreen's on Main Street. It is a standard service for Walgreen's stores. They have met with Planning and Zoning who recommended approval with the recommendation to make the cage more attractive. They can paint the cage any color. They are proposing placing the cage facing 2nd East 44 feet from the edge of the building to comply with fire code. The cage must have at least a 6 foot barrier and be no more than 50 feet from a fire extinguisher. The cage is 6 feet tall. It would be placed in front of a black fake window which has a brick wall at the base of the window. They plan to paint the top of the cage black and the bottom a brick color to blend with the building. The only signage would be the price and those required by law.

Council Member Erickson recommended placing the cage by the ballads on either side of the door against the garbage container. It would fit in that location very well. Mr. Kimber said they are open to changing the location.

Council Member Benfield said there are other stores in town with the same service. She did not see a problem with the request. Mr. Kimber said they are concerned with maintaining the look of the building while still offering standard Walgreen services.

Council Member Stevens liked the idea of painting or powder coating the cage.

Council Member Mann asked when this service would be offered. It is a year round service.

Planning and Zoning Administrator Leikness reviewed the discussion at the public hearing before Planning and Zoning. The City Council was referred to the "Finding of Facts" and minutes from the Planning and Zoning public hearing. The Planning Commission said this location is the entry into the downtown area. The applicant and their supplier are willing to work with the city to maintain the look of the downtown entry area. The Planning Commission recommended a 2nd East location with proper screening.

Council Member Stevens moved to approve the 2nd East location with painting consistent with the color of the building. Council Member Erickson seconded the motion; Discussion: Council Member Mann asked if the 2nd East location is the location recommended by Planning and Zoning. Yes, this is the recommended location. Mayor Larsen called for a vote. All voted aye, none opposed. **The motion carried.**

F. Beer & Wine License for Applebee's Restaurant

Mayor Larsen asked the city clerk to present the request. The applicant is seeking the beer and wine license from the county and the state. Opening date is around June 25. This request complies with all city requirements and ordinances.

Council Member Benfield moved to approve the Beer & Wine License for Applebee's Restaurant. Council Member Erickson seconded the motion. All voted aye, none opposed. **The motion carried.**

Report on Projects: John Millar

Public Works Director John Millar reported the 2nd West reconstruction project is being prepared for bid. He also gave a power point presentation addressing the flooding issue at the roundabout. This is a problem that needs to be addressed. The roundabout was built at a lower elevation causing the flooding at the roundabout instead of at 4th South and 3rd West. The 48 inch storm water line is out of capacity. The University is proposing another 400,000 storm water retention facility. Public Works Director Millar showed several of these detention areas for storm water throughout the city.

The old Rexburg city ditch used to handle some of the storm water. New development has caused the ditch to lose some efficiency. The city is proposing installing catch basins to catch water before the water enters the roundabout. They will clean the ditch to help water flow. It would cost millions to increase the capacity of the current 48 inch storm water line on 2nd West. The alternative is to store the water in a storage area for temporary storage.

Public Works Director Millar went through a priority list.

- Must get water into the system first.
 - Replace ineffective catch basins
 - Remove debris from the top of catch basins
- Then we must remove water from system efficiently and quickly.
 - Make the canal go down hill instead of up hill.

Options for solving the problem:

- **Alternative 1:** Re-grade open portion of the canal
 - Cost: \$73,200
- **Alternative 2:** Replace the section where the storm sewer actually goes uphill. (Begin at Tuscany Place)
 - Cost: \$111,320
- **Alternative 3:** Allow water to flow to detention facility (In Porter Park)
 - Cost: \$264,330

Recommendations:

- **Regular system maintenance.**
- **Install effective catch basins.**
- **Position canal at right slope and elevation.**
- **Consider storm water detention facility.**

He asked City Council to go to a consultant for recommendation to deal with storm water. The city has used up storm water capacity with new development.

Council Member Erickson asked how much flooding would be diminished with the catch basins and ditch cleaning. Public Works Director Millar said it depends on the type of storm. Currently, a ¾ inch storm causes flooding. They would like to make this 1 inch to 1 ½ inch storm before flooding begins. Flooding has been a problem for a long time now. The low point used to be 4th West; now the roundabout takes the flooding.

Council Member Mann mentioned the city is seeking funding from Congress. He also wanted to know if new developments can be required to pay for this upgrade. He asked what water comes from farms. He wanted to know if water can be caught where the water falls. He wants to see a long term solution. Public Works Director Millar said the EPA does not allow moving storm water to the river anymore. The new methods of storm water retention are done on site.

Mayor Larsen referred to an existing area that is not yet developed for storm water for Weststates Subdivision. Public Works Director Millar said they are working to develop the area as a park for storm water detention.

Public Works Director John Millar said the city has purchased a new chipper and is asking the City Council to declare the old chipper surplus.

Council Member Stevens moved to surplus the old chipper. Council Member Young seconded the motion. All voted aye, none opposed. **The motion carried.**

Council Member Benfield asked where the trucks seen in town are going. The trucks are going to the Madison Memorial Hospital and to new subdivisions. Public Works Director Millar also mentioned Shoshone Avenue is in the process of being rebuilt.

Financial Officer Report: Richard Horner

A. Monthly Budget summaries

Deputy Finance Officer Matt Nielsen presented the report. The city is currently through 7 months of the budget year and expenses should be at 58%. The total operating funds are at 44%. Building Safety is low because the city is just now hiring for this department. The miscellaneous fund is at 170% because the purchase and sale of an airplane. The revenue from the plane sale will be refunded back to the miscellaneous fund. The wastewater and street funds are low because big projects are just beginning to start.

Council Member Erickson moved to approve the monthly budget summary. Council Member Mann seconded the motion. All voted aye, none opposed. **The motion carried.**

Calendared Bills and Tabled Items:

A. **BILL Introductions:**

1. BILL 985 - 2007 Ordinance Codification

City Attorney Zollinger reviewed the process for working on the codification ordinance. Three BYU-I student interns, Jaren Harding, Adam Stout and Jericho Cline should be commended for their efforts. They have worked very hard on this project and have found information that even professional codifiers missed previously. This codification should be presented to the City Council in 3 weeks. Over the course of the next 12 months, the City Council will be presented with concept ordinances. One concept ordinance they are working on is a "False Alarm ordinance" which will penalize companies that do not maintain their alarm systems. Another is a "Safety walk through program" to visit businesses as consultants and make buildings safer.

Council Member Benfield referred to the recent printing of Ordinance 80. This was a 1904 codification which codified ordinance 1 through ordinance 79. She was very impressed with the information in the 1904 codification.

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

1. **BILL 988 – "LID 38"** for the North Alley from Center St. to 2nd East

Discussion after the public hearing on LID 38:

Council Member Erickson moved to wave the rules for the reading of BILL 988; Motion withdrawn.

Council Member Erickson moved to first read and BILL 988; Council Member Mann seconded the motion; all voted aye, none opposed. **The motion carried.**

Council Member Mann visited with two business owners who were impressed with the staff's presentation of LID 38.

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

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

City Attorney Zollinger reviewed the proposal and asked the City Council if they wanted to split the BILL into two requests. One request would be to raise the Mayor's salary and the second request would be to raise the City Council's salary. Council Member Mann would rather not split them up. This would be more appropriate as the Mayor is a full time position where the City Council positions are part time.

Council Member Erickson moved to second read BILL 986 and split the two issues into two separate requests. This means the Mayor's salary will be on one ordinance and the City Council's salary will be on a different ordinance. Council Member Stevens seconded the motion. Roll call vote:

Those voting aye

Farrell Young
Rex Erickson
Bart Stevens

Those voting nay

Donna Benfield
Chris Mann

The motion carried.

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 met with the 911 Advisory Committee. Chief Archibald was elected chair of this committee. The committee consists of two representatives from the city, Mayor Larsen and Chief Archibald. There are two representatives from each entity. The organizations represented on the committee include Emergency Services, Sugar City, Sheriff's Office, and Homeland Security with Greg Adams.

Calendar:

May 18: Mayors Regional Workshop in Rexburg
May 23: Rexburg 301 at 9:00 A.M. for City Council Members
May 23: Joint City County meeting at 7:00 P.M.
May 30: Budget meeting at 7:00 A.M.
June 6: City Council at 7:00 P.M.
June 9: Teton Dam Marathon
June 12-15: Coeur D'Alene for Association of Idaho Cities meetings
June 20: City Council at 7:00 P.M.
June 27: Joint County meeting
July 3: City Council at 7:00 A.M.
July 18: City Council at 7:00 P.M.
August 01: City Council at 7:00 A.M.
August 03: Mayor's Dinner at the Dance Festival
August 15: City Council at 7:00 P.M.

Mayor Larsen requested City Council go into executive session.

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

Those voting aye

Chris Mann
Farrell Young
Donna Benfield
Rex Erickson
Bart Stevens

Those voting nay

None

The motion carried.

Executive session

Executive session ended

Adjournment

Mayor Shawn Larsen

Attest:

Blair D. Kay, City Clerk