

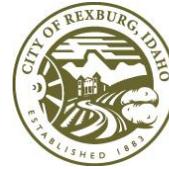
City Council Meeting

January 21, 2015

35 North 1st East
Rexburg, ID 83440

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CITY OF
REXBURG
America's Family Community

January 21, 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
John Millar – Public Works Director
Val Christensen – Community Development Director
Scott Johnson – Economic Development Director
Blair Kay – City Clerk

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

Mayor Woodland led the pledge.

Ana De Castro said the prayer.

Mayor Woodland reviewed the City of Rexburg's texting law; (*Text messaging, or texting, is the act of composing and sending brief, electronic messages between two or more mobile phones, or fixed or portable devices over a phone network*). He encouraged the students to make eye contact with the driver before they cross the road. The roads are slick this time of year and cars can't stop so, use caution. The students come from many nations speaking 36 languages.

Roll Call of Council Members:

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

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

Presentations: NONE

Committee Liaison Assignments for 2015:

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

Council Member Mann reported MYAB met to discuss traffic safety. Also, the Snowfest is planned for the 31st of January.

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

Council Member Busby reported the Traffic and Safety Committee received a street light report. He asked City Engineer Keith Davidson to report on some street lights needing repaired.

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

Council Member Benfield reported she spoke to a Rexburg Police Officer about "Shop with a Cop". It was a wonderful event. She indicated the Museum traffic has slowed down this month, so Jill Spencer asked to have more advertising. She also asked to review the Committee Volunteers list

for the Museum Committee indicating the list is out of date. There is also a hole in the ceiling at the museum that needs repaired. The carpets at the museum were recently cleaned; it looks wonderful. Council Member Benfield asked the committee list to be updated. The list indicates there are 11 committee volunteers; however Jill Spencer is the sole volunteer at this time.

Council Member Benfield reported The Trails of Madison County is writing its 4th attempt for a grant to the State Parks and Recreation Department; to extend the walking path along the Madison Jr. High School to connect with the current path which extends out to Hidden Valley. The other new project is a bike park along the Teton River; also, the committee is seeking funding for water lines in the new bike park. There is a concept for the bike park with some bike jumps per City Engineer Keith Davidson. He said he will have the bike park “layout” shown below presented at the next city council meeting.



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

Council President Smith reported the Legacy Flight Museum met to discuss their website. Next month they will start planning for the fly-in this summer. Upper Valley Idol is coming up this spring. The Messiah and the Christmas Carols were very successful with much help from Paula Sonderegger. Council Member Smith asked for the City (One award per Council Member) to honor the committee members in March. MEPI reviewed the winner’s successes after winning the business competition. She indicated the transportation presentation at the last Planning and Zoning joint work meeting was very informative. They didn’t have time to discuss other issues at that meeting. She requested quarterly work meetings with Planning and Zoning.

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

Council Member Merrill was excused.

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

Council Member Wolfe reported his information had been covered by Council President Smith.

Mayor Woodland said as reported earlier by the City Council Members; Rexburg has wonderful venues to visit; for example the Teton Flood Museum has a video about the 1976 flood that devastated Rexburg to view. He indicated Rexburg has a lot of things to do on a Saturday. He said the entertainment at the Rexburg Tabernacle is top notch. Mayor Woodland asked the public to take time to visit the Legacy Flight Museum; there are old world war planes on display. He asked the citizens of Rexburg to take the opportunity to visit these places and be a part of Rexburg.

Mayor's Report:
Public Hearings: – NONE

Items for Consideration:

A. RESOLUTION NO. 2015 – 02 setting the date for a public hearing to approve the final assessment role for LID44 for Wednesday, the 18th day of February, 2015 at the hour of 7:30 P.M. and review the engineer's report for LID44 – Matt Nielsen

LOCAL IMPROVEMENT DISTRICT 44											
2nd West & 1st North Project-Machine Curb											
Item #	No.	Dir	Street	Company/ L Name	F Name	New Sidewalk (SQ YD)	Replace Sidewalk (SQ YD)	Replace C & G (Ft)	Total Property Owner Cost	Total Estimated Property Owner Cost	Difference
13	202	W	Main St	BMC HOLDINGS INC DBA	BMC West Com		102.8	185	\$ 4,423.48	\$ 13,400.00	\$ 8,976.52
14	Approx 37	N	2nd West	BMC HOLDINGS INC DBA	BMC West Com	66.2		119	\$ 527.03	\$ 18,300.00	\$ 17,772.97
15	Approx. 57	N	2nd West	CAMPBELL PROPERTIES I LLC		56.7		80	\$ 11,399.43	\$ 15,300.00	\$ 3,900.57
16	164	W	1st North	CAMPBELL PROPERTIES I LLC		51.7		93	\$ 14,511.81	\$ 23,200.00	\$ 8,688.19
17	Approx 213	W	1st North	CAMPBELL PROPERTIES I LLC		93.3		168	\$ 12,881.92	\$ 16,100.00	\$ 3,218.08
18	208	W	1st North	COLBORN	STANLEY K		78.9	171	\$ 12,165.99	\$ 18,200.00	\$ 6,034.01
19	180	W	Main St	NOLTE	SHASTA MARIE		58.9	106	\$ 6,923.79	\$ 8,100.00	\$ 1,176.21
20	24	N	2nd West	NOLTE	SHASTA MARIE		20	35	\$ 852.46	\$ 2,800.00	\$ 1,947.54
21	Approx 24.6	N	2nd West	RUDDCO LLP					\$ 1,041.28	\$ 2,300.00	\$ 1,258.72
22	26	N	2nd West	LAYTON	DARRELL		36.2	28	\$ 1,995.56	\$ 3,900.00	\$ 1,904.44
23	36	N	2nd West	REXBURG PROFESSIONAL MNG LLC				6	\$ 3,074.15	\$ 6,500.00	\$ 3,425.85
24	150	N	2nd West	LERWILL	JEFF			46	\$ 377.38	\$ 900.00	\$ 522.62
25				URA/City ACTUAL		126.2	422.8	804	\$ -	\$ -	\$ -
						267.9	302.8	1107	\$ 70,174.28	\$ 129,000.00	\$ 58,825.72

Discussion: **City Engineer Keith Davidson** reviewed the final assessment numbers for LID44 on 2nd West and 1st North; a property on 3rd South; the Bank of Commerce on 2nd East; a property on 1st North and a property on 2nd North. The assessments on sidewalk and curb and gutter came in lower than estimates.

Council President Smith questioned the substantially lower cost. City Engineer Davidson said they received really good pricing on sidewalk and curb and gutter. When a machine is used instead of a hand set for the curb and gutter, it lowers the price.

Council Member Busby asked if BMC West used the rail road system on 2nd West. Engineer Davidson said they do use the tract for lumber rail shipments. The city is interested in taking out the spur pass where 1st North ties in.

2nd West & 1st North Project-Handset Curb											
Item #	No.	Dir	Street	Company/ L Name	F Name	New Sidewalk (SQ YD)	Replace Sidewalk (SQ YD)	Replace C & G (Ft)	Total Property Owner Cost	Total Estimated Property Owner Cost	Difference
26	142	W	1st North	MICKELSEN	DAVID		58.7	66	\$ 3,544.91	\$ 8,200.00	\$ 4,655.09
27	135	W	1st North	MICKELSEN	DAVID				\$ 4,128.71	\$ 11,200.00	\$ 7,071.30
28	126	W	1st North	TRI STATE TIRE			37	54	\$ 1,616.36	\$ 3,700.00	\$ 2,083.64
29	118	W	1st North	HEPWORTH	JAY A		37	59	\$ 1,592.88	\$ 3,800.00	\$ 2,207.12
30	129	W	1st North	BROOKINGS SUPERMARKET INC			4.45	89.4	\$ 859.22	\$ 3,100.00	\$ 2,240.78
31	115	N	2nd West	COATING & CUSTOM FABRICATION	PREMIER				\$ 1,246.42	\$ 2,700.00	\$ 1,453.58
									\$ 13,018.49	\$ 32,200.00	\$ 19,181.51
Miscellaneous											
Item #	No.	Dir	Street	Company/ L Name	F Name	New Sidewalk (SQ YD)	Replace Sidewalk (SQ YD)	Replace C & G (Ft)	Total Property Owner Cost	Total Estimated Property Owner Cost	Difference
32	184	E	2nd North	BANK OF COMMERCE				20	\$ 164.08	\$ 700.00	\$ 535.92
33	175	W	3rd South	GREENBRIER ASSOCI LTD		39			\$ 1,557.19	\$ 2,300.00	\$ 742.81
34	5	E	1st N	NOLTE	SHASTA M		64	56	\$ 2,268.45	\$ 5,000.00	\$ 2,731.55
Total Property Owner Cost	\$87,182			Total City Estimated Cost	\$ 872,250				\$ 3,989.72	\$ 8,000.00	\$ 4,010.28
				Total Estimated Cost	\$ 959,432						

Discussion:

Council Member Mann moved to approve Resolution 2015 – 02 setting the date for a public hearing for Wednesday, February 18th, at 7:30 P.M. to approve the final assessment role for

LID44; and review the engineer's report for LID44; Council Member Busby seconded the motion;

Those voting aye

Council President Smith
Council Member Mann
Council Member Benfield
Council Member Busby
Council Member Wolfe

Those voting nay

None

The motion carried

B. RESOLUTION NO. 2015 – 03 to set a public hearing to create Local Improvement District No. 45 for the purpose of constructing and installing certain public improvements and review the engineer's report for the proposed LID45 – Matt Nielsen

Discussion: **City Engineer Davison** reviewed the Engineer's Report for LID45 for 2nd North and other miscellaneous properties. There is a new water line between Center Street and 1st East. All service lines will need to be replaced for water and waste water. It will cost about \$1,000 per residence. If the street needs to be cut for the new services, it could cost the residents up to \$10,000 for new services. Other Areas:

1. Porter Park sidewalk on the south side.
2. Kay Beck property on Elm Street.
3. Mathew Baker property on 1st West
4. Dean Johnson property on 1st North (includes a sunken water line)



Discussion on the sidewalk width which will be a 5 foot sidewalk.

Mayor Woodland asked what types of pipes are being installed; City Engineer Davidson said they are concrete pipes.

Council President Smith asked about Porter Park; City Engineer Davidson said they are looking into installing a handicap access points on the corner of 3rd West, and 2nd South into Porter Park. The access would tie in the tennis court, splash, and shelter.

Discussion on miscellaneous properties.

City Engineer Davidson said Mr. Beck asked to be put on this current LID45. Council Member Busby questioned whether any of Mr. Beck's neighbors have asked to be included in LID45; City Engineer Davidson wasn't sure about the appearance if only Mr. Beck was to make the repairs to his sidewalk. City Engineer Davidson said because it's not the entire street and only curb and gutter, it works out ok for him to only repair his portion that needs replaced.

City Engineer Davidson said there were complaints regarding Mathew Baker's sidewalk on 1st West. Mr. Baker was asked by the city to be added to an LID last year, however didn't make it in on time to sign a waiver. City Engineer Davidson said 1st West isn't a street that is being reconstructed; the recommendation from City Council in the past was to replace the sidewalks when the street is being reconstructed. He said Mr. Baker's entire sidewalk needs replaced. It currently is a 4 foot wide sidewalk; the new sidewalk would need to be 5 foot wide sidewalk. Council Member Busby asked how this would tie into the existing sidewalk down the street. City Engineer Davidson said the sidewalk further down is 7 feet wide, the sidewalk would transition.

Mayor Woodland indicated there is heavy pedestrian traffic in this area. City Engineer Davidson asked for the City Council’s recommendation to wait for the public hearing for LID45.

City Engineer Davidson said the Dean Johnson property on 1st North has a sunken water line and sidewalk needing repaired. Mr. Johnson had come in last year to talk to us about being put on an LID, however; we have not been able to contact Mr. Johnson. Mr. Johnson’s area isn’t a heavily traffic area, however; it is still a hazard.

Council President Smith moved to approve Resolution 2015 – 03 to set a public hearing to create Local Improvement District No. 45 for the purpose of constructing and installing certain public improvements and review the engineer’s report for the proposed LID45; Council Member Wolfe seconded the motion;

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

The motion carried

Discussion on having a work meeting on February 04, 2015 at 5:30 P.M. to discuss the Cresthaven Subdivision street issues including curb, gutter, and sidewalk.

C. Change the Development Code Ordinance to state that parking for multiple family housing (2 bedrooms and above) in the Infill/Redevelopment Area may be reduced to 80 % parking (reduce parking by 20%) as recommended by the Planning and Zoning Commission – Val Christensen

Discussion: **Community Development Director Val Christensen** indicated the parking plan should be reviewed by the Community Development Director instead of the City Engineer.

Community Development Director Val Christensen reviewed some cleanup items in the zoning code to clarify the code.

1.1 Parking Plan Required (Proposed changes are in **RED**)

- a. **Requirements.** *When a building or structure is constructed, erected or enlarged, when the capacity of a building or structure is increased, or when the use of a building or structure is changed and such change creates an increase of fifteen (15) percent or more in off-street parking requirements, a parking plan shall be submitted to and approved by the **Community Development Director**. The plan shall show all parking spaces and their dimensions, access aisles, and entrances and exits to the site. The parking plan may be combined with the landscape plan required under Section 6-9*

- x. *All parking areas for more than four (4) vehicles shall dedicate the equivalent of ten (10) percent of the parking area to landscaping and snow storage. The landscaping may be interior or may be peripheral. It shall include groundcover and trees. **Parking must be screened from right-of-way and other residential uses as per Section 4.7.***

1.2 TABLE 3 – Required Number of Spaces

Call Centers and business with higher density cubicles, 0.9 space per employee or 0.6 per employee allowed in Central Business District (CBD), Technology and Office Zone (TOZ) and Mixed Use 2 (MU2). On a case by case basis 0.6 spaces may be allowed in other zones if the Community Development Director determines that the requested location is close in proximity to substantial higher density housing.

Community Development Director Val Christensen reviewed past discussions in Planning and Zoning concerning parking. He has been meeting with apartment owners to come up with a final proposal. Multiple family housing (2 bedrooms and above) in the Infill/Redevelopment Area have been requested to be changed by Planning and Zoning.

Use Parking Spaces

RESIDENTIAL (Proposed changes are in **RED**)

Single-family dwellings 2 spaces per unit

Multi-family dwellings 2.0 spaces per unit (except in the Infill-Redevelopment area, multi-family parking for projects with over three units may be reduced by 20% see Section 4.16).

High Density Residential (HDR1 & HDR2 Zones, or zones with high-density housing provisions. Does not include dormitory, or non-family housing)

1 bedroom 1.5 spaces per unit

2 bedroom 2.0 spaces per unit (except in the Infill-Redevelopment area, multi-family parking for 2 bedroom units in projects with over three units may be reduced by 20% see Section 4.16).

3 bedroom 2.0 spaces per unit (except in the Infill-Redevelopment area, multi-family parking for 3 bedroom units in projects with over three units may be reduced by 20% see Section 4.16).

Dormitory housing 1 space per occupant

Dormitory housing located in the Pedestrian Emphasis Zone (PEZ) and seeking reduced parking requirements is subject to a Conditional Use Permit CUP

Congregate Residence and Boarding House 1 space per occupant (unless otherwise approved by the Community Development Director)

Multi-family dwellings for the elderly 1 space per unit

Nursing homes 0.25 per bed

Motels and hotels (transient lodging) 1.00 per sleeping room plus 1.00 space per employee at the highest shift

Council Member Busby was not in favor of reducing parking.

Community Development Director Val Christensen said the proposal is for multiple family housing with many residents having only one car. The other parking problems are coming from single student housing which cannot park in these multifamily lots.

Council Member Mann said the renters can come with more cars; like non-student renters.

Community Development Director Val Christensen said these units have to abide the family rule which is only two non-related individuals can stay in one unit.

Council Member Smith asked to clarify the Infill/Redevelopment Area. She asked for an example to review. Her experience at Rexburg West was there was never enough parking. Cory Sorensen's projects were used as examples; where only about 70% of the parking lot is utilized by the residents because married couples do not always have two cars.

Community Development Director Christensen indicated the unused parking stalls get filled up with storage items instead of an active parking stall. *Examples below:*



WHAT IS THE PROBLEM?

- ❖ The City of Rexburg is growing at a rapid rate
- ❖ BYU-I student housing projects have used up most of the undeveloped sites
- ❖ Resources are limited, including land, services and infrastructure
- ❖ Transportation costs (including street costs) are greater as housing is constructed farther from campus and Downtown Rexburg
- ❖ Leap-frog developments create vacant properties that are often weeded, unsafe and undesirable
- ❖ The character of the community is changing

WHAT ARE SOME SOLUTIONS?

The Rexburg “Ready Team” has proposed (among others) that three key planning tools should be the focus of a solution. They are as follows:

- ❖ INFILL
- ❖ REDEVELOPMENT
- ❖ MIXED-USE

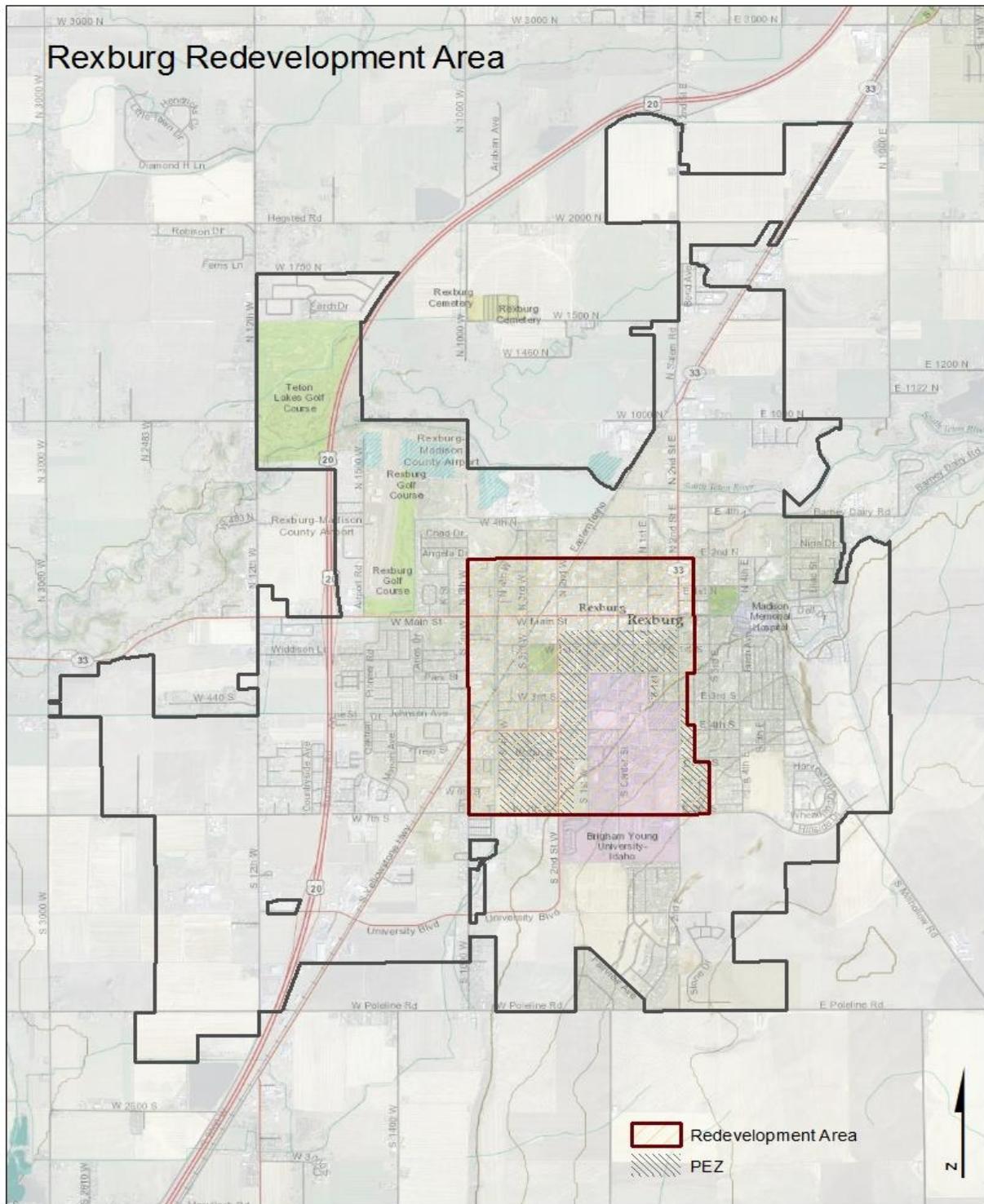


PHYSICAL CONSTRAINTS REQUIRE FLEXIBLE STANDARDS

“Odd shaped lots, close building orientation, steep topography, poor access, brownfields, and a multitude of other site constraints require flexibility and creative design solutions” (IRCD)

INFILL MAP from 2012: **PROPOSED REDEVELOPMENT AND INFILL EMPHASIS ZONE**

This map shows the proposed infill and redevelopment emphasis zone. This area composes the blocks adjacent to the Brigham Young University–Idaho campus. Proximity to campus, availability of City services, And the preexisting grid system for streets and blocks were the major factors in choosing this area. (7th South to 2nd North; and 5th West to 250 East)



City Attorney Zollinger said the request was to set a public hearing at this time to discuss amending the parking proposal.

Community Development Director Christensen reviewed a proposed language change on the short plat. Section 2.5 Short Plat. This change is necessary to facilitate adding right-of-way reviews to the process: (Delete #2 below and *right-of-way dedications* to #3).

SECTION 2.5 SHORT PLAT

A Short Plat may be requested when all of the following conditions are met:

1. The proposed subdivision does not exceed four (4) buildable lots
2. No right-of-way dedication is necessary as required by City Codes and Ordinances
3. Public improvements, *right-of-way dedications*, street widening or infrastructure improvements have been approved by the City Engineer.
4. No impacts on the health, safety or general welfare of the City of Rexburg
5. The subdivision is in the best interest of the City of Rexburg

Discussion on the short plat requirements to avoid the long process of platting larger parcels. The short plat is for small parcels that cannot subdivide beyond three property splits per state code without going through the plating process.

Council Member Busby moved to set a public hearing on March 04, 2015 at 7:30 P.M. to review a proposal to change the parking for multiple family housing (2 bedrooms and above) in the Infill/Redevelopment Area by a reduction of 20% to 80 % parking as recommended by the Planning and Zoning Commission ; Council Member Benfield seconded the motion;

Those voting aye

Council President Smith
Council Member Mann
Council Member Benfield
Council Member Busby
Council Member Wolfe

Those voting nay

None

The motion carried

Discussion on parking on surfaces that are not surfaced with asphalt.

Discussion on the IVY parking at 28% with BYU-I support.

Discussion on the Windsor Manor at 40%+ parking.

Staff Reports:

A. Public Works: – John Millar

1. **Engineering Contract** with GDA (Airport Apron Reconstruction)

(GDA Engineers in Cody, Wyoming provides civil engineering, planning, and surveying solutions for our valued clients in Wyoming and across the Rocky Mountain Region. GDA Engineers is celebrating over 60 years of successful projects across Wyoming, Montana, Idaho, Utah, and Colorado. Our hometown is Cody, Wyoming, but our backyard is the Mountain West.)

City Engineer Davidson reviewed the contract changes \$54,434 which is budgeted for the airport apron.

Discussion:

Council Member Busby moved to approve the Engineering Contract with GDA (Airport Apron Reconstruction) as proposed; Council Member Smith seconded the motion;

Those voting aye

Council President Smith
Council Member Mann
Council Member Benfield
Council Member Busby
Council Member Wolfe

Those voting nay

None

The motion carried

Council Member Busby asked about the new brine street machine. The brine is made with salt, etc. City Engineer Davidson explained the city crews mix the brine at 4 cents a gallon for pre-storm application verses the old method of \$0.64 cents. The concerns are what it does to the cars.

Council Member Mann asked about the hole in the Museum’s ceiling. Staff will have the hole repaired.

Council Member Busby thanked the street crews for their work on snow removal.

Mayor Woodland said we do a good job on the streets. He compared Rexburg’s snow removal favorable to other cities in the area.

B. Finance Department: Matt Nielson

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: – NONE

D. Second Reading: Those items which have been first read: – NONE

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

1. **Ordinance 1124** - Rezone 252, 260, and 274 West 1st North, and 118 North 3rd West from Low Density Residential 2 (LDR2) to High Density Residential 1 (HDR1).

Discussion:

Council Member Wolfe moved to consider Ordinance 1124 third read and approved to rezone 252, 260, and 274 West 1st North, and 118 North 3rd West from Low Density Residential 2 (LDR2) to High Density Residential 1 (HDR1); Council Member Benfield seconded the motion; Mayor Woodland asked for a vote:

Those voting aye

Council President Smith
Council Member Benfield
Council Member Wolfe

Those voting nay

Council Member Busby
Council Member Mann

The motion carried.

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 January 07, and January 15, 2015 meetings
- B. Approve the City of Rexburg Bills

Council Member Busby 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 Mann
Council Member Benfield
Council Member Busby
Council Member Wolfe

Those voting nay

None

The motion carried.

Adjourned at 8:16 P.M.

APPROVED:

Richard S. Woodland, Mayor

Attest:

Blair D. Kay, City Clerk