

City Council Minutes

May 18, 2016



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May 18, 2016

Mayor Jerry Merrill

Council Members:

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

City Staff:

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

6:30 P.M. City Hall Council Meeting

Truman Bagley led the pledge.
Karl Mattson said the prayer.

Roll Call of Council Members:

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

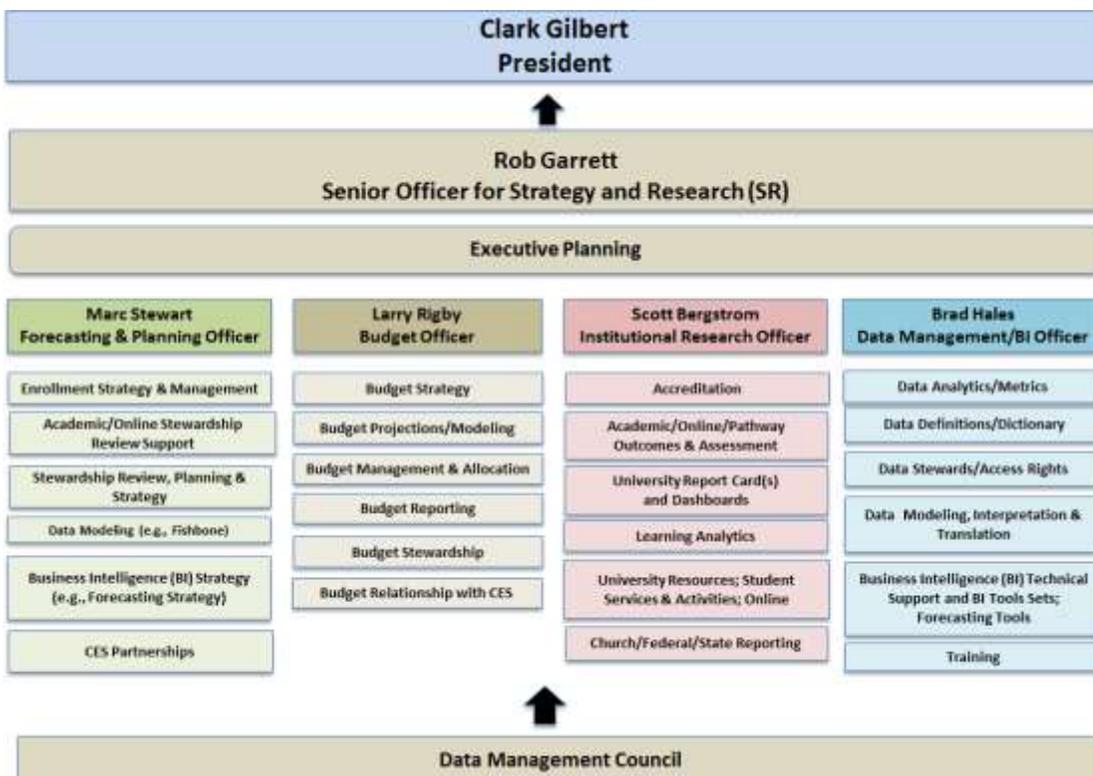
Council Member Benfield and Council Member Busby asked to be excused.

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:

A. **Review BYU-I Spring Enrollment numbers** and the status on other miscellaneous items – Eric Conrad

Mr. Conrad reviewed the President Executive Group chart on the overhead screen. There were personnel changes made to the executive group. He indicated Rob Garrett will serve as Senior Officer for Strategy and Research. He also reviewed the duties and responsibilities of each representative in the President Executive Group.



Dear Colleagues,

With the anticipated future growth of BYU-Idaho on campus and online, institutional data and strategy are becoming increasingly significant in guiding the university. To better accommodate the need for data analysis and strategic decision making, a new organization is being established within the Executive Office.

Beginning June 1, the Office for Strategy and Research will be created. It will serve as the official source for institutional research used in strategic university decisions. Rob Garrett will lead the new organization as Senior Officer for Strategy and Research, report to me, and serve as a member of President's Executive Group. The new organization will have responsibility over four key areas: 1. Forecasting and Planning, 2. Budgeting, 3. Institutional Research, and 4. Data Management. Marc Stewart, Larry Rigby, Scott Bergstrom, and Brad Hales will oversee these areas respectively.

Additionally, Betty Oldham will retire later this year. We love and appreciate the leadership and service Betty has provided the university. The role of executive planning she currently fills will be assumed by Rob Garrett in the new organization.

Also, the function of enrollment management, previously overseen by Rob Garrett, will move from Enrollment Services to the new Office for Strategy and Research.

As part of these changes, the Student Services and Activities organization under Kevin Miyasaki will be renamed Student Life. The area currently referred to as Enrollment Services will be renamed Student Services and remain with Kevin. The new names are for clarification purposes and do not represent major organizational changes in these two areas.

I express my appreciation to all those who are helping manage this transition.

Sincerely,

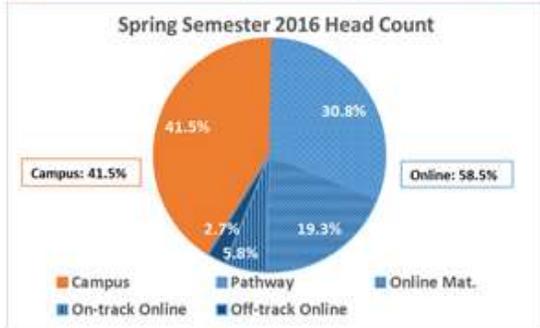
Clark

Clark G. Gilbert
President
Brigham Young University-Idaho
(208) 496-1111

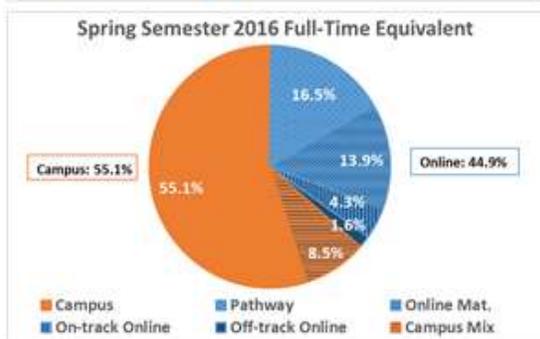


Mr. Conrad reviewed the 2016 Spring Semester student population attending Brigham Young University-Idaho. There was an increase of 952 students from last year's spring semester. He went over the number of students enrolled in the pathway program and online classes. They anticipate the number of students enrolled in the upcoming fall semester to surpass last year's numbers. The university is trying to balance the number of students enrolled in the fall/winter and spring/summer tracks. He said the numbers shown in the report are current as of last week. City Council had questioned what the percentage of female students versus male students attending the university was. The percentage of female students is at 50.2 and the percentage of male students is at 49.8.

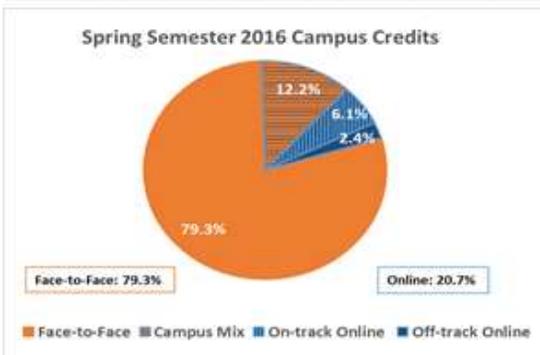
2016 Spring Semester	Headcount (HC)	Full-Time Equivalent (FTE)	Student Credit Hours	Average Credit Load	Spring 2015 HC Difference	Spring 2015 FTE Difference	%HC Growth	%FTE Growth
Campus HC	14,694	12,210	183,156	12.46	952	742	6.9%	6.3%
On-track Online Only	2,057	816	12,243	5.95	279	155	15.7%	23.5%
Off-track Online Only	941	316	4,735	5.04	265	89	39.2%	39.1%
Campus Matriculated Away	653	195	2,925	4.48	26	1	4.1%	0.5%
Online Matriculated	6,819	2,668	40,022	5.37	2,310	864	51.2%	47.9%
Other Enrollment	144	36	537	3.75	9	2	6.7%	5.3%
Employee	124	37	554	4.47	18	3	17.0%	8.4%
CEJ Enrollment	119	29	437	3.67	NA	NA	NA	NA
Pathway	10,594	3,171	47,572	4.37	1,578	35	16.9%	NA
Total	36,445	19,479	292,183	8.02	5,437	1,892	19.70%	18.75%



Headcount	Spring 2016 Semester	Spring 2015 Semester	Difference
Campus	41.5%	45.9%	-4.4%
Online	58.5%	54.1%	4.4%
Pathway	30.8%	31.0%	-0.2%
Online Mat.	19.3%	14.9%	4.4%
On-Track Online	5.8%	6.0%	-0.2%
Off-Track Online	2.7%	2.2%	0.5%



Full-Time Equivalent	Spring 2016 Semester	Spring 2015 Semester	Difference
Campus	55.1%	58.0%	-2.9%
Online	44.9%	42.0%	2.9%
Pathway	16.5%	18.1%	-1.6%
Online Mat.	13.9%	10.4%	3.5%
On-Track Online	4.3%	4.0%	0.3%
Off-Track Online	1.6%	1.3%	0.3%
Campus Mix	8.5%	8.1%	0.4%



Campus Credits	Spring 2016 Semester	Spring 2015 Semester	Difference
Face-to-Face	79.3%	81.2%	-1.9%
Online	20.7%	18.8%	1.9%
Campus Mix	12.2%	11.3%	0.9%
On-Track Online	6.1%	5.6%	0.5%
Off-Track Online	2.4%	1.8%	0.6%

B. Rexburg for Refugees – Ian Zollinger



Our mission statement: Rexburg for Refugees aids the domestic and international refugee crisis by collecting in-kind donations, facilitating community involvement and improving the perception of refugees

Ian Zollinger and his wife are the Student Housing Coordinators for Rexburg for Refugees. He thanked City Council for the opportunity to present on Rexburg for Refugees. He expressed his gratitude for living in Rexburg and for the people of the community who are willing to give to others in need. He said the purpose of his presentation is to inform City Council of their efforts in aiding the domestic and international refugee crisis. He stated their mission includes collecting in-kind donations, facilitating community involvement, and improving the perception of refugees. There are many people that want to help; however, aren't sure how they can help. Rexburg for Refugees has created an avenue for people to help. He introduced the founders of Rexburg for Refugees, Eric and Emillie Whitlock.



Eric Whitlock introduced his wife Emillie. He gave the background of how Rexburg for Refugees started. He said his wife attended a conference where someone spoke about helping others and helping with the refugee crisis. His wife and others felt compelled to help after the conference, so they gathered friends and neighbors together to tie fleece blankets. They tied about 20 blankets and donated them to the International Rescue Committee in Salt Lake City, Utah. He explained on their way back to Rexburg, he and his wife discussed the possibility of setting up a donation collection depot. He said they came up with Rexburg for Refugees.

Emillie Whitlock said they decided to create an organization that facilitates the greatness of the community and their willingness to give to those in need. Being new to the process of starting this type of organization, she did some research. In the research she found that the closest refugee resettlement center is in Twin Falls, Idaho. The center is run by the College of Southern Idaho Refugee Program. The program places about 300 refugees into the Twin Falls area each year. The majority of the refugees come from the Democratic Republic of Congo, Iraq, and Afghanistan. They have been seeking refugee status for years and have gone through the vetting process. The refugees are in desperate need of help. The way the community can help right now is by providing in-kind donations; for example, hygiene items, cleaning supplies, household items, baby items, diapers, wipes, basically anything needed to sustain life will help.

Emillie Whitlock explained the process of how the refugee resettlement program works. She said the federal government will give aid to the refugees for a period of eight months. It is during this time that the in-kind donations really help the refugees. After the eight month period the refugees are expected to intergrade into whichever society that they are living in. She indicated she is in favor of the process because it provides a way to help the refugees coming into our country and even our state become self-reliant.

Emillie Whitlock explained donated items are picked up twice a week. She said they encourage the people wanting to donate items to call or text them. They will pick up the items on Thursdays and Sundays. She also mentioned she has been overwhelmed by the response of the community to help.

Emillie Whitlock stated they started the organization a little over a month ago and have received over 3,000 donated items. The organization has grown a lot since it started. She said they have facilitated involvement from congregations of LDS Wards. The young women from the 17th LDS Ward put together a donation drive and collected over 600 items. There has been involvement from other LDS Wards in Rexburg, Sugar City, and Newdale. She mentioned another donation drive was put together by two local citizens at the Madison

School District. They set up donation boxes in several schools in Rexburg. There were many items donated including two new bicycles. She expressed that it has been a rewarding experience to see the generosity of the community manifest itself over and over again. There was also involvement from BYU-Idaho students.

Eric Whitlock said Ian Zollinger and his wife Julie are instrumental in involving the university students in collecting donations for the refugees. He indicated they have really helped in uniting the students with the community in this effort.

Eric Whitlock explained the donated items are given to the International Rescue Committee Center in Salt Lake City, Utah. He mentioned there is another center in Boise, Idaho. The centers are contacted to see which items they are in most need of. The donated items are organized and put into boxes and sent to the centers that have a need for those specific items.

There were pictures shown of volunteers at the College of Southern Idaho Refugee Placement Center. They met Jesse Sheets the Donation Coordinator for the International Rescue Committee in Salt Lake City, Utah.

Eric Whitlock indicated social media has been a great tool in assisting to spread the word about their organization and in reaching those who want to help. The news media has also helped in spreading the word. Emillie Whitlock said the organization is continually growing as more and more people become aware of the refugee cause.

Mayor Merrill thanked the Whitlock's for their efforts in helping great things happen in Rexburg. Council Member Flora also thanked the Whitlock's and stated their efforts are amazing.

Rebecca Wilkey is the Community Coordinator for Rexburg for Refugees. She referenced the letter handed out to the City Council. The letter is asking for City Council's support in sponsoring an event focused on refugees. The event will be held at the Rexburg Tabernacle on June 11th at 6 p.m. She stated this community awareness event will be extraordinary because there are three BYU-Idaho students that have come to the United States as refugees. The students want to share their stories with the community.

Rebecca Wilkey said she spoke with Cultural Arts Director Jackie Rawlins about the possibility of waiving the rental fee for the tabernacle to hold the event. Mayor Merrill asked if the event has been scheduled. She replied the event has already been scheduled.

Rebecca Wilkey asked City Council to waive the fees associated with renting the Rexburg Tabernacle to host the community event. She said Julianne D. Tzul the Executive Director of Boise's International Rescue Committee will be a guest speaker at the event.

Council Member Smith moved to approve the fee waiver request for Rexburg for Refugees to use the Rexburg Tabernacle on June 11th, 2016 for a speaking event featuring three BYU-Idaho Students and Julianne D. Tzul; Council Member Flora second the motion; Mayor Merrill asked for a vote.

Those voting aye

Council President Smith
Council Member Flora
Council Member Mann
Council Member Wolfe

Those voting nay

None

The motion carried

Committee Liaison Assignments for 2015:

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

Council Member Mann reported the Golf Board met; however, he reported on the Golf Board at the last City Council meeting. Emergency Services Board met last week to discuss their budget. This is budget time for all of the City Departments. He said during this time

City Council reviews each department's budget. He thanked Mayor Merrill for attending the department budget reviews. Everything else is going well for the Emergency Services Board. The GIS Oversight Committee also met to review their budget. The Development Workshop met to discuss plans for their golf tournament scheduled this coming Saturday at Teton Lakes Golf Course.

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

Council Member Busby was excused.

Mayor Merrill reported the Trails of Madison County met to discuss the possibility of adding new trails.

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

Council Member Benfield was excused.

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

Council Member Smith reported the Legacy Flight Museum will meet Friday to review their budget and continue to discuss the plans for the Airshow on June 18th. She mentioned the Airshow is a free event for the community. There will be many warbird airplanes and a famous person. Madison Economic Partners held the Rexburg Business Competition this past week. She will report on the competition at the next City Council Meeting. Council Member Smith mentioned Zell Grover Freeman's 101st birthday is tomorrow. She is one of the oldest members of the community and is still very active. When possible she offers rides to other ladies to play bridge at the Rexburg Senior Center.

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

Council Member Flora reported the School Board will meet next week. The Rexburg Arts Council is doing great! The May 4th orchestra concert was a success. They also discussed an assignment Mayor Merrill gave them for the Heritage Festival that is planned for September 24th. Alex Boyé is scheduled to perform at the Tabernacle. There is a melodrama scheduled this fall and other summer activities. The Museum of Rexburg will open June 4th. They are working on a new exhibit to commemorate the 40th anniversary of the Teton Dam Flood. She mentioned new lighting fixtures were added at the Romance Theater.

Council Member Flora commended Cultural Arts Director Jackie Rawlins for working hard to promote the arts in Rexburg while trying to conserve finances and making things look good for the City. Mayor Merrill said there will be free admission to tour the museum on June 4th. He encouraged all to go tour the museum that day. He hopes people will be inspired to volunteer and help organize the museum's artifacts.

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

Council Member Wolfe reported Planning & Zoning held a public hearing last week to rezone 419 West 1st North from Low Density Residential 2 (LDR2) to Mixed Use 2 (MU2). There was also a Conditional Use Permit requested for 419 West 1st North to allow 100 percent residential and zero percent commercial in a Mixed Use 2 zone. He indicated the Conditional Use Permit was requested due to set backs and not to increase density. The Planning & Zoning Commission approved both the rezone and the Conditional Use Permit for this location. He said City Attorney Zollinger took a moment at the Planning and Zoning meeting to introduce form-based zoning. Urban Renewal Agency did not meet; however in their last meeting, they were discussing the bonding process for the North Interchange.

Staff Reports:

A. Finance: Matt Nielson

1. Monthly Finance Reports

Finance Officer Nielson reviewed the Expenditures Budget Summary Report. The report is 7 months into the fiscal year. The operating expenditures are typically at 58% this far into the fiscal year. The Police Department is at 57% and the Public Works Department is at

47%. He said overall the City is at 47% in total operating expenditures. He reviewed the capital expenditures. The City has spent 20% of the budget.

CITY OF REXBURG
FY 2016

BUDGET SUMMARY REPORT
7 months ending
4/30/2016

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EXPENDITURES

OPERATING EXPENDITURES

	BUDGET	ACTUAL	58%	FORECAST
Human Resources	81,500	10,600	13%	55,800
Mayor & Council	284,100	171,985	61%	290,100
Economic Development	238,300	137,728	58%	246,900
Arts	505,200	136,496	27%	318,400
Customer Services	347,400	185,109	53%	321,500
Information Technology	448,100	255,064	57%	458,600
Financial Management	821,800	496,903	60%	828,100
Legal Services	228,700	129,708	57%	221,500
Planning & Zoning	239,000	161,323	67%	264,200
Building Safety	1,423,900	387,605	27%	716,900
GIS	416,700	241,730	58%	408,300
Emergency Services	3,107,000	1,572,610	51%	3,053,000
Golf Courses	448,300	160,099	36%	448,200
Parks & Ball Diamonds	548,600	205,806	38%	549,900
Recreation Administration & Programs	449,200	197,747	44%	502,300
Riverside Aquatic Center	536,300	35,812	7%	419,600
Miscellaneous: MYAB, Airport, Legacy Flight Museum	211,000	27,396	13%	152,100
Police Department				
Administration Division & Fund 09	1,151,700	636,356	55%	1,064,700
Patrol Division & Funds 13	2,128,700	1,243,603	58%	2,066,500
Investigations Division	653,600	376,982	58%	632,600
Community Services Division & Funds 08,11,14	564,000	299,880	53%	554,600
Total Police Department	4,498,000	2,556,821	57%	4,318,400
Public Works				
Shop	521,400	266,282	51%	497,300
Sanitation	1,870,700	969,291	52%	1,956,400
Water	2,321,500	1,197,667	52%	2,346,800
Wastewater	3,662,700	1,794,352	49%	3,487,000
Street Operations	2,042,700	1,067,467	52%	2,013,300
Street Repair Contracts	857,000	14,023	2%	381,300
Total Public Works	11,276,000	5,309,082	47%	10,682,100
TOTAL OPERATING EXPENDITURES	26,109,100	12,379,624	47%	24,255,900
CAPITAL EXPENDITURES				
General Fund Contingency	137,700		0%	134,400
Engineering	641,600	344,928	54%	631,500
Construction 06,30,31,32,39,41,42,44,46,49,51-58,82,85	21,846,000	2,204,657	10%	21,003,800
Contributed Capital	4,150,000		0%	2,250,000
Capital Reserve Funds 07,18,20,33,34,35,38	3,078,200	69,390	2%	743,800
LID Debt Service Funds 59-69	1,343,200	172,515	13%	1,312,600
Trust & RLF Funds 15,16,19,21,22,90,91	708,800	31,559	4%	98,400
TOTAL CAPITAL EXPENDITURES	31,905,500	2,823,049	9%	26,174,500
Internal Transfers Out for Operations	3,192,700	310,200	10%	2,596,700
Internal Transfers Out for Capital	15,856,600	75,000	0%	19,030,200
TOTAL EXPENDITURES FOR ALL FUNDS	77,063,900	15,587,873	20%	72,057,300

Finance Officer Nielson reviewed the Revenues Budget Summary Report. The total operating revenues are at 46% of the budget. In the total capital revenues the City is at 6% of budget. He said overall the City has brought in more of the operating revenues than expenses; however, the City has over spent on the capital side. This means the City has brought in about a million dollars less than what has been spent in total. He explained this is typical and will cash flow with the reserves.

CITY OF REXBURG
FY 2016

BUDGET SUMMARY REPORT

7 months ending
4/30/2016

Page 2

REVENUES

OPERATING REVENUES

	BUDGET	ACTUAL	58%	FORECAST
Fund Balances for Operations	1,276,600		0%	1,664,900
Property Tax	4,081,500	2,463,407	60%	4,081,500
Interest	165,800	79,292	48%	154,600
State Taxes & Grants	2,561,200	571,710	22%	2,613,500
Miscellaneous	724,200	503,784	70%	701,200
Utility Charges	8,224,000	4,041,146	49%	8,524,500
Permits & Licenses	619,500	413,416	67%	746,700
Franchise Fees	1,578,900	782,001	50%	1,588,900
Parks, Recreation, Museums, Arts, Golf	1,095,300	314,462	29%	1,136,600
County Road Tax	780,000	498,637	64%	844,000
Operating Contributions	2,706,200	1,363,057	50%	2,516,300
Interfund Charges for Services	2,892,300	1,406,291	49%	2,845,200
Federal Grants	453,900	25,610	6%	455,300
Contingent Revenues for Operations			0%	

TOTAL OPERATING REVENUES 27,159,400 12,462,813 46% 27,873,200

CAPITAL REVENUES

Fund Balances for Capital	3,646,900		0%	5,121,400
Contributed Capital	3,800,000	5,400	0%	2,289,000
Engineering Billings	644,400		0%	630,500
Construction Funds	6,594,500	146,790	2%	1,855,300
Capital Reserve Funds	6,047,100	930,006	15%	6,734,600
Grants	2,352,100	129,515	6%	2,835,800
LID Funds	447,800	36,458	8%	357,800
Trust Funds	1,364,400	496,435	36%	1,395,000
Borrowing	5,958,000		0%	5,958,000

TOTAL CAPITAL REVENUES 30,855,200 1,744,604 6% 27,177,400

Internal Transfers In for Operations 3,192,700 310,200 10% 2,596,700

Internal Transfers In for Capital 15,856,600 75,000 0% 19,030,200

TOTAL REVENUES ALL FUNDS 77,063,900 14,592,617 19% 76,677,500

OPERATIONS SUMMARY

TOTAL OPERATING REVENUES 27,159,400 12,462,813 46% 27,873,200

TOTAL OPERATING EXPENDITURES 26,109,100 12,379,624 47% 24,255,900

---NET OPERATIONS 1,050,300 83,189 -2% 3,617,300

CAPITAL SUMMARY

TOTAL CAPITAL REVENUES 30,855,200 1,744,604 6% 27,177,400

TOTAL CAPITAL EXPENDITURES 31,905,500 2,823,049 9% 26,174,500

---NET CAPITAL TRANSACTIONS -1,050,300 -1,078,445 -3% 1,002,900

TOTAL ALL REVENUES 77,063,900 14,592,617 19% 76,677,500

TOTAL ALL EXPENDITURES 77,063,900 15,587,873 20% 72,057,300

NET ALL REVENUES OVER EXPENDITURES 0 -995,256 -1% 4,620,200

Finance Officer Nielson also reviewed the Cash & Investment Balance Report. There weren't any changes to this report. The City is investing \$23,356,053.00 with the majority of the funds invested in the diversified bond funds. He mentioned there is the possibility of adding a new investor.

CITY OF REXBURG
FY 2016

**CASH & INVESTMENT
BALANCE REPORT**

CASH & INVESTMENTS*	BALANCE AS OF 4/30/2016	Percentage of Portfolio
Bank of Commerce Legacy Flight Museum Checking	33,401	0.14%
Beehive Credit Union CD	250,000	1.07%
Cash On Hand	1,250	0.01%
Citizens Community Bank CDARS	2,135,025	9.14%
Citizens Community Bank Checking (RLF)	113,680	0.49%
Idaho Central Credit Union CD	250,000	1.07%
Idaho Central Credit Union Savings	25	0.00%
Moreton Asset Management Government Securities	3,617,899	15.49%
Real Estate Investments (Streets)		0.00%
State Diversified Bond Fund	7,250,359	31.04%
State Local Government Investment Pool--City	5,273,947	22.58%
State Local Government Investment Pool--Fire District	434	0.00%
Wells Fargo Bank Drug Fund Checking	19,841	0.08%
Wells Fargo Bank Fire District Checking & Savings	44,842	0.19%
Zions Bank Collateralized Acct	3,535,284	15.14%
Zions Bank Direct Auction-Agencies	441,958	1.89%
Zions Bank Direct Auction-CD	200,000	0.86%
Zions Bank General Checking	583,029	2.50%
Zions Bank Payroll Checking	-394,921	-1.69%
TOTAL	23,356,053	100.00%

Finance Officer Nielson reviewed the Treasure’s Expenditure Report. The City is at 58% of fiscal year 2016. The report shows a break down in the different categories such as, wages, capital, and totals with the ending balance to the right of the report.

CITY OF REXBURG
TREASURER'S EXPENDITURE REPORT BY FUND
FISCAL YEAR TO DATE ENDING 4/30/2016 @ 58% of the Fiscal Year 2016

#	FUND	WAGES	CAPITAL	OTHER	TOTAL	BUDGET	BUDGET	END BAL.
01	GENERAL	2,389,069	261,372	2,150,703	4,801,144	10,503,900	46%	3,682,175
02	STREET OPERATIONS	264,494	216,401	586,572	1,067,467	3,199,500	33%	525,124
03	RECREATION PROGRAMS	18,698		53,988	72,686	189,000	38%	2,582
04	TABERNACLE (Aud. & Museum)	15,226	45	25,061	40,332	126,000	32%	-37,639
05	TABERNACLE ORCHESTRA			2,869	2,869	7,500	38%	-5,132
07	POLICE IMPACT FEES			0		25,300	0%	-144,181
08	POLICE D.A.R.E.			4,431	4,431	20,500	22%	3,136
09	POLICE DRUG INTERD./EDUC.			70	70	23,800	0%	19,941
13	POLICE SMALL GRANTS	12,057	3,916	6,607	22,580	57,500	39%	-10,953
14	POLICE ANIMAL CONTROL	34,056		31,877	65,933	130,300	51%	-45,658
17	FIRE OPERATIONS	719,514	22,291	774,097	1,515,902	2,765,700	55%	-503,905
18	FIRE JOINT EQUIPMENT			0		259,400	0%	379,019
19	FIRE DISTRICT			367,000	367,000	1,224,400	30%	647,431
20	FIRE IMPACT FEES			0		55,600	0%	37,086
21	FIRE EMPLOYEES TRUST		5,938	5,399	11,337	55,200	21%	29,362
22	REVOLVING LOAN		5,706	0	5,706	31,000	18%	1,263,164
23	REXBURG RAPIDS	5,005		30,807	35,812	536,300	7%	175,557
24	LEGACY FLIGHT MUSEUM		1,216	6,630	7,846	245,600	3%	55,185
25	SANITATION OPERATIONS	116,353	72,000	780,938	969,291	1,870,700	52%	1,524,681
26	WATER OPERATIONS	166,603	300,000	731,064	1,197,667	12,091,600	10%	14,282,925
27	SEWER OPERATIONS	244,739	550,002	1,056,502	1,851,243	7,402,500	25%	18,261,107
28	BUILDING SAFETY AND P&Z	252,733	41,742	254,453	548,928	1,662,900	33%	616,065
29	GEOGRAPHIC INFORMATION SYS.	114,264	4,956	122,510	241,730	416,700	58%	-29,300
31	SHOP CONSTRUCTION		310,323	0	310,323	212,000	146%	540,786
32	FIRE STATION ADDITION		166,286	0	166,286	200,000	83%	-98,746
33	STREET IMPACT FEES			0		580,000	0%	158,673
34	WATER CAPITAL RESERVE			0		1,596,300	0%	1,486,315
35	SEWER CAPITAL RESERVE			66,784	66,784	3,279,900	2%	3,390,264
36	ARTS PROMULGATION			18,200	18,200	210,700	9%	55,258
37	FIRE PARAMEDIC CARE UNIT	34,493		22,215	56,708	421,700	13%	47,637
38	PARKS IMPACT FEES		2,605	0	2,605	470,000	1%	926,506
39	TRAILS OF MADISON COUNTY			125	125	50,000	0%	-125
40	ROMANCE THEATER	11,765	8,312	23,287	43,364	98,800	44%	-41,014
41	PARKS RIVERSIDE CONSTRUCTION		103,598	0	103,598	960,000	11%	-103,598
42	WATER PLANT CONSTRUCTION		233,121	0	233,121	9,196,000	3%	-233,121
43	STREET REPAIR CONTRACTS		12,318	1,705	14,023	1,607,000	1%	537,248
44	STREET NEW CONSTRUCTION		20,904	0	20,904	3,023,900	1%	754,453
45	MAYOR'S YOUTH COMMITTEE			1,306	1,306	6,800	19%	2,106
47	AIRPORT OPERATIONS	1,429		8,642	10,071	26,100	39%	-9,385
48	AIRPORT CONSTRUCTION		96,737	0	96,737	170,800	57%	-1,058
49	AIRPORT RESERVE			0		80,000	0%	185,000
50	GOLF COURSE OPERATIONS	418	21,450	138,231	160,099	448,300	36%	1,350,416
51	GOLF COURSE CONSTRUCTION			1,790	1,790	30,100	6%	-630,082
52	SEWER PLANT CONSTRUCTION		446,027	0	446,027	3,000,000	15%	50,539
53-58	LID CONSTRUCTION FUNDS		392,549	4,638	397,187	1,420,000	28%	-397,187
59-79	LID DEBT SERVICE FUNDS			115,625	115,625	514,300	22%	-260,318
81	REXBURG CULTURAL ARTS	9,713		40,216	49,929	93,900	53%	2,296
82	BROADBAND FIBER INITIATIVE			0		300	0%	
83	EI BUSINESS COMPETITION			15	15	12,500	0%	4,859
84	STREET 2nd EAST & MOODY RD CONST.		380,737	0	380,737	6,102,000	6%	-719,305
85	COMMUNITY SAFETY LIGHTING		4,567	43,254	47,821	295,300	16%	208,962
90	VETERANS MEMORIAL TRUST		30	0	30	6,000	1%	5,543
91	POLICE SHOP WITH A COP			13,024	13,024	38,000	34%	19,361
93	FIRE PIPES & DRUMS			1,460	1,460	9,800	15%	4,976
94	REXBURG ARTS COUNCIL TRUST			0		2,500	0%	
TOTAL		4,410,629	3,685,149	7,492,095	15,587,873	77,063,900	20%	47,965,031

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

B. Engineering: Keith Davidson
1. Approve Riverside Pedestrian Bridge Bid

City Engineer Davidson reviewed the bids for the Riverside Park pedestrian bridge. He indicated the bridge will connect the new parking lot with the new fields being built. Contech was the low bidder and True North Steel and Big R Bridge bids were close together.

City Engineer Davidson stated he is seeking City Council approval to award Contech as the low bidder.

Riverside Park Pedestrian Bridge

Bid Results

Bidder	Bid Amount
Contech	\$ 33,960
TrueNorth Steel	\$ 39,531
Big R Bridge	\$ 39,750

Mayor Merrill asked if Contech is a locally owned business. City Engineer Davidson indicated Contech is a national business. The City has worked with them before, when they installed the bridge going over the south fork of the Teton River. City Attorney Zollinger mentioned Contech’s representative resides locally.

Council Member Mann moved to award Contech as the low bidder for the Riverside Park Pedestrian Bridge as presented; Council Member Wolfe seconded the motion; Mayor Merrill asked for a vote:

Those voting aye

- Council President Smith
- Council Member Flora
- Council Member Mann
- Council Member Wolfe

Those voting nay

None

The motion carried

City Engineer Davidson reviewed the bid results for electrical equipment for the new shop. There were a total of three bidders: Platt Electric Supply, Electrical Wholesale, and D & S Electrical Supply. He explained it may appear that D & S is the low bidder; however, they didn’t bid on the last two line items; therefore, Platt Electric Supply came in with the lowest bid of \$24,580.65.

Electrical Equipment Bid Results				
Item	Quantity	Platt	Electrical Wholesale	D&S
<u>Metalux Catalog Number HBLED-LD4-18-N-UNV-L850-ED2-U</u>	56	\$ 20,907.12	\$ 22,100.00	\$ 14,000.00
<u>Metalux AP Series 4SL WP4040ND-UNV 4’ LED Wraparound 4000 Lumens</u>	44	INCL	INCL	\$ 7,040.00
<u>Lithonia XWMLLED</u>	7	\$ 946.53	\$ 770.00	\$ 784.00
<u>Jesco CM405-X-Mini Disk Ceiling and ADA Mount Medium</u>	11	\$ 396.00	\$ 209.00	\$ 220.00
<u>Lumark XTOR3A-PC2 and photocell</u>	10	INCL	INCL	\$ 1,000.00
<u>I-Line Main Panel Service Rated 600A and Fuses</u>	1	\$ 1,061.00	\$ 3,275.00	
<u>Electrical Panel NQOD Type, 42 Circuit Capacity and Fuses</u>	4	\$ 1,270.00	INCL	
Total		\$ 24,580.65	\$ 26,354.00	\$ 23,044.00

Council Member Smith moved to award Platt Electric Supply as the low bidder for the Electrical Equipment as presented; 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 Wolfe

Those voting nay

None

The motion carried

City Engineer Davidson reported the water project has started. The contractor, Edstrom Construction, will start on the west side of the city and head east.

Mayor's Report:

Mayor Merrill reported he attended the May 4th Orchestra Concert. He enjoyed the music and appreciated seeing so many people in attendance. He said the Mayor's Youth Advisory Board had their closing social. They are a great group of young adults that enjoy doing service in the community. The Mayor's Youth will meet again next fall. Mayor Merrill expressed his appreciation for their hard work and willingness to serve their community.

Mayor Merrill reported he also attended a child abuse awareness and prevention seminar presented by Daisy Beltran at the Madison Cares facility. He mentioned the seminar is worthwhile and has invited Ms. Beltran to present to the City employees.

Public Hearings:

A. 7:00 P.M. Recommended increases in City Fees by Resolution 2016 – 05 including City Impact and Capacity Fees to take affect immediately – Staff

Staff presentation:

Finance Officer Nielson explained the increases in the City fees have been discussed in the last two City Council Meetings and the public hearing was advertised twice in the local newspaper. He said the majority of the fees receiving an increase are impact and capacity fees. The Impact Fee and Capacity Fee Review Committee had recommended an increase of cost index plus 2% in the following categories: single family residential, commercial, and multi-family. These categories received a total increase of about 4%.

Finance Officer Nielson reviewed the proposed fee changes by Resolution 2016 – 05.

RESOLUTION NO. 2016-05

A RESOLUTION OF THE CITY OF REXBURG, IDAHO, ADOPTING A NEW RATE SCHEDULE FOR CERTAIN FEES.

WHEREAS, the City Council desires to maintain the overall quality of life experienced by its constituents; and

WHEREAS, the City Council desires to set certain fees so that they cover the cost of the services provided through the payment of those fees;

NOW THEREFORE, be it resolved by the Mayor and the Council of the City of Rexburg, effective May 19th, 2016, that the fees in attached list shall be charged as specified:

Department	Category	Description	Current Fee	Proposed
Fire	Impact Fee	Multi Family or Dormitory per unit	\$100.00	\$105.00
Fire	Impact Fee	Non-Residential per 1,000 square feet	\$90.00	\$92.00
Fire	Impact Fee	Single Family per unit	\$270.00	\$280.00
Parks	Camp Site	Camp Site Reservation Fee-Eagle Park		\$10.00
Parks	Impact Fee	Dormitory per unit	\$1200.00	\$1,295.00
Parks	Impact Fee	Multi Family per unit	\$530.00	\$590.00
Parks	Impact Fee	Single Family per unit	\$1000.00	\$1,030.00
Police	Impact Fee	Non-Residential per 1,000 square feet	\$330.00	\$335.00
Recreation	Programs	Boys Basketball per person	\$40.00	\$45.00
Recreation	Programs	Facility Fee per Person per Applicable Program		\$5.00
Recreation	Programs	Girls Basketball (Grades 2-8)	\$40.00	\$45.00
Recreation	Programs	Soccer Field Prep U-11 size and under per Game	\$7.00	\$10.00
Recreation	Programs	Soccer Field Prep U-12 and Up per Game	\$13.00	\$20.00
Shop	Work Order Charges	Labor Per Man Hour		\$69.00
Street	Impact Fee	Multi Family or Dormitory per unit	\$880.00	\$900.00
Street	Impact Fee	Non-Residential Per trip per day	\$23.13	\$24.23
Street	Impact Fee	Single Family per unit	\$1110.00	\$1,160.00
Wastewater	In-City Utility Fee	Capacity Fee per Dormitory Apartment	\$1325.00	\$1,380.00
Wastewater	In-City Utility Fee	Capacity Fee per Multi Family Apartment	\$790.00	\$820.00
Wastewater	In-City Utility	Capacity Fee per Non-Residential gpd over	\$8.04	\$8.20

	Fee	206 gpd		
Wastewater	In-City Utility Fee	Capacity Fee per Non-Residential Minimum	\$1400.00	\$1,550.00
Wastewater	In-City Utility Fee	Capacity Fee per Single Family Dwelling	\$1520.00	\$1,550.00
Wastewater	Out-of-City Utility Fee	Capacity Fee per Dormitory Apartment	\$1988.00	\$2,070.00
Wastewater	Out-of-City Utility Fee	Capacity Fee per Multi Family Apartment	\$1185.00	\$1,230.00
Wastewater	Out-of-City Utility Fee	Capacity Fee per Non-Residential gpd over 206 gpd	\$12.06	\$12.30
Wastewater	Out-of-City Utility Fee	Capacity Fee per Non-Residential Minimum	\$2100.00	\$2,325.00
Wastewater	Out-of-City Utility Fee	Capacity Fee per Single Family Dwelling	\$2280.00	\$2,325.00
Wastewater	Out-of-City Utility Fee	Capitalization Fee per gallon per day (Sugar & Teton)	\$7.85	\$6.44
Water	In-City Utility Fee	Capacity Fee per Non-Residential gpd over 1771 gpd	\$0.98	\$0.99
Water	In-City Utility Fee	Capacity Fee per Non-Residential Minimum	\$1725.00	\$1,745.00
Water	In-City Utility Fee	Capacity Fee per Single Family Dwelling	\$1725.00	\$1,745.00
Water	Out-of-City Utility Fee	Capacity Fee per Non-Residential gpd over 1771 gpd	\$1.47	\$1.49
Water	Out-of-City Utility Fee	Capacity Fee per Non-Residential Minimum	\$2588.00	\$2,618.00
Water	Out-of-City Utility Fee	Capacity Fee per Single Family Dwelling	\$2588.00	\$2,618.00

Council Member Mann questioned when the fee increases would take effect. Finance Officer Nielson stated the fee increase would take effect immediately after City Council approval.

Mayor Merrill opened the public hearing.

Written correspondence: - NONE

Public Testimony in favor of the proposal (5 minute limit): – NONE

Public Testimony neutral to the proposal (5 minute limit): – NONE

Public Testimony opposed to the proposal (5 minute limit): – NONE

Mayor Merrill closed the public hearing for deliberations.

Deliberations:

Council Member Mann moved to approve **Resolution 2016 - 05** to increase City Fees including City Impact and Capacity Fees as presented; Council Member Smith seconded the motion; Mayor Merrill asked for a vote:

Those voting aye

Council President Smith
 Council Member Flora
 Council Member Mann
 Council Member Wolfe

Those voting nay

None

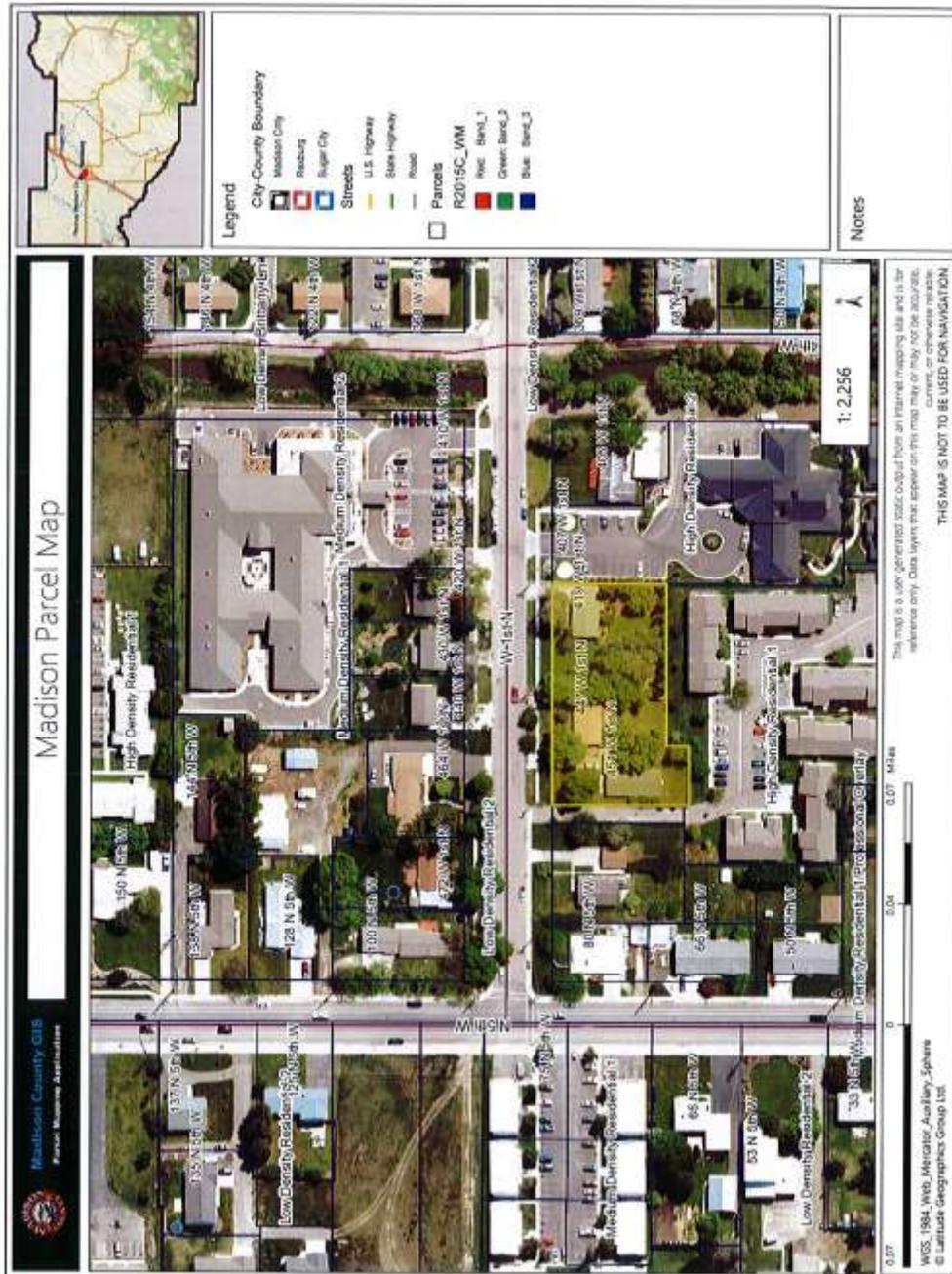
The motion carried

Items for Consideration:

A. BILL 1145 - Rezone - 419 West 1st North from Low Density Residential 2 (LDR2) to Mixed Use 2 (MU2) -David Thueson

Compliance Officer Powell presented the rezone for 419 West 1st North from Low Density Residential 2 (LDR2) to Mixed Use 2 (MU2). She specified the rezone was approved by the Planning and Zoning Commission and City Staff has also reviewed the proposal. She said City staff believes the zone change is a good fit for this location. The developer is not requesting the zone change for density purposes. They are requesting the zone change due to setback reasons. The property meets the residential setbacks on the south end of the property, which is 20 feet from the property line.

Discussion regarding setbacks.



Public written Input:

Elaine McFerrin

From: JULIE HYATT <juliehyatt@me.com>
Sent: Monday, May 02, 2016 3:28 PM
To: Elaine McFerrin
Subject: Dave Thueson Proposed Project

Dear Elaine,

I am writing on behalf of the owners of Main Street Station Apartments. We have received an email from Dave Thueson stating the City would allow them to build six feet from the property line with our approval and requesting our permission to build six feet north of the property line instead of twenty feet.

Please inform the Planning and Zoning Board and City Council we do not support this request. We feel it will jeopardize the safety and minimize the open space enjoyment and privacy for our residents.

We respectfully request that the request to reduce the 20' setback be denied.

Thank you and please feel free to contact me if you need additional information.

Main Street Station Apartments, LP

Julie Hyatt
 Manager for the General Partner
 208-286-2229

Council Member Flora moved to rezone 419 West 1st North from Low Density Residential 2 (LDR2) to Mixed Use 2 (MU2) as discussed; Council Member Wolfe seconded the motion; Mayor Merrill asked for a vote:

Council Member Wolfe made a substitute motion and moved to suspend the rules for BILL 1145; Council Member Flora seconded the motion; Mayor Merrill asked for a roll call vote:

Those voting aye

Council President Mann
Council Member Smith
Council Member Flora
Council Member Wolfe

Those voting nay

The motion carried.

Council Member Flora then moved again to approve and consider BILL 1145 third read to rezone 419 West 1st North from Low Density Residential 2 (LDR2) to Mixed Use 2 (MU2); Council Member Smith seconded the motion; Mayor Merrill asked for a vote:

Those voting aye

Council Member Mann
Council Member Smith
Council Member Flora
Council Member Wolfe

Those voting nay

The motion carried.

B. Conditional Use Permit at 419 West 1st North to allow 100 percent residential and zero percent commercial in a Mixed Use 2 zone - David Thueson

Staff Report:

Community Development Department

I. BACKGROUND

A Conditional Use Permit is required to reduce the percentage of Commercial below 10% as per Section 3.14.025 of the City of Rexburg Development Code.

II. SITE DESCRIPTION

The project will be located at approximately 419, 447 and 451 West 1st North, Rexburg, ID which is comprised of three recently vacant house lots.

III. ANALYSIS

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

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

A CUP is required for reduced Commercial percentage.

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

Comprehensive Plan

The Comprehensive Plan Map identifies the area as "Neighborhood Commercial/Mixed Use". The use is in accordance with the Comprehensive Plan.

Development Code (Ordinance 1115)

This use is allowed with a Conditional Use Permit as per the City of Rexburg Development Code Section 3.14.025.

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

The immediate neighbors to this proposed area of change are single family residential, multi-family residential, assisted living facilities and a rehabilitation facility. Staff requests that the Planning and Zoning Commission study the proposal and determine if reducing the 10% commercial requirement would negatively impact the character of the neighborhood.

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

Staff does not feel the request creates any nuisance or safety hazard as described.

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

The City Engineer did not have concerns and will coordinate with the developer in gaining access to City infrastructure.

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

The City Engineer did not have concerns.

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

The current request to build without any commercial component does not appear to be contrary to the intended use, and does not seem to be contrary to any adjoining property users interests.

Staff requests that the Planning and Zoning Commission study the proposal and determine if any conditions seem appropriate in conjunction with the requested conditional use.

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

There do not appear to be any slope or other geographic concerns at these locations.

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

N/A

IV. STAFF RECOMMENDATION

Staff is unaware of any outstanding issues that would prevent the Planning and Zoning Commission from acting upon this request as they determine.

Compliance Officer Powell explained City staff has reviewed the Conditional Use Permit at 419 West 1st North to allow 100 percent residential and zero percent commercial in a Mixed Use 2 zone. She stated City staff agrees this is a good fit for the location because of the other uses in the neighborhood. The Planning and Zoning Commission has recommended approval with conditions for the Conditional Use Permit at 419 West 1st North.

Council Member Flora stated she is pleased with the project. The developer is building smaller twin homes for the elderly that are in need of minimal medical assistance. The development fits well with the neighborhood and was very well planned.

Council Member Smith said she too is in support of the development and generally doesn't favor the Mixed Use 2 zone; however, the commercial aspect in this case would not be a good fit.

City Attorney Zollinger said the city is vigorously resisting any conditional Mixed Use 2 zones until the city decides what needs to be accomplished with this type of zone.

Council Member Wolfe moved to approve the Conditional Use Permit (CUP) at 419 West 1st North to allow 100 percent residential and zero percent commercial in a Mixed Use 2 zone with the following conditions;

Conditions:

1. All required set-backs must be met.
2. New service lines for water and sewer will likely be required.
3. Due to the density an additional fire hydrant may be required.
4. Existing sidewalks shall be brought up to standards.
5. Other items may be required during the final site plan review.
6. The specified project as presented shall be limited to no more than 15 (fifteen) units.

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 Wolfe

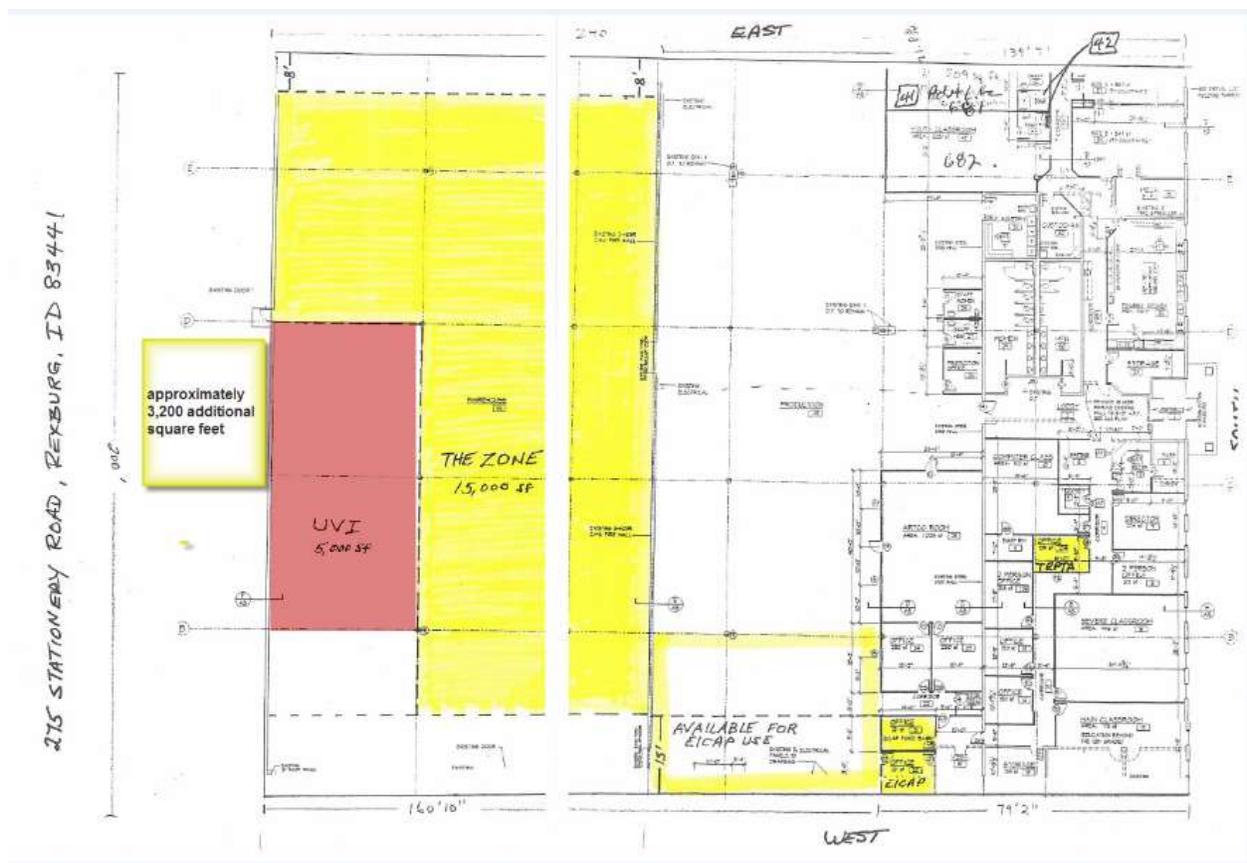
Those voting nay

None

The motion carried

C. Review asset purchase agreement from The Zone and lease agreement from the Development Workshop.

Finance Officer Nielson reviewed the proposed contract to purchase the assets from The Zone and the possible lease of the Development Workshop building.



Written Input:

Dear Mayor and City Council,

Last meeting we enjoyed a resounding presentation regarding the proposed purchase of "The Zone". There were a few comments discussed, yet I ask that I may present a few additional comments for your consideration:

1. To begin with, I feel it is very improper for the city to be considering the purchase of a failing business. The business model and outlook for The Zone is not successful; if it were they would not be looking at closing the business or liquidating. There is not a significant "income stream", as presented by Matt. The nominal sources of income are not intrinsically tied to The Zone's business acumen or any long-term dedicated clientele. In other words, if they simply close their doors and walk away, the income streams do not just dry up. They will find another place to conduct business – and if the city actually then enters into an agreement for the use of the building, those income sources will immediately switch over to using the facility from the city. There is nothing "branded" or that is a contractual "trade client" that you would be purchasing. The Zone is simply wanting to sell you "Blue Sky", as if it is actually worth something.
2. The Zone's equipment is worth far less that Matt presented. Again, if The Zone is simply allowed to close their doors, there will be a "going out of business" auction or garage sale, of sorts. The city can then come in and purchase the equipment for pennies-on-the-dollar. Used fitness and sports equipment does not appreciate in value – it depreciates faster than a car purchased off of Taylor Chevrolet's lot. It is an unwise use of valuable tax dollars to spend more for this equipment than necessary. There is simply no reason to "rush" into this purchase. The building and equipment are going nowhere.
3. This is a seriously bad precedent for the city to be setting. If a business is failing, due to a poor business model or some other factor out of their control, is it the city's intentions to bail it out? Is this a local version of the federal government's abysmal TARP bailout program? If this is going to be the city's precedent, I and others will encourage any business that is failing or struggling to seek a purchase (or bailout) by the city. Having set the precedent yourselves, it will be curious to see you back-pedal, trying to justify not bailing out another business. What if that business can present a wonderful case of how beneficial it is for the city to purchase and run their failing business (or incorporate it into the already burgeoning city holdings)? This could even result in a legal challenge, caused by your misapplied good will.
4. Though Matt deftly illustrated the net-neutral appearance of this purchase, I am very dubious about the math and facts presented. We all know they were presented in the best possible light, not in the worst case scenario. The city financial department already doctors the numbers with the Rexburg Rapids, making it appear that it is a money-making venture. Matt admits that if they actually accounted for the capital expense of Rexburg Rapids in its budget, it would be an instant money loser or too expensive for patrons to use. Additionally, it appears that the only labor really

accounted for in the pool budget is the summer help. Others who work there appear to be in the Park and/or Rec Departments' budgets, showing a false lower-than-actual labor expense. If this is the case, how can we now trust the numbers presented regarding the purchase and use of The Zone?

I encourage you to NOT purchase The Zone – either as a business package or out of a perceived desire for some pretended important income streams. Allow it to either be successful, or let it fail. If it fails, you will be in a perfect position to acquire equipment the Rec Department could use – and save thousands of dollars! You can then negotiate a deal to use the building, thus providing the facility the Rec Department says would be so beneficial. Plus, it is very unwise to use taxpayer dollars to assist a business owner to recoup his losses if he has a failing business. This simply violates the proper role of government.

I encourage you to exercise restraint and apply proper principles of government. Please remove this issue from your plate altogether. Tell The Zone it is not a good deal for the Taxpayers of Rexburg.

Thank you for your time.

Kelly McKamey.

Discussion:

Finance Officer Nielson reviewed the asset purchase agreement, for The Zone from Brandon Bair. The agreement would take effect on June 1st, 2016 and would give the City sole ownership of all current assets. The agreement states that it is an asset purchase only and in no way intended to involve the current business practices or operations of The Zone. The agreed upon price was \$40,000.00; however, Mr. Bair had originally requested \$50,000.00. There were concessions made to get the price down to \$40,000.00. They included allowing Mr. Bair to use The Zone for fifteen days of a calendar year until 2025. Mr. Bair will use the facility to host football camps. If he would like to hold other events he will have to get authorization from the City Recreation Director. Mr. Bair is an NFL Player and a public speaker. The City plans to invite him to different sporting camps, the City will host and pay Mr. Bair for speaking at these events up to five per year that are included in the purchase agreement.

Council Member Flora mentioned the letter of opposition from Mr. McKamey. She said his comments were taken into consideration. There were changes made to the purchase agreement verbiage to indicate the purchase of assets only.

Finance Officer Nielson reviewed the lease agreement for The Zone from the Development Workshop. The city agreed the amount of square footage needed for use is 18,200 feet. The rental cost per square foot is about \$2.00 and \$36,400.00 annually. The Development Workshop asked for a seven month term with an annual renewal. The City included a non-appropriation clause in case we couldn't appropriate the rental cost, the City would have no future obligation. The City would be responsible for paying any assessed property taxes. The Development Workshop has already paid the property taxes for the current year; however they will be sending a letter to the accessor's office to request a partial refund from June 1st to December 31st, 2016 and request to be tax exempt going forward. The utilities are included in the rent. The Development Workshop did not want to install a separate utility meter at this time.

Finance Officer Nielson mentioned the Development Workshop leased to the former lessee at \$2.32 per square foot. The city was able to negotiate a lower cost by allowing the Development Workshop to use the City's section during the day to hold classes for their clients. The Development Workshop will need to schedule the time to hold their classes with the city.

Recreation Director Yeatman reported the water leak at Rexburg Rapids has not been located. There is the possibility of several smaller leaks, or water is being lost by evaporation. There will be meters installed to measure how much water is being used to fill the pool and how much water is being flushed out. They will also continue to try to locate a possible leak.

Council Member Wolfe asked if the Development Workshop would consider making some concession with the rental costs if the City hired some of their clients. Finance Officer Nielson replied it is a possibility; however, they wanted to keep that somewhat separate from the rental agreement.

Council Member Mann thanked Finance Officer Nielson for working hard on the purchase of assets and lease agreement for The Zone. He said this puts a lot of onus on Recreation Director Yeatman to make The Zone successful.

Council Member Mann moved to approve the asset purchase agreement from The Zone and lease agreement from the Development Workshop as discussed; Council Member Smith seconded the motion; Mayor Merrill asked for a vote:

Those voting aye

Council President Smith
Council Member Flora
Council Member Mann
Council Member Wolfe

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): – NONE
- B. BILL Introduction:** – NONE
- C. First Reading:** Those items which are being introduced for first reading:
 - 1. BILL 1143 Amending Ordinance 1115 to allow a .75% parking ratio for dormitory unit development; changing from a (1 to 1) ratio to as low as a(.75 to 1) ratio upon submittal and acceptance by the Planning and Zoning Commission of a “Parking Management Plan”.**

AN ORDINANCE AMENDING ORDINANCE 1115 BY ALLOWING FOR A REDUCTION FROM 1 TO 1 RATIO TO AS LOW AS .75 TO 1 RATIO IN REQUIRED PARKING FOR DORMITORY UNIT DEVELOPMENTS UPON A SHOWING OF ADEQUATE PARKING MANAGEMENT PLAN; PROVIDING FOR EFFECTIVE DATE OF THE ORDINANCE.

Discussion:

City Attorney Zollinger explained amending Ordinance 1115 to allow a .75% parking ratio for dormitory unit development; changing from a (1 to 1) ratio to as low as a (.75% to 1) ratio “Parking Management Plan”. There was a public hearing process before the Planning and Zoning Commission several months ago. They recommended approval without the “Parking Management Plan”; however City Staff felt the parking management plan needed to be included. This is a proposed compromise solution from both Planning and Zoning and City Staff regarding the “parking management plan” to allow some apartment complex owners that want to manage their parking more aggressively. The process would consist of the owner bringing forth their proposal to the Planning and Zoning Commission. If the request is a reasonable and a rational approach to maximize how their parking stalls are used, the commission will consider their request to grant them a reduction in their parking ratio.

City Attorney Zollinger explained this is not a new concept. When the Windsor Manor Apartments were built, it was the first time City Council was approached on a tandem parking method. City Attorney Zollinger said even though we are not convinced that the tandem method is working as well as the owner thought. The owner has taken the responsibility of serving the customers by aggressively managing the parking on a personal basis and not turning it over to a third party.

City Attorney Zollinger indicated a section of BILL 1143 states if the owner is prepared to take the responsibility of managing the parking, the City would consider reducing the 1 to 1 parking ratio back down to as low as .75% if their proposal satisfies the Planning and Zoning Commission.

Council Member Wolfe asked if the requirements to consider a “parking management plan” are specifically outlined. City Attorney Zollinger replied there were three categories outlined in Section II of BILL 1143.

1. Visitor parking must be located in such a way as to be readily identified upon entering the parking facilities, and must provide for visitor stays of no less than 1 hour.
2. Policing of the parking facilities must be conducted by the property owners, or their employed representatives, and any parking enforcement action must be initiated by an on-site person, who is not compensated in direct relationship to the decision to tow or boot or otherwise police violations. (No Predatory Towing or Booting)
3. Any tenant authorized to park in the parking facility must be clearly identified as having parking privileges, and no more than the actual number of available spaces may be assigned, providing for ancillary and visitor parking as required.

Council Member Mann asked if BILL 1143 is for only dormitory unit developments. City Attorney Zollinger said as drafted it is only opened to dormitory unit developments.

Council Member Mann asked if the process is retroactive. City Attorney Zollinger replied it gives the city the authority to reduce the number of beds if the apartment complex is not following their parking management plan.

Discussion

Council Member Mann mentioned he hasn’t been in favor of reducing parking ratios unless predatory booting and towing was removed.

Council Member Wolfe moved to consider BILL 1143 first read Amending Ordinance 1115 to allow a .75% parking ratio for dormitory unit development; changing from a (1 to 1) ratio to as low as a (.75 to 1) ration upon submittal and acceptance by the Planning and Zoning Commission of a “Parking Management Plan”; 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 Wolfe

Those voting nay

None

The motion carried

2. **BILL 1144 repealing Ordinance 113 and Ordinance 699**; Ratifying current Standing Committees (recommending committees to City Council); Ratifying current Advisory Groups and Establishing Advisory Groups.

AN ORDINANCE RATIFYING CURRENT STANDING COMMITTEES AND ESTABLISHING STANDING COMMITTEES; RATIFYING CURRENT ADVISORY GROUPS; ESTABLISHING ADVISORY GROUPS; REPEALING ORDINANCE 113 AND 699; AND PROVIDING FOR EFFECTIVE DATE OF THE ORDINANCE.

Discussion:

City Attorney Zollinger indicated City Clerk Blair Kay requested all City Department Heads to review the various statutes in existence creating standing and advisory committees. City Clerk Kay had done a thorough job of identifying all of the statutory committees that were in place within the City of Rexburg. He said some of the committees going back to Ordinance 113 truly had not functioned in many years. In an effort to clean things up City Clerk Kay drafted BILL 1144 which reestablishes, reaffirms, and ratifies what the city is currently using as advisory and informational committees. He asked City Council to move BILL 1144 forward as a method to update an outdated city ordinance.

Council Member Wolfe moved to consider BILL 1144 first read repealing Ordinance 113 and Ordinance 699; Ratifying current Standing Committees (recommending committees to City Council); Ratifying current Advisory Groups and Establishing Advisory Groups; Council Member Smith seconded the motion; Mayor Merrill asked for a vote:

Those voting aye

Council President Smith
Council Member Flora
Council Member Mann
Council Member Wolfe

Those voting nay

None

The motion carried

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:

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 May 4th, 2016 meeting; Planning and Zoning minutes from May 5th, 2016; and Arts Council minutes from April 14, 2016.
- B. Approve the City of Rexburg Bills

Council Member Smith 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 Wolfe

Those voting nay

None

The motion carried

APPROVED:

Adjourned at 7:54 P.M.

Attest:

Jerry Merrill, Mayor

Marianna Gonzalez, Deputy City Clerk