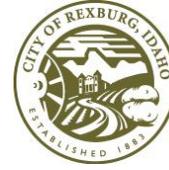


City Council Meeting

December 02, 2009



CITY OF
REXBURG
America's Family Community

35 North 1st East
Rexburg, ID 83440

blairk@rexburg.org
www.rexburg.org

Phone: 208.359.3020 x313
Fax: 208.359.3022

December 02, 2009

Mayor Richard Woodland

Council Members:

Christopher Mann – Council President
Rex Erickson Randy Schwendiman
Bart Stevens Brad Egbert
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:

Council Member Erickson, Council Member Stevens, Council Member Schwendiman, Council Member Egbert and Council President Mann and Mayor Woodland were in attendance.

Council Member Stout asked to be excused.

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

Presentations: - NONE

Committee Liaison Assignments for 2009:

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

Council Member Mann reported the committees did not meet; therefore he did not have a report.

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

Council Member Erickson reported on the Golf Board and the RDA did not meet; however, there were some RDA members attending the City Council meeting for a presentation on the Downtown Redevelopment Plan. The Planning and Zoning Commission met and they have some items on the agenda.

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

Council Member Stevens reported on the meeting with the Madison School District representatives concerning the shared community field's facilities. The meeting was positive; however, Dr. Thomas called Council Member Stevens after the meeting to indicate their side lacks a consensus of direction. The wanted to take some time and revisit the issue in the future. In the mean time business will continue as usual. The Westwood Theatre Committee meeting is tomorrow night at the theatre at 5:30 P.M. to discuss part time rental of the building and restoration projects.

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

Council Member Schwendiman reported on the Traffic and Safety Committee meeting last night. There are a couple of items of concern:

1. Drivers and pedestrians need more education on the new Hawke Signal on 2nd West and 3rd South. There is some confusion on the yellow light and when to stop. Council Member Erickson asked about the island being a problem. You can make it to the outside lane without any problem. It is confusing to some people. You have to understand the light. Council Member Schwendiman asked to have the Traffic and Safety Committee do some public education on the light. IT Director Steve Christenson said the city's home page on the web has a short video on the Hawke Signal's

operation. Pedestrians should not go until the light turns red and the pedestrian light turns green. It is an education process for both drivers and pedestrians.

2. Information on the internet indicates texting while driving is worse than drinking and driving. Council Member Schwendiman provided some driving statistics from the internet:
 - A. Unimpaired drivers take .54 seconds to break for a traffic signal.
 - B. If you are legally drunk add four feet.
 - C. If you are reading an email add 36 feet.
 - D. If you are sending a text message add 70 feet.

Council Member Schwendiman indicated the City Council has discussed restricting these types of activities while people are driving. He felt the discussion would come back to the City Council in the future. The Traffic and Safety Committee has asked if they are doing what the city needs them to do. Council Member Mann explained there is a campaign at BYU-I against texting and driving. They gave out 10,000 blue bands that say “Don’t drive intoxicated.” The City Council asked the students to use the same logic when they are pedestrians; Don’t walk across the street “intoxicated.”

E. Council Member Brad Egbert *Rexburg Arts Council · IBC Committee · Tabernacle Civic Center*

Council Member Egbert and Mayor Woodland reported the Turkey choir was a great success. The windows for Tabernacle are going to be funded partially with grant funding. New windows would help with the heating bill too. Discussion on previous pledges for windows two years ago. The Tabernacle Committee is pursuing those pledges. Roger Harris explained the process going forward to obtain donations from citizens previously pledged. They are close to having all of the pledges collected to pay for the remainder of the cost of the windows after the energy grant is applied. Some pledges have been withdrawn. They are working on a list of donors from years past. If the old windows get replaced with energy efficient windows, it would save on the energy charges for the Tabernacle. Mayor Woodland estimated the energy charges for the Tabernacle to be about \$60,000. A 20% savings would be a lot of money.

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

Joseph West explained the Parks and Recreation Committee is working on a grant to expand the trail system over by Madison High School. They will be working with the school district to find additional funding.

Mayor Woodland asked the scouts to introduce themselves.

Public Hearings:

- A. **7:30 P.M. Amended and Restated Downtown District Redevelopment Plan** – adding the “West Second South Addition” (The Hemming Site) which plan includes revenue allocation financing provisions – Rexburg Redevelopment Agency (**BILL 1035** – Amend the Downtown District Redevelopment Plan “Hemming Site”)

Mayor Woodland introduced the proposal.

Ryan P. Armbruster, Attorney for Elam and Burke, PO Box 1539, Boise, Idaho; representing the Rexburg Redevelopment Agency introduced administrative staff Terry Butikofer, Judy Coy and board members Joseph West and Jon Weber including advisors Richard Horner and Harlan Mann.

Overview:

Attorney Armbruster explained the proposal to add the Hemming properties to the Downtown Redevelopment Plan. The process was started over 18 months ago. The purpose of the amendment to the Downtown Redevelopment Plan is to add the new area (Hemming Properties) and update the plan with the new statutes. He passed out an updated legal description for the plan. The proposed plan excludes the Melaleuca property and its tax revenues from the plan. He reviewed Attachment 5C (Estimated Annual Revenues and Costs) for the Downtown Urban Renewal Project, as amended.

Attorney Armbruster indicated Attachment 5C will provide for an oversight plan for the proposal. He continued to reviewed attachment (5C) noting planned expenses. He explained the tax payments would continue through 2028 beyond the term of the plan. The plan was adopted in 2003 and will continue for 24 years. Idaho’s tax code allows tax funds to flow into the plan one year beyond the end of the plan in 2007. There is no extension of time and the activities of the plan are delineated in Attachment 5C.

Infrastructure for the Hemming project, street signals, town square, potentially the county parking lot, parking facilities, storm drainage, and alley improvements. There is a possibility for land acquisition (primarily the school district site including demolition and site improvements) if allowed by funding. He indicated Harlan Mann did the work on assessed valuations, tax levy rates for revenue estimates, while meeting several times with the Hemming people. After intense discussion and analysis was done, the board decided to add this proposal to the downtown plan. The BILL is ready for third reading. After passage and publication, a copy of the plan will be provided to associate taxing entities. Finance Officer Horner explained the City Council will be involved with any public improvements.

Attorney Armbruster explained the appropriate process for public notification, etc. had been followed in preparation for passage of the plan. Any improvements to the plan will be shared with City Council. There is not any additional overlay proposed for the plan. The Building Department and Planning and Zoning will be involved to synchronize the process. Most of the improvements are public improvements similar to the Broulim's grocery store redevelopment plan.

Council Member Stevens reviewed the plan to see if the spending was for public infrastructure or additional funding for Hemming's project. Attorney Armbruster explained the funding was only for public infrastructure including streets, sidewalks, crosswalks, traffic signals, etc. Council Member Stevens continued asking if additional capacity for water and sewer lines was for the system as a whole charged to the city and not charged to the developer. Attorney Armbruster said it was for the city infrastructure as a whole. Council Member Stevens did not want to create an unfair business environment for other developers. He did not want tax dollars paying for private development's infrastructure. Public Works Director Millar explained on the near side time line, the Hemming Development does not require additional sewer or water costs for additional capacity. The requested work is on the street and curb, gutter and sidewalk. The sewer line was replaced 10 or 15 years ago. There is funding for street, curb, gutter and sidewalk on city right of way only, not on their property. Council Member Erickson reviewed the comments noting the city is responsible for infrastructure to the property line and not on the developer's property. They are responsible from the property line inside their property. This plan is to cover city expense to cover infrastructure to the property line; correct?

Mayor Woodland inquired about Impact Fees. The development would incur Impact Fees to their project, not to city infrastructure. Attorney Armbruster indicated the discussion is strictly concerning tax dollars. Council Member Erickson reviewed Impact Fees are for their development; not for city infrastructure. Mayor Woodland clarified that the tax money would not be used in lieu of Impact fees in any way; there would be no unfair advantage for this development. That is important. He asked if City Council and Planning and Zoning in two or three years (as things develop); would changes to the plan have to meet Conditional Use Permits? Will City Council be involved in any subsequent changes to the plan? Attorney Armbruster referred to the language in the plan stating any development in the plan must apply to the then code (Planning and Zoning regulations) in place at the time. The development will have to comply with any code changes in the future. Council Member Erickson reviewed noting any changes made to the plan will be controlled by the City Council. Attorney Armbruster explained any changes to the plan would have to come back to the City Council for approval. Council Member Stevens explained any project in an urban renewal plan should not have expenses paid by the plan that are being charged to other developers. He referred to the Henderson project where the developer is paying for street widening, sidewalk, etc. Everything is being paid by their development. The city needs to be really careful not to start subsidizing other developments. The City Council needs to be really careful with the way the city handles the money from redevelopment funds. He was sure the development agreement and internal oversight would keep the funding mechanism fair. He was sure it would be fair.

Council Member Erickson reviewed the developer would be installing their own sidewalks. John said any funding would be approved by the City Council. The city will need to do some street improvements. Council Member Stevens said it needs to be fair for all developers. Council Member Erickson indicated the plan is to benefit the city not the developer concerning infrastructure improvements. Public Works Director Millar explained how the Broulim's development was done to benefit the city's infrastructure. Any funds expended out of the Downtown Redevelopment Fund will require City Council approval. Council Member Stevens concluded the discussion by stating this work for Hemming's ends at back of curb.

Council Member Erickson said the reason to combine the Hemming area into the downtown area was to not limit the downtown development to one developer and make it fairer. The plan does not call for

funds to help the developer's project; it is specifically for city infrastructure to accommodate current and future hookups. Attorney Armbruster concurred the Downtown Urban Renewal Plan is for city infrastructure. The developer is responsible for their own development. The \$900,000 line item is for major street expansion. It does not take into account the sidewalks, etc. for the development. Council Member Stevens referred to another development on 2nd South which will be widened by the developer. Public Works Director Millar mentioned the original downtown plan (Broulim's area) was set up to upgrade 1st West and traffic signal. Henderson's are responsible for the widening of 2nd West to match the street width at Nauvoo student housing. Attorney Armbruster said the Hemming project does not have a development agreement at this time. Council Member's Schwendiman and Mann agreed with the discussion on funding that it should not go to the developer.

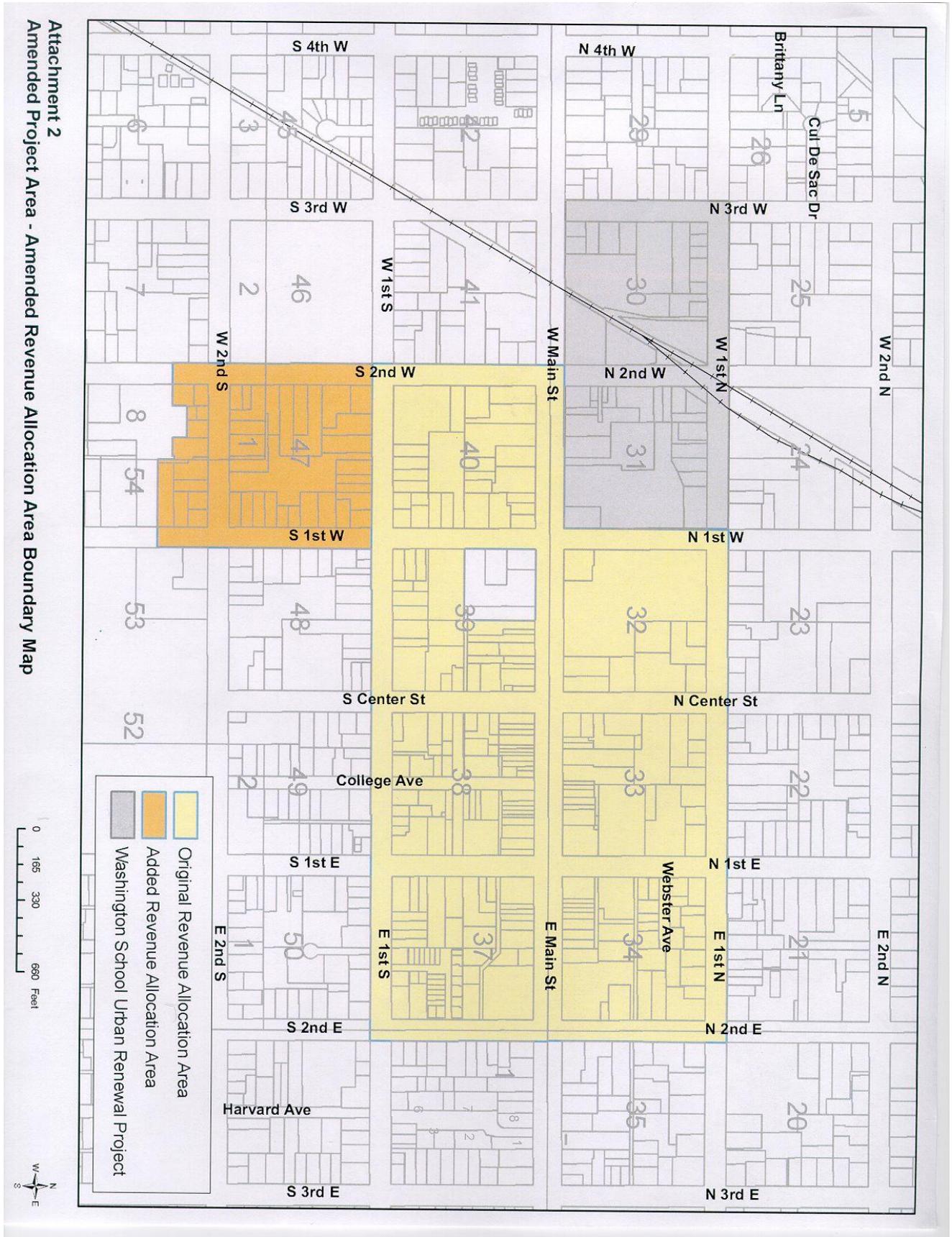
Attachment 5C
Estimated Annual Revenues and Costs (Figures Shown in 000)
Downtown Urban Renewal Project, as Amended

as of: 10/16/2009

Fiscal Year>	03-09	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	Totals
Beginning Balance		291	333	1,259	581	253	66	5	58	58	74	257	7	374	257	147	143	45	253	317	
Sources of Funds:																					
Revenue Allocation Estimate	495	262	346	542	592	733	809	873	920	936	953	970	987	1,003	1,010	1,016	1,022	1,028	1,034	1,039	16,570
Interest Income	1																				1
Borrowing Proceeds			6,000																		6,000
Borrowing Reserve			(600)																		(600)
Total Sources of Funds	496	262	5,746	542	592	733	809	873	920	936	953	970	987	1,003	1,010	1,016	1,022	1,028	1,034	1,039	21,971
Total Funds Available	496	553	6,079	1,801	1,173	986	875	878	978	994	1,027	1,227	994	1,377	1,267	1,163	1,165	1,073	1,267	1,356	
Uses of Funds:																					
Debt P&I Payments	9			600	600	600	600	600	600	600	600	600	600	600	600	600	600	600			9,009
Street Reconstruction									300	300				500	500					800	2,400
Property Acquisition & Demo	84		4,200																		4,284
Downtown Plan	64																				64
Hemming Infrastructure				200	300	300	100														900
Street Signals												200							200		400
Street Lights				100																	100
Town Square		50																			50
County Parking Lot		150																			150
Parking Facilities			200					200				400				400				500	1,700
Storm Drainage							150				150									150	450
Alley Improvements				300													500		800		1,600
Admin./Prof. Services	48	20	420	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	828
Total Uses of Funds	205	220	4,820	1,220	920	920	870	820	920	920	770	1,220	620	1,120	1,120	1,020	1,120	820	970	1,320	21,335
END BALANCE	291	333	1,259	581	253	66	5	58	58	74	257	7	374	257	147	143	45	253	317	36	36

2011 Bond Proceeds (000's)

Land Acquisition	4,000
Demolition	200
Other Improvements	800
Borrowing Costs	400
Reserve	600
Total	6,000



Mayor Woodland opened the public hearing:

Those in favor of the proposal: None
 Those neutral to the proposal: None
 Those opposed to the proposal: None

Mayor Woodland closed the public hearing.

Discussion: None

Mayor Woodland called for a motion.

Council Member Erickson moved to third read and pass BILL 1035 for the Amended and Restated Downtown District Redevelopment Plan – adding the “West Second South Addition” (The Hemming Site) which plan includes revenue allocation financing provisions; Council Member Schwendiman seconded the motion;

Those voting aye

Council Member Schwendiman
Council Member Stevens
Council Member Erickson
Council Member Mann
Council Member Egbert

Those voting nay

NONE

The motion carried.

Items for Consideration:

- A. Conditional Use Permit (CUP) for 152 unit complex** at the corner of South 2nd West and 7th South (W.R. Henderson’s request for single student housing) – W.R. Henderson

Kelley McCandless at 223 Jill Drive presented the plan for a 152 unit complex for 900 young women’s housing. He said the proposal was unanimously approved for recommendation by Planning and Zoning. Council Member Erickson explained the project was well covered in Planning and Zoning with some conditions.

Proposed Conditions of Approval

1. *Work with adjoining property owner to the north to create a pedestrian pathway on the north boundary of this project. Dedicate 50% of the land required for this path, provide 50% of construction cost and provide an easement for its use. The Community Development Director shall approve the path as part of the Site Plan Review.*
2. *Determine if length of buildings can be approved as part of Planning and Zoning Meeting. The P&Z Commission acting as the Design Review Committee should determine if the spirit of the design standards are met. Staff requests that design review be included as part of CUP. The elevations presented at the P&Z meeting tonight (11.19.2009) are attached as part of this conditional use permit and are sufficient as the Design Review approval.*
3. *Trash dumpsters/receptacles shall be located within the interior (behind front building line, but in required setbacks) of the lot and shall be enclosed.*
4. *A site plan reflecting all conditions of approval and incorporating all City standards, e.g. landscaping, parking, snow storage, etc. shall be submitted and approved by the City prior to the issuance of a building permit – specifically storm drainage. There shall be maximized greenscape and trees/shrubs along the berm, with complete landscape elevations to be shown on the site plan. There shall be a written snow removal plan (storm drainage) as part of the Development Agreement.*
5. *Lighting shall be low and shall not exceed 15-feet in height in concert with the berm, or as otherwise approved by staff, and shall not create glare, and as a minimum shall adhere to the City’s lighting ordinance.*
6. *To encourage alternative travel options, i.e. bicycling, bike racks and hard surface must be provided. Location of racks needs to be shown on revised site plan. This requirement is identified in the PEZ Ordinance.*
7. *Sidewalk and pathway maintenance to be performed as per the PEZ Ordinance.*
8. *Parking Contracts to be approved by the City Attorney.*
9. *Requirements of the PEZ Zone Ordinance to be applied to this project.*
10. *Storm drainage and other Engineering considerations to be reviewed and approved by the City Engineer.*

The pictures of the proposal were represented to Planning and Zoning as the actual buildings to be constructed.

The project was shown on the overhead screen by Mr. McCandless. A significant berm will be constructed along 2nd West for a visual barrier. The buildings are on the outside of the property with a depressed parking lot in the middle of the development. They plan to have buried retention basins for run off water. Waste debris would be clean out of the retention basins as needed. A 10 foot lighted sidewalk will be built by the University and it will be shared with Nauvoo housing.

Discussion on the campus connection sidewalk (going through the campus) on Center Street going north across 1st West.

There were concerns with pedestrians crossing 1st West. The elevation of buildings was presented showing flat roofs. Parking will be coordinated with BYU-I for at least 92 stalls. BYU-I offsite parking was discussed for the PEZ zone. About 62% of students bring cars and about 60% of students drive their cars daily. About 37.2% of the entire student body drives cars on a daily basis. The balance of the leased parking will have a parking area on or off site. They will have 10% visitor parking. They will have an entry and exit (two curb cuts) on 2nd West. They plan to be online by Labor Day 2011. BYU-I offsite parking will be available by that date. The offsite parking will be patrolled.

Council Member Stevens moved to approve the Conditional Use Permit (CUP) for a 152 unit complex at the corner of South 2nd West and 7th South with Planning and Zoning conditions; Council Member Egbert seconded the motion; Mayor Woodland called for a vote:

<u>Those voting aye</u>	<u>Those voting nay</u>
Council Member Schwendiman	NONE
Council Member Stevens	
Council Member Erickson	
Council Member Mann	
Council Member Egbert	

The motion carried.

A. Employee Health Dental Insurance update – Richard Horner

Finance Officer Horner reviewed the new plan. The employee committee met to review the proposals. They requested the plan be presented to the City Council. Blue Cross/Delta Dental increases were reviewed due to the January 01, 2010 anniversary date. He presented several options to the Employee Committee. The city has budgeted 10% increase for employee insurance. Blue Cross has asked for 11.9% increase and Delta Dental has asked for 25% increase. Due to the increases, the Employee Committee is seeking other alternatives. The initial plan from the committee was to keep the employee contributions flat with 0% increase. Regence/Assurant Dental seemed to have the better option. (See the chart below)

Discussion on the proposals in the chart below. Some insurance plans are going up; however, the city's plan is staying level for employees. Council Member Mann indicated his policy went up \$48.00 per month. He said employees are usually carrying the cost of additional insurance costs. Finance Officer Horner explained 2.5% increase for the family plan would be about \$5.00 per month. Council Member Mann proposed to have the employees help carry the increased costs because cities and counties are tight with their budgets. Council Member Stevens reviewed the several options indicating some money has been added back into the HRA Contribution. Council Member Schwendiman said it was all city funds.

Discussion on the savings between plans. Finance Officer Horner explained the city's costs for insurance is about one million dollars. Council Member Egbert asked to see a side by side comparison between the different plans. Council Member Erickson asked for more information on costs to the city and to the employee on the three plans being considered. Finance Officer Horner stepped out to his office to obtain additional cost numbers for the City Council. The total premiums for the proposals were discussed. The city will save 10% (\$35,000) with Option #5. Finance Officer Horner reviewed the total costs to the city for the proposals.

Council Member Egbert moved to go to five percent (5%) for the city's increase with the employees picking up the balance; Council Member Schwendiman seconded the motion; 2.5% all voted aye the motion carried.

CITY OF REXBURG HEALTH & DENTAL INSURANCE PROPOSALS

Blue Cross/Delta Dental (Full Coverage & HRA)							2000 Ded 90/10 CURRENT			
COVERAGE	Count	Ded.	Total Ded.	CITY TOTAL	EMPLOYEE TOTAL	GRAND TOTAL	BLUE CROSS HEALTH	DELTA DENTAL	TOTAL	
SINGLE	13	1	13	\$ 476.56	\$ -	\$ 476.56	\$ 339.15	\$ 34.10	\$ 373.25	
COUPLE	26	2	52	\$ 763.48	\$ 127.20	\$ 890.68	\$ 650.98	\$ 68.20	\$ 719.18	
EMP/CHILD	13	2	26	\$ 483.42	\$ 79.88	\$ 563.30	\$ 407.82	\$ 54.25	\$ 462.07	
EMP/CHILDREN	5	2	10	\$ 744.10	\$ 123.70	\$ 867.80	\$ 622.25	\$ 75.04	\$ 697.29	
FAMILY	75	2	150	\$ 1,081.40	\$ 180.26	\$ 1,261.66	\$ 902.69	\$ 102.30	\$ 1,004.99	
TOTAL	132		251			\$ 1,627,672			\$ 1,301,022	
							TOTAL SAVINGS		\$ 326,650	
HRA CONTRIBUTION							EXPECTED HRA CONTRIBUTIONS		\$ (301,200)	
DEDUCTIBLE							BEGINNING BALANCE OF SAVINGS ACCOUNT		\$ (23,000)	
NET DEDUCTIBLE							YEAR END BALANCE IN SAVINGS ACCOUNT		\$ 2,450	

Option #1 Blue Cross/Delta Dental (Full Coverage & HRA)							2000 Ded 90/10 RENEWAL			
COVERAGE	Count	Ded.	Total Ded.	10.0% CITY	0.0% EMPLOYEE	TOTAL	BLUE CROSS HEALTH	DELTA DENTAL	TOTAL	
SINGLE	13	1	13	\$ 524.22	\$ -	\$ 524.22	\$ 374.47	\$ 42.65	\$ 417.12	
COUPLE	26	2	52	\$ 839.83	\$ 127.20	\$ 967.03	\$ 721.11	\$ 85.30	\$ 806.41	
EMP/CHILD	13	2	26	\$ 531.76	\$ 79.88	\$ 611.64	\$ 450.81	\$ 67.80	\$ 518.61	
EMP/CHILDREN	5	2	10	\$ 818.51	\$ 123.70	\$ 942.21	\$ 689.18	\$ 93.80	\$ 782.98	
FAMILY	75	2	150	\$ 1,189.54	\$ 180.26	\$ 1,369.80	\$ 1,009.91	\$ 127.90	\$ 1,137.81	
TOTAL	132		251			\$ 1,768,259	11.9%	25.0%	\$ 1,468,582	
							TOTAL SAVINGS		\$ 299,678	
HRA CONTRIBUTION							EXPECTED HRA CONTRIBUTIONS		\$ (301,200)	
DEDUCTIBLE							BEGINNING BALANCE OF SAVINGS ACCOUNT		\$ -	
NET DEDUCTIBLE							YEAR END BALANCE IN SAVINGS ACCOUNT		\$ (1,522)	

Option #5 Regence/Assurant Dental (Full Coverage & HRA)							2500 Ded 90/10 NEW POLICY			
COVERAGE	Count	Ded.	Total Ded.	6.6% CITY	2.5% EMPLOYEE	TOTAL	REGENCE HEALTH	ASSURANT DENTAL	TOTAL	
SINGLE	13	1	13	\$ 508.01	\$ -	\$ 508.01	\$ 342.19	\$ 25.95	\$ 368.14	
COUPLE	26	2	52	\$ 813.87	\$ 130.38	\$ 944.25	\$ 658.99	\$ 54.27	\$ 713.26	
EMP/CHILD	13	2	26	\$ 515.33	\$ 81.88	\$ 597.20	\$ 411.95	\$ 61.34	\$ 473.29	
EMP/CHILDREN	5	2	10	\$ 793.21	\$ 126.79	\$ 920.00	\$ 629.75	\$ 61.34	\$ 691.09	
FAMILY	75	2	150	\$ 1,152.77	\$ 184.77	\$ 1,337.54	\$ 914.64	\$ 90.01	\$ 1,004.65	
TOTAL	132		251			\$ 1,726,005	1.3%	-12.0%	\$ 1,299,452	
							TOTAL SAVINGS		\$ 426,553	
HRA CONTRIBUTION							EXPECTED HRA CONTRIBUTIONS		\$ (426,700)	
DEDUCTIBLE							BEGINNING BALANCE OF SAVINGS ACCOUNT		\$ -	
NET DEDUCTIBLE							YEAR END BALANCE IN SAVINGS ACCOUNT		\$ (147)	

B. Resolution 2009 - 18 to set final assessment roll public hearing for LID 37 – Matt Nielson

Deputy Finance Officer Matt Nielson explained the process to pass a resolution for setting a public hearing. The public hearing is for public comments on the final assessment roll for LID 37. After passage of the resolution, a notice will be sent to property owners to provide LID costs for their property. Council Member Erickson explained the resolution is just to set the date for the public hearing.

Council Member Stevens asked for a comparison for the original estimate to the final assessment. Deputy Finance Officer Matt Nielson explained the bids for LID 37 and LID 39 were done two summers ago and they were rebid last spring. Council Member Stevens explained City Council wanted to have the numbers for future questions on the assessments. Council Member Mann concurred. The Deputy Finance Officer Nielson said the sidewalk costs in 2009 over 2008 estimates were less than 50%. Council Member Erickson reviewed some of the assessments which have already been paid. The Friendship club assessment is reviewed annually. Discussion on the assessment numbers for LID 37 and LID 39. Dell Barney's voluntary assessment of \$118,000 is paid back as an annual assessment.

Council Member Mann proposed a public hearing in the 2nd meeting in January, 2010. Before setting the public hearing, Deputy Finance Officer Nielson went back to his office for additional information.

Discussion of estimate verses final costs.

Council Member Mann moved to set final assessment roll public hearing on January 20, 2010 for Resolution 2009 – 18 for LID 37; Council Member Egbert seconded the motion; all voted aye, **the motion carried.**

D. Resolution 2009 - 19 to set final assessment roll public hearing for LID 39 – Matt Nielson

Council Member Mann moved to set final assessment roll public hearing on January 20, 2010 for Resolution 2009 – 18 for LID 37; Council Member Egbert seconded the motion; all voted aye, **the motion carried.**

E. Offsite backup of computer system information – Steve Christenson

Information Technology Director Christenson presented a proposal to add offsite backup for city data. He is looking for a solution to have a large server with a lot of data capacity on disc instead of tapes drive backup. The city needs a disaster contingency recovery plan. He proposed a Barracuda backup server with software. He asked for \$4,000 out of contingency money to pay for the backup system. It would be a secure backup facility in Virginia. He has estimated the costs to backup 600 gigabytes of data.

Discussion on the proposal to have a secure offsite data backup site to comply with code for backup and planning for it before the budget was prepared.

***Information Technology Director Christenson** proposed in a handout to create a policy of email retention of no less than 90 days and no more than one (1) year. And when an employee is terminated we immediately disable his account and remove his mailbox. Currently we have been retaining 30 days of emails, but they are extremely difficult to manage and obtain email content from the Exchange 2007 Server. We have a few options when it comes to Data Backups offsite as follows:*

(The following costs were based on approximately 600GB of data storage from 11 servers. This would be the totals if we backed up everything. We can reduce this amount down to 214GB of critical data on five (5) servers.)

- 1. **Iron Mountain** (provides data backup retention and offsite storage; the cost would be: \$385.00 per server plus \$4.60 per GB for 1 year retention of data. There would also be an initial investment of \$2000.00 for the software and a \$200.00 per month service fee to maintain the software client licenses. Total would be: \$4,235.00 for 11 servers \$2,760.00 for 600GB of data retention for 1 year \$2,000.00 for initial software investment \$200.00 for client licenses per month; total is \$9,195.00*
- 2. **Net Back** (provides offsite data backup retention) Total cost is a per month basis with no up-front initial investment. \$1,305.00 per month on a 2 year contract; \$31,320.00 over 2 years (\$15,600.00 per year)*
- 3. **Windows Backup Server** (provides data backup retention / no offsite data storage) According to costs from the County, who went with this option the costs were approximately: \$5,000.00 for the server \$2,800.00 for software; total is \$7,700.0.*
- 4. **Barracuda Backup Server and Email Archiver** (provides both onsite and offsite data retention and email archiving) For the Backup Server: \$4,296.15 initial investment for the server hardware \$3,600.00 for 600GB of offsite storage; the total is \$7,896.15. This is currently the only option I have found that is not hosted externally, and this option works with the Backup Server to store emails offsite.*
- 5. **Message Archiver:** \$2,546.50 initial investment for the server hardware \$1,214.10 for continual updates (optional but highly recommended). The total is \$3,760.60 Total for both solutions: **Barracuda Backup Server** \$7,896.15 + **Message Archiver** \$3,760.60 = **\$11,656.75.***

Information Technology Director Christenson said recent events caused concerns with the city's backup capability. He has been storing the most critical data on backup tapes offsite. Council Member Schwendiman reviewed the current process of storing data offsite in an unsecure location. Council Member Egbert asked what the cost difference was for having a partial backup verses a complete backup. \$3,600 per year for 600 GB of offsite storage and another \$2,400 for an entire backup of data. It is \$50.00 per 100 GB of additional data.

Council Member Schwendiman recommended backing up the entire system. Information Technology Director Christenson would prefer to backup all the data.

Discussion on having a secure backup system for city data.

Council Member Mann moved to approve the expenditure spread to all of the departments for the Backup Server (an initial investment for the server hardware costing \$4,296.15) and \$3,600.00 for 600GB of offsite storage; the total cost is \$7,896.15; Council Member Egbert seconded the motion; all voted aye. **The motion carried.**

Those voting aye

Council Member Schwendiman
Council Member Stevens
Council Member Erickson
Council Member Mann
Council Member Egbert

Those voting nay

NONE

The motion carried.

F. Police Department:

1. Replace police officer position – Staff
2. Surplus vehicles – Staff

Officer Cory Foster indicated officer Rob Mangle left the force. He requested to replace the position.

Council Member Schwendiman asked if the force could do without the position; No

The council was agreeable.

Four vehicles are ready to surplus. They have some money for trade-ins towards another vehicle 2500 difference. In the past Gail Harding has auctioned them off. This year one car was kept longer than normal. Two cars are 2002 Crown Victorias. Drug Enforcement budgeted funds could be used to help purchase a used 2008.

Council Member Schwendiman moved to surplus four vehicles; Council Member Egbert seconded all voted aye, **the motion carried.**

Staff Reports:

A. **Public Works:** – John Millar

1. 12th West Street reconstruction plan

Finance Officer Horner presented a cost sheet for street funds available. Essentially by not paying bench storm drain ___ if paid back 877,000 is available. The payback on the bench storm drain project would include interest.

This proposal uses set-aside money for Main Street (\$350,000 for two years = \$700,000). 1.2 m for this year minus bench storm drain loan = 877,000. 843 plus grant for 2010 1,093,000 total leaving 350 in main street. Finance Officer Horner said the Downtown Urban Renewal fund is building up some funding. The county parking lot was discussed. Mann asked about impact fees for 12th West. There are two schools impacting 12th West. He requested help from the school district. Grants and school safety money needs to be pursued.

Finance Officer Horner called for some estimates on the entire project (sidewalk, curb, gutter, and street) before making any decisions. Council Member Mann suggested asking the school district to help with 12th West. Council Member Erickson referred to past discussions where the school district was concerned with paying the city impact fees. John said a 40 foot street would give an 8 foot shoulder for bicycle lanes. 38 foot with 7 foot shoulders give room for joggers.

Public Works Director Millar reviewed the 12th West project. The preference would be a 38 foot street costing \$972,000.

Discussion on Main Street improving two intersections with turn lanes. ITD grant for signals is available.

Council Member Mann recommended the Mayor get on LHTAC Committee.

Council Member Schwendiman recommended 38 foot street. The city council was agreeable to bid a 38 foot street. John will maximize the budgeted dollars.

2. Hawke signal is a very good addition to manage traffic. Rex said add writing on pavement “STOP on RED”.
3. Wastewater screening project with tower bid opening coming next week. Needs news article and display at City Hall. The last wastewater bond is being paid off.
4. Pioneer Road/Main Street light under construction to be completed by the end of the year.
5. Impact fees for apartments were discussed; single student housing verses married housing.
6. Street overlays will be finished next spring.

Calendared Bills and Tabled Items:

A. **BILL Introductions:** NONE

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

1. **BILL 1027 – Amend Ordinance 908 Temporary Sign Sections** – Staff

Move to January Calendar. Allows more temp signs not in residential.

B. **Second Reading:** Those items which have been first read. – NONE

C. **Third Reading:** Those items which have been second read.

1. **BILL 1035** – Amend the Downtown District Redevelopment Plan “Hemming Site”
Approved.

Tabled Items: Those items which have been the subject of an affirmative vote to a motion to table:

2. **BILL 1014 – Towing and Parking enforcement** – Staff
(Held for 3rd Reading)

60 days

Mayor’s Report:

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. November 18, 2009 meeting
- B. Approve the City of Rexburg Bills

Council Member Schwendiman moved to approve the consent calendar; Egbert seconded all voted aye. The motion carried.

Adjournment

Mayor Woodland asked for a motion to go into executive session:

Council Member Mann moved to go into Executive Session per state code 67-2345 (B) & (F) to consider personnel and legal issues; Council Member Schwendiman seconded the motion; **Roll call vote:**

Those voting aye

Council Member Schwendiman
Council Member Stevens
Council Member Erickson
Council Member Mann
Council Member Egbert

Those voting nay

NONE

The motion carried.

Executive Session:

Executive Session ended.

Adjournment

Attest:

Richard Woodland
Mayor

Blair D. Kay
City Clerk