

# City Council Drive-Around Meeting

May 13, 2010

35 North 1<sup>st</sup> East  
Rexburg, ID 83440

blairk@rexburg.org  
www.rexburg.org

Phone: 208.359.3020 x2313  
Fax: 208.359.3022



CITY OF  
**REXBURG**  
America's Family Community

**May 13, 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  
John Millar – Public Works Director  
Val Christensen – Community Development Director  
Blair Kay – City Clerk

**9:00 A.M. City Hall**

**Roll Call of Council Members:**

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

Excused: Council Member Egbert.

**9:10 A.M.**

- Mayor Woodland and the City Council Walked to the Fire Department. Council Member Stout talked about parking issues with Wells Fargo Bank. They met with Fire Department personnel to thank them for their service.

**9:20 A.M.**

- Next stop was the Police Station where they met with Chief Archibald and police personnel. Chief Archibald thanked them for their attention and concern for the Police Department.

**9:35 A.M.**

- Walk to the Westwood Theatre and meet with Roger Harris for a review of the upgrades currently under consideration. Mr. Harris gave a brief history of the theatre and told Mayor Woodland and City Council of the various renovations that had taken place therein:
  1. Front counter was refurbished and is now equipped for the selling popcorn, candy, and snacks.
  2. Newly painted walls and floors downstairs and one downstairs room being finished.
    - a. Part of the downstairs job was completed by an Scout Eagle Project.
  3. New and proposed lighting.
  4. Near perfect acoustics is a benefit for the theatre due to its structure.
  5. Mr. Harris informed the Mayor and City Council of the plan to keep upgrading the facility for upcoming talent shows, plays, etc.
  6. New stage that was rebuilt.
  7. Plans for the future include removing some back walls on the stage in order to create more space.
  8. Mr. Harris mentioned chairs were reinstalled in the theatre after the building was vacated. The past owner planned to destroy the chairs.
  9. The Westwood Theatre was built in 1916.
  10. The City of Rexburg had two theatres in past history.
  11. The city purchased the Westwood Theatre for renovation in 2004.
  12. Joanna Carter is helping with the refurbishing project, and is currently seeking grants to help with the funding.
  13. Mr. Harris was given a donation of \$100 for Tabernacle windows received by Council Member Benfield.

14. New Roll up Screen was located on the stage that may be sold to help with renovation costs.
15. An old projector may be sold for additional revenue.

Mayor Woodland was excused until the budget review at 1:00 P.M.

**9:50 A.M.**

- Load van at Westwood and depart for drive around.

**10:00 A.M.**

- The City Council began a drive around to visit some areas of interest:
- 1. Waste water treatment upgrade  
At the Wastewater Plant there were five main developments discussed:
  - a. Bio Solids Tank—which is a tank used to filter solids. This is a one million tank. The total cost for this project will be two million. The tank has a system to aerate the bio solids. It provides additional storage capacity before the effluent goes into the gravity belt thickener. Water removed by the system goes back through the treatment process.
  - b. Belt Thickener
  - c. Solar Drying Beds—the plant averages three million gallons per day. Shelley’s plant cost = \$24,000,000.
  - d. Back-up Generator—to be installed.
  - e. Camera Trailer—every three to four years all wastewater lines are scheduled to be inspected. This used to be done by hiring a company to do it; now they have their own equipment. Related material from the June 03, 2009 City Council Minutes:  
*Waste Water Project (Phase I Design). Public Works Director Millar asked for approval to start negotiations with an engineering firm to develop user fees and be prepared to move quickly to install a bio-filter and belt press. He explained waste water capacity is running high. The bio-filter and belt press need to be constructed this year with the proposed solar drying beds being done next year. This would cut the waste water load down significantly. To get adequate capacity now, the Waste Water Department will have to start double shifting. He proposed to have a phasing and cost plan before the City Council in three weeks. The City Council suggested having an example that is in operation for their review before a decision is adopted. The plant capacity is bumping upwards of 3,000,000 gallons per day; if there is one problem in the plant, unwanted odor would develop. The proposed process would have substantial energy savings.*
- 2. Pioneer Road – Council President Mann discussed the need to LID’s properties adjoining Pioneer Road to clean up the appearance of the street. (focusing on curb/sidewalk issues.)
- 3. 12<sup>th</sup> West project stub outs being extended for the reconstruction.
- 4. On/off ramps reviewed for clean-up – Council Member Stout
- 5. Crest Haven problems: Crest Haven Subdivision was reviewed concerning curb, gutter and sidewalk settling problems. Mailboxes in the sidewalk area were mentioned.
- 6. Valley River Rd, North 1<sup>st</sup> East, 2<sup>nd</sup> North – Council Member Stout
- 7. Lower half of Mill Hollow – Missed on the tour.

**11:15 A.M.**

- Met at Riverside Park with Johnny Watson from JRW and Associates. Mr. Watson was able to meet on site with City Council and discussion of the proposed new swimming pool which is to be constructed.

**11:50 A.M.**

- Met with Dr. Thomas at Madison School District offices for a courtesy call. Dr. Thomas is the Superintendent of the Madison School District in Rexburg.

**12:00 P. M.**

- Lunch at Craigo’s.

**1:00 P.M. City Hall**

- Budget overview with Financial Officer Richard Horner. The first discussion had to do with the Crest Haven Subdivision. Public Works Director John Millar spoke on the storm drainage project. Discussion held on past LID’s. The Last work done in the subdivision for street work was the cal-de-sac on Vista.

**Financial Officer Horner** reviewed the budget schedule for 2010. City Attorney Zollinger mentioned the Arts Council’s funding has been through the state; therefore, they could receive more if they could operate independently from the city. Finance Officer Horner continued reviewing the budget. The sales tax has decreased a little. Gas taxes have remained constant. Concerning salaries, there is a 3.1% cost of living adjustment added plus step raises by department. This is based on longevity pay and it is performance based. Health costs are at 10% with 7.5% covering January to September by current estimates. There is a six million dollar payroll; so, 3% is about \$180,000. 50% to 70% of payroll comes for the General Fund. On average, step raises can be 2% or \$120,000 city wide. Police and Fire Department Certifications are some of the possibilities for a step raise due to a certification upgrade; (i.e. moving from Class 2 and Class 3.) To be certified includes: Class room instruction, two years experience, and the state test. Wastewater grade changes are based on certification, there are only four grades allowed of a pay change due to a certification change. The Fire Department added quite a few step raises; however, approval is based on budgeted funds.

**2:00 P.M.**

- Discussion on impact fees.

**Bart Stevens** reviewed the process to address changes to the Impact fees. It was mentioned Jared Summers has requested more information on how impact fees were created. Discussion: The Hoffman firm started this process with a study in July of 2003. A city committee recommended the impact fee method of having new business help pay for the added load of needed services when the population is increasing. The City Council approved the recommendations of the Impact Fee Committee. Idaho Falls and Ammon also discussed impact fees; however, they never implemented impact fees. One explanation is the fact that Rexburg’s Mill Levy is much lower than Idaho Falls and Blackfoot.

According to the time line; the fees were created in 2003 and have never increased until last year. At that time sewer installations increased for residential by \$700. In 2006 Street Impact Fees were added. In 2009 all impact fees were raised except the Fire Impact Fees. The City Council adopted the increases.

To maintain desirable levels of service, and to ensure that future development pays a portion of the cost for construction of future public facilities, the City of Rexburg elected to enact a development impact fee program to serve as its primary financial mechanism in paying for public facility improvements made necessary by new development.

**Impact and Capacity Fee Lists**

	Home	Family Apt.	Singles Apt.	Commercial	
Construction	\$ 193,118	\$ 75,000	\$ 125,000	\$ 337,453	
Square Feet	1,500	800	1,000	3,230	
Water gal. /day	1,667	643	643	1,667	
Sewer gal. /day	328	134	134	328	
Trips /day/1000sf	N/A	N/A	N/A	20	
Water	\$ 1,650.00	\$ 636.58	\$ 404.52	\$ 1,650.00	
Sewer	\$ 1,700.00	\$ 697.00	\$ 1,295.40	\$ 1,700.00	
Parks	\$ 800.00	\$ 458.85	\$ 1,117.21	N/A	
Police	\$ 100.88	\$ 55.26	\$ 55.26	\$ 735.50	0.22771
Fire	\$ 184.61	\$ 69.43	\$ 69.43	\$ 193.41	0.05988
Streets	\$ 864.57	\$ 691.66	\$ 691.66	\$ 1,166.68	18.06
<b>Total</b>	<b>\$ 5,300.06</b>	<b>\$ 2,608.78</b>	<b>\$ 3,633.47</b>	<b>\$ 5,445.59</b>	

**Financial Officer Horner** said Mr. Summers pulled back his request for an adjustment on impact fees.

**City Attorney Zollinger** said multi-family fees went up. Finance Officer Horner was going to get the rate breakdown. Discussion on square foot method of calculation. These are all impact fees per unit. This hits every entry level. Mayor Woodland asked if a unit of a husband, wife, and child were paying more than a unit with six boys, if so this is wrong. This was not correct. The family unit is paying about half as much.

Per 1,000 square foot comparison: Rexburg = \$33, Idaho Falls = \$96, and Blackfoot = \$123.

**Bart Stevens** said he did not sense a lot of negative due to automatic escalation; however, the builders are concerned. He was concerned it would decrease the incentive to move to Rexburg. *Note: The Impact Fees can be raised 2.5% per year with City Council approval.*

Discussion: Council Member Erickson said there was no problem. Mayor Woodland had a perceived problem with impact fees. Public Works Director Millar said timing of changing the fees could help someone's competition if the fees were lowered. Community Development Director Val Christensen understood stating although it is a tough economy; he would like to keep building. Council Member Benfield asked what the builders are saying. Community Development Director Christensen said they are not looking at taxes. They will make impact fees up in the long run with reduced taxes. It is pertinent to keep it at a level to make it fair. Regular Sewer has increased 70% since last year.

Kartcher Homes has impact fees over half a million dollars. Public Works Director Millar compared Single family Water & Sewer rates. Financial Officer Horner spoke on the water's average cost for the area. Public Works Director Millar spoke about the sewer costs coming closer to average in the area. Financial Officer Horner said the Impact Fee Committee looked at it and the cost is rising. They didn't go there. The current cost will help with sewer upgrade.

#### 2:45 P.M.

- Discussion on downtown parking.

**Council Member Stout** discussed the Wells Fargo Lease, he asked for policy. City Attorney Zollinger reviewed the passed "DR Pass" policy, covering the following points:

- 1.) Wells Fargo has 18 signed, customer/employee passes.
- 2.) Overnight tenants are given permits.
- 3.) Parking lot on Center Street is shared with 30 College Avenue renters.
- 4.) Parking stalls are required by the Planning Standards Ratio. Passes contain the expiration date on the Renters' DR Passes.
- 5.) Green slips were put on cars telling them to get DR Passes.
- 6.) Dr. Ward parking lot discussion—parking lot bids for property owned by Dr. Ward and the city. 2/3 of the property is Dr. Wards and 1/3 of the property is city property. Florence's Parking lot is similar to Dr. Wards' potential lot. Dr. Ward estimates about \$15,000 to construct the lot. City Attorney Zollinger said the Parking Plan has been effective and the Center Street lot is empty part of the day (up to 30 vacant spots), specifically at 38 College Ave.

#### 1. **Second Reading:** Those items which have been first read.

##### A. **1:30 P.M. Amend Ordinance 1026 Chapter 3 Sections 3.13 - 3.14** by "Ordinance 1045"

**City Attorney Zollinger** explained the history of the BILL as it was presented to City Council on the 5<sup>th</sup> of May. There was a Comprehensive Plan amendment approved on May 5<sup>th</sup> that was necessary to allow for the presentation of the proposed addition of the MU1 and MU2 Zones to the Development Code.

He clarified a Public Hearing cannot be re-opened. Public Hearings are not required for Ordinance passes. Ordinances are to maintain its general course, by being put out for the public. The public is able to come to a City Council Meeting and state their view on the Ordinance being proposed. They are also given a 3<sup>rd</sup> chance to be heard of the changes of the Ordinance. The Land Use Planning Act requires a Public Hearing as an additional step to pass any Ordinance changes. Public input is only incorporated out of the Public Hearing process. The wording can be changed.

**Mayor Woodland** asked for any further discussion.

**Council Member Sutherland** moved to suspend the rules to Amend Ordinance 1026 Chapter 3 Sections 3.13 - 3.14 and other minor changes by "Ordinance 1045"; Council Member Benfield seconded the motion; Discussion:

**Council Member Benfield** asked City Attorney Zollinger to give an overview of the history. City Attorney Zollinger clarified the reason under the "Local Land Use Planning Act" the single

reading for the motion is standard practice is normally ordinance do not require a public hearing. The theory is if you go through the laborious effort which we have just struggled through for a public hearing process; there is very little to be gained from waiting another two weeks and going through the three reading process.

**Council Member Stout** proposed a substitute motion to second read Ordinance 1045, amending Ordinance 1026 Chapter 3 Sections 3.13 - 3.14, including additional changes previously discussed. Council Member Erickson indicated he would not second the motion because it had not been published yet for May 19<sup>th</sup>, 2010. City Clerk Kay said the Agenda will be published tomorrow.

Motion died for lack of a second.

**Mayor Woodland** called for a roll call vote:

<b><u>Those voting aye</u></b>	<b><u>Those voting nay</u></b>
Council Member Erickson	Council Member Benfield
Council President Mann	Council Member Stout
Council Member Sutherland	

**The motion carried.**

**City Attorney Zollinger** said now it can be considered approved and amended.

**Council Member Sutherland** made a motion to approve Ordinance 1045, amending Ordinance 1026 Chapter 3 Sections 3.13 - 3.14, including additional changes previously discussed as follows:

**A. Conditional Uses:**

1. MU1 Zone – Each building or project must have a minimum of 30% residential or commercial and may have as little as 0% residential or commercial with a Conditional Use Permit (CUP).
2. MU2 Zone – Each building or project must have a minimum of 10% residential or commercial. Each building or project may have as little as 0% residential or commercial with a Conditional Use Permit (CUP). MU-2 is not allowed as a zone in any property facing Main Street Between the 2<sup>nd</sup> West and 2<sup>nd</sup> East.
3. The following uses and structures may be permitted in the MU2 zone only after a Conditional Use Permit has been issued, and subject to the terms and conditions thereof, and must be consistent with the Purpose and Objectives of the MU2 zone. Each building or project must have a minimum of 10% residential or commercial and may have as little as 0% residential or commercial with a Conditional Use Permit (CUP). When MU2 is allowed in an area designated on the Preferred Land Use Map as Downtown Commercial Mixed Use, the residential density may be increased to 40 units per acre if approved with a Conditional Use Permit.

**Council Member Erickson** seconded the motion. Discussion:

**Mayor Woodland** called for a vote:

<b><u>Those voting aye</u></b>	<b><u>Those voting nay</u></b>
Council Member Stout	None
Council Member Erickson	
Council President Mann	
Council Member Sutherland	
Council Member Benfield	

**The motion carried**

**3:00 P.M.** – Open discussion and review goals from January.

**Council President Mann** spoke on the “goals” listed which include the following:

- 1) Emergency Preparedness
- 2) Prioritize Projects
- 3) 12<sup>th</sup> West
- 4) Pedestrian Safety Lighting
- 5) Water
- 6) Stay within Budget
- 7) Hiring Freeze

Discussion: Water on the west side of town. Mayor Woodland asked about Nitrate Plume. There is a county study underway. \$200,000 is in the lighting budget; need to get a priority list regarding lighting infrastructures. Public Works Director Millar spoke about 4-5 key lights to be installed at the following locations: Applebee’s, E 5<sup>th</sup>, 2<sup>nd</sup> E, and 2<sup>nd</sup> S to 3<sup>rd</sup> S, with the campus providing lighting for the campus’s side of the street. Council Member Erickson wanted the lights in dark neighborhoods rather than the intersection at Applebee’s. Council Member Stout agreed with Council Member Erickson, and said it was necessary for pedestrian safety.

**Council Member Benfield** said there needs to be a street priority list for 2011. She asked Public Works Director Millar to prioritize. He said the main concerns are where there is a lot of traffic such as: 2<sup>nd</sup> E, which contains more than 12,000 vehicles daily, and 5<sup>th</sup> W, 2<sup>nd</sup> S there is also a lot of traffic. About management with staying within the budget, there is an overlay or rebuild to save money. The hiring freeze continues and will only rehire when the City Council approves. They are losing the Equipment Operator in streets, so when he leaves they will rehire. Also the Water Department Position would need replaced.

**Council Member Benfield** spoke on the bids on Tabernacle windows, there is a local manufacturer. Opec glass with double E protection on the outside. For the framing, they will go to a local cabinet shop. The handicap lift is fixed at the Tabernacle. The recycle survey will be shown at the next Council Meeting. The cost was brought to about \$12 a month for recycling. The Medco decision is coming to an agreement.

**Council Member Erickson** spoke about the golf budget, which \$13,000 is for the better tracking. The Chamber of Commerce had portable speakers which they would loan to the Westwood Theatre. Council Member Benfield said the portable speakers can be used Saturday night at the theatre. City Attorney Zollinger said the speakers not performance quality. They may be able to receive new speakers from ticket sales revenue.

**Council Member Sutherland** thanked Council President Mann and Council Member Benfield for the City Council tour today. Mayor Woodland thanked everyone for participating. Council President Mann spoke of the need to make courtesy calls to the community, including businesses. Council Member Sutherland said to do it on Monday. Council President Mann spoke on the need to visit the Hospital and the County.

## Adjournment

Attest:

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Richard Woodland, Mayor

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Blair Kay, City Clerk