

City Council Meeting

February 03, 2010



CITY OF
REXBURG
America's Family Community

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February 03, 2010

Mayor Richard Woodland

Council Members:

Christopher Mann – Council President
Rex Erickson Donna Benfield
Bruce Sutherland Brad Egbert
Adam Stout

City Staff:

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

Mayor Woodland asked Cheryl to give the opening prayer.

Mayor Woodland asked a boy scout to lead the pledge. He welcomed the scouts to the meeting in Spanish.

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

Roll Call of Council Members:

Attending: Council President Mann, Council Member Benfield, Council Member Sutherland, Council Member Egbert and Council Member Stout and Mayor Woodland.

Council Member Erickson asked to be excused.

Public Comment: on issues not scheduled on the agenda (limit 3 minutes)

Lynn Betts at 66 North 1st East mentioned some experiences at the Rex Theatre. He was impressed with the facility. Other businesses in Rexburg like “The Craze” and “Cajun Bobs” were impressive too. These businesses have purchased business licenses from the city and they have put money into their businesses, focusing on certain age groups (youth) to attract them to their businesses. He thought it would be wrong for the city to compete with these businesses by having a teen center at City Hall.

Dr. Craig Heiner at 240 East Main Street reviewed his tax valuation which went up significantly in the last two years. His overall taxes have gone up 50%. He knew the city spent some of the tax revenue. With the economic downturn, we should be careful with the way taxes are spent. The tax levy could be lower to attract new businesses. People in Rexburg are helpful and they step up to help new people in the community. He was asking for outside help for the city to write new grants on a contract basis. He was opposed to hiring a full time position for grant writing to attract new business because there could be someone else who could do it more inexpensively. The current committee to bring new business into Rexburg is doing a good job. He asked the City Council to reconsider the full time “Community Development Facilitator and Grant Writer” position. He appreciated the efforts of City Council and colluded with a request to lower the city’s taxes.

Presentations: - None

Committee Liaison Assignments for 2009:

A. Council Member Adam Stout *Trails of Madison County · Traffic & Safety Committee · Airport Board*

Council Member Stout did not have a report.

At Planning and Zoning he filled in for Council Member Erickson during the “Mixed Use Zone” discussion.

Building Official Christensen said they got the mixed use proposal in their planning packets this week. It is on the Planning and Zoning agenda for this week. Council Member Stout said there was great planning involved and it was coming together nicely. He was very pleased with the progress of the Mixed Use designation.

B. Council Member Brad Egbert *Legacy Flight Museum · Parks & Recreation · IBC Committee*

Council Member Egbert did not have a report.

C. Council Member Bruce Sutherland *Museum Committee · Beautification Committee · Traffic & Safety*

Council Member Sutherland did not have a report.

D. Council Member Christopher Mann *Emergency Services Board · School Board · MYAB*

Council Member Mann did not have a report; however, Emergency Services will meet tomorrow at 7:00 P.M. The Mayors Youth Advisory Board (MYAB) met today at 5:00 P.M. They are planning their “Romance at the Romance” event for February 19, 2010. They will be showing a movie and having a dance for their activity. They are working on the plan for the youth center upstairs, and they are to meet with the City Council in March for more planning on the youth center. They have been meeting every month, and they are getting ready to meet with City Council.

E. Council Member Donna Benfield *Police Department · Romance Theatre Committee · Rexburg Arts Council · Tabernacle Civic Center · School Board*

Council Member Benfield indicated the Police Chief is back from his accident a few hours in the morning each day. The Police Department has high moral; lots of positive things are happening at the Police Department. An automatic ticketing machine is being reviewed to save a lot of time. If they choose to use the auto-ticket machine, it will save them a lot of time, by cutting down on man hours up to half of a position if they decide to purchase it.

The Romance Theatre Committee meets tomorrow night. The Rexburg Arts Council Chairman was excited to report that Margret and Gwen are doing excellent and they are going to add some new chairmen positions to different departments. The Nut Cracker that was in December included 400 student participants. That performance has created interest in the Art Guild for painting the backdrops for next year for the different plays they will have in the future. They are increasing in publicity and visibility. They have a grant work shop coming up in March, 2010; also, they have an insert for the “Art’s Guide” that will come out in February. Two fundraiser events are planned for this year.

The Tabernacle Committee meets a week from tomorrow.

The Madison School Board wanted to know how to reciprocate with the city to have a city liaison; so communication ties will be in place.

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

Council Member Erickson did not have a report.

Public Hearings: - None

Items for Consideration:

A. Impact Area Agreement with Madison County/Sugar City – Staff

City Attorney Zollinger reported on a three year project for the Impact Area Agreement. This specializes on requests to expand the impact areas between Rexburg, Sugar City, and Madison County. The agreement will include Teton and Newdale as well at the request of Madison County, so it is a consistent land use plan for overlapping Impact Areas across the county. This came before the City Council a few months ago. The attorneys have reviewed the documents and appropriate changes were made to finalize this document. He recommended the city enter into this agreement at its current form.

Council Member Benfield asked who would make up the board. City Attorney Zollinger said it has not been determined yet. It depends on which entities would be involved. Land use actions

would determine who was represented on the board. For example: Rexburg and the Madison County would have representatives from Rexburg and Madison County or Rexburg and Sugar City would have representatives from Rexburg and Sugar City.

Building Official Christensen said that it calls out for three members from each jurisdiction. Council Member Zollinger said it would be a committee of six or nine depending on the land under consideration. He cannot imagine how it would be beyond three entities.

Council Member Egbert moved to approve the Impact Area Agreement with Madison County/Sugar City and authorize Mayor Woodland to execute the agreement on behalf of the City of Rexburg; Council Member Sutherland seconded the motion; all voted aye, **the motion carried.**

B. Community Development Facilitator and Grant Writer Job Description – Discussion

Council Member Benfield asked for this item to be on the agenda and she has a two part question/discussion with the City Council:

1. All inclusive job description.
2. Creating a new department.

She was not in favor of the position and she would not vote for it. She wanted to make sure the job description is accurate. She has reviewed it and has found two things that are left out. There is a section that says *“this person will work with the Chamber of Commerce, BYU-Idaho, the Development Company, and the Idaho Dept. of Commerce and Labor to attract new industry and work with the existing industry to expand the Rexburg area.”* Mayor Woodland said they left out the INL and Council Member Benfield said they left out Madison Economic Partners. City Attorney Zollinger said the adjustments to the job description could be changed before the hire.

Council Member Benfield’s 2nd Question was concerning the description: *“person will manage and perform administrative functions of the department including budgeting, monitoring, expenditures, supervising staff, attending city department head meetings, etc.”* Her question was: Are we creating a new department as well as hiring a new hire?

Discussion on creating a new department head; this is not Kristy Geisler’s position. Questions arose as to whether this position was molding into that department or not. Mayor Woodland thinks it will be good for this position to interact with all of the different departments. Council Member Benfield was confused with the description of “supervising staff” and who made up the staff. Mayor Woodland indicated the staff could be an intern or none at all; currently there is no staff.

Council Member Sutherland said the advantage of having a Department Head position was the interaction gained with other Department Heads at staff meetings. The person could be there to report on issues and coordinate with the other Department Heads. City Attorney Zollinger said the way the city is organized right now is that one answers to the Mayor directly or that person reports to a supervisor or Department Head. He thinks this person should answer directly to the Mayor.

Council Member Benfield was concerned with the added salary to the city. The combined starting salary of \$47,000 to \$49,000 plus benefits becomes \$70,000. Add the \$20,000 for economic development support provided to Madison Economic Partners (Clair Boyle) brings the cost up to \$90,000 plus \$20,000 travel budget. It is not just a \$45,000 budget. Over ten years the expense would be a million dollars. If this person is going to be a grant writer they should bring in an average of \$350,000 to \$400,000 in grants every year plus there should be a number of businesses (jobs) brought to Rexburg. The employee handbook provides for a six month probationary period. Council Member Benfield wanted to be able to measure the new position. Council Member Egbert asked if a two year probationary period would work. Council Member Benfield said a year review with two year maximum probationary period. She wants some criteria met to measure the performance to avoid future problems.

Mayor Woodland said maybe a review before six months would work if they are not performing; instead of waiting two years. City Attorney Zollinger said the position could be vacated anytime if the person is not doing the job. During the six month period the job can be discontinued. The probationary period is a legal definition that says during that period of time they can discontinue the employee with no explanation whatsoever. This does not answer Council Member Benfield’s question on performance; that is not the intent of the probationary period. The city’s probationary period has been designed to get an employee up to speed without some of the benefits. It’s different than the proposed two year probationary period. This idea of a two year period of meeting a certain criteria (performance) should be put into writing, stating the threshold or the position will be rethought. It needs to be put it into the job offer, if voted that way. These are thresholds needed by the 2nd year to continue the position or revisit the issues why the thresholds are not met.

Council President Mann concurred with Council Member Benfield. He said we want measurable results. It may be dependent on the economy. This person brought a building, new business, or a grant, etc. However, he does not know what would be considered successful measurable results.

Council Member Benfield said that the last grant writer secured \$500,000 in grants per year, and she wants to cut the grant performance down to \$350,000 as a minimum reviewed year by year. She recommended a minimum new jobs goal of 150 jobs in two years.

Council President Mann said it seems reasonable.

Council Member Stout confirms that Council Member Benfield is talking aside from matching grants. Council Member Benfield responds, yes, aside from matching grants.

Council Member Benfield said it would take longer for the development of jobs, but that the grants are what would be closely monitored. She said that this isn't the time, due to the economy to bring this person in. However, by two years, there needs to be improvement. This person needs to prove themselves, because the City needs jobs and they need jobs now. She thinks this number is feasible, that this person needs to bring 150 jobs to the community in two years.

Mayor Woodland thinks that this is an opportune time to recruit. He reviewed the Boise trip, in comparing how other states and cities are dealing with this economic time, and it is time to bring this position to the city. Mayor Woodland said the city needs to go out and recruit new companies to move to Rexburg. He thought this was an especially good time to go out to recruit new companies to come to Rexburg.

Council Member Benfield asked about the application process, as to who would be on the interview panel and who will make the decision.

Finance Officer Horner said the panel would recommend 15 applicants for short interviews, to which they would narrow it down to 3-5 applicants. Mayor Woodland would rank the applicants as the process proceeded. Sometimes there can be differences. The panel and Mayor Woodland would come together to a conclusion. Usually it is obvious who everyone really likes, and if there is a tie, it usually is decided by the person who would be working with the new person; in this case it would be Mayor Woodland to decide. The benefit from the panel is to have different people, who can see different things.

Council President Mann asked who was on the panel. Mayor Woodland said the whole City Council could be involved. Finance Officer Horner said if you participate, you have to be there for all those interviews; you cannot interview a couple and not interview others.

Mayor Woodland asked who wanted to volunteer to be on the panel.

Council Member Sutherland asked when the interviews would take place.

Finance Officer Horner said that they do it normally during the day. Maybe they could do it at night. Maybe the scheduling of the interviews could be done next Thursday, Friday, or Monday. Council Member Benfield wanted to be involved. Finance Officer Horner wanted to be involved. It might be considered to have some people from the community on the panel too.

City Attorney Zollinger said usually five individuals are on the panel people who are critical or relevant to the type of job that we hope to see be accomplished. There is nothing against getting outside individuals, maybe someone from the Development Company; (i.e. Glen Pond, and Ted Hendricks, or Clair Boyle.)

Public Works Director Millar said on the grants delineation needs to be made. The Police Department, Emergency Services and Public Works accumulatively have brought in 1 to 2 million dollars worth of grants per year. There needs to be new grants brought in with this position.

A question on bringing in new growth to the community in dollars and cents and jobs from comparable communities of this size. Is there a track record? Mayor Woodland said that some communities are very good at it, such as Pocatello. City Attorney Zollinger said Pocatello started 18 years ago at about the same size as Rexburg is now at 28,000 residents. Pocatello has grown in size since they added the economic development position. Numerically answering this question is relatively in the population range of 25,000 and up. Moscow has a position similar to this position,

and it is common to have this type of position nationwide. Building Official Christensen said this community in the last five years has outpaced the growth of Pocatello with building permits.

Mayor Woodland clarified that was with a grant writer for Rexburg. Building Official Christensen worked very hard with those people who came to him. Building Official Christensen clarified the position in Pocatello was different than the work he has been doing on building permits. The Pocatello position went out after industry and jobs.

Discussion concerning the need to have results if the city is spending a large amount of money for a position. The ends need to receive some results, if a person is earning \$100,000 a year; the person will have to produce.

Council Member Egbert said \$100,000 is more than the job that Kristy Geisler had at her salary of \$45,000, and of course there are more responsibilities tied to it. Mayor Woodland reiterated that the salary ends up at \$100,000 due to benefits and travel.

City Attorney Zollinger said the travel budget would be added for \$15,000 to \$20,000; that would be aimed toward this individual to implement economic stimulus and economic growth. This city position would have access to city staff. This person would be more of a coordinator. This is an attempt to make this person do even more than what has already been done, to coordinate with all of the departments. The coordination part of this is most important here. Maybe the University could sit on the hiring panel. This all started from a speech given a year and a half ago by President Clark when he said he wanted the city to form a ready team. That may be a member that could sit on the committee as well.

Council Member Benfield said City Attorney Zollinger hit on the mark when speaking of the interviewers from out of state. It would have to be written into the hiring agreement. City Attorney Zollinger said that the expectation is that we want this to be successful, but it is new, so we don't know if it will be a position that will last forever. Mr. Miller made a clear point previously, by giving this person (who may move from out of state) an unrealistic goal; when two years from now this job may not exist. Mr. Miller said the salary needs to be commensurate with the expectation. Provide enough salary to bring in a qualified applicant. He did not think \$50,000 would bring in a qualified applicant. Mayor Woodland said the individual would have to perform in the position to justify the position. The city and the community will be watching it very closely.

Mayor Woodland said Council Member Benfield wants performance from the new hire, and that is desirable and what we expect. We expect performance from all of our employees. In some ways, we have a more opportune chance to measure that performance because we can count jobs, businesses that come in, and grants.

Sally Smith asks about the applications that they have received already. There are at least 20, and Mayor Woodland says there will be more.

Council Member Egbert asks if we should be considering a wider range for the salary, based on education or job experience, etc.

Finance Officer Horner said the salary is determined when the job offer is extended. Set an affordable range and then negotiate. If \$100,000 salary is laid out, there will be three times more applicants, but to determine the salary will depend on what is affordable and the prospective new employee.

Council Member Sutherland said the city can change the range based on performance. If we hire a person who exceeds our expectations, it would be nice to afford a larger salary. He agrees with what Finance Officer Horner said, that we have to start where we can afford. It would be nice to give rewards for the performance that's created.

Mr. Miller asked if it is possible to tie the salary to the performance in such a way that they make a commission off of what they do, or is that too complicated. If that could be done, that would be a motivator for them.

City Attorney Zollinger said the problem is you've asked them for some commission based aspects plus expecting them to be a community coordinator. They would migrate to the commission portion of the job instead of focusing on the salary portion. It is not a bad idea. A hybridized job would be difficult to manage; are they are doing their salary portion of the job or are they doing the commission portion of the job.

Council President Mann said it would become very hard to do. Other people may have a part in doing the coordination. He has some trouble with this position, as far as understanding it; however, he wants to support Mayor Woodland and not handicap the position. He wants the position to be successful. He agreed with Council Member Benfield in that we do want to see measurable results.

Council Member Stout is concerned with how to measure the success; it is tough to give credit for a job that is created. A person could bring in jobs which create more jobs. The city could be doing something of that sort to bring in more jobs which has nothing to do with that person. We can be extremely specific as far as measurement goes. The position could be set up for failure without considering what is actually taking place. It is a tough balance before we jump into it too much.

Council Member Sutherland said Madison Economic Partners and Madison Economic Development both work in their own way at bringing in new jobs. Ted Hendricks, David Ogden, Terry Butikoffer, Rick Miller, Clair Boyle, and Council Member Benfield (Chamber of Commerce) are working to bring in new jobs. What if the job comes with everyone working together?

Council Member Benfield said there is a big difference because the Chamber of Commerce makes sure businesses are prosperous when they are here; it does not go out and recruit. Council Member Sutherland said the Chamber does help facilitate new companies coming to Rexburg. It is a community wide effort.

City Attorney Zollinger said that from a legal standpoint, he does not want to mitigate between 149 and 150 jobs as the cause for which a person loses their job; or that they did not like the 20 of the 150. The more appropriate way for this to be resolved is for the City Council to set up their measurable expectations. It is to market and facilitate businesses coming to Rexburg. One job requirement of this job may be that before they accept this job, they read the minutes of this meeting. That way, they shall see what the City Council is holding them to, and at the end of next year, if they had not met the criteria, they will be fired. Idaho is a right to work state and one must meet job expectations. We have never asked Clair Boyle to count jobs. We give Clair credit for going out and working hard every day. If this person will go out and work hard every day, but at the end of the term, did not meet the criteria, the City Council can then say that no, he/she did not meet the requirements and to keep him/her is not beneficial to the community.

From a legal standpoint, that would be easier to defend. He reviewed the aspects of a commission job. The example was given with that of an Apex job, to which a person sells this many contracts for this amount of money. He did not want to defend a certain type of critical analysis.

Council Member Benfield said there is an expectation from this board. City Attorney Zollinger explained it is not an unreasonable expectation.

Sally Smith has worked with Economic Development for twelve years, and the ready team and coordination is so important. Coming to City Hall, each department gives different answers. They lost applicants due to a lack of coordination. The city needs someone like Clair Boyle after they get coordination from City Hall; then Clair can help people make other contacts when they come to town, then to the Development Company. City Hall contacts are critical. It has never been coordinated correctly in the past. The ready team needs one contact for City Hall coordination.

Mayor Woodland said that is a good comment. This person in this position will put the face on Rexburg in a very big way. When someone comes to City Hall, the new person as well as the Mayor will be involved to help coordinate; plus involve as many people in the community (The Chamber of Commerce, Clair Boyle, etc.) as needed to help bring new business to Rexburg. We really need a proactive position to sell Rexburg. We are the best kept secret as far as a workforce anywhere. We have a great work force: multi lingual, multi-national, etc. There are some tax incentives in the state of Idaho. We are looking better every day. Oregon just passed a new sales tax. Businesses are looking at Idaho to do business; so, it is an opportune time for Idaho.

Mayor Woodland feels good about reviewing this position in two years and having the very same discussion.

City Attorney Zollinger said employees already working for the city get evaluated daily. The new person should be proving his/her worth by doing the job every day.

Mayor Woodland thanked every one for their comments.

Staff Reports:

B. **Public Works:** – John Millar

1. The sewer outfall line NW of Mother Hibbard's has been completed except for some reseeded next spring. He presented the numbers to see how the project came out. The original bid was \$93,919; there were no change orders, but there was quite a bit of temporary fencing utilized. The actual costs came out to \$92,313 or about \$1,500 below the original bid.
2. 12th West bridge project is out to bid with more information at the next council meeting.
3. Traffic signal at Pioneer Road is now fully operational. It is much safer now at this site.
4. Storm water detention pond located south of Gale Harding's has the dike portion completed. A summary of this project will be provided at the next meeting. The piping and control structure for the storm water detention pond was bid today and eight bids were submitted. The engineering bid was \$86,188 and the lowest bid was at \$65,917 by Jerome Bowen Construction. Public Works Director Millar asked for approval of the low bid with a completing date of June 1, 2010.

Council Member Sutherland moved to accept low bid from Jerome Bowen Construction for \$65,917; Council Member Egbert seconded the motion; discussion: Council Member Benfield asked if this is normal to beat the engineers estimate. The competition is high on all of the city's bids. A year and a half ago the city may have not gotten as many bidders for this project; maybe three or less bidders. It is good for the city and it helps the community. All voted aye, **the motion carried.**

5. Bid results for the Rexburg Pump Station and Bio-tower Expansion equipment for the Wastewater Treatment Plant:

Item 1: Bolted Steel Tank (two bidders)
 Tank Connection - \$159,887.00
 Columbian TecTank – \$231,442.00

Item 2: Bio-Tower (one bidder)
 WesTech – (option 1) Biodoc - \$193,068
 (option 2) Hydrodoc - \$200,479

The city is seeking additional bids to verify bid.

Item 3: Bio-tower fixed film filter media (two bidders)
 Brentwood Industries - \$677,358.00
 SPX Cooling Technologies - (option 1) - \$808,500
 (option 2) - \$728,450

The city is seeking an award of material only for \$605,516

Item 4: Three mixed flow pumps (four bidders)
 Fairbanks Morse - \$142,110
 KSB (submersible) - \$80,920
 Simflo - \$134,000
 Flowserve - \$118,000

The city is seeking additional bids due to the types of pumps bid.

Item Three (3) received three bids; however, the material quote is \$605,516. The city is planning to do the material purchase now (40 loads of "54 foot" length material that goes inside the tank) including transportation costs. There is enough material to cover acres of surface area.

Item Four (4) has different types of pumps at different costs. The city is seeking additional bid information on submersible pumps from all of the bidders.

Council Member Sutherland asked if the submersible pump is more desirable. Public Works Director Millar responds saying they are equal in what they will do and actually, the submersible pump does not need a building. Mayor Woodland asked if this was variable speed pumps (variable drive motors). Public Works Director Millar said the pump motors would be variable speed.

Council President Mann asked about the bonding process; how will the city pay for this waste water plant upgrade? Public Works Director Millar said the City Council approved Phase One of the project for the first \$2,000,000. Mayor Woodland asked if this would buy the city some time. Public Works Director Millar said it would by time by increasing the capacity of the Wastewater Plant. The two million dollars is already held in reserve in the Enterprise Fund. The bond requested to pay for the remaining expense of the Wastewater Plant upgrade will be sent through the judicial system for a judicial review for approval. Council President Mann did not want to get ahead of the funding source with the approval of the expenditures.

Council Member Egbert asked if bids were verified. Public Works Director Millar explained the bids have been verified.

Council Member Egbert moved to accept the low bid from Tank Connection at \$159,887.00 on **“Item One”** for a Bolted Steel Tank; and **“Item Three”** from Brentwood Industries for material only at \$605,516 without installation; Mayor Woodland explained Public Works Director Millar knows the bidders. There is a large disparity amongst the bids. Mayor Woodland explained the bids for Item One ranged from \$159,887 to \$231,442. The bidders have been evaluated. Council Member Benfield seconded the motion. Discussion: Council Member Stout asks if they were going to move forward with Item Four. Public Works Director Millar said that Item Four needed more review before bringing it to the City Council for approval. Mayor Woodland called for a vote: All voted aye; **the motion carried.**

Public Works Director Millar gave an update on the backup power for three city buildings. He has purchased the generator and transfer switches for the Fire Department and the Police Department. The transfer switches are on the way. They should go to bid or hire an electrician for 30 days to do the installation. The 2nd Generator was purchased for this building was purchased today. Both generators were bought barely used; one had 34 hours on it the other one had 55 hours on it. Mayor Woodland informs the audience the city purchased the generators for pennies on the dollar. They were a really good buy; perhaps due to the downturn of the economy. Public Works Director Millar stated that a new one would have cost over double. The generator for City Hall is three years old with a transfer switch.

Council Member Benfield asked about the recycling survey. Public Works Director Millar is getting that done, and will work on it tomorrow. Council Member Stout will help tomorrow on the survey. Council Member Benfield reiterates the survey needs to be completed by March 1st, 2010.

Council Member Egbert reviewed the bid for the 2nd East traffic light. Public Works Director Millar said they have worked on the contracting and yes the equipment has been ordered.

Council Member Sutherland asked about street light poles and their color. Public Works Director Millar said the powder coating for street lights has been bid. They have worked on the powder coating color; however, it is the official duty of the Mayor to choose the color. Some light hearted discussion ensued.

Calendared Bills and Tabled Items:

C. BILL Introductions: NONE

D. First Reading: Those items which are being introduced for first reading. – NONE

E. Second Reading: Those items which have been first read.

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

Council Member Benfield has grammatical changes on Page 7, “Public Service Information Sign.” Also, clarification on Page 8: “Temporary Signs are only intended for and therefore allowed in non residential zones.” City Attorney Zollinger said that this list should be that of the zones where Temporary Signs are allowed. Even though there are Residential Uses allowed in Mixed Use, we intend for Temporary Signs to be allowed in the Mixed Use area. It needs to say Non Residential. Any banners up for more than 60 consecutive days (switch to 60 on page 12).

Council Member Stout asked a question, relating to another business. Business B puts up a Temporary Sign for Business A, and now they have received notice that they cannot keep that sign up for business A. City Attorney Zollinger stated that Temporary Signs cannot be used off premise.

Example: Wells Fargo has a Temporary Sign at Chevron saying to come to Wells Fargo and you will receive a Chevron gas card. This would be okay, because it is from the Chevron gas station. It has to have a relationship to the business where the sign is displayed. It is to be considered an on premise sign. Horkley's at 2nd North was used as an example, advertising for the other Horkley's location on 2nd West and vice versa.

Council Member Stout asked if one business could advertise off premise. City Attorney Zollinger said the ordinance does not allow it. City Attorney Zollinger said that whether "temporary or permanent", it is not allowed in most zones.

Council President Mann moved to second read BILL 1027 Amending Ordinance 908 for the Temporary Sign Sections with changes recommended by Council Member Benfield; Council Member Benfield seconded;

Roll Call Vote:

Those Voting aye

Council Member Sutherland
Council Member Benfield
Council Member Mann
Council Member Egbert

Those voting nay

Council Member Stout

The motion carried.

F. 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

Mayor's Report:

1. Association of Idaho Cities.

The city has been asked to support a resolution to bring in new F35 fighter planes to Mountain Home Air force Base. The F35 is a stealth fighter that will be based possibly at Gowen Field for the training purposes, and at Mountain Home Air Force Base as a strike force.



CITY OF
REXBURG
America's Family Community

Resolution 2010 – 1

A RESOLUTION

TO THE SECRETARY OF THE AIR FORCE, THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

WHEREAS, the U.S. Air Force has had a presence in Idaho for more than 56 years, with numerous facilities, including Mountain Home Air Force Base and Boise's Gowen Field; and

WHEREAS, the Secretary of the Air Force approved Joint Strike Fighter basing criteria for both training and for operational bases for the new F-35 mission; and

WHEREAS, Mountain Home Air Force Base was selected as a finalist as an operational base and Boise's Gowen Field was selected as a finalist as a training base; and

WHEREAS, Southern Idaho's climate is well-suited to these missions, with more than 321 flyable days per year, a key selection criteria; and

WHEREAS, Idaho's facilities provide ample and unhindered training airspace close to installations, which enables more training time and less fuel consumed; and

WHEREAS, Idaho's facilities are unencumbered by the encroachment of civilian land use, which lowers the environmental impact on surrounding communities; and

WHEREAS, Idaho facilities have the capacity to support at least three squadrons each, including runway space, ramp space, personnel housing, and maintenance and hangar bays necessary to accommodate these new missions; and

WHEREAS, the City of Rexburg is a patriotic community, and supports members of our community in the military, and would welcome the new F-35 mission.

NOW, THEREFORE, BE IT RESOLVED by the members of the City Council and the Mayor of the City of Rexburg, Idaho, that we urge the U.S. Air Force to select Idaho for its F-35 missions.

RICHARD WOODLAND, MAYOR

ATTEST:

BLAIR D. KAY, CITY CLERK

Mayor Woodland asked for a motion to do this resolution in support of encouraging the Air force to locate in the state of Idaho.

Council Member Sutherland said that the head test pilot of this whole program is John Beasley, from Rexburg.

Council Member Egbert said that they were able to hear the presentation in Boise earlier this week. It is very impressive; the fighter can take off vertically. It will be great to have this in the State of Idaho. This brings a lot of jobs to that area.

Council Member Sutherland moved to approve **Resolution 2010 – 1**; Council Member Stout seconded the motion; all voted aye. **The motion carried.**

2. Boise meetings:

Council President Mann said it will be an interesting legislative session in Boise because there is no money. There will be a big slash in education that will hurt. What will get cut is the question. All across the nation, every city is hurting. The city of Baltimore laid off 4,000 employees. Revenue sharing is based on the population of Rexburg. We are grateful for good legislatures.

Council Member Benfield was there for the Chamber of Commerce. In every meeting it was stressed on the shortage of money. Superintendent Luna was supportive of the proposal for the Land Grant; so hopefully those funds will help education this year.

Council President Mann stated that many state legislatures think that the revenue sharing formula may change, but that will not happen this year. The city may have to cut back on services, due to lack of money.

Council Member Benfield said the projections are not good, and this is the “new reality.”

Mayor Woodland visited with Governor Butch Otter on water permits for Rexburg. The Governor will push the permit request forward to get Rexburg a water permit. Mayor Woodland visited with other legislators including Representative Dell Raybould. He visited with Water Resources as well. Hopefully the city can get some things done. We need to get some things done. There are things that are vital to Rexburg. Right now we are okay, but we have to have additional water and expanded wastewater treatment. Public Works Director Millar is on top of the wastewater treatment needs for the city; we're looking good with wastewater treatment if everything comes together. The University growth could be substantial in the future. The city will see continued growth and more demands on the infrastructure.

Finance Officer Horner reviewed some revenue forecast including a sales tax forecast. The city is taking a very conservative approach because of a revenue trending decline. The rate of decline is decreasing. Who knows if revenue will come back up, but it is starting to level off. The decline from last year to this year is double digit. This year the revenue decline is less than 10%. We have two sales tax revenues that come next week. One is from the state and the other one is from the county.

Finance Officer Horner said he has looked at the Association of Idaho Cities (AIC) revenue projections compared to what he feels should be allocated to Rexburg. He is using the more conservative numbers. The State sale tax, which is the largest sale tax revenue for the city has estimates of \$192,000. Finance Officer Horner has estimated \$159,000, which compared to the budget is a \$54,000 decrease. The revenue sharing from the state has been projected to be \$620,000 by AIC and Finance Officer Horner estimated \$606,000. This is still \$65,000 short of budget. There are indicators indicating the curve is leveling off because he has taken a 10% decrease; and the last payment was just a 7% decrease over a year ago. He estimated a 10% decline just to be safe, which would result in \$65,600 decrease. Now, for the good news: there have been some reductions in staff - down three positions. This is saving \$51,500 for the remaining budget year.

Council President Mann asked how can three positions add up to \$51,500 with benefits and everything; doesn't the city pay more than that? Finance Officer Horner responds partly due to a partial year remaining on the budget. Some part time interns may be added with no benefits verses the vacant full time positions; hopefully, there will be additional savings over \$51,500. That is his conservative estimate.

Other good news is in revenues:

The franchise fee revenue for Rocky Mountain Power is higher by \$11,000 for a total of \$33,000. Of the \$33,000, \$22,000 of the franchise revenue will go to the street fund. The parking permits have added \$31,000 to net revenue. Overall, with all of those added up, there is a \$25,000-\$26,000 revenue shortage in the general fund. Other good news is that the gas tax has turned the corner. The payment received this January was 19% higher verses last January. The last two gas tax payments, compared to a year ago, are 10% higher. He estimated a leveling off of gas tax revenue and other revenue close to current levels. He does not see that budget declining further. Street projects may add to the revenue/expense of the budget. According to Finance Officer Horner's estimate of the \$25,000 shortage, he recommended a soft approach as Mayor Woodland is doing. Maybe continue to hold back on capital items with a revaluation in three months. Staff is supposed to watch spending for capital items at Mayor Woodland's discretion.

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. January 20, 2010 meeting.
- B. Approve the City of Rexburg Bills

Council President Mann moved to approve the Consent Calendar; Council Member Egbert seconded the motion; all voted aye. **The motion carried.**

Adjournment

Attest:

Richard Woodland
Mayor

Blair D. Kay
City Clerk