

City Council Minutes

November 28, 2007



CITY OF
REXBURG
America's Family Community

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November 28, 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 Joint Planners
(Cooper, Roberts, Simonsen Associates 700 North 200 West, SLC, UT)**

Kathleen Hill discussed historic roots and a thoughtful analysis of the City of Rexburg. She reviewed the 1833 Plat of Zion grid system which promoted connectivity and community. These communities provided opportunities for education, cooperation, culture, worship, and most importantly connection. It consists of a 7x7 block plan which was the base plot repeated as the city grew. Because the grid is repeated, the opportunity for networks and connectivity is built into the landscape. This is a concept plan not related to size of blocks, etc. It is a physical expression of social order. No matter where you live, you can get to what you need by walking. Connectivity is the provision for networks in the built and natural environment through various pathways.

Kathleen Hill presented a plot plan showing the concepts introduced in the Nauvoo plot plan. She said these concepts make an impact on our health and well being. The ultimate goal is to plan for livable, beautiful, economically stable, safe, and sustainable communities.

Mark Morris discussed Sprawl. Sprawl has five components.

1. Housing subdivisions – houses only; creates isolation, unwalkable.
2. Shopping centers – exclusively for shopping; hostile to pedestrians, massive infrastructure, short life span.
3. Office parks – only for work; puts employment at a distance (unwalkable), empty two-thirds of the day.
4. Civic institutions – requires a large area of land.
5. Roadways – massive municipal investment; every trip requires car use.

There are Six differences with a traditional development:

1. Center – place for church and schools; cars are not excluded, but walking is an option.
2. Five minute walk – 75% of grid is within the Center; parks are used by nearby residents.

3. The street network – the safety of transportation corridors depends on a well-planned, integrated system of collector and local roadways. Automobile network and an alternative network of walking and biking.
4. Narrow, versatile streets – street design is important to the entire development.
5. Mixed use buildings – residential, studio, commercial in the same building.
6. Special sites for special buildings.

Laura Hanson discussed some case studies.

Fort Collins, Colorado:

Grid Size:

- 660 ft grid for local roads
- 1320 ft grid for collectors
- 1 mile grid for arterials

Local Road Width:

- 51 ft ROW
- 30 ft pavement
- Two travel lanes and parking on each side

Logan, Utah:

Grid Size:

- 2 acre mini blocks
- 10 acre blocks
- 40 acre super blocks

Local Road Width:

- 66 ft ROW
- 35 ft pavement
- 8 ft park-strips
- Two travel lanes and parking on each side

Modern Plat of Zion:

Grid Size:

- 330 ft grid for local roads
- 2,640 ft grid for collector roads
- 1 mile grid for arterials
- 2,640 ft green grid

Mark Morris explained the safety factor for narrow streets: study showed increased street width and curvature cause more accidents.

They recommended a phased approach to development in Rexburg. Phase 1 would be located in the southwest portion by the new high school. Phase 2 on the hill south of the University. Phase 3 northeast area of Rexburg.

Kathleen Hill discussed the importance of BYU-Idaho to Rexburg. BYU-Idaho has three imperatives:

1. Substantially improve the quality of every aspect of the students experience
2. Serve more students (housing and employment)
3. Lower relative cost of education (avoid driving out of town for services)

Kathleen Hill said in short: “We create what we plan to create.”

Council Member Mann asked if the small parks could accommodate soccer fields. Yes, with planning. The presentation was to promote “connectivity to a center with pathways”. Large parks and small parks are part of the mix in demand in communities.

Council Member Schwendiman compared the size of Rexburg blocks to the smaller blocks in this presentation.

Mayor Larsen reviewed the proposals for Phases I and II. Phase III roads are on the drawing board. Residents don’t want to have 2nd East turn into a street similar to 17th Street in Idaho Falls.

Council Member Stevens asked for the opportunity to provide the planners with more input on current city issues.

Council Member Erickson said Rexburg is not a walking community. However he agreed to look at other areas of Rexburg for development verses more development on 2nd East.

Mayor Larsen mentioned the difficulties of pedestrian traffic on 2nd East, as there are light poles in the sidewalks.

Next meeting with the planners is a work meeting from 5:00 P.M. to 7:00 P.M. on December 19, 2007.

7:00 P.M. – Pledge to the Flag

Mayor Larsen welcomed a Boy Scout to the meeting who is working on a merit badge “Citizenship in the Nation.”

Roll Call of Council Members: All Council Members 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 November 07, 2007 meeting
- B. Approve the City of Rexburg Bills

Council Member Young moved to approve the consent calendar. Council Member Mann seconded the motion. All voted aye, none opposed. **The motion carried.** Council Member Erickson abstained due to his absence from the meeting.

Public Comment: on issues not scheduled on the agenda (limit 3 minutes) – NONE

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 discussed goals and projects for the coming year. The Museum work continues. The Jazz Concert with Missy Babcock is on Friday November 30, 2007. BYU-Idaho has donated \$1100 worth of sound equipment to the Westwood Theatre.

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

Council Member Benfield said the Police Department has been extremely busy recently. They have had over 60 residential and car burglaries in the past little while. Five people are in custody. They are not BYU-Idaho students. The speed trailer is in use. They are preparing for security and traffic control for the Temple open house. Those officers not working have agreed to donate time for the dedication.

Mayor Larsen said the 911 Committee met today and approved a purchase of handheld radios. The money is coming from left over funds in the 2005 Homeland Security grant.

Council Member Benfield also reported the Beautification Committee is having a hard time getting a quorum for meeting. They are seeking new members. Mayor Larsen asked for a list of names of residents who want to serve on a volunteer committee.

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

Council Member Erickson said the Airport Board has not met. Planning and Zoning have met. All items will be discussed later in the meeting.

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

Council Member Schwendiman said Traffic and Safety met. They are having a hard time getting a quorum. He likes the idea of new committee members. The Golf Board met. They are in the process of moving dirt for the new Golf Course.

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

Council Member Young reported on the Orchestra concert. It was a huge success with the entire Tabernacle being filled. Other concerts are planned for March and May of next year. The handicap ramp at the Tabernacle is proceeding slowly. The fire truck in front of the Tabernacle may possibly need to be moved.

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

Council Member Stevens is waiting for Brent Mendenhall to get back with him for the joint meeting with the school board.

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

Mayor Larsen said the Mayor's Youth Advisory Board is helping with the Turkey Trot that will take place on Friday November 30, 2007. The Hometown festival of lights will begin at 6:00 P.M. on Friday, November 30th as well followed by a Christmas program from 7:00 P.M. to 9:00 P.M. at the Tabernacle. All

proceeds will go to the Shop with a cop foundation. There are also Christmas trees around town with gift slips for needy children. Citizens can pick a slip and donate a gift for that child.

Public Hearings:

A. 7:20 P.M. Parking Lot Set Back Variance – 290 N 1st E (Madison School District)

The issue was unresolved with a tie vote at a public hearing before the Planning and Zoning Commission on October 18, 2007.

Dr. Geoffrey M. Thomas, Superintendent from the Madison School District reviewed the proposal. He requested a variance for the Madison School District property near the school district office for bus parking. The city has a 20 foot set back on the property. Mayor Larsen, John Millar, and Gary Leikness met on the property to see the proposal. The school district is seeking an 8 foot setback. There are no plans to widen the street at this time per Public Works Director Millar. Council Member Erickson reviewed the setback. Gary Leikness indicated it was 20 feet from back of curb to the school district property line. The school district request is for a 12 foot reduction in the 20 foot setback.

Mayor Larsen opened the Public Hearing:

Those in favor of the proposal:

Dr. Geoffrey M. Thomas asked the City Council to approve the variance. They plan to put in some landscaping in the setback.

Mayor Larsen referred to a letter from Dean and Dianne Sharp expressing support for the variance. “My wife and I can see no problem whatsoever with finishing the paving and putting a fence next to the sidewalk.” The Sharps are employees of the school district.

Those neutral to the proposal: None

Those opposed to the proposal: None

Mayor Larsen closed the Public Hearing:

Mayor Larsen indicated Planning and Zoning did not have a recommendation.

Council Member Stevens was in favor of the proposal. This is a case by case decision.

Council Member Erickson apologized to Nick Holmes, facilities manager of Madison School district, for the treatment he received in the Planning and Zoning meeting. It was uncalled for and should not have happened. [The first motion to grant a variance in the Planning and Zoning meeting did not pass, the vote was tied 3 to 3.](#) The second motion died for the lack of a second.

Council Member Erickson was in favor of the proposal. The proposal matches the rest of the streetscape on that block. There is a nice fence similar to the fence built at Adams School on 2nd East. The votes at the Planning Commission were discussed. Planning Administrator Leikness reviewed the conditions the planning group suggested.

Council Member Mann was in favor of the proposal in the spirit of cooperation with the school district.

Council Member Stevens was concerned with evergreen trees. He suggested streetscape trees.

Council Member Stevens moved to approve the variance as requested with the landscape area completed as presented and with the city staff approvals. Council Member Benfield seconded the motion. Discussion:

Council Member Erickson mentioned three items needing attention from the school district:

1. School District home adjacent to this project on 1st East needs additional maintenance.
2. Uncompleted project at Lincoln School concerning poor drainage.
3. Correct Kennedy School crosswalk – due to a reconfiguration the current configuration impedes pedestrian traffic. Nick said he would correct all three items.

Council Member Stevens said the motion included the condition that variance is for bus storage only. If the use of the property changes from bus storage, the variance would be rescinded. All voted aye, none opposed. **The motion carried.**

New Business:

A. Final Plat – Rock Creek Hollow Phase II located at Pioneer Road and Mariah Avenue (Planned Unit Development)

Chad Shirley asked for approval of the plat. The City Council reviewed the plat on the overhead screen. Mayor Larsen asked if there were changes from the preliminary plat. Council Member Erickson said all preliminary plat conditions had been completed.

Gary Leikness reviewed the minutes from the Planning and Zoning meeting on November 15th.

*“The garbage containers will have to be moved out of the front yard setback, and be located in accordance with city code. The narrow landscape strips shown could become a maintenance issue. I recommend these be a minimum of five (5) feet wide. Section 4.22 of the CCRs should be amended so the allowance of RVs and similar vehicles cannot be granted in the future. I also recommend that a landscape plan substantially consistent with what was presented here be submitted with the building permit. **Thaine Robinson** motioned to recommend to City Council to approve the final plat for Rock Creek Hollow, Phase 2 with the conditions that Mr. Leikness suggested:*

1. *The garbage containers must be located in accordance with city code.*
2. *The landscape strips between the traffic lanes and the sidewalks be at least 5 feet wide.*
3. *Section 4.22 of the CCRs be amended to prevent the allowance of RVs and similar vehicles from ever being permitted to park on the property.*
4. *A landscape plan substantially consistent with what was presented to the Commission be submitted with the building permit application for approval by the City.*

Dan Hanna seconded the motion. None opposed. **Motion carried.”**

Council Member Erickson moved to approve the **Final Plat – Rock Creek Hollow Phase II** pending the conditions in the planning minutes; Council Member Schwendiman seconded the motion; all voted aye, none opposed.

The motion carried.

B. Resolution 2007 – 14 Providing culinary water to developing or annex areas to or within the City of Rexburg.

Public Works Director Millar explained it is a preliminary draft for City Council to review before a final draft is presented for a formal discussion. Water rights (surface or subsurface) can be fractioned down based on conditions like size of pump, acres of land, etc. The water rights can be transferred. If the well is not on the property, the water right can still be transferred to the city with a new well. There is work going on now to be able to transfer surface water rights to a subsurface water right. The resolution would call for the developer to surrender the water right to the city as land is developed. Council Member Erickson agreed with the concept to transfer water rights with the land as it develops in the City of Rexburg. City Attorney Zollinger said the advantage of the resolution would put developers on notice to negotiate water rights with the purchase of the property. Resolution 2007-14 will be on the next agenda.

Staff Reports:

A. Public Works report on Projects: John Millar

Public Works Director Millar reviewed some projects:

- a. Waste Water Treatment Plant project should be completed in two weeks.
- b. Animal Shelter curb and gutter is installed with signage.
- c. North alley parking lot project is paved.
- d. 2nd West paving project is completed.
- e. South Arterial is paved.
- f. New water meters have been installed to a touch read system in the past three years.
- g. **Future street projects:**

Red = Completed Project Green = Project under Contract Black = Not started

2006 PROJECTED STREET PROJECTS

1. 5 TH West – 2 nd North to Corner	\$ 75,000
2. 2 nd West – 1 st to 2 nd North	\$ 140,000
3. Millhollow – 2 nd South to Rolling Hills	\$ 95,000
4. Madison Ave	\$ 50,000
5. 7 th North – 2 nd East to Railroad	\$ 20,000
6. General Crack Sealing	\$ 25,000
7. Downtown Alleys and Parking	\$ 150,000
8. 7 th South Storm Drainage	\$ 85,000
9. Pedestrian Crossings	\$ 5,000
10. Seal coating around City	\$ 100,000
11. Drainage Problem 4 th S. And 4 th West (Problem Resolved)	\$ 75,000

2007 PROJECTED STREET PROJECTS

1. 3 RD East - 3 rd to 4 th South	\$ 95,000
2. 4 th East – Main to 1 st North	\$ 50,000
3. Reed St.	\$ 35,000
4. Morgan St.	\$ 75,000
5. 4 th North Canal Bridge and Road	\$ 140,000
6. 7 TH South - Millhollow to Autumn Dr.	\$ 192,000
7. University Blvd Cost Overrun	\$??????

FUTURE PROJECTED STREET PROJECTS

1. 2 nd West – Main to 4 th South	\$ 470,000
2. 7 th South - 4 th East to Autumn Dr.	\$ 95,000
3. 4 th North – 2 nd East to 3 rd East 3 rd East – 4 th North to Canal	\$ 80,000
4. Sunrise Dr.	\$ 180,000
5. 7 th South - 2 nd West to S. Yellowstone Hwy.	\$ 1,400,000
6. 2 nd North – Center to 2 nd East	\$ 280,000
7. Roundabout Drainage	\$ 100,000
8. Storm Drain outfall Line Hwy 33	\$ 200,000
9. 2 nd East and 7 th South (Signal and Widen East Side of Intersection)	\$ 300,000
10. 2 nd West and 7 th South (Signal)	\$ 250,000
11. 4 th East – 3 rd to 5 th South	\$ 290,000
12. 2 nd West 6 th to 7 th South	\$ 170,000
13. Airport Rd.	\$ 460,000
14. Pioneer Rd.	\$ 660,000
15. Crack Sealing	\$ 30,000
16. Seal Coating	\$ 250,000

Project overrun on University Blvd was reviewed to cut costs. It is projected to be about .005% or \$30,000 over the expected cost. The city crews worked hard to keep the costs in line with the projected costs. 2008 Projects are expected to cost close to \$800,000 in next year’s budget. Public Works Director Millar express some concerns with the City Council concerning “Access Control Management” on some of the city streets. **Examples include:** University Boulevard and North 2nd East. The city needs a written policy to enforce the installation of approaches on these collectors. Mayor Larsen asked the staff to put together an “Access Control Management” policy.

B. Financial Officer Report: Richard Horner

1. Monthly Budget summaries

Finance Officer Horner provided the October report to the City Council for the city departments. There are four LID’s outstanding at the end of 2007. The staff will work to close these LID’s out by the end of the year, otherwise the work will be completed in 2008. The City Council asked for the end of year report before the audit is completed even if all of the data is not entered, including gifted properties from road construction projects.

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:

A. Letter of Intent – cloud seeding discussion:

Fremont County Commission Chairman Paul Romrell serving as the subcommittee chair of High Country Resource Conservation and Development (RC&D), <http://www.hcountryrcd.org/> provided handouts to the City Council concerning financing a cloud seeding project for \$120,000 in 2007. They have target areas in surrounding counties to generate snow. There is one generator planned for Madison County. The cloud seeding program will be monitored for its effectiveness. Commission Chairman Paul Romrell explained, “We can’t make a dry year wet.” The experts say the effective analysis needs to be done over a longer time period of at least five years. This is a regional effort with a lot more donations. \$78,000 will go to Clark County as the host county for labor and chemicals. The cloud seeding project has 22 operable generators and four generators needing repairs. “Silver Iodized Crystals” are infused into the clouds with an effective saturation range of up to 100 miles down range. Mayor Larsen suggested donating \$2,500 to the cloud seeding program.

Council Member Mann was in favor of the proposal.

Council Member Mann moved to approve \$2,500 for the cloud seeding project; Council Member Erickson seconded the motion. Discussion: Mayor Larsen said the City of Rexburg is a contributor High Country RC&D. The city gets grants for weed control on city entryways, etc. Commissioner Ralph Robison is Madison County’s representative on the RC&D Council. All voted aye, none opposed. **The motion carried.**

Mayor’s Report:

Museum Benches need to be declared surplus so folding chairs can be used instead. Council discussion: Mayor Larsen asked the City Council to declare the benches in the Teton Dam Flood Museum as surplus. Council Member Schwendiman moved to surplus the benches at the Teton Dam Flood Museum. Council Member Erickson seconded the motion. All voted aye, none opposed. **The motion carried.**

Callander:

November 30 - Friday: AIC Training meeting at Red Lion in Idaho Falls from 9:30 A.M. to 3:30 P.M.

November 30 - Friday: Turkey Trot, and Christmas tree lighting.

December 5 - City Council meeting.

December 13- Employee Dinner.

December 19 - City Council meeting and the City/County Joint Planners 5:00 P.M. to 7:00 P.M.

December 19 - Work meeting with Joint Planners (Council Members Erickson & Young) at 2:00 P.M.

January 09, 2008 - City Council meeting.

January 23, 2008 - Work meeting with dinner at 5:00 P.M with Department Heads.

January 31, Association of Idaho Cities (AIC) day at the Legislature.

Request the Planning and Zoning meeting to be scheduled for the 2nd Week in January on the 10.

Adjournment

Shawn Larsen
Mayor

Attest:

Blair Kay
City Clerk

DRAFT