

City Council Agenda

November 07, 2007



CITY OF
REXBURG
America's Family Community

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November 07, 2007

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

7:00 P.M. – Pledge to the Flag

Mayor Larsen welcomed the scouts to the meeting. They introduced themselves and explained which merit badge they were working to obtain.

Roll Call of Council Members: Council Member Erickson was excused. All other Council Members were present.

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 17, 2007 meeting
- B. Approve the City of Rexburg Bills

Council Member Young moved to approve the consent calendar. Council Member Stevens seconded the motion. All voted aye, none opposed. **The motion carried.**

Public Comment: on issues not scheduled on the agenda (limit 3 minutes): NONE

Presentations: NONE

Committee Liaison Assignments for 2007:

- A. Council Member Chris Mann *Parks & Recreation · Museum Committee · Romance Theatre Committee*

Council Member Mann reported the Parks and Recreation Committee met. They are working on a Master Comprehensive Parks Plan. The museum remodel is coming along. The museum opening is expected with the tree lighting on November 30. Council Member Mann also reported the United Way drive is underway.

B. Council Member Donna Benfield *Beautification Committee· Police Department*

Nothing to report

C. Council Member Rex Erickson *Airport Board· Planning & Zoning*

D. Council Member Randy Schwendiman *Golf Board· Traffic & Safety· Emergency Services Board*

Nothing to report

E. Council Member Farrell Young *Tabernacle Committee· Rexburg Arts Council*

Council Member Young reported the Tabernacle Orchestra is having a concert next Wednesday night at 7:30 P.M. It is free to the public.

F. Council Member Bart Stevens *Trails of Madison County· IBC Committee· School Board*

Council Member Stevens reported on a meeting with Brent Mendenhall from the school board dealing with the joint use agreement. Good progress was made on the joint use agreement. The discussion was positive for the community. Building Official, Val Christensen, will present the changes on the 2006 Building Code to the Builders Association. He will also present the changes at a city meeting with current contractors of record.

G. Mayor Larsen *Mayor's Youth Advisory Board· Legacy Flight Museum*

Mayor's Youth Advisory Board is planning their annual Turkey Trot to raise funds for Shop with a Cop project. A mile run will be held November 30 to raise funds.

Public Hearings: NONE

New Business:

A. Resolution No. 2007-13 General Election (November 06, 2007) Canvas Votes for Mayor and three City Council seats – city clerk

Mayor Larsen read the resolution.

RESOLUTION NO. 2007-13

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REXBURG, IDAHO, CANVASSING AND DECLARING THE RESULTS OF THE GENERAL MUNICIPAL ELECTION HELD IN SAID CITY ON TUESDAY, NOVEMBER 6, 2007

WHEREAS, all nominees for the offices of Mayor and Councilpersons for the City of Rexburg, Idaho, have heretofore been nominated as provided by law, said nominees being as follows:

Nominees for Mayor for a four-year term

Donna Benfield	201 Millhollow Road
Irven Hill	643 Countryside Avenue
Shawn Larsen	60 K Street

Nominees for Councilperson for a four-year term
(Three Vacancies)

Rex W. Erickson	440 Reed Street
Adam Stout	460 West 7th South
D. Eric Sundberg	930 South 2nd East
Erick R. Wills	145 South 2nd West
Richard S. Woodland	145 Crestview Drive

Write-in candidate for Councilperson for a four-year term
Bruce Sutherland **126 Birch Avenue**

and a 1st and 2nd Notice of Election of said election having been duly published in the Rexburg Standard Journal, Rexburg, Idaho, as provided by law; and

WHEREAS, the Clerk of said City has caused ballots containing the names of the candidates for said office to be printed as required by law; and,

WHEREAS, after the due and legal election held in said City on November 6, 2007, the Judges of said election have made their returns thereof and this City Council has found that in all manner said election was conducted according to law and has canvassed the same.

NOW, THEREFORE, BE IT RESOLVED BY THE
MAYOR AND CITY COUNCIL OF THE CITY OF
REXBURG, IDAHO:

That the City Council of the City of Rexburg, Idaho, sitting as a canvassing board and having before it the proceedings and returns from the General Municipal Election held in the City of Rexburg, Idaho, on Tuesday, November 6, 2007, does hereby canvas and certify the returns of said election and the results of the voting as shown on Exhibit A.

That said election was duly held during the hours prescribed by law and at the polling places designated.

That the number of ballots cast corresponds with the check list of the voters.

That Shawn Larsen, candidate for the office of **Mayor**, received 1,556 votes and is hereby declared to be duly elected as Mayor for a four year term.

That Rex W. Erickson, candidate for the office of **Council person**, received 2,033 votes and is hereby declared to be duly elected as a Councilperson for a four year term.

That Richard S. Woodland, candidate for the office of **Council person**, received 1,539 votes and is hereby declared to be duly elected as a Councilperson for a four year term.

That Adam Stout, candidate for the office of **Council person**, received 1,506 votes and is hereby declared to be duly elected as a Councilperson for a four year term.

That the City Council of the City of Rexburg, Idaho, shall issue **certificates of election** to Shawn Larsen for a four year term as Mayor and Rex W. Erickson, Richard S. Woodland, and Adam Stout, for four-year terms as Council people of the City of Rexburg, Idaho.

PASSED by the Council on November 7, 2007.

SIGNED by the Mayor on November 7, 2007.

Shawn Larsen
Mayor

ATTEST:

Blair D. Kay
City Clerk

**CITY OF REXBURG, IDAHO
MUNICIPAL ELECTION
November 06, 2007**

Current Time/Date: 02:33:46 06/10/07

Total Number Voting	3129			
Precincts Reporting	13 of	13	100.00%	
MAYOR CITY OF REXBURG				
*** SHAWN LARSEN	1556		49.72%	
DONNA L. BENFIELD	1402		44.80%	
IRVEN HILL	152		4.85%	
Number Over Votes	2		.6%	
Number Under Votes	17		.54%	
.....				
Total Votes	3129			
COUNCIL CITY OF REXBURG				
(Elect 3)				
*** REX W. ERICKSON	2033		21.65%	
*** RICHARD S. WOODLAND	1539		16.39%	
*** ADAM STOUT	1506		16.04%	
D. ERIC SUNDBERG	1018		10.84%	
ERICK R. WILLS	819		8.72%	
Write In	1223		13.02%	
Number Over Votes	78		.83%	
Number Under Votes	1171		12.47%	
.....				
Total Votes	9387			
TOTAL BALLOTS CAST	3129			

Council Member Young moved to approve Resolution 2007-13 as read. Council Member Schwendiman seconded the motion. All voted aye, none opposed. **The motion carried.**

B. Preliminary Plat – Bronze Business Park (6.38 acres) at 814 North Yellowstone Hwy (Blue Ox Development – Aaron Robertson)

Kurt Rowland from Schiess and Associates 310 North 2nd East in Rexburg, presented the preliminary plat on the overhead screen. It is the Jeppsen property. The plan is to build for commercial businesses. The proposal includes a business park in the front area of the lot with 4-plexes in the back of the lot with a road going through the property.

Mayor Larsen asked if the only access is off North Yellowstone Highway. Currently, this is the only access.

Council Member Young asked if any existing buildings would be torn down. Mr. Rowland explained there is a house and a Quonset to be torn down.

Planning and Zoning Administrator Gary Leikness explained the Planning Commission recommended approval with conditions, plus a temporary turnaround for the development. He also explained this preliminary plat is to split the lot. Once the preliminary plat is approved, a zone change will have to be made.

Council Member Mann asked if the development will look like a warehouse development or a retail development. It will look more like a retail development.

Council Member Young moved to approve Preliminary Plat for Bronze Business Park with conditions as recommended by Planning and Zoning. Council Member Stevens seconded the motion. All voted aye; none opposed. **The motion carried.**

C. Final Plat – Amend Henry’s Fork Plaza Div. #2 – (11.29 acres) at 957 South Yellowstone Hwy (Futures of Idaho – Rick Hancock)

Council Member Stevens declared a conflict of interest on this property. He stepped down from the dias.

Kurt Rowland from Scheiss and Associates 310 North 2nd East Ste 125 in Rexburg presented a plat change for the center of the development. A larger box store was planned in the center of the development. However; there were no buyers, so they are taking the big box lot and changing it to smaller lots.

Council Member Mann asked if existing property owners were agreeable to the design change. Mr. Rowland said all property owners are agreeable and are willing to sign the new plat.

Council Member Young reviewed the parking for the development. Planning and Zoning Administrator Gary Leikness said the Planning Commission recommended the approval for this proposal. Before another building permit is approved, a master site plan will be reviewed for adequate parking.

Council Member Mann moved to approve the final plat for Henry’s Fork Plaza Division 2 with the recommended conditions. Council Member Young seconded the motion. All voted aye, none opposed. **The motion carried.**

Council Member Stevens joined the City Council on the dias.

D. Letter of Intent – cloud seeding discussion – Curtis Ray

Mayor Larsen reviewed a letter from the High Country R, C & D. They are asking Rexburg to participate in a cloud seeding program.

Curtis Ray presented a plan to raise funds for cloud seeding to increase precipitation about 10% each year cloud seeding is done. Cities, counties, canal companies, etc. are involved in the project. He explained eight counties have currently agreed to participate. The goal is to raise \$120,000 for the project. They have currently raised approximately \$95,000. A company called “Let It Snow” will do the cloud seeding. It will be done from December 1, to March 1. The seeding would be done in the mountains.

The request is for \$2,100 per year for a five year commitment. Council Member Mann asked for more information and for more time to make a decision. He asked if it would be possible to make a decision on

this at the next meeting. Council Member Young agreed. He would like to see a track record of what kind of success rate cloud seeding has had in the past.

Mayor Larsen asked for this item to be put on the agenda for November 28.

E. Preliminary Plat for Rock Creek Hollow, Phase 2

Vern Muir at 336 Eagle Summit representing Sainsbury Construction presented Phase 2 of Rock Creek Hollow on the overhead screen.

Mayor Larsen asked about a plan for consistent fencing in this development. Mr. Muir explained Phase 1 of this development deals with the exterior on Pioneer Road and Mariah Avenue.

Planning and Zoning Administrator Leikness presented the staff report. The Planning Commission recommended a plan to show separation from housing, streets, green area etc. so they can see where the buildings would be located on the plat. Density was a concern for the Planning Commission. The Planning Commission wanted a green strip for a snow storage area. Mr. Muir said there would be two parking spaces per unit in a garage. This would allow for clear fire lanes. City Attorney Zollinger clarified the parking requirement to have excess parking area for visitor parking.

Mayor Larsen and Council Member Stevens complimented the plan.

Council Member Stevens moved to approve the preliminary plat for Rock Creek Hollow, Phase 2 subject to staff approval. Council Member Benfield seconded the motion. Discussion: The motion includes Planning and Zoning recommendations. All voted aye, none opposed. **The motion carried.**

Staff Reports:

Public Works report on Projects: John Millar

Public Works Director Millar review the following projects:

- Parking lot in the north alley is on schedule. Concrete will be poured by next week.
- South Arterial project is scheduled to open November 15. Signs and fencing need to be put in first. Council Member Mann asked for a grand opening ribbon cutting for University Blvd. The ribbon cutting could be done later.
- Waste Water Treatment Plant upgrade should be completed in about three weeks. All equipment is in and the electrical work is being finished.
- Pathway by Cal Ranch to the east and south has been paved. A temporary bridge will be put in to connect onto Barney Dairy Road.
- The parking lot project at the Municipal Golf Course has been bid. The project was awarded to TMC Contractors. A \$15,000 grant received from Ride Share will help pay for the parking lot. The Ride Share grant was received about two years ago. The INL employees may use the lot instead of parking in town by the theatres.
- Bridge on 4th North by Barney Dairy Road will be bid and installed next spring. This project will create a t-intersection at 4th North and Barney Dairy Road.

- Currently a list is needed to decide what projects to do next year. The overruns on the South Arterial project may change some of the work next year.
- Small paving projects are being reviewed for next year. Some of these projects include:
 - 7th South project (2nd West to South Hwy) may be impacted by the funding issues. Council Member Schwendiman reviewed the possibility of additional funds to cover the South Arterial overruns.
 - 2nd East and 2nd West
 - Piece of Road on 4th North (by Dr. Crouch's house) needs about 400 feet to be reconstructed.
 - North 1st East has piece of road in poor condition as well.
 - Hospital street project is on the proposed list for 2008.

Mayor Larsen asked Public Works Director Millar to prioritize projects. He will have this list for the next City Council meeting for review and approval.

- Joint storm water and sanitary sewer system east of 2nd East and west of Millhollow Road has been engineered with a pumping station (just east of the Cresthaven Church) which will pump into existing sewer lines. The staff is proposing to work with property owners to complete the project. The city would have to fund part of the project up front out of the capital sewer fund. Each property owner would pay all costs (principal plus interest) based on their share.
- Sunrise Drive project will be carried over to 2008.
- Mayor Larsen asked about restricting parking in-front of the Post Office on the street to 45 minute parking per a letter request from the Post Office.
- Council Member Benfield asked about the parking restrictions on Millhollow Road. No Parking signs went up last week. The neighborhood meetings on the street remodel at Lincoln School discussed the need for restricted parking if the street was built at a narrow width.
- Council Member Stevens asked if dumping of dirt is allowed on city property. This is not allowed unless prior approval was given.
- Council Member Stevens asked about a four way stop at 2nd East and 7th South. It will be discussed at Traffic and Safety. Council Member Young would like the intersection widened. Drivers are making u-turns in go the opposite direction because they can't get onto the road.
- Two signals on Main Street have been review by ITD. Main and Center, and Main and 1st East. ITD was approachable to changing the design of the intersections to improve traffic flow. It would be a jointly funded project. A dedicated left turn lane would be part of the plan. Reverse diagonal parking is being discussed as a method of parking on Main Street.

Calendared Bills and Tabled Items:

A. BILL Introductions: - NONE

B. First Reading: Those items which are being introduced for first reading. - NONE

C. Second Reading: Those items which have been first read. - NONE

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

Tabled Items: Those items which have been the subject of an affirmative vote to a motion to table: - NONE

Old Business:

A. Ride share lot located on Airport Road (grant funded)

A \$15,000 grant from Ride Share will help pay for the parking lot at the Municipal Golf Course. The Ride Share grant was received about two years ago. INL employees may use this lot to park their cars during the day instead of parking in town by the theatres.

B. Resolution 2007-12 (Rexburg Utility Payment Assistance (RUPA)): Richard Horner

Finance Officer Richard Horner presented Resolution 2007-12. It is a utility bill assistance program to invite utility bill payers to contribute money into a fund managed by the county indigent board. City utility payers could participate in the program. This money would go to other utility bill customers who are unable to pay their own utility bill.

Council Member Young asked if other cities have a similar program. Other cities have implemented similar programs and have found them very successful. Finance Officer Horner said the city would pay the administration fees for the program out of the utility account.

Council Member Mann moved to approve Resolution 2007-12; Council Member Schwendiman seconded the motion; all voted aye, none opposed. **The motion carried.**

Mayor's Report:

Mayor Larsen explained the INL Waste Management Plan was distributed to the City Council. The INL is requesting community leaders respond to this plan. A public meeting will be held in Idaho Falls on November 15, 2007 for comments for written comments to go back to the Department of Energy would also be accepted.

Mayor Larsen explained the AIC is sponsoring a legislative luncheon and academy called an "Academy for Legislators" in Idaho Falls on November 30, 2007.

Calendar:

November 28: Joint Meeting with Planners at 6:00 P.M.

November 28: City Council Meeting at 7:00 P.M.

December 5: City Council Meeting at 7:00 P.M

December 13th: City Christmas Party

Public Works Director John Millar requested an executive session.

Council Member Benfield moved to go into executive session pursuant to State Statute 67-2345 for legal advice. Council Member Young seconded the motion; Roll Call Vote:

Those voting aye

Christopher Mann
Bart Stevens
Donna Benfield
G. Farrell Young
Randy Schwendiman

Those voting nay

NONE

The motion carried.

Adjournment

Shawn Larsen
Mayor

Attest:

Blair Kay
City Clerk