

City Council Minutes

July 20, 2016



CITY OF
REXBURG
America's Family Community

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July 20, 2016

Mayor Jerry Merrill

Council Members:

Christopher Mann Jordan Busby
Donna Benfield Tisha Flora
Brad Wolfe Sally Smith

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

5:00 P.M. City Hall Joint Work Meeting with Planning and Zoning Commissioners

A. **Discussion regarding the Comprehensive Plan** with an update on the Economic Development components.

Members present: Bruce Sutherland, Steve Oakey, Rory Kunz, Jedd Walker, Greg Blacker, Heidi Christensen, Mayor Merrill, Council President Smith, Council Member Busby, Council Member Benfield, Council Member Mann and Council Member Flora

Discussion regarding the process of updating the Comprehensive Plan and the tools used within the plan for example zoning and building codes.

<p>Process to Update Planning Tools in Rexburg</p> <ul style="list-style-type: none"> • Identify existing problems (June 15) • Recognize and identify reasons for change (July 20) • Identify how to change • Implement the change 	<p>Review of June 15 2016 meeting</p> <ul style="list-style-type: none"> • Rapid growth is anticipated • Current planning tools are too complex (to many zones) • We need for be proactive instead of reactive in our planning • We need to strengthen the Comprehensive Plan by simplifying it • We need to keep University housing near the University and in the private sector • MUz zone is being used as a loophole • Housing choices are narrowing • We need to find ways to lower the cost of development.
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Economic Development Director Johnson reviewed some of the important goals the Envision Madison participants identified. The participants were able to identify these goals through Envision Madison project. He said there are an additional 150 pages of data available. The additional pages are available online at www.rexburg.org. He said there were over 2,000 participants involved in the project. This was the largest percentage of citizens involved in the city’s planning efforts.

<p>Envision Madison participants identified the following goals as most important to the future:</p>	
<ul style="list-style-type: none"> • Preserve the scenic beauty in Madison County. • Create high quality jobs in Madison County. • Maintain/improve the relationship between BYU-I and the community to address growth issues. • Enhance recreation for ourselves and visitors. 	<ul style="list-style-type: none"> • Work to revitalize our downtown. • Create trails for recreation and to get around town. • Move the airport so that it can accommodate larger airplanes and redevelop the current site. • Improve infrastructure, such as broadband. • Keep housing reasonably priced. • Retain viable agricultural land.

Economic Development Director Johnson reviewed the Envision Madison key values.

Envision Madison Values

CARING AND SAFE COMMUNITY



People in Madison County enjoy the strong values of a small-town, family-friendly place where people look out for and care about each other. This creates a sense of community and a feeling of security and belonging.

Envision Madison Values

OUTDOOR RECREATION OPPORTUNITIES



Proximity to great open spaces and recreational opportunities help people do the things they enjoy most and spend good times with family and friends in a high quality of life of freedom, happiness and peace of mind.

Envision Madison Values

ECONOMIC SECURITY



The lack of jobs and the high cost of living in Madison County forces some residents (or their children) to live a lower quality of life and robs them of a sense of peace of mind and security.

Mayor Merrill indicated the economic security concerns the Envision Madison participants described, tie into the Airbnb discussion. He stated there are individuals that favor allowing homeowners to do what they want with their property; however, there is another side. He said he received a letter from a young father in distress with the high cost of single-family housing in Rexburg. In the letter, the father mentioned how young families are moving to other cities, where the costs for single-family homes are not so high.

Mayor Merrill mentioned the unintended consequences the city will see with the Airbnb is that many of the less expensive homes will be rented out instead of being sold. He would like to create a balanced solution for this type of situation.

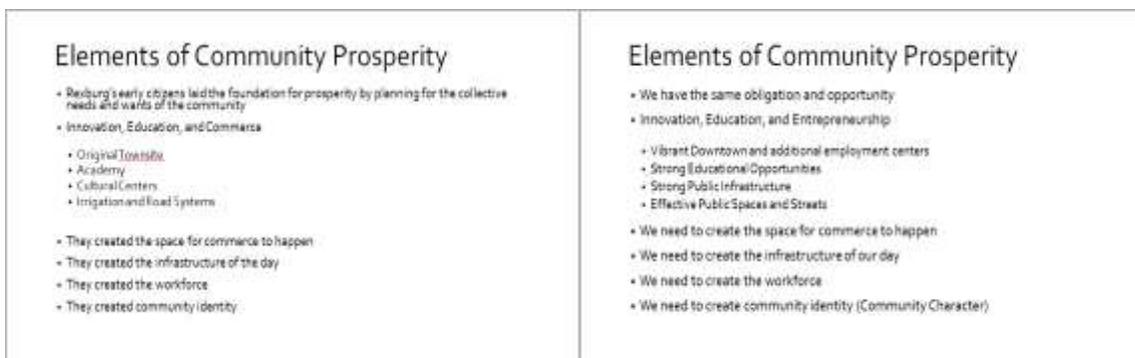
Economic Development Director Johnson said last year Yellowstone and Grand Teton National Park set records with 8.8 million visitors. They said with about 60% of the visitors coming from our side of the state.

Council Member Benfield indicated the motel taxes were up 38.4% this month in this region, which extends from Idaho Falls to West Yellowstone. Steve Oakey mentioned this is one of the reasons to look into allowing Airbnb in Rexburg. He said he is opposed to any attempt to enforce rent control or forced occupancy on homeowners.

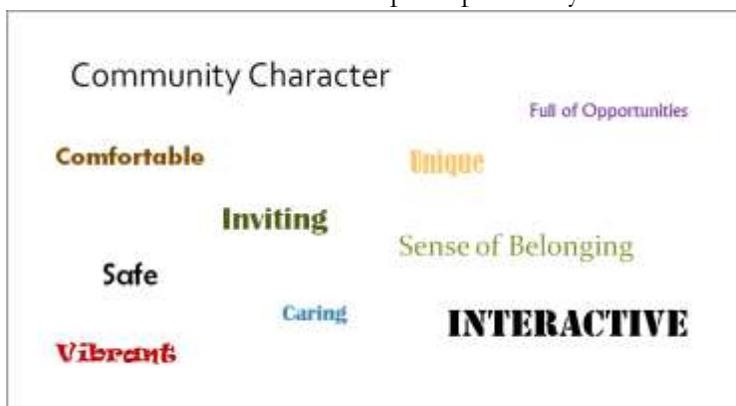
Economic Development Director Johnson continued to review some of the important goals listed in the Envision Madison project.

Craig Rindlisbacher reviewed the elements of community prosperity. He shared a personal experience when he recently attended a Community Development Conference in Philadelphia. He said he had lived in Philadelphia in the 1980's. When he saw the changes made to this historic city since then, he was amazed. He was surprised to hear 40% of the people working in downtown Philadelphia actually live in Philadelphia. They are young professionals that want to work and live in an urban environment.

Craig Rindlisbacher reviewed the history of how Rexburg was established. There was revitalization that took place in the earlier years of the city. He reviewed the elements needed to create a prosperous community.



Craig Rindlisbacher reviewed some of the principals a city needs to have community character.

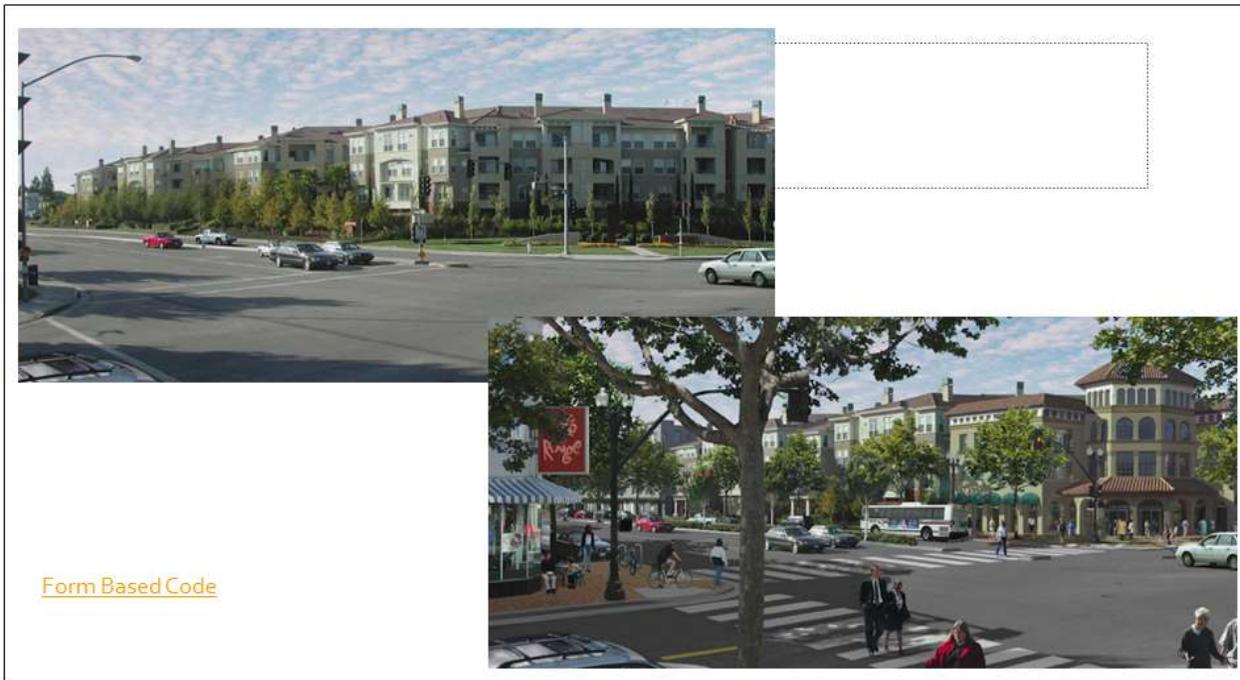


Craig Rindlisbacher also reviewed how the Parks, Public Buildings, Front Yards, and Streets create community character. The ideas about community identity are important.



Council President Smith explained the Walgreens companies prefer to build away from the street corner. She asked if building to the corner is a building trend.

Discussion regarding form-based code. The picture below shows the difference between current building code verse form-based code. The picture not labeled is current building code.



Steve Oakey explained these types of projects are high end and they will not generate the same amount of income a Wal-Mart will generate. There are many people from the surrounding cities and counties shopping at Wal-Mart. He explained when hard-set rules are put in place it will deny a certain class of people the option of shopping at a Wal-Mart. Economic Development Director Johnson clarified the form-based code will only apply to certain parts of the community, it is not intended to be an either or. Not all of the city's zoning will be form-based code.

Steve Oakey stated often times bodies like these, referring to governmental entities, get composed of certain people with certain proclivities and those people who shop at Wal-Mart are typically not members of this body. He would like to keep in mind and keep it very clear that some people live in trailer parks, others in apartments and some in nice subdivisions. He said everybody needs the option and opportunity to live where they choose under the circumstance that best fit their circumstances. When the city starts codifying very strict rules to create beautiful structures like the one shown, it causes the exclusion of many people.

Discussion regarding the process for form-based code.

Greg Blacker asked if the cities using form-based code are having success. Economic Development Director Johnson replied form-based code is not a new concept. Meza Arizona is a good example; they are only using form-based code in a twelve-block radius.

Rory Kunz asked for an example of how form-based code will be implemented in Rexburg. He also asked how it would affect development. Economic Development Director Johnson said form-based code allows you to build to the standards already in place and is less restrictive on use. The form-based code focuses more on the function of the building. The other aspect form-based code considers is how the development interacts with the other surrounding developments.

Discussion regarding the differences between Euclidean zoning and Form-Based Code.

*Single-use zoning, also known as **Euclidean zoning**, is a practice of urban planning where everyday uses are separated from each other and where land uses of the same type are grouped together.*

A form-based code is a land development regulation that fosters predictable built results and a high-quality public realm by using physical form (rather than separation of uses) as the organizing principle for the code. A form-based code is a regulation, not a mere guideline, adopted into city, town, or county law. A form-based code offers a powerful alternative to conventional zoning regulation.

Bruce Sutherland indicated the Euclidean zoning method has become more restrictive over the years.

Craig Rindlisbacher said Center Street is a good example of where form-based code could be implemented to create a strong pedestrian pathway. He explained if the Center Street area was developed under the city's current code, buildings could be built up against the street or they may set the buildings back with the parking lot in front or a mixture of both. He said by using the current code the opportunity of creating a ceremonial boulevard between Main Street and the university would be lost. The form-based code would be a valuable tool in this case.

A video regarding Form-Based Codes was viewed on the overhead screen.

Discussion regarding the reasons why city staff has looked into form-based code, also how both Euclidean Zoning and Form-Based Code can work together.

Council President Smith said she agrees with creating opportunities and not more regulations. She indicated the Task Force Committee was created to inquire how to better city policy.

Economic Development Director Johnson said they will continue to discuss form-based code with the Task Force Committee and hold work meetings with the Planning and Zoning Commissioners.

City Clerk Kay asked if the form-based code would tie into the Comprehensive Plan. Economic Development Director Johnson said yes.

B. **Executive Session per Idaho Statute 74-206 (B)** To consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public school student.

Council Member Busby moved to go into executive session per Idaho Statute 74-206 (B) To consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public school student; Council Member Benfield seconded the motion; Mayor Merrill asked for a roll call vote:

Those voting aye

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

Those voting nay

The motion carried.

Executive Session
Executive Session ended.

Time: 6:36 P.M.

6:30 P.M. City Hall Council Meeting

Council President Smith led the pledge
Jay Fluckinger said the prayer

Roll Call of Council Members:

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

Council Member Wolfe asked to be excused.

Public Comment: not scheduled on the agenda (limit 3 minutes); issues may be considered for discussion on a future agenda. Please keep comments on point and respectful.

Presentations:

Mayor Merrill presented a plaque to Greg Blacker and Virginia Pratt in recognition of their service on the Traffic and Safety Committee.

Mayor Merrill stated there was a misunderstanding about the Airbnb and home rentals discussion. The discussion will not take place at this time. The item is not on the agenda; however, he asked if anyone in the audience would like to make a public comment regarding Airbnb and home rentals may do so.

Mayor Merrill said currently, the city ordinances only allow short-term rentals in high-density zones, medium density zones, and other zones with a conditional use permit. They also need to obtain a business license through the city and register with the state. He stated short-term rentals are not allowed in low-density residential zones. Mayor Merrill said the Airbnb is a new concept to the city. The city will be reviewing the concept to come up with a solution that will be reasonable and fair.

Jeanne Grimmert asked about the different zones in the city. Mayor Merrill said the majority of the city is zoned low-density residential.

Jeanne Grimmert referred to an article in the Island Park newspaper. She said the article referenced a Supreme Court ruling. The ruling stated, transit renting is not considered commercial, because the dwelling is being used for its intended purpose. She indicated the Supreme Court of Idaho has also passed a law that does not allow homeowner associations to prohibit transit rentals in their subdivisions.

Council Member Flora indicated she found a current Idaho Supreme Court ruling (*Virgil Adams vs Kimberly One Townhouse Owner's Association, Inc.*) where they upheld the decision that the HOA (Home Owner Association) could prohibit the rental of property for periods of less than six months.

City Attorney Zollinger explained the (*Virgil Adams vs Kimberly One Townhouse Owner's Association Inc.*) ruling is the most relevant. To his knowledge, there are not any Idaho Supreme Court decisions that take away the right for municipalities or HOAs to regulate short-term rentals of property.

Jeanne Grimmert said she is aware of city residents that have hosted people in their homes due to a shortage of accommodations. There is a demand for Airbnb in Rexburg from the people dropping off their students at BYU-Idaho and cannot afford a \$200.00 hotel reservation fee.

Jay Fluckiger mentioned he wrote an article regarding short-term rentals in the local newspaper. He explained the need for short-term rentals in Rexburg. He has hosted over 300 guests this past year. He is willing to comply with any city regulations that will allow him to rent his property short-term. He said he has not encountered any issues with renting out his home because Airbnb screens the renters. Mayor Merrill asked if Mr. Fluckiger remains on premises when renting his home. Mr. Fluckiger replied he does stay on the premises to make sure there are not any issues with the renters.

Peggy Rogers said she has a rental property in a different city on the Airbnb web site. She expressed her support for her neighbors that are interested in renting their property through Airbnb. There is demand for short-term rentals from the tourists visiting Yellowstone Park. The tourists fly into the Salt Lake City Airport and stop in Rexburg to rest before continuing on to Yellowstone Park. She has not encountered any issues with renting out her property. She said there is an incentive in using the Airbnb web site. The renters and the property owners are rated on the web site and neither one wants to receive a low rating. She has not seen an adverse impact on the neighborhoods that have an Airbnb rental property.

Hilary Jensen shared an experience her husband's colleague encountered when traveling to Rexburg after arriving at the Salt Lake City Airport. When he arrived in Rexburg, he tried to make a

reservation; however, no rooms were available in the local hotels and motels. The closest available rooms were in Pocatello. She explained when using Airbnb the typical rental is for two people only. The renters usually come in late and leave early the next morning. The renters have been very respectful to the neighborhoods. The impact that Airbnb allows is for the hosts to share Rexburg's community values with their guest. Airbnb is generally a home sharing program where hosts and guest interact.

City Attorney Zollinger clarified the uses that have been described by those making a public comment are currently prohibited in any single family residential neighborhood.

Committee Liaison Assignments for 2016:

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

Council Member Mann reported his committees have not met.

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

Council Member Busby reported his committees have not met.

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

Council Member Benfield stated her philosophy is, "blue lives matter". She reported on the D.A.R.E. fundraiser held at Ray's Chevron. They doubled the amount of contributions from last year. She said Police Chief Turman was amazed by the community's out pouring of support and respect they have for Rexburg's Police Officers. She asked Police Chief Turman to report on the upcoming training seminar. Chief Turman said they will be receiving training from Bobby E. Smith. Mr. Smith was a Louisiana State Trooper when he was shot and blinded in the line of duty. He has over 30 years of experience working with police officers. The training seminar will be held at the Madison High School tomorrow morning.

Council Member Benfield reported the Recreation Department hosted two events in July. The Main Street Mile had 225 participants and the first annual Thor Mud Run had 150 participants, it was held at Wake Side Lake. Mayor Merrill said he participated in the Thor Mud Run and found it enjoyable. The t-ball recreation program is finishing up and the soccer program has started. The Recreation Department is hiring employees to work at the Zone. There will be youth sport camps starting in August at the Zone. The grand opening of the Zone will be on September 10th.

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

Council President Smith reported her committees have not met.

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

Council Member Flora reported she had the privilege to attend a meeting that was organized by Daniel Torres, who works with the Economic Development Department. They are working with representatives from the School District, Madison Cares, the Madison Hospital Board and the city's Recreation Department. They are discussing ways to promote healthy eating and exercise for the youth in the surrounding areas. They are also applying for a private grant. The grant is awarded to three different cities in the state each year. The letter of intent will be submitted in two days and they hope to be considered for the grant.

Council Member Flora reported the Rexburg Arts Council met to finalize the plans for the melodrama that will take place this fall. Madison Cares has asked them to help plan events for the Celebrate Youth Event in August. They are also working on applying for three different grants to help the Museum of Rexburg. They will be submitting a request for one of the grants tomorrow. She said if the grants are received, they will use the funds to digitize the Teton Flood Film and to purchase audio technologies so the visitors can interact with the displays. The new technologies will improve the preservation of Rexburg's history.

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

Council Member Wolfe was excused.

Staff Reports:

A. Finance: Matt Nielson

1. Monthly Financial Reports for June

Finance Officer Nielson noted Daniel Torres is working on applying for a tax-exempt nonprofit organization registration 501(c)(3) to be known as the Rexburg City Community Education and Culture Incorporated. The City has received the EIN number (Federal Tax Identification Number) to apply for the 501(c)(3). The completion of this process will be beneficial to the city when applying for grants.

Finance Officer Nielson reviewed the Budget Summary Report. The operating revenues are at 64% they should be at 75%. By the end of the month 95% of the property taxes will be collected, which is about 1.4 million dollars. The city will also be collecting sales tax revenues at the end of this month.

Finance Officer Nielson reviewed the capital revenues and expenditures. He said he and Public Works Director Millar have been working with DEQ (Department of Environmental Quality) and will be asking for the loan proceeds soon.

Finance Officer Nielson explained the total expenditures are at 28%. He compared the differences between the total revenues and total expenditures. The city has spent 1.8 million dollars more than what has been received.

CITY OF REXBURG	BUDGET SUMMARY REPORT			
FY 2016	9 months ending			Page 2
	6/30/2016			
REVENUES	BUDGET	ACTUAL	75%	FORECAST
OPERATING REVENUES				
Fund Balances for Operations	1,276,600		0%	1,665,000
Property Tax	4,081,500	2,615,973	64%	4,081,500
Interest	165,800	111,288	67%	157,000
State Taxes & Grants	2,561,200	1,243,911	49%	2,585,900
Miscellaneous	724,200	558,402	77%	871,200
Utility Charges	8,224,000	6,264,978	76%	8,534,400
Permits & Licenses	619,500	593,033	96%	746,800
Franchise Fees	1,578,900	985,445	62%	1,588,900
Parks, Recreation, Museums, Arts, Golf	1,095,300	533,175	49%	1,092,000
County Road Tax	780,000	534,660	69%	844,000
Operating Contributions	2,706,200	1,681,347	62%	2,486,200
Interfund Charges for Services	2,892,300	2,108,849	73%	2,844,200
Federal Grants	453,900	25,610	6%	455,300
TOTAL OPERATING REVENUES	27,159,400	17,256,671	64%	27,952,400
CAPITAL REVENUES				
Fund Balances for Capital	3,646,900		0%	4,793,200
Contributed Capital	3,800,000	5,400	0%	2,130,500
Engineering Billings	644,400		0%	630,500
Construction Funds	6,594,500	252,503	4%	1,937,600
Capital Reserve Funds	6,047,100	1,297,807	21%	6,739,500
Grants	2,352,100	129,677	6%	624,500
LID Funds	447,800	37,396	8%	293,800
Trust Funds	1,364,400	544,778	40%	1,395,000
Borrowing	5,958,000		0%	3,000,000
TOTAL CAPITAL REVENUES	30,855,200	2,267,561	7%	21,544,600
Internal Transfers In for Operations	3,192,700	318,000	10%	3,323,500
Internal Transfers In for Capital	15,856,600	75,000	0%	11,639,000
TOTAL REVENUES ALL FUNDS	77,063,900	19,917,232	26%	64,459,500
OPERATIONS SUMMARY				
TOTAL OPERATING REVENUES	27,159,400	17,256,671	64%	27,952,400
TOTAL OPERATING EXPENDITURES	26,109,100	16,747,739	64%	24,224,400
---NET OPERATIONS	1,050,300	508,932	-1%	3,728,000
CAPITAL SUMMARY				
TOTAL CAPITAL REVENUES	30,855,200	2,267,561	7%	21,544,600
TOTAL CAPITAL EXPENDITURES	31,905,500	4,623,288	14%	18,234,900
---NET CAPITAL TRANSACTIONS	-1,050,300	-2,355,727	-7%	3,309,700
TOTAL ALL REVENUES	77,063,900	19,917,232	26%	64,459,500
TOTAL ALL EXPENDITURES	77,063,900	21,764,027	28%	57,421,800
NET ALL REVENUES OVER EXPENDITURES	0	-1,846,795	-2%	7,037,700

CITY OF REXBURG
FY 2016

BUDGET SUMMARY REPORT

9 months ending
6/30/2016

Page 1

EXPENDITURES

	BUDGET	ACTUAL	75%	FORECAST
OPERATING EXPENDITURES				
Human Resources	81,500	26,452	32%	56,800
Mayor & Council	284,100	219,123	77%	285,600
Economic Development	238,300	183,158	77%	247,600
Arts	505,200	209,653	41%	317,500
Customer Services	347,400	237,734	68%	321,500
Information Technology	448,100	306,533	68%	451,000
Financial Management	821,800	601,426	73%	819,300
Legal Services	228,700	163,773	72%	221,500
Planning & Zoning	239,000	203,602	85%	264,200
Building Safety	1,423,900	496,457	35%	718,900
GIS	416,700	299,556	72%	408,300
Emergency Services	3,107,000	1,999,951	64%	3,053,000
Golf Courses	448,300	264,535	59%	451,800
Parks & Ball Diamonds	548,600	306,015	56%	552,200
Recreation Administration & Programs	449,200	343,192	76%	507,900
Riverside Aquatic Center	536,300	168,732	31%	441,400
Miscellaneous: MYAB, Airport, Legacy Flight Museum	211,000	91,127	43%	150,200
Police Department				
Administration Division & Fund 09	1,151,700	784,013	68%	1,086,100
Patrol Division & Funds 13	2,128,700	1,550,554	73%	2,066,500
Investigations Division	653,600	478,771	73%	635,600
Community Services Division & Funds 08,11,14	564,000	398,566	71%	554,600
Total Police Department	4,498,000	3,211,904	71%	4,342,800
Public Works				
Shop	521,400	331,877	64%	497,300
Sanitation	1,870,700	1,342,807	72%	1,886,600
Water	2,321,500	1,675,556	72%	2,267,000
Wastewater	3,662,700	2,590,702	71%	3,529,500
Street Operations	2,042,700	1,459,544	71%	2,177,500
Street Repair Contracts	857,000	14,330	2%	255,000
Total Public Works	11,276,000	7,414,816	66%	10,612,900
TOTAL OPERATING EXPENDITURES	26,109,100	16,747,739	64%	24,224,400
CAPITAL EXPENDITURES				
General Fund Contingency	137,700		0%	200
Engineering	641,600	448,100	70%	631,500
Construction 06,30,31,32,39,41,42,44,46,49,51-58,82,85	21,846,000	3,887,769	18%	13,866,900
Contributed Capital	4,150,000		0%	2,200,000
Capital Reserve Funds 07,18,20,33,34,35,38	3,078,200	81,279	3%	478,800
LID Debt Service Funds 59-69	1,343,200	172,515	13%	959,100
Trust & RLF Funds 15,16,19,21,22,90,91	708,800	33,625	5%	98,400
TOTAL CAPITAL EXPENDITURES	31,905,500	4,623,288	14%	18,234,900
Internal Transfers Out for Operations	3,192,700	318,000	10%	3,323,500
Internal Transfers Out for Capital	15,856,600	75,000	0%	11,639,000
TOTAL EXPENDITURES FOR ALL FUNDS	77,063,900	21,764,027	28%	57,421,800

CITY OF REXBURG
FY 2016

**CASH & INVESTMENT
BALANCE REPORT**

CASH & INVESTMENTS*	BALANCE AS OF 6/30/2016	Percentage of Portfolio
Bank of Commerce Legacy Flight Museum Checking	75,734	0.33%
Beehive Credit Union CD	250,000	1.10%
Cash On Hand	3,350	0.01%
Citizens Community Bank CDARS	2,135,278	9.41%
Citizens Community Bank Checking (RLF)	129,194	0.57%
Idaho Central Credit Union CD	250,000	1.10%
Idaho Central Credit Union Savings	25	0.00%
Moreton Asset Management Government Securities	3,629,273	16.00%
Real Estate Investments (Streets)		0.00%
State Diversified Bond Fund	7,281,639	32.10%
State Local Government Investment Pool--City	5,853,579	25.80%
State Local Government Investment Pool--Fire District	434	0.00%
Wells Fargo Bank Drug Fund Checking	20,364	0.09%
Wells Fargo Bank Fire District Checking & Savings	80,665	0.36%
Zions Bank Collateralized Acct	2,150,339	9.48%
Zions Bank Direct Auction-Agencies	442,949	1.95%
Zions Bank Direct Auction-CD	200,000	0.88%
Zions Bank General Checking	160,590	0.71%
Zions Bank Payroll Checking	20,780	0.09%
TOTAL	22,684,193	100.00%

Finance Officer Nielson reviewed the Cash and Investments Balance Report. He said the city is working with Zions Capitol Advisors. They hope to move about two million dollars from some of the short-term investments to a two year term. This will help diversify the city's investments.

Finance Officer Nielson reviewed the Treasurer's Expenditure Report. He said this is the 3rd quarter for fiscal year 2016. The report will be published in the local newspaper as required. The report indicates many of the construction funds are in the negative. For example, the sewer plant construction fund is showing a negative amount. The funds for the sewer plant are in the reserves. They will need to be transferred to the sewer plant construction fund.

Finance Officer Nielson indicated the funds for 84 Street 2nd E and Moody Rd. Construction is considerably in the negative; however, the city is waiting for the reimbursement from Urban Renewal to repay the fund.

CITY OF REXBURG								
TREASURER'S EXPENDITURE REPORT BY FUND								
FISCAL YEAR TO DATE ENDING 6/30/2016 @ 75% of the Fiscal Year 2016								
#	FUND	WAGES	CAPITAL	OTHER	TOTAL	BUDGET	BUDGET	END BAL.
48	AIRPORT CONSTRUCTION		97,124	0	97,124	170,800	57%	33,844
47	AIRPORT OPERATIONS	1,429		14,098	15,527	26,100	59%	-7,940
49	AIRPORT RESERVE			0		80,000	0%	185,000
36	ARTS PROMULGATION			26,000	26,000	210,700	12%	47,458
82	BROADBAND FIBER INITIATIVE			0		300	0%	
28	BUILDING SAFETY AND P&Z	326,462	43,435	330,163	700,060	1,662,900	42%	645,543
85	COMMUNITY SAFETY LIGHTING		4,567	54,372	58,939	295,300	20%	249,098
83	EI BUSINESS COMPETITION			11,574	11,574	12,500	93%	-6,699
19	FIRE DISTRICT			367,000	367,000	1,224,400	30%	683,479
21	FIRE EMPLOYEES TRUST		5,938	6,385	12,323	55,200	22%	28,939
20	FIRE IMPACT FEES			0		55,600	0%	81,042
18	FIRE JOINT EQUIPMENT			0		259,400	0%	379,600
17	FIRE OPERATIONS	929,740	24,582	982,853	1,937,175	2,765,700	70%	-798,978
37	FIRE PARAMEDIC CARE UNIT	34,493		28,283	62,776	421,700	15%	41,616
93	FIRE PIPES & DRUMS			1,460	1,460	9,800	15%	5,261
32	FIRE STATION ADDITION		169,002	0	169,002	200,000	85%	-101,461
01	GENERAL	3,082,431	266,923	2,723,111	6,072,465	10,503,900	58%	3,837,385
29	GEOGRAPHIC INFORMATION SYS.	146,617	4,956	147,983	299,556	416,700	72%	-34,698
51	GOLF COURSE CONSTRUCTION			2,445	2,445	30,100	8%	-616,094
50	GOLF COURSE OPERATIONS	464	32,175	231,896	264,535	448,300	59%	1,327,379
24	LEGACY FLIGHT MUSEUM		1,216	59,136	60,352	245,600	25%	86,625
53-58	LID CONSTRUCTION FUNDS		476,926	13,237	490,163	1,420,000	35%	-490,163
59-79	LID DEBT SERVICE FUNDS			115,625	115,625	514,300	22%	-259,381
45	MAYOR'S YOUTH COMMITTEE			3,025	3,025	6,800	44%	387
38	PARKS IMPACT FEES		13,912	0	13,912	470,000	3%	948,015
41	PARKS RIVERSIDE CONSTRUCTION		170,386	0	170,386	960,000	18%	-166,213
14	POLICE ANIMAL CONTROL	44,079	4,310	47,162	95,551	130,300	73%	-73,181
08	POLICE D.A.R.E.			7,207	7,207	20,500	35%	359
09	POLICE DRUG INTERD./EDUC.			147	147	23,800	1%	20,387
07	POLICE IMPACT FEES			582	582	25,300	2%	-137,875
91	POLICE SHOP WITH A COP			13,024	13,024	38,000	34%	24,385
13	POLICE SMALL GRANTS	12,057	3,916	6,607	22,580	57,500	39%	-2,733
03	RECREATION PROGRAMS	29,822	40,000	112,167	181,989	189,000	96%	-64,832
22	REVOLVING LOAN		6,666	0	6,666	31,000	22%	1,268,619
94	REXBURG ARTS COUNCIL TRUST			120	120	2,500	0%	120
81	REXBURG CULTURAL ARTS	12,947		47,366	60,313	93,900	64%	69
23	REXBURG RAPIDS	43,573	23,200	101,959	168,732	536,300	31%	119,483
40	ROMANCE THEATER	15,361	20,026	30,712	66,099	98,800	67%	-59,434
25	SANITATION OPERATIONS	148,840	108,000	1,085,967	1,342,807	1,870,700	72%	1,644,789
35	SEWER CAPITAL RESERVE			66,784	66,784	3,279,900	2%	3,518,597
27	SEWER OPERATIONS	313,655	825,003	1,508,934	2,647,592	7,402,500	36%	18,507,723
52	SEWER PLANT CONSTRUCTION		1,406,428	0	1,406,428	3,000,000	47%	-909,346
31	SHOP CONSTRUCTION		377,147	0	377,147	212,000	178%	473,962
84	STREET 2nd EAST & MOODY RD CONST.		380,737	0	380,737	6,102,000	6%	-719,305
33	STREET IMPACT FEES			0		580,000	0%	274,273
44	STREET NEW CONSTRUCTION		26,320	0	26,320	3,023,900	1%	749,037
02	STREET OPERATIONS	347,176	285,440	826,928	1,459,544	3,199,500	46%	605,435
43	STREET REPAIR CONTRACTS		12,625	1,705	14,330	1,607,000	1%	536,941
04	TABERNACLE (Aud. & Museum)	22,156	25,023	33,191	80,370	126,000	64%	-72,346
05	TABERNACLE ORCHESTRA			2,869	2,869	7,500	38%	-5,132
39	TRAILS OF MADISON COUNTY			125	125	50,000	0%	-125
90	VETERANS MEMORIAL TRUST		30	0	30	6,000	1%	5,551
34	WATER CAPITAL RESERVE			0		1,596,300	0%	1,525,942
26	WATER OPERATIONS	219,137	450,000	1,006,426	1,675,563	12,091,600	14%	14,387,976
42	WATER PLANT CONSTRUCTION		708,947	0	708,947	9,196,000	8%	-708,947
TOTAL		5,730,439	6,014,960	10,018,628	21,764,027	77,083,900	28%	47,009,436

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

B. Public Works: John Millar

Public Works Director Millar reported the storm drain line project that begins on 4th West and ends at the roundabout has started. The road will be closed for six weeks until the project is complete. He said they are still working on the water line project. They will begin paving the Starlight Addition tomorrow. The project is on schedule with minimal problems. The contractor has been good to work with. He reported the sewer project is on schedule. They are getting a lot of complicated work done, with the amount of conduit and control systems they are installing.

Public Works Director Millar reported they are pouring the concrete at the city shop. Once the concrete is dry, the contractor will begin the framework on the inside of the building. Mayor Merrill asked when the city shop will be completed. Public Works Director Millar replied the city shop should be completed in about 30 to 45 days.

Council Member Busby asked for an update on the installation of the fiber optics on 7th South. He said the contractor is tearing up the sod again in front of BYU-Idaho housing. Public Works Director Millar indicated he spoke with the contractor and informed him that no additional permits will be issued until all of their outstanding work items have been completed.

Mayor's Report:

A. Ratify two new members of the Rexburg Redevelopment Agency:

1. Robert Chambers;
2. Randal Porter

Mayor Merrill reported Rex Erickson and Tim Solomon are retiring from the Rexburg Redevelopment Agency.

Council President Smith moved to ratify the appointment of two new members (Robert Chambers and Randal Porter) to the Rexburg Redevelopment Agency; Council Member Busby seconded the motion; Mayor Merrill asked for a vote:

Those voting aye

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

Those voting nay

None

The motion carried

Mayor Merrill reported on the SummerFest Mayor's Reception. The welcoming of the dance performers and gift exchange was held at the Tabernacle. The baked potato dinner was held at Rexburg Rapids. A pool party was held for all the performers and their host families. He thanked Council Member Mann for helping to arrange the baked potato dinner. Mayor Merrill said he hosted a dinner for the performers from India on Thursday night. They were very appreciative of our culture and expressed how wonderful it was to be in Rexburg.

Mayor Merrill mentioned that negotiations to purchase the right-of-way from an owner on 2nd East are complete so the widening of the road can proceed.

Mayor Merrill said he attended the EICAP (Eastern Idaho Community Action Partnership) Board meeting. He explained EICAP aids low-income residents with housing; they run the Head Start Program, and other programs that aid low-income individuals. Mayor Merrill said he attended the TRPTA board meeting; they now have a route running from Rexburg to Idaho Falls several times during the day.

Mayor Merrill reported on the PERSI presentation to update employees on the retirement program. He mentioned the Heritage Festival event is being organized; it will be held on September 24th.

Mayor Merrill said the BYU-Idaho Architectural Students presented their ideas of how they would like the development to look along the Teton River and Center Street. They had interesting ideas.

Public Hearings:

A. 7:00 P.M. BILL 1147 Amending Appropriation Budget 2016 from \$76,726,000 to \$83,174,800; an additional amount of \$6,448,800 which includes budget transfers from uncompleted budget items in 2015 and new revenue.

(Deferred to August 03, 2016 to allow for adequate notice to the public.)

Items for Consideration:

A. BILL 1148 - Planning and Zoning recommended a request to rezone 1030 South 5th West from Rural Residential One (RR1) to High Density Residential One (HDR1)- Troy Kartchner

Presentation:

Troy Kartchner presented the request to rezone 1030 South 5th West from Rural Residential One (RR1) to High Density Residential One (HDR1). He reviewed the picture of the property on the overhead screen. There has been ongoing discussion regarding vehicular and pedestrian traffic issues in this area. They have been working with the city for the past year to create a resolution for the traffic issues. He said a part of the solution will be to widen S 5th West to University Blvd. Planning and Zoning recommended the following condition: the west side of S 5th W be widened and include sidewalk, curb and gutter down to 7th South. The installation of sidewalk along 5th W will alleviate pedestrian traffic on street. He indicated they will be participating in the widening of 5th West to 7th South as they develop the property. They will create a road that connects to University Boulevard.

Council Member Busby asked about the number of outlets. The development is slated for more than one outlet. Mr. Kartchner reviewed the location of the outlets on the overhead screen.

Council Member Busby asked for clarification as to the extent of participation the developer will have in the widening of the road. Mr. Kartchner explained his participation has not been fully defined; however, they will continue to work with city staff to resolve any challenges. He said they are committed to participate in the solutions proposed.

Council Member Busby mentioned city staff was going to meet with all of the property owners along S 5th W to discuss any issues they may have with the development. He asked if city staff has met with all of the residents. Public Works Director Millar said they have met with most of the residents.

Council Member Busby indicated he would like to see the participation of the property owners, the developer and city staff be defined so that all parties involved will fully understand their responsibilities.

City Attorney Zollinger referred to the staff report. He said one of the reasons Mr. Kartchner is hesitant to discuss further participation is because an agreement has not been signed. The anticipation is that if we can get the property owners cooperation, the extent of their participation would be to contribute the necessary land to widen the road. The developer would take the responsibility of the costs associated with the installation of sidewalks. Then the city, through the budget process, would fund the widening of the road on the south end. Mr. Kartchner would take the full responsibility of widening the road adjacent to his development.

Troy Kartchner said when meeting with city staff, it was proposed that the developer would work with the city engineers and participate in funding the engineering costs. The developer would take care of the sidewalk and connection between the sidewalks and curb. They would also work with the property owners to take care of their yards. The city would take care of the curb, gutter, and asphalt. He explained this is what has been discussed; however, an agreement has not been signed.

Council Member Busby asked about the landscaping and sprinkler systems. City Attorney Zollinger explained everything behind the curb will be resolved by the developer in conjunction with the property owners.

Discussion regarding landscaping, sprinkler systems and driveways.

Council Member Busby asked if any of the power poles need to be moved. Public Works Director Millar said there is a power pole on the south end of the project that may need to be moved.

Council Member Busby said he is concerned that not all of the property owners have been contacted by city staff. City Attorney Zollinger said city staff has contacted all of the property owners except for one.

Jeff Jacobson indicated his property is on the south end of the development. He said he is appreciative of Mr. Kartchner's efforts to develop the area. The location already has a concentrated amount of pedestrian traffic. He said no matter what type of development is built, the pedestrian traffic will continue to increase. He indicated his only concern is the proximity of the sidewalk to his house. His house sits more forward than the rest of the homes on that side of the block. He said he is not in favor of the green space.

Discussion regarding which property owners have been contacted by city staff.

Council Member Busby asked if on-street parking or a bike path is going to be added to S. 5th W. Public Works Director Millar replied the decision has not been finalized and is still under consideration.



Discussion:

City Attorney Zollinger clarified in this particular case if the developer fails to meet the conditions specified the zone reverts back to the original zone.

Council President Smith moved to rezone 1030 South 5th West from Rural Residential One (RR1) to High Density Residential One (HDR1) with the Planning and Zoning condition: **(1) to provide pedestrian connectivity from the development location on South 5th West to 7th South**; Council Member Busby seconded the motion; Mayor Merrill asked for a vote:

Those voting aye

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

Those voting nay

None

The motion carried

B. BILL 1149 - Planning and Zoning recommended a request to rezone 149 and 185 East 3rd South from Low Density Residential Two (LDR2) to Medium Density Residential One (MDR1)- Porter Wilkins

Presentation:

Porter Wilkins stated he is presenting tonight as an individual and not as a city employee to rezone 149 and 185 East 3rd South from Low Density Residential Two (LDR2) to Medium Density Residential One (MDR1). The change is favorable because of the proximity to the university. Currently the property at 185 East 3rd South is operating as a dormitory style rental. The duplex is rented out to eight tenants instead of renting them out as two separate units. The property is in a non-comforming use because it was built before the zone was changed to Low Density Residential. He mentioned the access to the property is on East 3rd South.

Council Member Mann asked if the duplex meets the single student housing requirements. Mr. Wilkins clarified the rental is not university approved for single students. The tenants renting the duplex are not BYU-Idaho students.

Council Member Mann mentioned he is not in favor of spot zoning; however, this rezone fits with the surrounding developments.

Discussion regarding single-family neighborhoods near the university.

Council Member Busby moved to rezone 149 and 185 East 3rd South from Low Density Residential Two (LDR2) to Medium Density Residential One (MDR1) as discussed; Council Member Flora seconded the motion; Mayor Merrill asked for a vote:

Those voting aye

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

Those voting nay

None

The motion carried

C. Resolution 2016 – 08: Planning and Zoning recommended a Comprehensive Plan Map Amendment at 263 & 267 West 4th South and 429 South 3rd West from Neighborhood Commercial/Mixed Use to Moderate-High Density Residential-Ryan J. Nelson

Ryan J. Nelson reviewed the three parcels on the overhead screen.



Council Member Flora moved to approve the Comprehensive Plan Map Amendment (Resolution 2016-08) at approximately 263 & 267 West 4th South and 429 South 3rd West from Neighborhood Commercial/Mixed Use to Moderate-High Density Residential; Council President Smith seconded the motion; Mayor Merrill asked for a vote:

Those voting aye

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

Those voting nay

None

The motion carried

Calendared Bills and Tabled Items:

A. **“LAND USE ACTION”** – Bills Recommended/Approved in a Land Use Public Hearing Procedure (Recommend Suspension of the Rules):

1. **BILL 1148 - Planning and Zoning recommended a request** to rezone 1030 South 5th West from Rural Residential One (RR1) to High Density Residential One (HDR1)
2. **BILL 1149 - Planning and Zoning recommended a request** to rezone 149 and 185 East 3rd South from Low Density Residential Two (LDR2) to Medium Density Residential One (MDR1)

Discussion regarding the process of suspending the rules.

Council President Smith moved to suspend the rules for BILL 1148 and BILL 1149; Council Member Benfield seconded the motion; Mayor Merrill asked for a roll call vote:

Those voting aye

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

Those voting nay

Council Member Mann

The motion carried.

Council Member Benfield moved to consider BILL 1148 approved and third read; Council President Smith seconded the motion; Mayor Merrill asked for a vote:

Those voting aye

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

Those voting nay

None

The motion carried

Council President Smith moved to consider BILL 1149 approved and third read; Council Member Flora seconded the motion; Mayor Merrill asked for a vote:

Those voting aye

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

Those voting nay

None

The motion carried

B. BILL Introduction: – NONE

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

1. BILL 1146 Appropriation Budget 2017

Council Member Mann moved to second read BILL 1146 Appropriation Budget 2017; Council Member Benfield seconded the motion; Mayor Merrill asked for a vote:

Those voting aye

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

Those voting nay

None

The motion carried

D. Third Reading: Those items which have been second read: – NONE

Mayor's Business:

- A. Approve moving forward with a Building Maintenance Coordinator position.**
- B. Approve moving forward with the hiring of a Media Relations/Marketing Coordinator position budgeted in Fiscal Year 2017.**
- C. Approve the Deputy Clerk position (combination of a replacement position and new position.)**

Discussion: Council Member Mann moved to approve all three positions as discussed: **(1)** Building Maintenance Coordinator, **(2)** Media Relations/Marketing Coordinator and **(3)** Deputy Clerk; Council Member Flora seconded the motion; Mayor Merrill asked for a vote:

Those voting aye

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

Those voting nay

None

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

Council Member Busby moved to approve the Consent Calendar containing the minutes and the city bills; Council Member Flora seconded the motion; Mayor Merrill asked for a vote:

Those voting aye

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

Those voting nay

None

The motion carried

Adjournment at 8:08

APPROVED:

Jerry Merrill, Mayor

Attest:

Marianna Gonzalez, Deputy City Clerk