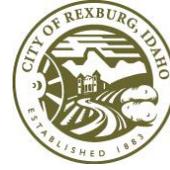


City Council Minutes

November 02, 2016



CITY OF
REXBURG
America's Family Community

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Rexburg, ID 83440

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November 02, 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

6:30 P.M. City Hall Council Meeting

Shawn Perkins said the prayer.

Bridger Hansen from Troop 356 led the pledge.

Roll Call of Council Members:

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

Council Member Busby asked to be excused.

Mayor Merrill said it has been a tough week for the City and the school district with some special people taken away from us. Mr. Larry Prescott, a teacher at Madison High School who died while hiking last Saturday and Monica Franco, a student at Madison High School who died last Wednesday from Carbon Monoxide Poisoning.

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: None

Mayor Merrill asked the Mayor's Youth Advisory Board to present the skits that they did for Halloween Safety at the elementary schools.

Mike Downs, Chairman of the Mayor's Youth Advisory Board explained what their group did at Adams Elementary.

Brody Mecham explained the skit that his group did at Burton Elementary.

Committee Liaison Assignments for 2016:

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

Council Member Mann met with the Development Workshop yesterday. They honored Pronto Auto Parts as employer of the year for hiring many of their clients. The Festival of Trees, which is a big fundraiser for the Development Workshop, will be at the Pine Crest Events Center by Fred Meyer in Idaho Falls, November 14 to 18. The Golf Board met last night. They talked about

contract renewals. Income this year was about the same; expenses were down a bit. In December they will continue contract negotiations.

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

Council Member Busby was excused.

Mayor Merrill indicated that some of the Airport Board members would like to extend their service to four terms for a total of twelve years instead of three terms for nine years. The Airport Board is a little harder to find qualified members for. Traffic and Safety talked about the intersection at 7th North and 2nd East. They would like to see if a traffic light is warranted.

Mayor Merrill asked to ratify John Hepworth to the Trails of Madison County committee. He is a second generation owner of Tri State Tire. He wants to get involved in the community and he is interested in the trails committee.

The new committee members for Trails of Madison County and Parks and Recreation will be ratified at the next council meeting on November 16th.

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

Council Member Benfield thanked the Mayor's Youth for their presentation. She reported Chief Turman is in Boise at a conference. The Parks and Recreation Department is forming a new Recreation Advisory Board because the prior one was dissolved. She has ten people interested in being on that committee. She named five of those people that she would like to ratify to the Recreation Advisory Board. They are: Debbie Miles for soccer, Shawn Boice for Baseball, Jennifer Christenson for recreation/physical education, Dirk Andreason for sports medicine, and Larry Duque for tennis. These names will be ratified at the next council meeting on November 16th.

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

Council President Smith reported the museum and MEPI will be meeting soon. She thanked the Mayor's Youth and said they should teach the runners on Poleline Road to wear bright clothing. The City will host the first annual Tree Festival on December 1, 2 and 3 at the tabernacle with a kick off at 3:00 p.m. on December 1st. Decorated trees will be donated by area businesses and auctioned off. The proceeds will go to the Family Crisis Center. There will be entertainment each night as well. On November 11th there will be a veteran's program. A veteran from each war will be present. She encouraged everyone to come. There will also be a fly over at 11:45 am.

Mayor Merrill said he would like to have a City Christmas party at the Legacy Flight Museum and have the Council Members serve.

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

Council Member Flora reported on the School Board Meeting and the school sports teams that have won academic awards. There were some presentations given at the School Board Meeting and announcement of some travel study programs being offered to students. Larry Prescott and Monica Franco passed away recently. The Arts Council was awarded two grants. The money will go toward the recording booth in the museum for people to record their memories. November 7th from 5:00 pm to 7:00 pm will be a free night at the museum.

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

Council Member Wolfe reported Planning and Zoning had a public hearing to change the development code and also a comprehensive plan map change. He attended a meeting Tuesday regarding buying in co-ops with other cities in the City council chambers. Chief Turman pushed the emergency buttons and the police did show up.

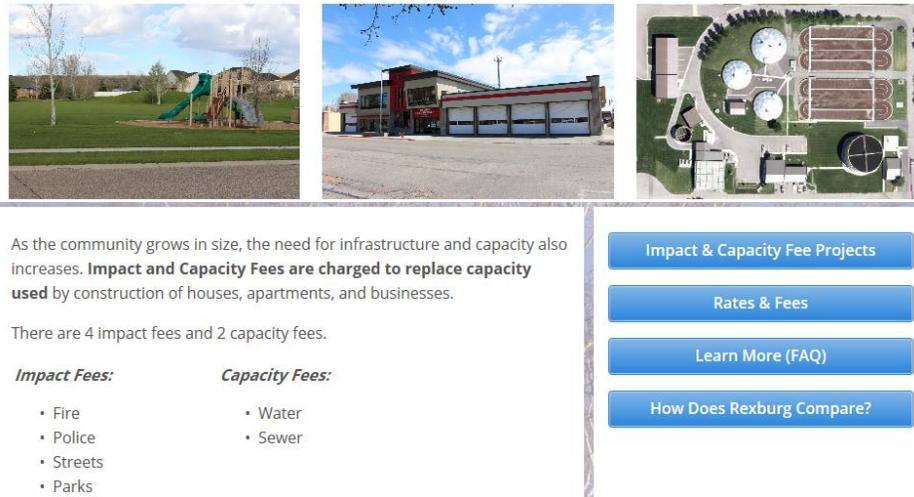
Staff Reports:

A. Finance: - Matt Nielson

1. **Review the Impact and Capacity Fee Website**

Finance Officer Nielson reviewed a new website which explains the ins and outs of Impact and Capacity fees. He showed the website on the screen. The website shows the projects that have been done and how the impact fees were spent. There is also a FAQ page.

- Impact & Capacity Fees -



B. Public Works and Engineering: Keith Davidson updated council on the projects going on. The Waste Water project has been delayed a little due to some changes with the electrical. The water project is almost complete. Some old trees on Main Street have been removed.

Council Member Wolfe mentioned that he would like to take a look, with council, at the new treatment plant.

Mayor Merrill asked about the new city shop. Engineer Davidson said it's all framed and drywall is going up. He would like to tie the new shop into the septic dump lift station at the waste water treatment plant.

Council Member Smith noticed on the bills that there was a line expansion on the south well and was wondering what well that is. Engineer Davidson will get back to her on that.

C. Human Resources: Employee Benefits Review – Terri Hill

HR Director Terri Hill reviewed the changes needed to provide the employees with employee benefits including the insurance coverage for 2017. Director Hill explained that they were presented with a 34 percent increase and have worked hard to get that negotiated down. Utilization has been high but went down the last quarter. They did an employee survey to get feedback on what the employees want. Most employees do not want to lose the service that they have. She did look at bidding out to other insurance providers. Most medical providers are with Blue Cross and that's what the employees like. The benefits are a big part of what the city offers to their employees. She explained that the reason for the increase is due to high utilization. One thing that was high was Emergency Room visits so they went from one-hundred to five-hundred-dollar copay for ER visits. Director Hill continued to explain how they got the increase down to 22 percent. They wanted to drop the nurse line but the tele-doc is something that they would like to use. That is where you can call the tele-doc and get a prescription. She would like to have quarterly benefits meetings to educate the employees. Dental actually went down. She reviewed the increase to the city and to the employees. She asked for a budget adjustment of \$40,000 to cover the increase. CFO Nielson explained that the money will come from the reserves. Director Hill recommends that next year they budget for a 15 percent increase instead of 10 percent. Authorization is needed from council to approve the insurance renewal and budget adjustment.

2017 Health/Dental Benefits

Health Benefits

Renewal rates for the same health option we currently have come back with a 34.74% increase

- Able to **negotiate to a 23.54% increase**
 - Agent negotiated a significant decrease
 - Utilization dropped in last quarter
 - HR provided a list of terminated employees
- Option of switching providers not viewed positively by staff or employees in a **survey**
 - Over **83% are satisfied with our current health and dental provider**
- A majority of individuals **do not want to decrease the number of current provider and facility options**
 - 100% of facilities in network in Idaho and 96% of providers w/Blue Cross
- 58% of employee are satisfied with our benefits (additional 24% neutral) and only 22% (additional 20% neutral) w/their wage
- Poor relationships established with providers if you choose to jump ship when rates go up due to increases caused in large part to high utilization

Explanation of Increase:

High utilization

| Month | Loss Ratio | Average For Year by Month |
|----------------|----------------|-----------------------------|
| Oct | 100.66% | 100.66% |
| Nov | 206.35% | 153.51% |
| Dec | 98.10% | 135.04% |
| Jan | 113.02% | 129.53% |
| Feb | 62.14% | 116.05% |
| Mar | 62.88% | 107.19% |
| Apr | 42.93% | 98.01% |
| May | 165.99% | 106.51% |
| Jun | 182.25% | 114.92% renewal rate issued |
| Jul | 56.45% | 109.08% |
| Aug | 86.00% | 106.98% rounded |
| Sep | 35.00% | 100.98% rounded |
| Average | 100.98% | |

75.00% Loss Ratio Needed to Cover Admin Fees per Blue Cross

25.98% Difference to Break-Even for Blue Cross

10% Health Care Trend Nationally for Cost Increases Per Agent

35.98% Increase to Break-Even Based on Trend and Experience

| Calendar Year | Utilization |
|---------------|--|
| 2013 | 76% |
| 2014 | 71% |
| 2015 | 93.7% (Utilization in last quarter averaged over 135%) |

- Cost of health care has risen on average 10% nationwide (12% in prior year)

Recommendations from Staff & Employee Committee:

- **Increase the ER Copay** from \$100 to \$500 and **save .41%**
 - Hope to reduce costs from ER visits that are not necessary
 - **Increase Member Coinsurance** from 10% to 30% In-Network & 30% to 50% Out-of network and **save 2.70%**
 - Changes in Co-insurance/Deductible affect the least amount of members Percent reaching deductible
 - 2014 11%
 - 2015 15%
 - 2016 11% thus far
- Would increase cost for individual's w/bills between \$2,500 - \$22,500
- No impact if bill exceeds \$22,500 for an individual
 - No change in the HRA contribution recommended

If recommendations approved, **final increase to health would be 20.34%**

Drop Nurse Line and **add Teledoc Service**

Keep Vision Plan as is

- Agent able to negotiate down by **10.92%** and **save city an additional \$11,100**

Dental Benefits

Renewal rates for the same dental option we currently have, came back with a **2.1% increase**

- Agent negotiated to a **3.63% decrease**
 - Staff negotiated the Agent Commissions down, **saving the city \$17,424** to help offset the increase in healthcare costs
 - **Final decrease** for same dental option was **8.39%**
- Recommendations from Staff & Employee Committee:
- Renew dental policy with no changes to plan

Budget Recommendations

If recommendations for health and dental plans adopted, the **total increase for the city share** would be \$258,702. **Total increase to employee share** would be \$45,466

We only budgeted 10%, so a **budget adjustment of \$40,000** would be required from our reserve (approximately \$314,000 in reserve)

Our agent and staff would recommend we budget for a 15% increase in Fiscal Year 2018 because of projections by our provider and agent

Recommended Employee Premiums

| Coverage | 2016 Rate/Month | 2017 Rate/Month | Increase Per Month | Percentage Of Total* |
|--------------|-----------------|-----------------|--------------------|----------------------|
| Single | \$ 95.84 | \$ 109.01 | \$ 13.17 | 13.8% |
| Couple | \$ 185.34 | \$ 210.18 | \$ 24.84 | 13.8% |
| Emp/Child | \$ 147.64 | \$ 162.07 | \$ 14.43 | 14.1% |
| Emp/Children | \$ 191.86 | \$ 214.89 | \$ 23.03 | 13.9% |
| Family | \$ 258.86 | \$ 291.93 | \$ 33.07 | 14.0% |

*2016 Family % of total was 14.1%
These Rates reflects if they choose the Blue Cross PPO Dental Plan

Authorization in the form of a motion is needed from the City Council to approve the 2017 renewal recommendations (see option #3 & #4) as well as the budget adjustment for 2017 of \$40,000

If the above renewal was approved, it would result in the following:

- o 11.73% cost increase to city
- o 12.87% cost increase to employees
- o **11.89% total cost increase**
- o **A decrease in the savings of \$40,000, moving balance to \$275,200**

| Option #3 Blue Cross PPO--Drug \$250 Deductible plus 10/30/50 copay | | | | | | | | | | | | | Increase Member Co-Insurance to 30% In-Network & 50% Out-of-Network/Increase ER copay to \$500/Surcharge for BC PPO Dental | | | | |
|---|------------|------------|------------|---------------------|-------------|-------------|-----------------|-----------------|-------------------|---------------------|---------------------|-------------------|--|---------------------|--------|--|--|
| COVERAGE | Count | Ded. | Total Ded. | City HEALTH 0.0% | CITY DENTAL | CITY TOTAL | EMPLOYEE HEALTH | EMPLOYEE DENTAL | EMPLOYEE TOTAL | Employee Increase | Blue Cross Health | BC PPO Dental | HRA Contribution | TOTAL | | | |
| SINGLE | 13 | 1 | 13 | \$ 647.44 | \$ 35.08 | \$ 682.52 | \$ 101.05 | \$ 7.96 | \$ 109.01 | \$ 13.17 | \$ 606.82 | \$ 43.04 | \$ 141.67 | \$ 791.53 | | | |
| COUPLE | 28 | 2 | 56 | \$ 1,244.86 | \$ 70.04 | \$ 1,314.90 | \$ 194.28 | \$ 15.90 | \$ 210.18 | \$ 24.84 | \$ 1,155.81 | \$ 85.94 | \$ 283.33 | \$ 1,525.08 | | | |
| EMP/CHILD | 2 | 2 | 4 | \$ 881.43 | \$ 107.98 | \$ 989.41 | \$ 137.56 | \$ 24.51 | \$ 162.07 | \$ 14.43 | \$ 735.66 | \$ 132.49 | \$ 283.33 | \$ 1,151.48 | | | |
| EMP/CHILDREN | 5 | 2 | 10 | \$ 1,219.87 | \$ 107.98 | \$ 1,327.85 | \$ 190.38 | \$ 24.51 | \$ 214.89 | \$ 23.03 | \$ 1,126.92 | \$ 132.49 | \$ 283.33 | \$ 1,542.74 | | | |
| FAMILY | 84 | 2 | 168 | \$ 1,638.65 | \$ 159.42 | \$ 1,798.07 | \$ 255.74 | \$ 36.19 | \$ 291.93 | \$ 33.07 | \$ 1,611.06 | \$ 195.61 | \$ 283.33 | \$ 2,090.00 | | | |
| TOTAL | 132 | 251 | 251 | \$ 2,464,153 | | | | | \$ 398,677 | \$ 2,862,830 | \$ 2,192,236 | \$ 243,894 | \$ 426,700 | \$ 2,862,830 | | | |
| | | | | | | | | | | | Family | 20.34% | -8.39% | 0.00% | | | |
| | | | | | | | | | | | DEDUCTIBLE | 2,500 | 11.73% | 12.87% | 11.89% | | |
| | | | | | | | | | | | HRA CONTRIBUTION | (1,700) | | | | | |
| | | | | | | | | | | | NET DEDUCTIBLE | 800 | | | | | |
| | | | | | | | | | | | | | NET | \$ - | | | |
| | | | | | | | | | | | | | BEGINNING BALANCE OF SAVINGS | \$ 315,187 | | | |
| | | | | | | | | | | | | | ENDING BALANCE IN SAVINGS | \$ 275,187 | | | |

| Option #4 Blue Cross PPO--Drug \$250 Deductible plus 10/30/50 copay | | | | | | | | | | | | | Increase Member Co-Insurance to 30% In-Network & 50% Out-of-Network/Increase ER copay to \$500/Dental Blue Connect | | | | |
|---|------------|------------|------------|---------------------|-------------|-------------|-----------------|-----------------|-------------------|---------------------|---------------------|-------------------|--|---------------------|--------|--|--|
| COVERAGE | Count | Ded. | Total Ded. | City HEALTH 0.0% | CITY DENTAL | CITY TOTAL | EMPLOYEE HEALTH | EMPLOYEE DENTAL | EMPLOYEE TOTAL | Employee Increase | Blue Cross Health | Blue Connect | HRA Contribution | TOTAL | | | |
| SINGLE | 13 | 1 | 13 | \$ 647.44 | \$ 32.39 | \$ 679.84 | \$ 101.05 | \$ 5.06 | \$ 106.10 | \$ 10.26 | \$ 606.82 | \$ 37.45 | \$ 141.67 | \$ 785.94 | | | |
| COUPLE | 28 | 2 | 56 | \$ 1,244.86 | \$ 64.68 | \$ 1,309.54 | \$ 194.28 | \$ 10.10 | \$ 204.38 | \$ 19.04 | \$ 1,155.81 | \$ 74.78 | \$ 283.33 | \$ 1,513.92 | | | |
| EMP/CHILD | 2 | 2 | 4 | \$ 881.43 | \$ 99.70 | \$ 981.13 | \$ 137.56 | \$ 15.56 | \$ 153.12 | \$ 5.48 | \$ 735.66 | \$ 115.26 | \$ 283.33 | \$ 1,134.25 | | | |
| EMP/CHILDREN | 5 | 2 | 10 | \$ 1,219.87 | \$ 99.70 | \$ 1,319.57 | \$ 190.38 | \$ 15.56 | \$ 205.94 | \$ 14.08 | \$ 1,126.92 | \$ 115.26 | \$ 283.33 | \$ 1,525.51 | | | |
| FAMILY | 84 | 2 | 168 | \$ 1,638.65 | \$ 147.25 | \$ 1,785.90 | \$ 255.74 | \$ 22.98 | \$ 278.72 | \$ 19.86 | \$ 1,611.06 | \$ 170.23 | \$ 283.33 | \$ 2,064.62 | | | |
| TOTAL | 132 | 251 | 251 | \$ 2,448,969 | | | | | \$ 382,209 | \$ 2,831,178 | \$ 2,192,236 | \$ 212,242 | \$ 426,700 | \$ 2,831,178 | | | |
| | | | | | | | | | | | Family | 20.34% | -2.80% | 0.00% | | | |
| | | | | | | | | | | | DEDUCTIBLE | \$ 2,500 | 11.04% | 8.21% | 10.65% | | |
| | | | | | | | | | | | HRA CONTRIBUTION | (1,700) | | | | | |
| | | | | | | | | | | | NET DEDUCTIBLE | \$ 800 | | | | | |
| | | | | | | | | | | | | | NET | \$ - | | | |
| | | | | | | | | | | | | | BEGINNING BALANCE OF SAVINGS | \$ 315,187 | | | |
| | | | | | | | | | | | | | ENDING BALANCE IN SAVINGS | \$ 275,187 | | | |

Mayor Merrill asked for a motion.

Council Member Benfield moved to approve the insurance renewal and budget adjustment as recommended; Council Member Flora seconded the motion; Mayor Merrill asked for a vote:

Those voting aye

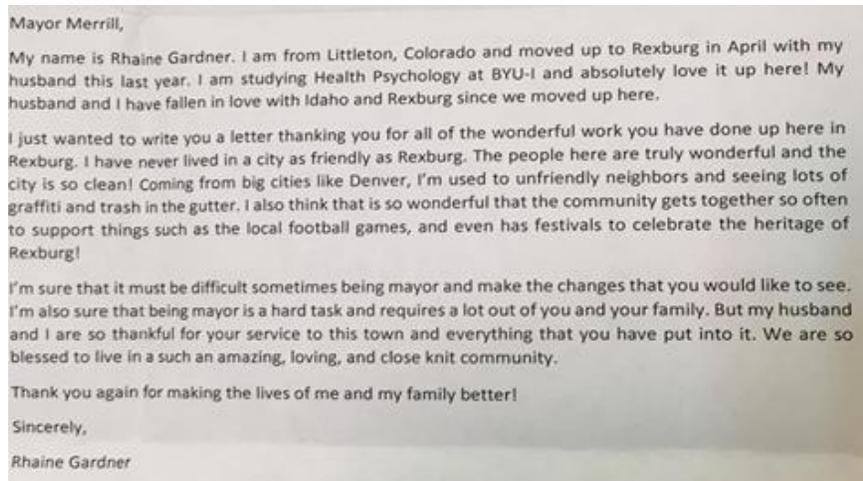
Those voting nay

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

The motion carried

Mayor's Report: Mayor Merrill received a letter from the USDA Rural Development Association asking about unfair access to Wagon Wheel apartments and Madison Park apartments. None of the council members have heard of any problems.

Mayor Merrill read the letter he received from Rhaine Gardner that was published in the newsletter. He thanked everyone for making Rexburg a great place to live.



Mayor Merrill,

My name is Rhaine Gardner. I am from Littleton, Colorado and moved up to Rexburg in April with my husband this last year. I am studying Health Psychology at BYU-I and absolutely love it up here! My husband and I have fallen in love with Idaho and Rexburg since we moved up here.

I just wanted to write you a letter thanking you for all of the wonderful work you have done up here in Rexburg. I have never lived in a city as friendly as Rexburg. The people here are truly wonderful and the city is so clean! Coming from big cities like Denver, I'm used to unfriendly neighbors and seeing lots of graffiti and trash in the gutter. I also think that is so wonderful that the community gets together so often to support things such as the local football games, and even has festivals to celebrate the heritage of Rexburg!

I'm sure that it must be difficult sometimes being mayor and make the changes that you would like to see. I'm also sure that being mayor is a hard task and requires a lot out of you and your family. But my husband and I are so thankful for your service to this town and everything that you have put into it. We are so blessed to live in a such an amazing, loving, and close knit community.

Thank you again for making the lives of me and my family better!

Sincerely,
Rhaine Gardner

Heidi Fransen asked the Mayor to thank the City for helping with the Operation Underground Railroad fundraiser.

Mayor Merrill attended a meeting about the flood plain. FEMA has widened the flood plain area going through Rexburg recently even though it hasn't flooded. They presented their case as to why it shouldn't be flood plain and they are going to look into it. He attended the ribbon cutting at ProPeat in Sugar City. He participated in the Power 2 Become seminar on campus. The pawn shop south of town has been purchased and they are cleaning it up. Everything will now be inside. He mentioned that sometimes people don't want to get a building permit but they need to know that they also get expert advice from people who know what to do.

Council Member Benfield said that there is a pawn shop that is purchasing items from kids and there is a law that pawn shops can only buy from adults. Council President Smith said that particular pawn shop is under police radar now and being watched. Council Member Benfield would like to see pawn shops post signs that say you must be an adult. Attorney Zollinger said the police are aware of the situation. This particular shop had not been put online yet but they are now. It was a business that slowly converted to pawn and it slipped through the cracks.

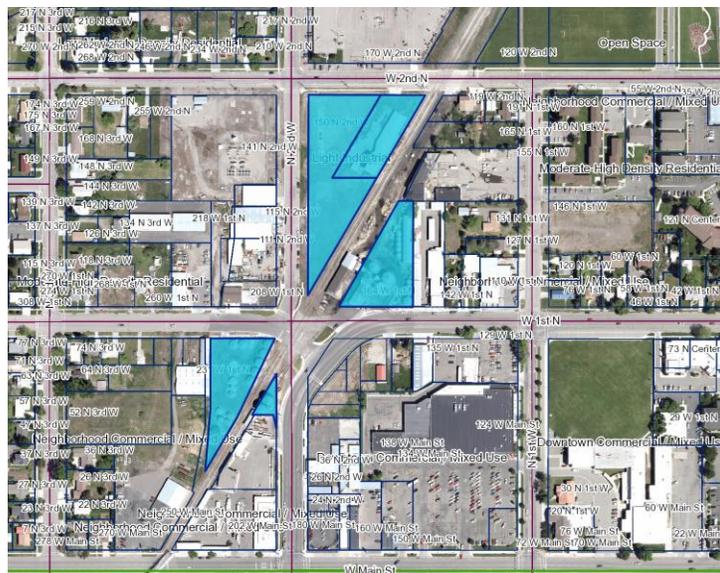
Mayor Merrill met with the Bonneville Metropolitan Planning Organization and learned how a planning organization can be more effective. He encouraged everyone to go to the State High School Football game in Boise and support our Madison Bobcats and the Dancing with the Rexburg Stars that he is in this Saturday.

Public Hearings: – NONE

Items for Consideration:

- A. **Resolution #2016-11 Comprehensive Plan Map Amendment** at 150 N 2nd W, 164 W 1st N, and approximately 203 West 1st North from Light Industrial and Neighborhood Commercial/ Mixed Use to Neighborhood Commercial/Mixed Use – Jeff Lerwill, Ryan Lerwill, and Scott Campbell
(On October 20th, Planning and Zoning unanimously recommended to City Council to approve the Comprehensive Plan Map Amendment from Light Industrial and Neighborhood Commercial/Mixed Use to Neighborhood Commercial/Mixed Use)

Ryan Lerwill of Sugar City presented the proposed amendment. He showed the property on the screen. He is asking that the Neighborhood Commercial/Mixed Use Zone be continued to these areas. He feels it would make sense. He met with the ready team, Val, Natalie, Stephen, Keith, John to determine if this is good for everyone. This property is very ugly and hopefully someday someone will be able to improve it. The mixed used zone would lend itself for a developer to come in and make something nice of it.



Staff Report:

There were mixed feelings about this Comprehensive Plan map change at the staff meeting. They included concerns about the traffic it would create and the location. Staff feels that if a traffic study is completed that identifies that the change is suitable, with good traffic practice, and the Planning and Zoning Commission concludes that the change can be compatible with the neighborhood’s current uses, then it is recommended with the following conditions:

1. A traffic plan is required.
2. When a zone change is requested, the minimum requirement of 10% mixture of uses be strictly held to.

The Planning and Zoning Commission should take testimony in the public hearing to determine if this change to the comprehensive plan map will be in the best interest of the community.

Discussion:

Council Member Flora asked if the conditions and concerns that Planning and Zoning staff had should be included in the motion. Director Christensen explained that he is the one who suggested the traffic study but Planning and Zoning determined it wasn’t needed. Council Member Wolfe indicated that since it is just a comp plan change and not a zone change they didn’t need a traffic study. Director Christensen said there is plenty of time to catch a traffic study.

Council Member Flora asked that a traffic study be requested when a zone change is asked for.

Council Member Wolfe moved to amend the **Comprehensive Plan Map (Resolution 2016-11)** at 150 N 2nd W, 164 W 1st N, and approximately 203 West 1st North from Light Industrial and Neighborhood Commercial/ Mixed Use to Neighborhood Commercial/Mixed Use; Council Member Smith seconded the motion; Discussion:

Mayor Merrill asked for a vote:

Those voting aye

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

Those voting nay

The motion carried

- B. **Development Code Ordinance No. 1115 Amending the Development Code** – Proposed changes to the Development Code concerning substantive and non-substantive changes – Planning and Zoning recommended three changes to the Development Code at a Public Hearing on October 20th, 2016.

1. *Clarify existing definitions for boarding houses, bed and breakfast, and short term rentals.*

- a. **Bed and Breakfast Inn:** A structure containing guest room(s) where lodging, with or without meals, is provided on a daily rate basis, and a manager maintains a residential presence on site or on an adjacent lot.
- b. **Boarding House:** A building that is the primary residence of the owner in which rooms are provided on a daily, weekly or monthly basis for compensation, by the owner, to persons not related by blood, marriage, or adoption to the owner.
- c. **Short Term Rental:** Any rental of a dwelling unit that is for a time period less than thirty (30) days.

Community Development Director Christensen explained that this won't affect low density zones at all because these are not allowed in low density but it will affect medium density. In high density zones, all of these would be allowed.

Council Member Benfield asked if it would be helpful to put with the definition where it is allowable. Director Christensen said that most people start by looking at the zone not the definitions.

Council Member Smith asked if the manager would have to live on site or next door at a bed and breakfast. Director Christensen said yes, that is the definitions that already exist. There must be a manager on sight. Director Christensen talked about parking; he recommends one parking spot per bedroom. Council Member Wolfe explained that they are simply correcting the terms.

Community Development Director Christensen continued with the following amendments:

2. *Chapter 3 Section 3.9.090 (HDR1) and Section 3.10.090 (HDR2) **Setbacks and Rights-of-Way Exceptions In the Pedestrian Emphasis Overlay**, the required front yard setbacks for buildings (not parking) may be reduced up to fifteen feet (15') by meeting the following requirements:*
 - a. *A minimum 8' wide sidewalk is required parallel to any city street.*
 - b. *Street trees and other landscape amenities are required and include as a minimum the use of 2" caliper deciduous trees at a maximum of 20' spacing in the landscape strip between the curb and sidewalk. The space between the building and sidewalk shall be landscaped with ornamental trees, shrubs, annual and perennial flowers to achieve a "fully landscaped look". The landscape strip and the front yard setback shall be planted with grass between the trees, shrubs and other landscape features. An irrigation system is required and is the responsibility of the property owner as is the maintenance of the landscaped areas.*
 - c. *The building shall be oriented toward the street with architecturally defined entrances; a ground floor prominence; and elements that break up vertical and horizontal walls.*
 - d. *Section 3.9.090.vii.b is not allowed. Permitted Projections include balconies (no more than three (3) foot extended from building), cornices, eaves, belt courses and sills.*
 - e. *There shall be a variety of openings and other features that enhance the buildings visual interaction with the street. These features include doors, windows, balconies and/ or other items such as stoops, awnings, porches, dooryards, canopies, overhangs, recesses, etc. that in combination enhance the human scale and pedestrian experience of the street. Balconies, awnings, canopies and other structural elements may extend a maximum of three (3) feet into the setback.*
 - f. *The first floor wall facing the right-of-way shall be faced with high quality materials (as approved by Community Development Director or Designee).*
 - g. *Street lighting and utilities within the right of way must be installed as per the City Engineering Standards.*
 - h. *Renderings identifying all of the above requirements and the Design Standards shall be provided to city staff prior to the request for a building permit. The Community Development Director or Designee will have authority to review the submittal and determine if it meets the above requirements and spirit in which they were created. At request by applicant the City Staff will have authority to over-rule the findings of the Community Development Director or Designee.*

Director Christensen indicated that a developer can build the same kind of building as before, but if they want to add an additional 15 feet to their building, they will need to meet these requirements.

Mayor Merrill indicated that they have seen places where the buildings are just long strips of plain brick with no windows or doors and it's much less appealing.

3. *Chapter 9 Section 5.10. Parking requirements for dormitory housing units that are located within the Pedestrian Emphasis Overlay (PEO) (see attached boundaries or appendix of development code) may be reduced pursuant to a Conditional Use Permit (CUP) and subject to the following requirements and provisions:*

Director Christensen indicated that the final amendment at this time is to add pursuant to a Conditional Use Permit (CUP) to Chapter 9 Section 5.10 of the Development Code.

City Clerk Blair Kay reminded council that if they want to speed up the process to get these amendments finalized and the ordinance passed they will need to suspend the rules.

Council Member Wolfe moved to suspend the rules for Ordinance 1154; Council President Smith 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 Mann
Council Member Wolfe

Those voting nay

None

The motion carried

Mayor Merrill asked for a motion to approve Ordinance 1154 and consider it third read.

Council Member Wolfe motioned to approve **Ordinance 1154 Amending Development Code Ordinance No. 1115** and consider it third read; Council Member Benfield seconded the motion; Mayor Merrill asked for a vote:

Those voting aye

Council President Smith
Council Member Flora
Council Member Benfield
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):
- B. **BILL Introduction:** – NONE
- C. **First Reading:** Those items which are being introduced for first reading: – NONE
- D. **Second Reading:** Those items which have been first read: - NONE
- 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 October 19th, 2016 meeting;
- B. Approve the City of Rexburg Bills

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

Those voting aye

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

Those voting nay

None

The motion carried

Adjourned at 8:18 P.M.

APPROVED:

Jerry Merrill, Mayor

Attest:

Mary Flanary, Deputy City Clerk