

City Council Meeting

August 22, 2012



CITY OF
REXBURG
America's Family Community

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August 22, 2012

Mayor Richard Woodland

Council Members:

Christopher Mann Jordan Busby
Donna Benfield Jerry Merrill
Bruce Sutherland Sally Smith

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

Welcome to the meeting by Mayor Woodland.

Roll Call of Council Members:

Attending: Council Member Busby, Council Member Benfield, Council Member Merrill, Council Member Smith, and Mayor Woodland.

Council President Mann and Council Member Sutherland asked to be excused.

Ethan Meeker led the Pledge to the Flag.

Aaron Swenson said the prayer.

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

Presentations: - NONE

Committee Liaison Assignments for 2012:

A. Council Member Christopher Mann: *Golf Board · Emergency Services Board · MYAB*

Council President Mann was excused.

B. Council Member Jordan Busby: *GIS Oversight · Airport Board*

Council Member Busby reported GIS and the Airport Board have met. The GIS 2-3 year plan was presented. It will standardize City/County GIS procedures.

Council Member Busby moved to approve the 2013 GIS Objectives; Council Member Merrill seconded the motion; Discussion: Council Member Benfield asked if the items were budgeted; Council Member Busby explained yes, there has also been budget reductions from the county. Mayor Woodland asked for a vote:

Those voting aye

Council Member Busby
Council Member Benfield
Council Member Merrill
Council Member Smith

Those voting nay

None

The motion carried.

2013 GIS Objectives

Must be done

- Migrate production data to the local gov't data model
- Modernize GIS Data Dissemination Application
 - Utilize Election Polling Place template for November election
 - Utilize Tax Parcel Editing template
 - Implement Utility Infrastructure Viewing template
- Standardize/streamline 911 dispatch updates
- Publish 2012 3-inch city aerial
- Reworking P&Z Review Process
 - Plats
 - Comp Plan changes
 - Zoning changes
 - CUPs
 - Vacations
 - ROW Acquisition
 - Address Assignments
- Update Standard Publications
- Develop workflow for Quality Control of data

On the horizon

- Empower end users
 - Implement ELA for city and county
 - Implement ArcGIS Online for Organizations
- Modernize GIS Data Dissemination Application
 - Build Public Parcel Viewer
 - Build Assessor Dashboard
 - Build Address Data Management
- Determine clear strategy for updated Standard Publications
- Develop and implement training curriculum and schedule for GIS users
- Define data structure and workflow for automating publication update cycle

Undetermined

- Develop Elevation Model from LIDAR for future flood plain modeling
- Implement new City Works LIS
- Develop strategy for maintaining infrastructure data layers
- HAZUS / Fire Mitigation Plan / Emergency Planning
- Asset Management
- Community Development Support
 - P&Z Planning Studies
 - Economic Dev. Query tools
- Communicate effectively with stakeholders

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Council Member Busby indicated the Airport Board met in a joint meeting on August 13th, 2012 with the City and County. A public hearing will be held on September 5th to discuss maintenance costs and raising the rent on the hangar spaces.

Council Member Merrill asked if a secondary support person could be added to the airport facility for future stability.

Council Member Busby explained he will address this issue at the next Airport Board meeting.

C. Council Member Donna Benfield: *Trails of Madison County* · IBC · *Teton Flood Museum Committee* · M.E.P.I.

Council Member Benfield reported all three committees will meet in September.

D. Council Member Sally Smith: *Legacy Flight Museum* · *Rexburg Arts Council (Romance Theatre & Tabernacle Civic Center, Orchestra)*

Council Member Smith reported the Legacy Flight Museum met last Friday. The Arts Council met to discuss the front of the Romance Theatre façade which is under construction. Council Member Busby asked how much more the curved glass would cost. The Idaho Heritage Foundation added additional funding to purchase the curved glass. They have contributed about \$17,000 for the

restoration project. There will be old movies shown starting in the 2nd week in September. The Arts Council will fund the start up costs for the old movies.

E. Council Member Jerry Merrill: *Beautification Committee · Parks & Recreation · Traffic & Safety · Urban Renewal Agency*

Council Member Merrill reported the Traffic and Safety Committee has not met. The pool is adding replacement parts for future maintenance. There was a low pressure switch purchased for maintenance. One of the boilers went down and it is being repaired. Council Member Busby asked about a couple of sections of concrete that need to be replaced under warranty at the pool. They will be replaced after the end of the season at Rexburg Rapids.

F. Council Member Bruce Sutherland: *Planning & Zoning · School Board · Police*

Council Member Sutherland was excused.

Public Hearings:

A. 8:00 P.M. Amendments to the 2012 fiscal year budget by appropriating additional monies received by the City of Rexburg - Staff

Presentation by staff: Finance Officer Horner reviewed the budget additions on the overhead screen. The General Fund was reduced by \$3,500. The Tabernacle windows project was modified. The Emergency Services fund was increased due to additions. The Fire District carry over of the Sugar City Fire Station was part of the increase. The upstairs area in City Hall was completed. The Romance Theatre has had grant monies added. The street repair contracts had some carry over's. The Golf Course fund was increased for the new nine holes. The LID's had a couple of big project finished including 6th South. The Arts Council increased their budget for added projects. The fiber initiative was for a fiber study costing \$72,900, which should be paid by outside funding. The Eastern Idaho Business Competition had some expenses. Shop with a cop has their own fund. Non amended funds are funds not requiring any changes. The golf course revenue is expected to be higher than budgeted. The balance remaining on the nine hole project is about \$600,000. The city has a management contract for the day to day operation of the Golf Course.

Discussion on the professional service management contract for the golf course. The golf course has historically made a profit for the city. Before the city entered into this contract, the city had to subsidize the golf course. Idaho Falls subsidized their three golf courses.

Discussion on the remodel of the upstairs area of City Hall. The alarm company is installing low voltage wiring for their business needs which will be part of the City Hall infrastructure at the end of the contract.

Public Testimony **in favor** of the proposal (5 minute limit): NONE

Public Testimony **neutral** to the proposal (5 minute limit): NONE

Public Testimony **opposed** to the proposal (5 minute limit): NONE

Mayor Woodland closed the hearing:

Council Member Merrill moved to approve the amendments to the 2012 fiscal year budget by appropriating additional monies received by the City of Rexburg; Council Member Benfield seconded the motion; Discussion: The budget amendments cover operations and capital. It is a matter of covering budgets with additional cash coming into the city. Mayor Woodland asked for a vote:

Those voting aye

Council Member Busby
Council Member Benfield
Council Member Merrill
Council Member Smith

Those voting nay

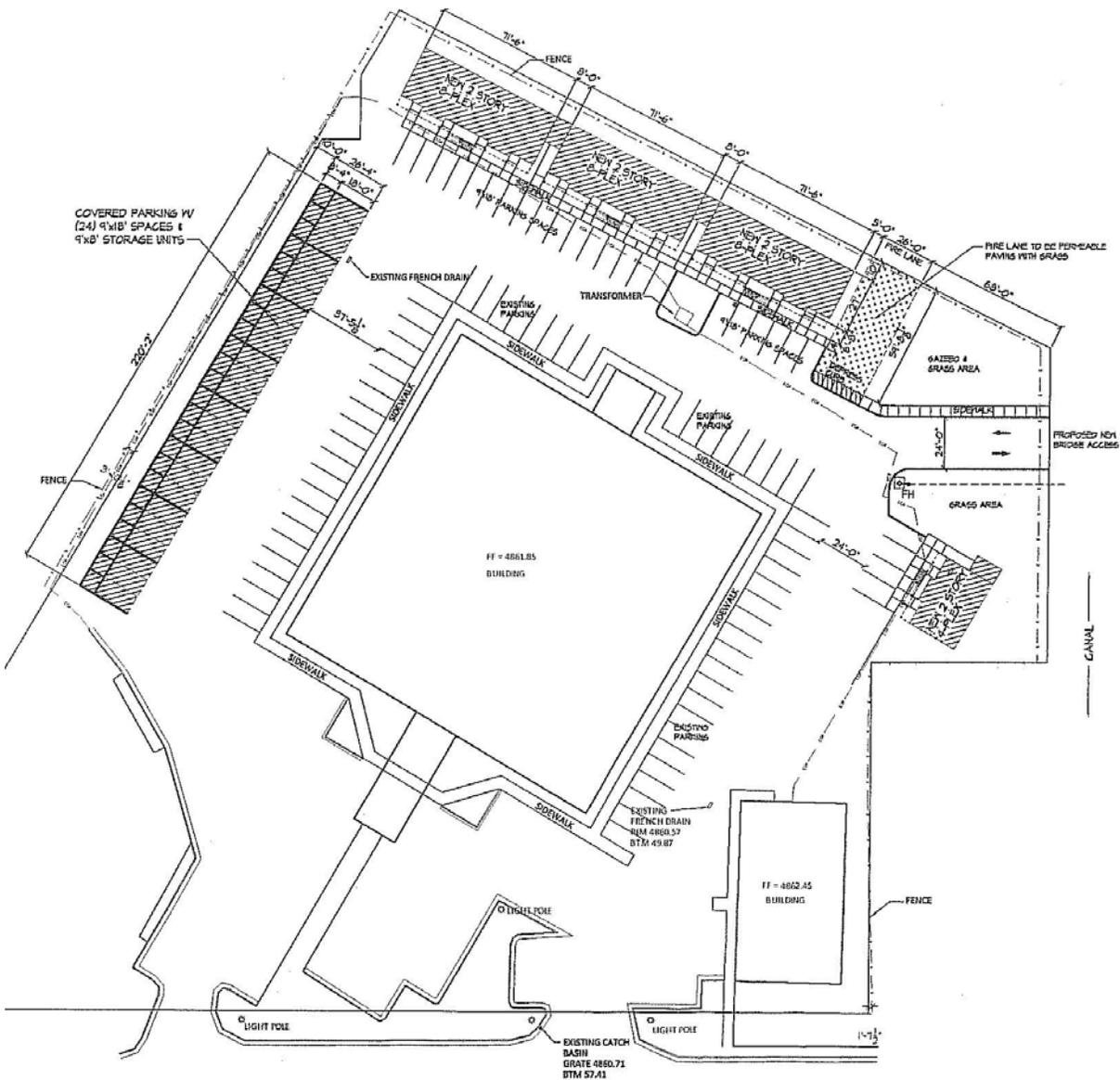
None

The motion carried.

Items for Consideration:

A. Conditional Use Permit – 450 West 4th South – to increase density from thirty (30) units per acre to forty (40) units per acre.

City Attorney Zollinger explained Central Park Apartments has been converted into married housing. Chris Carr indicated they are adding additional units to the property. This request will add up to 40 units per acre. It is north of Frontier Pies on 4th South. Planning and Zoning recommended approval of this request with some conditions. They will build a 28 foot bridge with a pedestrian access over the canal when the water is out of the canal. Planning and Zoning recommended the 2 story 4-plex, shown in the plan below, be moved in order to create more open space. The new building will have two stories on the ends of the building with a three story building in the middle. Covered Parking will also be built on the North West side of the property. They want to finish off the project to clean up the lot. Council Member Busby asked about the need for a traffic study for the 4th West access. Public Works Director Millar explained a traffic study was completed when the first phase of the project was approved. The traffic study indicated traffic flow would be acceptable. There is another three story project immediately north of this project accessing 4th West.



WEST 4TH SOUTH

SOUTH 4TH WEST

Discussion:

Council Member Benfield moved to approve the Conditional Use Permit at 450 West 4th South to increase density from thirty (30) units per acre to forty (40) units per acre subject to the Planning and Zoning conditions; Council Member Smith seconded the motion; Mayor Woodland asked for a vote:

Those voting aye

- Council Member Busby
- Council Member Benfield
- Council Member Merrill
- Council Member Smith

Those voting nay

None

The motion carried.

B. Beer and Wine Licenses for 2013 – Staff

Discussion:

BEER LICENSES:

HB BOYS LC (Chevron One Stop)	\$50.00 OFF PREMISES CONSUMPTION
GREAT SCOTT'S #1	\$50.00 OFF PREMISES CONSUMPTION
GREAT SCOTT'S #2	\$50.00 OFF PREMISES CONSUMPTION
VALLEY WIDE COOP	\$50.00 OFF PREMISES CONSUMPTION
MAVERICK COUNTRY STORE	\$50.00 OFF PREMISES CONSUMPTION
MAVERICK COUNTRY STORE	\$50.00 OFF PREMISES CONSUMPTION
BROULIMS	\$50.00 OFF PREMISES CONSUMPTION
ALBERTSONS #171	\$50.00 OFF PREMISES CONSUMPTION
WALGREENS	\$50.00 OFF PREMISES CONSUMPTION
WAL-MART	\$50.00 OFF PREMISES CONSUMPTION
AMREST, LLC dba: Applebee's Bar and Grill	\$200.00 ON PREMISES CONSUMPTION
WINGER'S	\$200.00 ON PREMISES CONSUMPTION
TETON LANES	\$200.00 ON PREMISES CONSUMPTION
TOTAL	\$1,100.00

WINE LICENSES:

ALBERTSONS #171	\$50.00 OFF PREMISES CONSUMPTION
BROULIMS	\$50.00 OFF PREMISES CONSUMPTION
HB BOYS LC (Chevron One Stop)	\$50.00 OFF PREMISES CONSUMPTION
GREAT SCOTT'S #1	\$50.00 OFF PREMISES CONSUMPTION
GREAT SCOTT'S #2	\$50.00 OFF PREMISES CONSUMPTION
MAVERICK COUNTRY STORE	\$50.00 OFF PREMISES CONSUMPTION
MAVERICK COUNTRY STORE	\$50.00 OFF PREMISES CONSUMPTION
APPLEBEE'S BAR & GRILL	\$200.00 ON PREMISES CONSUMPTION
WAL-MART	\$50.00 OFF PREMISES CONSUMPTION
WALGREENS	\$50.00 OFF PREMISES CONSUMPTION
WINGERS	\$200.00 ON PREMISES CONSUMPTION
TOTAL	\$850.00

Council Member Smith moved to approve the Beer and Wine Licenses for 2013; Council Member Merrill seconded the motion; Mayor Woodland asked for a vote:

Those voting aye

- Council Member Busby
- Council Member Benfield
- Council Member Merrill
- Council Member Smith

Those voting nay

None

The motion carried.

Staff Reports:

A. Public Works: – John Millar

Public Works Director Millar reviewed projects.

1. The boiler at the pool was bypassed to keep the facility running.
2. Wastewater treatment plant project will start next week.
3. Water line being replace on 5th South between 2nd and 3rd West. It will be paved on Monday of next week.
4. Paving is planned for 3rd East this next week.
5. Water study for the city has 50% participation by the Idaho Department of Environmental Quality (DEQ). The Fremont County grant may also participate. Keller Engineering is the best option for the study due to past historical data. The cost will be about \$70,000 to \$75,000. If the city has to contribute to the cost, it will come out of the water budget. It is a modeling study on water usage; can new loads coming onto the system be adequately served. The future needs assessment study will help with the future planning for water rights. The computer model will be available to train the city's staff. The model calculates the volume needed for emergencies, including fire protection. A sewer study is also needed to determine the adequacies of the existing system. A transportation plan is needed to look out 20

years to allow for adequate planning. The Impact Area is going to be included in the studies.

Council Member Benfield asked why an out of town company was selected verses an in town company. Public Works Director Millar explained Keller Engineering has been doing the past engineering work for the city. Recently, they did a large project five years ago for the City.

The worst case scenario to pay for the water study would be 50% participation by the City.

Council Member Smith asked for more numbers on the final costs for completed projects. The 7th South project came in under bid. She asked about the glass grid applied to Valley River Drive. Public Works Director Millar explained the glass grid or fiber glass layer reinforces the pavement to prevent cracks for moving up from the old pavement into the new pavement. The city is adding a fiber optics line to the shop, pool and animal shelter. The work is done by city crews.

Council Member Merrill asked about sod that is not being maintained on 7th South. It is the homeowner's responsibility to maintain the city's right-of-way in front of their house from back of curb to their property line.

Council Member Merrill moved to approve Keller Engineering to do the water study; Council Member Smith seconded the motion; Mayor Woodland asked for a vote:

Those voting aye

Council Member Busby
Council Member Benfield
Council Member Merrill
Council Member Smith

Those voting nay

None

The motion carried.

B. Finance Department – Richard Horner

1. **Employee Benefit** to allow employees to use their Carousel season pass to take grandchildren and great grandchildren with the pass.

“City Carousel Benefit Policy:

The City provides a free family carousel season pass to all full-time employees, which is also available to other employees who have worked for the city for at least 5 years upon request. In addition to the eligible family members as described above, an employee may also use the pass for their grandchildren or great grandchildren, as long as the employee or their spouse is present.”

Finance Officer Horner explained the request was to allow grandchildren and great grandchildren to use the pass.

Council Member Busby moved to approve the Employee Benefit to allow employees to use their Carousel season pass to take grandchildren and great grandchildren with the pass; Council Member Benfield seconded the motion; Mayor Woodland asked for a vote:

Those voting aye

Council Member Busby
Council Member Benfield
Council Member Merrill
Council Member Smith

Those voting nay

None

The motion carried.

Finance Officer Horner indicated golf and recreation fees will be added to the public hearing on the 5th September. Council Member Busby asked about the increase in labor costs in the Wastewater Department. Ted Dye was moved from Building Inspections in the Building Department to the Wastewater Department to maintain city buildings. His labor is paid back to the Wastewater Department budget when he does work on other city buildings. Ted has completed the finish work

SECURITY ALARMS OF BUSINESSES AND HOMES

AN ORDINANCE TO REDUCE THE NUMBER OF FALSE SECURITY ALARMS, THEREBY REDUCING THE COSTS TO THE CITY AND THE BURDEN ON POLICE SERVICES ARISING FROM AN INCREASING NUMBER OF FALSE SECURITY ALARMS, AND DIMINISHING THE RISK OF HARM TO OFFICERS AND THE PUBLIC. BY REGULATING SECURITY ALARM BUSINESSES AND SYSTEMS, THE CITY SEEKS TO ENCOURAGE WELL-MAINTAINED AND ACCURATE SECURITY ALARMS WHILE IMPROVING THE ABILITY OF POLICE TO RESPOND QUICKLY TO CRITICAL CALLS; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE HEREOF.

City Attorney Zollinger reviewed the proposed ordinance to address the problem of a lack of response to false alarms. There have been 3,300 false alarms from 2003 to 2012 which require two police officers to respond. It takes about 30 minutes to one hour to investigate a false alarm. They are time consuming events. The purpose of the ordinance is to require property owners to take responsibility for false alarms. It could put some liability on alarm companies for inadequate alarm operations. There is not a requirement for a permit to have an alarm installed on a building. This ordinance is intended to change the behavior of building owners to limit false alarms. If someone has an alarm system on a building, they would be required to register the alarm with the city. The first false alarm fee is \$25.00 during a 12 month period for the city to respond to a false alarm. The second false alarm fee is \$50.00. After a third false alarm police will no longer respond until the registered alarm owner has provided proof of fixing the alarm system. This ordinance does not include car alarms.

Chief Turman said the real concern is for safety. Every time an alarm goes off, it puts police officers and the public in danger to respond in an emergency situation.

Council Member Benfield said they had a new alarm installed on their business years ago. In the first six months, they had numerous false alarms due to alarm installation problems. She wanted to have some consideration for new systems that may have installation problems.

City Attorney Zollinger indicated the police would be sensitive to businesses' individual situations and work with them to resolve specific issues on new alarm installations. Legal Intern Michael Sexton, Police Officer Gordon and Police Captain Randy Lewis were present to answer questions.

Council Member Busby moved to First Read Ordinance 1090; Council Member Benfield seconded the motion; Mayor Woodland asked for a vote:

Those voting aye

Council Member Busby
Council Member Benfield
Council Member Merrill
Council Member Smith

Those voting nay

None

The motion carried.

Council Member Busby thanked the Rexburg Police Department for the requested incidence report. Police Chief Shane Turman provided a historical false alarm report for the City Council for review. He indicated false alarms needed to be address for many reasons, including police and public safety.

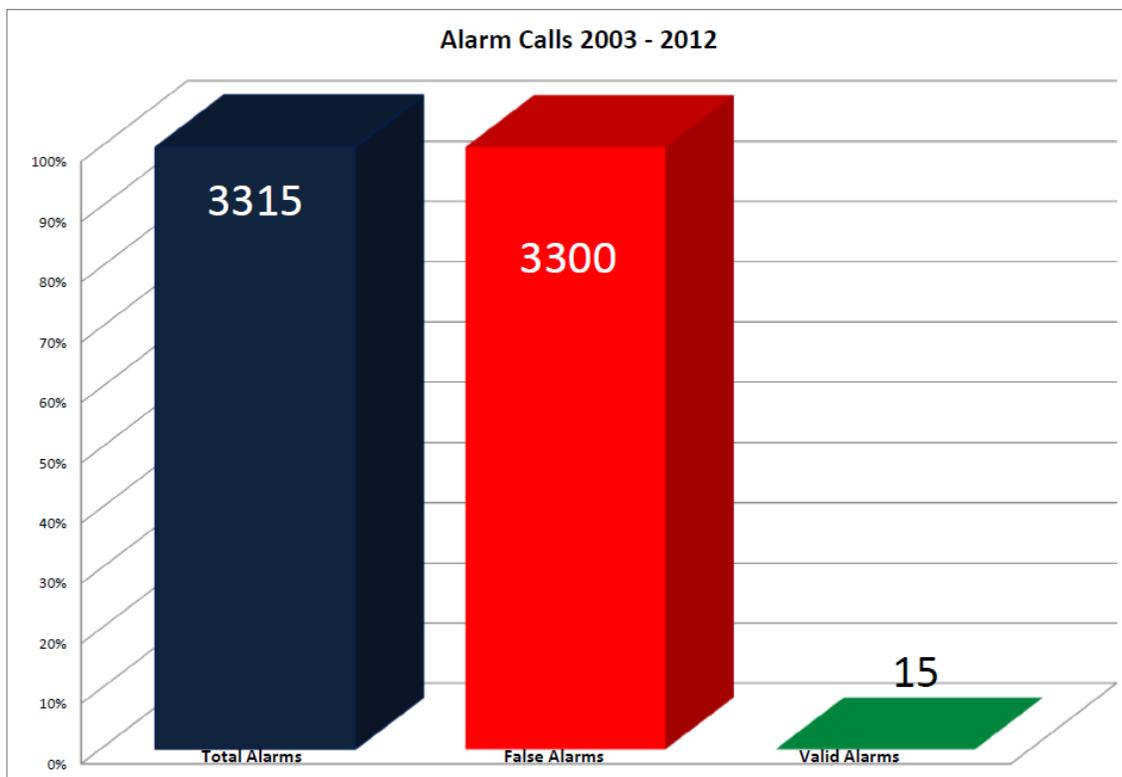
REXBURG POLICE ALARM CALLS 2003 - 2012

ALL ALARMS		2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	GRAND TOTAL
7790	City Hall Alarms	4	7	7	6	6	1	11	5	18	7	72
7705	Fire Alarms	114	154	118	81	99	82	55	73	71	64	911
7703	Residence Alarms	7	17	9	17	25	22	26	21	24	18	186
7702	Business Alarms	197	258	184	232	218	270	189	169	177	106	2000
7701	Bank Alarms	20	14	10	36	10	8	7	9	10	15	139
	Campus Alarms	0	0	1	0	0	0	0	0	0	6	6

FALSE ALARMS		2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	GRAND TOTAL
7709	City Hall Alarms	2	7	7	4	6	1	11	5	18	7	68
7705	Fire Alarms	113	150	118	80	99	80	54	73	71	64	902
7703	Residence Alarms	7	17	9	17	25	21	26	21	24	18	185
7702	Business Alarms	197	258	184	232	218	269	189	169	177	106	1999
7701	Bank Alarms	20	13	10	36	10	8	7	8	10	15	137
	Campus Alarms	0	1	1	1	0	0	0	0	0	6	9

TOTAL ALARM CALLS	342	450	329	372	358	383	288	277	300	216	3315
TOTAL FALSE ALARMS	339	446	329	370	358	379	287	276	300	216	3300
ACTUAL CALLS	3	4	0	2	0	4	1	1	0	0	15

AVERAGE TOTAL ALARM CALLS PER YEAR 331.5
AVERAGE TOTAL OF FALSE ALARMS PER YEAR 330.1
AVERAGE TOTAL OF VALID ALARMS PER YEAR 1.4



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

1. Ordinance 1088 – Appropriation Budget 2013

Discussion:

Council Member Smith moved to Second Read Ordinance 1088; Council Member Busby seconded the motion; Mayor Woodland asked for a vote:

Those voting aye

- Council Member Busby
- Council Member Benfield
- Council Member Merrill
- Council Member Smith

Those voting nay

None

The motion carried.

F. Third Reading: Those items which have been second read: - NONE

Mayor's Report:

Consent Calendar: The consent calendar includes items which require formal City Council action, however they are typically routine or not of great controversy. Individual Council members may ask that any specific item be removed from the consent calendar for discussion in greater detail. Explanatory information is included in the City Council's agenda packet regarding these items.

- A. Minutes from August 08 and August 13, 2012 meetings
- B. Approve the City of Rexburg Bills

Council Member Busby asked about the Auto Zone purchases like one purchase for seat covers. He requested the identity of the vehicles being charged for these little purchases.

Council Member Busby asked about funding for the Dare Officers and contributions made to the DARE Program by other entities.

Discussion on the police department coverage of the BYU-I Campus and how the city police interact with BYU-I Security. Chief Turman indicated there are 62 incorporated cities in Idaho; Rexburg is 58th on the Idaho Cities list for police officers per capita. If the city did not have funding to cover the University's student population, there would be at least four less police department employees in Rexburg; (*two police officers, a detective and a secretary.*) If Rexburg met the average Idaho per capita ratio of police officers to citizens in other Idaho cities, Rexburg would need an additional 12 police officers.

Council Member Busby moved to approve the Consent Calendar; Council Member Merrill seconded the motion; Mayor Woodland asked for a vote:

<u>Those voting aye</u>	<u>Those voting nay</u>
Council Member Busby	None
Council Member Benfield	
Council Member Merrill	
Council Member Smith	

The motion carried.

Council Member Smith moved to adjourn; Council Member Merrill seconded the motion; Mayor Woodland asked for a vote:

<u>Those voting aye</u>	<u>Those voting nay</u>
Council Member Busby	None
Council Member Benfield	
Council Member Merrill	
Council Member Smith	

The motion carried.

Adjourned at 2:08 P.M.

Richard S. Woodland, Mayor

Attest:

Blair D. Kay, City Clerk