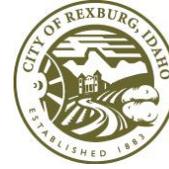


# City Council Meeting

April 01, 2009



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

12 North Center  
Rexburg, ID 83440

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Phone: 208.359.3020 x313  
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April 01, 2009

**Mayor Shawn Larsen**

**Council Members:**

Christopher Mann – Council President  
Rex Erickson    Randy Schwendiman  
Bart Stevens    Richard Woodland  
Adam Stout

**City Staff:**

Stephen Zollinger – City Attorney  
Richard Horner – Finance Officer  
Public Works Director Millar  
Val Christensen – Building Official  
Blair Kay – City Clerk

**7:00 P.M. City Hall – Pledge to the Flag**

**Roll Call of Council Members:**

**Attending:** Council President Mann; Council Member Erickson; Council Member Stevens; Council Member Schwendiman; Council Member Stout; Council Member Woodland and Mayor Larsen.

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

**Nathan Williams** asked for a roundabout at 2<sup>nd</sup> East and 7<sup>th</sup> South. Mayor Larsen said a roundabout would not work due to the slope of the road at 7<sup>th</sup> South. The city is working with the LDS church and the University to place a street light there. The streets would have to be widened.

**Council Member Schwendiman** asked to speed up the schedule on a light at this intersection. Public Works Director Millar said the city is working on the project for completion as soon as possible. Discussion on the intersection and why a roundabout would not work. Trucks would possibly tip over on a 7% grade.

**Mayor Larsen** asked the Boy Scouts to introduce themselves.

**Presentations:**

**A. Olive Tree** – Residential eating disorder treatment facility located at 510 S. 4<sup>th</sup> E.

**Cynthia McCurdy** is the administrator for the Olive Tree which services eating disorders. She passed out a packet to the City Council. She asked for relief on the water expenses. They are a 501 C3 tax exempt organization. She announced another possible location at 802 South 5<sup>th</sup> West for the Olive Tree. Council Member Erickson reviewed the size of the lot at 510 South 4<sup>th</sup> East. Council Member Schwendiman asked if the request was for 802 South 5<sup>th</sup> West or 510 South 4<sup>th</sup> East. He asked for time to review the request. Council Member Stout asked for some information on the 501 C3 organization. It is similar to a church. The patients pay \$1,500 per month for treatment. It allows the patients to continue with schooling at the University while they are receiving treatment. There is a huge need for this facility. Ms. McCurdy said one in five young women suffer from an eating disorder in a city nearby. This facility is the only one in Idaho. There is not a paid staff at the facility. Ms. McCurdy said she has been working on the project for eight years. Council Member Erickson recommended the 5<sup>th</sup> South location due to the expenses at the 4<sup>th</sup> East location. He asked for more time to study the proposal. Mayor Larsen asked the Ms. McCurdy to validate the final location for this proposal for the next meeting. Ms. McCurdy explained part of the treatment process is service. They are asking businesses for service projects for the Olive Tree.

**B. Proclamation 2009-01 for Organ, Eye, and Tissue Donation Month** – Rexburg Civic Club

**Ms. Jenny Everett-Koelsch** explained she is a public educator for Intermountain Donor Services (IDS). They are a non-profit organization charged with locating and recovering organs and tissues. Donors in Idaho can sign up by going to [www.yesidaho.org](http://www.yesidaho.org).

*“Intermountain Donor Services is responsible for a wide geographic area: Utah, southeastern Idaho, and western Wyoming. Within this area are 2.7 million people, 79 hospitals, 4 transplant centers, over 270 people awaiting transplants, and a thousand more waiting for tissue donation.*

*Intermountain Donor Services is responsible for the entire state of Utah (where four transplant centers are located), the following counties in Idaho (Bannock, Bear Lake, Bingham, Blaine, Bonneville, Butte, Camas, Caribou, Cassia, Clark, Custer, Franklin, Fremont, Gooding, Jefferson, Jerome, Lincoln, Madison, Minidoka, Oneida, Onyhee, Power, Teton, Twin Falls), and the following counties in Wyoming: (Lincoln, Sweetwater, Teton, Uinta).”*

**Ms. Everett-Koelsch** explained the program for organ and tissue transplants. As of March 31<sup>st</sup> there were 101,325 people on the national registry waiting for organ and tissue transplants. They encourage people to talk about organ and tissue donations. There are a number of ways to register as a donor. The driver’s license is the most common method. The most important thing is to talk about the importance of participating in the program. She received a liver and kidney transplant herself in her mid twenties.

**Corey Foster**, City of Rexburg police officer, explained in October, 2005 they lost a little boy in a vehicle accident. He died of the injuries. His boy became an organ donor. A 50 year old woman in Burley received one of the Foster boy’s kidneys. She and her daughter have written the Foster’s explaining the success of her transplant surgery and how it saved her life. Officer Foster explained through their tragedy other lives were saved. This was comforting to the Foster’s to help other people. A 10 year old boy in California received the Foster boy’s heart. A 15 year old boy in California received the other kidney, pancreas, liver and part of his intestines. The Foster’s have not received word on the condition of the other recipients. They feel the donations gave the recipients and their families hope. He recommended having the donor discussion with your families before a social worker in a hospital setting has to ask if you want to participate in the donor program. Officer Foster recommended the donor program.

**Council Member Erickson** explained his 50 year old son-in-law is in need of a liver transplant. They met as a family and decided it was time to explain to the community what can happen and what needs to be done to be involved with the donor program. The proclamation is to make the month of April donor registration month. There is not any pressure, only to make people aware of the process to get registered and become a donor to save lives.

**Maurie Barton** explained how much effort the Erickson family has put into this effort to make the public aware of the donor program. This is a major effort by the Erickson family to bring this discussion to the public. **Mayor Larsen** read the proclamation.

**PROCLAMATION  
No. 2009 – 01**

*Whereas, spring is a season of promise and renewal, and nothing could be more fitting during this time than to reflect on the abundant miracles of life and growth; organ and tissue donation presents an opportunity to share in these miracles. Medical technology has made it possible for thousands of Americans to benefit from organ and tissue transplantation. Sometimes this means restored vision or help for severe burns; sometimes a heart, liver or bone marrow transplant; and*

*Whereas, more and more Americans are aware of organ and tissue donation, thanks to widespread education about this worthy cause; and*

*Whereas, it is each American family and each citizen that makes organ and tissue donation work. The generosity of organ and tissue donation can save nine lives and improve over fifty lives; and*

*Whereas, there is still a critical need: over 100,000 people are on the national waiting list; locally over 300 people wait; about 18 people die every day while waiting; another name is added to the national waiting list every 12 minutes; please mark yes on your driver license and tell your family; and*

*Whereas, April is National Donate Life Month, a month dedicated to educating people about the need for donation;*

*Now, Therefore, I, Shawn Larsen, Mayor of Rexburg, Idaho, do hereby declare the Month of April as;*

**Organ, Eye, and Tissue Donation Month**

*in Rexburg, Idaho, and recognize the efforts and involvement of GFWC Rexburg Civic Club, Intermountain Donor Services, and our many donor families, and encourage all the citizens of Rexburg to participate in this program by registering on the Idaho Donor Registry.*

DATED: April 01, 2009

ATTEST:

\_\_\_\_\_  
Shawn Larsen  
Mayor

\_\_\_\_\_  
Blair D. Kay  
City Clerk

**Council Member Woodland** moved to ratify Proclamation 2009-01 proclaiming April as Organ, Eye, and Tissue Donation Month; Council Member Schwendiman seconded the motion; all voted aye. **The motion carried.**

**C. Proclamation 2009-04 for Fair Housing Month – The Development Company**

**Mayor Larsen** explained the reason for this proclamation was to help with block grant requests.

**PROCLAMATION  
No. 2009 - 04**

*WHEREAS, April 2009 marks the 41<sup>st</sup> anniversary of the passage of Title VIII of the Civil Rights Act of 1968, commonly known as the Federal Fair Housing Act; and*

*WHEREAS, the Idaho Human Rights Commission Act has prohibited discrimination in housing since 1969; and*

*WHEREAS, equal opportunity for all-regardless of race, color, religion, sex, disability, familial status or national origin-is a fundamental goal of our nation, state and city; and*

*WHEREAS, equal access to housing is an important component of this goal-as fundamental as the right to equal education and employment; and*

*WHEREAS, housing is a critical component of family and community health and stability; and*

*WHEREAS, housing choice impacts our children's access to education, our ability to seek and retain employment options, the cultural benefits we enjoy, the extent of our exposure to crime and drugs, and the quality of health care we receive in emergencies; and*

*WHEREAS, the laws of this nation and our state seek to ensure such equality of choice for all transactions involving housing; and*

*WHEREAS, ongoing education, outreach and monitoring are key to raising awareness of fair housing principles, practices, rights and responsibilities; and*

*WHEREAS, only through continued cooperation, commitment and support of all Idahoans can barriers to fair housing be removed;*

*NOW, THEREFORE, I, Shawn Larsen, Mayor of the City of Rexburg/Madison County, do hereby proclaim April 2009, to be*

**FAIR HOUSING MONTH**

*in the City of Rexburg/Madison County, State of Idaho.*

*IN WITNESS WHEREOF, I have hereunto set my hand at the City of Rexburg/Madison County, in city hall on this 1<sup>st</sup> day of April in the year of our Lord 2009.*

ATTEST:

\_\_\_\_\_  
Shawn Larsen  
Mayor

\_\_\_\_\_  
Blair D. Kay  
City Clerk

**Council Member Mann** moved to ratify Proclamation 2009-04, proclaiming April as Fair Housing Month; Council Member Woodland seconded the motion; all voted aye. **The motion carried.**

**Committee Liaison Assignments for 2008:**

A. Council Member Chris Mann *Museum Committee · Beautification Committee · Emergency Services Board*

**Council Member Mann** reported on the Beautification Committee's project for a new sign at the east end of Main Street. They are working on another plan to make the on and off ramps more attractive. The Museum Committee and Emergency Services have not met.

B. Council Member Rex Erickson *Golf Board · Planning & Zoning · Rexburg Redevelopment Agency*

**Council Member Erickson** did not have a report.

C. Council Member Bart Stevens *Airport Board · Romance Theatre Committee · MYAB · School Board*

**Council Member Stevens** reported on a meeting with Madison School Board two weeks ago. The MYAB met tonight.

**Mayor Larsen** reported on the "Table Top" information brochures recently distributed around town. The brochures are in reference to an upcoming town meeting, Thursday April 9, from 8:30 P.M. to 9:30 P.M. at the Madison High School Library. The purpose of the meeting is to raise awareness, "*discuss and develop possible solutions related to preventing underage drinking in our community*".

D. Council Member Randy Schwendiman *Parks & Recreation · Traffic & Safety Committee*

**Council Member Schwendiman** did not have a report.

E. Council Member Richard Woodland *Rexburg Arts Council · IBC Committee · Tabernacle Civic Center*

**Council Member Woodland** did not have a report.

F. Council Member Adam Stout *Legacy Flight Museum · Trails of Madison County*

**Council Member Stout** reported the plans for the air show are well under way. The event will be June 20<sup>th</sup>. Parking will be available on the south side of town with shuttle service. The Trails Committee met two weeks ago and they are concerned with making the path more pedestrian friendly to Sugar City. Joseph West said the trail by Horkley's is being completed this year. This portion of the Trail has several funders. There were a number of issues for the trail at this location. The intersection does not have good curb and gutter; also, there is a guard rail inhibiting the trail at the intersection. The guard rail will need to be relocated; plus curb and gutter needs to be improve or added. Public Works Director Millar is working with ITD to complete this portion of the trail project. It will be done as a city maintenance project this summer.

**Council Member Erickson** reviewed the location of the trail system at this intersection. The trail is on the west side of the road on the south side of the intersection crossing 2<sup>nd</sup> East at the intersection to the Sugar City trail.

**Council Member Stevens** thanked Joseph West for taking the initiative to clean the pedestrian crossings with a broom at the intersection near Horkley's.

**Council Member Stout** announced the spud race would happen September 26<sup>th</sup> at 1:00 P.M. at the Nature Park.

**Mayor Larsen** explained the county reappointed Dan Hanna to the Planning and Zoning Commission. He asked the City Council to ratify this appointment.

**Council Member Stevens** moved to ratify the county's reappointment of Dan Hanna to the Planning and Zoning Commission; Council Member Erickson seconded the motion; Discussion: *Of the three Impact Area positions on the Planning and Zoning Commission, one is appointed by the city; one is appointed by the county and the third City Impact Area position is jointly appointed by the city and county.* Mayor Larsen called for a vote. All voted aye. **The motion carried.**

**Mayor Larsen** provided the City Council with a copy of a memo being sent to the chair people of each city committee. He asked the City Council to take the memo to the committees and boards they serve on as liaisons. The memo covers three items: 1) Each committee has a non-voting city liaison. 2) Each committee has a non-voting City Council Member liaison except on the Emergency Services Board. 3) Each committee needs to understand the budgets are set by the City Council. Each expenditure must follow city guidelines for approval (i.e. obtain purchase orders). The committees are recommending bodies to the City Council. The Airport Board, Golf Board and Trails of Madison County Committee are joint committees with Madison County.

**Council Member Erickson** stated the city officials and the county officials must approve budgets and expenditures from joint committees.

**Public Hearings:** - NONE

**New Business:**

A. **Conditional Use Permit** for additional apartments in an existing housing development at 232 South 3<sup>rd</sup> West, 323 & 339 West 2<sup>nd</sup> South including parcel number RPR00SE0060174 which lies in the middle of the block west of 232 South 3<sup>rd</sup> West - Kurt Rowland from Schiess and Associates.

**Kurt Rowland** at 859 South Yellowstone Hwy Suite 2503, reviewed the proposal on the overhead screen. City Attorney Zollinger said the application is asking for 12 plexes instead of a five or six plex by a Conditional Use Permit. The Planning and Zoning Commission recommended approval of the application. Mr. Rowland asked to have the covered bike facility condition removed from the conditions recommended by Planning and Zoning staff.

Discussion on the time period a CUP is active. If no action is taken in a year, the CUP becomes inactive.

**Council Member Mann** recommended facilitating bike friendly traffic to the University. He wanted more bike friendly facilities, thus limiting traffic around the University.

Discussion on the recommendation by Planning and Zoning staff to require a bike covering facility.

**Council Member Erickson** said he was concerned with having extra cost added for the developer. Mr. Rowland said they were in favor of bike parking without the covered bike storage area.

**Council Member Erickson** move to approve the Conditional Use Permit for 12 plexes while maintaining adequate parking facilities for bikes; and dropping the covered bike facility as a condition. All of the other conditions would apply; Council Member Stevens seconded the motion. Mayor Larsen called for a vote:

Those voting aye \_\_\_\_\_

Council Member Woodland  
Council Member Erickson  
Council Member Stevens  
Council Member Schwendiman  
Council Member Stout

Those voting nay

Council Member Mann

**The motion carried.**

**B. Final Master Plan/Final Plat for Phase 1 – Summerfield PUD –** Troy Kartchner  
**Dan Larsen** representing Troy Kartchner passed out some plans to the City Council. Mr. Larsen reviewed the proposal on the overhead screen. The development is planned for starter homes and higher end homes. The development has parks, common areas and walking areas (six or eight feet wide). This development will have named streets. Mr. Larsen said the street on the south side of the development is 1000 South in the County and 7<sup>th</sup> South in the City. The street on the east is 12<sup>th</sup> West in the city. Mayor Larsen said the new Burton School has a county address. Discussion on the two addressing grids. Should the new development use city grid addressing or county grid addressing?

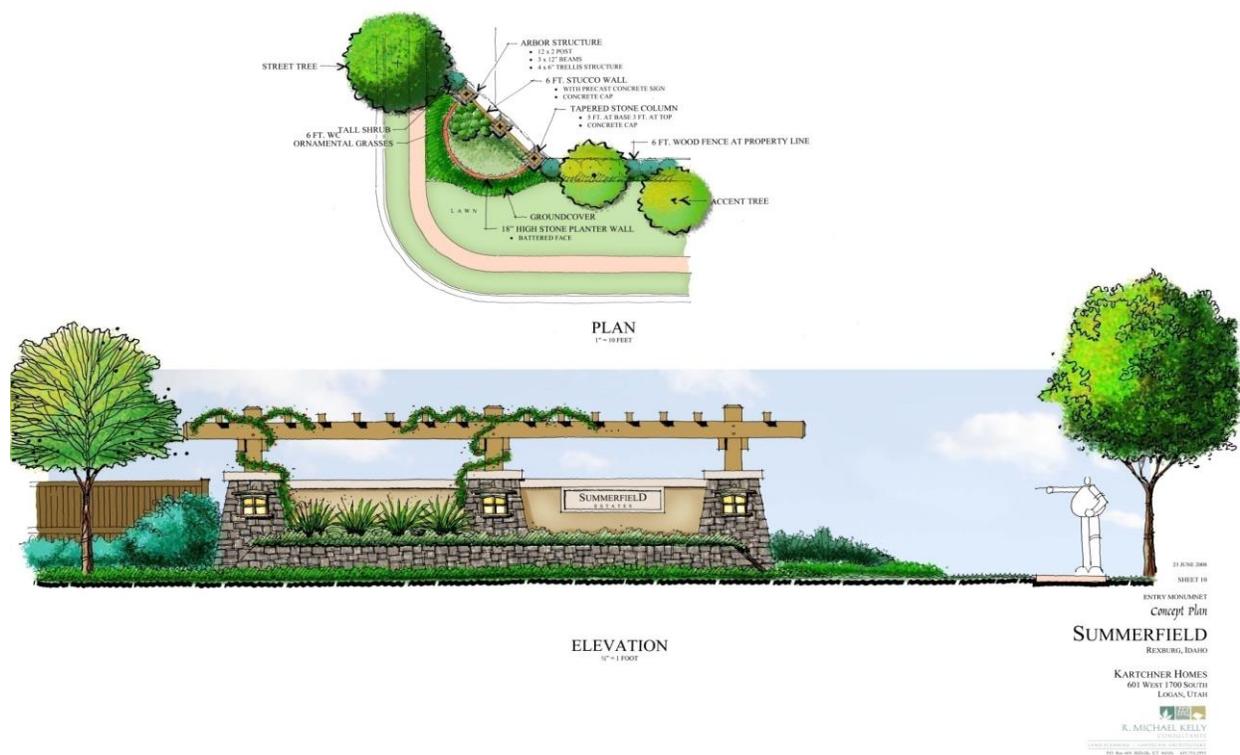
**Mayor Larsen** asked for input from the police and emergency services on the addressing issues. Council Member Stout recalled this discussion a year ago with the county. The addressing would be on the city grid if the address fell within the 2000 blocks; (2000 East, 2000 South, 2000 West, and 2000 North). Housing facing the city boundary street on both sides of the city street will be on the

city addressing grid. Public Works Director Millar said the city grid starts at Center Street and Main while the county's addressing grid is on the section line at 2<sup>nd</sup> East and Main. Do we re-address the whole city? The county's addressing grid is 10 blocks per mile and the city's addressing grid is 7 blocks per mile. The two grids are not compatible; Sugar City is also on a different grid. Right now the policy for this development will be to get a county east, west, north, south addressing grid because the development is outside the two mile block. If the city addressing grid is extended beyond the two mile block to the north it would impact Sugar City's addressing grid.

**Council Member Stevens** clarified the development would be addressed through the city process with a county grid. Public Works Director Millar explained addressing on 12<sup>th</sup> West will be addressed with a city grid address. A Willowbrook home will be on the 700 grid address and across the road in this development a home will have a 1000 grid address.

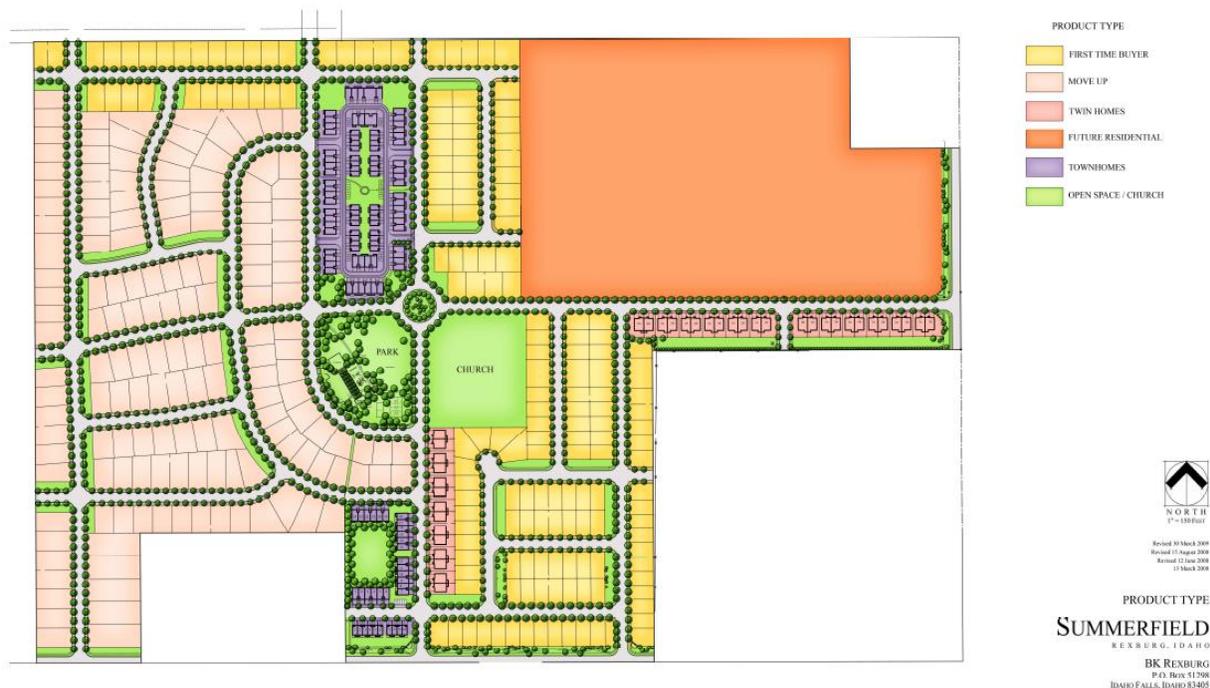
**Mr. Larsen** explained the development has a church lot included. He reviewed the type of home possible on a 6000 square foot lot. Council Member Mann asked if basements were possible. They have monitored ground water for a couple of years at eight or nine feet in the ground without any sign of ground water. The ground water does not come up unless the adjoining property is surface watered. Council Member Woodland reviewed the possibility of wetter years which would raise the water table. Recent dry years have seen the water table go down.

**ENTRY INTO SUMMERFIELD:**



**Final**

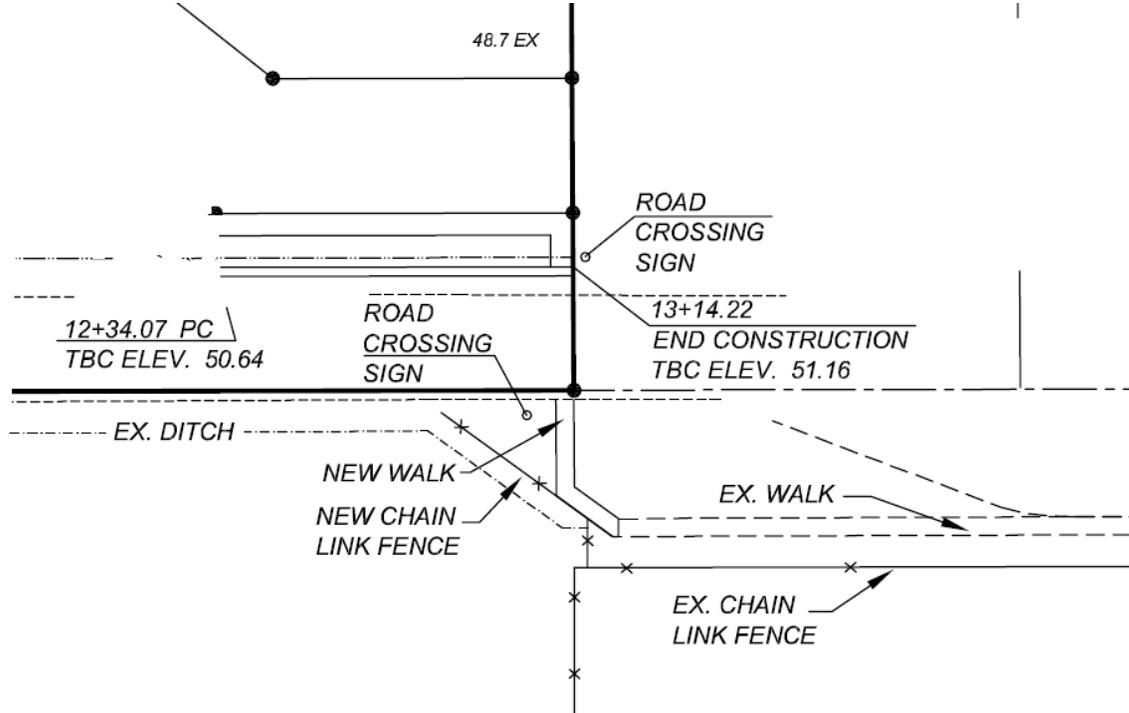
**Master Plan/Final Plat for Phase 1 – Summerfield**



**INTERIOR PARK WITH WALKING AREA:**



**WALKING PATH CROSSING THE CANAL:**



**Troy Kartchner** explained some of the ground is being taken out of surface irrigation which lowers the water table. Every home to the east of this development has a basement without experiencing any water problems. These homes have been built since the surface watering stopped on this property. Whether we put basements in or not, the ground water table will be different due to the lack of surface water irrigation on adjoining properties. The same conditions hold true in areas that do sprinkling irrigation. Council Member Stevens said most of the homes being discussed were built in the last seven years.

**Mr. Larsen** review the style of homes planned along with a club house and large playground. There will be parking provided for the playground park area in phase two. There will be a homeowner's association agreement. He discussed plans to provide pedestrian access to the elementary school. They have been on site with the school board to discuss pedestrian access. A fence will be attached to the school's fence and come up along the canal. He reviewed the sidewalk location and the street crossing for pedestrians. Council Member Mann reviewed the school zone location and the need for traffic to move slower at this location. The lighting will meet the dark sky requirements.

**Council Member Stevens** referenced a forty acre track along 12<sup>th</sup> West which needs a sidewalk for students walking to the new high school. Public Works Director Millar explained the development of the property along 12<sup>th</sup> West would typically be the time when a sidewalk would be added. Council Member Stevens said pedestrians will have two choices to get to these schools; either walk through the subdivision or walk on 12<sup>th</sup> West. He recommended having a pathway along 12<sup>th</sup> West

similar to a paved trail for pedestrians until the property is developed. He was concerned with the added traffic when the high school is opened. He knows the school board is concerned with the pedestrian plans for this area. Public Works Director Millar understood the school district would bus students to school in this area.

**Mayor Larsen** recommended having a 12<sup>th</sup> West discussion with the school district. An LID may be needed to develop 12<sup>th</sup> West. Mr. Larsen indicated the streets are standard 68 foot wide streets.

**Mr. Kartchner** explained the other access by the canal was reviewed with the school district with the agreement for the developer to put in the sidewalk and the school district would install the fence. He was concerned with the high traffic on 12<sup>th</sup> West and pedestrian crossings. Council Member Erickson said this has been discussed before with the school district planning to bus students in the area to the schools. The students are not far enough away to demand a bus; however, the school district was going to bus all of these students. He referred to earlier discussions where the developer was going to provide access to the schools through the development. The development will have pedestrian access to the schools as other phases of the development are completed. The development will have concrete sidewalks sometimes referred to as trails.

**Council Member Schwendiman** expected the sidewalks to be back off the streets instead of on the curb. The development will provide a minimum of seven foot green strips along the sidewalk. Council Mann asked why the development was starting in the middle of the property. Mr. Larsen explained it is just the way it worked out. Council Member Mann referred to the development of 12<sup>th</sup> West when the property develops. He preferred to have property developed adjacent to 12<sup>th</sup> West first. Council Member Stevens noted the City Council was planning to have this development help with the development of 12<sup>th</sup> West; however, none of 12<sup>th</sup> West is being developed with this plat at this time.

**Mr. Kartchner** explained they will work with the city to put in sidewalks, curb and gutter on 12<sup>th</sup> West if the city gets ahead of them on the development of 12<sup>th</sup> West. Council Member Mann was satisfied with the response from Mr. Kartchner. Council Member Erickson recommended an LID for 12<sup>th</sup> West to take care of the pedestrian access to the schools.

**Mayor Larsen** referred to the acreage allocation in each block for the 52 acre development.

| <i>SUMMERFIELD PRD, PHASE 1</i>                        |   |                 |                    |
|--|---|-----------------|--------------------|
| <i>TOTAL AREA</i>                                      | <i>52.076 ACRES</i>                       |                 |                    |
| <i>BLOCK NO.</i>                                       | <i>BLOCK AREA</i>                         | <i>NO UNITS</i> | <i>COMMON AREA</i> |
| 1  | 2.375 AC.                                 | 12              | 0.908 AC.          |
| 2  | 3.376 AC.                                 | 20              | 0.708 AC.          |
| 3  | 1.640 AC.                                 | 11              | 0.077 AC.          |
| 4  | 2.517 AC.                                 | 14              | 0.396 AC.          |
| 5  | 2.517 AC.                                 | 14              | 0.396 AC.          |
| 6  | 2.981 AC.                                 | 20              | 0.152 AC.          |
| 7  | 10.416 AC.                                | 37              | 0.341 AC.          |
| 8  | 0.929 AC.                                 | 10              | 0.591 AC.          |
| 9  | 2.415 AC.                                 | 18              | 1.647 AC.          |
| 10   | 0.409 AC.                                 | 2               | 0.000 AC.          |
| 11   | 3.737 AC.                                 | 0               | 3.737 AC.          |
| 12   | 2.525 AC.                                 | 12              | 0.707 AC.          |
|  | <u>35.837 AC.</u>                         | <u>170</u>      | <u>9.660 AC.</u>   |
|  | <u>4.539 AC. LESS CHURCH PARCEL</u>       |                 |                    |
|  | <u>31.298 AC. NET DEVELOPABLE ACRES</u>   |                 |                    |
| <i>SUMMERFIELD PRD PHASE 1 DENSITY 5.43 UNITS/ACRE</i> |   |                 |                    |
| <i>1 UNIT PER 8020 FT<sup>2</sup></i>                  |   |                 |                    |
| <i>COMMON AREA</i>                                     | <i>9.66 AC - 18.55 % OF TOTAL AREA</i>    |                 |                    |
| <i>ROADS</i>   | <i>16.239 AC. - 31.18 % OF TOTAL AREA</i> |                 |                    |

**Council Member Stevens** moved to approve the **Final Master Plan/Final Plat for Phase 1 – Summerfield PUD** with Planning and Zoning conditions and other staff (Public Works) conditions; Council Member Schwendiman seconded the motion; Discussion on the addressing grid system. The County grid is on a different numbering system (10 blocks per mile) than the city grid (7 blocks per mile).

Those voting aye

Council Member Mann

Council Member Erickson

Those voting nay

Council Member Woodland

Council Member Stevens  
Council Member Schwendiman  
Council Member Stout

**The motion carried.**

Five minute break

**Staff Reports:**

- A. **Public Works:** Public Works Director Millar
  - 1. Report on Project

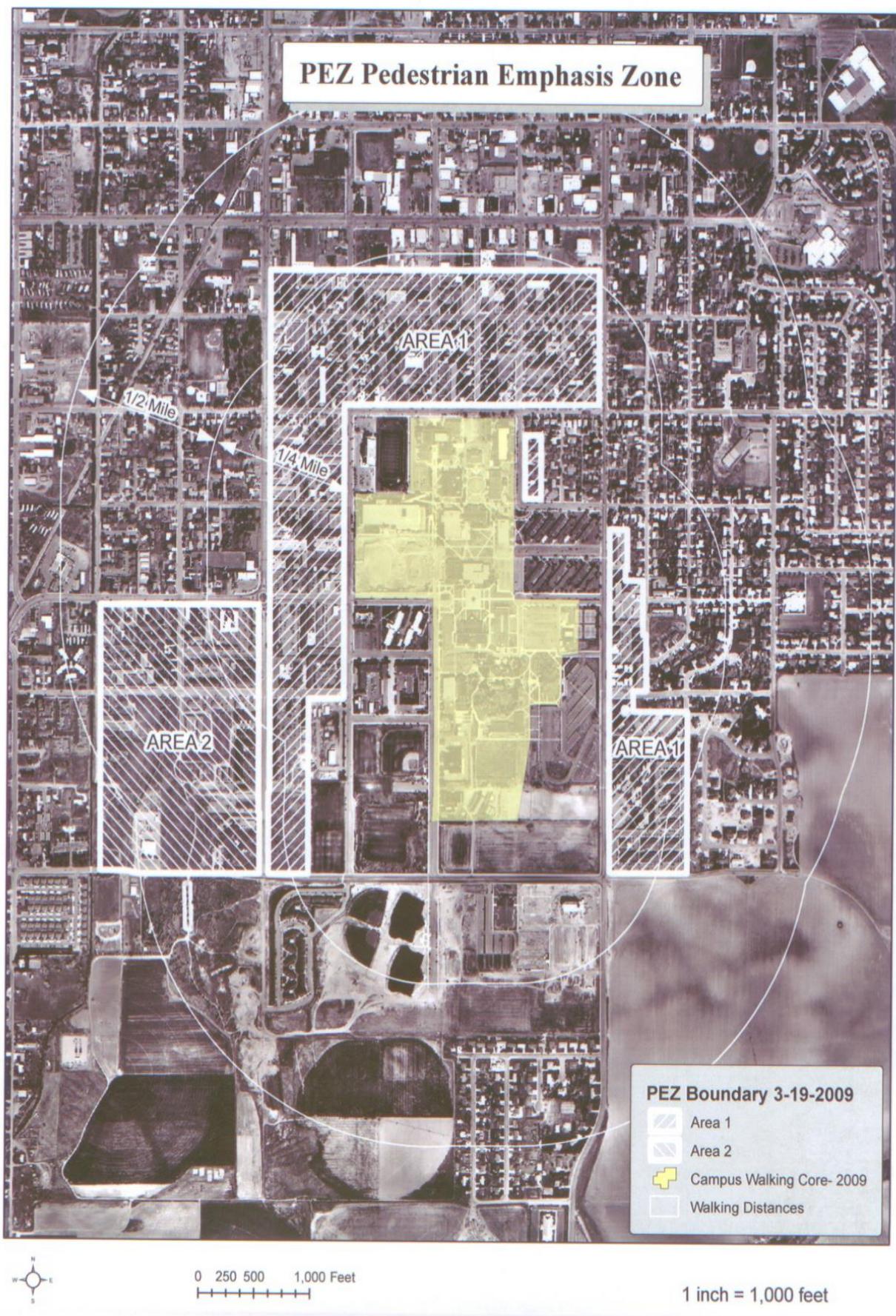
**Public Works Director Millar** reported nothing new for snow or other issues.

- A. Two bridge projects to be completed April 15<sup>th</sup>.
- B. Pioneer Road – West Main Street signal warrants are approved. Construction cleanup will begin by the 1<sup>st</sup> of May.
- C. Working on proposed signal at 2<sup>nd</sup> East and 7th South with cost split with University/Temple and the city. The adjoining property owner may have to help widen the road for the signal. Traffic counts have been studied to help determine the traffic destination for allocating the traffic signal costs.
- D. Some of the sidewalks have been power broomed.
- E. Sewer rates review and waste water plant upgrade planned in two phases to handle bio-solids and build up reserve capacity.

**Calendared Bills and Tabled Items:**

- A. **BILL Introductions:**
  - 1. **BILL 1021 for PEZ** (Pedestrian Emphasis Zone) Parking Plan

**City Attorney Zollinger** explained the PEZ parking plan involves area within one or two blocks of the University. He reviewed the proposed parking plan on the overhead screen. The parking allocation ratio could go down if certain criteria are met under the PEZ. The map showing the proposed area is forth coming. *(This map was not available for the meeting)*



**Attorney Richard Smith** (liaison for BYU-I) explained some additional information concerning the University’s commitment to make the PEZ work. The student body will rise to 15,000 FTE by 2015. Additional student housing will be required. The University has talked a lot about being a pedestrian campus with programs and teaching to encourage students to be pedestrians. The city is proposing the PEZ parking plan to encourage a pedestrian campus. The University will provide demographic information concerning student patterns in the next two to four weeks. A study of 1,200 students found 61% of students bring cars. 56% would walk to school all of the time. 7% of the students drive often. 6% drive every day. The University’s desire is to take the traffic off from the streets. The University is going to a “lot specific permit” in the next two years for students which mean a parking permit would have a specific parking place in an “A” parking lot; that is where their car would stay for the day. The University is expanding on the parking study to get even better data before implementing the parking plan. Attorney Smith provided the following observations to the City Council:

1. 90% of students do not use bikes, skateboards, or scooters.
2. The University wants to be participants in an off campus parking area for a long term parking area to make this parking reduction proposal happen.
3. Perhaps it is a time to review the prohibition of on street parking during winter months.
4. November is not a plowing month; however from mid December through February, street plowing is a big issue. Perhaps night time street parking could be allowed in a one block area of campus if the University helps with car removal and snow removal on the one block area around campus. (The University can readily contact students for car removal)
5. The University is constantly struggling with converted single family residences. The University is not approving additional (new) single family homes converted to housing for students.
6. The city was put on notice that additional converted housing would not be allowed to be University student housing due to safety concerns.
7. The existing single family housing units will be monitored for University compliance.
8. Attorney Smith referred to the previous discussion concerning covered bicycle parking. The University is providing bicycle parking on campus without covering the bicycle parking locations. He mentioned the added expense for three sided bicycle enclosures with concrete or paver floors and sensor lighting was un-necessary. 50% of the bicycle parking area will be allocated for visitor bicycle parking. In residential student housing, one in eight bicycle parking stalls will be allocated to visitor parking. The University is making a deep commitment to support the city in this parking lot proposal.

**Mayor Larsen** reviewed the University's plan to deny additional converted homes for student housing. Attorney Smith said a building that is converted to traditional apartment style living may be approved for University housing. They will not approve increased density simply because this ordinance gets approved. Mayor Larsen said the city is working on a parking plan around the University to protect residential areas from being overcome with University bound parking. Attorney Smith said the University will support the city in the proposed parking plan.

**Council Member Erickson** asked if the University is committing to plow snow on the University's interior streets. Attorney Smith said it is the University's commitment. He asked to have the proposed BILL changed to accommodate the University's proposal. If the city is willing to consider changing the winter time parking ban, dialog with the University could begin to discuss which streets would be plowed by the University.

**City Attorney Zollinger** explained the proposed parking plan around the University will be presented in a public hearing at the next meeting. Attorney Smith gave one approach to the parking plan using upper 2<sup>nd</sup> East properties as an example of being limited to a building expansion due to the shape of the parking lot. They have a one to one parking ratio. The older complexes with parking ratios from .4 to .7 within the University periphery (streets directly touching the University)

may make sense for the **PEZ** (Pedestrian Emphasis Zone) Parking Plan because they are within walking distance.

Discussion: Attorney Smith indicated the student housing visitor parking will increase dramatically if the PEZ BILL is approved. The needed single student housing is going to increase as the enrollment at the University is increased. New single student housing may start to be constructed within six months if the PEZ BILL is approved. Existing complexes may also take advantage of this proposal.

Discussion on properties that may take advantage of the PEZ parking plan and lighting on some city streets. The University is working with apartment managers to make Ordinance 911 better for the students and the apartment managers. They are working to increase the number of visitor parking stalls at apartment complexes. Attorney Smith reviewed the occupancy rates for student housing. Some developments are not full due to conditions. Other complexes are near 90% occupancy.

The offsite parking plan was discussed which would move cars out of existing developments to an offsite lot. This would allow the construction of additional buildings in the affected parking lots. City Attorney Zollinger explained the BYU-I housing market will be split into two markets. Some complexes will allow student parking and other complexes will not allow student parking. Complaints have slowed from students, but the complaints have risen from people coming to apartment complexes to visit or do service. Accommodations have been provided in the PEZ BILL for existing apartment complexes.

**Council Member Erickson** gave an example of a person who was towed while parking in a commercial parking lot. The word is out among the students to avoid parking in private lots.

**Attorney Smith** said the dialog with the University may include allowing overnight parking on city streets in the winter if the University opens up a University parking lot for overnight parking. The temporary offsite parking lot for University students was mention again as a place to park cars. This lot will maintain the necessary parking ratios. He asked the city to waive the three reading requirements for BILL 1021 on April 15<sup>th</sup> which would expedite the construction process for additional student units.

- B. **First Reading:** Those items which are being introduced for first reading:
1. **Ordinance 1020** authorizing “zone changes” for Schneider, Kern, and Fullmer approved 03-18-2009.

**Council Member Erickson** asked if this item was a house cleaning issue. The City Clerk explained the zone changes were approved at the last meeting on March 18, 2009. This ordinance combines these three zone changes onto one document for publication to minimize expenses.

**Council Member Erickson** moved to waive the rules for Ordinance 1020 authorizing “zone changes” for Schneider, Kern, and Fullmer; Council Member Stevens seconded the motion.

**Mayor Larsen** called for a Roll Call vote:

| <u>Those voting aye</u>    | <u>Those voting nay</u> |
|----------------------------|-------------------------|
| Council Member Mann        | None                    |
| Council Member Erickson    |                         |
| Council Member Stevens     |                         |
| Council Member Schwendiman |                         |
| Council Member Woodland    |                         |
| Council Member Stout       |                         |

**The motion carried.**

**Council Member Erickson** moved to consider BILL 1020 third read and approved; Council Member Stevens seconded the motion; Discussion: Council Member Schwendiman asked about the parking for

Dr. Fullmer. Attorney Zollinger said he has adequate parking. The neighborhood supported the proposal. (*see minutes from March 18<sup>th</sup>*)

***Council Member Stevens** asked if parking is adequate. The proposal needs to have 10 parking stalls which will be in the rear of the building. Mr. Watson said the codes specifically states no parking is allowed in the front or side of the home.*

***Council Member Erickson** said all issues were resolved in Planning and Zoning. The only question was the parking which is disallowed in the front and side yard. They have plenty of parking in the back of the house. People from the Second East and East Main Street Neighborhood Association were at the meeting in force that night and they supported the proposal. He recommended approval of the proposal. Council Member Woodland asked if there were some concerns over lighting. City Attorney Zollinger explained the property next door has some lighting issues under review at this time. Council Member Erickson said the other issue is the proposed sign which will be addressed through Planning and Zoning.*

***Council Member Stevens** moved to approve the Rezone of 264 East Main St. from LDR2 to Residential Business District as recommended by Planning and Zoning with conditions as discussed. Council Member Woodland seconded the motion as long as the lighting issues are resolved; all voted aye. **The motion carried.***

**Mayor Larsen** called for a vote on BILL 1020: All voted aye, **the motion carried.**

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

C. **Third Reading:** Those items which have been second read:

- 1. **BILL 1019** for Sidewalk Access - Staff

**City Attorney Zollinger** explained the changes requested in the previous meeting by Council Member Stout have been added to the BILL concerning the appeal process. Discussion: Council Member Mann said this BILL is about safe routes to school. He was supportive of the BILL.

**Council Member Mann** moved to third read approve and BILL 1019 for Sidewalk Access; Council Member Erickson seconded the motion;

Those voting aye \_\_\_\_\_

Council Member Mann

Council Member Erickson

Council Member Stevens

Council Member Schwendiman

Council Member Stout

Those voting nay

Council Member Woodland

**The motion carried.**

**Tabled Items:** Those items which have been the subject of an affirmative vote to a motion to table:

- A. **BILL 1014 Amending Ordinance 911** for “Towing and Parking Enforcement”

**Old Business:**

**Mayor’s Report:**

**Mayor Larsen** presented a proposal to enter into a Mutual Aid Agreement for services from other government agencies in an emergency. (Equipment, personnel and supplies from outside the area of impact)

The City Council will take the Mutual Aid Agreement under advisement for discussion at the next meeting.

**Consumer Price Index:**

**Mayor Larsen** reported the cost of living price index is zero. The index has been used in the past to prepare the next year’s budget. Discussion on keeping the numbers restricted to budget preparation, instead of publishing the number as a forecast for a future salary value. The City Council wants to make the determination before it is an expected payroll change.

**Mayor Larsen** asked the City Council to approve the cost of living index as zero for inclusion into the 2010 Budget. Council Member Schwendiman reported the State of Idaho is planning a three percent reduction for their budget.

**Council Member Erickson** moved to approve the cost of living index as zero for inclusion into the 2010 Budget; Council Member Schwendiman seconded the motion; Discussion: The budget will be prepared using a zero cost of living; however, there will be more discussion on the issue during the budget hearings. Mayor Larsen called for a vote: All voted aye. **The motion carried.**

**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.

Minutes:

- A. March 18, 2009 meeting

B. Approve the City of Rexburg Bills

**Council Member Woodland** asked about a purchase from McMaster-Carr, an out of area supplier. The item was a chain hoist for \$309, a hoist trolley for \$176.27 and shipping of \$31.98. He checked on local pricing which would have saved the city money on the chain hoist purchase and avoids the shipping charge.

**Council Member Mann** thanked IT Director Steve Christenson for requesting employees to turn off lights and computers to save power when employees leave the office.

**Council Member Woodland** moved to approve the Consent Calendar; Council Member Erickson seconded the motion; Discussion: Council Member Stout asked about the process to have vehicle repairs completed. One repair in particular questioned was a repair completed by R&S Automotive. The City Council wants to have the repairs done locally for the lowest bid. Public Works Director Millar explained sometimes the work can't be bid until the problem is evaluated by a mechanic. It would add additional cost to the repair to have the problem diagnosed by one vendor and bid to other vendors. Public Works has a policy is to pass the work around to different vendors for typical automotive work if the city mechanics can't do the work. Council Member Stout asked about buying fuel. Public Works Director Millar explained the city bills fuel to the vehicle by using Chevron credit cards. If the city used existing underground fuel storage tanks to distribute fuel to city vehicles, the biggest fuel savings would be on diesel. There are underground tanks the city is planning to use for cost plus fuel purchases. Mayor Larsen called for a vote on the Consent Calendar, all voted aye. **The motion carried.**

**Calendar:**

**Executive Session** pursuant to State Statute 67-2345 (B) to consider a personnel matter.

**Council Member Erickson** moved to go into Executive Session; Council Member Woodland seconded the motion. Roll call vote:

|                            |                         |
|----------------------------|-------------------------|
| <u>Those voting aye</u>    | <u>Those voting nay</u> |
| Council Member Mann        | None                    |
| Council Member Erickson    |                         |
| Council Member Stevens     |                         |
| Council Member Schwendiman |                         |
| Council Member Woodland    |                         |
| Council Member Stout       |                         |

**The motion carried.**

Executive Session  
Executive Session ended.

**Adjournment**

Attest:

\_\_\_\_\_  
Shawn Larsen  
Mayor

\_\_\_\_\_  
Blair D. Kay  
City Clerk