

City Council Meeting

April 07, 2010



CITY OF
REXBURG
America's Family Community

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April 07, 2010

Mayor Richard Woodland

Council Members:

Christopher Mann – Council President

Rex Erickson Donna Benfield

Bruce Sutherland Brad Egbert

Adam Stout

City Staff:

Stephen Zollinger – City Attorney

Richard Horner – Finance Officer

John Millar – Public Works Director

Val Christensen – Community Development Director

Blair Kay – City Clerk

Officer Cory Foster gave the Prayer.

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

Mayor Woodland asked a boy scout to lead the pledge.

Roll Call of Council Members:

Attending: Council President Mann, Council Member Erickson, Council Member Benfield, Council Member Sutherland, Council Member Egbert, Council Member Stout and Mayor Woodland.

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

Presentations: None

Committee Liaison Assignments for 2010:

A. Council Member Adam Stout *Trails of Madison County · Traffic & Safety Committee · Airport Board*

Council Member Stout reported the Trails of Madison County Committee did not meet. The Traffic and Safety Committee did not meet. The Airport Board has two vacancies. They will provide possible replacements to the Mayor for city/county approval.

B. Council Member Brad Egbert *Legacy Flight Museum · Parks & Recreation · IBC Committee*

Council Member Egbert did not have a report.

C. Council Member Bruce Sutherland *Museum Committee · Beautification Committee · Traffic & Safety Committee*

Council Member Sutherland did not have a report. Council Member Stout asked if The Traffic and Safety Committee rescheduled their meeting. It was not scheduled at this time.

D. Council Member Christopher Mann *Emergency Services Board · School Board · MYAB*

Council Member Mann shared an Emergency Services report about the house fire on Hwy 33 west of Rexburg. He has a copy of the official fire report. First responders were at the scene within four minutes after call. They did a wonderful job of responding this week to many calls. He commended the Fire Department for their efforts. Council Member Stout said a bank account to help the Bone's has been set up at the Beehive Credit Union.

Council Member Mann reported the Mayor's Youth Advisory Board meets every week on Wednesday's after school. He reported on some upcoming projects for the group including Pride Days and the Masquerade event. He will be at the next meeting for the Dance Festival. He supports the Dance Festival 100%. The MYAB is working on a "DARE" golf tournament.

Upper Valley Idol raised \$6,000 at the recent event at the Westwood Theatre. Roger Harris reported on a fund raiser planned on the 24th of April for the Bone Family and to purchase a piano at Madison High School. On Monday, the 19th of April, the Air force Band will perform at the Tabernacle at 7:30 P.M.

E. Council Member Donna Benfield *Police Department · Romance Theatre Committee · Rexburg Arts Council · Tabernacle Civic Center · School Board*

Council Member Benfield gave a report on Idaho Police Association. Police Chief Lynn Archibald reported two of the city's police officers went to Belgrade and Bozeman, Montana to collect evidence and file charges on an individual for a recent bank robbery at Zion's Bank in Rexburg. The individual is a resident of Montana. They brought the individual back with them and he is currently in the Madison County Jail. The police officers worked very hard to put the case together in order to file charges against the Montana resident. The backup generator at for the Fire Department and the Police Department is being installed. She reported some great news concerning the Rexburg Arts Council's work in the Community including sponsoring the Air Force Band on the 19th of April at the Tabernacle. The Tabernacle Committee did not meet. The School Board is working on their fees at their next meeting.

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

Council Member Erickson reported that the RDA has not met; Planning and Zoning met two times since his last report. He was present at the meeting on 18th of March; however, he has missed the last two meetings. They had two busy meetings. The Golf Board met and dedicated the new nine hole golf course. Finances for the Golf Course were reviewed and he will report on golf course finances at the next meeting. Golf is getting off to a slow start this year due to the weather. The golf course is not yet at 100%. He said the new billing system for Teton Lakes Golf Course is not working yet.

Public Hearings:

A. 7:30 P.M. Zone Change from Community Business Center (CBC) to High Density Residential One (HDR1) at 431 West 4th South – Jared Sommer

Jared Sommer at 3614 North 3000 West in Rexburg reviewed the property on the overhead screen. His last visit was to change the front parcel to HDR on the Comprehensive Plan. This proposal is to change the zoning for their property only. He is planning a married housing complex. The lot will be cleared of every residence for the new complex. They are installing a 36 foot wide bridge over the canal for access. They will have ingress off 4th South and egress only on South 4th West. They have the Fire Department's approval for the required fire truck turning radius, etc. It will be a very appealing exit for the residences onto 4th West. It will be better for the vehicles heading to BYU-I to exit onto 4th West and go south to 5th South before heading east to the University.

Community Development Director Val Christensen gave a staff report on the proposal. The Staff recommended approval along with Planning and Zoning. The zoning is changing from Mixed Use to Residential.

Mayor Woodland opened the public hearing.

Those in favor of the proposal: None

Those Neutral: None

Those Opposed: None

Discussion:

Council Member Sutherland said the development makes sense.

Council Member Erickson said Planning and Zoning worked with Mr. Sommer to bring the project to this point.

Council Member Erickson moved to approve the zone change from Community Business Center (CBC) to High Density Residential One (HDR1) at 431 West 4th South; Council Member Sutherland seconded the motion; Mayor Woodland called for a vote:

Those voting aye
Council Member Egbert
Council Member Erickson
Council Member Mann
Council Member Sutherland
Council Member Benfield
Council Member Stout

Those voting nay
None

The motion carried.

B. 7:40 P.M. Zone Change from Community Business Center (CBC) to Medium Density Residential One (MDR1) – Ray Peterson

Kyle Baldwin from Ashton reviewed the proposal on the overhead screen. It is a 3.3 acre parcel. Mayor Woodland asked if there is an existing road in that area. There is not.

Council Member Erickson asked if the property was being developed with an adjoining property. Blue Ox Development is working with Ray Peterson to do a development with a proposed road through the center of it.

Mayor Woodland opened the public hearing.

Those in Favor of the Zone Change: None

Those Neutral: None

Those opposed: None

The Public Hearing was closed.

Discussion:

Council President Mann said it was discussed a few weeks ago and it seems to be a legitimate zone change to him.

Council President Mann moved to approve the zone change from Community Business Center (CBC) to Medium Density Residential One (MDR1); Council Member Egbert seconded the motion; Mayor Woodland called for a vote:

Those voting aye
Council Member Egbert
Council Member Erickson
Council Member Mann
Council Member Sutherland
Council Member Benfield
Council Member Stout

Those voting nay
None

The motion carried.

C. 8:00 P.M. Master Fee List changes for city fees – Staff

Finance Officer Horner reported the fee resolution needed approval to adopt the new city fees.

RESOLUTION NO. 2010 - 04

A RESOLUTION OF THE CITY OF REXBURG, IDAHO, ADOPTING A NEW RATE SCHEDULE FOR CERTAIN FEES.

WHEREAS, the City Council desires to maintain the overall quality of life experienced by its constituents; and

WHEREAS, the City Council desires to set certain fees so that they cover the cost of the services provided through the payment of those fees;

NOW THEREFORE, be it resolved by the Mayor and the Council of the City of Rexburg, effective April 8th, 2010, that the fees in attached list shall be charged as specified:

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR THIS 7th DAY OF APRIL, 2010.

CITY OF REXBURG
Madison County, Idaho

By _____
Richard Woodland, Mayor

ATTEST:

Blair D. Kay, City Clerk

Finance Officer Horner indicated the golf fees were splitting into different categories due to billing an extra nine holes. Council Member Benfield asked about billing for 9 verses 18 holes; also, for junior golfers 9 verses 18 holes. Finance Officer Horner explained the fees do not include Idaho Sales Tax of 6%; otherwise they are as stated. Council Member Erickson said there are new fees for junior golfers at the Rexburg Municipal Golf Course and some new junior fees at Teton Lakes Golf Course plus new fees for the new nine holes at Teton Lakes Golf Course:

Golf	Card Replacement	Replace Players Golf Card	\$ 4.72	4/7/10
Golf	Coupons	Coupon-Muni Only (12 9-Hole Rounds)	\$ 94.34	3/18/09
Golf	Coupons	Coupons (12 9-Hole Rounds)	\$ 127.36	3/18/09
Golf	Daily Fees	Rexburg Municipal 18 Hole	\$ 13.21	3/5/08
Golf	Daily Fees	Rexburg Municipal 18 Hole Junior	\$ 8.25	4/7/10
Golf	Daily Fees	Rexburg Municipal 9 Hole	\$ 9.43	3/18/09
Golf	Daily Fees	Rexburg Municipal 9 Hole Junior	\$ 4.72	3/5/08
Golf	Daily Fees	Rexburg Municipal Add 9	\$ 3.77	4/7/10
Golf	Daily Fees	Rexburg Municipal Add 9 Junior	\$ 3.14	4/7/10
Golf	Daily Fees	Rexburg Municipal Misc. Class Round-9 Hole	\$ 3.77	4/7/10
Golf	Daily Fees	Rexburg Municipal under 13 years old with paid adult	free	3/5/08
Golf	Daily Fees	Teton Lakes 18 Hole	\$ 17.92	3/18/09
Golf	Daily Fees	Teton Lakes 18 Hole Junior	\$ 14.15	4/7/10
Golf	Daily Fees	Teton Lakes 18 Hole-Weekend	\$ 20.75	3/18/09
Golf	Daily Fees	Teton Lakes 9 Hole	\$ 12.74	3/18/09
Golf	Daily Fees	Teton Lakes 9 Hole Junior	\$ 9.43	4/7/10
Golf	Daily Fees	Teton Lakes 9 Hole-Weekend	\$ 13.68	3/18/09
Golf	Daily Fees	Teton Lakes Add 9	\$ 5.19	4/7/10
Golf	Daily Fees	Teton Lakes Add 9 Junior	\$ 4.72	4/7/10
Golf	Daily Fees	Teton Lakes Add 9 Weekend	\$ 7.08	4/7/10
Golf	Daily Fees	Teton Lakes Misc. Class Round-9 Hole	\$ 3.77	4/7/10
Golf	Misc. Fee	Class Fee	\$ 141.51	4/7/10
Golf	Passes	2nd Season Pass	\$ 297.17	3/18/09
Golf	Passes	3 Month Pass	\$ 306.60	3/18/09
Golf	Passes	College Pass	\$ 306.60	3/18/09
Golf	Passes	Family Pass	\$ 750.00	3/18/09
Golf	Passes	Junior Pass	\$ 150.94	3/18/09
Golf	Passes	One Month Pass	\$ 117.92	4/7/10
Golf	Passes	Season Pass	\$ 400.94	3/18/09
Golf	Passes	Senior Pass-Before Noon Monday thru Friday	\$ 250.00	3/18/09

here is a reduction in Rexburg Municipal Golf Fees to encourage more Municipal Golf Course use by junior golfers. Council Member Benfield requested a copy for the Chamber of Commerce. *Note: The city fee schedule is available at City Hall.*

Mayor Woodland referred to the Westwood Theatre fees being separated to show the cleaning fee. The fees were reduced in total. Cheryl Graham asked about fees for street vacations with her example. The 6th South partial street vacation was reviewed by the City Clerk as an example of the city vacating a portion of a street to make the street width consistent with the street width in the next block. The extra street width is vacated and deeded to adjoining property owners. Council Member Benfield explained the city side streets off Millhollow Road in her neighborhood were vacated by the city because they were not going to be developed into usable streets. They were simply dead end city right-of-ways between lots that were not maintained. Council Member Erickson said the latest vacation was the 6th South street alignment project for a recent development. Mayor Woodland opened the public hearing.

Those in favor: None

Those neutral: None

Those opposed: None

The Public Hearing was closed.

Council Member Erickson moved to approve the additions and changes to the Master Fee List as presented by approving Resolution 2010 – 04; Council Member Benfield seconded the motion. Discussion: Council President Mann said it was the first year in five years that city fees have not gone up. He thanked the city staff for holding the line on expenses. Mayor Woodland called for a vote:

Those voting aye

Council Member Egbert
Council Member Erickson
Council Member Mann
Council Member Sutherland
Council Member Benfield
Council Member Stout

Those voting nay

None

The motion carried.

Items for Consideration:

A. **Proposal to rename 4th East by Smith Park** to “Veterans Memorial Drive” – Fred L. Scoresby

City Attorney Zollinger reported Mr. Scoresby thought it would be appropriate to change the name of a portion of 4th East to Veterans Memorial Drive. Mr. Scoresby’s reasoning was to give more recognition to the Veterans Memorial. Four homes would be affected by the address change.

Council Member Erickson suggested checking with the four residences for approval first. City Clerk Blair Kay mentioned the home’s addresses would not have to change if the street signs had both names included. Council Member Sutherland said including both street names would be a good thing; however, it would still be beneficial to talk with the residents first.

Council President Mann worries about changing the addresses. Residents use the street names to find their way around town. He does appreciate the Veteran’s Memorial.

Public Works Director Millar suggested changing the Smith Park name to Smith’s Veterans Memorial Park. The City Council discussed checking with the Smith Family first.

Gary Fisher at 314 East 3rd South mentioned the importance of maintaining the street, keeping it in good condition as a fitting tribute to veterans.

Council Member Benfield asked if the winter sledding would continue. There are piles of snow and it is hard to get around in the winter. Everyone loves to play on the snow piles at Smith Park. She thought it should be a consideration when requiring a clear street in good condition to honor the veterans.

B. Conditional Use Permit (CUP) for 5-story apartment building (77 units) in one building for student housing at 357 & 371 West 4th South; with a minimum of 10% visitor parking and 50% residential parking – Trent Birch

Trent Birch at 4148 West Homestead Drive reviewed the proposal on the overhead screen. The PEZ Zone is still under construction. In the PEZ this proposal is allowed. He wants to build a five-story apartment complex on the property. He meets the PEZ Zone parking ratio requirement of .6 or 278 parking stalls; he has 292 parking spots in the plan with underground parking. He is proposing underground parking for compact parking only in a controlled environment. He reviewed other apartments to get their ratio of compact verses oversized cars. He would like to have 40/60 ratio of 52 over-sized vehicle spots available.

The parking spots will be numbered for 24/7 availability to the tenants. The site plan was reviewed; it is located 130 feet away from the street; which complies with the city's preference for a minimum of 100 feet from an intersection. Mayor Woodland asked if the underground parking would have a gate. Mr. Birch said no. The parking will be by permit only. He presented a visual of the type of five story building he was proposing.

Community Development Director Val Christensen reported on staff concerns. Mr. Birch is looking to see if he can take advantage of the PEZ Zone, which allows higher density and fewer parking spaces. This location is in the PEZ Two Zone. PEZ Two Zone allows a minimum of 50% parking for students and 10% for visitors. PEZ Zone One allows for zero parking for students and 10% for visitors. The final percentage for this plan is 68% parking. Planning and Zoning struggled with looking at the detail of the drawings, but it is not required at this time. The bankers want to know if the proposal for less parking is approvable. It was agreed to recommend to City Council, based on the fact that it is preliminary and it is a CUP that would take advantage of PEZ Zone Two in this location. Mayor Woodland asked if everyone had to get a CUP in a PEZ Zone. Community Development Director Val Christensen said it is only required if lower numbers for parking are requested.

Council Member Stout asked when the public hearing will be held. It was already held during the recent Planning and Zoning meeting.

Council Member Sutherland moved to approve the CUP. No second. The motion died.

Council Member Erickson indicated eight conditions were applied at Planning and Zoning to the project. Condition #2 states the site plan must reflect all conditions of approval and incorporate all city standards. If he meets all conditions of PEZ Two and City Council approves he can receive funding "if" all conditions have been met. It protects the city from giving a blanket Conditional Use Permit. This permit does have the conditions plus compliance to PEZ requirements. This plan will be presented again to Planning and Zoning when a formal application is prepared. Council Member Erickson pointed out the motion is stating that if the plan meets all standards and conditions then City Council would approve the CUP for Mr. Birch.

***Conditional Use Permit
Trent Birch #10 00052***

Proposed Conditions of Approval

1. *Trash dumpsters/receptacles shall be located within the interior (behind front building line, but in required setbacks) of the lot and shall be enclosed.*
2. *A site plan reflecting all conditions of approval and incorporating all City standards, e.g. landscaping, parking, snow storage, drainage, **pedestrian amenities**, etc. shall be submitted and approved by the City prior to the issuance of a building permit.*
3. *Lighting shall be low (under 15-feet in height) and not create glare, and as a minimum shall adhere to the City's lighting ordinance.*
4. *To encourage alternative travel options, i.e. bicycling, bike racks and hard surface must be provided. Location of racks needs to be shown on revised site plan. This requirement is identified in the PEZ Ordinance.*
5. *Sidewalk and pathway maintenance to be performed as per the PEZ Ordinance.*
6. *Parking Contracts to be approved by the City Attorney.*
7. *Requirements of the PEZ Zone Ordinance to be applied to this project.*
8. *Storm drainage and other Engineering considerations to be reviewed and approved by the City Engineer.*

Discussion on the conditions. The city does have adequate fire equipment to service a building of that height. Council Member Erickson explained the applicant is planning to do eight foot sidewalks which are beyond city standards except for the PEZ Zone requirements.

Council Member Sutherland moved to approve the Conditional Use Permit (CUP) for a 5-story apartment building (77 units) in one building for student housing at 357 & 371 West 4th South; with a minimum of 10% visitor parking and 50% residential parking; Council Member Egbert seconded the motion: Discussion: Council President Mann thanked Val for the presentation; He said the building would stand out and be very visible. It is a big deal. The city will have a lot of review during the process. Mr. Birch said they have full intentions of landscaping and making an entryway into Rexburg. Council Member Benfield said some people think it is the Main Street when they come into the city from the south. Mayor Woodland called for a vote:

Those voting aye

Council Member Egbert
Council Member Erickson
Council Member Mann
Council Member Sutherland
Council Member Benfield
Council Member Stout

Those voting nay

None

The motion carried.

C. Discussion on construction fees for “Temple View LLC” at 431 West 4th South – Jared Sommer

Jared Sommer said the discussion is not to highlight their specific project. He appreciated the staff for their help to get his project to this point. His project almost fell apart due to the impact fees. His goal was to present the fees from the builder’s side of the fence. He reviewed square foot cost for his development with only two people in an apartment. They are constructing 450 sq foot apartments. He represented to the City Council that a single apartment based on 5.6 people per apartment would cost \$3,633.47 in impact fees and fees associated with construction. If you go on square footage with six students in a 1,200 square foot apartment, the cost is \$3.00 per square foot. The family apartment costs \$2,608.78 in fees or 72% of the single apartment cost in fees. His 450 square foot family apartments are only 38% of the size of the single student apartments or \$5.90 per square foot for his family apartments. The numbers don’t work well. He asked for equity on the fees. There needs to be equity in the fees. He quoted Richard Horner stating the single student apartment impact fees are based on 5.6 occupants. Married apartments are based on 2.3 occupants. If you do the math 2.3 is 41% of 5.6. He suggested charging his units at the rate of 41% of the single student housing rate or a rate of \$1,492.32 per unit for his married housing units. He said the fees are onerous. The single largest expense item was the impact fees for family housing. His next project is a 22 unit complex. The cost difference is an additional \$30,000 for family housing on 22 units. The income is less per square foot. He said there is an inequity between single and family style housings. He said the other component is one to three bedroom apartments. If you charge the same fee for a one bed room as a three bedroom; it is the same thing that is happening here. He wants a win/win discussion with the city to have equity for impact fees.

Council Member Erickson said the process was designed by a committee with examples around the state. It would take an advisory committee to start over to review the inequities. It is a point well taken. Council Member Erickson said the City Council could not make changes to the impact fees. It would have to go back through the process with a new committee. The city is competitive with other communities in the area.

Mr. Sommer wants to get to an equitable state. He asked how you can equitably administer the fees. Council Member Benfield agreed with Council Member Erickson; however, maybe it is time to look back for a review and possible adjustments. She would like the discussion to go a little bit further. Council Member Egbert agreed with Mr. Sommer that it might be good to review the process because Mr. Sommer is making a good point for reconsideration. Council Member Benfield said it was done as good as it could be done at the time. Council Member Mann said impact fees were reviewed 12 months ago.

City Attorney Zollinger said the current fees are proportionately based on actual collected data – not guesses. Single student apartments do use less water than married apartments. It is

not clear if it is due to grass scape, etc. The data is based on a statistical history of actual usage. The usage for six girls in an apartment is less than a married couple with a baby. Mayor Woodland reviewed the committee members that reviewed the data to establish the fees. Member of the committee included Troy Kartchner, Johnny Watson, Bart Stevens, and Howard Egan; who are contractors, lay persons, and apartment owners. Mayor Woodland said it is based on consumption. City Attorney Zollinger said Carriage Apartments are 450 square foot units and other apartments are 1,200 square feet which could skew the data. He said the numbers are based on the actual statistical median (consumption) using number of beds in married and single housing units; not square feet. The standard is very strict at the state level. Very little is done internally; it is done at the committee level to evaluate the numbers.

Public Works Director Millar said one of the anomalies skewing the data is Carriage House which has 450 square foot units and recently constructed units range in the 1,000 to 1,100 square foot area. The size differential in units does tend to skew the data. City Attorney Zollinger indicated none of the impact fees are related to square footage. They are all related to use. The parks impact fee is related to anticipate use of the parks, police impact fees are driven by the singular unit, not the size of the unit, etc. One could argue that a 450 square foot unit may cause more police activity than a larger unit. The standard to evaluate is a very strict closely monitored standard at the state level. The committee acts independently of the city to evaluate the numbers by a strict standard set up by the state.

Community Development Director Val Christensen agreed with the city attorney. He said there is one area to look at which is a one bedroom with less use verses a two or three bedroom unit with more use. City Attorney Zollinger said it was a safe assumption but not a valid assumption. He was not aware of the average norm for a married apartment. It might be 2 ½; he was not sure. Mayor Woodland said more square footage does not indicate less water would be used. City Attorney Zollinger said a three bedroom apartment could accommodate six children. It would be another wildly assuming guess to assume usage base on the number of rooms. He indicated the committee based their analysis on the historical statistical data for apartments. He said Matt Nielsen and Richard Horner (Finance Department) could look at the data for validation.

Council Member Benfield wanted a 30 minute presentation on the data during Rexburg 101. Mr. Sommer wanted to look at data too. He wanted to look at the specific data behind the city's impact fees. He said Richard Horner said there would be a difference based on size of the units. Mr. Sommer was concerned with the across the board levy approach. There is something amiss. It is a little bit of penalization for our design. Their land and building layout lends itself to smaller apartments. He appreciated getting time on the agenda for this discussion. He immensely appreciated everyone at the city helping him take a look at the process.

Council Member Stout thanked Mr. Sommer for coming in to discuss the issue.

Break.

D. Sidewalk issues – Mark Beck

Mark Beck at 48 West 2nd South reported on sidewalk issues at 1st South and 2nd South. Snow and precipitation causes standing water for several days. He asked to have the snow and water cleared off for job creation and increased home value. Council Member Mann said the residences are responsible for the sidewalks at their residences. Discussion on responsibilities of home owners to repair sidewalks.

Public Works Director Millar said Snowview Apartments is replacing their sidewalks this summer. Grass buildup does trap water on the sidewalks. Lawn re-grading is one answer.

E. Budget issues for “COLA” & Employee Insurance – Richard Horner

Finance Officer Richard Horner passed out a budget calendar for approval. The public hearing date could be August 4, 2010 which he has to report to Madison County Clerk by end of the month. He needs a starting point for the budget process. He reviewed the proposed budget calendar. The following budget calendar timeline was discussed and recommended.

March 26	Fri.	5:00 PM	Capital Requests Due
April 7	Wed.	7:00 PM	Regular Council Meeting
Review Budget Calendar Set Public Hearing date (by motion) for Budget (July 21, 2010) Set Employee Cost of Living Adjustment Set Maximum Cost Sharing on Health and Dental Set Mayor & Council Salaries on even years			
April 16	Fri.		Budget screen & printouts available for year-to-date
expenditures vs. budget as of March 31 (1st 6 months) and forecast of year end totals			
May 13	Wed.	9:00 AM	City Council Budget Review and Drive-around
May 17-21	by appt.		Departmental Meetings by appointment
including Councilman, Mayor, Financial Officer, Department Head & Foreman			
May 27	Thurs.	9:00 AM	Dept. Head review of budgets
supported by the General Fund to review and recommend capital requests to council and balance the General Fund budget			
June	?	?	Council Budget Work Meetings
Special Budget Review Meeting for Council Balance the General Fund Budget with Dept. Heads			
July 1st Week		Meet with Sugar & Teton on sewer rates	
July 7	Wed.	7:00 PM	Regular Council Meeting
Set Tentative Budget Add Utility Rate Increases to Public Hearing Ads			
July 21	Wed.	7:00 PM	Regular Council Meeting
8:00 PM		Public Hearing on Budget & Utility Rate Increases	
1st Reading of Appropriation Ordinance Approve Utility Rate Increases, if any			
August 4	Wed.	7:00 PM	Regular Council Meeting
August 18	Wed.	7:00 PM	Regular Council Meeting
2nd Reading of Appropriation Ordinance			
Sept 1	Wed.	7:00 PM	Regular Council Meeting
3rd Reading & Adoption of Appropriation Ordinance			

Discussion on the City Council drive-around to review budget items. May 13th at 9:00 A.M. for the drive-around (Rexburg 101). July 7th, to set tentative budget; July 21st, Public Hearing; skip August 4th, no budget hearing. August 18th for 2nd Reading and final reading in September.

Council Member Stout moved to set a Public Hearing on the Budget & Utility Rate Increases on July 21st; Council Member Sutherland seconded the motion; all voted aye, **the motion carried**.

Discussion on the “Cost of Living Allowance”. Council Member Stout said to wait because he has not made up his mind yet; Council Member Mann said to include a COLA of 3.5%. Finance Officer Horner said the 21st of April will have revenue projections updated from the state. Council Member Sutherland said to project and set COLA in the budget. Council Member Erickson asked if last year was comparable with this year. Finance Officer Horner explained it is a 12 month review. If last year was 100 then this year is 103.5. Council Member Erickson asked about the Producer price Index; was it going down 4% for buildings etc. The Municipal Cost Index went up 2.5% for municipalities. Finance Officer Horner said the city uses the Consumer Price Index. Council Member Erickson said Council Member Stout has a point to take a close look at it. Businesses are not getting this raise. The city needs to treat employee’s right if money is available. He did not want to cut services to allow for COLA. Taxes from the state and other revenues are at breakeven. Where do we pick up the 3.5% for COLA?

NOTE: This chart has been updated with the corrected March, 2010 data showing a 3.1 CPI instead of 3.5 CPI discussed in the meeting.

**Cost of Living Raises -- COLA
Effective October 1 of each year**

Oct 1,	March CPI Index	Approved CPI Rate	COLA	Salary Base
2010	217.6	3.1%		
2009	211.1	0.0%	0.0%	1737
2008	211.1	4.3%	4.3%	1737
2007	202.4	2.1%	2.1%	1666
2006	198.3	4.0%	4.0%	1631
2005	190.7	3.0%	3.0%	1568
2004	185.2	1.9%	1.9%	1522
2003	181.7	2.6%	2.6%	1493
2002	177.1	1.1%	1.1%	1455
2001	175.1	3.8%	3.8%	1439
2000	168.7			1386

Council Member Erickson said we need to know the revenue stream. Finance Officer Horner said revenues were going to break even. Council Member Egbert asked for the 3.5% dollar amount. Council Member Egbert and Council Member Sutherland said to go with COLA projections and pull back COLA if needed. Council Member Erickson said to allow the 3.5% COLA for projections only; not sending the wrong signal to the employees. Finance Officer Horner recommended figuring the budget both ways; one-way with COLA and one-way without COLA. Council Member Erickson indicated it could go from 0 to 3.5%. Council Member Stout said to keep in mind it is only tentative. Council Member Egbert said to do it if we can afford it. Finance Officer Horner said merit raises and COLA raises were suspended for one year last year. Mayor Woodland said two years ago employees were told prematurely of a COLA raise. At this point it is only under consideration. Council Member Stout indicated a letter was sent out on city letter head projecting the COLA increase in wages prematurely at that time. More discussion: The COLA increase as an item for discussion only at this point; however, Mayor Woodland indicated the city would like to give the employees what they deserve for wages.

Council Member Mann was concerned about changing the rules from a historical perspective. He wanted to use the Consumer Price Index. Council Member Erickson said the economy has changed in the middle. Finance Officer Horner explained the CPI does add stability to employee wages. Council Member Erickson said it hasn’t happened but a wage index could go negative causing a wage cut. Mayor Woodland said the COLA was one thing and the state revenue allocation is another thing. We have to be very careful. A raise may cause a need to reduce forces. Council Member Mann said employee benefits may be changed. He reviewed a cost benefit sheet for staff. Council Member Erickson said to be careful where we go. Finance Officer Horner said inflation is predicted in the near future. He will show the projected budget for 2011 both ways with and without COLA.

Council Member Stout said the CPI has never gone negative. He has seen other indexes go negative. Finance Officer Horner said a negative could be subtracted out the following year. Heavy inflation is predicted by the end of the year or next year. City participation in health and dental insurance was limited to 10%. At the ¾ year point, it was only a 7% cost to the city. The year before this year, it was an 11% cost to the city.

The City Council agreed with the proposal to show the COLA both ways (COLA equal to zero and COLA equal to 3.5%) in the budget.

Staff Reports:

Public Works: – John Millar

John Millar reviewed the following projects:

1. 12th West Bridge complete and open for traffic. It has been inspected by the canal company. The utility extensions including water and sewer lines and culverts are out to bid for extensions. The idea is to prevent street cuts in the future. He referred to a no-cut street ordinance he drafted a few years ago. Mayor Woodland suggested bringing it before the City Council for consideration. The ordinance is needed to preserve new road improvements. The city is working closely with the gas and phone company. Conduit and pipe can be installed before the street is rebuilt. Deposits for street cuts have done a lot better. Trenchless technology has worked well. There was only 20% of the street cuts compared to 20 years ago.
2. The bridge connecting Henderson Subdivision and Oak trail Subdivision (Mariah) is under construction.
3. Wastewater Treatment Plant “biotopes” material is being installed. It is moving along well.
4. A generator for the Police Department and the Fire Department is being installed. It should be complete in a week to 10 days.
5. Water rights status with three new well applications: It is a first step towards getting a new well. The wells can’t pump simultaneously. A consultant is putting together a mitigation plan for replacement water from the Rexburg Canal using city water shares. The city is looking to get 5-10 CFS additional underground water by exchanging surface water from the Rexburg Canal channeled into the Nature Park. The water would make up for the underground water the city is pumping while enhancing the ponds at the Nature Park. Mayor Woodland is working with Governor Otter on getting a well permit for underground water. Council Member Sutherland asked if any progress has been made on adjudication. City Attorney Zollinger said the surface water rights are formalized by the judiciary process. There is work needed on adjudication standards (conjunctive management) allowing the city to put surface water into the aquifer to replace water pumped out of the aquifer. It is currently managed on a case by case basis. Public Works Director Millar explained the City of Shelley, Idaho acquired surface water rights for diversion into Jensen’s Grove at Blackfoot, Idaho allowing Shelley to drill a water well. This permit sets a precedent for others to follow through the court system.
6. Waste recycling questionnaire indicates the community pulse. Age grouping of 200 responders showed some want to recycle and some don’t want to recycle.
7. Lighting contract around the University is under review including crosswalk safety. Council Member Egbert asked if the city was improving lighting at crosswalks. Public Works Director Millar indicated the city is working to improve lighting at crosswalks. Council Member Mann asked for information to be presented at the next City Council meeting concerning lighting funding for crosswalk safety.
8. 7th South/2nd East street light is weather driven. When the ground dries, the work will start.
9. Council Member Mann asked the city to address Pioneer Road weeds and pot holes.
10. Formation of LID40 is underway for 6th South; South end of 2nd West; Millhollow Road; etc.
11. Police Department roof repair scheduled.
12. Seal coating warranty is being reviewed with the contractor. Council Member Erickson said low bids may not be effective for seal coating bids.

A. Building Department – Val Christensen

1. **ADA Lift** for the 2nd Floor of City Hall – Val Christensen

Community Development Director Val Christensen reviewed the low “installed” bid on an ADA lift for the 2nd floor at City Hall. Discussion on the bids:

Able access elevator \$22,655.60 (Salt Lake)

Northwest elevator \$24,482.63
Schindler \$47,946.00

Mayor Woodland said the funds are allocated in the budget. Val said a stair-well will need to be constructed.

Council Member Mann moved to accept the low bid from Able Access Elevator for \$22,655.60; Council Member Egbert seconded the motion; Mayor Woodland asked for a vote:

<u>Those voting aye</u>	<u>Those voting nay</u>
Council Member Egbert	None
Council Member Erickson	
Council Member Mann	
Council Member Sutherland	
Council Member Benfield	
Council Member Stout	

The motion carried.

Calendared Bills and Tabled Items:

- B. BILL Introductions:** NONE
- C. First Reading:** Those items which are being introduced for first reading. – NONE
- D. Second Reading:** Those items which have been first read. – NONE
- E. Third Reading:** Those items which have been second read. – NONE

Tabled Items: Those items which have been the subject of an affirmative vote to a motion to table: - NONE

Mayor's Report:

1. Discuss Riverside Park project.

Public Works Director Millar reviewed an impromptu meeting with Recreation and Parks Staff today to review the 1st Phase of Riverside Park. The canal may be used for irrigation. There are three funding phases.

- 1) Urban Renewal funds to construct the pool.
- 2) \$350,000 from congressional line items.
- 3) Grants.

Public Works Director Millar asked what will be done by Urban Renewal funds and who will administer those funds? Grant funding must use federal Davis Bacon wage rates. He asked to have the expectations defined. What can be done with city crews and equipment? An example is the Wastewater Treatment Plant needed 4-5,000 yard of fill; City crews did the work for \$4-\$5,000 saving about \$15,000. They used reject material from Walters Concrete for \$1.00 per yard.

The recreational facility needs to be above flood zone. Should the city use Urban Renewal resources or do it with city crews and material at \$1.00 per yard loaded? Money saved (i.e. \$50,000) on site preparation can be used towards the facility. He asked for direction from City Council. There are areas to be maintained as city parks in the overall site plan. Do we use City Park Impact Funds to get started?

Council Member Erickson explained the Urban Renewal District will have to make the recommendation. The city has provided input to Urban Renewal for 1 ½ years. He said don't mix funds with Urban Renewal Funds. The \$350,000 has been decided by the City Council to do projects close to 2nd North (the street presentation). Public Works Director Millar was looking for the line of demarcation for Urban Renewal. At what level does the professional city staff get involved with the turn-key design? At this point the city does not have the details. Discussion on the bonding amount between \$5.2 million and \$4.8 million if the \$350,000 was used in the turn-key facility. Council Member Erickson said they are going to bond for a turn-key operation as shown in their presentation. The \$350,000 was to be used for areas outside the turn-key facility for ball fields, sprinkling system, etc. Council Member Erickson asked Public Works Director Millar to verify with JRW and Associates that the \$350,000 will not be a part of the cost of the turn-key facility. Public Works Director wanted to ensure the city was involved in the design of the facility if the city is going to take over the facility in perpetuity. The devil is in the detail. The city wants to know what is being built before the keys are handed over to the city. Council

Member Egbert indicated the Parks Department, Recreation Department, Madison Baseball Association, etc. should have some say in the development of the project; especially the design of the grounds falling under their area.

Discussion on Rexburg Redevelopment Agency staying within the \$5.2 million bond for the project.

The City Council asked for a monthly progress report from JRW and Associates to City Council. Public Works Director Millar said the city will focus outside the fence and JRW and Associates will be on the inside of the fence.

Council Member Mann mentioned the AIC Conference coming in June for training.

Discussion on AIC support. The AIC did not respond to the city's request for support concerning recent opinions on Urban Renewal issues and other events.

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 17, 2010 and March 25, 2010 meetings
- B. Approve the City of Rexburg Bills
- C. Proclamation 2010 – 01 Fair Housing Month of April
- D. Resolution 2010 – 06 Intent to create LID 40; Approve notice to proceed for publication of a public hearing on April 21, 2010 at 8:00 P.M. – DEFERRED to April 21st.
- E. Proclamation 2010 – 02 Disability Awareness Week April 19th through April 24th.

Council Member Sutherland moved to approve the Consent Calendar; Council Member Stout seconded the motion; Discussion: Council Member Benfield asked to add a sentence to March 25th meeting explaining the city would not be liable for the bond if it was not paid at the end of its term. The city will not be liable if the bond is not paid in 12 years. Council Member Erickson asked to add on #2 about the yearly lease for extensions. The city would have first right of refusal on the annual lease. The Redevelopment Agency owns the property north of 2nd North (7 acres) against the road. The property under the facility will be traded for part of the 7 acre parcel. Mayor Woodland called for a vote:

Those voting aye

Council Member Egbert
Council Member Erickson
Council Member Mann
Council Member Sutherland
Council Member Benfield
Council Member Stout

Those voting nay

None

The motion carried.

Adjournment

Attest:

Richard Woodland
Mayor

Blair D. Kay
City Clerk