

# City Council Meeting

October 03, 2012



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

35 North 1<sup>st</sup> East  
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October 03, 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

**6:30 P.M. Work Meeting** to review Technology Coordination Services vulnerability - *“The purpose of this review is to provide a unifying vision and comprehensive overview of Technology Coordination Services strategy in the areas of architecture, management, and systems deployment.”- Kelvin Giles*

**Technology Coordination Services Director Kelvin Giles** introduced Stephen Rigby from BYU-I to review cyber security. He will do a more extensive review of the cyber security review in the Strategic Planning meeting next week.

**Dr. Stephen Rigby** indicated he had done a penetration test on the city’s data systems. Rexburg’s networks are like an Oreo cookie. The networks are hard on the outside; however soft and mushy on the inside. He reviewed an executive summary of the larger items on the overhead screen.

## ***EXECUTIVE SUMMARY***

***Additional Man Hours are Needed to Perform:***

- *Mandatory Security & Awareness Training*
- *Email, Social Engineering & Malware Attacks Greatest Threat*
- *Monitor Security Event Logs, IDS*
- *Took 4 weeks before incident was noticed.*
- *Redundancy*
- *Critical Systems Single Point of Failure*
- *SAN*
- *Proxy – Blacklisting Whitelisting*
- *Disaster Recovery / Incident Response Plans*
- *Forensics*
- *User Account Management*
- *4 weeks to notice domain admin account created*
- *Multi-Factor VPN*
- *Intrusion Detection & Prevention*

**Dr. Rigby** recommended watching for security events and implementing system monitoring for system invasions. The test results indicated some areas of concern to be monitored. The servers were attacked to test the cities security systems. He recommended using stronger passwords. He said data could have been lost or stolen in his test of the system. He wants to see Rexburg’s system to be

safe and protected. Council Member Sutherland asked for a recommendation in order to correct the situation. Dr. Rigby explained both man hours and technology are needed. Employees need to be trained on fishing emails, etc. The Technology Coordination Services Department needs additional manpower to monitor the city's data systems from outside attacks. He recommended having a multi-factor authentication virtual private network system for added security; this will allow for additional security. Instead of only a login and a password the system will verify the network login with a call to your cell phone. There are intrusion detection systems also available for protection. Dr. Rigby said it takes time to monitor and verify security systems. Council Member Benfield asked about the security of the city's fire wall. Dr. Rigby explained there were no problems found with the city's outward facing systems (i.e. the internet facing systems). Downloadable files like mal-ware, trojan horses, and fishing software are the largest risks for the city's system.

**Technology Coordination Services Director Giles** gave an overview of the Technology Coordination Services Department Systems on the overhead screen. He said there needs to be more work on fully integrating the city's server systems.

*The City of Rexburg's kludged system:*

*Fully integrated system and implemented to industry standards:*



**Council Member Sutherland** asked if the new virtual server that will be implemented will help integrate the city's server systems. Technology Coordination Services Director Giles explained there are 19 different servers with different roles that need to be organized and sorted as the servers are virtualized. At some point there will be a lot of redundancy in the system to protect the city's data.

**Technology Coordination Services Director Giles** explained in an attempt to maximize level of service and staff satisfaction, daily requests have been the highest priority during the past year. Projects to a) address vulnerabilities, b) update infrastructure and c) implement new technology (including more cost effective technology) have been the casualty as a result of the time logged to address daily requests in a timely manner. During the six month period ended September 30th, 77% of the time logged by Technology Coordination Services staff went to address daily requests. Only 23% of the total time logged went to those projects that would minimize vulnerabilities, address infrastructure deficiencies, and to implement new technology. With the increase in daily requests the inability to implement new technology in a timely manner, the inability to address vulnerabilities, and the inability to address infrastructure deficiencies was inevitable without a balance between "Scope of Responsibilities" and "Resources Available to Address Responsibilities". Technology Coordination Services Director Giles asked the City Council to approve a second full-time position for the Technology Coordination Services Department for FY2013. This will allow TCS staff to demonstrate progress towards correcting the infrastructure situation.

**Council Member Sutherland** asked about employee assignments to work on the vulnerability issues. Technology Coordination Services Director Giles indicated solving the vulnerability issues is a process which takes time and is not a single event. Council Member Smith asked if the issues presented tonight could be dedicated to a single employee. Technology Coordination Services Director Giles said each employee has specific talents learned over the past year; so, it would be better to have multiple employees work on the vulnerability issues.

Discussion on the budget process to add an additional Technology Coordination Services Employee.

**Council Member Benfield** moved to hire one more full time employee in the Technology Coordination Services Department plus software necessary to secure the city's systems; Council Member Merrill seconded the motion; Discussion: More cost information on software and equipment will be compiled to bring before the City Council for approval. Council Member Sutherland asked for a vote:

**Those voting aye**

Council Member Merrill  
Council Member Sutherland  
Council Member Benfield  
Council Member Smith

**Those voting nay**

None

**The motion carried.**

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

**Council Member Sutherland** conducted the meeting.

**Roll Call of Council Members:**

Attending: Council Member Sutherland, Council Member Benfield, Council Member Merrill, and Council Member Smith.

**Mayor Woodland**, Council President Mann, and Council Member Busby asked to be excused.

**Val Christensen** led the Pledge to the Flag.

**Berry Ricks** 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** was excused

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

**Council Member Benfield** reported the following nine members have committed to be active on the Trails of Madison County Committee;

- |                   |                   |
|-------------------|-------------------|
| 1. Joe Hill       | 6. Jeff Brunson   |
| 2. Kirsten Dona   | 7. Kaleen Craig   |
| 3. Charles Hill   | 8. Virginia Pratt |
| 4. Lila Thompson  | 9. George Simons  |
| 5. Kelly Thompson |                   |

**Council Member Benfield** moved to appoint the aforementioned nine new members to the Trails of Madison County Committee; Council Member Smith seconded the motion; Council Member Sutherland asked for a vote:

**Those voting aye**

- Council Member Merrill
- Council Member Sutherland
- Council Member Benfield
- Council Member Smith

**Those voting nay**

None

**The motion carried.**

**Council Member Benfield** reported the Teton Flood Museum Committee has not met. M.E.P.I has postponed their meeting until the 22<sup>nd</sup> of October.

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

1. **Appointment of Liz Jacobson** to the Rexburg Arts Council replacing “Carly Paul”  
*The City of Rexburg gives thanks and great appreciation to Carly Paul for her selfless service to the City.*

Discussion:

**Council Member Smith** moved to appoint Liz Jacobson to the Rexburg Arts Council replacing “Carly Paul”; Council Member Sutherland seconded the motion; Council Member Sutherland asked for a vote:

**Those voting aye**

- Council Member Merrill
- Council Member Sutherland
- Council Member Benfield
- Council Member Smith

**Those voting nay**

None

**The motion carried.**

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

**Council Member Merrill** reported the pool is being winterized. Traffic and Safety will meet next Tuesday. He asked about the intersection on University Blvd and South Yellowstone Hwy where the traffic stops at the Railroad tracks. An indication where to stop and safety lines are needed to be painted in order to warn drivers of the railroad crossing. Public Works Director Millar explained the city does not have the stencils for painting words to indicate where to stop and will be doing the work once the stencils are received.

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

**Council Member Sutherland** reported a new Planning and Zoning commissioner will be appointed tonight.

**Mayor’s Report:**

- A. Planning and Zoning Commissioner “New Member Appointment”

Discussion:

**Mayor Richard Woodland** has appointed Chuck Porter to the Planning and Zoning Commission.

**Council Member Merrill** asked if Mr. Porter accepted the appointment. Council Member Sutherland explained Mr. Porter has accepted the appointment.

**Council Member Merrill** moved to ratify the appointment of Chuck Porter to the Planning and Zoning Commission replacing Marilyn Rasmussen; Council Member Smith seconded the motion; Council Member Sutherland asked for a vote:

**Those voting aye**

Council Member Merrill  
Council Member Sutherland  
Council Member Benfield  
Council Member Smith

**Those voting nay**

None

**The motion carried.**

**Council Member Sutherland** read Proclamation 2012 – 07.

Residents' Rights Month 2012  
PROCLAMATION  
No. 2012 - 07

My Voice, My Vote, My Right

*Whereas*, there are more than 1.6 million individuals living in 16,000 nursing homes; and  
1 million individuals living in 50,000 board and care/assisted living facilities in the U.S.; and

*Whereas*, the federal Nursing Home Reform Act of 1987 guarantees residents their individual rights in order to promote and maintain their dignity and autonomy; and

*Whereas*, all residents should be aware of their rights so they may be empowered to live with dignity and self-determination; and

*Whereas*, we wish to honor and celebrate these citizens, to recognize their rich individuality, and to reaffirm their right to vote and participate politically, including the right to have a say in their care; and

*Whereas*, individuals and groups across the country will be celebrating Residents' Rights Month with the theme –“My Voice, My Vote, My Right”– to emphasize the importance of affirming these rights through facility practices, public policy and resident-centered decision-making.

*Now, therefore, I, **Richard S. Woodland***, Mayor of the City of Rexburg, do hereby proclaim October, 2012 as **National Long-Term Care Residents' Rights Month**, in the City of Rexburg, and encourage all citizens to join me in these important observances. Signed this \_\_\_\_\_ day of October, 2012.

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Richard S. Woodland, MAYOR

ATTEST:

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Blair D. Kay, CITY CLERK

**Council Member Merrill** moved to ratify Proclamation 2012 – 07; Council Member Smith seconded the motion; Council Member Sutherland asked for a vote:

**Those voting aye**

Council Member Merrill  
Council Member Sutherland  
Council Member Benfield  
Council Member Smith

**Those voting nay**

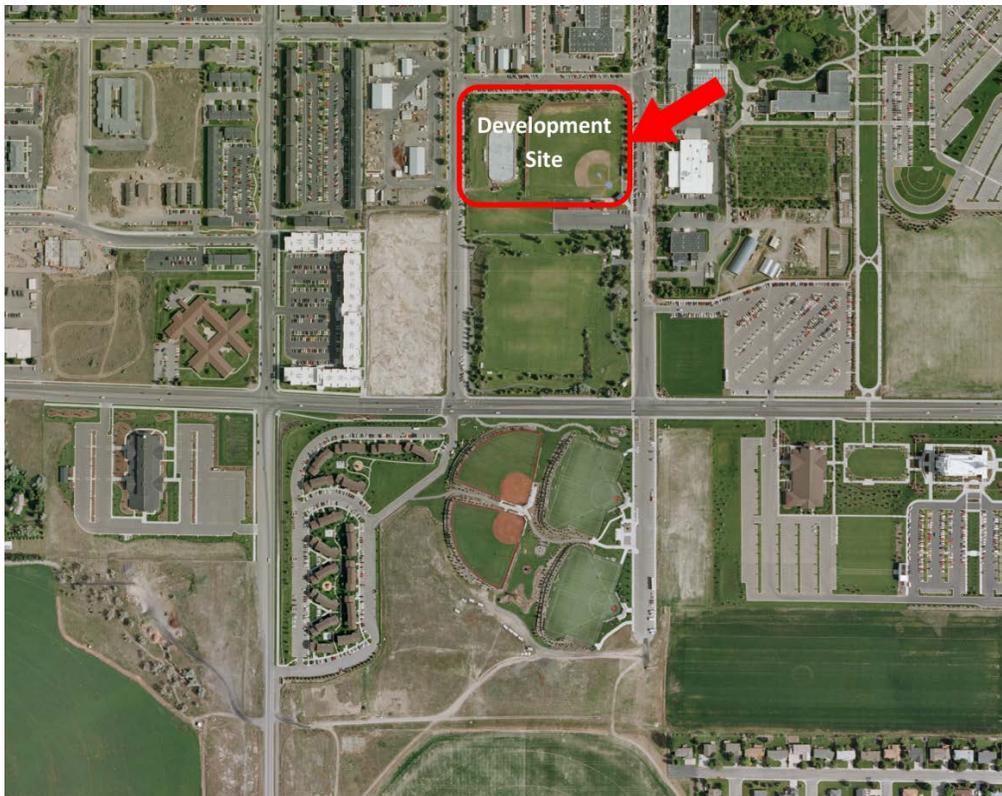
None

**The motion carried**

**Public Hearings:** – NONE

**Items for Consideration:**

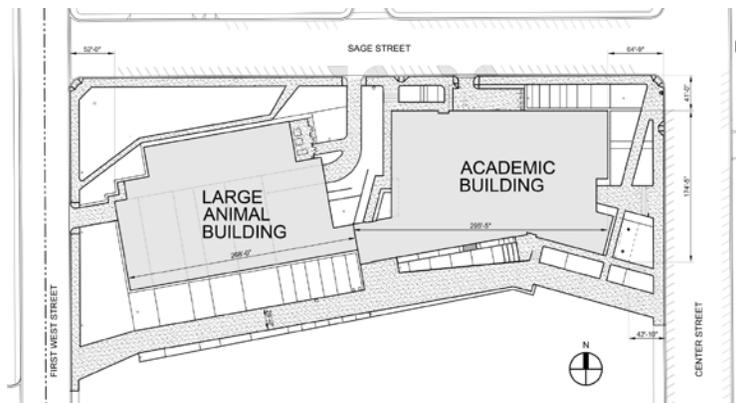
**A. Conditional Use Permit** – BYU-Idaho – Approximately 51 Sage Street - to allow Veterinary Services for Livestock (totally enclosed); Livestock Services – Except Veterinary (totally enclosed); and Small Animal Veterinarian Services (totally enclosed).



**Presentation by the applicant:**

**Attorney Phil Packer** at 525 South Center Street from BYU-I presented an overhead presentation on two new buildings to allow veterinary studies on the BYU-I Campus.

***Agricultural Science Site Plan:***



**Mr. Packer** explained it is an effort to bring the animals to the students instead of sending the students to the Agriculture Livestock Center complex west of Rexburg. The two new buildings will consist of an academic building and a large animal building. The conditional use permit will allow for veterinary services and animal science studies to be conducted within the University District. The new buildings will include studies focused in animal science, agronomy, nursing, health science, food services, etc.

**Jedd Walker** at 648 Centennial Loop from BYU-I is the University Architect for the project. The project started three years ago by studying programs at other universities. He presented the project on the overhead screen.

*The New Live Stock Center:*



The animals will be housed at the new Live Stock Center west of town and then they will be transported to the new agricultural complex on campus for classes as needed. They desire to keep the students on campus. If the program is approved, construction will start next February, 2013. He reviewed the site to be developed on the overhead screen.



The location is on the south side of Sage Street. The east building will be the academic building. The west building will be the large animal building. They do not want any evidence of animals on

campus; so, they will keep the building free of barn yard smells, etc. He described the activities planned in the large animal building.

**Large Animal Building Site Plan:**



Vehicles will enter in the west side of the build unload animals and exit out of the east side of the building. The university will need to follow state and federal regulations with respect to the handling and the caring of the animals within the facility. Sick animals may stay overnight. Regulations require 150 square feet per cow. The square footage of space the facility provides dictates the amount of animals allowed in the facility. This will prohibit the university from packing animals into the facility. There will be a large animal autopsy suit in the facility. There are two large livestock classrooms for demonstrations. Parts of the facility will have slatted floors to allow waste to fall through the floor into a deluge system. The waste will be placed in a septic tank were solids will be pumped periodically. They will work with the Public Works Department to maintain the integrity of the city's sewage system. Additionally, regulations require clean air within the facility. They will have air handling equipment to maintain air quality.

**Academic Building-Lower Level Site Plan:**

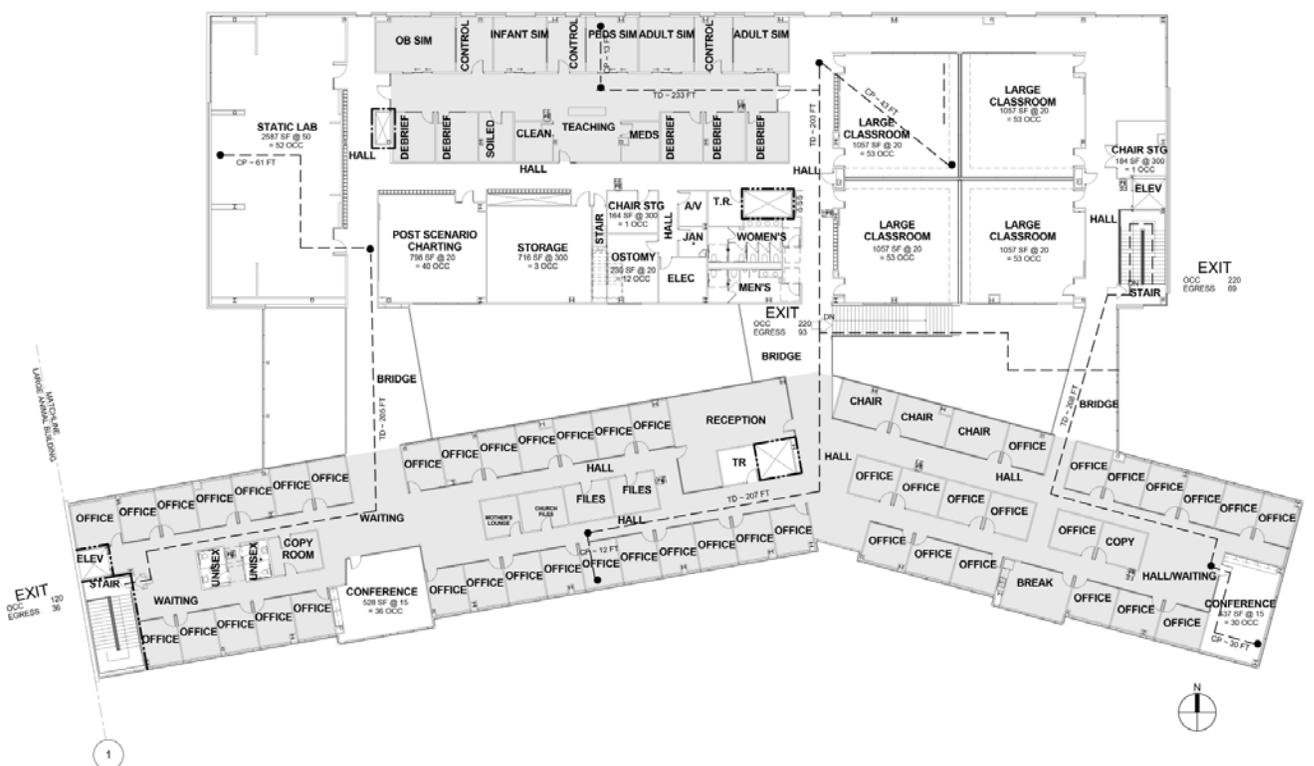


The lower level of the academic building includes a veterinarian clinical area for small animals; including canines, felines, exotic animals, birds, reptiles, rats, mice, etc. These small animals will be housed in this area of the building. The lower level will also include a dairy processing area and a meat processing area. No slaughtering will occur; only boxed meat will be processed. Milk will be processed and may potentially already come pasteurized. Production is not the focus; the purpose is to teach the students.

**Academic Building-Main Level Site Plan:**



**Academic Building-Upper Level:**



Mr. Walker reviewed the several rooms in the main and upper levels of the academic building. The main floor consists of labs and classrooms along with a store that will sell some of the products produced. Upstairs will house the nursing program. This will move some parking to the south; thus, it will help with parking on the north end of campus.

## Architectural Renderings:

*Exterior Perspective-West End:*



*Exterior Perspective-East End:*



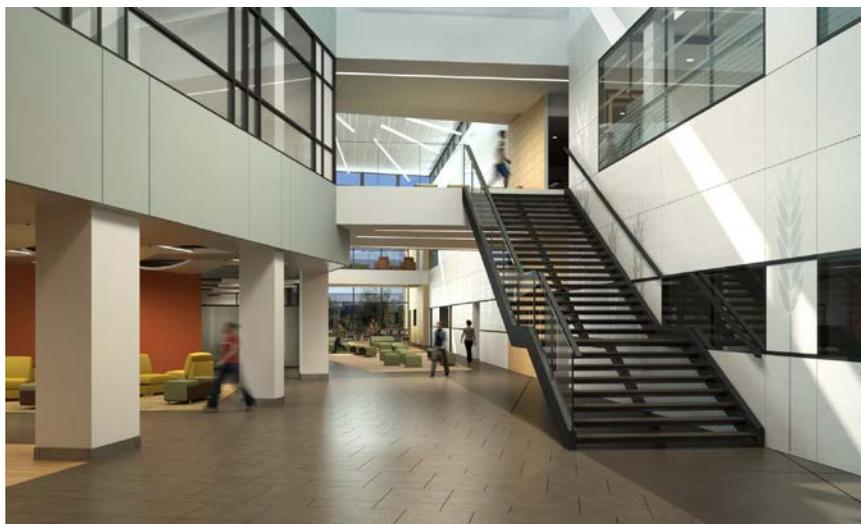
*Exterior Perspective-South End:*



*Exterior Perspective-West End:*



*Interior Perspective-Looking West:*



**Mr. Walker** continued to review views of the interior and the exterior of the buildings. Energy efficient architecture will be used to conserve energy. The design allows for a lot of natural light into the building. The two buildings (130,000 sq. ft.) will be connected. The large animal facility is planned to have a green roof. This will allow for the horticulture department to teach green roof technologies. Council Member Benfield asked for a review of the Planning and Zoning Commission conditions. Mr. Walker said there were three conditions from Planning and Zoning Commission. They are happy to comply with the city's requirements.

*Planning and Zoning Commission conditions:*

- 1. Control of odors shall be managed, and scrubbers will be added if found necessary.*
- 2. Waste management – review and approval of the City Engineer.*
- 3. Operate the facility in accordance with all codes and regulations of governing boards for the handling and safety of animals, and to also protect the campus and the community.*

**Community Development Director Christensen** read the conditions from the Planning and Zoning Commission. Staff review said the project has met the requirement of the Comprehensive Plan and the Planning and Zoning Ordinance. A hard review of the project will be done through the building permit process.

**Council Member Merrill** asked if staff was confident the project will control the emissions from the facility (i.e. the odors and solid waste). Community Development Director Christensen explained he cannot speak for the city engineer with regards to the solid waste; however, if the high velocity exhaust does not work the scrubbers will eliminate the odors emitted.

Discussion:

**Council Member Benfield** moved to approve the **Conditional Use Permit** for BYU-Idaho at approximately 51 Sage Street to allow Veterinary Services for Livestock (totally enclosed); Livestock Services – Except Veterinary (totally enclosed); and Small Animal Veterinarian Services (totally enclosed) including the Planning and Zoning conditions; Council Member Smith seconded the motion; Discussion: None. Council Member Sutherland asked for a vote:

**Those voting aye**

Council Member Merrill  
Council Member Sutherland  
Council Member Benfield  
Council Member Smith

**Those voting nay**

None

**The motion carried.**

**B. Infill Policy for the City of Rexburg – Val Christensen**

**Community Development Director Christensen** presented the changes to the draft Infill Policy. He reviewed the past two zone changes which mirrored the contents of the draft Infill Policy. Changes include the Policy Statement on page two; weighting of scoring importance; and Historic Preservation language.

***Policy Statement***

*Densification through Infill and Redevelopment will save tax dollars by reducing the cost of Streets, Infrastructure, Police, Emergency Services, Sanitation and other vital services. The purpose of the Infill/ Redevelopment effort is to balance community good with individual choice and property rights. The existing Comprehensive Plan Map is the primary document for planning future city growth and development.*

*It is in the best interest of all of the citizens of Rexburg to locate Higher Density Housing Projects near Campus and the City Core whenever possible. Besides the savings of tax dollars, there is also a positive health effect and other cost savings associated with being able to walk to campus, shopping, parks and other City amenities.*

*Identifying Infill/ Redevelopment projects near the City Core and making the necessary zone changes to encourage development not only will clean up vacant needed properties, but will also partially “level the playing field” for these projects versus the lower cost of finding cheaper agricultural ground on the periphery of the City. Infill and Redevelopment are also encouraged in other parts of the City of Rexburg besides the Focus Area.*

***Weighting***

*In order to facilitate the implementation of Infill and Redevelopment in the City core the City of Rexburg City Council, Planning and Zoning Commission and City Staff have identified the following items as important consideration of the process (weighted importance in parenthesis):*

- 1. Protect Stable Non-Fragmented Single Family Neighborhoods (9 out of 10 Importance):*
- 2. Identify Vacant Lots and Underutilized Properties (8.3 out of 10 Importance):*
- 3. Location of Existing Utility Infrastructure (7 out of 10 Importance):*
- 4. Distance From Significant Locations and Amenities (6.9 out of 10 Importance):*
- 5. Street Access (6.9 out of 10 Importance):*
- 6. Historic Preservation (5.3 out of 10 Importance):*

Discussion:

**Council Member Sutherland** asked to wait for a full City Council to finalize the changes at the next meeting. He thanked the Staff for their work on the proposal.

**Council Member Smith** asked to use the document as a guideline; instead of a policy. Community Development Director Christensen said the intent of the document is to protect the neighborhoods.

**Council Member Merrill** said the buffering standards are good to have in the document to protect the neighborhoods. Council Member Smith explained the public hearing process allows for the City Council to set standards. Council Member Merrill said a policy would alleviate the need to go over the same issues with each future application.

**Community Development Director Christensen** said the policy has two components; the first being the mitigation and the second being the weighting. The weighting is to help the City Council understand how high the project scores and the mitigation requires developers to comply with what has been set in the policy.

**C. City participation** in building fees for a small scale house at the Fair Grounds for a “4H Project” to weigh animals - Staff

**City Attorney Zollinger** said the proposal is to help the 4H group with local participation for a grant application. The city has determined to match the building permit fees. The matching funds will come from the city’s protocol fund. The amount for the donation of fees would be about \$500.00.

Discussion:

**Council Member Merrill** moved to approve the City’s participation in building fees for a small scale house at the Fair Grounds for a “4H Project” to weigh animals; Council Member Sutherland seconded the motion; Council Member Sutherland asked for a vote:

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

**The motion carried.**

**Staff Reports:**

**A. Public Works:** – John Millar

- 1. Fall Cleanup** for yard waste - October 15, 2012 to November 16, 2012

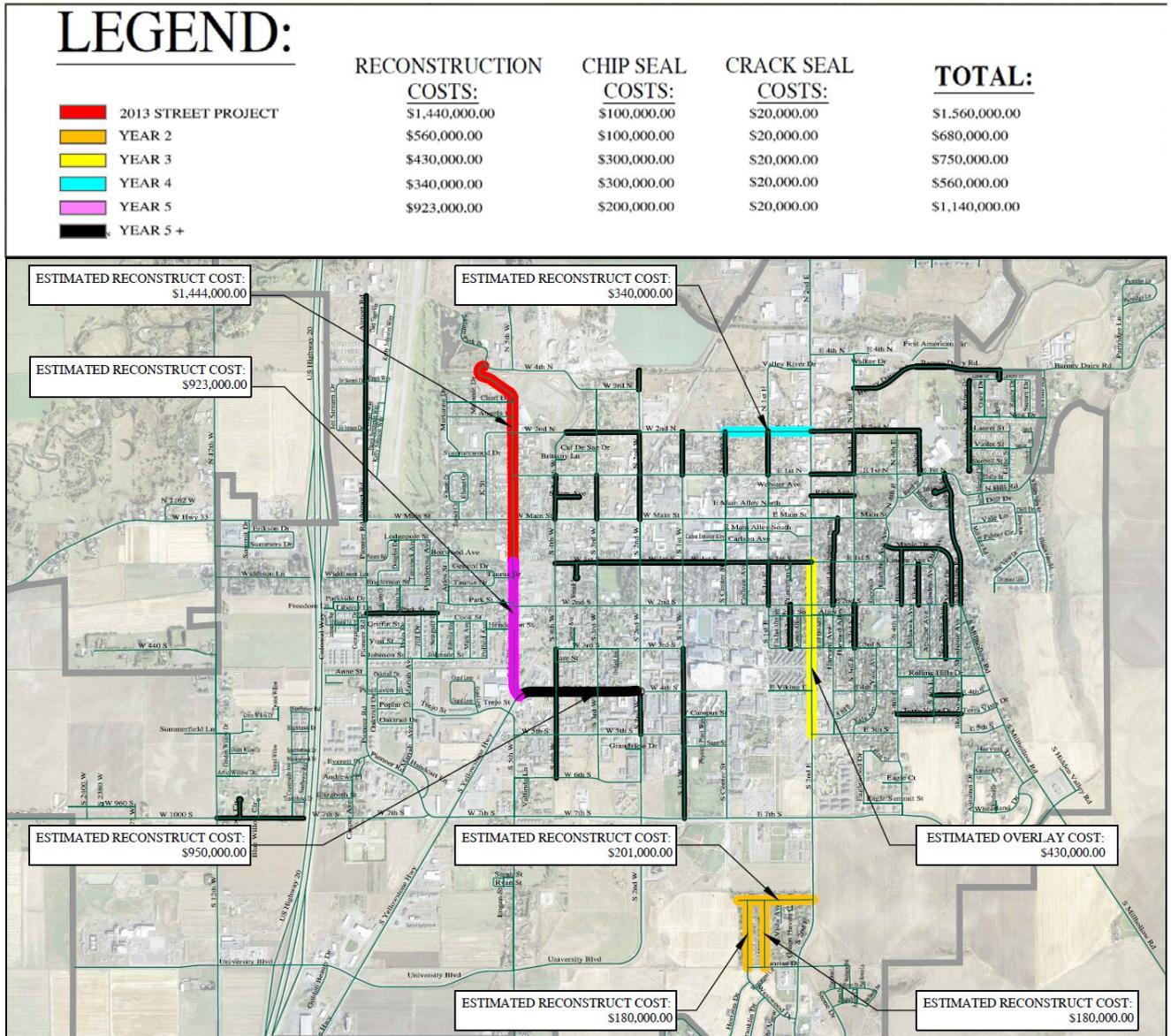
Discussion:

**Council Member Sutherland** moved to approve the Fall Cleanup for yard waste from October 15, 2012 to November 16, 2012; Council Member Benfield seconded the motion; Council Member Sutherland asked for a vote:

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

**The motion carried.**

2. 2013 Street Project discussion



**City Engineer Keith Davidson** reviewed the proposed 2013 Street project on the overhead screen along with those street projects planned for the next 5 years. The 5<sup>th</sup> West street project will include a 48” storm drain line. Due to heavy truck traffic, North 5<sup>th</sup> West will have a complete rebuild to higher load standards. Crest Haven Subdivision is planned for year two. Year three would include an overlay of 2<sup>nd</sup> East. Year four, 2<sup>nd</sup> North from Center Street to 2<sup>nd</sup> East is planned. The storm drain line and road on 5<sup>th</sup> West from 1<sup>st</sup> South to 4<sup>th</sup> South is planned for year five and beyond. The five year projects would come in at about \$5,000,000. Finance Officer Horner indicated the fund balancing process with the carryover projects will be covered by the city’s reserve account. Council Member Merrill said South 5<sup>th</sup> West being delayed will be a good idea due to new projects in the pipeline along South 5<sup>th</sup> West. Council Member Benfield thanked the City Engineer for the 5 year plan. Council Member Smith thanked the City Engineer for the street projects completed this year.

**City Engineer Keith Davidson** asked for a City Council to have a recommendation at the next City Council meeting.

**Public Works Director Millar** explained storm-water needs to be set up as a utility or add the storm-water to the wastewater utility. State legislature will be making a decision on this issue in the coming future.

3. Street Light bid approval:

**Public Works Director Millar** reviewed the bid for new street lights. The lighting proposal would match the new lighting for pedestrians installed by the University on the city’s side of the street. Additional lighting will be added to crosswalks and intersections. He asked for approval to award this bid.

Discussion:

Item No.	Item Description	Unit	Bid Quantity	Unit Bid Price	Bid Amount						
	Open Trenching Install 1 1/2" Conduit & Surface Restoration	LF	3500	\$17.50	\$61,250.00	\$3.14	\$10,990.00	\$13.11	\$45,885.00	\$53.90	\$188,650.00
	Directional Drilling for 1 1/2" Conduit	LF	1400	\$18.50	\$25,900.00	\$25.20	\$35,280.00	\$17.00	\$23,800.00	\$23.55	\$32,970.00
	Installation of Street Lights on (3) Casper Ave	LS	1	\$28,000.00	\$28,000.00	\$15,615.00	\$15,615.00	\$17,354.75	\$17,354.75	\$14,930.00	\$14,930.00
	Installation of Street Light at Main St & 3rd West	LS	1	\$13,000.00	\$13,000.00	\$6,770.00	\$6,770.00	\$6,697.50	\$6,697.50	\$7,450.00	\$7,450.00
	Installation of Street Light at Millhollow Rd. & 7th South	LS	1	\$6,500.00	\$6,500.00	\$6,850.00	\$6,850.00	\$6,932.50	\$6,932.50	\$6,590.00	\$6,590.00
	Installation of Street Light at Barney Dairy Rd. & 4th North	LS	1	\$6,500.00	\$6,500.00	\$5,300.00	\$5,300.00	\$6,345.00	\$6,345.00	\$6,590.00	\$6,590.00
	Installation of (5) Street Lights along 2nd South	LS	1	\$21,585.30	\$21,585.30	\$28,490.00	\$28,490.00	\$27,965.00	\$27,965.00	\$30,720.00	\$30,720.00
	Installation of (3) Street Lights along College Ave.	LS	1	\$12,951.00	\$12,951.00	\$19,580.00	\$19,580.00	\$20,327.50	\$20,327.50	\$19,400.00	\$19,400.00
	Installation of (19) Street Lights along 2nd East	LS	1	\$82,024.00	\$82,024.00	\$106,890.00	\$106,890.00	\$122,670.00	\$122,670.00	\$114,200.00	\$114,200.00
	Reinstallation of (4) Existing Street Lights For Crosswalk	LS	1	\$13,500.00	\$13,500.00	\$6,250.00	\$6,250.00	\$7,990.00	\$7,990.00	\$25,000.00	\$25,000.00
				<b>Total</b>	<b>\$271,210.30</b>	<b>Total</b>	<b>\$242,015.00</b>	<b>Total</b>	<b>\$285,967.25</b>	<b>Total</b>	<b>\$446,500.00</b>

City Wide Street Light Project	
Name	Amount
<b>Wheeler Electric</b>	<b>\$242,015.00</b>
D.L. Beck	\$285,966.00
Arco Electric	\$446,500.00
<b>Engineers Estimate</b>	<b>\$272,000.00</b>

The budget is \$323,000.

**Council Member Benfield** moved to approve the low Street Light bid from Wheeler Electric as presented; Council Member Merrill seconded the motion; Council Member Sutherland asked for a vote:

**Those voting aye**

Council Member Merrill  
 Council Member Sutherland  
 Council Member Benfield  
 Council Member Smith

**Those voting nay**

None

**The motion carried.**

1. Road projects are completed.
2. Crack sealing will start in the next two weeks.
3. Storm water sump is being installed on 4<sup>th</sup> South and 3<sup>rd</sup> West.
4. Street sweeping will start to clean the leaves that fall.
5. Generator is being installed for two wells in the building at 5<sup>th</sup> South and 2<sup>nd</sup> East
6. Wastewater Treatment Plant upgrade continues.
7. Fill material is being added to East 7<sup>th</sup> South for the extension of 7<sup>th</sup> South to the east.
8. Bike Path striping on Barney Dairy Road inside the city is being added.
9. 1<sup>st</sup> North and 2<sup>nd</sup> West intersection discussed. The plan is to flatten the curve.

**B. Finance Department** – Richard Horner

**Legislature survey on Personal Property Tax changes.**

*Question 1: What percent of your total budget is from property taxes?*

*Property taxes are 38% of our property tax supported funds. Our property taxes for 2012 budget are \$2,990,900. Our police and fire operating expenditures for the same year are going to be about \$4,577,400. As you can see, they don't even cover emergency services operating expenses.*

**Question 2: What percent of your city's property tax receipts comes from personal property?**

4.05% of the City property tax receipts come from personal property taxes, or \$121,247. That's the funding of about two policemen.

**Question 3: How much (as a percentage) has your total city budget increased or decreased over the past 5 years?**

Our property tax supported funds budget increased 34% over the last 5 years, largely due to new construction in Rexburg (which has required more tax supported services) and the transfer of police service from BYUI to the City. Without those two factors, there would be only an 18% increase.

**Question 4: What major areas of your budget have increased and what do you think caused the increase?**

See #3 above.

**Question 5: If this legislation passes, but you are given the option of increasing the levy on real property (including residential) to offset the loss of personal property tax, what is the likelihood that your city would do so?**

Because our levy is so low (as compared to every other city our size or in southeast Idaho, except Sugar City), we will most likely have to continue with the full 3% on the previous year's levy. See graph below.

**Calendared Bills and Tabled Items:**

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

- Ordinance 1092 – Rezone** – Light Industrial and Medium Density Residential2 to High Density Residential 1 at approximately 424 West 2<sup>nd</sup> South and **Rezone** - Low Density Residential 2, Light Industrial and Community Business Center to Mixed Use 2 at approximately 245 West 1<sup>st</sup> North.

Discussion:

**Council Member Merrill** moved to suspend the rules for Ordinance 1092; Council Member Benfield seconded the motion; Council Member Sutherland asked for a roll call vote:

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

**The motion carried.**

**Council Member Smith** moved to approve and third read Ordinance 1092; Council Member Sutherland seconded the motion; Council Member Sutherland asked for a vote:

<u>Those voting aye</u>	<u>Those voting nay</u>
Council Member Merrill	Council Member Benfield
Council Member Sutherland	
Council Member Smith	

**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

**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 September 19, 2012 meeting
- B. Approve the City of Rexburg Bills

**Council Member Benfield** reviewed the costs for spay and neutering for the animal shelter. It is a two year grant for 1,200 animals. ICRMP invoice is an insurance bill every six months including insurance for Rexburg Rapids. Rexburg Rapids is listed twice; once for its construction fund and once for its operation fund.

**Council Member Benfield** moved to approve the Consent Calendar; Council Member Merrill seconded the motion; Council Member Sutherland asked for a vote:

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

**The motion carried.**

**City Attorney Zollinger** asked to go into Executive Session for legal consultations.

**Council Member Sutherland** moved to go into **Executive Session** per Idaho State Statute 67:2345(f) to communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated; Council Member Smith seconded the motion; Council Member Sutherland asked for a roll call vote:

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

**The motion carried.**

Executive Session

Executive Session ended at 8:55 P.M.

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Bruce Sutherland, Acting Mayor

Attest:

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Blair D. Kay, City Clerk