

City Council Meeting

November 17, 2010



CITY OF
REXBURG
America's Family Community

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November 17, 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
Scott Johnson – Economic Development Director
Blair Kay – City Clerk

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

Mayor Woodland welcomed the boy scouts to the meeting. Chuck Kunsaitis led the pledge. **Brianne Garn** from BYU-Idaho gave the opening prayer.

Roll Call of Council Members:

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

Council Member Egbert was excused from the meeting.

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

Michelle McFarland “A Madison Memorial Hospital representative” presented a challenge to City Council and Staff to collect food for the holidays in a competition against the County Staff. The following letter from Rex Burch, Marketing & Public Relations Director, explains the details of the food drive.

Our Employee Committee is doing a food donation drive and had a great idea to challenge/include our neighboring public agencies – namely the City employees and County employees – to do the same.

Madison Memorial Hospital would like to officially challenge the City of Rexburg employees to a food collection competition to benefit Upper Valley families with all the items going to the Idaho Food Bank and the Crisis Center.

We have already gotten Madison County to agree to this competition, so with your involvement it will be a three-way challenge to start tomorrow, Nov. 18, and go until Dec. 10 at 5pm. We will provide you two drop off boxes for your non-perishable food donations.

This fun contest will be to see who can raise the most food donations in the allotted time frame. On Monday, December 13, we will weigh the non-perishable food collected by each group and announce the winner.

We would love your help and support in the interest of helping out needy families in our community. This is a wonderful opportunity to show our thanks and facilitate giving during this holiday season. We hope you will accept this worthy challenge!

We are trying to arrange for someone from the hospital to be at the City Council Meeting tonight and make the official request. If for some reason we can't get someone,

we would still like this message above read to the City Council to discuss it and let us know if you'll be joining the competition so we can get underway immediately.

It is my understanding that the Mayor was supportive of this project, but wanted to get the City Council on board too.

Thanks for your time and help! Rex

*Rex Burch
Marketing & Public Relations Director
Madison Memorial Hospital
450 East Main St., P.O. Box 310
Rexburg, ID 83440
Ph. (208) 359.9817 (ext. 4017)
Fx. (208) 359.6415
www.madisonhospital.org*

Mayor Woodland called for a vote of support from the City Council Members:

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

The motion carried.

Presentations: – NONE

Committee Liaison Assignments for 2010:

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

Council Member Stout did not have a report.

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

Council Member Egbert was not in attendance.

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

Council Member Sutherland did not have a report; however, he commented that the Orchestra Concert was magnificent. He was very impressed with the talent of our local musicians.

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

Council President Mann reported Emergency Services met last Wednesday. They approved the purchase of a new replacement unit for the oxygen tank filling machine. The last one blew up and insurance will help cover the cost of a new one.

***Insert from November 10, 2010 meeting: Fire Chief Child** explained the Rexburg Fire Department had a critical piece of equipment break down. The equipment is used to replace air in their firefighting equipment. The equipment will cost \$40,000 to purchase. If the old equipment is repaired, it will cost about \$20,000. The insurance will pay \$19,924 towards the repair or replacement of the equipment. The equipment is an air compressor that fills up the Fire Departments air bottles. The old air compressor does not meet the clean air standards or the OSHA requirements. There is no guarantee the replacement air is clean, so the employees can be safe. The replacement expense will be shared between the city and the Fire District. They are not asking for new money. They are asking for a transfer of \$10,000 funding from the Fire Department contingency account to cover the city's portion of the expense. The Fire District has approved their portion of the funding. He asked for the city's portion of the funding (\$10,000) to be approved.*

Mayor's Youth Advisory Board has been busy. They met earlier before the City Council meeting to work on Christmas trees for the "Shop with a Cop" Program. They will also be working with the Recreation Department for an event on Monday, December 13th from 6:30 to 9:00 p.m. Santa

Claus will be at the Carousel. Children will get a free ride on the carousel and a candy cane from Santa. MYAB will also provide volunteers for “Christmas in the Nighttime Sky” on November 27th.

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

Council Member Benfield reported when she called the Chief for a liaison report he was out making arrests right and left as part of the Muscular Dystrophy Drive. Everything is going great at the Police Department. The Tabernacle Committee is working very hard. The carpet is installed. They are busy painting. The Romance Theatre is nominated for a historical preservation grant by the Hampton Inns. It is up against two other Idaho landmarks. Please go online to vote for the Romance Theatre to help us win the grant. The Warren Miller film will be shown in the Romance this Saturday night. The committee is working on a business plan because theatrical groups are approaching them wanting to use the theatre for other events. They are still working very hard on the construction.

City Attorney Zollinger added the electrical system is being finished today. The stage is also ready to be finished. A meeting will be held tomorrow to decide on the formatting for the sign. There are two companies interested in bidding for the sign project.

Council Member Benfield spoke with the Superintendent today. The School Board is discussing the need for a new educational center. They are outgrowing the current center. They will address the issue in a meeting tomorrow. The Mayor and City Council Members are invited to the Grand Opening of the new high school on Wednesday, December 8th at 6:00 p.m. in the new Performing Arts Center.

Council Member Benfield also wanted to remind everyone about “Christmas in the Nighttime Sky” a week from Saturday at Smith Park from 5:00 to 9:00 p.m. Please bring an unwrapped toy for your admittance. The toys will be donated to the “Shop with a Cop” program. There will be dinner, games, entertainment, pictures with Santa, wagon rides, and Christmas dinner boxes to be donated.

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

Council Member Erickson had nothing to report from the Golf Board and the Rexburg Redevelopment Agency. Planning & Zoning will have an item to discuss on the agenda tonight.

Public Hearings:

A. 7:20 P.M. Proposed Grant Activities to the Idaho Department of Commerce for an Idaho Community Development Block Grant (ICDBG) in the amount of \$500,000 for a sewer improvement project – Staff

Ted Hendricks from *The Development Group* presented the proposed application to the Idaho Department of Commerce for an Idaho Community Development Block Grant. The grant will be used to facilitate a wastewater pressure line from 7th South to the treatment plant. This will allow for additional capacity for the growth that has occurred in that area. The application handbook is available for review at City Hall, along with the application. The application is due on the 19th of this month and must be submitted to the State for consideration. The project scope will take approximately six to eight months of construction, beginning in the spring of 2011. If the application is successful, the grant money will be available for utilization along with the city’s matched funds. The project totals \$1.5 million. These funds are committed to the State of Idaho from the Department of Housing and Urban Development. The State is authorized through HUD to disperse the funds to qualified projects within Idaho. An attendance roll will be passed around. The application will be available for review and the City will take public comment for five days following this public hearing.

Council Member Sutherland asked about a timeframe for the application review process with the state. Mr. Hendricks explained the state will most likely meet in December to review the pre-applications. They will go through a rating and ranking process. The Governor’s Advisory Council will meet with the staff at the Department of Commerce and they will make a short list of projects they will invite to submit a full application. We should know if we can submit a full application in January or February. The Governor will announce the grant award most likely in May and the funds would be available in late May or early June.

Idaho Community Development Block Grant

(ICDBG) Citizen Participation Plan

City of Rexburg

Pursuant to citizen participation requirements for Idaho Community Block Grant participants, the City of Rexburg hereby certifies the following activities will be completed:

Provide for and encourage citizen participation, particularly for low and moderate income persons who reside in slum or blighted areas and areas in which ICDBG funds are proposed to be used. Provide technical assistance to group's representative of low and moderate income persons that request assistance in developing proposals in accordance with procedures developed by the department. Such assistance need not include providing funds to such groups.

Hold a minimum of two public hearings, each at a different stage of the program, for the purpose of obtaining citizens' views. The first public hearing shall include a description of the proposed project, scope of work, budget, schedule, location, and beneficiaries. Any earned program income must also be noted. The application, related documents, and the Application Handbook shall be available for citizens to review.

The second public hearing on the status of funded activities and accomplishments to date; a general description of remaining work and a general description of changes made to the ICDBG project scope of work, budget, schedule, location or beneficiaries.

A public hearing shall also be held in the event ICDBG project activities are added, deleted or substantially changed from the application. Substantially changed means changes made in terms or purpose, scope, location or beneficiaries as defined by the ICDBG program.

Provide reasonable and timely access to local meetings, information and records pertaining to the local government's proposed and actual use of ICDBG funds. Public hearings shall be conducted at times and locations convenient to local citizens.

Public hearings shall be advertised in a local newspaper no less than seven (7) twenty-four (24) hour days prior to the hearing date. If there is no local newspaper, public notification will occur through some other method where there is wide distribution to citizens within the project area. The Community Development staff must approve this method.

A copy of the publication and/or affidavit of publication shall be submitted to the department. The notice should identify all of the topics to be addressed in the public hearing including the assurances that hearings shall be held in facilities that are accessible to persons with disabilities and that alternative formats shall be available to persons with disabilities where practicable, and with advance notice to the unit of local government.

Citizens shall also be notified they will be given the opportunity to comment orally or in writing at a minimum of five days prior to and at the hearing. Special accommodations shall be available for persons with disabilities who may wish to comment within this period.

Public hearings shall be conducted in a manner to meet the needs of non-English speaking residents where a significant number of non-English speaking residents can be expected to participate.

Local citizen participation records which shall be made available to the state and local citizens shall include: A copy of the public notice and/or affidavit of publication which describes proposed or actual project activities, scope of work, location, budget, schedule, objectives, and beneficiaries. Notices shall also contain the accessibility clause for persons with disabilities.

Grantees must provide the address, telephone number, and times for submitting complaints and grievances, and provide timely written answers to written complaints and grievances within fifteen (15) working days where practicable.

Local staff shall be familiar with citizen's complaint procedures. These procedures shall provide local citizens with the opportunity to protest project activities or related issues. A written complaint or grievance is formal notification of a concern, allegation or protest to a proper authority. A formal complaint will be considered filed at the time it is delivered to the appropriate authority's office. To file a complaint, citizens must provide enough information to allow an investigation. The complaint should be clear and concise and include the following information:

- A. *Identification of the project, project location, and program activities.*
- B. *Reason for the complaint (hearsay and innuendo will not be considered valid).*
- C. *Sufficient data to substantiate any claims or charges. If possible, supporting documentation should be included.*
- D. *If desired, citizens may propose a solution to the problem.*

If the complaint is concerning local activities or project implementation, complaints and grievances shall first be filed with the appropriate elected official. If this is the case, grantees shall be required to notify the department of the complaint. A copy of the response shall also be submitted to the department. Every attempt must be made to respond to citizens within fifteen (15) days where practicable.

If a citizen feels the response from the local jurisdiction is unsatisfactory, he or she may appeal to the department for resolution. The department at that time may request additional information. Every effort will be made by the department to provide a full response within thirty (30) days.

If valid and sufficient data has been provided to substantiate the complaint, an investigation will be conducted. The extent of an investigation depends on the scope and depth of the issues involved.

If the complaint is more appropriately directed toward the ICDBG program activities, the same procedure will be followed except all communications are between the state and the complainant.

This plan shall become effective November 17, 2010.

Richard Woodland, Mayor – City of Rexburg

XVI. CERTIFICATIONS

I certify the data in this application is true and correct, that this document has been duly authorized by the governing body of the City of Rexburg and we will comply with the following laws and regulations if this application is approved and selected for funding.

- *National Environmental Policy Act of 1969*
- *Civil Rights Act of 1964 Pub.L 88-352*
- *Civil Rights Act of 1968 Pub.L 90-284*
- *Age Discrimination Act of 1975*
- *Rehabilitation Act of 1973, Section 504*
- *Uniform Relocation Assistance and Real Property Acquisition Act of 1970, as amended (49 CFR Part 24)*
- *Housing and Community Development Act of 1974, as amended Pub.L 93-383*
- *Davis-Bacon Act (40 USC 276a - 276a-5)*
- *Historic Preservation Act*
- *OMB Circular A-87, and ensure that sub-recipient complies with A-110 and A-122*
- *Section 106 of the Housing and Urban Recovery Act of 1983 certifying to:*
- *Minimize displacement as a result of activities assisted with CDBG funds by following the Idaho Department of Commerce's anti-displacement and relocation assistance plan;*
- *Conduct and administer its program in conformance with Title VI and Title VIII, and affirmatively further fair housing;*
- *Provide opportunities for citizen participation comparable to the state's requirements (those described in Section 104(a) of the Act, as amended);*
- *Not use assessments or fees to recover the capital costs of ICDBG funded public improvements from low and moderate income owner occupants;*
- *Abide by all state and federal rules and regulations related to the implementation and management of federal grants;*
- *Assess and implement an Accessibility Plan for persons with disabilities in accordance with Section 504 of the Rehabilitation Act of 1973, as amended;*
- *Adopt and implement an Excessive Force Policy;*
- *Prohibition of Use of Assistance for Employment Relocation, Section 588 of the Disability Housing and work Responsibility Act of 1998 Pub. L 105-276.*
- *Anti-Lobbying Certification: No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned to any person for influencing or attempting to influence an officer or employee of any federal agency, a member of, employee of a member of, officer of or employee of Congress in connection with the awarding of any federal contract, the making of any federal grant or loan, the entering into any cooperative agreement and the extension, renewal, modification or amendment of any federal contract, grant, loan or cooperative agreement. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any federal agency, a member of, employee of a member of, officer*

of or employee of Congress in connection with this federal grant, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

November 17, 2010

Richard Woodland, Mayor – City of Rexburg

Mayor Woodland opened the Public Hearing.

Those in Favor: – NONE

Those Neutral: – NONE

Those Opposed: – NONE

Mayor Woodland closed the Public Hearing.

Ted Hendricks mentioned there are certain housekeeping items the Mayor will need to execute in order to complete the application. One item includes authorizing the Resolution, which authorizes the Mayor to sign the application documents. The Citizen Participation Plan is covered in part by this Public Hearing; a second Public Hearing will be held when the project is 50% complete. This is done so the public is kept informed and has the option of making comments. Because the funds are from the Department of Housing and Urban Development, the city is obligating they will follow federal standards and guidelines with this project. They would like the authorized resolution adopted tonight. They will meet with the Mayor tomorrow to have the application documents signed.

Council Member Sutherland moved to authorize the Mayor to sign the application documents; Council Member Benfield seconded the motion;

Mayor Woodland called for a vote:

Those voting aye

Council President Mann
Council Member Benfield
Council Member Erickson
Council Member Sutherland
Council Member Stout

Those voting nay

None

The motion carried.

Mayor Woodland recognized the presence of John Weber, Richie Webb, Johnny Watson, and a representative from the University. He thanked them for being in attendance.

Items for Consideration:

- A. Zone Change** for the area west of Targhee Professional Offices, LLC from "Low Density Residential Two (LDR2) and Low Density Residential One/Professional Overlay (LDR1/PO)" to Mixed Use 2 (MU2).

City Attorney Zollinger presented on behalf of Community Development Director Christensen, who was unable to attend. The Planning & Zoning Commission held a Public Hearing; there was some discussion. Planning & Zoning wanted City Council to be aware the zone change does not include the existing Targhee Professional Plaza property. This is a request to rezone the 2nd East area, primarily the homes along 2nd East and a few along Main Street, as well as the existing Professional plaza parking lot. The buildings that face Professional Plaza Street will remain zoned as they are now, with a Professional Office overlay. Planning & Zoning felt this would give a sufficient buffer to the neighborhood on 3rd East. With this understanding, Planning & Zoning recommended approval.

Council Member Sutherland moved to approve the Zone change for the area west of Targhee Professional Offices, LLC from "Low Density Residential Two (LDR2) and Low Density

Residential One/Professional Overlay (LDR1/PO)” to Mixed Use 2 (MU2); Council Member Stout seconded the motion;

Discussion: Council Member Mann referenced the Planning & Zoning minutes, which read the city staff decided to move forward with the inclusion of the whole west side of the block. It seems the city expanded on the original request.

City Attorney Zollinger explained the original request came in from a consortium of doctors. The area they proposed included the property they own, which is all they are allowed to petition. This area has been the subject of many requests in the past. As all of this has matured over the years, city staff’s perception was that creating a zoning checkerboard was not going to be in anyone’s best interest. It was determined by staff to put it to the Public Hearing process to clean up that area along 2nd East, giving the opportunity to those who had been in previous discussions to come in and be heard relative to what was being proposed.

Council President Mann shared his concern about changing the zoning to MU2 when most plans for that area do not include residential components. He also mentioned adding a time limit so these properties are not sold for other development projects that differ from current plans. If this zone change is passed they will have to watch it carefully to be sure that area and the traffic are protected for future growth.

City Attorney Zollinger addressed the concern about MU2. The MU2 zone classification does encourage a residential element; however, more importantly for this type of development, is the requirement of aesthetic integration to a residential community. It gives the Design Review Committee the ability to say certain development plans do or do not integrate well into the area.

Council President Mann thanked City Attorney Zollinger for his explanations.

Council Member Benfield mentioned Planning & Zoning addressed the concern for working with the residents in this area. It stresses they are willing to work with the residents. She feels they will do that and she is more comfortable with this zone change because of that factor.

Council Member Erickson asked if this prevents residents from staying in their homes. City Attorney Zollinger said Planning & Zoning has all of the tools to protect residential usage of that property. Council Member Erickson shared that he supports MU2 because when a development agreement comes forward this will be a better solution to support the residential properties.

Mayor Woodland called for a vote:

Those voting aye

Council President Mann
Council Member Benfield
Council Member Erickson
Council Member Sutherland
Council Member Stout

Those voting nay

None

The motion carried.

B. Changes to the City Master Fee List for updated Business Registration Categories per Ordinance No. 1029 – Requiring all Businesses within the City of Rexburg to register.

Finance Officer Horner explained the need to set a Public Hearing to add new business categories and associated fees. City Clerk Kay explained the need to change the parking permit fees to stay in concert with the University’s new pricing structure for parking permits on campus. The new categories have been added to cover the expanded business base in Rexburg. The hearing can be set for the next meeting on December 1st.

Council Member Sutherland asked about the increased cost of the University Street Parking Permits. Finance Officer Horner explained the University has increased their parking permit fees for 2011 and this change is meant to keep the city’s annual price slightly higher, in order to encourage students to use the University parking lots.

Council President Mann asked about home businesses.

City Clerk Kay explained Ordinance No. 1029 was already approved by City Council. The Master Fees List change is meant to generalize business categories so there are not so many categories. The staff has identified 254 businesses in town that are not registered and letters were sent today. The staff is asking for these changes to be approved so they have correct categories to distinguish the different types of businesses.

Council Member Stout asked about a category for general businesses as a catch-all. City Attorney Zollinger explained there is a commercial category to include businesses that do not fit into other categories.

City Clerk Kay also clarified that the idea is to have a license for each professional business operation. If separate businesses are conducted in one facility then they would need to be registered separately.

Finance Officer Horner requested the public hearing to be held at the next meeting on December 1st at 7:30 p.m.

Council Member Stout moved to set the public hearing for the next City Council meeting on December 1st at 7:30 p.m.; Council Member Benfield seconded the motion;

Mayor Woodland called for a vote:

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

The motion carried.

C. Surplus equipment list – Staff

Council President Mann reviewed the surplus list. We have a Champion Road Grader, a V-snow plow blade, a rotary snow blower, two trucks from the airport, 20 kilowatt generator from the fire station, two sander beds for streets, '78 Dodge, '87 GMC, '87 Chevrolet Pick-up, and a '98 Crown Victoria.

Council President Mann moved to approve these items for surplus; Council Member Stout seconded the motion;

Mayor Woodland called for a vote:

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

The motion carried.

Staff Reports:

A. Public Works: – John Millar

City Engineer Keith Davidson was asked to present on behalf of Public Works Director Millar.

1. 6th South is paved now. Kartchner Homes will be starting on the bridge near North Gate and South Gate Apartments. The water is out of the canal. They will be starting on footings this week. It will be tied in with pavement next spring.
2. The Wastewater Treatment plant is moving along. They should get the distributor mechanism for the bio-tower tomorrow. They are planning to do the tie-in next week,

Tuesday at 1:00 p.m., when the students are out of town. The flows will be down so it will make it a little easier. After another week or two they will have everything in line and all of the pumps will be running. He explained the process of treating the wastewater.

Public Works has one bid item to present. It is for a grit classifier, which removes grit from the wastewater stream. The existing one is in desperate need of repair; it is not actually functioning right now. They received 3 bids.

Mayor Woodland asked if the bids are for the same unit we currently have. The equipment has some differences. They are made by different manufacturers. Public Works Director Millar is comfortable with the low bid.

Council Member Stout asked if this is an item they have specifically budgeted. It is not budgeted. As they delved into the grit classifier, they realized it is desperate need of repair. The money would come from the section of the budget for the treatment process, which is currently under budget. It could also go through the maintenance and repair budget.

Pictures of the grit classifier were shown. It is a piece of equipment that simply runs down after time. Grit is cleaned-out in the classifier so it does not go into the oxidation ditches area of the treatment process.

Manufacturer	Price	Delivery	Trough and Basin	Screw Conveyor	Drive / Bearing
WesTech / Goble Sampson	\$35,000 w/ Freight	1/15/2011	304 SS	Shaftless Carbon St.	½ hp, upper only
Hydro-Dyne / W-Cubed	\$38,265 w/ Freight	2 / 1 / 2011	304 SS	Shafted Stainless St.	1 hp, upper and lower
WasteTech / W-Cubed	\$45,060 w/ Freight	3 / 15 / 2011	304 SS	Shafted Alloy St.	1 hp, upper and lower

Council President Mann moved to accept the low bid from WesTech for \$35,000; Council Member Stout seconded the motion;

Mayor Woodland called for a vote:

Those voting aye

- Council President Mann
- Council Member Benfield
- Council Member Erickson
- Council Member Sutherland
- Council Member Stout

Those voting nay

None

The motion carried.

Council Member Stout asked if he had any information regarding a request by the Airport Board for help with bidding for a snow plow. Public Works Director Millar agreed to help them with the FAA. They have a vehicle picked out. City Engineer Davidson can also help the board work with the FAA. Public Works Director Millar has the information; City Engineer Davidson will meet with him on Monday.

Johnny Watson reported on the status of the Riverside Aquatic Facility. There are people from out of town who have already come to visit and expressed interest in the facility. He will be speaking to a Recreation Management class at BYU-Idaho tomorrow about the planning process for the facility. Construction has been going very well. The weather has allowed them to get a lot done. They are continuing on the piping. They are racing to get it done. They have a ground heater on site, but they have only had to use it twice when it snowed. They want to get the frame for the lazy river done before the frost really sets in. Everyday they are receiving shipments of pieces of pool equipment. They are starting to set the steel over the equipment room. They want to get that done as soon as possible so when they start to get really cold weather they can work on the pool equipment from inside. They are not planning to shut down much over the winter. They are doing a lot of preparation work on the site right now. In the spring they will just have the sidewalk preparation and asphalt to complete. Landscaping cannot be done right now either. He hopes interest will continue to grow. He feels it is a pleasure to be there everyday.

Council Member Benfield asked Mayor Woodland if the pool supervisors have accepted the job offers and gone to training. The job offers have been accepted. Mayor Woodland welcomed any who are interested in applying for the lifeguard positions. Almost 100 lifeguards will be needed on staff; 25 will be working at once.

Johnny Watson added the masonry work is almost done. The men's and women's showers will have a spectra-glaze block. It is a ceramic-faced block, which completes the project with one product, as opposed to installing block and ceramic tiles.

Council Member Mann asked about what people will use to float on the lazy river. They will have the option of renting tubes or floating themselves. There will be a place for storing the rental equipment.

Council Member Erickson asked about the black top. Johnny Watson replied the black top will be installed last so when the ribbon cutting is held it will look brand new.

Mayor Woodland mentioned the University will be helping with hiring the lifeguard staff. He appreciated the University assisting with this hiring and certification training effort.

B. Finance Department: - Richard Horner

Finance Officer Horner reported on the sewer bond. It will be up for bid starting tomorrow morning at 10:00 a.m. They received an AA1 rating from Moody's. They received a good rating because of the connection to the state. He was hoping for less than 4% interest; the banks they are working with are predicting 3.5%. They will be closing December 8th on the bond. They invited 15 to 20 investment banks to look at the bid proposal; they are hoping to have 8 to 10 bids submitted.

Calendared Bills and Tabled Items:

- A. "LAND USE ACTION" – BILLS RECOMMENDED/APPROVED IN A LAND USE PUBLIC HEARING PROCEDURE: – NONE**
- C. BILL Introduction: – 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 1057 Cable TV Franchise Agreement** with Cable One, Inc. – Staff

Council Member Sutherland moved to second read BILL 1057 Cable TV Franchise Agreement; Council Member Stout seconded the motion;

Mayor Woodland called for a vote:

Those voting aye

Council President Mann
Council Member Benfield
Council Member Erickson
Council Member Sutherland
Council Member Stout

Those voting nay

None

The motion carried.

- F. Third Reading:** Those items which have been second read.
 - 1. BILL 1059 - Adopt the International Building Code, 2009 edition,** the International Residential Code 2009 edition, the International Mechanical Code 2009 edition, the International Fuel Gas Code 2009 edition and the International Energy Conservation Code 2009 edition, all published by the International Code Council, the NFPA 70 National Electrical Code as currently required by the State of Idaho and the Uniform Plumbing Code as currently required by the State of Idaho and published by the International Association of Plumbing and Mechanical Officials.

Deferred to December 15, 2010 for a public hearing.

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

Mayor's Report:

A. Mayor Woodland asked Economic Development Director Johnson to report.

Economic Development Director Johnson reported on efforts with the Idaho Public Utility Commission. They have been in contact with the IPUC since meeting with them last. Staff is gathering information that will be submitted on Friday. The IPUC will be able to compare their population figures with the city's actual growth figures to start understanding the challenges our city is facing. They have also been working on understanding the agreement Intermountain Gas has with the state. They will be moving forward quickly, once both groups understanding future growth. The city did have to write a letter of regret to a tire company that was interested in our area because we do not have the natural gas to support them. That information is being relayed to the IPUC so they understand the challenges we are facing. It was a potential 600-job facility the city had to turn away.

Mayor Woodland added they did receive some information this afternoon from the IPUC. It looks good for the city.

Mayor Woodland was given the name of Wade Bowman, a pilot, to fill a vacancy on the Airport Board. He met with him and interviewed him last night. He would like to recommend him as a member of the Airport Board. The Board does not have a helicopter pilot currently on the Board; he feels it would be a good balance.

Council Member Stout asked what the protocol is for appointing board members. The city and county alternate appointments. The Airport Board can make recommendations; however, it is not the board that has the final vote. It goes through the Mayor and City Council. Wade Bowman was on a list of four or five names submitted by the Airport Board.

Council Member Erickson moved to approve Mayor Woodland's recommendation to appoint Wade Bowman to the Airport Board; Council Member Benfield seconded the motion;

Mayor Woodland called for a vote:

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

The motion carried.

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 03 & November 10, 2010 meetings
- B. Approve the City of Rexburg Bills

Council Member Mann moved to approve the Consent Calendar consisting of the minutes, and the city bills; Council Member Benfield seconded the motion;

Mayor Woodland asked for a vote:

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

Council Member Sutherland
Council Member Stout

The motion carried.

Mayor Woodland recognized a Boy Scout Joshua Porter and thanked him for coming.

Council Member Stout requested an Executive Session with the City Council to follow-up on some personnel issues previously discussed in past executive sessions.

Council Member Stout moved to moved to go into Executive Session per Statute 67-2345 (b) To consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public school student; Council Member Mann seconded the motion;

Mayor Woodland asked for a roll call vote:

Those voting aye

Council President Mann
Council Member Benfield
Council Member Erickson
Council Member Sutherland
Council Member Stout

Those voting nay

None

The motion carried.

Executive Session.

Executive Session ended.

Adjournment

Attest:

Richard Woodland, Mayor

Blair D. Kay, City Clerk