

City Council Meeting

October 20, 2010



CITY OF
REXBURG
America's Family Community

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October 20, 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

Benjamin Ingram of the Boy Scouts led the Pledge.

Eric Erickson gave the opening prayer.

Roll Call of Council Members:

Attending: Council Member Erickson, Council Member Benfield, Council Member Egbert, Council Member Stout, and Mayor Woodland.

Excused: Council Member Sutherland and Council President Mann.

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

Collette Rinehart from Island Park representing the Linx Campaign. It is a cooperative network in regional transportation with public and private parties working together. They have a \$500,000 transportation grant for the greater Yellowstone area. Recreation, tourism, hospital calls, building connectivity, etc. Salt Lake Express and other providers are joining the group. She came to share information and ask for support on the Linx Transportation effort.

Council Member Stout asked if she was working with Economic Development Director Scott Johnson. She said he was on the list.

Gary Benson at 620 Park Street reviewed the progress on the Zombie Parade. The community is showing some support for the event. It is an effort to support the upgrade of the Romance Theatre. The Public Gathering Permit has been approved by the Police and Fire Departments. He explained the parade route. They will close off Center Street, and one block east and one block west. It will take place on the sidewalk only along Main Street.

Council Member Stout asked to have the Romance Theatre advertised on the Facebook page. Gary Benson had a student assist with adding the Romance Theatre and the event on Facebook.

Council Member Benfield asked if the Romance Theatre Committee supported the event. He said the committee voted and approved the event at the last meeting. Council Member Benfield asked if this would be a fundraiser. It is meant more to bring attention to the Romance Theatre.

Police Chief Archibald explained the parade route had been modified to include a smaller area. Gary Benson mentioned the website shows a map of the area included in the Zombie Parade.

Mayor Woodland and the City Council supported the event.

Mayor Woodland welcomed the scouts the meeting.

Presentations:

- A. Idaho Chapter of the American Planning Association “**Planning Leadership Award**”
Awarded to **Planning and Zoning Chairman Winston Dyer** for his work on the
Rexburg Planning and Zoning Commission - Planning & Zoning Commissioner **Thaine
Robinson**

Thaine Robinson at 390 Maple Drive introduced Winston Dyer and recognized his recent planning award from the Idaho Chapter of the American Planning Association “Planning Leadership Award.” He reviewed the recent planning accomplishments of the Planning and Zoning Commission. The size and population of Rexburg has doubled during Winston Dyer’s time as Chairman. It is monumental what has been done. Winston was recognized with a plaque from the American Planning Association for the art of compromise for the greater good of the community.

Winston Dyer expressed his feelings with working with others in the community to make Rexburg a better place to live. He recognized the several administrators, including past Planning and Zoning Administrators Kurt Hibbert and Gary Leikness, Planning and Zoning Commission members, and others for their tireless service. It takes all those people to make a community and to make something like this possible. When he received the award in Boise, he told the Idaho Chapter he was an ambassador for Rexburg. In the nine years of his service Rexburg has grown 71% in population and doubled the land area. He thanked everyone very much for the award.

B. Make-A-Wish Proclamation 2010-05 for a Halloween Carnival – Missy Williams

The proclamation was presented by Andy Thompson and Missy Williams. They are planning a Halloween Carnival that will help Make-A-Wish support for a ten-year-old boy, Grayson, who has Scoliosis, Cerebral Palsy, and Epilepsy.

MAKE-A-WISH FOUNDATION
HALLOWEEN CARNIVAL IN THE PARK

PROCLAMATION
No. 2010 – 05

WHEREAS, the **Make-A-Wish Foundation of Idaho** grants wishes to children with life-threatening illnesses to enrich the human experience with hope, strength and joy to the child and their entire family; and

WHEREAS, **Make-A-Wish Foundation of Idaho** is celebrating its 25th Anniversary completing over 880 wishes and hope to reach over 1,000 magical wishes; and

WHEREAS, **Make-A-Wish Foundation of Idaho**, founded in 1986, works with volunteers who want to do something special for children between the ages of 2 ½ and 18 with life-threatening medical conditions; and

WHEREAS, there are 64 Chapters of the Make-A-Wish Foundation in the United States as well as 36 International affiliates. Since 1980 more than 199,299 wishes have been fulfilled worldwide; and

WHEREAS, the **Make-A-Wish Foundation of Idaho** has expanded the territory to include the nine northern most counties and now serves all Idaho children eligible for a wish and the Idaho Chapter works tirelessly with supportive local vendors and the medical community to raise funds and promote awareness to grant the most heartfelt wishes to all eligible children, thereby providing these children with an unmatched amount of joy; and

WHEREAS, children who are suffering from life-threatening medical conditions are eligible to be referred to the **Make-A-Wish Foundation of Idaho**.

NOW, THEREFORE, I, RICHARD WOODLAND, MAYOR of the City of Rexburg, Idaho, do hereby proclaim October 24th to October 30th, 2010, as “MAKE-A-WISH WEEK” in the City of Rexburg, Idaho, and encourage all citizens to join me in this important observance.

ATTEST:

Richard Woodland, Mayor

Blair D. Kay, City Clerk

Grayson is being granted a wish to go to Disney World. The carnival event will charge \$0.50 for each event entered at the carnival. The carnival will be held October 30th in Porter Park at 4:00 P.M. Every service provided so far has been by donation from community businesses. There will be raffles, prizes and games. The cost for a trip to Disney World is approximately \$6,500. The community’s help will be directly helping Grayson get to Disney World.

Council Member Egbert said Make-A-Wish is a great organization and he appreciates their efforts in supporting this great cause. His family has been a beneficiary of the Make-A-Wish Foundation.

Mayor Woodland and **Council Member Benfield** read the proclamation to the City Council.

Council Member Erickson moved to ratify **Make-A-Wish Proclamation 2010-05**; Council Member Benfield seconded the motion; Discussion: Council Member Stout asked if direct donations could be made to the effort. Donations can be made at www.idaho.wish.org or by calling 345-WISH.

Mayor Woodland called for a vote:

Those voting aye

Council Member Erickson
Council Member Benfield
Council Member Egbert
Council Member Stout

Those voting nay

None

The motion carried.

C. International Credit Union Day Proclamation 2010 – 06 (Craig Cobia)

**INTERNATIONAL CREDIT UNION DAY
PROCLAMATION 2010 - 06**

WHEREAS, credit unions are not-for-profit financial cooperatives, democratically owned and operated and founded by people working together toward economic advancement; and

WHEREAS, credit unions embrace a “people-helping-people” philosophy through the pooling of personal resources and leadership abilities for the good of the cooperative, empowering members to improve their financial futures and uniting to help those in need; and

WHEREAS, credit unions have demonstrated outstanding leadership throughout the communities in which they have served since they were founded more than 150 years ago; and

WHEREAS, credit unions have championed the idea that people from all walks of life should have access to affordable financial services offered by credit unions; and

WHEREAS, credit unions empower people to improve their economic situations in 97 nations around the world at more than 54,000 credit unions that serve the financial needs of 186 million people, including 534,707 in Idaho, associated through local, state, regional and international organizations sharing the same commitment to serving credit union members; and

WHEREAS, credit unions are developing strong alliances that make financial democracy possible in many countries such as Afghanistan, Kenya, Mexico, Ukraine and throughout the rest of the world.

NOW, THEREFORE, BE IT RESOLVED, that Thursday, October 21, 2010, be proclaimed as International Credit Union Day in Rexburg, Idaho, and that all citizens recognize the many contributions credit unions have made to all Idaho communities both tangible and intangible, through the years, and honor and express appreciation for the service and commitment of credit unions.

SIGNED: _____
Richard Woodland, Mayor

ATTEST:

Blair D. Kay, City Clerk

DATED: October 21, 2010

Council Member Benfield moved to ratify **International Credit Union Day** Proclamation 2010 – 06. Council Member Egbert seconded the motion; Mayor Woodland called for a vote:

<u>Those voting aye</u>	<u>Those voting nay</u>
Council Member Erickson	None
Council Member Benfield	
Council Member Egbert	
Council Member Stout	

The motion carried.

Committee Liaison Assignments for 2010:

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

Council Member Stout had nothing to report.

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

Council Member Egbert had no report. The Legacy Flight Museum has not met since the last City Council meeting.

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

Council Member Sutherland did not submit a report.

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

Council President Mann did not submit a report.

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

Council Member Benfield reported Captain Lewis thanked the City Council for passing the Spice Ordinance. He expressed appreciation for the many University students interested in community policing. The officers are spending an hour a day on campus. There are six investigators who are carrying 25-30 cases. The Police have a quick reference guide for City Ordinances.

The Romance Theatre is preparing to take bids on the Romance Theatre sign. It will have the look of an old sign, but it will be in line with today's technology and functionality. Curtains are also being installed. The Warren Miller event is scheduled in the theatre on November 20th. Many people are interested in renting the theatre for different events so the committee is really trying to hurry and finish.

The Tabernacle Committee has a new member Paula Sonderegger. Gary Archibald and Gale Harding wrote more letters about the Tabernacle window project. The windows at the Tabernacle are being worked on to see if the windows can be replicated. The inside of the Tabernacle will be painted on Saturday if anyone is interested in helping. The carpet is installed.

Council Member Erickson reported none of the committees have met.

Public Hearings: - NONE

Items for Consideration:

A. **The Development Company** - “The City of Rexburg is requesting proposals from qualified consultants for the planning, development, grant writing, and administration of a Sewer Improvement Project.”

1. Appointment of committee of three (3) or more to rank requested proposals.

Public Works Director Millar explained the process. As discussed at the last City Council meeting, requests for proposals were sent out and advertised in the Standard Journal. The Development Company is the only applicant. He asked the City Council to approve the only applicant to get the process moving. The project is about a two (2) million dollar project and the grant request is for ½ million.

Council Member Benfield moved to accept The Development Company proposal for the planning, development, grant writing, and administration of a Sewer Improvement Project; Council Member Egbert seconded the motion; Mayor Woodland asked for a vote:

<u>Those voting aye</u>	<u>Those voting nay</u>
Council Member Erickson	None
Council Member Benfield	
Council Member Egbert	
Council Member Stout	

The motion carried.

- B. **PEZ 1, PEZ 2 Zone discussion** - Jason Kotter (Trent Birch Project at 405-431 West 4th South) (The item was remanded back to the Planning and Zoning Commission for discussion.)

Staff Reports:

A. **Public Works:** – John Millar

1. 12th West completed except for striping, which will be completed next week.
2. 6th South will get curbs and gutters on Friday with pavement coming next week. The bridge construction cannot begin until the water is out of the canal. The bridge will go in this fall. The city did the street work.
3. Wastewater Treatment Plant project is 85% complete. They have two more layers of media to install in the bio-tower, which requires 4 or 5 semi-loads of media. The concrete has been poured at the pump station. Piping will go in on Friday. The Riverside Aquatic Facility is moving along well; it is ahead of schedule.

4. Estimated Costs for 2011 Street Projects:

a. Pioneer Road	Total Cost	\$810,000
	Curb and gutter	\$ 82,000
	Sidewalk	\$ 126,000
	19.5 feet of pavement	\$ 190,000
	Engineering/Contingency	<u>\$ 80,000</u>
	Total LID costs	\$ 478,000

City’s Costs ----- \$ 332,000

b. South 5th West (Main Street to RR Tracks)

	Total Cost	\$675,000
	Property owner’s possible costs	
	Sidewalk	\$ 9,000
	Curb and Gutter	\$ 25,000
	Engineering	<u>\$ 7,000</u>
	Total LID costs	\$ 41,000

City’s Costs ----- \$634,000

c. 7 th South (Yellowstone to Armory)		
Total Cost		\$1,050,000
Property owner's possible costs		
Curb and gutter		\$ 78,000
Sidewalk		\$133,000
19.5 feet of pavement		\$204,000
Engineering		<u>\$ 83,000</u>
Total possible LID costs		\$498,000
City's Costs	-----	\$552,000

Public Works Director Millar reviewed the cost sheet. The first priority is the project on Pioneer Road. He reviewed the costs for that project. Each property on Pioneer Road has different elements or complications that could affect the LID. He asked for a committee to help structure the LID's before entering into public hearings.

Council Member Erickson asked why it was different from other LIDs.

Public Works Director Millar indicated there were different issues needing reviewed with each landowner. These estimates are for a complete reconstruction of the street. It is a worst-case scenario. 5th West is a wider road with more city involvement due to existing curb, gutter, etc. The pulverizing of the existing pavement (CRABS) gives a very good base because cement is mixed with the pulverized material to make a strong base. 7th South is also in a worst-case scenario because the bridge and road will need to be reconstructed.

Council Member Erickson indicated the costs exceed the 2011 Street Budget. Public Works Director Millar explained at best, the city could only do two of the three projects. Council Member Stout said the city has a fund for Main Street signals of \$350,000. Public Works Director Millar indicated state funding for the signals will be lost if the work is not done in 2011.

Police Chief Archibald thanked Public Works Director Millar and the City Council for the recent installation of a backup power generator to protect the city buildings when power goes out.

Council Member Stout asked about the LID numbers for Pioneer Road. The numbers are not established yet until the committee makes some decisions on the city's participation in the LID.

Council Member Stout would like to be a part of the committee. Discussion on when the committee could meet and who would be able to participate. Council Member Erickson would also like to be on the committee if the meeting schedule permits.

Council Member Benfield asked about the progress of the Wastewater Treatment Plant upgrade. Public Works Director Millar said it should be operational by Thanksgiving Day.

B. **Finance Department:** - Richard Horner

1. Monthly Budget Report

Finance Officer Horner provided the Idaho Municipal Bond Bank timeline for selling bonds for the Wastewater Treatment Plant upgrade. The judicial review was approved. They are working on the official statement which should be done by the 5th of November. The waiting period ends November 8th. They will be opening the bid on November 18th and they hope to close on the bond by December 8th. This is a tentative schedule.

Calendared Bills and Tabled Items:

A. "LAND USE ACTION" – BILLS RECOMMENDED/APPROVED IN A LAND USE PUBLIC HEARING PROCEDURE: - NONE

B. First Reading: Those items which are being introduced for first reading.

1. **BILL 1057 Cable TV Franchise Agreement with Cable One, Inc. – Deferred.**
2. **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.

Community Development Director Christensen explained the code is updated every three years. The code is state adopted and almost 100% adopted nationally. The State of Idaho mandates the code with cities that have building departments. The current Rexburg City International Building Code will expire at the end of 2010. Discussion on the changes to the code as per any state limitations. One change is 5/8 drywall between the garage and the house. Another change is apartment complexes must install sprinkler systems; however, duplexes are not required to be sprinkled.

Council Member Stout moved to first read Bill 1059 on the changes to the code as per any state; Council Member Egbert seconded the motion;

Mayor Woodland asked for a vote:

<u>Those voting aye</u>	<u>Those voting nay</u>
Council Member Erickson	None
Council Member Benfield	
Council Member Egbert	
Council Member Stout	

The motion carried

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

1. BILL 1055 Amend Ordinance 1026 (Add Medium Density Residential and Mixed Use to Pedestrian Enhancement Zone)

Council Member Erickson moved to second read BILL 1055 Amend Ordinance 1026 (Add Medium Density Residential and Mixed Use to Pedestrian Enhancement Zone); Council Member Stout seconded the motion; **Mayor Woodland** asked for a vote:

<u>Those voting aye</u>	<u>Those voting nay</u>
Council Member Erickson	None
Council Member Benfield	
Council Member Egbert	
Council Member Stout	

The motion carried

D. Third Reading: Those items which have been second read. – NONE

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

Mayor's Report:

Consent Calendar: The consent calendar includes items which require formal City Council action, however they are typically routine or not of great controversy. Individual Council members may ask that any specific item be removed from the consent calendar for discussion in greater detail. Explanatory information is included in the City Council's agenda packet regarding these items.

Minutes:

- A. October 06, 2010 meeting
- B. Approve the City of Rexburg Bills

Council Member Egbert moved to approve the Consent Calendar consisting of the minutes, and the city bills; Council Member Benfield seconded the motion; Discussion to amend the street priority list in the minutes for October 6th as follows:

1. Pioneer Road
2. 5th West
3. 7th South
4. 4th East
5. 2nd South

Council Member Egbert amended his motion accepting the street priority list as discussed; Council Member Benfield seconded the amendments to the minutes;

Mayor Woodland asked for a vote:

<u>Those voting aye</u>	<u>Those voting nay</u>
Council Member Erickson	None
Council Member Benfield	
Council Member Egbert	
Council Member Stout	

The motion carried

Mayor Woodland asked for an executive session to discuss a personnel issue.

Council Member Erickson 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 Benfield seconded the motion;

Mayor Woodland asked for a roll call vote:

<u>Those voting aye</u>	<u>Those voting nay</u>
Council Member Erickson	None
Council Member Benfield	
Council Member Egbert	
Council Member Stout	

The motion carried.

Executive Session.

Executive Session ended.

Adjournment

Attest:

Richard Woodland, Mayor

Blair D. Kay, City Clerk