

Customer Support Services City Council Minutes

12 North Center
Rexburg, ID 83440

blairk@rexburg.org
www.rexburg.org

Phone: 208.359.3020
Fax: 208.359.3022



CITY OF
REXBURG
America's Family Community

December 15, 2006

Mayor Shawn Larsen

Council Members:

Donna Benfield – Council President
Farrell Young Christopher Mann
Rex Erickson Randy Schwendiman
Bart Stevens

City Staff:

Stephen Zollinger — City Attorney
Richard Horner – Finance Officer
John Millar — Public Works Director
Val Christensen – Building Official
Gary Leikness — Planning & Zoning Administrator
Blair Kay — City Clerk
Celeste Beattie – Deputy City Clerk

1:00 P.M. – Pledge to the Flag

Roll Call of Council Members: All Council Members were present except Council Member Young and Council Member Stevens.

Council President Benfield conducted the meeting.

Mayor Larsen joined the meeting via a phone conference.

Old Business:

A. Discussion with the National Group for possible earmark funding

Attorney John Harmer introduced himself and reviewed their last meeting. City Council was to prepare a “wish-list” of priorities for the City of Rexburg. The National Group will review the list and provide a candid assessment. If the assessment was favorable a contact could be made from December 15, 2006 to December 14, 2007. He invited City Council to present their wish-list.

Council President Benfield listed the city’s priorities as follows:

1. Roads:

- a. East Belt Route - City and County Projects
- b. 7th South
- c. 2nd West to Highway 20
- d. 12th West
- e. Airport Frontage Road crossing the Teton River

Council Member Erickson said the Airport Road extension was on the original plan for the county and city.

2. Airport expansion:

Council President Benfield said the airport is a city/county cooperative effort.

Council Member Erickson said the city needs a runway extension combined with the cleanup of the Teton River.

3. Wastewater Treatment Plant, Storm Water Collection System, and fresh water wells (study of the aquifer.)

Attorney Harmer verified the location of the Waste Water Treatment Plant at the end of Airport Road. Council Member Mann discussed the need to study this facility concerning future needs of the city. Council President Benfield said the rate of growth Rexburg is experiencing will necessitate knowing the capacity of the plant.

Attorney Harmer asked about the difference between the Waste Water Treatment Plant study and the Teton River clean up issue.

Council Member Mann said the airport runway runs to the Teton River and the airport expansion would extend over the Teton River. The City Council wants to make sure the river is safe from nitrates that may be coming into it.

Attorney Harmer asked if there was pollution in the Teton River or was this request to prevent future pollution from going into the river.

Council Member Erickson noted the water below the Waste Water Treatment Plant has some pollution from the wastewater. City Clerk Kay said the waste water coming out of the plant is clean. Council Member Erickson said the water is clean; however, the river water has a film on top of the water below the plant down to the river bridge. Attorney Harmer asked if there were any expansion plans for the Waste Water Treatment Plant.

Finance Officer Horner said there were some expansion plans for the facility as the city grows. The land and other mechanical capacities are already available; however, nothing to correct the problem. Attorney Harmer asked what is needed to increase capacity. Finance Officer Horner explained the plant needs more ditches and clarifiers. The plant is not at capacity for future expansion at the site. Looking 20 years down the road, the city will definitely need more expansion.

4. Economic Development:

Council President Benfield said the city would like to expand on the spin off businesses from INL. The city hasn't seen a lot of this type of economic growth in Rexburg.

5. Homeland Security:

- a. 911 Dispatch (city/county)
- b. Emergency services, and equipment (city/county)

Attorney Bill Oldaker said they have spoken with Senator Craig's staff and Congressman Simpson's staff about the possibility of doing projects for Rexburg. Both staffs for the Senator's are very interested in doing road and sewer projects for Rexburg. They would be less interested in an airport expansion project unless surrounding cities supported the expansion. They will need the costs and purposes for improving the roads. Attorney Oldaker was of the opinion roads would be at the top of the list. Rexburg's chance for getting money for this group of projects on roads was relatively high. He mentioned Senator Craig wants to help and he realizes in this way he can be helpful to the whole community including the university.

Attorney Oldaker recommended moving the airport expansion down the list. If it was still a priority for Rexburg more time should be spent dealing with the other airports in the area to ensure the proposed expansion of the Rexburg airport would not cause animosity. For now it should be moved down the list. The wastewater treatment plant and other water issues would come out of another part of the budget. We could put this item in with the approximate costs and other details. Economic development is an INL issue as well as an energy and water issue. It is wiser to work with Senator Craig, Senator Crapo, and Congressman Simpson to obtain these monies. The items would need approximate costs and other details including location of the projects. Earmark is an actual line item in an appropriation bill noting how and where the money would be allocated.

Finance Officer Horner said Rexburg does receive money from IDT for “new construction” and other city street maintenance projects are funded by the city.

Attorney Oldaker said earmark funds are not used for projects that are ordinarily the city’s responsibility. In the case for Rexburg the widening of roads would fall under the city’s responsibility. There is money for Homeland Security; however, most of it is not earmarkable today. There are various programs which look like Homeland Security that would come under a different department. Funding in the Justice Department is available for police, radios, or other homeland type expenditures.

Attorney Oldaker recommended the following priorities for earmarked funding:

1. **Road expansion due to university expansion**
2. **Waste Water Plant/Sewers**
3. **Equipment for the Police Officers**

Funding is available through congressional appropriations if the funding request does not cause problems with some other entity. The airport expansion request should be left to more discussions with other cities.

Congress has changed for next year. The majority party gets 60% of earmark funding and the minor party gets 40%. Democrats are taking out earmark funding for next year. Attorney Oldaker talked to Senator Craig’s office to deal with the situation and put all the facts on the table for Rexburg. He asked Senator Craig: “Is it likely for the City of Rexburg to get some help with good proposals?” Senator Craig said the answer was yes. Everyone Attorney Oldaker has talked to recognizes Rexburg has enormous costs that will not be recouped with tax dollars.

Council Member Erickson asked Attorney Oldaker if he thought the city should put the first three priorities on for this coming year and hold off on economic development and the airport expansion. Attorney Oldaker said the top three are the ones the city should be asking congress for funding. The other two items need preliminary work with the city and INL. Council Member Erickson said that Rexburg does not have many government offices in town. Attorney Oldaker said if Rexburg hires the National Group, they could work on these other issues; however, they would not be earmark issues.

Council Member Erickson indicated the city needs a hook and ladder truck. The Fire Department can’t fight fires at the university because of it. Attorney Oldaker said equipment is something a politician likes to stand next too. It is material, they can see it, and it’s tangible.

Council Member Mann asked if the road money would go to IDT first and then the city would request it again from ITD. Attorney Oldaker said if it was money ITD generally pays, it would go to ITD. Our number one request is for an East Belt Route while the others are widening projects. Attorney Oldaker said that discussion would be necessary with the IDT to ensure that they are on board for the East Belt Route project. It’s not that our firm could not get East Belt Route funding; however, we would want to talk with the Idaho DOT and make sure they are a part of the funding process. In this way DOT could have some control over this project.

Council Member Schwendiman said that he was under the impression county participating in a road project would have a higher priority than those roads in the city. From today’s discussion, it would be easier to get roads funded inside the city than to construct a new road. Attorney Oldaker said the more people (county, city, DOT) you have on board; the likelihood of success is very high. If you are doing city streets you do not have to involve the other entities. You will still have the likelihood of success but it is not going to be as high. He apologized if it appeared

to be inconsistent. Council Member Schwendiman asked if reconstruction of roads is treated the same as road widening project. Attorney Oldaker deferred to the city's engineer to answer that question because every state treats their transportation funds differently. It would depend on the states opinion if they should be involved or if they should not be involved.

Finance Officer Horner said it really depends on where the road is located and if the road is part of the states long term system. 12th West is not on the state system; however, the East Belt Route is on the state system. Public Works Director Millar would need to get the details for these roads. Finance Officer Horner explained the city has available projected costs through an impact fee study for the road projects.

Council Member Schwendiman asked who brings the Idaho DOT on board. Attorney Oldaker said there are a number of ways his firm would work with DOT. The Senators or Congressman's could help bring DOT on board. It depends on whether the matter is a local municipal project or it's considered by the state to be broader than a local project. Council Member Schwendiman asked if the city had to pick priorities for specific roads today. Attorney Oldaker said no; not even when we put them in the final request. We would ask for money to improve these roads and lay out a basis for doing it because of the strain on the city's resources. When Mayor Larsen and others come to congress, we would put a bigger book together with more detail with actual plans, etc. The local delegation would be informed on the progress or lack of progress at that time.

Attorney Oldaker gave further examples of congress' review of one line lists. It is a matter of stating a case for the City of Rexburg.

Council President Benfield asked about Attorney Oldaker's reference to a "ball park figure;" is this \$100,000.00 or \$1 million. Attorney Oldaker said a fair estimate would be \$300,000 to \$500,000 for each project. Most of the HUD earmarks are at a \$100,000 range. Transportation earmarks are near \$200,000. Larger cities get upwards of \$2,000,000 per project. A smaller city like Rexburg will be viewed as a place that has a bigger impact and bigger problems because of the city's growth.

Council President Benfield asked if there is anything the City Council has overlooked. Attorney Oldaker said three on the priority list is a good number. The City Council's constituents need to be onboard with the proposal. If the city and the county are on board with a request, it adds support to the request because it is a political decision. They (elected officials and their firm) are looking for universal support for a request.

Mayor Larsen (by phone) commented on the unique position Rexburg was enjoying because of the impact of the university on the city's infrastructure. He was in Boise attending a Local Transportation Assistance Committee meeting (LTAC.) He felt there was an interest and a need to try and recertify the city's infrastructure problems. Mayor Larsen compared Rexburg with other entities (cities, counties and highway districts) around the state. He felt federal dollars could be available to help rectify the problem. Mayor Larsen looks forward to working with the National Group if City Council chooses to approve the contract for the National Group. The city staff and Mayor Larsen will work diligently to make sure good applications are submitted for funding.

John Harmer said in response to Council Member Schwendiman's concern for county support; if the road requests include county support, it will strengthen the case in the application. He also wanted to remind everyone of the process that would be taken should the City Council vote affirmatively to approve the contract. Assuming City Council approves the contract, the National Group would visit with Financial Officer Horner to discuss the various projects. We would go back to Washington and create a file of information for the city's congressional delegation. We then take the file to the congressional offices and have the elected official's sign

off on the requests in the file before the requests are taken to the appropriations committee. We deliver the requests to the appropriations committee clerk. Our job is to see the City of Rexburg's requests stay alive. The staff of the city's elected officials in Washington D.C. will have five different priorities on their list at the same time. They are trying to work with each priority. They may or may not have time to ensure Rexburg stays on this list. Our job is to keep you on the list. The National Group (Attorney Oldaker & Attorney Harmer) has received a very positive response from the elected officials and their senior staff members. These people are anxious for the National Group to proceed to work with the City of Rexburg for the next few years to provide enormous help to the city.

Council President Benfield opened the matter for discussion:

Council Member Schwendiman was concerned \$500,000 would not build much road. He worried the city would not have money to do the projects they wanted to do. Council Member Erickson said \$500,000 would be more than we've had in the past. \$500,000 would help tremendously on 12th West and 7th South.

Attorney Oldaker said money in transportation in larger amounts is allocated every six years in the federal budget. When you want larger amounts of money you should include it in the Highway Trust Fund bill which will be coming up in 2008 or 2009. He referenced an \$8,000,000 request for Boston's naval project for roads and sewers. The idea is to keep the project request (what it is and how important it is) on congressional committees' minds until the project is completed.

Council Member Erickson said he felt the City Council was ready to make a proposal.

Council Member Mann said residences of Rexburg have put a lot of trust and confidence in the City Council. Now the City Council is putting that trust in the National Group. He hopes the National Group will come through with some funding. He mentioned Senator's Craig's office has been very supportive of Rexburg.

Council President Benfield said she was influenced by the support of Senator Craig and Representative Simpson. Rexburg has the support of the congressional delegation and their staff in Washington D.C. already. The city is not going to Washington D.C. on a wing and a prayer. Attorney Bud W. Jerke said there are some staff members for the congressional delegation from Rexburg.

Council Member Erickson moved to make a one (1) year contract with the National Group from December 15th 2006 to December 14th, 2007. The three projects to be worked on would be (1) Roads, (2) Waste Water Treatment Plant; Storm Water Collection System; Fresh Water Wells (Study), (3) Emergency Services (equipment); Council Member Mann seconded the motion. Discussion: Council Member Mann asked if Finance Officer Horner had the people in place and time and ability to go ahead. Finance Officer Horner said some of this work has been done. The city would just need to inform the National Group. Council Member Schwendiman asked to be kept informed on the process with the National Group. The National Group will be returning to Rexburg to meet with City Council to provide the latest information before the end of 2006. The fee will be \$5,000 per month for the National Group. Attorney Harmer will communicate regularly with the city.

Those voting aye

Donna Benfield
Christopher Mann
Rex Erickson
Randy Schwendiman

Those voting nay

None

The motion carried.

Adjournment

Council President Benfield

Attest:

Blair D. Kay, City Clerk