

# City Council Meeting

October 05, 2011



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

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

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**October 05, 2011**

**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

**Rexburg Police Officer Ray Hermosillo** led the Pledge of Allegiance.

**Devin Dalling** said the prayer.

## Roll Call of Council Members:

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

**Council President Mann** asked to be excused.

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

## Presentations:

Council Member Erickson reported on a recent award for Chief Finance Officer Horner. *“Chief Financial Officer Richard Horner has been honored by the Idaho City Clerks, Treasurers and Finance Officers Association (ICCTFOA) with the Dr. James B. Weatherby Award. A plaque was presented to Horner at the 2011 ICCTFOA Institute in Boise on Thursday, September 22. The Dr. James B. Weatherby Award is given annually by the ICCTFOA to an individual who has served the city clerks, treasurers and finance officers in their pursuit of excellence, effectiveness and efficiency in municipal government. This year, Richard Horner was honored with this prestigious award in recognition of his contributions to ICCTFOA, his city, the cities of Idaho and this state.”*

**Mayor Woodland** recognized Boy Scouts in attendance.

## Committee Liaison Assignments for 2011:

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 nothing to report.

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

**Council Member Sutherland** had nothing to report.

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

**Council President Mann** asked to be excused.

**Mayor Woodland** reported the Mayor Youth Advisor Board met today.

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

**Council Member Benfield** reported Chief Turman and Captain Lewis of the Police Department spent four days in Billings, Montana for an FBI retraining course that dealt mainly with communications and liability issues. She said the Police Department will update the council about the business parking permits. She said two presentations on parking and jaywalking would be given. An audio visual presentation was given by the police department.

**Michelle Montano and Halli Andersen** gave a presentation on business permits and parking.

**Summary:**

Forty-three out of two-hundred “B” permits have sold. Reasons for this number are largely a result of businesses buying a small number of permits and sharing them among their employees, as well as some businesses not requiring the permits due to already having private parking of their own.

**Pros:**

The positive impact of issuing the “B” permits is a noticeable decrease in the ticketing of employees in the downtown area. Also, concerns of their not being enough parking for “B” permits and casual patrons of the downtown area has not been an issue. As far as we can tell there has been ample parking for both of these groups.

**Cons:**

Some businesses do not purchase the “B” permit because they do not like the idea of having to park a block away. The “B” permits allow them to park in the “mini lot” next to the old Big Bites restaurant as well as the lot between the Paramount theater and T Rex Plaza. Some businesses wish they could instead park in the City lots next to Gringos as well as the City lot next to Porters. The reason these were not considered as “B” parking areas was because these were areas that seemed to fill up throughout the day with patrons of the businesses. It is the belief that by allowing “B” parking in these lots it could discourage shopping in the downtown area.

**Summary:**

The “B” permits have resulted in a much lower rate of ticketing to business owners/employees and had allowed for a continued flow of parking in the downtown area throughout the day. There are some businesses unhappy with the locations available to “B” permit holders but as far as we can tell the new permit system is working for the best solution to business parking in the downtown area. We now receive considerably less complaints about parking from businesses. We now only hear complaints from about one or two businesses. These businesses have not bought permits.

**Chief of Police Turman** reported on the effectiveness of the safety signs posted around the university and the city. Signs were created to address the pedestrian safety issues of jaywalking and texting. Since these signs have been posted around campus the police department has seen a 98% decrease in jaywalking around campus. He said he very seldom sees a student jaywalking. These signs have created a safer environment for pedestrians and drivers. He mentioned the “Share the Road Campaign” which will be a joint program between the university and the city to get the word out. Safety information videos and commercials will be posted on the BYU-I website, Facebook pages and other locations to increase awareness as well. He then presented a safety video on jaywalking. After the video he said that other videos will be created on other topics as well including domestic violence.

**Council Member Sutherland** commented about the video and the dangers of jaywalking especially at night.

**Council Member Benfield** said the Zombie walk is this Saturday, October 8<sup>th</sup> at 5:00p.m. S he reported the Madison Middle School would like their recycling bins placed at a different location for safety reasons. There are concerns about anyone coming behind the school and the safety of the students. Public Works Director John Millar said he would contact the school to make other arrangements.

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

**Council Member Erickson** apologized for his absence. He said the Planning and Zoning has met once while he was gone and will meet tomorrow night. The Rexburg Redevelopment Agency has no upcoming meetings as of right now. He reported this year was a difficult year for the Golf Course, but they did a great job. Revenue this year for the Golf Course was \$413,000, while expenses this year were \$385,000. He said even though revenue was down, it was compensated for by keeping expenses in line. He said the Golf Course needs to be commended for their successful budgeting. The economy, the late start of the opening due to weather, and the flooding on part of the Golf Course all contributed to the decreased revenue this year. Council Member Sutherland commended the Teton Lakes Golf Course for their diligence in keeping costs down.

**Public Hearings: NONE**

**Items for Consideration:**

A. **Beer & Wine Licenses** for Walgreens at 164 East Main Street – Staff

**City Attorney Stephen Zollinger** reported that Walgreens has not been issued a Beer or Wine license in the past, and is currently seeking to obtain one for the first time. These licenses will be off-premise consumption licenses meaning the alcohol will not be consumed at their location.

**Council Member Sutherland** moved to approve a Beer and Wine License for Walgreens at 164 East Main Street; Council Member Erickson seconded the motion; Mayor Woodland asked for a vote.

**Those voting aye**

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

**Those voting nay**

None

**The motion carried.**

B. **LID 40** Report (**Resolution 2011 – 11**) to set the public hearing for the final Assessments roll for November 16, 2011.

C. **LID 41** Report (**Resolution 2011 – 12**) to set the public hearing for the final Assessments roll for November 16, 2011.

**Deputy Financial Officer Matt Nielsen** presented an engineering report in behalf of the engineers on LID 40 and 41. He said the final assessment for LID 40 was substantially lower than the original estimate from April 22, 1010. The final assessment of LID 41 was lower for all parcels than the original estimate from March 16, 2011 except for one. A significant portion of LID 40 was financed by the property owners, while the City picked up a substantial amount of the financing for LID 41. The Resolutions are asking the City Council to set the public hearings for the final assessment roll for November 16, 2011. City Attorney Stephen Zollinger clarified that their needs to be two separate public hearings.

# LOCAL IMPROVEMENT DISTRICT 40

No.	Dir	Street	Company/ L Name	F Name	Total Cost	Interim Interest (1% APR)	Final Assessment	Original Estimate April 22, 2010
						0.76%		
437	W	6th South	Clay	Lois Byrne	\$ 12,407.73	\$ -	\$ -	\$ 27,720.00
415	W	6th South	Scott, ETUX	Rodney	\$ 12,691.73	\$ 4.87	\$ 12,696.60	\$ 32,520.00
330	W	7th South	Military Division	State of Idaho	\$ 39,879.95		\$ -	\$ 61,710.00
611		Vallinda Lane	South Gate Apartments LLC		\$ -			\$ 67,920.00
611		Vallinda Lane	South Gate Apartments LLC		\$ -			\$ 17,490.00
370	W	7th South	South Gate Apartments LLC		\$ -			\$ 15,660.00
333	W	6th South	Last of the Dogmen Land Group Development LLP		\$ 58,784.43	\$ 446.76	\$ 59,231.19	\$ 62,430.00
559	S	4th West	North Gate Apartments LLC		\$ -			\$ 141,780.00
1333		Red Cedar Rd	Last of the Dogmen Land Group Development LLP		\$ 77,333.48	\$ 587.73	\$ 77,921.21	\$ 178,190.00
225	W	6th South	SNOW SLIDE PROPERTIES LLC		\$ 40,187.50	\$ 305.43	\$ 40,492.93	\$ 59,250.00
242	W	6th South	SNOW SLIDE PROPERTIES LLC		\$ 70,883.85	\$ 538.72	\$ 71,422.57	\$ 160,130.00
265	S	5th West	Snell	Kevin	\$ 973.73	\$ 0.37	\$ 974.10	\$ 2,850.00
251	S	5th West	Barrick	Lowell S.	\$ -	\$ -	\$ -	\$ 3,550.00
apr. 259	S	5th West	Barrick	Jerome S	\$ -	\$ -	\$ -	\$ 9,780.00
660	S	2nd West	c/o Health Care Prop Investors Inc	Rexburg Nursing Home	\$ 36,921.81	\$ 280.61	\$ 37,202.41	\$ 51,500.00
654	S	2nd West	BVH 1 LLC		\$ 89,238.45	\$ 678.21	\$ 89,916.66	\$ 239,100.00
		2nd West	City of Rexburg		\$ -	\$ -	\$ -	\$ -
		7th South	City of Rexburg		\$ -	\$ -	\$ -	\$ -
Aprrx. 45	W	6th South	VALLINDA TOWNHOUSES		\$ -	\$ -	\$ -	\$ 690.00
555	S	3rd West	ASSISTED LIVING CONCEPTS INC	DBA TETON HOUSE	\$ 7,739.20	\$ 58.82	\$ 7,798.02	\$ 14,770.00
12	W	2nd South	Gray	ROBERT BRENT	\$ -			\$ 5,710.00
48	W	2nd South	SUNRISE HOLDINGS LLC		\$ -			\$ 3,930.00
52	W	2nd South	NETHERCOTT	STEVEN E	\$ -			\$ 3,600.00
60	W	2nd South	NETHERCOTT	STEVEN E	\$ -			\$ 2,530.00
68	W	2nd South	GULLEY	ALESA A	\$ -			\$ 570.00
1146		Arctic Willow Drive	Lords	Jason	\$ -			\$ 2,480.00
578		Golden Willow Drive	Durfee	Ryan	\$ -			\$ 2,480.00
508		Golden Willow Drive	Weimer	Gary	\$ 1,046.86	\$ 0.40	\$ 1,047.27	\$ 2,480.00
1148		Golden Willow Drive	MCWILLIAMS	JOSEPH	\$ 1,151.19	\$ 0.44	\$ 1,151.63	\$ 2,480.00
505		Golden Willow Drive	Bradley	Dallin	\$ 1,046.86	\$ 0.40	\$ 1,047.27	\$ 2,480.00
512	S	Millhollow Rd	Smith	Robert E	\$ -			\$ 1,790.00
apr 500		Airport Road	BARNEY D R TRUCKING INC		\$ 76,225.15	\$ 932.31	\$ 77,157.46	\$ -
387		Airport Road	PKD LTD PRT		\$ 56,730.26	\$ 755.94	\$ 57,486.20	\$ -
387		Airport Road	T.K. and Percia Baker Living Trust		\$ 44,507.31	\$ 587.48	\$ 45,094.79	\$ -
						\$ 5,178.49	\$ 580,640.31	\$ 1,177,570.00

<b>Total City Cost</b>	<b>\$ 12,624.40</b>
<b>Total Property Owner Cost</b>	<b>\$ 580,640.31</b>
<b>Total Cost</b>	<b>\$ 593,264.71</b>

## LOCAL IMPROVEMENT DISTRICT NO. 40

### NOTICE OF HEARING ON ASSESSMENT ROLL

NOTICE IS HEREBY GIVEN that on the 16<sup>th</sup> day of November, 2011, at 7:45 pm., the City Council (the "Council") of the City of Rexburg, Idaho (the "City"), will hold a hearing on the assessment roll for Local Improvement District Number 40 ("L.I.D. 40) at City Hall, 35 N. 1<sup>st</sup> East, Rexburg, Idaho. The assessment roll is on file in the office of the City Clerk at the above address, and is available for inspection by the public.

**In order to expedite any changes to the amount assessed, any disagreement with that amount should be discussed with City Hall staff before the hearing, if possible.**

At the hearing, the Council will hear and determine all objections to the regularity of the proceedings in making assessments, the correctness of assessments, and the amount levied on particular lots or parcels in relation to the benefits accruing thereon and in relation to the proper proportionate share of the total cost of the improvements.

Each owner or owners of any property which is assessed in the assessment roll, whether or not named in the assessment roll, may, until four (4) P.M. on the 15<sup>th</sup> day of November, 2011, file with the City Clerk objections in writing to said assessments.

The assessment for the property with reference to which this notice is mailed is as follows:

- \*Property Address: <Service Address>**
- \*Item #: <Item #>**
- \*The amount of your final assessment is: \$ <Amount>**

DATED this 10th day of October, 2011  
 (s) *Richard R. Horner*, City Treasurer

CITY OF REXBURG

*Questions about this assessment should be directed to:*

**Finance Questions:**  
*Matthew Nielson*  
*Deputy Finance Officer*  
 208-372-2343  
[mattn@rexburg.org](mailto:mattn@rexburg.org)

**Engineering Questions:**  
*Joel Gray*  
*City Engineer*  
 208-372-2331  
[joelg@rexburg.org](mailto:joelg@rexburg.org)

## LOCAL IMPROVEMENT DISTRICT 41

No.	Street	Company/ L Name	F Name	Total Cost	Interim Interest (1% APR)	Final Assessment	Original Estimate March 16, 2011
					0.0118%		
276	Pioneer Road	Peterson	K Dean	\$ 15,218.67	\$ 1.79	\$ 15,220.46	\$ 16,700.00
376	Pioneer Road	Larsen	Spencer T	\$ 2,383.92	\$ 0.28	\$ 2,384.20	\$ 3,000.00
398	Pioneer Road	Rammell	Mark S	\$ 2,383.92	\$ 0.28	\$ 2,384.20	\$ 3,000.00
424	Pioneer Road	Central Storage LLC		\$ 2,693.04	\$ 0.32	\$ 2,693.36	\$ 3,000.00
Approx. 457	Pioneer Road	Village Rexburg LLC		\$ 4,189.92	\$ 0.49	\$ 4,190.41	\$ 5,200.00
543	Pioneer Road	Rexburg Apartments LLC	(Conduit One LLC)	\$ 15,768.59		\$ 15,768.59	\$ 19,500.00
318	Pioneer Road	Peterson	D Dean	\$ 18,650.65	\$ 2.20	\$ 18,652.85	\$ 19,800.00
920	Anne St	Rentmaster	(Karl B Peterson)	\$ 3,348.91	\$ 0.39	\$ 3,349.31	\$ 3,000.00
320	Barney Dairy Rd	Kimmel	Lili	\$ 16,696.28	\$ 1.97	\$ 16,698.25	\$ 58,700.00
342	Barney Dairy Rd	Lee (Testamentary Family Trust)	Rober R	\$ 994.08	\$ 0.12	\$ 994.20	\$ 1,100.00
348	Barney Dairy Rd	Walker (Walker Add Div No 2)	Ray W	\$ 704.55	\$ 0.08	\$ 704.63	\$ 800.00
671	S. Yellowstone Hwy	Loveland (Sunroc)	Blake	\$ 20,307.84	\$ 2.39	\$ 20,310.23	\$ 27,400.00
575	W 7th S	Madison School District #321		\$ 75,575.19	\$ 8.90	\$ 75,584.09	\$ 81,800.00
		City of Rexburg (7th South)		\$ -		\$ -	
		City of Rexburg (Pioneer Rd)		\$ -		\$ -	

\$ 19.22 \$ 178,934.78

<b>Total City Cost</b>	<b>\$ 856,742.31</b>
<b>Total Property Owner Cost</b>	<b>\$ 178,934.78</b>
<b>Total Cost</b>	<b>\$ 1,035,677.09</b>

### LOCAL IMPROVEMENT DISTRICT NO. 41

### NOTICE OF HEARING ON ASSESSMENT ROLL

NOTICE IS HEREBY GIVEN that on the 16<sup>th</sup> day of November, 2011, at 8:00 pm., the City Council (the "Council") of the City of Rexburg, Idaho (the "City"), will hold a hearing on the assessment roll for Local Improvement District Number 41 ("L.I.D. 41) at City Hall, 35 N. 1<sup>st</sup> East, Rexburg, Idaho. The assessment roll is on file in the office of the City Clerk at the above address, and is available for inspection by the public.

**In order to expedite any changes to the amount assessed, any disagreement with that amount should be discussed with City Hall staff before the hearing, if possible.**

At the hearing, the Council will hear and determine all objections to the regularity of the proceedings in making assessments, the correctness of assessments, and the amount levied on particular lots or parcels in relation to the benefits accruing thereon and in relation to the proper proportionate share of the total cost of the improvements.

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**\*Property Address: <Service Address>**

**\*Item #: <Item #>**

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DATED this 10th day of October, 2011 CITY OF REXBURG  
(s) Richard R. Horner, City Treasurer

*Questions about this assessment should be directed to:*

**Finance Questions:**

*Matthew Nielson  
Deputy Finance Officer  
208-372-2343*

[mattn@rexburg.org](mailto:mattn@rexburg.org)

**Engineering Questions:**

*Joel Gray  
City Engineer  
208-372-2331*

[joelg@rexburg.org](mailto:joelg@rexburg.org)

**Council Member Sutherland** moved to approve Resolution 2011-11 and Resolution 2011-12 to set each public hearing for the final assessment roll for November 16, 2011; Council Member Egbert seconded the motion; Mayor Woodland asked for a vote.

**Those voting aye**

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

**Those voting nay**

None

**The motion carried.**

**Staff Reports:**

**A. Public Works:** – John Millar

**Public Works Director John Millar** reported that the Pedestrian Bridge on Pioneer Road will be constructed between the Henderson and Kartchner Subdivision. Council Member Benfield asked if the bid process must always select the lowest bidder without the consideration for quality of work. City Attorney Stephen Zollinger said Idaho State law requires the bid must go to the lowest bidder and there cannot be a local preference. If the purchase is under \$5,000 then it's permitted for the city to have local preference. Public Works Director John Millar said the timeline for the Pedestrian Bridge is 90 days and should be completed this fall. The Main Street Signals timeline is 120 day and should also be completed this fall. The lowest bid for the Pedestrian Bridge was \$20,266.00 from the bidder Contech. The lowest bid for the Main Street Signals was \$525,985.00 from the bidder Wheeler Electric.

<b>Pioneer Road Pedestrian Bridge</b>	
<b><u>Bidder</u></b>	<b><u>Bid Amount</u></b>
<b>Contech</b>	<b>\$20,266.00</b>
Mr. Driveline	\$20,760.00
Roscoe Bridge	\$21,900.00
Premier Powder Coating	\$38,796.00
Engineer's Estimate	\$27,500.00

<b>Main Street Signals</b>	
<b><u>Bidder</u></b>	<b><u>Bid Amount</u></b>
<b>Wheeler Electric</b>	<b>\$525,985.53</b>
DL Beck Inc.	\$566,217.28
Mountain West Electric	\$573,900.00
DePatco	\$611,880.00
Arco Electric	\$696,183.50
Engineer's Estimate	\$612,000.00

**Council Member Sutherland** moved to approve the lowest bids on the Pioneer Road Pedestrian Bridge and the Main Street Traffic Signals; Council Member Stout seconded the motion; Mayor Woodland asked for a vote:

**Those voting aye**

Council Member Erickson  
 Council Member Benfield  
 Council Member Sutherland  
 Council Member Stout

**Those voting nay**

None

**The motion carried.**

**Public Works Director John Millar** said on Pioneer Road the city is looking into rock-scaping the area. The prices range from \$8.00 to \$80.00 a cubic yard. The \$8.00 product has several colors and textures of rock. The City Council indicated their approval of using the less expensive rock.

1. The high pressure sewer-line project along highway 20 is moving along well. This line runs from 7<sup>th</sup> S north to the sewer plant.
2. The sewer line lift station on 7<sup>th</sup> S is being connected to the system.
3. The line will have to cross Hwy 33. A contractor will be on site next week to bore the line under Hwy 33.
4. Landscaping at the wastewater treatment plant has been completed.
5. The dike material at the wastewater treatment plant has been used for a base for the next phase of construction at the plant.
6. The county parking lot underground construction has been completed, including wastewater retention facilities. The next phase is concrete work to be completed the following week making it look more like a parking lot. 1<sup>st</sup> E was cut for a power-line conduit to install the overhead power-line to an underground power system.
7. Several thousand yards of fill have been relocated from the north end of Rexburg Rapids to the area behind Kmart where a new road is being brought up to grade. There is a continued effort to bring topsoil to the area north of Rexburg Rapids.

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

**Finance Officer Richard Horner** indicated his financial update report is waiting for the audit report. He reported on Rexburg Rapids at Riverside Park. He reported that the city is \$60,085 in the black but they are waiting on some utility bills and credit card bills. It is expected about \$30,000 of bills will still need to be payed. The City came in really close to what they budgeted.

**Council Member Erickson** commended the pool managers for their hard work. He asked if Rexburg Rapids Manager Darren Maughan will work this coming season. Financial Officer Horner said she would not; however, Rexburg Rapids Assistant Manager Jory Neibaur will be returning.

**Council Member Benfield** asked about the concession at Rexburg Rapids. Financial Officer Horner said they are going to meet with the vendor to discuss the plans for next year including adjustments in pricing. Council Member Benfield mentioned that after the first year concessions must go out to bid. City Attorney Stephen Zollinger said because of time and emergency circumstances the city did not have concessions at Rexburg Rapids go out to bid. The City has the option to keep concessions in house.

**REXBURG RAPIDS FUND REPORT**

10/5/2011

City of Rexburg

Account	Description	2011 Budget	YTD Actual	%YTD 100	2011 Forecast	2012 Budget
<b>* REXBURG RAPIDS FUND REVENUE</b>						
23-350.00	ADMISSIONS-FITNESS	216,000	786		800	1,000
23-350.10	ADMISSIONS-DAYTIME		192,712		192,700	241,000
23-350.15	ADMISSIONS-DAYTIME SLIDE		7			15,000
23-350.20	ADMISSIONS-EVENING		27,645		28,500	35,000
23-350.30	ADMISSIONS-EVENING EXCLUSIVE	26,400	6,596	25	5,700	8,000
23-350.35	ADMISSION-EVENING NO-EXL GROUP		2,338		2,400	3,000
23-350.40	ADMISSION-PUNCH PASS		15,356		15,400	19,000
23-350.45	ADMISSION-FITNESS PUNCH PASS		180		200	300
23-352.00	SALES-CONCESSIONS	18,000	13,382	74	12,000	13,000
23-352.10	INVENTORY-SALES/RENTAL	8,000	10,445	131	10,400	12,000
23-352.20	EMPLOYEE UNIFORM SALES		894		900	1,000
23-353.00	LESSONS - SWIM/FITNESS	28,000	33,333	119	33,400	36,000
23-372.00	RENTAL-PARTY ROOM/SHELTERS	7,500	1,310	17	1,300	2,000
23-390.00	FUND TRANSFER-RIVERSIDE PARK	99,000	99,200	100	99,200	
23-399.99	FUND BALANCE CARRYOVER					21,800
<b>* TOTAL REXBURG RAPIDS REVENUE</b>		<b>402,900</b>	<b>404,186</b>	<b>100</b>	<b>402,900</b>	<b>408,100</b>
<b>* REXBURG RAPIDS FUND EXPENSE</b>						
23-440.15	MANAGER & ASSISTANT WAGES	-126,000	-19,211	15	-19,200	-20,000
23-440.16	SWIM/FITNESS TEACHERS WAGES	-20,000	-6,427	32	-6,500	-7,500
23-440.17	LIFE GUARD WAGES		-71,501		-71,500	-97,000
23-440.171	CASHIER WAGES		-11,504		-11,500	-16,000
23-440.172	MAINTENANCE WAGES		-11,454		-11,500	-16,000
23-440.173	CPO WAGES					-5,000
23-440.20	BENEFITS	-18,300	-11,897	65	-11,900	-16,000
23-440.27	UNIFORMS	-2,000	-10,206	510	-10,200	-14,000
23-440.30	SUPPLIES	-4,500	-8,179	181	-8,500	-11,000
23-440.31	EQUIPMENT/SUPPLIES TO SELL		-11,024		-11,100	-11,000
23-440.32	CHEMICALS	-10,500	-11,990	114	-12,000	-15,000
23-440.33	CONCESSION SUPPLIES	-18,000				
23-440.34	JANITORIAL SUPPLIES		-1,089		-1,100	-1,500
23-440.41	PERMITS	-1,500	-880	58	-900	-1,000
23-440.42	DRUG TESTS & BACKGROUND CKS		-3,324		-3,400	-3,500
23-440.45	ADVERTISING	-2,000	-8,757	437	-8,800	-10,000
23-440.46	INSURANCE	-8,000				-5,000
23-440.47	TRAVEL, TRAINING & MEETINGS		-10,603		-10,700	-8,000
23-440.48	BANKING/CC CHARGES		-714		-6,500	-9,000
23-440.49	SALES TAX		-4,485		-15,300	-19,000
23-440.51	TELEPHONE & INTERNET		-266		-400	-1,000
23-440.52	POWER	-55,000	-9,943	18	-15,000	-26,000
23-440.53	NATURAL GAS		-26,190		-31,000	-47,000
23-440.58	WATER/SEWER/GARBAGE		-3,344		-4,800	-7,000
23-440.60	BUILDING & GROUNDS REPAIRS	-10,000	-1,810	18	-1,800	-3,000
23-440.64	COMPUTER PROGRAM MAINT.		-93		-1,000	-1,000
23-440.98	CONTINGENCY/CAPITAL/DEPR.	-127,100				-37,600
<b>* TOTAL REXBURG RAPIDS EXPENSE</b>		<b>-402,900</b>	<b>-244,901</b>	<b>61</b>	<b>-274,600</b>	<b>-408,100</b>
<b>* REXBURG RAPIDS FUND NET INCLUDING TRANSFER</b>			<b>159,285</b>		<b>128,300</b>	<b>0</b>
	LESS FUND TRANSFER IN/CARRYOVER	-99,000	-99,200		-99,200	-21,800
	ADD BACK CONTINGENCY	127,100				37,600
<b>* REXBURG RAPIDS FUND OPERATING NET</b>		<b>28,100</b>	<b>60,085</b>		<b>29,100</b>	<b>15,800</b>

**Finance Officer Richard Horner** said he emailed the Employee Hand Book to the City Council Members. The Employee Handbook will be on the October 19<sup>th</sup> agenda.

**Calendared Bills and Tabled Items:**

**A. "LAND USE ACTION" – BILLS RECOMMENDED/APPROVED IN A AND USE PUBLIC HEARING PROCEDURE:**

1. [Ordinance 1074](#) – Rezone Blocks 48, 49, and the west ½ of Block 50 to MU2  
Council Member Erickson asked for clarification

**Council Member Erickson** asked what the reasons would be to suspend the rules. City Attorney Stephen Zollinger said with zoning ordinances which have gone through multiple hearing processes before it is presented as a calendared bill it is appropriate to suspend the rules and pass the ordinance at one meeting. The City Clerk Blair Kay has requested that we suspend the rules and move this forward at the meeting immediately following the public hearing where it was voted upon. This ordinance will formalize the approval given for the rezone of Blocks 48, 49 and the west ½ of Block 50 to MU2.

**Council Member Egbert** moved to suspend the rules for [Ordinance 1074](#) – Rezone Blocks 48, 49, and the west ½ of Block 50 to MU2; Council Member Sutherland seconded the motion; Mayor Woodland asked for a roll call vote.

**Those voting aye**

Council Member Erickson  
Council Member Sutherland  
Council Member Stout  
Council Member Egbert

**Those voting nay**

Council Member Benfield

**The motion carried.**

**Council Member Erickson** moved to approve [Ordinance 1074](#) – Rezone Blocks 48, 49, and the west ½ of Block 50 to MU2; Council Member Egbert seconded the motion; Mayor Woodland asked for vote.

**Those voting aye**

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

**Those voting nay**

None

**The motion carried.**

**Council Member Egbert** asked to be excused for the remainder of the meeting.

**B. BILL Introduction:** – NONE

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

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

**E. 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:**

**A. [Confirm appointment of Heidi Smith](#) to:**

1. Arts Council
2. Romance Theatre Committee

**Council Member Benfield** moved to confirm the appointment of Heidi Smith to the Arts Council and Romance Theatre Committee; Council Member Sutherland seconded the motion; Mayor Woodland asked for a vote.

**Those voting aye**

Council Member Erickson

**Those voting nay**

None

Council Member Benfield  
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. [September 21, 2011](#) meeting
- B. Approve the City of Rexburg Bills

**Council Member Stout** indicated an error on page 11 in the 3rd paragraph of the City Council Minutes.

**Council Member Erickson** moved to approve the Consent Calendar consisting of the city bills and City Council meeting on September 7<sup>th</sup>, 2011 with changes discussed; 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 Sutherland	
Council Member Stout	

**The motion carried.**

**Council Member Stout** moved to go into executive session per state statute 67-2345 (f) "to communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. The mere presence of legal counsel at an executive session does not satisfy this requirement;" Council Member Sutherland 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 Sutherland	
Council Member Stout	

**The motion carried.**

Executive session began at 8:00 p.m. and ended at 8:40 p.m.

Adjournment

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Richard S. Woodland, Mayor

Attest:

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Marianna Gonzalez, Deputy City Clerk