

City Council Meeting

January 20, 2016

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CITY OF
REXBURG
America's Family Community

January 20, 2016

Mayor Jerry Merrill
Council Members:
President Sally Smith Jordan Busby
Donna Benfield Tisha Flora
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

5:30 P.M. GIS training for the “**Next Generation Parcel Map**” <http://Madison.Rexburg.org> the web.

GIS Coordinator Craig Rindlisbacher introduced GIS Technician Faron Young and GIS Analyst Chad Hinckley as the trainers for the Interactive Story Mapping System. They logged into www.madison.rexburg.org to demonstrate the many options available to the public. Coordinator Rindlisbacher indicated the more options requested will add to the functionality of the software; however, it also diminishes the efficiency of the software. They followed the following outline to demonstrate the program.

Viewer Training Outline

Introduction:

- 3rd Generation Parcel Map Viewer
- Following Technology Industry (Silverlight plugin deprecation, HTML 5 & JavaScript standards)
 - Broader Web Browser Support
 - Mobile Friendly (smartphone, tablet, Desktop customized interface)
- Balance Public simplicity requirements versus staff complexity demands

1) URL

- a) Madison.Rexburg.org

2) MAP ORIENTATION

- a) Disclaimer
- b) Search (Parcel #, address, name, subdivision)
- c) Open/Close Toolbar
 - i) Tabs – Home, Mapping, Tasks
- d) Hide/Open Home Panel
 - i) Layer List Button
- e) Help & Shortcuts
- f) Bookmarks
- g) Base maps
 - i) Topo, World Imagery, 2012, 2015
- h) XY Coordinate Systems
- i) Overview Map
- j) Right Click Menu

3) SEARCH TIPS

- a) PIN, Last Name, Address, subdivision name (subdivision will link to plat)
- b) RPR000R0094940, Rindlisbacher, 266 Harvard, Eaglewood

4) IDENTIFY / MAP TIPS

- a) From a Search
- b) From Right Click
- c) From Map tip (left click)
- d) From Toolbar (Multiple selection tools available)
- e) From Help & Shortcuts (rectangle selection available)

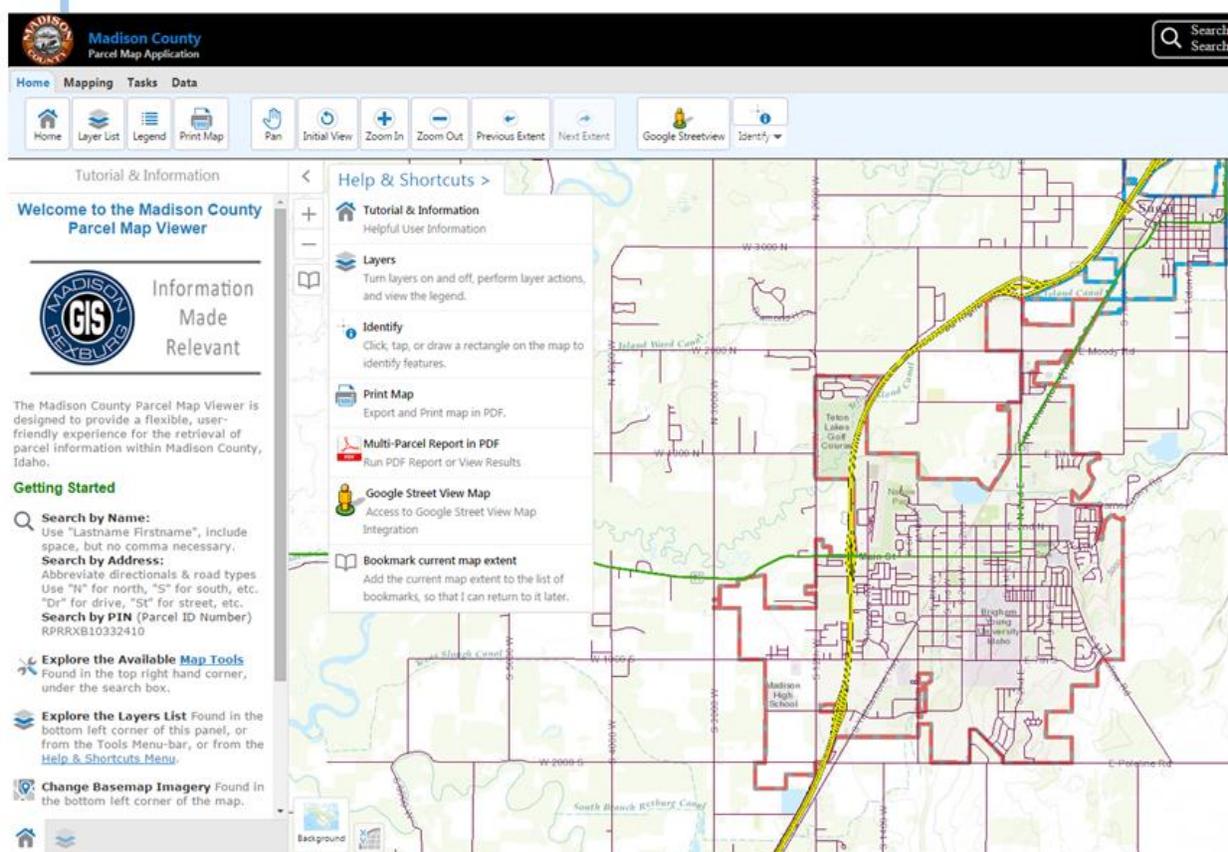
5) REPORT

- a) Map Tip – Single Parcel Report

6) TOOLBAR

- a) HOME
 - i) Print Map
 - (1) Available from – Right Click, Help & Shortcuts, Home Tab & Tasks Tab
 - (2) Several Layout Options
 - (3) Editable Title & Notes sections
 - (4) Any Selected Layers & Parcels, Measurements, Drawings, will appear in map
 - ii) Google Street View
 - (1) Center, Pop-Out, Drag Marker
 - (2) “Data not found” message, on streets with no Google Images
 - b) MAPPING
 - i) Draw, Snapping, Styles, Erase, Measure, Erase, Snapping, Styles,
 - c) TASKS
 - i) Print Map, Export Image
 - ii) Multi-Page Report, Export to Excel
 - iii) Identify (Snapping), Buffering)
 - d) DATA
 - i) Parcel Shapefile Download
- ### 7) STAFF VERSION
- a) Madison.Rexburg.org/Staff
 - b) Query & Filter
 - c) Buffer
 - i) Mailing Labels (P & Z)
 - d) Proposed Address Layer (Permitting)
 - e) Zoning Map tip

<http://madison.rexburg.org/Html5Viewer2.4/?viewer=public>



***** Overall** the new mapping program will be very helpful to the public to look up data on each parcel including comparing parcels to each other with parcel information.

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

Detective Kunsaitis led the pledge.

Shane Turman said the prayer.

Roll Call of Council Members:

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

Council Member Mann and Council Member Wolfe asked to be excused.

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

Steven Oakey stated he read the last City Council Minutes and in the portion of the minutes where Mayor Merrill asked for suggestion from Rexburg Residents, City Council Members, and City Staff regarding goals the City could work on to improve. He, in this same spirit would like to make a suggestion. He recommended agenda item “Public Comments on non-controversial issues: not scheduled on the agenda (limit 3 minutes):” verbiage be changed. He indicated this item was worded differently when Shawn Larson was mayor. He quoted the verbiage from a past City Council agenda which read “Public Comments on issues not scheduled on the agenda (limit 3 minutes)”. Mr. Oakey indicated the verbiage “non-controversial issues” could be opened to a broad interpretation. He believes it has the desired effect of silencing unwanted opinion which is the exact opposite of what we would want public comment to be.

Steven Oakey specified between August and September of 2012 this small verbiage change to the City Council Agenda was instituted. He is not aware of any public discussion to change the verbiage. Mr. Oakey said in his opinion this was a drastic change and believes the public comment is the most important part of the City Council Agenda. He stated contrary to the pledge of allegiance where all the people stand up in unison. It is a different matter for an individual to stand up in front of a public microphone to speak publicly and to demand an audience of the City Council, Mayor and City Staff and

to own the words that person speaks from the podium. He said often times it is a person's sole opinion and for most people it is difficult to stand up and state their concerns.

Steven Oakey suggested the verbiage be changed by removing "non-controversial issues" from the Public Comment item on the City Council Agenda. He said the wording could be changed back to its original intent or back to the verbiage used when Shawn Larson was mayor. He also suggested changing the verbiage to the following: 1. Public Comment on issues not scheduled on the agenda (keep comments respectful and limit to 3 minutes). He encouraged City Council to have a public discussion where Mayor and City Council speak publicly as to whether or not they would invite controversial issues to be spoken. He said these comments would be uninvited, perhaps passionately, perhaps unreasonable; however, on many occasions public comment made spontaneously from this pulpit is quite constructive. He continued to encourage City Council to have a public discussion to remove the "non-controversial issue" from the agenda.

Mayor Merrill thanked Mr. Oakey for his comments.

Presentation:

A. Swearing in of new Police Officer for the City of Rexburg – Chief Shane Turman

I do solemnly swear (or affirm) that I will support the Constitution of the United States, the Constitution and Laws of the State of Idaho, and the Laws and Ordinances of the City of Rexburg, Idaho, and that I will to the best of my ability, faithfully perform the duties of a Police Officer in the City of Rexburg, Idaho, during my continuance therein, so help me God.

Mayor Merrill asked Chief Shane Turman to introduce Darrik Farmer.

City Attorney Zollinger administered the oath of office to Police Officer Darrik Farmer.

Committee Liaison Assignments for 2016:

A. Council Member Mann: *Golf Board · Emergency Services Board · GIS Oversight*

Council Member Mann was excused.

A. Council Member Busby: *· Airport Board · Traffic & Safety · Trails of Madison County*

Council Member Busby reported the Airport Board and Traffic and Safety have not met since the last City Council meeting. Trails of Madison County will meet tomorrow.

B. Council Member Benfield: *Police · MYAB · Parks & Recreation*

Council Member Benfield reported Daniel Allen with the Rexburg Police Department is at P.O.S.T. Academy. Mayor Merrill asked Police Chief Turman to clarify what "P.O.S.T." stands for; Chief Turman replied it's an abbreviation for Police Officers Standard Training Academy in Meridian Idaho. The P.O.S.T. Academy is a ten week training program where police officers train on all aspects of their duties as police officers.

Council Member Benfield specified the swearing in of Police Officer Darrik Farmer will be administered by City Attorney Zollinger. Chief Turman indicated Police Officer Farmer has completed some unpleasant police training this week, he was pepper sprayed, and tased; he handled both well.

Mayor Merrill asked Police Officer Darrik Farmer to introduce his family. Officer Farmer introduced his wife and two daughters.

Council Member Benfield continued to report the Police Department has asked City Council to remind the City residents about no parking on City streets from 2:00 a.m. to 7:00 a.m. This is generally the time when the City Street Department works on snow removal.

Council Member Benfield reported the Mayor's Youth Advisory Board met today there were about 15 youth that attended the meeting. They worked on a humanitarian project for the Humanitarian Center, Inc. in Idaho Falls. The project consists of coloring and putting together folders of different activities

kids can play with. Mayor Merrill said he had the opportunity to visit with the Mayor's Youth Advisory Board Members. He said he asked them for advice on what can be done to make Rexburg better they replied better snow removal. The City is doing the best we can with the resources we have and hope to improve the snow removal process.

Council Member Benfield said the Parks and Recreation Committee would like to add two new committee members. Council Member Benfield introduced Aimee Cox and Rachel Hale; she asked them why they decided to serve on the committee. Amiee Cox replied she would like to see fun, creative, and new activities come to Rexburg. Rachel Hale stated she has a degree in bio-mechanics; she has coached and taught many different recreational activities. Ms. Hale stated her favorite thing to do in the world is force people to play and have fun. She built an obstacle course in her neighborhood there was about 100 kids that participate along with some of their parents. She looks forward to serving in the Parks and Recreation Committee.

Mayor Merrill mentioned he too looks forward to working with the Parks and Recreation Committee Members. Their enthusiasm and creativity in bring new recreational ideas to Rexburg is appreciated.

D. Council Member Smith: *Legacy Flight Museum · Beautification Committee · M.E.P.I.*

Council President Smith reported the Legacy Flight Museum will not meet until the second week of February to discuss plans for the Airshow in June. She said the Airshow will be an all-day event this year. The theme of the event will be on World War II with planes, war birds and pilots. The Airshow will be an outstanding event with about ten to fifteen thousand people attending the event.

Council President Smith also reported M.E.P.I. had formed different sub-committees one of these sub-committees had the idea of a web-site for economic development. The web-site would be a one stop site where information such as which types of utilities are available, the different types of loan programs that are accessible, and the type of zoning available in a particular area. The web-site will be very useful for economic development and M.E.P.I. They also discussed the relocation of the Rexburg/Madison Airport and if it were to be moved the possible land use of its current location. They discussed the bond process if a bond were to be needed to redevelop the airport land and M.E.P.I.'s involvement in that process. She stated one of the reasons M.E.P.I. was created was to be a bonding agency for the City of Rexburg and Madison County.

Council President Smith indicated she has been assigned to report on the Beautification Committee, they have not met. The board may have a need for new committee members. She encouraged those interested in serving on this committee to apply.

Council President Smith reported she is aware of a couple of ideas the Beautification Committee has for Center Street. She said Economic Development Director Johnson will be presenting these ideas to City Council when the plans are complete. She believes these ideas will be the beginning of great opportunities for downtown Rexburg.

E. Council Member Flora: *School Board · Rexburg Arts Council/Museum of Rexburg*

Council Member Flora reported the Madison School Board will meet tomorrow. The Rexburg Arts Council Committee met last Thursday. They are excited about adding two new members to the committee. The new members are Terri Lee and Sydney Kelly both of them are very excited to serve on the Rexburg Arts Council Committee.

F. Council Member Wolfe: *Planning & Zoning · Urban Renewal Agency · IBC*

Council Member Wolfe was excused.

Mayor Merrill reported on Urban Renewal he attended the meeting last week in the absence of Council Member Wolfe. He reported all of the Urban Renewal Districts are in good financial standing they all show a positive fund amount in their accounts, with the exception of the North Interchange Urban Renewal District where the new Super Walmart is being built. This district has no funds in their account because of the way Urban Renewal Districts work. He said normally funds are not collected until a year after the development is built, because that is when the taxes are levied against the district. The City is planning to issue a bond through a financial institution to finance the widening of the road at this

location. He indicated as tax monies become available through the development of this district the City will be able to pay back the bond. He stated it is important to stay ahead of the growth.

Mayor Merrill said he will be attending a meeting with the Madison School Board tomorrow regarding the land purchase for a water tank. They will also be discussing the possibility of the City helping them with in-kind work for the building of a road on their property.

Mayor's Report:

A. Fee waiver request for the "Underground Railroad" to use the Tabernacle on March 11, 2016 for a speaking event featuring Tim Ballard, founder and CEO of Operation Underground Railroad. The event will be free to the community; also, to cover \$179.55 for expenses for an "Underground Railroad" 5K Race back in the Fall of 2015 - Heidi Fransen

Heidi Fransen stated Operation Underground Railroad is a private organization that rescues child and adult trafficking victims. The organization is based out of Utah and Los Angeles California. Tim Ballard founder of Operation Underground Railroad has worked for the U.S. Government in the CIA Division he left the CIA to start the organization. He has rescued about 250 children since the start of the organization in January 2013. The organization is funded 100% by donations. She said her mission is to raise awareness and raise money for this cause.

Heidi Fransen indicated Tim Ballard will be coming to speak about Operation Underground Railroad in Idaho Falls on March 12th she asked him to come and speak in Rexburg on March 11th. He said he would be willing to come speak in Rexburg. She asked City Council to waive the Rexburg Tabernacle rental fees.

Mayor Merrill asked Finance Officer Nielson what the rental fee of the tabernacle would be to host Mr. Tim Ballard. Finance Officer Nielson replied the rental fee would be about \$300.00.

Heidi Fransen also asked City Council to waive an invoice of \$179.55 associated with the Operation Underground Railroad Race in September. The invoice was from Alphagraphics for the printing of flyers to advertise the race. She said there was miss-communication between City Recreation Director Yeatman and herself as to who would be responsible for the cost.

Mayor Merrill stated in the future there will be clearer communication as to who is responsible for cost associated with these types of events.

Heidi Fransen asked City Council to waive the fees for the Operation Underground Railroad 5K Race on September 24th. Mayor Merrill specified further discussion will be necessary to waive the City fees associated with the 5k race.

Council President Smith asked Heidi Fransen if she has checked to see if the tabernacle is available on the 11th of March. Heidi Fransen replied she did check with Arts Director Jackie Rawlins to make sure the tabernacle was available.

Council Member Benfield indicated there is a City event planned for September 24th. Heidi Fransen said she can change the date of the 5k race if she needs to.

Council Member Busby asked about the number of participants in last the race. There were about 174 participants the race consisted of half marathon, 10k and 5k race. He asked how much money was collected. She stated she was unsure of the exact amount; however, she believes it was about \$9,000.00. She had also collected \$10,000.00 in sponsor money and combined both funds to donate to the organization. The race had a great turn out and she hopes the next race will too.

Council Member Busby asked about the plans to advertise the upcoming speaking event featuring Tim Ballard. Heidi Fransen said they will be advertising the event on social media and other avenues. Council Member Busby suggested the event information be put on the marquee at the Romance Theater. Council Member Benfield asked Mrs. Fransen to check with the Chamber of Commerce they have a large community calendar the whole community may use. The audience suggested she make flyers to distribute at local business and schools.

Discussion:

Council Member Busby moved to approve the fee waiver request for the “Underground Railroad” to use the Tabernacle on March 11, 2016 for a speaking event featuring Tim Ballard, founder and CEO of Operation Underground Railroad; and cover \$189.55; Council Member Benfield seconded the motion; Mayor Merrill asked for a vote:

Those voting aye

Council President Smith
Council Member Flora
Council Member Busby
Council Member Benfield

Those voting nay

None

The motion carried

B. Approve Resolution 2016 – 02 for the Madison County Regional Planning Organization “RPO”

Discussion:

Mayor Merrill asked Economic Development Director Scott Johnson to give a brief overview of the Madison County Regional Planning Organization “RPO”

Economic Development Director Johnson reported the City was approached by Idaho Transportation Department to start the state’s first Rural Planning Organization. He specified for communities over 50,000 in population in order to receive federal funding for their transportation projects. They need to create a metropolitan planning organization this organization would include Cities, Counties and surrounding areas. This is mandated federally for Cities over 50,000 in population.

Economic Development Director Johnson indicated Rexburg is not over 50,000; however, due to the planning process of Envision Madison it was brought to the attention of the Idaho Transportation Department that such an organization was needed. They approached the City about creating a rural planning organization in September of 2013.

Economic Development Director Johnson clarified the Madison County Regional Planning Organization was started for the purpose of gathering and sharing information between different entities including: the City of Sugar City, Idaho Transportation Department, the City of Rexburg, and Brigham Young University. The “RPO” doesn’t make any decisions or recommendation they share information amongst the entities involved.

Mayor Merrill said he has attended the Madison County Regional Planning Organization meetings it is a great organization to participate in. They preclude a lot of duplication of time, effort and money by sharing information with each other.

Council President Smith moved to approve Resolution 2016 – 02 and the RPO Agreement with Madison County, Sugar City, and ITD for the Madison County Regional Planning Organization “RPO”; Council Member Busby seconded the motion; Mayor Merrill asked for a vote:

Those voting aye

Council President Smith
Council Member Flora
Council Member Busby
Council Member Benfield

Those voting nay

None

The motion carried

C. Ratify Terri Lee and Sydney Kelly as new members of the “Arts Council”

Discussion:

Council Member Flora moved to ratify Terri Lee and Sydney Kelly as new members of the “Arts Council”; Council President Smith seconded the motion; Mayor Merrill asked for a vote:

Those voting aye

Council President Smith
Council Member Flora
Council Member Busby
Council Member Benfield

Those voting nay

None

The motion carried

D. Ratify Aimee Cox and Rachel Hale as new members of the “Parks and Recreation Committee”

Council Member Flora moved to ratify Aimee Cox and Rachel Hale as new members of the “Parks and Recreation Committee”; Council Member Busby seconded the motion; Mayor Merrill asked for a vote:

Those voting aye

Council President Smith
Council Member Flora
Council Member Busby
Council Member Benfield

Those voting nay

None

The motion carried

Public Hearings: - NONE

Items for Consideration:

- A. **BILL 1139 to rezone** property at 398 and 424 Pioneer Road from Rural Residential 2 to Medium Density Residential 2 (This Rezone request was recommended for approval to the City Council by the P&Z Commission) - Johnny Watson

Discussion:

Johnny Watson presented the proposal to rezone 398 and 424 Pioneer Road. He said a section of the property is zoned Rural Residential 1 the signal family residence to the north did not want to be included in the zone change; however, Sherry Allen agreed to have her property included in the zone change. He indicated as you travel south on Pioneer Road there is single family residences on the east side with multi-family housing to the south and north of Pioneer Road.

Johnny Watson reviewed to the Comprehensive Plan Map on the overhead screen. The area between Highway 20 and Pioneer Road is identified as moderate to high density residential in the Comprehensive Plan Map. This zone request is consistent with the Comprehensive Plan Map.

Johnny Watson referred to the current zoning map on the overhead screen. The area inside the bright green section is zoned Rural Residential 1. He pointed out were the two properties requesting the zone change on the zoning map. He said there is Medium Density Residential 1 zone to the North and High Density Residential 1 to the South. His perception of Pioneer Road is that it’s almost all multi-family housing with nice intact single family neighborhoods to the east.

Johnny Watson described the map with the red, blue and bright green outlined sections. He said the red section on the map is zoned Medium Density Residential 1 and the bright green is zoned High Density Residential 1. He and the owner agreed instead of requesting High Density Residential they decided Medium Density Residential 2 would be a better transition between Medium Density Residential 1 and High Density Residential 1. He said he explained to the owner that requesting High Density Residential 1 based on the parking regulations, they would not be able to acquire the density. The current parking regulations would allow for Medium Density Residential 2.

Johnny Watson showed pictures of Pioneer Road. Council Member Busby asked about the acreage needed for High Density Residential 1. Mr. Watson replied 30 units per one acre of land are required for High Density Residential 1, Medium Density Residential 2 requires 20 units per acre, and Medium Density Residential 1 requires 16 units per acer.

Discussion regarding buffers, setbacks and right of way to minimize the impact development would have on the neighborhoods.

Johnny Watson stated Pioneer Road was designed to handle heavy traffic flows. He was surprised by the neighborhood's response in opposition of the zone change. He stated his understanding of the comments the neighbors were making at the Planning and Zoning meeting were of a perceived traffic issue through their neighborhood. Mr. Watson suggested the City conduct a traffic study and encouraged law enforcement to patrol the neighborhood for possible speeding concerns.

Mayor Merrill said he read the Planning and Zoning minutes concerning the zone change. The residents are very concerned with adding more multi-family housing because of added traffic. There is concern with vehicles going through Pinehaven Street to get to the Yellowstone Highway. He spoke with Chief Turman since the meeting to have speed trailers stationed in the neighborhood and increase police presence. Mayor Merrill stated the City will look into setting up speed bumps and a traffic study this summer, to make the neighborhood safer.

Council Member Flora expressed her appreciation of the presentation it was well thought out. She doesn't oppose the zone change; however, she researched the traffic concerns on Pinehaven Street. In May of 2011 the Bjorn family discussed the need for speed bumps on Pinehaven Street at the Traffic and Safety meeting. The Bjorn family made the request for speed bumps several times. Then in June of 2011 Public Works Director Millar stated he would conduct a traffic study and possibly install speed bumps. In September of 2011 Captain Lewis was asked to increase police patrol on Pinehaven Street. A letter was received in March of 2012 again requesting the need for speed bumps. City Council requested a speed trailer be stationed in March of 2012. Council Member Flora said this has been an ongoing traffic issue since 2011. She spoke with Finance Officer Nielson about the cost of adding speed bumps on a street. The cost would be about \$1200.00 per speed bump.

Council Member Flora indicated she spoke with Public Works Millar about the installation of speed bumps on Pinehaven Street. He expressed to her that he would prefer to conduct a traffic study. The option of installing speed bumps or conducting a traffic study could be given to the residents. There wouldn't be a cost to the City, because they could use the speed bumps the City uses during the summer by Porter Park.

City Attorney Zollinger also researched the traffic report regarding Pinehaven Street. There were three Rexburg Police Officers sent to patrol the street. The Police Officers reported they did not find vehicles speeding; however, there was an excess amount of vehicles using this street over the course of several days. Pinehaven Street is not conducive to speed. There is also the possibility that vehicles weren't speeding because of the current road conditions. He suggested the solutions be worked on after the winter months when the issues are more prevalent. Council Member Flora said the speed bumps do have to be removed for the winter months they would be more conducive during the summer.

City Attorney Zollinger indicated there was a neighborhood that requested the speed bumps be removed after a month of them being installed, because of noise made when a vehicle runs over them. Chief Turman indicated the Police Department will install a speed trailer on Pinehaven Street.

Council Member Smith stated when the Comprehensive Plan Map was initiated and a lot of growth was taking place in 2000. There was also rezoning being done in this area. The area is a great location for multi-family housing, because it backs up to Highway 20, a direct route to Brigham Young University, and this was done before the subdivisions were built. She agrees the zone change is a valid request; however there is a traffic issue that needs to be addressed. She suggested a stop sign replace the yield sign to slow and break up traffic.

Community Development Director Christensen said the owner of the storage units was concerned with the zone change, because he thought his property would lose the grandfathering status. Community Development Christensen said after speaking with the owner he agreed to have his property included in the zone change.

Staff Analysis:

If approved, this rezone will result in changing Rural Residential 2 (RR2) to Medium Density Residential 2 (MDR2). 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 MDR2 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.

e. Recent changes in land use on adjoining properties or in the neighborhood of the map revision.

A Planned Unit Development was approved recently to the south.

f. Meets the requirements of the Comprehensive Plan.

See paragraph a.

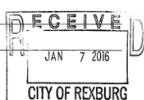
STAFF RECOMMENDATION

If the Planning and Zoning Commission determines that the change is in the best interest of the City of Rexburg and the adjoining neighborhoods are not adversely affected, Staff requests that the Planning and Zoning Commission recommend that the City Council process the requested zone change.

Written Opposition:

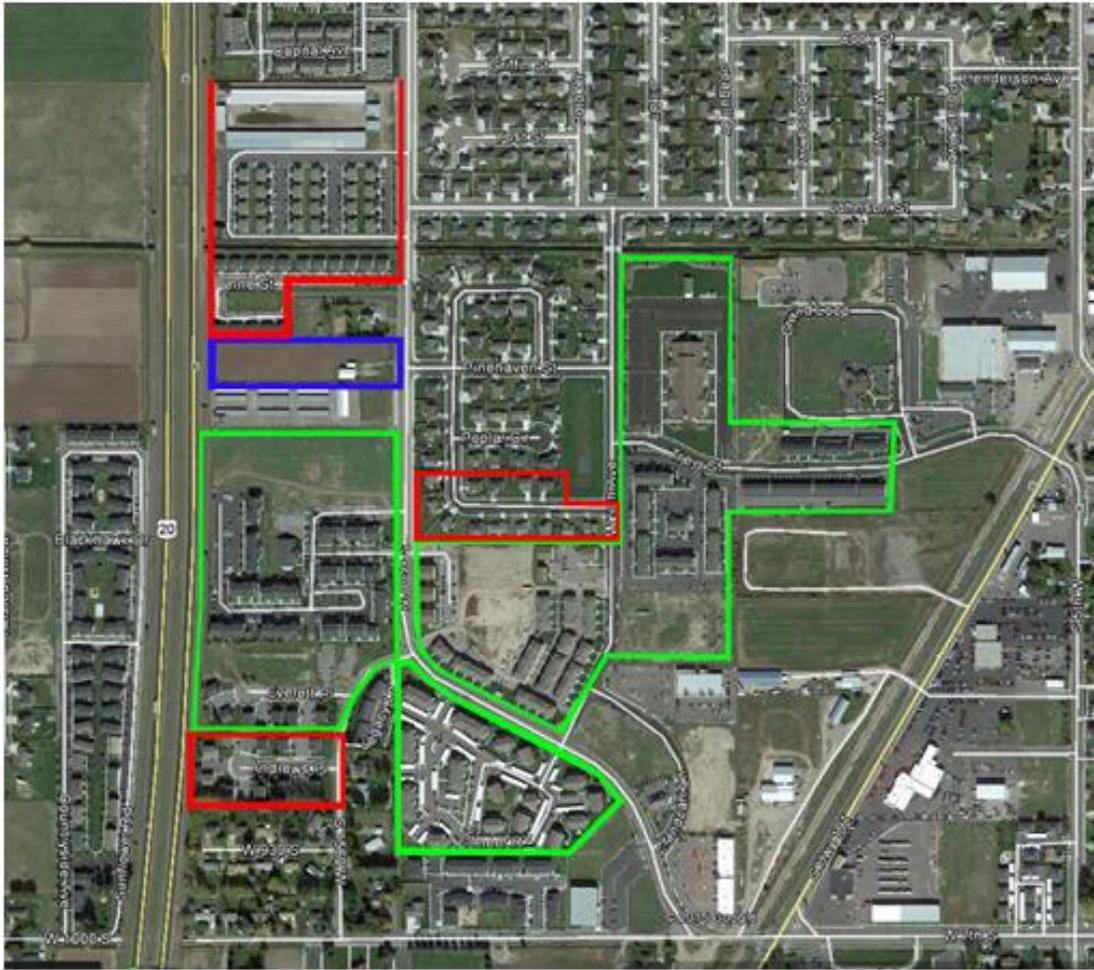
We, the undersigned, are adult age residents of the Oakbrook Subdivision and oppose the rezoning of two parcels of land at 398 and 424 Pioneer Road from Rural Residential 2 (RR2) to Medium Density Residential 2 (MDR2).

- | | |
|----------------------------|------------------------------------|
| 1. <u>B. H. P. P. P.</u> | 21. <u>Annalee Borna & PAT</u> |
| 2. <u>Shirley P. P. P.</u> | 22. <u>Donald</u> |
| 3. <u>Jamie Watson</u> | 23. <u>Aidan Selim</u> |
| 4. <u>Kathie Phillips</u> | 24. <u>[Signature]</u> |
| 5. <u>[Signature]</u> | 25. <u>Jan Z</u> |
| 6. <u>Chris Rides</u> | 26. <u>[Signature]</u> |
| 7. <u>Nancy George</u> | 27. <u>[Signature]</u> |
| 8. <u>[Signature]</u> | 28. <u>[Signature]</u> |
| 9. <u>[Signature]</u> | 29. <u>Marcy Garner</u> |
| 10. <u>Jessica Poreck</u> | 30. <u>[Signature]</u> |
| 11. <u>[Signature]</u> | 31. <u>[Signature]</u> |
| 12. <u>Monica Arison</u> | 32. <u>[Signature]</u> |
| 13. <u>[Signature]</u> | 33. <u>Delight Palafox</u> |
| 14. <u>[Signature]</u> | |
| 15. <u>[Signature]</u> | |
| 16. <u>[Signature]</u> | |
| 17. <u>[Signature]</u> | |
| 18. <u>[Signature]</u> | |
| 19. <u>[Signature]</u> | |
| 20. <u>Emily Webb</u> | |



Overhead View:





Discussion on the surrounding zones which are zoned from medium to high density residential.

Council President Smith moved to approve the rezone of property at 398 and 424 Pioneer Road as presented from Rural Residential 2 to Medium Density Residential 2; to include the following condition the traffic on Pinehaven Street be addressed Council Member Benfield seconded the motion; Mayor Merrill asked for a vote:

Those voting aye

- Council President Smith
- Council Member Flora
- Council Member Busby
- Council Member Benfield

Those voting nay

None

The motion carried

Staff Reports:

A. Engineering: Keith Davidson

1. Discuss creating LID46 for 4th South and 3rd West

City Engineer Keith Davidson presented the request to create LID46 for 4th South and 3rd West.

Discussion:

City Engineer Keith Davidson stated one of purposes of creating Local Improvement District 46 is to replace the storm drain line. He indicated about two years ago the storm drain was installed from 5th West to 1st North the goal is to take the line from 4th South up past the roundabout where substantial flooding occurs. This LID would include the reconstruction of 4th West to the roundabout. The section of West 4th South is in need of replacing sidewalk, curb and gutter. Council Member Flora asked if this section would only include the replacement of sidewalks. City Engineer Davidson replied the section would also include the reconstructing of the street from 4th South to the roundabout.

City Engineer Davidson reviewed the street map to show which properties will be included in LID 46 on the overhead screen. Council Member Flora asked about the section of LID 46 that doesn't need to replace the sidewalk. He replied they want to capture the storm water coming down 5th South they would run a storm drain line up 3rd West to 5th South and tie in the lines. They are not reconstructing the entire road way in this section; however, there aren't any sidewalks on the west side of the road. He said City

Council has the option of removing 3rd West between 4th South and 5th South from LID 46. There is development around this section of LID46.

Council Member Busby question how not having sidewalk would affect the snow removal. City Engineer Davidson replied there is curb; however, no sidewalks. Council Member Busby asked if adding sidewalks would increase the home owner's property value. **Council President Smith** stated a section of property included in LID 46 could see future development.

Council Member Flora stated she is concerned with \$12,000.00 portion assessed to the assisted living property owner. She believes the cost is too high for sidewalks that aren't being utilized.



Missing sidewalks on South 4th East:



Discussion regarding the cost and need of installing sidewalks by the assisted living building. The assisted living property has interior sidewalks that are utilized.

City Engineer Davidson indicated LID46 will also include other areas needing to repair and install sidewalks. He said City Council has the option of including or remove certain areas from LID 46.

Council President Smith asked about the estimated cost of LID 46. City Engineer Davidson replied the estimated cost is \$1,945,700.00 they will not have an actual cost until the LID 46 goes to bid. She asked how this LID would affect the budget. Finance Officer Nielson said there was a carryover from fiscal year 2015.

RESOLUTION NO. 2016-03

A RESOLUTION DECLARING THE INTENTION OF THE CITY OF REXBURG, IDAHO, TO CREATE **LOCAL IMPROVEMENT DISTRICT NO. 46** FOR THE PURPOSE OF CONSTRUCTING AND INSTALLING CERTAIN PUBLIC IMPROVEMENTS; DESCRIBING THE BOUNDARIES OF THE PROPOSED IMPROVEMENT DISTRICT AND THE PROPERTY PROPOSED TO BE ASSESSED FOR THE COSTS OF THE IMPROVEMENTS; GENERALLY DESCRIBING THE IMPROVEMENTS PROPOSED TO BE CONSTRUCTED AND THE ESTIMATED COSTS AND EXPENSES OF THE IMPROVEMENTS; STATING THE PORTION OF THE TOTAL COST WHICH WILL BE PAID FROM A LEVY OF ASSESSMENTS ON PROPERTY BENEFITTED BY THE IMPROVEMENTS AND THE PORTION PAYABLE FROM OTHER SOURCES; STATING THE METHOD OF DETERMINING ASSESSMENTS; FIXING THE TIME WITHIN WHICH AND THE PLACE AT WHICH A PUBLIC HEARING WILL BE HELD TO CONSIDER SUCH PROTESTS; PROVIDING FOR RELATED MATTERS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Rexburg, Idaho (the "City"), is a municipal corporation operating and existing under and pursuant to the laws of the State of Idaho, and as such is authorized and empowered to create local improvement districts to construct improvements pursuant to Title 50, Chapter 17, Idaho Code; and

WHEREAS, the City Council (the "Council") of the City has authorized initiating the creation of a local improvement district for a particular district; and

WHEREAS, the Council is of the opinion that it is in the best interest of the owners of property and of the inhabitants within the proposed Local Improvement District No. 46 ("LID 46"), and within the City, that the proposed LID 46 be formed and the proposed improvements as hereinafter described be constructed.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF REXBURG, IDAHO, as follows:

Section 1: The Council hereby determines and states that it is its intention to form a local improvement district, to be designated LID 46 to make the improvements as hereinafter set forth.

Section 2: The boundaries of the proposed LID 46 and of the properties to be assessed are generally described in "LID 46 Estimated Assessment Role" which is annexed hereto and by reference incorporated herein.

Section 3: A general description of the improvements to be constructed (the "Improvements") is as follows: the installation and/or replacement of streets, curbs, gutters, sidewalks, water lines, sanitary sewer lines, storm sewer lines and other improvements as necessary, together with related improvements and costs of engineering, legal services, publication, interest on borrowed funds during construction, bond issuance costs and reserves, and other related expenses.

Section 4: The estimated total cost of the Improvements is approximately \$ 1,945,700. Approximately \$ 1,763,600 will be paid by the City, representing the amount of benefit to the general public resulting from the Improvements. The balance of the cost will be paid by a levy of assessments on the property benefited.

Section 5: The assessable portion of the costs and expenses of the Improvements shall be assessed against the tracts, lots, and lands benefited by the improvements according to a front foot

method or a square foot method, or a combination thereof, subject to any variations there from to be determined by the Council, as provided by Section 50-1707, Idaho Code, in proportion to the benefits derived to such property by said improvements.

Section 6: **Wednesday, the 3rd day of February, 2016, at the hour of seven thirty P.M. (7:30 pm), at the Rexburg City Hall, 35 N 1st E, Rexburg, Idaho**, is hereby fixed as the time and place when and where the owners of the property to be assessed may appear before the Council and be heard as to the propriety and advisability of acquiring the Improvements, and which is the time and place when and where the Council will consider the creating of the proposed LID 46 and constructing the proposed Improvements, and hear all complaints, protests, and objections which may be made in writing and filed with the City Clerk on or before said time, by any owner of any parcel of land to be assessed.

Section 7: Written protests and objections to the creation of LID 46 or to the manner of assessment or inclusion of property therein may be filed with the City Clerk at or before four o'clock P.M. (4 pm) on Tuesday, the 2nd day of February, 2016, by any owner of any parcel of land to be assessed.

Section 8: Notice of Hearing substantially in the form attached hereto and hereby made a part hereof shall be given as follows:

(A) By publication of such notice in the official newspaper of the City of Rexburg, Idaho, a newspaper of general circulation within the City, which notice shall be published once a week for two consecutive weeks of the first publication being at least ten (10) days prior to the date of said hearing.

(B) By mailing, at least ten (10) days prior to the date of said hearing, a copy of such notice to each owner of property, if known, or his agent, if known, within the limits of the proposed LID 46 addressed to such person at his post office address, if known, or if unknown, to the post office in Rexburg, Idaho. Ownership of property shall be determined as of the date of the adoption of this Resolution.

Section 9: This Resolution shall take effect and be in full force from and after its passage and approval.

DATED this 3rd day of February, 2016.

CITY OF REXBURG
Madison County, Idaho

By _____
Jerry L. Merrill, Mayor

ATTEST:

Blair D. Kay, City Clerk

EXHIBIT "A"

NOTICE OF HEARING ON CREATION OF
LOCAL IMPROVEMENT DISTRICT NUMBER 46
CITY OF REXBURG, IDAHO

NOTICE IS HEREBY GIVEN that **Wednesday, the 3rd day of February, 2016, at the hour of seven thirty p.m. (7:30 pm), at the Rexburg City Hall, 35 N 1st E, Rexburg, Idaho**, has been fixed, pursuant to Resolution No. 2016-03, as the time and place for public hearing at which the owners of property to be assessed within proposed Local Improvement District No. 46, ("L.I.D. No. 46") may appear before the City Council (the "Council") of the City of Rexburg, (the "City") and be heard as to the propriety and advisability of creating L.I.D. No. 46 and acquiring and constructing the Improvements, as hereinafter described, and as the time and place when and where the Council will consider the creating of the proposed L.I.D. No. 46 and the acquisition and construction of the proposed improvements, and hear all complaints, protests, and objections which may be made in writing and filed with the City Clerk on or before said time by any owner of any parcel of land to be assessed.

Your particular property to be assessed for the costs of the improvements benefiting it within the proposed L.I.D. No. 46 is within the city limits and is described below as "**Address:**".

A general description of the improvements to be constructed (the "Improvements") is as follows: the installation and/or replacement of streets, curbs, gutters, sidewalks, driveway approaches, water lines, sanitary sewer lines, storm sewer lines, retaining walls and other improvements as necessary, together with related improvements and costs of engineering, legal services, publication, interest on borrowed funds during construction, bond issuance costs and reserves, and other related expenses.

The estimated total cost of the Improvements is approximately \$ 1,909,600. Approximately \$ 1,762,900 will be paid by the City, representing the amount of benefit to the general public resulting from the improvements. The balance of the cost will be paid by a levy of special assessments on the properties benefited, calculated according to a front foot method or a square foot method, or in proportion to the benefits derived to such property by said improvements, or a combination thereof, subject to any variations there from to be determined by the Council.

The estimated amount to be assessed against your property is listed below as "**Estimated Costs**", and the final costs and financing of these costs will be made available upon completion of the Improvements.

Written protests and objections to the creation of L.I.D. No. 46 or to the manner of assessment or inclusion of property therein may be filed with the City Clerk at or before four o'clock P.M. (4 pm) on Tuesday, the 2nd day of February, 2016, by any owner of any parcel of land to be assessed. At the time of creation of the L.I.D., a document will be recorded with Madison County showing a possible future debt against the property.

In the event that L.I.D. 46 is created by the City Council, once the construction is done and the final assessments are set forth in the Final Assessment Roll, the owner of any piece of property liable for any assessment may redeem their property from such liability by paying the entire assessment chargeable against that property within 30 days of written notification. If the property owner wishes to not pay the assessment in full, the assessment will become a lien on the property and will be payable over ten (10) years in substantially equal annual installments of principal. Additionally, interest will be due on the balance owing at a rate as set forth in the Final Assessment Roll Hearing. A property owner may also choose to make payments monthly on their utility bill instead of annually.

The boundaries of the L.I.D 46 encompass the real property within Rexburg city limits, located primarily along 4th West between 1st south and 4th South, 4th South between 1st West and 4th West, 4th East between 2nd South and 5th South, and 3rd West between 4th South and 5th South. To see the list of specific properties included on this project, please visit the office of the Rexburg City Clerk located at 35 North 1st East in Rexburg. For more information on LID's visit our website at www.rexburg.org/pages/lid.

DATED this 21st day of January, 2016

CITY OF REXBURG
Madison County, Idaho

Item Number: *(as per individual mailed notice)*
Name: *(as per individual mailed notice)*
Estimated Costs: *(as per individual mailed notice)*
Address: *(as per individual mailed notice)*
Questions about this assessment should be directed to:

Joel Gray, Engineer	Deborah Lovejoy, Finance
208-372-2331	208-372-2347
joelg@rexburg.org	deborahl@rexburg.org
PO Box 280	PO Box 280
Rexburg, ID 83440	Rexburg, ID 83440

EXHIBIT "B"

The boundaries of the local improvement district encompass the following-described real property, located primarily along 4th West between 1st south and 4th South, 4th South between 1st West and 4th West, 4th East between 2nd South and 5th South, and 3rd West between 4th South and 5th South in the City of Rexburg, Madison County, Idaho:
(See attached list of properties.)

Council Member Busby moved to approve Resolution 2016 – 03 for the creation of LID46 for 4th South and 3rd West street improvements with the deletion of item 54 (3rd West between 4th South and 5th South) and set the date and time for a public hearing for February 03, 2016 at 7:30 P.M. . . ; Council Member Smith seconded the motion; Mayor Merrill asked for a vote:

Those voting aye

Council President Smith
 Council Member Flora
 Council Member Busby
 Council Member Benfield

Those voting nay

None

The motion carried

- A. **Finance Department:** Matt Nielson
 1. **Monthly Finance Reports**

CITY OF REXBURG
 FY 2016

BUDGET SUMMARY REPORT
 3 months ending
 12/31/2015

Page 1

EXPENDITURES

OPERATING EXPENDITURES

	BUDGET	ACTUAL	25%	FORECAST
Human Resources	82,100	75	0%	82,100
Mayor & Council	286,500	79,217	28%	286,500
Economic Development	239,200	52,191	22%	239,200
Arts	488,700	47,975	10%	488,700
Customer Services	350,000	83,000	24%	350,000
Information Technology	441,400	119,490	27%	441,400
Financial Management	846,300	209,529	25%	846,300
Legal Services	229,300	59,121	26%	229,300
Planning & Zoning	233,300	86,183	37%	233,300
Building Safety	1,423,900	149,605	11%	1,423,900
GIS	419,500	129,808	31%	419,500
Emergency Services	3,135,300	633,292	20%	3,135,900
Golf Courses	448,300	64,534	14%	448,300
Parks & Ball Diamonds	549,600	85,784	16%	549,600
Recreation Administration & Programs	450,500	68,527	15%	444,000
Riverside Aquatic Center	536,300	11,011	2%	536,300
Miscellaneous: MYAB, Airport, Legacy Flight Museum	211,000	13,394	6%	209,100
Police Department				
Administration Division & Fund 09	1,115,200	295,756	27%	1,115,200
Patrol Division & Funds 13	2,139,100	572,079	27%	2,140,800
Investigations Division	656,700	172,900	26%	656,700
Community Services Division & Funds 08,11,14	567,100	124,119	22%	567,100
Total Police Department	4,478,100	1,164,854	26%	4,479,800
Public Works				
Shop	522,800	97,812	19%	522,800
Sanitation	1,870,700	276,097	15%	1,870,700
Water	2,321,500	251,766	11%	2,321,500
Wastewater	3,662,700	326,318	9%	3,662,700
Street Operations	1,857,700	227,514	12%	1,857,700
Street Repair Contracts	857,000	1,705	0%	857,000
Total Public Works	11,092,400	1,181,212	11%	11,092,400
TOTAL OPERATING EXPENDITURES	25,941,700	4,238,802	16%	25,935,600

CAPITAL EXPENDITURES

General Fund Contingency	133,400		0%	133,400
Engineering	644,400	129,034	20%	644,400
Construction 06,30,31,32,39,41,42,44,46,49,51-58,82,85	21,846,000	836,251	4%	22,216,700
Contributed Capital	4,150,000		0%	4,150,000
Capital Reserve Funds 07,18,20,33,34,35,38	2,272,200	1,605	0%	2,998,200
LID Debt Service Funds 59-69	1,343,200		0%	1,343,200
Trust & RLF Funds 15,16,19,21,22,90,91	701,400	21,197	3%	701,400
TOTAL CAPITAL EXPENDITURES	31,090,600	988,087	3%	32,187,300
Internal Transfers Out for Operations	3,193,600	283	0%	3,193,600
Internal Transfers Out for Capital	16,500,100	0	0%	15,849,100
TOTAL EXPENDITURES FOR ALL FUNDS	76,726,000	5,227,172	7%	77,165,600

Finance Officer Nielson stated the budget summary report is for the first three months of fiscal year 2016. He reviewed the operating expenditures, the general fund is at 26 % and by adding the other funds we are at 16% spent on operations. In the Capital Expenditures we have spent 3% with total expenditures at 7% spent.

CITY OF REXBURG
FY 2016

BUDGET SUMMARY REPORT
3 months ending
12/31/2015

Page 2

REVENUES	BUDGET	ACTUAL	25%	FORECAST
OPERATING REVENUES				
Fund Balances for Operations	1,274,800		0%	1,272,500
Property Tax	4,000,600	339,363	8%	4,000,600
Interest	165,800	32,895	20%	166,800
State Taxes & Grants	2,561,200		0%	2,561,200
Miscellaneous	538,300	109,009	20%	525,500
Utility Charges	8,224,000	2,075,635	25%	8,224,000
Permits & Licenses	619,500	196,432	32%	619,500
Franchise Fees	1,578,900	638	0%	1,578,900
Parks, Recreation, Museums, Arts, Golf	1,089,400	45,785	4%	1,097,500
County Road Tax	780,000	68,903	9%	780,000
Operating Contributions	2,723,000	461,723	17%	2,723,000
Interfund Charges for Services	2,893,700		0%	2,893,700
Federal Grants	453,900	46	0%	453,900
Reimbursements			0%	
Contingent Revenues for Operations			0%	
TOTAL OPERATING REVENUES	26,903,100	3,330,429	12%	26,897,100
CAPITAL REVENUES				
Fund Balances for Capital	3,646,900		0%	3,665,800
Contributed Capital	3,800,000	5,400	0%	3,805,000
Engineering Billings	644,400		0%	644,400
Construction Funds	4,574,900	23,047	1%	6,789,200
Capital Reserve Funds	6,047,100	353,636	6%	6,366,600
Grants	2,352,100		0%	2,745,300
LID Funds	447,800	20,967	5%	447,800
Trust Funds	1,364,400	94,819	7%	1,364,400
Borrowing	5,958,000		0%	5,958,000
TOTAL CAPITAL REVENUES	28,835,600	497,869	2%	31,786,500
Internal Transfers In for Operations	3,193,600	283	0%	3,193,600
Internal Transfers In for Capital	17,793,700		0%	15,849,100
TOTAL REVENUES ALL FUNDS	76,726,000	3,828,581	5%	77,726,300
OPERATIONS SUMMARY				
TOTAL OPERATING REVENUES	26,903,100	3,330,429	12%	26,897,100
TOTAL OPERATING EXPENDITURES	25,941,700	4,238,802	16%	25,935,600
---NET OPERATIONS	961,400	-908,373	-4%	961,500
CAPITAL SUMMARY				
TOTAL CAPITAL REVENUES	28,835,600	497,869	2%	31,786,500
TOTAL CAPITAL EXPENDITURES	31,090,600	988,087	3%	32,187,300
---NET CAPITAL TRANSACTIONS	-2,255,000	-490,218	-1%	-400,800
TOTAL ALL REVENUES	76,726,000	3,828,581	5%	77,726,300
TOTAL ALL EXPENDITURES	76,726,000	5,227,172	7%	77,165,600
NET ALL REVENUES OVER EXPENDITURES	0	-1,398,591	-2%	560,700

Finance Officer Nielson reviewed the Operating Revenues Report. The City has collected 12% of revenues for the budget. The property taxes for the month of January have not been received.

CITY OF REXBURG

FY 2016

**CASH & INVESTMENT
BALANCE REPORT**

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CASH & INVESTMENTS*	BALANCE AS OF 12/31/2015	Percentage of Portfolio
Bank of Commerce Legacy Flight Museum Checking	33,100	0.16%
Beehive Credit Union CD	250,000	1.21%
Cash On Hand	1,050	0.01%
Citizens Community Bank CDARS	2,982,222	14.44%
Citizens Community Bank Checking (RLF)	146,487	0.71%
Idaho Central Credit Union CD	250,000	1.21%
Idaho Central Credit Union Savings	25	0.00%
Mofreton Asset Management Government Securities	3,607,679	17.47%
Real Estate Investments (Streets)		0.00%
State Diversified Bond Fund	7,217,180	34.96%
State Local Government Investment Pool-City	2,306,574	11.17%
State Local Government Investment Pool-Fire District	434	0.00%
Wells Fargo Bank Drug Fund Checking	19,911	0.10%
Wells Fargo Bank Fire District Checking & Savings	109,160	0.53%
Zions Bank Collateralized Acct	2,516,698	12.19%
Zions Bank Direct Auction-Agencies	662,112	3.21%
Zions Bank Direct Auction-CD	200,000	0.97%
Zions Bank General Checking	323,820	1.57%
Zions Bank Payroll Checking	19,983	0.10%
TOTAL	20,646,435	100.00%

Finance Officer Nielson also reviewed the Cash and Investment Balance Report. He said Moreton Asset Management Government Securities was added to the report. The City has 3.6 million dollars invested in the Moreton Asset Management Account. He indicated by combining all of the City's investments the total amount is \$20, 646, 430.00.

**CITY OF REXBURG
TREASURER'S EXPENDITURE REPORT BY FUND
FISCAL YEAR TO DATE ENDING 12/31/2015 @ 25% of the Fiscal Year 2016**

#	FUND	WAGES	CAPITAL	OTHER	TOTAL	BUDGET	BUDGET %	END BAL.
48	AIRPORT CONSTRUCTION		40,420	0	40,420	170,800	24%	-580,759
47	AIRPORT OPERATIONS	1,200		2,192	3,392	26,100	13%	-6,472
49	AIRPORT RESERVE			0	0		0%	185,000
36	ARTS PROMULGATION			0	0	210,700	0%	73,458
82	BROADBAND FIBER INITIATIVE			0	0	300	0%	0
28	BUILDING SAFETY AND P&Z	106,817	42,966	86,005	235,788	1,657,200	14%	726,286
85	COMMUNITY SAFETY LIGHTING			16,898	16,898	295,300	6%	188,924
83	EI BUSINESS COMPETITION			0	0	12,500	0%	-3,124
19	FIRE DISTRICT			0	0	1,224,400	0%	625,196
21	FIRE EMPLOYEES TRUST			4,878	4,878	55,200	9%	34,484
20	FIRE IMPACT FEES			0	0	55,600	0%	24,219
18	FIRE JOINT EQUIPMENT			0	0	259,400	0%	303,402
17	FIRE OPERATIONS	304,478	10,022	272,136	586,636	2,794,000	21%	-400,641
37	FIRE PARAMEDIC CARE UNIT	34,493		12,163	46,656	421,700	11%	32,080
93	FIRE PIPES & DRUMS			575	575	9,800	6%	5,168
32	FIRE STATION ADDITION		103,270	0	103,270	200,000	52%	-75,479
01	GENERAL	1,049,982	152,686	889,801	2,092,469	10,422,100	20%	1,906,384
29	GEOGRAPHIC INFORMATION SYS.	51,135	3,807	74,866	129,808	419,500	31%	-124,354
51	GOLF COURSE CONSTRUCTION			827	827	30,100	3%	-629,120
50	GOLF COURSE OPERATIONS			64,534	64,534	448,300	14%	1,298,663
24	LEGACY FLIGHT MUSEUM		1,216	5,111	6,327	245,600	3%	53,068
53-58	LID CONSTRUCTION FUNDS		52,073	1,717	53,790	1,420,000	4%	-53,790
59-79	LID DEBT SERVICE FUNDS			0	0	514,300	0%	-160,185
45	MAYOR'S YOUTH COMMITTEE			1,035	1,035	6,800	15%	2,277
38	PARKS IMPACT FEES		1,605	0	1,605	470,000	0%	889,970
41	PARKS RIVERSIDE CONSTRUCTION		98,592	0	98,592	960,000	10%	-98,592
14	POLICE ANIMAL CONTROL	14,812		12,687	27,499	130,900	21%	-23,324
08	POLICE D.A.R.E.			2	2	20,500	0%	-935
09	POLICE DRUG INTERD./EDUC.			0	0	23,800	0%	20,011
07	POLICE IMPACT FEES			0	0	25,300	0%	-161,934
91	POLICE SHOP WITH A COP			12,260	12,260	38,000	32%	16,039
13	POLICE SMALL GRANTS	6,952		3,842	10,794	55,700	19%	-8,263
03	RECREATION PROGRAMS	7,536		12,978	20,514	189,200	11%	-10,310
22	REVOLVING LOAN		3,452	0	3,452	31,000	11%	1,258,211
94	REXBURG ARTS COUNCIL TRUST			0	0		0%	1,000
81	REXBURG CULTURAL ARTS	3,900		13,523	17,423	97,400	18%	-4,727
23	REXBURG RAPIDS	2,281		8,730	11,011	536,300	2%	181,498
40	ROMANCE THEATER	3,704	800	9,361	13,865	83,100	17%	-13,765
25	SANITATION OPERATIONS	50,536		225,561	276,097	1,870,700	15%	1,875,901
35	SEWER CAPITAL RESERVE			0	0	3,279,900	0%	3,119,688
27	SEWER OPERATIONS	107,804		218,514	326,318	7,402,500	4%	19,210,024
52	SEWER PLANT CONSTRUCTION			0	0	3,000,000	0%	494,718
31	SHOP CONSTRUCTION		264,941	0	264,941	212,000	125%	586,168
84	STREET 2nd EAST & MOODY RD CONST.		193,880	0	193,880	6,102,000	3%	-591,448
33	STREET IMPACT FEES			0	0	580,000	0%	69,304
44	STREET NEW CONSTRUCTION		1,557	0	1,557	3,023,900	0%	764,086
02	STREET OPERATIONS	114,596	-1,477	114,395	227,514	3,014,500	8%	-155,432
43	STREET REPAIR CONTRACTS			1,705	1,705	1,607,000	0%	549,566
04	TABERNACLE (Aud. & Museum)	5,918		10,480	16,398	125,200	13%	-15,282
05	TABERNACLE ORCHESTRA			287	287	7,500	4%	-3,759
39	TRAILS OF MADISON COUNTY			125	125	50,000	0%	-125
90	VETERANS MEMORIAL TRUST		30	0	30	6,000	1%	5,486
34	WATER CAPITAL RESERVE			0	0	1,596,300	0%	1,405,448
26	WATER OPERATIONS	69,333		182,433	251,766	12,091,600	2%	14,995,046
42	WATER TANK AND WELL		61,946	0	61,946	9,196,000	1%	-81,946
	TOTAL	1,935,477	1,031,786	2,258,621	5,226,884	76,726,000	7%	47,717,007

Citizens are invited to inspect the detailed supporting records of the above financial statement.

Finance Officer Nielson indicated the Treasures Expenditures Report will be published at the end of each quarter. He explained the reason why the airport construction expenditure shows an ending balance of about \$600,000.00 in the negative. City Engineer Davidson is in the process of collecting on a grant for the construction cost to the airport. Finance Officer Nielson stated the process with most grants is you pay up front and then repay the account once the grant monies are received.

Finance Officer Nielson explained Fire Department Operation expenditure is also in the negative, because they are waiting for the other entities to reimburse them. The entities include the Fire District and Ambulance District.

Finance Officer Nielson mentioned the Shop Construction expenditure. The garage door bids were received. The carryover for last year was about \$600,000.00. There are funds available because they transferred funds from the account paying for the shop. The account will zero out as the construction is completed.

Calendared Bills and Tabled Items:

- A. LAND USE ACTION – BILLS RECOMMENDED/APPROVED IN A LAND USE PUBLIC HEARING PROCEDURE:**
- 1. BILL 1139 Rezone** 398 – 424 Pioneer Rd to MDR2.

BILL NO. 1139

AN ORDINANCE AMENDING AND CHANGING THE ZONING MAP OF THE CITY OF REXBURG, IDAHO, AND PROVIDING THAT THE ZONED DESIGNATION OF THAT CERTAIN PROPERTY HEREINAFTER DESCRIBED, SITUATED IN REXBURG, MADISON COUNTY, IDAHO, BE CHANGED AS HEREINAFTER DESIGNATED; AND PROVIDING WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE.

Discussion:

Council President Smith asked regarding the process to suspend the rules for land use actions. City Attorney Zollinger explained the process of suspending the rules. He said once a land use action is approved there is no legal mechanism to allow further public comment. Council Member Benfield said the suspension of the rules is not recommended when public comment is permitted two to three more times; however when public comment is no longer permitted there is no need to delay the process. City Attorney Zollinger indicated City Council is applying the land use action to a City Ordinance. He said a cross the State of Idaho you will find the majority of the time a Bill is passed in a singular process, rather than in three separate readings. He is not advocating a prompt decision be made. He is stating after a decision has been made the rules may be suspended to reduce the time in passing the Bill.

Council Member Busby asked City Attorney Zollinger about the process if the Bill did not pass one of the readings. City Attorney Zollinger replied it would be a legal conundrum. He hasn't heard of this happening.

Council Member Busby stated he doesn't agree with the verbiage of suspending the rules, because it seems we are cutting people off and not letting them state their opinion in the public comment section of the agenda.

Mayor Merrill asked for a motion to suspend the rules for BILL 1139.

Council Member Benfield moved to suspend the rules for BILL 1139; Council Member Smith seconded the motion; Mayor Merrill asked for a roll call vote:

Those voting aye

Council President Smith
Council Member Flora
Council Member Benfield

Those voting nay

Council Member Busby

The motion carried

Council President Smith moved to consider BILL 1139 approved and third read to rezone property at 398 and 424 Pioneer Road as presented from Rural Residential 2 to Medium Density Residential 2; Council Member Flora seconded the motion; Mayor Merrill asked for a vote:

Those voting aye

Council President Smith
Council Member Flora
Council Member Busby
Council Member Benfield

Those voting nay

None

The motion carried

B. BILL Introduction: – NONE

C. 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

Mayor's Business:

Mayor Merrill shared his experience of the first week as Mayor. He attended many meetings and was asked to join several boards. The E.C.A.P. meeting was one of the meetings he attended. E.C.A.P. is an acronym for Eastern Idaho Community Action Partnership; they are responsible in aiding the poor in Eastern Idaho. They own the subsidized Twin Pines Apartment Complex in Rexburg and at least twelve other complexes throughout Eastern Idaho. They also work with the Idaho Head Start Program.

Mayor Merrill mentioned he attended the Brigham Young University Security Council meeting. Chief Turman and several Police Officers will be going to Salt Lake City in March. They will be receiving active shooter training. Mayor Merrill believes the active shooter training is very important. The City would have police officers trained to handle this type of situation. Mayor Merrill was impressed by the cooperation between the Rexburg Police Department and Brigham Young University.

Mayor Merrill said the Madison County Rural Planning Organization (RPO) meeting went well. They discussed how to better coordinate and transportation needs the Cities may have. He will be informing City residents of how much money is being saved by coordinating and working together. He said for example, they can share equipment and personal. The City and Madison County share the GIS Department and having an Idaho Transportation Department Representative on the committee helps. This way ITD is conscious of the needs Sugar City and Rexburg may have.

Mayor Merrill said the Idaho Transportation Department's representative reported the work on the Thornton interchange will start soon. They discussed the traffic issues this will cause. He said he urged them to install a traffic signal on the South Interchange to aid in traffic flow.

Mayor Merrill stated he is excited about a program Jessica Gouty with Madison Cares is working on, it's called "Starts with Hello". She would like to have the City participate in the project. The project ties in with making Rexburg the friendliest City in the world. Mayor Merrill said he mentioned the project to BYU- Idaho University President Gilbert; he too was excited about the project and would like the university students, to be involved. Mayor Merrill indicated one of the goals, he would like to see the project accomplish. Is for everyone to disconnect from their electronics and say hello to someone, as they to pass by. He hopes it encourages face to face communication. He said studies have shown a lack of face to face communication and interaction with people can cause depression which can lead to suicide.

Mayor Merrill reported the Arts Council is planning to have a Heritage Festive in Fall.

Discussion regarding coordinating calendared City and Community Events.

Council Member Benfield said the Chamber of Commerce has started a ten page calendar of City, Community and BYU-I University events. The calendar can be found on the Chamber of Commerce web-site a hard copy is also available at their office. She said anyone can add to the calendar. Council Member Flora suggested the calendar be added to the City’s Facebook page.

Council Member Flora asked about adding Mr. Oakey’s request of deleting the verbiage “non-controversial” to the next City Council Agenda. City Attorney Zollinger clarified several years ago the State of Idaho had started to reprimand municipalities for discussing items not scheduled on the agenda. He and City Clerk Kay added the “non-controversial” verbiage to the Public Comment item on the agenda. They thought this verbiage would discourage someone from starting a conversation where, he would be required to stop City Council from responding. City Council would not be able to act upon the issue until; the issue is scheduled on the City Council Agenda. The verbiage was added more as a courtesy to the individual making the comments, because City Council would not be able to engage in conversation about, the comments made by such individual.

Council Member Flora requested the language be added to reflect the reason why City Council is unable to respond to the concerns or comments an individual makes in the Public Comment section of the City Council Agenda. Mayor Merrill stated City Council is in favor of changing the verbiage on this agenda item.

Council President Smith thanked City Clerk Blair Kay and the Customer Service Staff for the City Council Manuals.

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 06, 2016 meeting
- B. Approve the City of Rexburg Bills

Council Member Busby moved to approve the Consent Calendar and pay the bills; Council Member Benfield seconded the motion; Mayor Merrill asked for a vote:

Those voting aye

Council President Smith
Council Member Flora
Council Member Busby
Council Member Benfield

Those voting nay

None

The motion carried

Adjourned at 8:54 P.M.

APPROVED:

Jerry Merrill, Mayor

Attest:

Marianna Gonzalez, Deputy City Clerk