

City Council Meeting

August 20, 2008



CITY OF
REXBURG
America's Family Community

12 North Center
Rexburg, ID 83440

blairk@rexburg.org
www.rexburg.org

Phone: 208.359.3020 x313
Fax: 208.359.3022

August 20, 2008

Mayor Shawn Larsen

Council Members:

Christopher Mann – Council President
Rex Erickson Randy Schwendiman
Bart Steven Richard Woodland
Adam Stout

City Staff:

Stephen Zollinger — City Attorney
Richard Horner – Finance Officer
John Millar — Public Works Director
Val Christensen – Building Official
Blair Kay — City Clerk

7:00 P.M. City Hall – Pledge to the Flag

Roll Call of Council Members:

Present: Council Member Mann, Council Member Stevens, Council Member Schwendiman, Council Member Woodland, Council Member Stout and Mayor Larsen.

Excused: Council Member Erickson

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

Presentations:

Blake Hall at 455 South 2nd East and Casey Nugget from “Impact Promotions LLC” requested city participation for the Madison Memorial Benefit Bash featuring singer, song writer Collin Raye. The benefit event is for the hospital’s new neonatal intensive care unit and it will be held Saturday, September 27th, 2008 at community ball fields at Madison High School. The gates will open at 6:00 P.M. with \$4.50 of each ticket going towards the neonatal intensive care unit. The second goal of the event was to bring a family event to Rexburg for the community and BYU-I Students. They requested the city to offer free banner space over the street by the county Court House. They asked the city to waive any other fees associated with this event including police and ambulance participation at the event to ensure the security of the attendees. They asked for some bleachers for people unable to stand and traffic control support. The final request was to have a city electrician on site for support.

Council Member Stout joined the meeting.

Council Member Stevens asked if BYU-I students were the targeted audience for the event. The event is for the benefit of the entire community. The advertising will go from Rigby to Victor and Driggs, Idaho. The event will be at the community ball fields. The stage will be brought in and placed on the west side of the fence in the dirt area.

Council Member Schwendiman reviewed some of the event criteria concerning revenue, etc. A local band from Victor will open the event. They would like to get the banner up on Main Street as soon as possible including information for the event on the Westwood Marque. The concert will end before 10:00 P.M.

Council Member Mann asked if the city had a qualified electrician to donate services for the event. The bleachers are for the elderly, and those who can not stand for a long time. Council Member Schwendiman asked City Attorney Zollinger if liability issues were a problem. Attorney Zollinger has reviewed their liability insurance for the event through the hospital’s foundation review. Council Member Woodland asked about cleanup. The cleanup committee is the organizers and their staff.

Council Member Stevens asked if the high school was taking care of the parking issues. They checked the high school schedule and there are not any conflicts with other high school events.

Council Member Woodland moved to approve the “Impact Promotions LLC” request for Madison Memorial Benefit Bash featuring singer, song writer Collin Raye; Council Member Schwendiman seconded the motion; all voted aye, none opposed. **The motion carried.**

Committee Liaison Assignments for 2007:

A. Council Member Chris Mann *Museum Committee · Beautification Committee · Emergency Services Board*

Council Member Mann said Emergency Services interviewed eight individuals and then they brought three individuals in for a final interview. After the interviews they offered the Fire Chief's position to Corey R. Child from Gustavus, Alaska. He will be here September 01, 2008 replacing Chief Larsen. The position is an exempt position and although Chief Child has the fire skills and the EMT skills, he will not be in the rotation for coverage. Mayor Larsen said the retirement party for Spence Larsen is Thursday, September 04, 2008 from 3:00 P.M. to 5:00 P.M.

City Attorney Zollinger explained four working lineman positions have been posted and they will be added to Emergency Services in the 2009 Budget.

B. Council Member Rex Erickson *Golf Board · Planning & Zoning · Rexburg Redevelopment Agency*

C. Council Member Bart Stevens *Airport Board · Romance Theatre Committee · MYAB · School Board*

Council Member Stevens reported 75 applicants have applied for the Mayor's Youth Advisory Board. Jordyn Bochenek is helping organize the MYAB in Amanda Saurey's absence this year. The Police Department has established the Hall of Fame to recognize officers and their achievements in the department.

D. Council Member Randy Schwendiman *Parks & Recreation · Traffic & Safety Committee*

Council Member Schwendiman said Traffic and Safety will meet after the summer break in September. Mayor Larsen indicated Kirsty Geisler is planning a meeting with all of the city committee chair persons. There will be some training offered to help them organize the committees.

E. Council Member Richard Woodland *Rexburg Arts Council · IBC Committee · Tabernacle Civic Center*

Council Member Woodland reported on some maintenance work completed at the Tabernacle. The Tabernacle Committee has not met this summer. The ADA lift has been ordered for the north entry stairs coming into the tabernacle. The lift will be a nice addition to the Tabernacle.

F. Council Member Adam Stout *Legacy Flight Museum · Trails of Madison County*

Council Member Stout had nothing new to report. **Mayor Larsen** indicated the bike path between Rexburg and Sugar City is being paved this week. The path will stop at the canal for this phase of the project.

Public Hearings: - None

New Business:

1. Pinebrook Estates Division 2 Final Plat – Kurt Roland (Schiess & Associates)

Kurt Rowland from Schiess & Associates at 7103 South 45th West, Idaho Falls reported on the application for the final plat of Pinebrook Estates Division 2. He was representing the developer, Curtis Ferney. The only requirement from Planning and Zoning was to change one road name which has been done. They are waiting for a decision from Public Works Director Millar on the pressure sewer line from Sugar City to the Rexburg sewer plant. They will be a participant on this new line. Mayor Larsen asked if there was a resolution to the questions neighbors had with the roads leaving the subdivision at points across the road from existing homes. The Planning and Zoning Commission decided to leave the roads where they are currently located. City Attorney Zollinger explained there was a lot of discussion concerning the placement of the roads. It was decided to leave the roads where they are currently located because there wasn't a place to locate the roads without impacting homes in the area with headlights. The current alignment is as good as any other location. There was not any consensus concerning the question of having the roads go through the properties adjacent to the subdivision on the north side.

Council Member Mann was hoping the road locations would have been worked out with Mike Mitchell. Mr. Rowland said it would have been the fourth road change on the plans since working with the city on the project.

Council Member Schwendiman asked about the roads locations. Are they the same as last time? **Mr. Rowland** said yes.

City Attorney Zollinger said the roads in question were located within a few feet of the grid system. Lot (12) north of the Child's existing home may become open space or it will be joined to another lot. There will not be lot access to 12th West from the frontage lots. Mayor Larsen asked the City Council if they were concerned with the number of lots in the subdivision without any open space. Lots 14 and 15 (about a two acre park) have been designated for open space. There is a Home Owner's Association for the subdivision which will take care of the open space maintenance. Curtis Ferney reviewed the greenway areas and who is responsible for the greenways. The adjoining Pinebrook Subdivision Division No. 1 will belong to this neighborhood association or they will create their own. Council Member Stevens asked who would keep the maintenance. Curtis Ferney said the Neighborhood Association for the subdivision.

Council Member Schwendiman asked how the Home Owners Association would be established. **City Attorney Zollinger** said the Home Owners Association would be recorded with the plat before any lots could be sold.

Council Member Schwendiman asked how the city would be assured the Homeowners Association would be created.

City Attorney Zollinger said the Home Owners Association has to be organized and recorded with the plat in advance of lot sales; then it becomes an entity with some responsibility. Curtis Ferney mentioned the existing subdivision has a pond in their open space which may be a liability problem the new homeowners association will not want to accept.

Mayor Larsen asked about the requirements for 12th West.

Public Works Director Millar explained curb, gutter, and sidewalk would be required on 12th West.

City Attorney Zollinger said ribbon curbing is required on RR2 without a gutter. Public Works Director Millar said the Child's property would have to be worked out.

Council Member Stevens asked about street widths: 68 foot wide streets and 100 foot cul-de-sacs.

Mayor Larsen reviewed the berm across the front of the development. He asked about fencing. There will not be any fencing along 12th West; however, some fencing applications make sense. Curtis Ferney said the berm along 12th West would be better than a fence if it is done correctly. Mayor Larsen asked if fencing was a requirement in the city's subdivision ordinance. In some applications it would really make sense. Public Works Director Millar was not aware of a fencing requirement. Council Member Stevens indicated a berm would look very nice if done correctly.

Council Member Stevens moved to accept **Pinebrook Estates Division 2 Final Plat**; Council Member Schwendiman seconded the motion; Discussion: Planning And Zoning Administrator Leikness requested adding: subject to the conditions recommended from Planning and Zoning (*with the condition that all lots fronting 12th West will have no access onto 12th West, and requiring that the Development Agreement with the city be in place prior to the final signing of the plat*) and Council Member Stevens said it would be noted on the plat. Curtis Ferney added it would be noted on the plat plus CCR's and bylaws would be noted on the plat; Council Member Stout asked if the berms and development agreement would be documented? Public Works Director Millar said the location of the berm will be noted on the plat. The structural requirements and payment method for the berm will be in the development agreement. 12th West access restrictions would be in the development agreement. All voted aye, none opposed. **The motion carried.**

2. Variance for increased building /Parking lot lights height for the new Madison High School (Johnny Watson - JRW & Associates)

Johnny Watson - JRW & Associates at 1152 Bond Avenue reviewed the proposal. Lighting elevations were reviewed for the proposal. The majority of the building exceeds the 30 foot limit allowed in Transitional Agriculture 1 (TAG1). The auditorium (modified fly) is about 59 feet tall and the gymnasium is about 40 feet high. The building is 250 plus feet off the property line avoiding the shadow problems.

Council Member Schwendiman moved to grant variance for building height; Council Member Stevens seconded; all voted aye, none opposed. **The motion carried.**

Johnny Watson reviewed the lighting proposal for the new high school. Todd Paine is their electrical engineer and their goals are safety, safety, safety, to be in scale with the building height, preserve night sky, and other environmental safety goals. The city's code is somewhat restrictive to accomplish the aforementioned goals because it limits the type of lamps, pole height, etc. They are

proposing to install 40 foot poles and metal halide bulbs: ***Metal halide lamps**, a member of the [high-intensity discharge \(HID\)](#) family of lamps, produce high light output for their size, making them a compact, powerful, and efficient light source. Originally created in the late 1960's for industrial use, metal halide lamps are now available in numerous sizes and configurations for commercial and residential applications. Like most HID lamps, metal [halide](#) lamps operate under high pressure and temperature, and require special fixtures to operate safely. They are also considered a "point" light source, so reflective [luminaires](#) are often required to concentrate the light for purposes of the lighting application.*

Mr. Paine did Lighting Plan One, an independent expert did Lighting Plan Two with similar material as Plan One, and the third Lighting Plan was done by the city's design ordinance. Plan One is the best plan for safety with better foot candles. Mr. Watson gave the example of the Burton School's entry way lighting which conformed to the city's code; however, the right-of-way is not lit by these lights, so the city will have to come back and light the right-of-way at additional expense. Plan One with more even lighting allows for lighting the right-of-way without going into the adjoining neighbors property. The problem with the design ordinance lighting is it emits hot spots, then dark spots and the lens loose color with is a safety issue by muting the ability to distinguish the color of cars and people, etc. The city's code would require twice as many poles and lamps at an additional cost of \$51,000 over the preferred safest Plan One.

Council Member Woodland asked if the poles would be 40 feet. Yes. Mr. Watson referred to Mr. Paine's letter indicating the height of the pole does not control the amount of light; it is controlled by the light's head. More light would go to the right of way in Plan One for safety's sake.

The City Council reviewed the three proposals. Plan One allows more even light and it meets the requirements for night sky with Metal Halide lamps. The important thing is the foot-candles of light. The 40 foot poles allow even lighting for the area. Mayor Larsen mentioned the city's Main Street uses high pressure sodium lights with an amber color. Council Member Stevens indicated the University uses the same lighting as Plan One with a white light on ball fields, etc. Mr. Watson indicated the lighting for the new high school would look like a forest with the city's lighting code due to smaller poles against a taller building and less even lighting. The current lighting at the existing high school was discussed noting there is inadequate lighting behind the school.

Council Member Mann said it was a good compromise and it is very workable. The lighting will be on photo cells. Some of the lighting if desired can be controlled to turn off during the evening.

Council Member Schwendiman agreed with Planning and Zonings review.

Council Member Schwendiman moved to approve the variance for 40 foot high light poles and ***Metal halide lamps*** as noted in lighting Plan One (recommended by Planning and Zoning); Council Member Woodland seconded the motion; Discussion: Planning and Zoning Administrator Leikness asked for the lighting plan to be approved parcel specific; City Attorney Zollinger said the proposal is specific to these two requests, not the whole parcel. Mr. Watson indicated he had never seen a project's approval expanded beyond the proposal on the table. All voted aye, none opposed. **The motion carried.**

Johnny Watson - JRW & Associates at 1152 Bond Avenue referenced the previous meeting where he said some structural steel for soccer goals would be made available for recreation. Mayor Larsen asked Mr. Watson to talk to Bob Yeatman, the city's Recreation Director. The steel goals will be designed with skids to slide off the field for others to use the field like the Madison Lyons football organization.

3. Resolution 2008 - 17 adopting standards and specifications from the Idaho Standards Public Works Construction and Supplemental Conditions:

- a. Streets/sidewalks
- b. Waterlines
- c. Sanitary Sewer & Storm Drains
- d. Water Rights

Public Works Director Millar reviewed the proposal. The city has used Idaho Standards Public Works Construction and Supplemental Conditions for years. He asked to have the standards adopted for the city code. The various standards would become specific standards for the city.

City Council Member Stevens asked if other codes addressed the sidewalk requirements. They are included in other city standard cross sections. Mayor Larsen asked for the cross section to be included in this resolution. Council Member Woodland asked to include the same standards for

sidewalks as are specified for streets. Council Member Stevens said the seven foot sidewalk separation from the curb allows for different specification for sidewalks and streets.

City Attorney Zollinger explained city right of way would require any reconstructions to following these standards. He gave an example of Rexburg Heights being annexed at some point; when their streets are reconstructed, the city right-of-way portion would have to comply with the city reconstruction standards.

Council Member Schwendiman asked if annexable properties would be required to come up to these standards. City Attorney Zollinger said they would be required to do any new or reconstructions (streets, water, and sewer) up to city standards when the project was considered. Water and sewer lines would be more difficult to reconstruct. The city would not be aware of the bedding material type or depth of material used for water and sewer lines, and the thickness of the bedding material used on the streets.

City Attorney Zollinger explained the standards to do LID street construction. Council Member Stevens had questions on stub outs. Public Works Director Millar said it was not well stated in the code. City Attorney Zollinger reviewed code issues indicating the required changes would be made before publication.

Council Member Woodland asked if the sewer depth requirement was stated in the code. Public Works Director Millar stated where basements are allowed the city's minimum sewer depth is ten feet.

Council Member Stout asked about manholes being at street level. Public Works Director Millar stated the manhole cover is at the correct level; however, settling has occurred at some locations causing the appearance of a high manhole cover. There is a settling problem with the street around the manhole at Mariah Avenue and Trejo Street intersection which is going to be redone.

Council Member Stout asked how street cross section was developed. Public Works Director Millar stated a previous city engineer developed the cross sections with experience and judgment. Residential collectors have different designs verses a major collector.

City Attorney Zollinger reviewed the 12 different cross section standards (68 feet) used by the city. City Attorney Zollinger reviewed variance process to change the standards. The RR2 Zone cross section was given as an example of a recent change to the street cross section standards which was done by resolution. Variance Process one: Engineering reviews specifications for cross sections and they review the development of new street cross sections. Variance Process two: Layout configurations (two dimensional cross sections) are reviewed by Planning and Zoning. Discussion of a previous application to install a 24 foot street; however, the city does not have a 24 foot cross section standard.

Discussion on construction project stake out inspections; where the property line is not located. Some properties do not have pins indicating the property line locations. The city's GIS 2007 photo program is the only tool available to identify property lines without having survey pins installed.

Council Member Stevens moved to adopt **Resolution 2008 - 17** adopting standards and specifications from the Idaho Standards Public Works Construction and Supplemental Conditions; with changes noted to water line service stub outs; Council Member Schwendiman seconded the motion; all voted aye, none opposed. **The motion carried.**

Staff Reports:

Public Works: John Millar

1. Report on Project
 - a. LID bid for curb, gutter and sidewalk had four bidders. The city estimate was about \$133,000 and the bids came in from \$177,000 to \$215,000. The cost would be \$150.00 per square yard to replace sidewalks. Public Works Director Millar asked to repackage the bid to reduce costs. Private individuals could contract on their own to reduce costs with city inspections. Council Member Mann said it is getting late to do the project this year; Public Works Director Millar said the project would carry over to next year.
 - b. Sewer line project on hill going very well.
 - c. River Side Park leveling upcoming with computerized dozer.
 - d. Millhollow Road triangle is under construction. Sprinklers are in sod and trees coming.
 - e. Mound at Hidden Valley Park has sprinklers with hydro seeding coming.
 - f. West States Detention Pond is being completed at Mariah and Trejo. Council Member

- Stout said a “No Littering” sign is needed at the detention pond.
- g. Stonebridge Development discussion on parking on the street.
- h. Sound fence at Cresthaven (Sunrise Drive) is completed.
- i. Veterans Monument in Smith Park is moving forward with grass and sprinklers.

Finance Department: Finance Officer Horner

- a. Monthly Budget Summary Report

Finance Officer Horner reviewed the 10th month monthly budget summary. He asked for approval for a public hearing to amend the 2008 Budget; amendment items were previously approved by the City Council.

CITY OF REXBURG

BUDGET TOTALS WITH AMENDMENTS FY 2008

FUND	ORIGINAL	AMENDMENT	FINAL	REVENUE	EXPENSE
GENERAL FUND	6,252,100	16,600	6,268,700	Grants	Police equipment
STREET FUND	2,528,700	2,500	2,531,200	Additional revenues	Share of Parking Lot
RECREATION FUND	210,100	28,400	238,500	Additional revenues	Additional or expanded programs
TABERNACLE OPERATIONS FUND	74,000	22,000	96,000	Grants & Gen Fund Transfers	ADA ramp, wages, repairs
BUSINESS PARK FUND	-	155,000	155,000	Sale of land	Land Purchase
JOINT FIRE EQUIPMENT FUND	354,800	210,200	565,000	Additional revenues	Ladder truck
FIRE IMPACT FEE CAPITAL FUND	71,600	31,700	103,300	Carryover balances	Transfer to Joint Equipment Fund
BUILDING SAFETY & P&Z FUND	1,374,900	44,000	1,418,900	Additional revenues	Share of Parking Lot
DOWNTOWN REVITALIZATION FUND	665,000	78,500	743,500	Additional LID & Sewer revenues	Additional LID & Sewer expenses
ROMANCE THEATRE FUND	67,500	10,500	78,000	Grants & admissions	Film screen & programs
STREET NEW CONSTRUCTION FUND	1,262,400	1,821,700	3,084,100	Contributed Capital, Contributions & Carryovers	Contributed Capital & Street projects
MAYOR'S YOUTH COMMITTEE FUND	5,000	1,000	6,000	Additional fundraising	Additional projects
INTEROPERABILITY GRANT FUND	-	1,100,000	1,100,000	Grant Received	Communications Equipment
GOLF COURSE CONSTRUCTION FUND	572,500	97,500	670,000	Loan	New 9 holes
SEWER PLANT CONSTRUCTION FUND	-	300,000	300,000	Capital Reserve Fund	Finish 2007 upgrade
LID 31 DEBT SERVICE FUND	69,500	56,000	125,500	Prepaid Assessments	Prepay warrants
LID 32 DEBT SERVICE FUND	26,000	21,000	47,000	Prepaid Assessments	Prepay warrants
LID 33 DEBT SERVICE FUND	40,500	60,000	100,500	Prepaid Assessments	Prepay warrants

CLARK FAMILY BENEFIT FUND	-	279,100	279,100	Contributions	Trust Expenditures
NON-AMENDED FUNDS	23,701,500		23,701,500		
GRAND TOTAL EXPENSE	37,276,100	4,335,700	41,611,800		

Totals of amended funds	13,574,600	4,335,700	17,910,300		
-------------------------	-------------------	------------------	-------------------	--	--

The Interoperability funding was a fire grant. City Attorney Zollinger explained the new nine hole golf course was reported to be \$16,000 below budget. This 9 hole golf course has been reported in a national golf magazine as the least expensive golf course in America for under \$1,000,000. A comparable county golf course outside Portland is \$16,500,000 for an 18 hole golf course. The nine hole contract is on for completion in 2009.

Council Member Mann moved to post notice for a public hearing September 03, at 8:00 P.M. to amend the 2008 Budget; Council Member Stevens seconded the motion; all voted aye, none opposed. **The motion carried.**

BILL 1011 for Appropriation Budget Ordinance Discussion:

Council Member Schwendiman was concerned with operation revenue lagging behind the expenses. The general revenue has increased. There are some revenues booked at the end of the year. Anything over \$25,000 expense will come to City Council for approval. Equipment bidding needs formal bids over \$50,000. **Council Member Stevens** would like to see the budget packet earlier to review. Finance Officer Horner explained the information was the same as provided in the previous meeting except for item #5.

Council Member Schwendiman would like to know the associated operating costs for the \$2 millions added to the budget for waste water plant improvements. Council Member Mann indicated the funding amount of \$2 million should be in the budget for the waste water plant even though the projected expenses are not available at this time. Mayor Larsen indicated the two options for the waste water plant improvement will vary in cost. One is that all of our well water rights can be put into one package. The other suggests that we give up one cubic foot and in return obtain three wells. The \$2 million is a place holder in the budget for the project. He asks why we are currently only drawing 37 percent. Public works director Millar stated that this was due to the fact that our withdrawal rate in 365 days a year equals a certain volume. This is directly related to the 3 million gallons of water used in the summer and 14 million used in the winter (as an avg.).

Public Works Director Millar explained the city is receiving a study for water and waste water. The study cost \$49,500 for water (Keller Engineering) and \$50,000 for waste water (Williams Engineering). The total grant of \$100,000 paid for the water and sewer study. The city has applied for three new water wells. Adjudication process is going to the courts this month. The city is using 37% of the city's ground water pumping allocation rate because of the way the calculation is done. The city has 60 cubic feet per second of (Industrial) water rights in the Teton River. It is one of the best water rights in the valley. Public Work Director Millar discussed the State of Idaho's adjudication process for validating the user's water rights in the state. Rexburg's water rights will be given state statutory validity through this process. The court is reviewing the process at this time. An old (unrecorded) city well was approved through this process. In exchange (mitigation or by replenishing the aquifer) for this water right the city is seeking three new pumping wells. Currently, the city is leasing 11.5 CFS of this water to an irrigation development which showed a beneficial use of the water right. The city's current withdrawal rate of water in the winter is 3 million gallons per day. In the summer the withdrawal rate is about 14 million gallons per day. Adding an additional water storage tank (1.5 million gallon) would let the city utilize the city's water right more efficiently. The allowed withdrawal rate from the city wells would be changed from CFS to a volume calculation.

Notes: From minutes August 6, 2008. *The city's water wells are approved to pump 19-20 cubic feet of water per second 24 hours a day seven days a week. Farmers are allowed an allocation by acre feet of water. If the city was allocated the same cubic foot water right by acre feet, the city could have additional wells. It is the discharge rate that restricts the city's water pumping capacity. A volume calculation would allow the city to pump at whatever rate (cubic feet of water per second) the city desired. This would spread the city's water right out over three new wells. The city will not drill all three wells next year; however, an additional well could be drilled at the elevated tank on the hill, another one out at the north well; and the third one at the new high school property west of town. The wells would be drilled below the upper levels of water close to 300 feet deep. This would avoid any chloroform problems.*

Mayor Larsen discussed the topic of using windmill power to improve the water flow of the city's water. Rexburg simply does not have sufficient land to allow windmills; neither would it be practical for residential windmills to be used to take care of the problem. However, the city may get requests for windmills to be used in people's backyards for their use. Public Works Director Millar speculated there is a lack of topography in the city to substantiate a windmill operation. The City Council discussed windmill costs and possible heights of windmills to be cost effective.

Set aside monies for the Main Street project:

Council Member Stout suggested adding text to the budget that states that none of the money will be spent until due consideration has been taken. Mayor Larsen suggested adding such a notation to number four of the Memorandum of Understanding concerning the \$2 million dollar waste treatment plant budget item. He then made a motion to discuss Main Street, and the \$350,000 allocated to improve it by widening the road, in which he stated that he believed the project should be wrapped due to an alleged carryover in the budget. Mayor Larsen then stated that he wants to move the project up, and believes the current look of Main Street should be improved. Council member Schwendiman stated that he didn't think Main Street should be the number one priority with the current budget. Mayor Larsen explained that there is \$100,000 in the downtown urban renewal project that could be used for Main Street. The \$350,000 the city has been allocated this year (2008) has already been spent; however there is another \$350,000 for 2009 as well. Council member Schwendiman suggested we try to obtain the money through grants instead of city funds. Mayor Larsen stated that a final decision on the issue has not been made, and that before they deliberate any longer about Main Street, they should take a fieldtrip to Pocatello to observe the changes that community has made in comparison to Rexburg. He also suggested the business owners come in and voice their opinions on the matter. They discuss the possibility of an L.I.D.

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

1. **BILL 1011** for Appropriation Budget Ordinance

Council Member Mann moved to second read; council Member Stevens seconded; Discussion: Council Member Stout was not ready to vote without more discussion on the \$2 million added to the budget for the waste water treatment plant upgrade. He asked to add clarifying language to item four (*change noted below*) on the "Statement of Understanding" showing the City Council's intention for the 2009 Budget:

STATEMENT OF UNDERSTANDINGS
(2009 Budget)

- 1) \$36,300 was taken off of Transfers to Police Impact Fee Fund and added into Contingency in the General Fund.
- 2) Expenditures, including all capital items, will be managed so that short falls in total revenues are offset by cutbacks in expenditures in the General and Street Funds.
- 3) \$350,000 of street funding has been allocated to the Downtown Revitalization Fund in 2008, and in 2009 an additional \$350,000 will be allocated to be used for construction to make the downtown more pedestrian friendly. Construction, operating and maintenance costs will be reviewed and approved by the City Council before any funds will be committed to this project. If the City Council finds a higher priority for these funds, these funds can be transferred to a higher priority street project.

- 4) *\$2,000,000 was added to the budget for possible upgrade of the Wastewater Treatment Plant. Construction, operating and maintenance costs will be reviewed and approved by the City Council before any funds will be committed to this project.*
- 5) All construction projects over \$25,000 and their related operating and maintenance costs will be reviewed and approved by the City Council before any funds will be committed to the project.

Council Member Stout asked about eliminating the \$350,000 allocated in the street budget for the Main Street Project due to possible carry over expenses and other projects. Council Member Mann would like to move the Main Street Project up on the schedule. He referenced the Pocatello downtown project and how it improved downtown Pocatello. It is a great project to make downtown Rexburg more pedestrian friendly. Council Member Schwendiman does not have Main Street as a priority. Council Member Stevens reviewed the previous discussions concerning the downtown project and he proposed splitting the cost of the project over two years. He did not want to scrap the proposal to improve the downtown area after coming to an agreement with downtown merchants. He said the project could be pared down to three years instead of two years. The City Council could change the allocation in a future discussion.

Council Member Schwendiman would like to have the ability to open up the budget and move the money into higher priority projects later if needed.

Mayor Larsen reviewed the allocations of \$350,000 in 2008 and the current allocation of \$350,000 for 2009 which were planned to be added to the ITD allocation (\$300,000 for 2 street light upgrades) for upgrading two street lights on Main Street. He offered a possible solution: A Community Development Block Grant may be possible through the State of Idaho Department of Commerce. Urban Renewal funding could contribute up to \$100,000. The Urban Renewal Board has approved a study to include the Hemming Property in an Urban Renewal District. Mayor Larsen recommended maintaining a plan for the redevelopment of the Downtown Project. The City Council continued to discuss the downtown project. The Idaho Transportation Department (ITD), Community Development Block Grant (CDBG), Local Improvement District (LID), and Urban Renewal funds are other possible sources of revenue for the project. Council Member Stout reviewed the loss of parking and sidewalks in the Main Street proposal for the redevelopment of downtown. Council Member Woodland commented on the lack of downtown

Mayor Larsen reminded the City Council of previous public discussions to improve the downtown area including downtown trees. Public Works Director Millar noted nothing has been approved by the City Council to spend any of the set aside funds for downtown. The plan must be authorized by the City Council and it must be bid before the funds can be spent.

Mayor Larsen said a final plan has not been approved by the City Council on the downtown project. Public Works Director Millar said the Pioneer Road project may divert part of the \$700,000 if a road project property is vacated. Finance Officer Horner explained the plan is only a rough draft plan lacking final approval and the bidding process.

Council Member Mann amended the motion to understand the budget monies (\$350,000 in 2008 Budget and \$350,000 in 2009 Budget) are set aside funds for Main Street improvements. These funds can be changed per the following input by Council Member Stevens: It is understood construction and maintenance costs will be reviewed and approved at the City Council level before any funds will be committed to the Main Street project. If the City Council finds a higher priority for set aside street funding, these funds can be transferred to that higher priority project(s). **Council Member Stevens** concurred with the amended motion and he seconded the amended motion; Discussion: back ground on flight museum budget; Finance Officer Horner noted the Airport Museum accumulates funds from revenue projects to purchase additional displays. City Council Member Stevens explained the revenue sources (air show, building rental, etc.) that raise the budget funds. Finance Officer Horner reviewed the current expenses for the Airport Museum stating \$4,400 is spent annually from the city and \$4,400 from the county for insurance. Additional monies have been spent in prior years. Council Member Stout noted the Airport Museum is not planning to have an air show in 2010 due to competing with another air show in the area. Council Member Stout was concerned with the Customer Service losing a full time position. Mayor Larsen said a recreation assistant will move into rotation to assist Customer Service. Mayor Larsen said the plan is to combine departments at some future date to help economize on personnel. Council Member

Stout asked if the four new employees planned for hire could be shared to assist departments in seasonal high points. The City Council reviewed the possibility of sharing employees across departmental lines. Public Works Director Millar explained the summer crews do assist in helping the street crew with snow removal, etc. in the winter. An efficiency recently put in place was auto meter reading (scanning) devices to speed up meter reading. Another item to speed up meter reading would be to use four wheelers. The City Council expressed positive feedback concerning the Rush Triathlon. Mayor Larsen called as amended for a vote on **BILL 1011** for the 2009 Appropriation Budget Ordinance; all voted aye, none opposed. **The motion carried.**

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:

1. **Comprehensive Plan 2020** and Comprehensive Plan Map – Staff
RESOLUTION 2008 – 16 (Adoption of Comprehensive Plan 2020 and Map)

Mayor Larsen reviewed the four areas requesting changes to the Comprehensive Plan.

Area 1:

(Located in the City of Rexburg) 336 W. 3rd N.

It is proposed that the following tract of land currently designated as “**Moderate-High Density Residential**” as shown on the City of Rexburg *Preferred Land Use Map* be changed to “**Industrial**”:

Area 2:

(Located in the City of Rexburg) 208 E. 3rd S.

It is proposed that the following tract of land currently designated as “**Low-Moderate Residential**” as shown on the City of Rexburg *Preferred Land Use Map* be changed to “**Moderate-High Residential Density**”:

Area 3:

(Located in the City of Rexburg) 130 W. 1st S. and 226 S. 1st W.

It is proposed that the following tract of land currently designated as “**Commercial**” as shown on the City of Rexburg *Preferred Land Use Map* be changed to “**Mixed Use**”:

Area 4: (Located in the City of Rexburg)

It is proposed that the following tract of land currently designated as “**Low-Moderate Residential**” as shown on the City of Rexburg *Preferred Land Use Map* be changed to “**Mixed-Use**”:

- A. Legacy Leasing:** 29 South 2nd East, 35 South 2nd East, 45 South 2nd East, 228 East Main, 219 East 1st South, and Located directly behind home at 219 East 1st South

1. 29 South 2nd East:
2. 35 South 2nd East:
3. 45 South 2nd East:
4. 228 East Main:
5. 219 East 1st South:
6. Located directly behind the home at 219 East 1st South:
7. Located directly behind the home at 29 South 2nd East:
8. Located directly behind the home at 35 South 2nd East:
9. Located directly behind the home at 45 South 2nd East:
10. Located directly behind the home at 55 South 2nd East:
11. Located directly behind the home at 65 South 2nd East:

Council Member Schwendiman moved to table **Comprehensive Plan 2020** and Comprehensive Plan Map authorized by **RESOLUTION 2008 – 16** (Adoption of Comprehensive Plan 2020 and Map); Council Member Woodland seconded; all voted aye, none opposed. **The motion carried.**

Old Business:

Mayor’s Report:

1. Celebrate Youth was a great event yesterday.
2. Still working on agreement with the University for Police Coverage.

3. Pending Resolution for a Feasibility Study to qualify Hemming Property in an Urban Renewal Plan.

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.

Minutes:

- A. August 06, 2008 meeting
- B. Approve the City of Rexburg Bills

Council Member Stevens moved to approve the Consent Calendar. Council Member Mann seconded the motion. All voted aye, none opposed. **The motion carried.**

Adjournment

Shawn Larsen
Mayor

Attest:

Blair D. Kay
City Clerk