

City Council Meeting

November 16, 2011



CITY OF
REXBURG
America's Family Community

35 North 1st East
Rexburg, ID 83440

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November 16, 2011

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
Scott Johnson – Economic Development Director
Blair Kay – City Clerk

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

Boy Scout Troop 303 led the Pledge of Allegiance.

Garon Bell said the prayer.

Roll Call of Council Members:

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

Council Member Benfield asked to be excused.

Mayor Woodland welcomed the Boy Scouts to the meeting.

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

Stacy Bower asked for a safety study for Millhollow Road with concern for pedestrian traffic. The Junior High School is at the bottom of Millhollow Road. The issue is that there are no crosswalks up the hill. Council Member Sutherland said the challenge on the east side of the road is the lack of city right-of-way due to homes built too close to the road. There is not a sidewalk; so, he will refer the request to the Traffic and Safety Department. Mr. Bower was concerned with Pedestrian safety.

Candice Applebee is a student at BYU-I. They met with the MYAB to support a drug prevention program. They found Idaho Drug Free Programs for schools were needed. The students agree to an initial drug test to enter the program; follow-up drug tests are all voluntary. It is a statewide program with available scholarships. Students get a membership program to take advantage of the program benefits. She is seeking some funding to start it at \$150.00 with a \$95.00 annual maintenance fee. Council Member Stout asked if there were additional charges paid by students for testing. She indicated the initial fee would pay for the membership card and drug test cups. Council President Mann said the MYAB could fund the program from their own budget. Council Member Sutherland asked how the additional funding and recruitment would be handled. It is a separate club through the school system. Enrollment would be done during club registration at the high school. Advertising would be done at the high school through posters. The official name of the club is Idaho Drug Free Youth. Council President Mann said they sent MYAB students to Coeur d' Alene for training.

Discussion on the random testing program. Council Member Erickson did not think drug users would join the club. She said it is to support students who want to remain drug free.

Kelsy Johnson (another student) said it is to raise awareness. Council President Mann said it would be a better fit to have the support under the school district. Council Member Sutherland asked if the school board and superintendant were contacted to support this proposal first before asking for the city’s sponsorship. The city is concerned with crossing over jurisdictional boundaries. City Attorney Zollinger said it was not a jurisdictional problem. Council Member Egbert was very impressed with the presentation. He asked to consider funding...

Council Member Egbert moved to approve funding the \$150 start up fee out of the MYAB budget; Council Member Mann seconded the motion if it is paid out of the MYAB fund; Mayor Woodland asked for a vote:

Those voting aye

- Council President Mann
- Council Member Erickson
- Council Member Sutherland
- Council Member Stout
- Council Member Egbert

Those voting nay

None

The motion carried.

Presentations:

A. Official City Election Results – City Clerk

City Clerk Blair Kay the explained the new state election law. He said Madison County is now in charge of the City elections. He reviewed the elections results.

**CITY OF REXBURG RESULTS
November 8, 2011 ELECTION**

Precinct	Mayor			City Council						
	Richard S. Woodland	Donna L. Benfield	Erick Salcedo	Keith Ferrin	Jerry Merrill	Troy Rasmussen	Sally Smith	Cory Sorensen	Garon Bell	Jordan C. Busby
2	3	6	0	0	4	0	6	7	1	5
3	10	1	0	5	10	5	4	9	0	0
4	1	4	0	1	3	4	0	0	4	1
5	245	158	15	107	238	114	221	150	169	127
7	207	167	23	189	217	75	163	98	185	113
8	352	244	23	140	377	167	248	243	150	315
9	62	51	3	20	66	38	55	75	31	31
10	38	28	15	12	39	31	33	23	17	42
11	7	7	0	4	7	3	9	3	6	3
12	2	4	0	1	3	3	4	2	1	4
13	3	0	0	1	2	2	1	0	0	3
14	56	39	5	15	55	31	51	25	45	48
15	234	91	7	67	205	55	159	109	66	217
16	345	455	20	248	482	148	487	204	174	483
CO. TOTAL	1,565	1,255	111	810	1,708	676	1,441	948	849	1,392



STATE OF IDAHO
COUNTY OF MADISON

} ss.

We, the commissioners of the county and state aforesaid, acting as a Board of Canvassers of Election, do hereby state that the attached is a true and complete abstract of all votes cast within this county for the candidates and/or questions as they appeared at the election held on November 8, 2011, as shown by the records now on file in the County Clerk's office.

Kimber Rubin

Jan O. Usher

Tom Smith

County Board of

Canvassers

Attest: *Kim H. Miller*

County Clerk

(County Seal)

Council Member Sutherland moved to ratify the Official City Election Results as canvassed by the County Commissioners of Madison County on Thursday, November 10th; Council Member Erickson seconded the motion; Mayor Woodland asked for a vote:

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

The motion carried.

Recently elected City Council Members Jerry Merrill and Sally Smith were in attendance and they were congratulated on their new positions with the city as City Council members.

B. Rexburg Children's Museum Business Model – Barbara Huston

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Rexburg Children's Museum

Board of Directors:

Barbara Huston
940-704-4805
hustonbarb@yahoo.com

Jenny Huston
940-224-5428
jennyandtwo@hotmail.com

Scott Huston
208-403-2840
scottallen12@hotmail.com

Executive Summary:

The Children's Museum of Rexburg is a hands-on science learning center targeting the age group 2-16 but including all age groups. We have not found a location and are hoping to work through the city to find a 5000 square foot building that we can use for a nominal fee. What makes this unique is the fact that the children can touch everything that's in the museum and a great deal of the displays and exhibits will be interactive and will allow children to explore their imaginations in many areas.

It will be registered as a non-profit organization through the state of Idaho and we will join the Association of Children's Museums. This is an umbrella organization with over 320 children's museums located throughout the country, all with the same goals of creating a low priced, easy accessible family museum. We hope to utilize the community for donations and involvement to make this truly a community center.

As residents of this area we have recognized the length of the winters. This often results in "cabin fever," especially for small children. The Rexburg's Children Museum would be a viable outlet for parents looking to let their children just play in a learning, hands-on environment.

Mission Statement:

Helping children develop and explore their interests through hands-on learning in a family friendly environment.

Management:

Currently our Board of Directors consists of three members. However, we hope to be joined by the mayor and perhaps the city planner so that we will do the things that will truly benefit Rexburg the most.

Financial Projections:

The cost of incorporation as a non-profit organization is \$30.00 to the state of Idaho. The Rexburg's Children Museum dues are approximately \$400 per year. Currently all of our staff is on a volunteer basis however a paid director would open the door to full-time availability. If we can utilize some of the volunteer staff at the college along with their expertise the displays could be less expensive compared to purchasing them at a science outlet. Many of the activities would be easy to put together and the displays could be sponsored by businesses hoping to create interest in their specific field. The big expense right now is a facility and much of our overhead will depend on the costs of the facility.

We view the entrance very similar to that of Rexburg Rapids which is currently \$5 per person. We intend to offer family memberships, a family group price, and sponsor some evening activities such as 'dollar per slice of pizza night' or 'family movie night' etc.

Goals:

Our short term goals are:

1. Receive involvement from the community to help get started.
2. Get a donation from a community business to begin the operation. For example, the

children's museum in Bozeman, MT began with a \$15,000 donation from the Hampton Inn in Bozeman. For this they received a large sign in the lobby thanking them for their contribution.

Our long term goals are:

1. Develop activities that encourage children to explore science worlds in a way that's fun and expose them to a variety of interests which could later perk an interest in a specific career.
2. We would like to create a real community center where parents can bring their children in a non-threatening, educational environment. They can bring a lunch and just spend quality time with each other.
3. We would like to be settled and financially stable so that we can continue to expand.

Personnel:

We would like to have a full-time director who would be paid a full salary and a staff of 2 or 3 who would be paid an hourly rate. The displays would be purchased with donation money or built by sponsors. We hope to utilize the BYU-I and some of the student expertise that they can provide. We could use high school classes to make displays, to volunteer time, and to help with the creative aspect of the museum.

Legal and Insurance:

Incorporating as a non-profit organization comes with its own set of rules which we intend to follow. We would also like the cooperation of the city of Rexburg. Insurance would be purchased for liability and for property damage. A certain amount of insurance is included in incorporating with the Association of Children's Museums.

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Barbara Huston is a mother of 11 children from Lewisville. They go to Rexburg for their entertainment. She proposed the business model for a children's museum in Rexburg. She referenced the children's museum in Bozeman in Montana as a good example to follow. She asked the city to support the proposal to bring the children's museum to Rexburg with local sponsorships. She referred to a national museum network to seek support for this proposal. She needs a 5,000 sq ft building with some startup seed money. The project would be run on part time and volunteer help. She reviewed the options for fees to accommodate families having a \$20.00 ceiling for a family. It is a place for children to interact with the exhibits. She said the sky is the limit; based on your imagination. It must be supported by the city to get a non-profit organization. She hoped for community support.

The City Council took the proposal under advisement.

Committee Liaison Assignments for 2011:

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

Council Member Stout reported on a movement initiated by some students from BYU-I to increase bike safety and access in Rexburg. He mentioned the Tabernacle Orchestra performance last Thursday. Roger Harris said they practice every Wednesday from about 7:30 p.m. to 10:00 p.m. On Thanksgiving Morning there is a Choir Concert at 10:00 a.m. It is very good with a lot of local talent. It is worth attending.

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

Council Member Egbert had nothing to report.

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

Council Member Sutherland had nothing to report.

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

Council President Mann said he met with Chief Child from the Fire Department that afternoon. He reported the Fire Department and Emergency Services is going great. MYAB is working on shop with a cop. Saturday is a martial arts event. Free carousel rides at Porter Park on December 16th.

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

Council Member Benfield was excused.

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

Council Member Erickson reported the Rexburg Redevelopment Agency is planning a meeting on November 22nd to help fund the new parking lot. The golf board is losing Mr. Thompson; Kurk Ricks has been recommended by the golf board to replace Mr. Thompson.

Council Member Egbert moved to ratify the appointment of Kurk Ricks to the golf board; Council Member Erickson seconded the motion; Mayor Woodland asked for a roll call vote:

Those voting aye

Council President Mann
Council Member Erickson
Council Member Sutherland
Council Member Stout
Council Member Egbert

Those voting nay

None

The motion carried.

Public Hearings:

A. [7:45 P.M. Final Assessment Role](#) for LID 40 by Ordinance 1077 – Matt Nielson

Staff presentation of LID 40 – Matt Nielson

Deputy Finance Officer Matt Nielson explained LID 40 mostly consists of projects between 6th and 7th South between 5th and 2nd West. The final assessment was significantly lower by about 25% of estimate. The property owner's part of the project is \$581,000. A letter to notify all of the property owners was sent out. There were also two notifications published in the newspaper. There were no letters, or written complaints about LID 40. There were several calls where people had questions, but there were no complaints.

Those in favor of the proposal: NONE

Those neutral to the proposal: NONE

Those opposed to the proposal: NONE

City Council deliberation of LID 40.

Council Member Erickson asked if the ordinance needed three readings. If read three times the due date in future years for LID payments would be December 21, just before Christmas. After the public hearing there can be no more deliberation on it.

Council Member Egbert moved to suspend the rules for Ordinance 1077 to approve LID 40; Council Member Sutherland seconded the motion; Mayor Woodland asked for a roll call vote:

Those voting aye

Council Member Egbert
Council Member Erickson
Council Member Sutherland

Those voting nay

Council Member Stout
Council President Mann

The motion carried.

Council Member Egbert moved to third read and approve Ordinance 1077 for LID 40 as discussed; Council Member Sutherland seconded the motion; Mayor Woodland asked for a vote:

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

The motion carried.

B. 8:00 P.M. Final Assessment Role for LID 41 by Ordinance 1078 – Matt Nielson

Staff presentation of LID 41 – Matt Nielson

Deputy Finance Officer Nielson gave the locations of the parcels. All property owners came in lower than the estimate, except one. The LID involves Pioneer Road, 7th South near the middle school and a little piece of land by the tower on Barney Dairy Road. The total property owners' costs came to about \$179,000. The interest rate will be 5.5% on both ordinance 1077 and 1078, which is lower than it would be through a bank. All of the work has been completed.

Those in favor of the proposal: NONE
Those neutral to the proposal: NONE
Those opposed to the proposal: NONE

City Council deliberation of LID 41.

Council Member Egbert moved to suspend the rules for Ordinance 1078 to approve LID 41; Council Member Sutherland seconded the motion; Mayor Woodland asked for a roll call vote:

<u>Those voting aye</u>	<u>Those voting nay</u>
Council Member Egbert	Council Member Stout
Council Member Erickson	Council President Mann
Council Member Sutherland	

The motion carried.

Council Member Sutherland moved to third read and approve Ordinance 1078 for LID 41 as discussed; Council Member Stout seconded the motion; Mayor Woodland asked for a vote:

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

The motion carried.

C. 8:15 P.M. Amend city fees including Airport, Rexburg Rapids and Parks – Staff (Resolution 2011 – 13 City Fees)

Staff presentation to amend the city fees – Matt Nielson

The fee changes will impact the Airport, Parks and Recreation Departments. Matt reviewed the proposals recommended by the Airport Board. The landing fee would be changed from \$500 to \$800. This will impact one company. The lot leases will be raised from 12 cents per square foot to 14 cents per square foot. Ball Diamond fees would go from \$16 to \$20. The Madison Baseball Association would be affected by about \$500. It is still being subsidized about 50%.

Rexburg Rapids fees would change for open swim admissions:

Proposed Changes for Open Swim Admissions (Changes in Red)

<u>Open Swim</u>	Daytime 1 - 5:30	Evening 5:30 -8:00
Open Swim (0-3 yr.) *Swim diaper & liner required, not included.	Free	Free
Open Swim (1-3 yrs.) *Swim diaper & liner required. Swim diaper included	\$ 2.25	\$ 2.00
Open Swim (under 48" tall)	\$ 3.75	\$ 3.00
Open Swim (48" or taller) (Age 4 - 59)	\$ 5.00	\$ 4.50
Open Swim (age 60+)	\$ 4.00	\$ 3.00
Slide Pass (48" or taller only)	\$ 1.50	Free
Non-Swimming Entry	\$ 2.75	\$ 2.75
Tuesday & Thursday Evenings -exclusive rental only		\$ 875.00

Why Make Proposed Changes to Admission?

- No Material difference in admission revenues collected (i.e. Using last year’s admission, revenues would increase over \$1600)
- Inventory sales revenues would increase
- Admission would be free for younger ages (0-3) and could possibly attract more paying adults
- Simplify the admission pricing and speed up admission to the park
- Encourage purchase of punch cards, which speeds up receipting and offers additional discounts applicable to all paying patrons.

Family of 5			Family of 7			Family of 4		
Age	Old Rate	New Rate	Age	Old Rate	New Rate	Age	Old Rate	New Rate
29	5	5	42	5	5	27	5	5
30	5	5	41	5	5	26	5	5
8*	5	5	14	5	5	6	3.75	5
4	3.75	5	11	5	5	5	3.75	5
2**	2.25	0	8*	5	5	Total	\$ 18	\$ 20
Total	\$ 21	\$ 20	5	3.75	5			
			2**	2.25	0			
			Total	\$ 31	\$ 30			

* Average child reaches height of 48" at age 7
 **0-3 still require swim liner and diaper, they can bring their own or purchase them

Fitness swim lost money last year. An increase from \$2.00 to \$3.00 is proposed and a 10 punch pass instead of a 20 punch pass has also been suggested. Armed services personnel and veterans to have the same rates as senior citizens. A smaller group rate will be offered at \$275 for groups in the evening, and they will be able to reserve a party room or one shelter with their booking. The last change from the upcoming year will be food can be brought in by anyone. Rexburg Rapids can be reserved online beginning next year.

Those in favor of the proposal:

Joseph Titus at 111 West 7th South Apt. 1308 is in favor of the proposal. It is a good attraction. He has a family of five. He likes the proposal to allow food into the facility.

Those neutral to the proposal:

Jerry Merrill at 571 Taurus Drive asked about the group \$275.00 rate. Deputy Finance Officer Matt Nielson clarified that it is only for evenings and that there are other group rate discounts offered for smaller groups.

Those opposed to the proposal: NONE

City Council deliberated on the proposed city fees. Council Member Egbert said the proposed rate changes are a good idea. Council President Mann agreed with the food proposal on a trail bases.

Council Member Stout moved to approve Resolution 2011 – 13 to amend [city fees](#) including Airport, Rexburg Rapids and Parks; Council Member Egbert seconded the motion; Mayor Woodland asked for a vote:

Those voting aye

Council President Mann
Council Member Erickson
Council Member Sutherland
Council Member Stout
Council Member Egbert

Those voting nay

None

The motion carried.

Council Member Egbert moved to experiment with allowing food inside the Rexburg Rapids facility anytime within the allotted area; Council Member Stout seconded the motion; Mayor Woodland asked for a vote:

Those voting aye

Council President Mann
Council Member Erickson
Council Member Sutherland
Council Member Stout
Council Member Egbert

Those voting nay

None

The motion carried.

Break

Items for Consideration:

- A. [Rezone – 271 South 2nd West](#) – Community Business Center (CBC) to High Density Residential 1 (HDR1) - Toyke Meynders

Toyke Meynders reviewed the need to rezone the property to HDR1 for the Days Inn Motel on 2nd West. The swimming pool has been removed; extensive landscaping has been completed and other changes have been made including a TV room and lounge area for the students. Surrounding properties are already zoned as HDR or Commercial Business. They are in the PEZ 1 Overlay.

Council Member Erickson said there were three properties in the area lacking an HDR Zone. It was recommended by Planning and Zoning to rezone this property to HDR1. His property is only one block from BYU-Idaho. He plans students to move in January 2nd.

Council President Mann asked if it was single student housing. Mr. Meynders explained the units will be remodeled with three rooms being combined into one apartment requiring bath and kitchen changes.

Staff Review: Community Development Director Christensen explained it was a property use change. The surrounding properties are mostly zoned as HDR1. It meets the Comprehensive Plan Map requirements. Later they will be requesting for a conditional use permit for reduced parking. Recommended to vote on these separately.

Council Member Egbert moved to approve the rezone of **271 South 2nd West** from Community Business Center (CBC) to High Density Residential 1 (HDR1); Council Member Erickson seconded the motion; Mayor Woodland asked for a vote:

Those voting aye

Council President Mann
Council Member Erickson
Council Member Sutherland
Council Member Stout
Council Member Egbert

Those voting nay

None

The motion carried.

Council Member Erickson asked if Planning and Zoning was ok with the PEZ Zone overlay for this property. Yes, they were comfortable with the proposal.

B. Conditional Use Permit – 271 South 2nd West. – to allow a lowered number of parking spaces through use of the Pedestrian Emphasis Zone (PEZ), Ordinance 1021 – Toyke Meynders

Council Member Egbert moved to approve the **Conditional Use Permit** at 271 South 2nd West to allow a lowered number of parking spaces through use of the Pedestrian Emphasis Zone (PEZ) as conditioned in Planning and Zoning; Council Member Stout seconded the motion; Discussion: **Mr. Meynders** did not want to widen the sidewalk to eight feet. The rest of the sidewalk to the University is only five feet. The idea of the PEZ Overlay was to provide additional pedestrian amenities to the University to get reduced parking for a development. They have added additional lighting for the pedestrian amenities. City Attorney Zollinger said their property would have to have an eight foot sidewalk to get the reduced parking per city code for the PEZ Overlay. Council Member Erickson recommended adhering to the recommendations of Planning and Zoning.

**Conditional Use Permit #11 00318 Toyke Meynders
271 South 2nd West
Proposed Conditions of Approval**

1. *A site plan reflecting all conditions of approval and incorporating all City standards, e.g. landscaping, parking, snow storage, drainage, etc. shall be submitted and approved by the City prior to the issuance of a building permit.*
2. *Design Standards and a landscape plan shall be reviewed and approved by the Design Review Committee 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 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. The complex management shall be responsible to make sure that only those with parking contracts be allowed to park at site. BYUI storage parking shall be purchased by the complex management and contracts made with students for this parking. All other students will have a contract that clearly states that they do not have a parking space and must not park on the City streets or parking lots.*
7. *Requirements of the PEZ Ordinance are to be applied to this project.*

8. *The Conditional Use Permit is contingent upon the zone change from CBC to HDR1.*
9. *41% parking shall be maintained in perpetuity.*
10. *The sidewalk along 3rd South shall be 8-feet in width.*

Council Member Egbert amended his motion to include the Planning and Zoning conditions; Council Member Stout amended his second to include the Planning and Zoning conditions; Mayor Woodland asked for a vote:

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

The motion carried.

- C. [Rezone – 420 and 450 West 4th South](#) – Community Business Center (CBC) to Mixed Use 2 (MU2) – Magnuson Motel – Chris Carr

Chris Carr reviewed his proposal to rezone the property for apartment conversion. MU2 Zoning will allow community housing for student apartments. Newlywed college students are the target market. It will be a high quality low rent facility. It is going to have a parklike setting with a new name “Central Park”. There are 39 applications for 6 month or 12 month leases. Most of the applicants only have one car. The parking survey showed minimal impact on parking with maximum benefit by location to the University. Location will be key. Discussion on the PEZ Overlay which ends at the canal on 4th West.

Council President Mann asked about the size of the apartments etc. The size is 276 square feet to 342 square feet. Chris Carr said the idea is to have one couple, but they cannot discriminate against familiar status. Rent includes the first two people of a family with additional premiums for additional people in an apartment. These additional fees will discourage more than 2 people in an apartment and will be priced the same as one or two bedroom apartments. He asked what is contained in a pocket kitchen. Chris Carr explained that it is a kitchen with just a microwave. There are also communal kitchens with ovens available for tenant use. They have plenty of parking for 101 tenants. The applicants are all couples. Their target market is for lower income tenants. The higher occupancy will be cost effective.

Council President Mann asked about there entrances to 4th South. The PZ Commission asked to have another access on to 4th West. Community Development Director Christensen said staff was to review it to see if it was necessary. The city engineer recommended an exit onto 4th West over the canal. Chris Carr was opposed installing his own bridge onto 4th West; however, he was open to sharing a bridge on 4th West with the property owner to the north. Their properties have a connection; however, there is not a road connecting the properties.

Council Member Erickson was concerned with dumping more traffic onto 4th West. City Attorney Zollinger said the recent traffic study indicated there was no problem with adding more traffic onto the 4th West and 4th South intersection. The study looks at what the streets can handle. This issue is to allow a 2nd exit from the parking lot.

Continued discussion on the number of exits needed for this proposal. An engineering evaluation needs to be considered in this discussion. A recent traffic study was completed concerning the 4th West traffic dumping on to 4th South; thus, allowing the high density development to the north of this development to be approved.

Public Works Director Millar reviewed the access onto 4th West; he recommended moving traffic away from the intersection at 4th South and 4th West. Right hand turns are not the problem; however, left hand turns across traffic are a concern.

Council Member Erickson continued to review the traffic flow onto 4th South and 4th West. He wanted to table it pending the resolution of the bridge onto 4th West. Council Member Egbert recommended sharing the existing bridge or put in their own bridge.

Council Member Egbert moved to approve the rezone of 420 and 450 West 4th South from Community Business Center (CBC) to Mixed Use 2 (MU2) conditioned upon providing their own bridge onto 4th West or share the neighbors bridge to the north onto 4th West; Council Member Erickson seconded the motion; Council President Mann had concerns about community housing in hotels; Mayor Woodland asked for a vote:

Those voting aye

Council Member Erickson
Council Member Sutherland
Council Member Stout
Council Member Egbert

Those voting nay

Council President Mann

The motion carried.

D. [Wal-Mart Stores, Inc.](#) at 530 North 2nd East for the sale of beer and wine – Mike Bullard
Mayor Woodland reviewed the application from Wal-Mart.

Discussion on licenses. It was clarified that Wal-mart has a state and county license to sell beer and wine at this location.

Council Member Erickson moved to approve the application to allow the sale of beer and wine for off-premises consumption at [Wal-Mart Stores, Inc.](#) located at 530 North 2nd East; Council Member Stout seconded the motion; Mayor Woodland asked for a vote:

Those voting aye

Council President Mann
Council Member Erickson
Council Member Sutherland
Council Member Stout
Council Member Egbert

Those voting nay

None

The motion carried.

E. [Resolution 2011-14](#) City Council Procedural Rules - Staff

The item was deferred for a future time.

Staff Reports:

A. Public Works: – John Millar

1. **Parking Lot** across the road from City Hall is usable. There is a small section of the alley that hasn't been paved. Gravel will be put in so that the 150 feet unpaved section of alley will be usable in the winter. The power relocation is underway with the rest of the project to be completed in the spring.
2. **The "Left Hand Turn Lane"** signal project on Main Street at Center Street and 1st East is underway with the curbing and gutter installed. Completion is expected at the end of the year. Heating will be necessary as it gets colder. The project should be finished by the end of the year.
3. **The high pressure sewer line** project along Hwy 20 to the sewer plant is moving forward without incident. It should be near completion in two weeks. It allows a lot of growth capacity on the south end of town.
4. **The sidewalks** and paving are still to be completed on Main Street.

B. Finance Department: - Richard Horner

1. **City/Employee Dental Insurance** is under review with several options presented to the City Council. The dental insurance was bid to get the best price for the city and the employees. There were seven (7) options considered. He presented a chart and explained the options. The budget was set at a maximum of 10% increase of dental and health insurance combined. Option seven “Healthy Choice” was supported by the employee committee. Council Member Sutherland said it was remarkable to keep the rates at the current level. The current plan is incentivized to encourage good health care decisions.

Council Member Stout moved to approve Option Seven (7) “Healthy Choice” for the employee dental insurance as recommended by the employee committee; Council Member Egbert seconded the motion; Mayor Woodland asked for a vote:

Those voting aye

Council President Mann
Council Member Erickson
Council Member Sutherland
Council Member Stout
Council Member Egbert

Those voting nay

None

The motion carried.

2. **Annual physical** – the proposal is to require an annual physical to receive the incentive. An incentive of \$1,700 is proposed with a \$2,500 deductible. There are two incentives per family required for the family coverage. It is preventative health care and it will save the city money down the road. The physical can catch problems before high medical costs are incurred. The benefit comes the year after the physical.
Discussion: timing for getting a physical this year. Council Member Erickson encouraged the employees to get their physicals to take advantage of the incentive. Some positions are required to get a random drug test like employees with a CDL licenses. Council President Mann asked what is required on the physical. Finance Officer Horner said it is per the doctor’s recommendation. Council Member Stout asked staff to make every effort to educate the employees to the need to get a physical. He asked to amend the motion to give leeway to the timing.

NOTICE TO ALL EMPLOYEES
OF A CHANGE IN THE CITY OF REXBURG
HEALTH REIMBURSEMENT ACCOUNT (HRA) RULES
November 16, 2011

The City Council has made a change in the eligibility requirements for City funded HRA contributions to employee’s accounts, which is applicable to employees and their spouses that are subscribed to the City’s health insurance policy.

1. **Old policy:** Employees and spouses who are subscribed to the City’s health insurance policy and who have completed the required Wellness Exam during the calendar year 2011 will be eligible for the 2011 additional HRA contribution of \$400 per deductible to be added to the employee’s account. This has not changed.
2. **New policy:** The total 2012 HRA contribution of \$1700 per deductible will only be contributed to those employee’s accounts where the employee and spouse, if applicable, completed the required Wellness Exam during 2011. Future year contributions are dependent upon prior year completion of the Wellness Exam.
 - a. Those employee’s or spouses who do not complete the required Wellness Exam during 2011 will receive NO contribution to their HRA account for 2012.

- b. Those employees and spouses who have not yet completed the required Wellness Exam in 2011 must have it completed by December 31, 2011 in order to be eligible for both the 2011 \$400 and the 2012 \$1700 contributions.
- c. Those who have already completed the 2011 Wellness Exam are already eligible for both the 2011 \$400 and the 2012 \$1700 contributions.
- d. Flexible spending accounts (FSA or Cafeteria Accounts) are not affected by this policy.
- e. Employees who are hired after November 16, 2011, and their spouses, will be required to complete a Wellness Exam within 30 calendar days after starting participation in the City's health insurance plan, which will qualify them for a proration of the current year's contribution and the following year's full contribution.

Council Member Sutherland moved to approve the annual physical requirement for the \$1700 incentive as discussed; Council Member Egbert seconded the motion; Mayor Woodland asked for a vote:

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

The motion carried.

Calendared Bills and Tabled Items:

A. "LAND USE ACTION" – BILLS RECOMMENDED/APPROVED IN A AND USE PUBLIC HEARING PROCEDURE:

- 3. [Ordinance 1076](#) Rezone two properties (271 S 2nd W; 420 & 450 W 4th S) – Staff

Council Member Sutherland moved to suspend the rules to allow passage of Ordinance 1076 which contains **both** rezone proposals recommended by Planning and Zoning; Council Member Erickson seconded the motion; Mayor Woodland asked for a Roll Call Vote:

<u>Those voting aye</u>	<u>Those voting nay</u>
Council Member Egbert	Council President Mann
Council Member Erickson	Council Member Stout
Council Member Sutherland	

The motion carried.

Council Member Erickson moved to third read and approve Ordinance 1076 rezoning [271 South 2nd West](#) from Community Business Center (CBC) to High Density Residential 1 (HDR1) and rezone [420 and 450 West 4th South](#) from Community Business Center (CBC) to Mixed Use 2 (MU2); 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	Council President Mann
Council Member Erickson	
Council Member Sutherland	
Council Member Stout	

The motion carried.

B. BILL Introduction: – 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:

Nothing to report other than two meetings tomorrow – the Business Plan Competition and Eastern Idaho Legislative Forum.

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:

November 02, 2011 meeting

Approve the City of Rexburg Bills

Discussions on purchasing a man lift instead of renting a man lift. The decision would need some analysis. If the need to purchase is cost effective, staff will submit a budget item in 2012.

Council Member Sutherland moved to approve the Consent Calendar consisting of the city bills and City Council meeting on November 02, 2011; Council Member Stout seconded the motion; Mayor Woodland asked for a vote:

Those voting aye

Council President Mann

Council Member Erickson

Council Member Sutherland

Council Member Stout

Council Member Egbert

Those voting nay

None

The motion carried.

Mayor Woodland asked to go into Executive Session to discuss property acquisition.

Council Member Stout moved go into Executive Session to discuss property acquisition per State Statute 67-2345 (c) "To conduct deliberations concerning labor negotiations or to acquire an interest in real property which is not owned by a public agency;" Council Member Egbert seconded the motion; Mayor Woodland asked for a Roll Call Vote:

Those voting aye

Council President Mann

Council Member Erickson

Council Member Sutherland

Council Member Stout

Council Member Egbert

Those voting nay

None

The motion carried.

Executive Session.
Executive Session ended at 10:26 P.M.

Adjournment

Richard S.Woodland, Mayor

Attest:

Blair D. Kay, City Clerk