

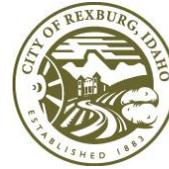
City Council Meeting

August 5, 2015

35 North 1st East
Rexburg, ID 83440

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CITY OF
REXBURG
America's Family Community

August 5, 2015

Mayor Richard Woodland

Council Members:

President Sally Smith Jordan Busby
Donna Benfield Jerry Merrill
Christopher Mann Brad Wolfe

City Staff:

Stephen Zollinger – City Attorney
Matt Nielson – Finance Officer
Blair D. Kay – City Clerk
John Millar – Public Works Director
Val Christensen – Community Development Director
Scott Johnson – Economic Development Director

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

Natalie Powell led the pledge.

Blair Kay said the prayer.

Roll Call of Council Members:

Attending: Council President Smith, Council Member Benfield, Council Member Wolfe, Council Member Mann, Council Member Merrill and Mayor Woodland.

Council Member Busby asked to be excused.

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

Presentations: - NONE

Committee Liaison Assignments for 2015:

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

Council Member Mann reported the Golf Board met last night. He was at the BYU-I Ag Center with council so he was not able to attend. The Golf Board would like to rename the Municipal Golf Course to Legacy Golf Course to tie in with the Legacy Flight Museum on the same road. The signs would both be together – Legacy Golf Course and Legacy Flight Museum. The new name would need to be okayed with the Legacy Flight Museum. The backup name would be Evergreen Golf Course. Council Member Mann thinks the Legacy name would tie in good with the flight museum. He said they are both treasures of Rexburg and promoting them together is a good idea. Emergency Services has not met. The Mayor's Youth Advisory Board is getting ready for the new year. They will be having registration and sign ups later this month. They are also preparing for Celebrate Youth on August 18th.

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

Council Member Busby asked to be excused.

C. Council Member Donna Benfield: *Police · Trails of Madison County · IBC · Teton Flood Museum Committee*

Council Member Benfield reported none of her committees have met. She thanked the Police Department for a wonderful evening last night at the shooting range. She appreciated the demonstration they were shown of what the Police Force and SWAT Team goes through. She believes our Police Department is highly qualified and she appreciates them.

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

Council President Smith reported Legacy Flight Museum met last Friday morning. They discussed the remaining air shows and flights for this year. They are excited for the air show for next June. There will be some war birds and other great things. They have been successful at getting donations. Anyone can donate old vehicles to the museum and then they sell them to raise money for the museum.

E. Council Member Jerry Merrill: *School Board · Parks & Recreation · Urban Renewal Agency*

Council Member Merrill reported that he had a “meeting-full” week. They met with the Madison School District Officials yesterday to discuss the baseball complex and the legalities of that. There was some progress made. The school officials said it was nice to have a good working relationship with the city. They hope to be able to continue working together on getting a lot of things done. Urban Renewal met and had their budget hearing for the year. That was approved. They have six Urban Renewal Districts. There are a few on-going projects. They are working on widening the road by the new Walmart. Things are going smoothly for Parks and Recreation. The parks are looking great. He has had lots of good comments about the parks.

F. **Council Member Brad Wolfe:** *Planning & Zoning · Beautification Committee*

Council Member Wolfe reported Planning & Zoning will meet tomorrow night. There has been a lot of construction going on. The Beautification Committee will have a meeting Monday to discuss plans for 1st West and some other ideas. He thanked the Police Department for taking them to the shooting range last night.

Mayor’s Report: Proclamation 2015-05 “Our Veterans – Now and Forever” Day

Mayor Woodland presented Proclamation 2015-05 regarding the Ladies Auxiliary to the Veterans of Foreign Wars and their service. The National President, Francisca Guilford is coming to Rexburg on August 11th, 2015, and is rallying the Ladies Auxiliary behind her theme “Our Veterans – Now and Forever”. Mayor Woodland read the proclamation.

***PROCLAMATION
No. 2015 - 05***

A Proclamation of the Mayor and approved by the City Council of Rexburg, Idaho, proclaiming August 11th, 2015 as “Our Veterans – Now and Forever” Day in the City of Rexburg.

WHEREAS, the Ladies Auxiliary to the Veterans of Foreign Wars of the United States is conducting its 102nd year of volunteer service to America, and

WHEREAS, year after year the organization continues to honor those who have made the ultimate sacrifice in the name of freedom by maintaining memorials to their service and sharing their history with our nation’s youth so that what our nation’s veterans have done for America will not be forgotten, and

WHEREAS, Ladies Auxiliary VFW supports the troops currently deployed overseas, and

WHEREAS, the 450,000 members represent the families of those who have served or are currently on foreign soil protecting our freedom, and

WHEREAS, members volunteer nearly 1 million hours in Veterans Affairs Medical Centers and other hospitals throughout this country, and

WHEREAS, the organization provides awards and scholarships to students based on their expressions of patriotism through art, speech, and volunteerism, and

WHEREAS, the 2015-2016 National President, Francisca Guilford, is rallying Ladies Auxiliary members behind her theme, “**Our Veterans – Now and Forever,**” and

WHEREAS, August 10-12, 2015 will be a time to celebrate her visit to Rexburg, Idaho; I do hereby declare August 11, 2015 as “**Our Veterans – Now and Forever**” Day in honor of National President Francisca Guilford and all members of the Ladies Auxiliary VFW for their outstanding volunteer service to veterans and their families, the City of Rexburg, Idaho, and our great country.

NOW THEREFORE, I, Richard S. Woodland, Mayor of the City of Rexburg, do hereby proclaim August 11, 2015, to be

“Our Veterans – Now and Forever” Day

in Rexburg and encourage all citizens to support the Ladies Auxiliary to the Veterans of Foreign Wars in honoring National President Francisca Guilford and all members of the Ladies Auxiliary VFW for their outstanding volunteer service to veterans and their families.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of our City to be affixed this 5th day of August, in the year two thousand and fifteen.

APPROVED:

ATTEST:

Richard S. Woodland
MAYOR

Blair D. Kay
CITY CLERK

Mayor Woodland asked for ratification of Proclamation 2015-05 for “Our Veterans – Now and Forever” Day.

Council Member Wolfe moved to ratify Proclamation 2015-05 for “Our Veterans – Now and Forever” Day; Council Member Smith seconded the motion; Mayor Woodland asked for a vote:

Those voting aye

Council President Smith
Council Member Benfield
Council Member Mann
Council Member Merrill
Council Member Wolfe

Those voting nay

None

The motion carried

Public Hearings: None

Items for Consideration:

A. Bill 1137 - Rezone – 228, 230, 232 South 4th West; & 251, 265, 273 South 5th West from Light Industrial (LI) and Medium Density Residential 2 (MDR2) to High Density Residential 1 (HDR1) – Jared Sommer

Jared Sommer of Rexburg presented his plans for the property on 5th West. He currently has apartments on the property that are for married students of BYU-I. There has been concern about traffic if he were to increase the number of apartments. There has not been a traffic problem so far.

He is proposing to add some more apartments to the existing property. He would provide ingress only from 4th West. The rezone would allow three more identical buildings or 63 units. They would be the same design as the first apartments. The conditions listed by Planning & Zoning would be met. He referred to notes from previous meetings. He never stated that he would be doing two story buildings. He also said that he would tear down the cinder block building that used to be Barrick's Candy business. He actually would like to reface that building and use it for storage. It is 5,000 square feet. It could also be a community center for ward parties, etc. but having storage space is critical. The new buildings would be three stories high.

Council Member Merrill asked if there were minutes from Planning & Zoning stating the conditions. He was referred to those.

Mr. Sommer said that they have plenty of parking. They did that on purpose so they would not run into trouble like other apartments have experienced.

Council President Smith asked why he needs the HDR 1 Zoning. He said because he just needs more units. The zone would also benefit the look and make it more complete. He knew that he would ask for a denser zone from the beginning but wanted to wait to show how well the first phase would work out.

Council Member Merrill stated that he lives in that neighborhood. He decided to do his own traffic study. He parked by the Henderson Subdivision to see what traffic was like. He went at 7:30 am as though school would be in session. He counted 136 vehicles just going through. That's not counting if school was in session. 60 percent of traffic was going north past Kennedy School. Out of the apartments owned by Mr. Sommer, he counted 25 vehicles. There is a worn trail where people walk across the tracks toward campus. He agrees that traffic does not seem to be a problem. The Henderson Subdivision will have more teenage drivers but those apartments probably never will because they are for primarily young newly married couples. He thinks what Jared is saying is correct. His only concern is that it has a nice landscape buffer. He would like him to have consideration for the neighbors and make it look nice. He feels that we need to be careful not to limit businesses so much that down the road they can't keep their property up. He wants them to be successful so that in turn they will keep their property looking nice. Another thing is that most of the investors in these apartments are local and that is good. That bodes well for the apartment complex because local investors will want to keep them up and looking good. He doesn't see any reason to not approve this rezone.

Mr. Sommer said that Planning & Zoning would like him to increase the buffer and landscape and he understands that. He would like to add some nice brick to the existing building. There is a drainage problem that he also needs to address. He will have to add a french drain to the front but once that is done he will beautify the front area.

Community Development Compliance Officer Powell reviewed the rezoning proposal: She indicated Planning and Zoning recommended the proposal. She reviewed the infill chart showing the ranking of redevelopment properties. The area is 5.82 acres. She reviewed the criteria set forth by Planning and Zoning.

AREA																				
Description	Location	Acre age	Current Zoning	Units/ Acre	Comp Plan	*.9	% Vacant or Under	*.83	Infrastr- ucture	*.7	Amenity Location	*.69	Street Access	*.69	Existing Invest	*.53	Hist	*.53	Size	Rank
Zollinger	41 E 1st N	2.8	LDR2	8.7	Nei/Com/MU	2.7	9	7.5	8	5.6	8	5.5	7	4.8	0	0.0	10	5.3	2.8	34
Mickelson	156 N 1st W	1.3	HDR1	30	Mod-High Res	1.8	5	4.2	7.5	5.3	9	6.2	6	4.1	0	0.0	10	5.3	1.3	28
Old Junior High	Main	5.7	CBD	40	DTC/MU	9.0	2	1.7	10	7.0	10	6.9	8	5.5	0	0.0	5	2.7	5.7	38
Wolfe	230 W Main	4.0	CBC/LI/LDR2	3.5	DTC/MU	4.5	9	7.5	7	4.9	9	6.2	8	5.2	0	0.0	10	5.3	4.0	38
Kingston/Eckers	155 N 1st W	1.8	LI	0	LI	9.0	2	1.7	9.5	6.7	8	5.5	7	5.1	0	0.0	5	2.7	1.8	32
Boise/Robertson	420 W 2nd N	1.8	HDR1	30	Mod-High Res	4.5	10	8.3	7	4.9	4	2.8	7	4.5	0	0.0	10	5.3	1.8	32
Wight	336 W Main	0.5	MDR1	16	Mod-High Res	2.7	10	8.3	5.5	3.9	7	4.8	6	4.4	0	0.0	10	5.3	0.5	30
Snell	17 S 4th W	1.1	MDR1	16	Mod-High Res	2.7	5	4.2	7.5	5.3	7	4.8	6	3.9	0	0.0	10	5.3	1.1	27
Brickyard	127 S 5th W	9.5	MDR2/LI	10	Mod-High Res	4.5	5	4.2	8.5	6.0	6	4.1	6	4.2	0	0.0	10	5.3	9.5	38
Jared	273 S 5th W	3.1	MDR2/LI	20	Mod-High Res	9.0	5	4.2	9	6.3	5	3.5	7	5.0	0	0.0	10	5.3	3.1	36
Loveland	249 S 3rd W	1.5	MDR2	20	Mod-High Res	9.0	3	2.5	6.5	4.6	9	6.2	7	4.9	0	0.0	10	5.3	1.5	34
Nelson	211 W 3rd S	2.2	MDR1	16	Nei/Com/MU	1.8	8	6.6	9.5	6.7	9	6.2	7	4.9	0	0.0	3	1.6	2.2	30
Scott/Clay	415 W 6th S	1.3	HDR2	42	Mod-High Res	4.5	5	4.2	8.5	6.0	0	0.0	5	3.2	0	0.0	10	5.3	1.3	24
Anderson/Barric	117 S 2nd E	2.1	LDR3	10.89	Low-Mod/Single	4.5	9	7.5	7.5	5.3	8	5.5	7	5.1	0	0.0	10	5.3	2.1	35



The property is sandwiched between 5th West and the railroad tracks.

Staff Report:

II. SITE DESCRIPTION

The total area involved in this re-zoning request is identified as approximately 5.82 acres, which if approved will result in changing the zone from Light Industrial and Medium Density Residential 2 (MDR2) to High Density Residential 1 (HDR1).

III. ANALYSIS

If approved, this rezone will result in changing Light Industrial and Medium Density Residential 2 to High Density Residential 1. The request would require the Commission and City Council to review the proposal against one set of criteria, for the request to rezone. Below, staff has provided all the criteria listed by Ordinance No. 1115 (Development Code) that are required to be addressed, followed by staff's analysis of each criterion.

Criteria Rezone Requests (§6.13):

a. Be in conformance with the City's Comprehensive Plan and the City Development Code.

The Comprehensive Plan identifies the land use designation for the property as Moderate to High Density Residential.

The HDR1 zone is allowed under this designation.

b. The capacity of existing public streets, water and sewer facilities, storm drainage facilities, solid waste collection and disposal, and other utilities.

The City Engineer did not have concerns.

c. The capacity of existing public services, including but not limited to, public safety services, public emergency services, schools, and parks and recreational services.

The City Engineer did not have concerns.

d. The potential for nuisances or health and safety hazards that may adversely affect adjoining properties.

Staff has reviewed and does not feel the change will have a negative effect.

Planning and Zoning's Motion:

"Tisha Flora motioned to recommend to the City Council approval of a rezone from Light Industrial (LI) and Medium Density Residential 2 (MDR2) to High Density Residential 1 (HDR1), for the property located at 228, 230, 232 South 4th West; and 251, 265, 273 South 5th West with the four following conditions:

1. The existing green (Barrick) building on South 5th West on the subject property shall be beautified and resurfaced as stated tonight by the applicant.

2. *Buildings shall be a maximum of 30 feet in height.*
3. *An architectural design review meeting shall be held to address having a significant landscape buffer, especially along South 5th West.*
4. *A P&Z Commissioner who was present at this meeting tonight shall be a participant in this design review meeting to address this buffer.*

Mark Rudd *seconded the motion. None opposed. Motion carried.*

Council Member Merrill asked about the bridge on the back side. Mr. Sommer said it is an ingress only bridge for cars going into the apartments.

Council Member Wolfe mentioned that Planning & Zoning spent a lot of time trying to appease everyone. He thinks they did a very good job. He would like to clarify that the desire of Planning & Zoning is that the landscape buffer being added to the new part also continue down to the old part as well. Council Member Wolfe asked if all the conditions would have to be met before a Certificate of Occupancy would be issued. Attorney Zollinger said, yes, that is a new policy.

Council President Smith commented that these neighbors have lived across from industrial so she believes they hoped this would be an improvement. She knows that Mr. Sommer's mom had a passion for beauty. She believes there are simple things that can be done to make the project fit in with the neighborhood better. She would like to see the property fit into the area and be pleasant to look at.

Council Member Mann asked for a reply from Mr. Sommer regarding Council Member Wolfe's request.

Mr. Sommer said that he can add additional landscape. He knows that the neighbors have beautiful yards and he would like to fit in with that and not detract from that beauty.

Council Member Wolfe read the third condition to have a significant landscape buffer.

Mayor Woodland asked for anyone from that neighborhood to speak.

Cleve Young spoke for the neighborhood. He doesn't understand why it has to be high density. He feels like they have been ignored. He feels like living on the west side of the tracks is taking on a new meaning. He thinks sometimes the investments get in the way of what is really important. He sees the need for development but is not sure why it can't still be medium density. He wants to be sure that the old building will be improved. He just doesn't think the development needs to be so big.

Council Member Mann said that the problem with South 5th West is that it has two bad ends. Yellowstone on one end and the elementary school on the other end. He believes that there is a real problem with water coming down off the hill. He feels that growth without proper infrastructure is a problem and that HDR1 zoning is just too high for that area.

Council Member Benfield said that she doesn't want anyone to feel like they live on the wrong side of the tracks.

Council Member Mann also said that people walking across the tracks concerns him.

Mayor Woodland asked for a motion;

Council Member Wolfe moved to rezone 228, 230, 232 South 4th West; & 251, 265, 273 South 5th West from Light Industrial (LI) and Medium Density Residential 2 (MDR2) to High Density Residential 1 (HDR1) as discussed with the following conditions and consider BILL 1137 first read; Council Member Merrill seconded the motion; Mayor Woodland asked for a vote:

Conditions:

1. The existing green (Barrick) building on South 5th West on the subject property shall be beautified and resurfaced as stated tonight by the applicant.
2. Buildings shall be a maximum of 30 feet in height.

3. An architectural design review meeting shall be held to address having a significant landscape buffer, especially along South 5th West.
4. A P&Z Commissioner who was present at this meeting tonight shall be a participant in this design review meeting to address this buffer.
5. Provide uniform landscaping over the entire project (old and new); landscaping to be continued into the existing apartment complex.

Those voting aye

Council President Smith
 Council Member Benfield
 Council Member Wolfe
 Council Member Merrill

Those voting nay

Council Member Mann

The motion carried

B. Conditional Use Permit (CUP) for a Hotel at approximately 1300 South 12th West – Jeremiah Bigelow

Mr. Bigelow from Ririe explained that he came to council a year and half ago and the council rejected his proposal for a hotel by Evergreen Park. The city worked out a land swap with Mr. Bigelow, giving him a piece of land by Rainbow Lake on 2000 South in exchange for the property by Evergreen Park. Now he comes to request a Conditional Use Permit to build a hotel at the property he acquired at 12th West and 2000 South. He was a little sad that the city wasn't planning on widening and improving that section of road but that he would have to do it himself. It's an expense that he wouldn't have had on the other property. He has had great success with the Motel 6 he built in Idaho Falls. He is very pleased with the Motel 6 brand. They have improved over the years. The new design of the Motel 6 is nice. He doesn't like the flat roof but he does like the lit up tower. The city infrastructure and power is already there.

Council Member Smith asked if he is sure about doing a Motel 6. He said he's not sure, yet. People like a name brand motel. Council Member Smith said that he is going to have to put a sidewalk in. He would like to see the whole sidewalk put in at once. He wishes the city would do that. Council Member Smith pointed out that he did get a bigger parcel in the swap.

Mayor Woodland said he would like to see a Motel 6 here.

Mr. Bigelow asked how the road widening works. Is it a onetime deal? Attorney Zollinger said that it will be pieced but then an overlay will pull it all together. Mr. Bigelow asked if the grade of the road will stay the same. City Engineer Davidson said they will have to look at how the curb and gutter tie in.

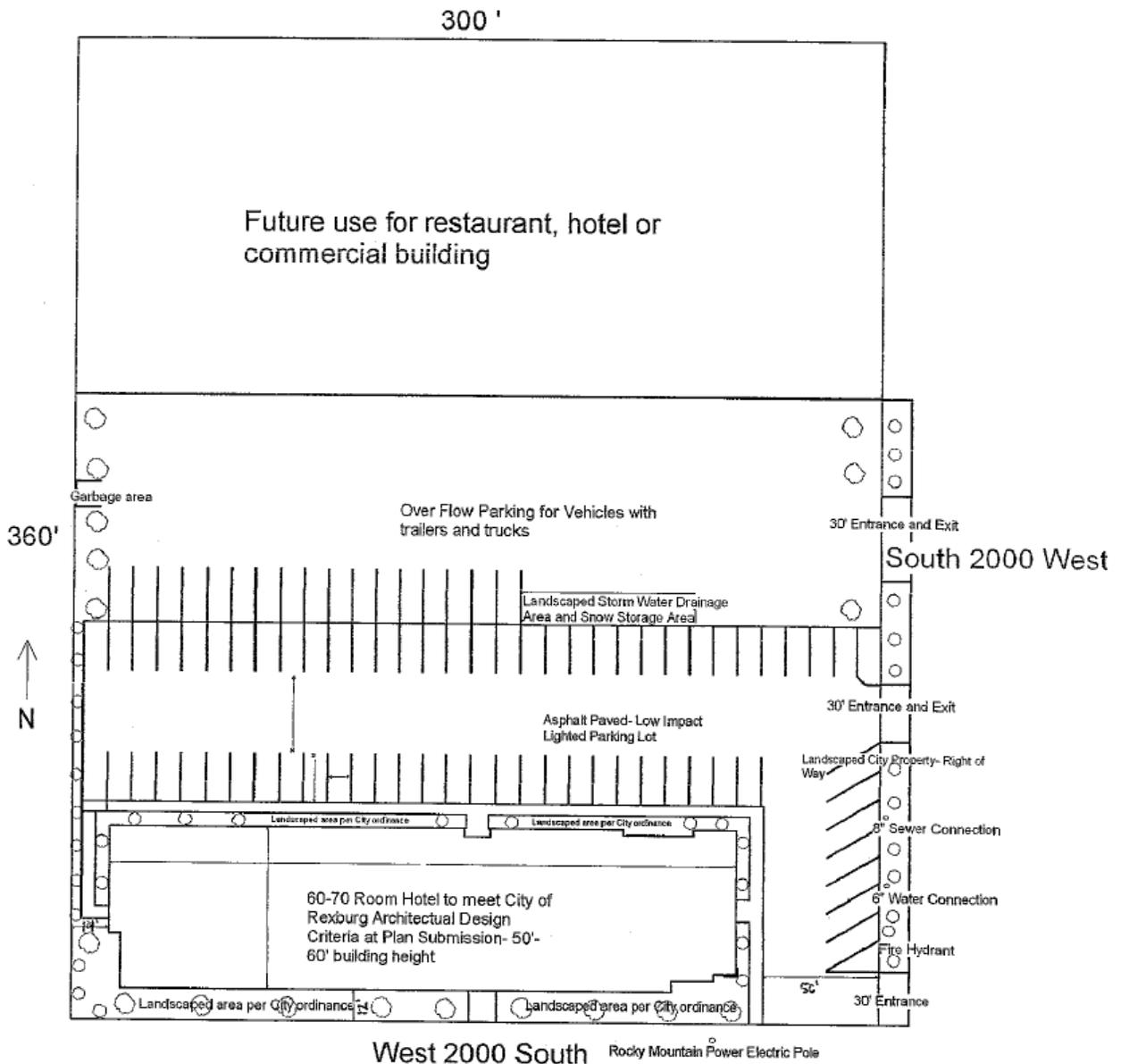
Council Member Benfield asked how many rooms the Motel would have. He wasn't sure but the Motel they built in Idaho Falls has 62 rooms. Some more thought will go into it as they decide on two or three story and do a market analysis. He likes 60 rooms but may go up to 80.

Council Member Benfield asked what the prices will be. Mr. Bigelow said \$63 per room for a single bed. The suites are \$80 to \$90. He pointed out that the property has enough room for another motel or maybe a Studio 6 for longer stays. There's not much extended stay here. Council Member Benfield said we are up 19.8 percent from last year for lodging.

Public Works Staff Review Comments

*Conditional Use Permit Application
 File #15 00311 – Jeremiah Bigelow*

- Requesting a Conditional Use Permit for a hotel.
 Property Location: Approximately 1300 South 12th West*
- 1. Right of way will need to be dedicated to City of Rexburg for 12th West and 2000 South.*
 - 2. Entrance at southeast corner too close to intersection.*
 - 3. 12th West and 2000 South will need to be widened and sidewalk installed.*



Community Development Department Staff Report

I. BACKGROUND

The applicant originally applied for a conditional use permit (CUP) for a property located on Main Street east of the new Maverick and adjacent to the City soccer fields and Evergreen Park. The CUP was denied and the City worked with the applicant to purchase the land to expand the existing fields. In the process the City Attorney worked with the applicant to find this new piece of property to construct a motel.

II. SITE DESCRIPTION

The subject property is located on the Northwest corner of West 2000 South and South 12th West.
Case No. 15 00311

III. ANALYSIS

The following are the criteria for granting a conditional use permit. Some of the criteria are followed by staff's analysis. A conditional use will:

a. Constitute a conditional use as established in Table 1, Zoning Districts, Table 2, Land Use Schedule.

A CUP is required for a motel or motor hotel in the Community Business Center (CBC) zone.

b. Be in accordance with a specific or general objective of the City's Comprehensive Plan and the regulations of the City of Rexburg Development Code.

Comprehensive Plan

The request is in accordance with the Comprehensive Plan.

Development Code (Ordinance 1115)

Community Business Center (CBC) allows a motel/motor hotel with a Conditional Use Permit.

c. Be designed and constructed in a manner to be harmonious with the existing character of the neighborhood and the zone in which the property is located.

This project will have to meet City of Rexburg Design Standards. The existing businesses in the area include a carpet store, storage sheds and a farm implement dealer.

d. Not create a nuisance or safety hazard for neighboring properties in terms of excessive noise or vibration, improperly directed glare or heat, electrical interference, odors, dust or air pollutants, solid waste generation and storage, hazardous materials or waste, excessive traffic generation, or interference with pedestrian traffic.

Regarding glare, heat, electrical interference, dust, air pollutants, noise, vibration, odors: Adherence to City standards should prevent these impacts from becoming a nuisance. The City Engineer did not have concerns with the additional traffic that would be generated.

e. Be adequately served by essential public facilities and services such as access streets, police and fire protection, drainage structures, refuse disposal, water and sewer service, and schools. If existing facilities are not adequate, the developer shall show that such facilities shall be upgraded sufficiently to serve the proposed use.

The City Engineer has identified the need for right-of-way dedication and the need to change the location of the exit closest to the intersection of 2000 South and 12th West. Case No. 15 00311

f. Not generate traffic in excess of the capacity of public streets or access points serving the proposed use and will assure adequate visibility at traffic access points.

The City Engineer identified a need to change the location of the exit closest to the intersection of 2000 South and 12th West.

g. Be effectively buffered to screen adjoining properties from adverse impacts of noise, building size and resulting shadow, traffic, and parking.

The project is surrounded by commercial property. Staff does not see the need for additional buffering. The Development Code ordinance requires parking lot buffering from right-of-way views.

h. Be compatible with the slope of the site and the capacity of the soils and will not be in an area of natural hazards unless suitably designed to protect lives and property.

N/A

i. Not result in the destruction, loss or damage of a historic feature of significance to the community of Rexburg.

N/A

IV. STAFF RECOMMENDATION

Staff recommends that the Commission take public testimony, and determine if the proposed conditional use permit can be approved with the following conditions:

1. Provide right-of-way dedication and change the location of the exit closest to the intersection of 2000 South and 12th West.

Discussion

Mayor Woodland asked for a motion;

Council Member Mann moved to approve the Conditional Use Permit (CUP) for a hotel at approximately 1300 South 12th West; Council Member Merrill seconded the motion;

Conditions:

1. Right of way will need to be dedicated to City of Rexburg for 12th West and 2000 South.
2. Entrance at southeast corner too close to intersection.
3. 12th West and 2000 South will need to be widened and sidewalk installed.

The Standards Applicable to Conditional Use Permits, Section 6.12B from Development Code Ordinance No.1115 applies to all conditional use permits.

Mayor Woodland asked for a vote:

Those voting aye

Council President Smith
 Council Member Benfield
 Council Member Mann
 Council Member Wolfe
 Council Member Merrill

Those voting nay

None

The motion carried

C. Approve 2016 Beer and Wine Licenses - Staff

City Clerk Blair Kay presented the renewal list of licenses to be approved for beer and wine sales.

H B BOYS LC (CONOCO)	BX	20140930	SEP	R	BEER
GREAT SCOTT'S #1-BEER	BX	20140930	SEP	R	BEER
GREAT SCOTT'S #2-BEER	BX	20140930	SEP	R	BEER
VALLEY WIDE CO-OP BEER LICENSE	BX	20140930	SEP	R	BEER
MAVERIK - BEER	BX	20140930	SEP	R	BEER
MAVERIK - BEER	BX	20140930	SEP	R	BEER
BROULIM'S - BEER	BX	20140930	SEP	R	BEER
APPLEBEE'S NEIGHBORHOOD GRILL & BAR	BX	20140930	SEP	R	BEER-4
TETON LANES BEER	BX	20140930	SEP	R	BEER-4
WALGREENS BEER LICENSE	BX	20140930	SEP	R	BEER
WAL- MART #1878 BEER LICENSE	BX	20140930	SEP	R	BEER
ALBERTSON'S BEER	BX	20140930	SEP	R	BEER
WINGER'S- BEER LICENSE	BX	20140930	SEP	R	BEER-4
MAVERIK - BEER	BX	20140930	SEP	R	BEER
BROULIM'S - WINE	WN	20140930	SEP	R	WINE
MAVERIK - WINE	WN	20140930	SEP	R	WINE
MAVERIK - WINE	WN	20140930	SEP	R	WINE
H B BOYS LC (CONOCO)	WN	20140930	SEP	R	WINE
GREAT SCOTT'S #1-WINE	WN	20140930	SEP	R	WINE
GREAT SCOTT'S #2-WINE	WN	20140930	SEP	R	WINE
APPLEBEE'S NEIGHBORHOOD GRILL & BAR	WN	20140930	SEP	R	WINE-4
WALGREENS WINE LICENSE	WN	20140930	SEP	R	WINE
WAL-MART #1878 - WINE LICENSE	WN	20140930	SEP	R	WINE
ALBERTSON'S #171 WINE	WN	20140930	SEP	R	WINE
MAVERIK - WINE	WN	20140930	SEP	R	WINE

Mayor Woodland asked for a motion;

Council Member Smith moved to approve the 2016 Beer and Wine Licenses; Council Member Wolfe seconded the motion; Mayor Woodland asked for a vote:

Those voting aye
 Council President Smith
 Council Member Benfield
 Council Member Mann
 Council Member Wolfe
 Council Member Merrill

Those voting nay
 None

The motion carried

Staff Reports:

A. Public Works: – **City Engineer Davidson** reported that they just finished the slurry seal project throughout the city. Mayor Woodland said he noticed a gully in the south bound lane on 2nd East between 2nd South and 3rd South. Council Member Merrill noticed the same thing on 5th West. Mr. Davidson said that is a problem with seal coats but over time it starts smoothing out. He reported that the 2nd North project will be paved starting tomorrow. Workers on the Riverside Park project have started on the sprinkler system.

Council Member Merrill asked about the lights at Riverside Park. He wondered if it would be wiser to put lights on the soccer fields rather than the parking lot. Mr. Davidson said that the lights will be directed towards to field.

Mayor Woodland asked about the project on Main Street by the court house and how much longer that will be. Mr. Davidson said they are putting in a fiber optic line that should be done soon. The Cresthaven project is looking good. Engineer Davidson reported on the bid results for the Main Street Improvement Project which is to add a sidewalk along the golf course as well as sprinklers and sod. It also includes sidewalk under the South interchange.

Bid Results for Main Street Improvement Project

D.L. Beck	\$ 124,390.00
Depatco, Inc.	\$ 146,890.00
Engineer’s Estimate	\$ 85,000.00

Engineer Davidson explained that the bids came in higher than expected. Some of the cost increase came from sidewalk insulation and back fill. They estimated \$7.50/sq. yard and it actually came in at \$20.00/sq. yard . It may be an indication of where we are at in the season and traffic control that will be needed on Main Street. The state has committed to match up to \$50,000 so that drops the price down.

Council Member Mann asked if we should consider waiting and rebidding it. Mr. Davidson doesn’t think there would be any improvement on bids and he doesn’t want to lose out on the state funds.

Discussion:

Council Member Mann moved to approve the low bid of \$124,390 for the Main Street Improvement Project; Council Member Benfield seconded the motion; Mayor Woodland asked for a vote:

Those voting aye
 Council President Smith
 Council Member Benfield
 Council Member Mann
 Council Member Wolfe
 Council Member Merrill

Those voting nay
 None

The motion carried

B. Finance Department: CFO Matt Nielson did not have anything to report.

Discussion:

C. Community Development – Compliance Officer Natalie Powell gave the monthly building permit report.

1. Monthly Building Permit Report

Month: July Year: 2015						
Project	Address	Contractor	Total Valuation	Building Fees	Impact/Other Fees	Total Fees
886 Sweetwater Housing 4 plex	886 Everett Place	Northern States Development, Inc.	\$303,133.60	\$3,752.00	\$10,855.00	\$14,607.00
888 Sweetwater Housing 4 Plex	888 Everett Place	Northern States Development, Inc.	\$303,133.60	\$3,752.00	\$10,855.00	\$14,607.00
Anytime Fitness Remodel (Old Hardhat Building)	859 S Yellowstone Hwy	Gil Shirley Construction LLC	\$52,970.00	\$1,089.00		\$1,089.00
624 Rolling Hills Dr - SFR	624 Rolling Hills Dr	Guardian Homes	\$320,292.56	\$4,318.00	\$5,775.00	\$10,093.00
4546 Timberline Rd - SFR Mechanical	4546 Timberline Rd, Rexburg	Kartchner Homes Inc		\$260.00		\$260.00
BYUI Clarke Building Chiller Replacement	John L Clarke Building	J&S Construction	\$380,000.00	\$3,625.00		\$3,625.00
BYU-Idaho Clarke Building - Remodel	John L. Clarke Building	Starr Corporation	\$312,000.00	\$5,453.00		\$5,453.00
Somerset Apartments - Building Separation	480 S 1st W	Headwaters Construction Co	\$79,605.00	\$1,052.00		\$1,052.00
142 N 3rd W - Mech. Exhaust Fan	142 N 3rd W	Sermon Service & Electric		\$130.00		\$130.00
616 Terra Vista Dr - SFR	616 Terra Vista Dr	ELK Meadows Construction	\$204,003.90	\$2,647.00	\$5,775.00	\$8,422.00
Port of Subs - Commercial Remodel	76 W 2nd S Unit C	Streamlined Homes, LLC	\$10,300.00	\$728.00		\$728.00
583 E 4th S - SFR	583 E 4th S	SDH Construction	\$251,608.58	\$3,005.00	\$5,775.00	\$8,780.00
890 Sweetwater Housing 4 plex	890 Everett Place	Northern States Development, Inc.	\$303,133.60	\$3,752.00	\$10,855.00	\$14,607.00
892 Sweetwater Housing 4 plex	892 Everett Place	Northern States Development, Inc.	\$303,133.60	\$3,752.00	\$10,855.00	\$14,607.00
894 Sweetwater Housing 4 plex	894 Everett Place	Northern States Development, Inc.	\$303,133.60	\$3,752.00	\$10,855.00	\$14,607.00
896 Sweetwater Housing 4 plex	896 Everett Place	Northern States Development, Inc.	\$303,133.60	\$3,752.00	\$10,855.00	\$14,607.00
562 E 4th S - Basement Finish	562 E 4th S	Warren Lake	\$25,100.00	\$693.00		\$693.00
2328 W 900 S - SFR	2328 W 900 S	Kartchner Homes, Inc.	\$193,977.05	\$2,404.00	\$5,775.00	\$8,179.00
255 Jefferson Dr - SFR	255 Jefferson Dr	Kartchner Homes Inc	\$337,811.84	\$3,616.00	\$5,775.00	\$9,391.00
204 S 5th W - New AC Mech Only	204 S 5th W	Right Now Heating & Cooling Inc,		\$75.00		\$75.00
2338 W 900 S - SFR	2338 W 900 S	Kartchner Homes Inc	\$214,270.47	\$2,660.00	\$5,775.00	\$8,435.00
Anytime Fitness - Sign	859 South Yellowstone Hwy	Sager Signs			\$165.00	\$165.00
614 E 3500 N - County Mech Only	614 E 3500 N	Rexburg Plumbing & Heating		\$130.00		\$130.00
8080 S 200 E, Archer - Mech Only	8080 S 200 E, Archer	Dependable Heating & Air Conditioning		\$325.00		\$325.00
343 W Haven Loop - Mech Only County	343 W Haven Loop	Palmer Heating & Cooling LLC		\$75.00		\$75.00
256 E 5th S - Gas Furnace Line	256 E 5th S	Croft Chimney Sweep & Fencing LLC		\$75.00		\$75.00
Viallage Apartments - Radon Mediation Ele Only	490 Pioneer Road	Nelson Electric LLC		\$120.00		\$120.00
Halloween City - Sign	404 North 2nd East	Signature Signs			\$100.00	\$100.00
451 W 1st N - Water Heater Replace	451 W 1st N	Right Now Heating & Cooling Inc		\$150.00		\$150.00
240 Mohawk Ave - Mech Only	240 Mohawk Ave	Right Now Heating & Cooling Inc		\$75.00		\$75.00
61 Aries Dr. - Water Line	61 Aries Dr.	Torch Plumbing		\$65.00		\$65.00
296 N Airport Road - EL Only	296 N Airport Road	Mountain West Electric		\$160.00		\$160.00
Upper Valley Orthopedics - Mechanical Only	360 E Main St	First Call Jewel		\$179.00		\$179.00
75 S Center St - Plumbing Only	75 S Center St	Advanced Home Services		\$65.00		\$65.00
LDS Church - Electrical	170 W 1st S	K-F Electric Inc		\$121.00		\$121.00
875 Liberty Ln - WATER HEATER REPLACE	875 Liberty Ln	Master Tech LLC		\$65.00		\$65.00
57 S College Ave - Ele Only	57 S College Ave	Legacy Electric		\$65.00		\$65.00
721 W Main St - Mechanical Only	721 W Main St	First Call Jewel		\$65.00		\$65.00
1295 S Railroad Ave - Mechanical Only	1295 S Railroad Ave	First Call Jewel		\$275.00		\$275.00
625 CHAD-GAS LINE PRESURE AND FURNACE	625 CHAD	24 Hour Heating		\$75.00		\$75.00
SDH Construction - Mechanical Only	3165 Salem Hwy	Dependable Heating & Air Conditioning		\$325.00		\$325.00
824 Griffin St - Basement Finish	824 Griffin St	High Country Heating	\$14,400.00	\$713.00		\$713.00
			\$4,215,141.00	\$57,390.00	\$100,045.00	\$157,435.00

Council Member Smith asked how many Sweetwater 4-plexes are planned. Compliance Officer Powell said there will be 12 total.

Calendared Bills and Tabled Items:

A. LAND USE ACTION – BILLS RECOMMENDED/APPROVED IN A LAND USE PUBLIC HEARING PROCEDURE: – NONE

B. BILL Introduction: – NONE

C. First Reading: Those items which are being introduced for first reading:

- BILL 1137** Rezoning 228, 230, 232 South 4th West; & 251, 265, 273 South 5th West

Council Member Wolfe moved to rezone 228, 230, 232 South 4th West; & 251, 265, 273 South 5th West from Light Industrial (LI) and Medium Density Residential 2 (MDR2) to High Density Residential 1 (HDR1) as discussed with the following conditions and consider BILL 1137 first read; Council Member Merrill seconded the motion; Mayor Woodland asked for a vote:

Conditions:

- The existing green (Barrick) building on South 5th West on the subject property shall be beautified and resurfaced as stated tonight by the applicant.
- Buildings shall be a maximum of 30 feet in height.
- An architectural design review meeting shall be held to address having a significant landscape buffer, especially along South 5th West.
- A P&Z Commissioner who was present at this meeting tonight shall be a participant in this design review meeting to address this buffer.
- Provide uniform landscaping over the entire project (old and new); landscaping to be continued into the existing apartment complex.

Those voting aye
 Council President Smith
 Council Member Benfield
 Council Member Wolfe
 Council Member Merrill

Those voting nay
 Council Member Mann

The motion carried

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

- BILL 1136** amending the 2015 Appropriation Budget.

ORDINANCE NO. 1136

AN ORDINANCE OF THE CITY OF REXBURG, IDAHO, AMENDING ORDINANCE NO. 1118, THE APPROPRIATION ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2014 AND ENDING SEPTEMBER 30, 2015: APPROPRIATING ADDITIONAL MONIES THAT HAVE BEEN OR ARE TO BE RECEIVED BY THE CITY OF REXBURG, IDAHO, AND BUDGET REDUCTIONS IN THE NET SUM OF \$9,340,100 AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF REXBURG, IDAHO: SECTION I. That ordinance No. 1118, the appropriation ordinance for the City of Rexburg, Idaho, for the fiscal year commencing October 1, 2014, and ending September 30, 2015, be and the same is hereby amended as follows:

**BUDGET AMENDMENT
 FISCAL YEAR 2015**

FUND	ORIGINAL	AMENDMENT	FINAL
GENERAL	10,327,800	(137,800)	10,190,000
STREET OPERATIONS	2,687,000	619,000	3,306,000
POLICE IMPACT FEE CAPITAL	(41,800)	300,000	258,200
DRUG INTERDICTION/EDUCATION	11,000	(7,500)	3,500
POLICE SMALL GRANTS	50,800	10,000	60,800
EMERGENCY SERVICES	3,021,200	(38,400)	2,982,800
LEGACY FLIGHT MUSEUM	89,600	140,000	229,600
WATER OPERATIONS	2,856,900	2,930,800	5,787,700
WASTEWATER OPERATIONS	5,635,000	1,635,000	7,270,000
BUILDING SAFETY/P & Z	1,392,100	214,100	1,606,200
MAIN FIRE STATION ADDITION	1,000,000	919,400	1,919,400
ROMANCE THEATRE	70,800	6,000	76,800
RIVERSIDE PARK CONSTRUCTION	410,000	1,040,000	1,450,000
STREET REPAIR	1,544,700	31,400	1,576,100
STREET NEW CONSTRUCTION	2,200,000	360,000	2,560,000
AIRPORT CONSTRUCTION	641,000	323,400	964,400
REXBURG ARTS COUNCIL	86,500	(300)	86,200
N 2ND E CONSTRUCTION	-	995,000	995,000
NON-AMENDED FUNDS	27,913,500	-	27,913,500
GRAND TOTAL	59,896,100	9,340,100	69,236,200

Discussion:

Mayor Woodland asked for a motion;

Council Member Benfield moved to consider BILL 1136 amending the 2015 Appropriation Budget as second read; Council Member Merrill seconded the motion; Mayor Woodland asked for a vote:

Those voting aye
 Council President Smith
 Council Member Benfield
 Council Member Mann
 Council Member Wolfe

Those voting nay
 None

Council Member Merrill

The motion carried

E. Third Reading: Those items which have been second read:

- 1. **BILL 1135** for the 2016 Appropriation Budget

ORDINANCE NO. 1135

AN ORDINANCE ENTITLED THE ANNUAL APPROPRIATION ORDINANCE OF THE CITY OF REXBURG, IDAHO, FOR THE FISCAL YEAR OCTOBER 1, 2015, TO SEPTEMBER 30, 2016, AND APPROPRIATING TO THE SEVERAL DEPARTMENTS, OFFICES AND FUNDS OF THE SAID CITY GOVERNMENT FROM THE REVENUE DERIVED FROM TAXES LEVIED FOR SAID FISCAL YEAR, AND ALL OTHER SOURCES, SUCH SUMS AS MAY BE NECESSARY OR DEEMED NECESSARY BY THE MAYOR AND CITY COUNCIL TO DEFRAY THE EXPENSES AND LIABILITIES OF SAID CITY FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2016; AND PROVIDING FOR THE EFFECTIVE DATE OF ORDINANCE.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF REXBURG, IDAHO:

SECTION I. This ordinance shall be, and is hereby termed the Annual Appropriation Ordinance of the City of Rexburg, Idaho, for the fiscal year October 1, 2015, to September 30, 2016.

SECTION II. The revenue, fund balance carry-overs and transfers of the City of Rexburg, Idaho, for the fiscal year October 1, 2015, to September 30, 2016, derived from taxes levied for said year, and all other sources, in the amount in total of \$76,726,000, as shown below by the budget of the City of Rexburg, Idaho, adopted and approved by the City Council on the 5th day of August, 2015, and duly printed and published as provided by law, is hereby appropriated to the several funds and purposes which are hereby declared to be necessary to defray all necessary expenses and liabilities of said City as shown by said Budget as hereinafter set forth. The City Treasurer is hereby authorized and directed to apportion all monies received on account of taxes on property within the City or Rexburg, Idaho, and from all other sources to the several funds as shown in said Budget and as hereinafter set forth.

Discussion:

Mayor Woodland asked for a motion;

Council Member Merrill moved to consider BILL 1135 for the 2016 Appropriation Budget third read; Council Member Mann seconded the motion; Mayor Woodland asked for a vote:

<u>Those voting aye</u>	<u>Those voting nay</u>
Council President Smith	None
Council Member Benfield	
Council Member Mann	
Council Member Wolfe	
Council Member Merrill	

The motion carried

Mayor’s Business:

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 July 29, 2015 meeting
- B. Approve the City of Rexburg Bills

Council Member Mann moved to approve the Consent Calendar and pay the bills; Council Member Wolfe seconded the motion; Mayor Woodland asked for a vote:

Those voting aye

Council President Smith
Council Member Benfield
Council Member Mann
Council Member Wolfe
Council Member Merrill

Those voting nay

None

The motion carried

Attorney Zollinger wanted to recognize Steve Oakey and his contribution every year to allow the Police Department and DARE board to use his car wash for the DARE fundraiser. Mr. Oakey and his staff put in a lot of hours to help out with this.

Council Member Smith asked for a work meeting before City Council on the 19th of August at 5:00 pm.

Mayor Woodland also thanked Mr. Caleb Despain from the Standard Journal for his patience and attendance at the City meetings.

Adjourned at 8:30 P.M.

APPROVED:

Richard S. Woodland, Mayor

Attest:

Mary Flanary, Deputy City Clerk