

Customer Support Services

City Council Minutes

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CITY OF
REXBURG
America's Family Community

July 03, 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 A.M. – Pledge to the Flag

Roll Call of Council Members: All 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 June 20, 2007 meeting
- B. Approve the City of Rexburg Bills

Council Member Young moved to approve the Consent Calendar; Council Member Stevens seconded the motion; all voted aye, none opposed. **The motion carried.**

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

Presentations:

- A. 2007 Marathon Report – Donn Hayes

Donn Hayes with the Park and Recreation Department for the City of Rexburg presented the results of the Teton Dam Marathon. He showed a TV clip from Pocatello's channel 6 TV about the Teton Dam Marathon. There were 1,009 runners in the race. This was a big increase from last year's numbers. He read a sample letter that expressed how great the Rexburg Marathon was done.

There were 32 states represented in the Marathon. The funds from the Teton Dam Marathon will be used to fund new races. A few new bicycle races will be planned. Mr. Hayes said one of the goals is to make the race safer. They plan to give more trophies in the future. Runners come to Rexburg because it is a great place. He presented a plaque to Mayor Larsen showing his picture at the end of the race.

Council Member Young asked if port-a-potties were added from last years numbers. The number of racers did increase which maintained the problem of too few port-a-potties. Next year port-a-potties will be added every two miles. Mayor Larsen asked if the race route would be closed off in the future. It would be hard to close off the route completely; however, there will be plans to make the race safer. Mr. Hayes handed out a financial report.

Committee Liaison Assignments for 2007:

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

Nothing to Report

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

Nothing to Report

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

Nothing to Report

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

Nothing to Report

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

Nothing to Report

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

Council Member Stevens reported the Sugar City path is scheduled for July and August. Other areas will be worked on in the coming year. Grant funding of \$68,000 to do path work behind Cal Ranch is approved.

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

Nothing to Report

Public Hearings:

New Business:

A. Preliminary Plat – Walker Addition, Division 3

Planning and Zoning Administrator Gary Leikness presented the plat on the overhead screen. The Planning and Zoning Commission recommended approval of the plat. Each building will have to be flood proofed or elevated out of the 400 year flood plain. Council Member Mann asked about lot 1 against the Teton River. Lot 1 belongs to the City of Rexburg.

Council Member Erickson moved to approve the Preliminary Plat for Walker Addition, Division 3; Council Member Stevens seconded the motion; Discussion: Johnny Watson from JRW & Associates said the Plat is a continuation of the Walker Business Park. Mr. Watson indicated all

utilities are installed. Mayor Larsen called for a vote: all voted aye, none opposed. **The motion carried.**

B. Recycling Program proposal – Mayor Larsen

Mayor Larsen presented a proposal on recycling. In December 2006, a survey was sent asking if city residents wanted to have recycling available in the city. Mayor Larsen received about 100 letters in support of recycling. Currently, Western Recycling from Idaho Falls has a few bins around Rexburg. D. J. Barney from Barney Towing wants to work with the City of Rexburg to start a recycling program in Rexburg. Initially, the City would purchase the recycling dumpsters and would be responsible for the upkeep. Barney Towing will be responsible for hauling the recycling. Currently, the City pays 60.00 per ton to have the county handle City waste. The City would be compensated for the upkeep of the dumpsters at the going consumer rate. A portion of the proceeds from the recycling program would go to the City Parks department. Each dumpster would cost about \$1,000. Recycling could reduce about 6,000 pounds of newspaper waste per week in Rexburg. If 1/2 of the residents recycled their newspapers, the city could save about \$17,000 per year in county tipping fees. Mayor Larsen would like the city council to support this proposal.

D. J. Barney wants to recycle to help keep his business viable and provide this kind of service to his customers. Recycling will help Rexburg catch up to other cities. 27% of cities have access curb side recycling. 50% of cities have means to recycle. Rexburg should not be behind the times. He is certain that city residents will be very receptive to recycling in Rexburg. The recycling proposal would help utilize equipment in D. J. Barneys equipment inventory. The Western Recycling Bins around town will be replaced with city bins. Once recycling materials are bailed, it becomes a sellable commodity. D. J. Barney's company is looking into bailing the refuse locally to market to buyers. There are possibly six items that could be recycled for resale; plastic, tin cans, paper, newspaper, cardboard and aluminum cans. News paper, aluminum cans, and cardboard can be bailed and sold for a profit.

Council Member Mann asked if there were other vendors besides Barney Towing that could provide this service. There are not other companies in Rexburg equipped to haul this type of waste. Idaho Falls is the closest market for this service. D.J. Barney explained there is a lot of revenue being generated from Rexburg that is no longer in Rexburg because it has to go through Idaho Falls or another city. These companies in other cities don't pay taxes, buy fuel, employ others, etc. in Rexburg. The margins are very tight according to D. J. Barney. Not a lot of profit will be made in the beginning, but this is a start. Eventually, he would like to start recycling C&D materials for construction companies, etc. It is a low risk project for the city and would be a direct benefit to the city by saving landfill space and other savings.

Council Member Schwendiman reviewed the costs for this program. The start up cost would be about \$10,000 for the city to buy dumpsters, and then the project would be mainly the responsibility of Barney Towing. The city would save money in tipping fees and some profits would be given back to City Parks.

Council Member Benfield asked if there were any negative responses to the survey. Mayor Larsen explained the only negative responses dealt with the lack of curb side pickup.

Council Member Erickson asked where the city could locate the recycling bins. Mayor Larsen would like to ask businesses to get involved. They will put bins in various places around town. Council Member Benfield would like BYU-Idaho to be approached for involvement in the program.

D. J. Barney said they will talk with BYU-Idaho about this project. Barney Towing is also hoping to contract with commercial companies.

Council Member Young wants to make sure the dumpsters look nice and there is not a lot of garbage around. D.J. Barney explained that because his business is local, they can monitor the bins to keep them clean. Also, they will be able to pick up full dumpsters the same day they are called in. The Parks and Recreation department will help monitor these dumpsters as well. D. J. Barney would cover the cost of separating refuse; however, his company would want a city dumpster to put the household refuse that was dumped inappropriately in the recycling dumpsters.

Council Member Mann said many students at BYU-Idaho are interested in recycling.

Mayor Larsen said there is still a lot of work to do. He would like to seek community support with a kickoff date in September. Citizens can help make this a great project. The funding would come out of the sanitation fund now. In one year's time, the savings off the county tipping fees should reimburse the investment.

Council Member Schwendiman moved to approve the recycling project with Barney Towing. Council Member Benfield seconded the motion. All voted aye, none opposed. **The motion carried.**

Report on Projects: John Millar

Council Member Erickson asked about height issues on Millhollow Road. It looks like all the water will channel to a couple of properties. Some lawns and driveways need adjusted. Public Works Director Millar said the city is working with individual property owners. Drainage pattern will be similar to what it has been in the past.

Public Works Director John Millar reported the restrooms at Smith Park are completed and open. The alley project is finished. There are just a few clean up areas left. They will begin the parking lot project now that negotiations are finalized with Wells Fargo and AMET. The project on 2nd West is being planned with HK.

Council Member Benfield asked about side roads off Millhollow. Two of these side roads will see reconstruction in the near future. One road will be widened and the others will get a seal coating.

Council Member Mann asked about an open house for the animal shelter. It will be completed in July.

Calendared Bills and Tabled Items:

A. BILL Introductions: - NONE

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

1. BILL 991 – Amend Ordinance 926 adding PUD Section 4.15

Planning and Zoning Administrator Gary Leikness reviewed the revised PUD ordinance with the City Council. The recommended changes from City Council were incorporated. The authority issue was modified to say Planning and Zoning recommends and the City Council approves. There are also more options in the Density Bonus section for the developer.

Council Member Mann asked if street widths were addressed. Street widths have not yet been changed in the document. The City Council would like current city standards to apply in the PUD Ordinance. This language could be added on page two under section F subsection c. Another sentence will be added stating: “current city design standards must apply concerning street widths.”

Council Member Stevens had some concerns there may be confusion if specific language is not applied in the document concerning street design standards.

Council Member Young asked if other cities in Idaho have PUD ordinances. Planning and Zoning Administrator Leikness said state statute allows for PUD ordinances and many Idaho cities currently have one in place.

Council Member Schwendiman asked who initiated this ordinance. Planning and Zoning saw a need for this quite a while ago and the development community has asked for this as well.

Council Member Schwendiman reviewed density of developments. He did not understand how increasing density would be an improvement over current city code. Planning and Zoning Administrator Leikness said this would allow flexibility for developers and would allow a framework for developers to be burdened with the design criteria based on market trends. The city would be allowed to approve or disapprove the design.

Mayor Larsen said the PUD Ordinance would allow for clustering of housing. Council Member Mann commented this ordinance would work well for retirement housing in Rexburg.

Mayor Larsen asked for any member of the audience that would like to comment on this PUD ordinance.

Brent Kohls 1526 Belaire in Boise appreciated the additions to the PUD Ordinance as recommended by the City Council. This is a very workable ordinance. Developers will have to work very hard to use this ordinance. He asked the City Council to approve and adopt the PUD ordinance as third read today.

Council Member Stevens said this tool has been needed for some time. The concerns have been resolved and he sees no reason not to approve this as third read today.

Council Member Stevens moved to waive the rules and approve the PUD ordinance as third read. Council Member Benfield seconded the motion. Discussion: Council Member Mann would like to get more input from affected parties. Council Member Stevens said two public hearings have been held to get input from affected parties. Council Member Young was comfortable with change to have city Council approval. Roll call vote:

Those voting aye

Bart Stevens
Donna Benfield
Farrell Young

Those voting nay

Chris Mann
Rex Erickson
Randy Schwendiman

Mayor Larsen has the deciding vote. He voted aye to waive the rules. **The motion carried.**

Council Member Schwendiman asked for a copy of the PUD ordinance when finalized.

Council Member Stevens moved to approve BILL 991 amend ordinance 926; contingent upon the addition of standardized streets and no deviation for the current city standards for streets. Council Member Benfield seconded the motion: Discussion: City Attorney Zollinger referred to page two section G where it takes schools, churches and other public buildings out of acreage. He wanted the City Council to be aware this language would be a change from the traditional practice of locating schools and churches in neighborhoods. He also reviewed the bonus points allowed for public streets if dedicated to the city. He wanted the language for bonus points for streets to be amended stating private streets would be “open to public use.” The proposed bonus points are what the city currently allows. He recommended giving bonus points for privately maintained streets that are open to public use. This would be more of a benefit to the city not having to maintain the streets and giving developers a bonus for that. Council Member Stevens agreed with City Attorney Zollinger.

Council Member Schwendiman asked about common metering for utilities. Association of the development could pay for some of the utilities like watering the common area.

Planning and Zoning Administrator Gary Leikness reviewed the reason to take churches and schools out of the formula. Developers already get a huge tax bonus for schools and churches. This language prevents over densification. He concurred the language needs to be changed from “dedicated city streets” to private streets “open to public use.”

City Attorney Zollinger recommended having the language state: “All streets maintained by the association for public purposes would get a bonus.”

Council Member Benfield asked for clarification on the churches and the schools. City Attorney Zollinger explained they don’t want to give a tax break and a density bonus.

Mr. Kohls said schools, parks, and churches are good in neighborhoods. Developers could work with the language as currently written.

Council Member Stevens amended his motion to say “streets open to public use but privately maintained”. Council Member Benfield agreed with the amendment. Roll call vote:

Those voting aye

Bart Stevens
Farrell Young
Chris Mann

Those voting nay

Donna Benfield
Rex Erickson
Randy Schwendiman

Mayor Larsen has the deciding vote. He voted aye. **The motion carried.**

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

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

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

Public Works Director John Millar explained the city has had numerous meetings with AMET and Wells Fargo Bank to work out a 15 year lease. He recommended BILL 988 for final reading. Wells Fargo is willing and anxious to move ahead on this project.

Council Member Mann moved to approve and adopt BILL 988. Council Member Erickson seconded the motion. All voted aye, none opposed. **The motion carried.**

2. BILL 941 – Cost of Living adjustment for City Council Members

Council member Mann moved to approve and adopt BILL 941. Council Member Erickson seconded the motion. Roll call vote:

Those voting aye

Bart Stevens
Donna Benfield
Randy Schwendiman
Rex Erickson
Chris Mann

Those voting nay

Farrell Young

The motion carried.

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 reminded the City Council of the Whoopee Days celebration on July 4, 2007. There will be a flag raising ceremony at 9:30A.M. at the Christmas Tree. The parade will begin at 10:00A.M. Activities

will be held in Porter Park from 11:00A.M. until 2:00P.M. There is a rodeo and fireworks later in the evening. A 5K run will be held at the Nature Park at 8:00A.M.

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

Those voting aye

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

Those voting nay

None

The motion carried.

Executive Session

Executive Session ended.

Adjournment

Mayor Shawn Larsen

Attest:

Blair D. Kay, City Clerk