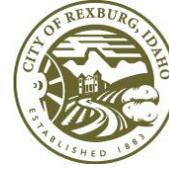


City Council Meeting

March 04, 2009



CITY OF
REXBURG
America's Family Community

12 North Center
Rexburg, ID 83440

blairk@rexburg.org
www.rexburg.org

Phone: 208.359.3020 x313
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March 04, 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
John Millar – Public Works Director
Val Christensen – Building Official
Blair Kay – City Clerk

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

Mayor Larsen asked the Boy Scouts to introduce themselves.

Roll Call of Council Members:

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

Late arrival: Council Member Erickson

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

Vickie Grover and LeAnn Ball announced an event in conjunction with the Madison County Fair – A horse and antiques parade will be part of the kickoff for the Madison County Fair from Wednesday the 12th to Saturday the 15th of August. The parade would be on the Thursday night August 13th starting at the High School going down Main Street ending at the fairgrounds. It will be a great fair this year. Neil Call and Linda Merrill, who are on the “Fair Board”, will do a night show in connection with the work horse’s events.

Mayor Larsen offered the city’s full support for the event. It will be a great way to reach out to the community concerning the fair.

Presentations:

A. Military “Freedom Team Salute Commendation” Award - Sergeant Henry Crumb to present the Freedom Team Salute Award to Darrel Wakely.

Sergeant Henry Crumb read a short **Freedom Team Salute Commendation introduction**. The Secretary of the Army and the Army Chief of Staff launched the Freedom Team Salute in May 02, 2005. The program is designed to thank all generations for their Army service to this nation. Veterans eligible for the award are regular Army, Army Reserve, Army National Guard, Army Draftees, Army Air Core from the 2nd World War, Army Nurse Core and the Women’s Army Core. Today’s Army has combined these several branches into one Branch of the Army. Sergeant Crumb gathers Army Veterans’ names and submits them to the Army headquarters in Alexander, Virginia to produce the certificate. There have been 1.8 million awards issued. The recipient also receives a lapel pin.

Sergeant Henry Crumb presented two veterans with the “**Freedom Team Salute Commendation**” award.

1) **Sergeant Benjamin Bainbridge** served in the 1st Armored Division Company B in the European Division from 1941 to 1944.

2) **Sergeant 1st Class Darrel Wakely** served in the 539th Signal Company Army Reserve in Rexburg, Idaho and he served in Colorado.

B. “Unsung Hero” Award for Richard Smith

Mayor Larsen presented an “Unsung Hero” award to Richard Smith for his dedicated service to the City of Rexburg. Richard Smith has been called to serve his Church as a mission president. He has been serving as the BYU-I liaison to the City of Rexburg. He has done an excellent job for the University as well as for the city. Mayor Larsen said it has been a pleasure to work with Richard. Richard has been instrumental in recent property transactions between the city and the hospital which allowed the city to purchase a building for a new city hall. Other community service includes serving on the Madison Memorial Hospital Board and developing neighborhood properties in the city. Mayor Larsen said he is an all around great guy and he thanked Richard’s wife Jill for allowing Richard to serve the city at many, many City Council meetings late into the evening.

C. JRW & Associates project updates – Johnny Watson

Johnny Watson presented a report on **JRW & Associates** projects including the South Fork Elementary school in Lyman. The new Madison High School is under construction with the brick masons expected to start up again after the winter months. The underground infrastructure (mechanical, plumbing, electrical) has continued through the winter months. The Burton Elementary is up and running thanks to the City Council’s efforts to resolve issues encountered through the building process. He apologized to the Mayor and City Council for the late hour these issues came before them in the construction process. He recognized the difficulty they encountered late into the project getting these issues resolved due to Mr. Watson’s procrastination.

Mr. Watson expressed his gratitude for speedy and gracious resolution of these construction issues. All construction projects have challenges to overcome. He expressed gratitude to Mayor Larsen for his extra effort (going the extra mile) to get the occupancy permit approved for the Burton School. The students were anxious to get into the new school. Mr. Watson hoped the City Council would accept his sincere apology for the position he placed all of the City Council and Mayor in concerning the resolution of the construction issues; at the same time acknowledging the gratitude he felt for their assistance given to resolve the issues so the school could open. Mayor Larsen thanked Mr. Watson for the report and acknowledged the presence of Brent Mendenhall, a member of the Madison School Board in the meeting.

Committee Liaison Assignments for 2008:

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

Council Member Mann reported the Beautification Committee met to work on a project on the east end of Main. The location where a sign and the Christmas tree are located is going to have a makeover. There will be a new sign, new landscaping, light pole and the Christmas tree will be moved back away from the sign. They are applying for grants to beautify the exit areas on Hwy 20.

Mayor Larsen explained the enhancement grants have gone away; however, four million dollars is coming to Idaho in the Federal Stimulus Package.

Council Member Mann said the flowers for Main Street have been ordered from the winning bidder “Lone Pine Nursery” for \$2,400. Emergency Services is working to obtain a mobile response trailer to take out on fire calls.

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

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

Council Member Stevens reported the Airport Board met today and they are working to find the 7th (at large) member of the Airport Board. Of the seven member board, three are appointed by the city and three are appointed by the county. The 7th member appointment is rotated between the city and the county. The Mayor’s Youth Advisory Board met tonight for a planning meeting.

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

Council Member Schwendiman reported Parks & Recreation has not met. Traffic & Safety met last night and they are working on a cell phone ordinance to restrict cell phone use in high pedestrian areas while driving and pedestrians would be restricted from using cell phones in cross walks.

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

Council Member Woodland reported he met with Kristy Geisler about the Arts Council. The Arts Council is seeking grants including a possible \$150,000 from the Federal Stimulus Package for the Westwood Theatre. The concert series is taking place with Richard Ferguson performing tonight with his violin. The concert series is held every Wednesday evening. It is a very good event for the community.

Mayor Larsen mentioned the federal appropriation of \$150,000 for the Westwood Theatre was applied for through the “Save America’s Treasures” grant program. Council Member Woodland understood the Westwood Theatre has to be on the historical registry to receive this grant.

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

Council Member Stout reported the Trails of Madison County Committee is presenting the bike ordinance tonight. He went out to two high school groups who are working on a real life situation. He asked the City Council to participate with them if they get a call. Mayor Larsen asked the City Council to confirm the appointment of Karen Pierce to the Rexburg Beautification Committee.

Council Member Mann moved to confirm the appointment of Karen Pierce to the Rexburg Beautification Committee; Council Member Woodland seconded the motion. All voted aye; **The motion carried.**

Public Hearings: - NONE

New Business:

A. **2008 Audit Report** – Rudd & Company PLLC

Brad Reed from Rudd & Company reviewed the 2008 year end audit report with the City Council including the Balance Sheet, Statement of Revenues including (expenditures and changes in Fund Balances), Statement of Net Assets, and statement of activities. The report indicated the following:

“In our opinion, except for not including the LID 31 Debt Service Fund as a major fund as stated in the preceding paragraph, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of the City of Rexburg, Idaho as of September 30, 2008, and the respective changes in financial position and cash flow, where applicable thereof for the year then ended, in conformity with accounting principles generally accepted in the United States of America.”

NET ASSETS

	<u>Governmental Activities</u>	<u>Business-type Activities</u>	<u>Total</u>
Net Assets 9/30/07	\$ 24,318,433	\$ 23,493,352	\$ 47,811,785
Increase in Net Assets	\$ 8,780,959	\$ 2,220,418	\$ 11,001,368
Net Assets 9/30/08	\$ 33,099,384	\$ 25,713,770	\$ 58,813,154
Percent Increase	36.1%	9.5%	23.0%

Large item increases came from:

Streets contributed by developers & State of Idaho	\$ 5,758,590
Interoperability Grant for Radios, etc.	\$ 856,947
LID Improvements	\$ 806,253
Golf Course Construction (9 additional holes)	\$ 798,840
Street Repairs Contracted	\$ 743,572
Fire Department fire equipment	\$ 560,933
Utility lines & related assets contributed by developers	\$ 386,912
Wastewater Plant Improvements	\$ 338,613

Emergency Services Department Fund Budge:

City’s portion of Emergency Services expenses was \$409,119 which was \$8,981 under budget.

Revenue and Expense Charts:

Total Revenues:	\$ 33,737,127
Total Expenses:	\$ 31,954,318

Operating Revenue: \$ 18,068,760
 Operating Expenses: \$ 16,218,274

Mr. Reed reviewed the Statement of Activities report showing Governmental Activities revenue over expenses of \$4.6 million dollars. The Governmental Activities increased \$8.7 million dollars. The total Governmental Business Activities balance was at \$2.2 million dollars. The Total Liabilities and Fund Balances were \$10 million for the end of the year.

The Statement of Revenues, Expenditures and Changes in Fund Balances report showed a yearend balance of \$4.8 million dollars on the Balance sheet report.

BALANCE SHEET:

Total Assets	\$ 10,043,608
Total Liabilities	\$ 5,227,423
Fund Balances	
Reserved	\$ 3,105,941
Unreserved	\$ 1,710,244
Total Liabilities and Fund Balances	\$ 10,043,608

Revolving Loan fund:

“The City received a grant from the United States Department of Housing and Urban Development, the proceeds of which have been designated to be used as a revolving loan fund for small businesses within the community. Repayments on the initial loan have been used to finance other projects at the discretion of the City. The East Central Idaho Development Company (ECIDC) is currently administering these funds for the City. The balances of outstanding loans at September 30, 2008 total \$982,802.” ... “ECIPDA are holding \$91,231 in an interest bearing account for the City, which is available for future revolving loan projects.”

Statement of Revenues, Expenses and Changes in Fund Net Assets:

The operating income:	Utilities	\$ 1.6 million
	Golf Course	<u>\$13,892</u>
	Total	\$ 1,629,768
Total net income:	Utilities	\$ 2.2 million
	Golf Course	<u>\$11,835</u>
	Total	\$ 2,220,418

Statement of Cash Flows:

Cash and Investments at the end of the year:	Utilities	\$ 3,058,798
	Golf Course	-
	Total	\$ 3,058,798

The City has deposits in the State Investment Pool. The account break down of items listed above is available in the 2008 “Independent Auditors’ Report” at City Hall, 12 North Center, Rexburg, Idaho.

Mr. Reed explained Rudd & Company is available for questions from City Council at their office in Rexburg. Finance Officer Horner does a good job for the City.

Mayor Larsen asked for a motion to approve the audit.

Council Member Schwendiman moved to accept the 2008 “Independent Auditors’ Report”; Council Member Stevens seconded the motion; all voted aye.

The motion carried.

B. **Resolution 2009-04** to reaffirm the city’s Nondiscrimination Policy contained in Section 504 of the Rehabilitation Act (as amended) which prohibits discrimination on the basis of handicap in federally assisted programs and activities – Staff

Mayor Larsen introduced Resolution 2009-04 for the City Council’s review.

PUBLIC NOTICE ON NONDISCRIMINATION
Resolution 2009- 04

WHEREAS, Section 504 of the Rehabilitation Act (as amended) prohibits discrimination on the basis of handicap in federally assisted programs and activities; and
WHEREAS, the Americans with Disabilities Act (ADA) enacted on July 26, 1990, provides comprehensive civil rights protections to individuals with disabilities in the areas of employment, public accommodations, State and local government services, and telecommunications; and

WHEREAS, most programs and activities of State and local governments are recipients of Federal financial assistance from one or more Federal funding agencies; and,

WHEREAS, an internal grievance procedure is available to resolve complaints, questions, concerns, or requests for additional information regarding 504/ADA by forwarding to:

504/ADA Coordinator Name Craig Rindlisbacher
Title ADA Coordinator, City of Rexburg
Address 12 North Center Street; Rexburg ID 83440
Phone Number (208) 359-3020 x 317, Voice: Upon request TDD
Days and Hours Available Monday thru Friday – 8:00 am to 4:00 pm
Upon request this notice is available in alternative formats;
(for example: large print or audio tape) from the 504/ADA Coordinator.
Exhibit B 1/1

NOW, THEREFORE, by resolution duly adopted The City of Rexburg reaffirms the city's policy not to discriminate on the basis of disability in the admission to, access to, or operations of programs, services, or activities; including allowing qualified individuals who need accessible communication aids and services or other accommodations to participate in programs and activities. These individuals are invited to make their needs and preferences known to the 504/ADA Coordinator; allowing at least three to five day's advance notice so the city can adequately meet their needs.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR THIS 04TH DAY OF MARCH, 2009.

ATTEST:

Shawn Larsen
Mayor

Blair D. Kay
City Clerk

Council Member Stevens moved to accept Resolution 2009-04 adopting a Nondiscrimination Policy; Council Member Woodland seconded the motion; all voted aye. **The motion carried.**

C. Approve Public Hearing for Master Fee List- Richard Horner

Finance Officer Horner requested a date for a public hearing to review the city's Master Fee List; the proposed date is March 18th at 8:00 P.M.; Public Works Director Millar asked to add Front Foot Fees for water and sewer line extensions to the list of proposed fee increases.

The golf fees were discussed as possibly needing to be added to the list.

Council Member Mann moved to set the Master Fee List public hearing date for March 18th at 8:00 P.M.; Council Member Woodland seconded the motion; all voted aye. **The motion carried.**

Mayor Larsen reviewed the Council's option to waive city fees when the event is for the benefit of the community.

Staff Reports:

A. Public Works: John Millar

1. Report on Projects:
 - a. Veteran's Memorial at Smith Park is scheduled for completion by the 4th of July.

The concrete pillars have been poured and the travertine bases will be installed when the weather warms up. Four lights are being ordered to provide light to the monument. Lynn Archibald from Archibald Insurance is planning a flag ceremony for the 4th of July event.

- b. A street sweeper was bid with only one bid being returned. A seconded bidder had some complications and withdrew their bid. The bid was for \$180,235. It will be offset by a grant from the Idaho Department of Transportation (ITD) with a CAQ Grant for \$177,907. This covers 92.66% of the cost with the city's share of \$13,729. The grant agreement needs to be authorized by the city. The approvals requested are for the state agreement on the grant and the bid from Metro Equipment out of Boise.

Council Member Stevens asked if the sweeper design has changed for current models. Public Works Director Millar explained the design has changed. It is different from the Johnson fan design to Elgin fan design.

Council Member Stout moved to accept the Metro Equipment bid; Council Member Mann seconded the motion; all voted aye. **The motion carried.**

Council Member Stout moved to authorize Mayor Larsen to enter into the state agreement for the grant; Council Member Woodland seconded the motion; all voted aye. **The motion carried.**

- a. Pioneer road land acquisition for extending the pioneer road.

Public Works Director Millar has had several meetings with the property owners concerning the extension of Pioneer Road. They have been discussing the details of the extension of Pioneer Road.

- b. Bid for bridge over the canal on Pioneer Road.

Public Works Director Millar asked for approval of the Chapple Construction bid for an early start on the "cast in place" bridge over the canal on Pioneer Road. The high bid was \$90,246 for a cast in place bridge and the low bid from Chapple Construction was \$67,050. A "precast" bridge was an optional type of construction with a low bid of \$75,400.

Council Member Schwendiman reviewed the two rights-of-way for the project. The motel has a sliver of right-of-way needed adjoining the west side of the project. Public Works Director Millar is seeking approval on the right-of-way; however, he has not made contact with the adjoining motel owner. Council Member Stout asked about the development plans.

Public Works Director Millar explained the plan to build a bridge over the canal and connect a new section of road extending Pioneer Road to Airport Road.

Council Member Stevens moved to approve the low bid from Chapple Construction for the canal bridge; Council Member Schwendiman seconded the motion; all voted aye. **The motion carried.**

B. Finance Department – Richard Horner

- 1. Annual Budget Report – Deferred.

2009 BUDGET SUMMARY:

Finance Officer Horner reviewed the 2009 Budget Summary on the overhead screen.

Council Member Erickson joined the meeting at 8:15 P.M.

The 2009 Budget by Fund was reviewed by using pie charts on the overhead screen.

Budget total:	\$ 40,797,900
Expense	\$ 40,797,900

Operating expense	\$ 19,100,700
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Finance Officer Horner showed the operating expense and revenue budget comparables from 1990 to 2009.

Revenue	\$ 40,797,900
Operating revenue	\$ 20,109,400

Fund transfers were discussed.

The City Council discussed the budget adjustments for the current drop in state sales tax. The state allows the levy rate to increase 3% over last year's revenue plus new construction revenue. The full 2009 Summary Budget is available for public viewing at 12 North Center Street, Rexburg, Idaho.

Calendared Bills and Tabled Items:

- A. **BILL Introductions:** - NONE

- B. **First Reading:** Those items which are being introduced for first reading.
 - 1. **BILL 1019** for Sidewalk Access – Staff

City Attorney Zollinger reviewed the changes to the BILL as discussed in the last meeting.

SECTION C: (1) It shall be unlawful for any person or persons, firm or corporation owning or occupying premises within the corporate limits of the City of Rexburg, to suffer or permit rubbish or debris to be or remain on the sidewalks adjacent to their respective premises. (2) Any person or persons, firm or corporation owning or occupying premises within the corporate limits of the City of Rexburg, shall be responsible for the removal of snow from any sidewalks adjacent to their premises. It shall be unlawful to fail to remove snow from designated sidewalks within (24) hours after being notified by the City of a declaration by the Mayor or the Public Works Director of a "Pedestrian Safety Snow Emergency". If the responsible party fails to remove the snow, or notifies the City of an inability to remove the snow, the City shall have the right, but not the obligation, to cause the snow to be removed at the owner's expense, as part of the public utility function provided by the City.

City Attorney Zollinger referred to item two in Section C: above where the Mayor or Public Works Director can declare a "Pedestrian Safety Snow Emergency" in certain parts of the city requiring snow to be removed off specific sidewalks within a 24 hour period. It does not make it unlawful to leave snow on the sidewalk until a snow emergency is declared in a particular area. If a property owner in the area declared as an emergency for snow removal can't remove the snow from the sidewalk, they can notify the city to work with them on a case by case basis. He continued reviewing Section C: item two: "If the responsible party fails to remove the snow, or notifies the City of an inability to remove the snow, the City shall have the right, but not the obligation, to cause the snow to be removed at the owner's expense, as part of the public utility function provided by the City."

Discussion of the BILL's pros and cons including the problem of the city plowing snow onto sidewalks from the street and where the elderly can't remove the snow from their sidewalks.

Council Member Erickson discussed the issue of snow plowed on the sidewalks by city when cleaning the streets especially in the Garner Addition. Children walk the streets to Madison High School in this area because there is snow plowed onto those sidewalks. It is a tough situation to ask everyone to clean snow off sidewalks without consideration for age, etc. The hospital does a great job keeping their sidewalks clean. He does not want to have an ordinance in place the city can't enforce.

Mayor Larsen indicated property owners have been notified to keep the sidewalks open this winter in certain areas of the city for pedestrian safety. He reviewed the need to keep sidewalks clean for pedestrians if a snow emergency is declared in a particular defined area.

Council Member Mann mentioned the 24 hour time period allowed to have the snow removed in an area where a snow emergency is declared.

Council Member Stevens asked to try to have the snow moved onto the sidewalk limited where possible so the sidewalks can be cleaned. It needs to be a team effort.

Discussion on the length of snow storms and the timing allowed to remove snow off those sidewalks in high pedestrian areas. Possible liability for injuries on sidewalks was mentioned. There was concern for making it a misdemeanor to ignore a “declared emergency” to clean snow off sidewalks, especially for the elderly.

City Attorney Zollinger said this BILL has better verbiage.

Council Member Mann moved to first read BILL 1019; Council Member Stevens seconded the motion; Discussion: Council Member Stout requested approval of the BILL. It is a good BILL. Mayor Larsen asked for a vote:

<u>Those voting aye</u>	<u>Those voting nay</u>
Christopher Mann	Richard Woodland
Randy Schwendiman	Rex Erickson
Bart Stevens	
Adam Stout	

The motion carried.

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

1. **BILL 1017** for Bicycle Operation – Staff

Doug Stutz reviewed the changes to BILL 1017 to accommodate the City Council’s request to reference the state code concerning bicycles coming to a stop at stop lights; also reflectors and lights on bicycles.

10.11.020 **TRAFFIC LAWS APPLYING TO PERSONS RIDING BICYCLES**

A. This Ordinance is not intended to replace State Law as it applies to the use of bicycles upon public rights-of-way except as specifically set forth in this Ordinance, but to serve as a supplement to Idaho Code. Other issues described in Idaho Code Section 49-7 are also intended for bicyclists in Rexburg, but have not been specifically set forth.

10.11.110 **LIGHT AND REFLECTOR REQUIRED IN DARKNESS**

Every bicycle in use in darkness (from sunset to sunrise and when visibility is under 500 feet) shall be operated with a white light visible from a distance of at least five hundred feet (500’) to the front and with a red reflector clearly visible from the rear of the bicycle.

Council Member Stevens asked about lights on the back of bicycles after dark (battery light). Mr. Stutz referred to the state codes 49-723 where a back reflector is required on bicycles.

TITLE 49
MOTOR VEHICLES
CHAPTER 7

PEDESTRIANS AND BICYCLES

49-723.LIGHT AND REFLECTOR REQUIRED AT NIGHT. Every bicycle in use at the times described in section 49-903, Idaho Code, shall be operated with a light emitting device visible from a distance of at least five hundred (500) feet to the front, attached to the bicycle or the rider, and with a reflector clearly visible from the rear of the bicycle.

Mayor Larsen thanked Mr. Stutz for his work on BILL 1017.

Council Member Stout asked what in BILL 1017 does not come from state statute. Mr. Stutz said BILL 1017 includes information from the “American Association of State Highway and Transportation Officials”

(AASHTO), federal code, and other cities code. The purpose for BILL 1017 is to clarify the behavior (what is expected) of a cyclist in the City of Rexburg.

Council Member Stevens moved to consider second read BILL 1017 for Bicycle Operation; Council Member Mann seconded the motion; all voted aye. **The motion carried.**

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:

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

Old Business:

A. Resolution 2009 – 03 adopting the Comprehensive Plan Amendment approved February 18, 2009 from (NC/MU) Neighborhood Commercial/Mix Use to (HDR) High Density Residential at 431and 445 West 4th South – Staff

The City Clerk explained the last Comprehensive Plan Map amendment was six months ago in September, 2008. Discussion on the 6 month time period required between Comprehensive Plan map changes and the number of applicants.

Council Member Erickson asked about the previous Comprehensive Plan map change concerning the doctor’s application in September, 2008. The City Council required some action on the request within a six month period. City Attorney Zollinger explained there was some action on the proposal within the six month period.

Council Member Woodland moved to approve Resolution 2009 – 03 adopting the Comprehensive Plan map amendment; Council Member Schwendiman seconded the motion; all vote aye.

The motion carried.

Mayor’s Report:

Mayor Larsen asked the City Council to set up a Committee Development Oversight Team. He requested Council Member Schwendiman, Council Member Erickson, and Council Member Woodland to serve on the Community Development Oversight Team. The first item to review would be the hookup fees for the city. Mayor Larsen asked the Oversight Committee to work with Finance Officer Horner to study the hookup fees. The next item to review is the expansion of the waste water treatment plant over the next five years.

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. February 18, 2009 meeting
- B. Approve the City of Rexburg Bills

Council Member Stout asked about his comment on page 3 of February 18th minutes. He said his intent was to indicate Jared Sommer would be responsible for the bridge replacement into his development over the canal. City Attorney Zollinger explained the applicant is working with Public Works Director Millar to design the bridge. There is an elevation problem from one side of the canal to the other side of the canal causing some difficulty in connecting to the street. Other entries to the development may allow better access.

Minutes from 2-18-2009 modified to say: “Council Member Stout asked who would do the bridge improvement. Jared Sommer indicated he would be responsible to replace the existing bridge into his development with a new concrete structure with an entrance and an exit at that point.”

Council Member Stout asked about a \$300 bill the city paid for moving cars when plowing snow. City Attorney Zollinger explained cars were moved (pick and drop) in a city parking lot for snow removal. If a

citation is given for illegal parking the towing fee can be charged to the owner of the car. In this case the cars were legally parked. The city is working on a city wide parking policy.

Discussion: Concerning prior agreements with apartment owners allowing tenants to use city parking lots for overnight parking.

Council Member Woodland asked about the costs of a plumbing pipe for \$153.00. He will investigate to find a less expensive source for this pipe. Also, he questioned the cost of some oil purchased for \$27.00 per gallon for the waste water treatment plant. This oil is special high grade synthetic industrial oil required to maintain the equipment. A third item was floor mats for a new ford truck. The expectation is floor mats would come with the vehicle.

Council Member Stevens moved to approve the Consent Calendar; Council Member Stout seconded the motion; all voted aye. **The motion carried.**

Executive Session pursuant to State Statute 67-2345 (F) to communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for a contract;

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

Those voting aye

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

Those voting nay

None

The motion carried.

Executive Session

Executive Session ended.

Council Member Schwendiman moved to authorize the Finance Department to offer warrants at 4.5% to the Sakotas for LID 36 without any other conditions previously discussed; Council Member Erickson seconded the motion; discussion: None.

Roll call vote:

Those voting aye

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

Those voting nay

None

The motion carried.

Adjournment

Attest:

Shawn Larsen
Mayor

Blair D. Kay
City Clerk