

# City Council Meeting

October 19, 2011



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

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

**October 19, 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**

Caleb Shatte led the Pledge of Allegiance.  
Douglas Aravallo said the prayer.

**Roll Call of Council Members:**

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

**Mayor Woodland** welcomed the Boy Scouts to the meeting and asked them to introduce themselves.

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

**Lisette Meynders** at 271 South 2<sup>nd</sup> West reviewed the red flashing light at the pedestrian crossing at 2<sup>nd</sup> West. It is call a Hawk Signal Light to allow pedestrians to cross. She recommended having an education effort to try to get the word out about stopping when the red light is flashing similar to a four way stop. It is the 2<sup>nd</sup> Hawk Signal Light in the State of Idaho.

**Council Member Erickson** said the point is well taken. It is confusing for the vehicle operators. He agreed a sign would help educate the public. Public Works Director John Millar indicated the city would look into the issue.

**Presentations:** - NONE

**Committee Liaison Assignments for 2011:**

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** reported the Legacy Flight Museum Committee has met and they have several upcoming events. One project will be the painting of the center section of the floor in the museum to sharpen things up.

He referred to a handout showing the profit expected for Rexburg Rapids. The slides will be up and running for the next season. It will be even more fun with the blue slide. Despite the late start the turnout was excellent.

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

**Council Member Sutherland** reported the new turn lanes for Main Street will be under construction next week. There is a ninety day timeline for completion of the project.

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

**Council President Mann** reported Emergency Services has not met, but the committee is working on their State Standards for Emergency Services. Dr. Jeff Zollinger is licensed for the program. Fire Chief Corey Child said they haven't had to have a meeting because everything has gone smoothly. MYAB met this afternoon at 4 p.m. They discussed "Shop with a Cop" and Rexburg Days (October 27) for a cleanup event at the Nature Park from 4:30 to 6:30 p.m. The first 100 volunteers of Rexburg Days will get a free T-shirt. Julie Potters is doing a great job at being the chairwomen for MYAB. He said the MYAB is active, involved and they are going many good things for the City of Rexburg.

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

**Council Member Benfield** reported the Madison School District has property for sale in Archer (former Archer grade school) and a proposed sale on land on Main Street (former Madison Junior High) is in process to set value. The girls' soccer and volleyball teams will be going to state. The Romance Theatre Committee will be meeting on Thursday night so there is nothing to report. There is also no report from the Police Department.

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

**Council Member Erickson** reported the Golf Board needs a new member. Planning and Zoning met and approved an item on tonight's agenda. Rexburg Redevelopment Agency has not completed the final numbers on the parking lot under construction on 1<sup>st</sup> East and Main Street.

**Public Hearings:** - NONE

**Items for Consideration:**

- A. [Amend Ordinance 1026](#) by approving BILL 1075 adding two conditional uses:  
1. 0741 – Veterinary Services for Livestock (totally enclosed)  
2. 0751 – Livestock Services except veterinary (totally enclosed)

**Mayor Woodland** introduced the proposal and he asked for discussion. Attorney Phil Packer representing the University was available for questions. Community Development Director Val Christensen reported on the request to add these two uses to the Development Code as Conditional Uses in the University District. The University will come back with plans involving these uses and a public hearing will then need to be held in order to use these uses.

**Council Member Benfield** asked about the Public Hearing at Planning and Zoning for these two uses. Community Development Director Val Christensen explained the hearing was to discuss amending Ordinance 1026 to allow the conditional uses of Veterinary Services for Livestock (totally enclosed) and Livestock Services except veterinary (totally enclosed).

**Council Member Erickson** said "Totally Enclosed" is exactly what it means. The cattle will be brought in to an enclosed building before the cattle are taken off the truck. He clarified the need to

keep the students on campus to keep travel expenses for the students at a minimum. Council Member Benfield asked about the number of students going back and forth and the possibility of a shuttle. She said that people have asked why the university can't bus the students over to the livestock center instead of busing the animals over to the University. It was explained this would be cost prohibitive because of the number of students and frequency of classes throughout the day. There are also time constraints with certain classes. Council Member Mann asked how many animals this will involve. The amount of large animals will usually be between 35 to 40 animals and will fluctuate depending on the class. The University has visited many universities around the country where animal research is conducted to do their own research. Community Development Director Val Christensen explained that this will expand the Development Code to include large animals not just small. This would only allow a totally enclosed facility.

**Council Member Erickson** moved to [Amend Ordinance 1026](#) by approving BILL 1075 adding two conditional uses: 0741 – Veterinary Services for Livestock (totally enclosed) and 0751 – Livestock Services except veterinary (totally enclosed); Council Member Egbert seconded the motion; Discussion: Council Member Stout asked about the three reading process. City Attorney Stephen Zollinger explained that the City Clerk request the Council consider suspending the rules. Council President Mann said he agreed the University has been a good steward; most of the comments of concern he has received have come from University Employees; Mayor Woodland asked for a vote:

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

**The motion carried.**

- B. [Discuss sponsoring the Eastern Idaho Regional Legislative Tour](#) in 2013 – Scott Johnson**

**Council Member Benfield** explained it was an invitation from the Idaho Chamber Alliance to host in 2013 a Legislative Tour. She said it is a golden opportunity to showcase our community at a cost of \$20,000. She said there are many other possible sponsors including BYU-Idaho. The city must respond within two weeks to allow for planning the event.

**Council Member Sutherland** moved to support the event by helping sponsor the event; Council Member Erickson seconded the motion; Discussion: Council Member Egbert said it would be a good opportunity to showcase the community. It is an investment in the community. Council Member Benfield said the money is for hotel rooms, food, etc. Mayor Woodland asked for a vote:

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

**The motion carried.**

- C. [Set public hearing](#) for City Fees including Airport, Rexburg Rapids and Parks for November 16<sup>th</sup>.**

**Deputy Finance Officer Matt Nielsen** reviewed the Rexburg Rapids revenue for 2011. He said there were almost 55,000 admissions to Rexburg Rapids for 2011. The bulk of admissions were from the over 48 inch admissions category. 68% of the revenue was from daytime admissions. The

biggest expenses were from the utility bills and wages. They plan to have a peak season and a non-peak season for next year. Swimming lessons are offered in the morning. Food will be allowed in the pool area next year. Council Member Stout said there was a lot of work from a really good staff to make the pool a success in the first year. Council Member Egbert agreed. There will be new software “Sports Sites” purchased to speed up the admissions into the pool.

Proposed Changes to Rules

- Allow Food in the Park (Number one complaint)
- Allow Children under 48” to ride the slide if they pass a swim test
- Charge \$1.50 for slides now that they are both functioning
- Increase Fitness Rates

Why Make Proposed Changes to Admission?

- No material difference in admission revenues collected
  - Using last year’s admission, revenues would increase over \$1600
- Inventory sales revenues would increase
- Admission would be free for younger ages (0-3) and could possibly attract more paying adults
- Simplify the admission pricing and speed up admission to the park
- Encourage purchase of punch cards, which speeds up receipting and offers additional discounts applicable to all paying patrons

## 2011 Season Revenues

Account	Description	2011 Budget	1109 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		28,520		28,500	35,000
23-350.30	ADMISSIONS-EVENING EXCLUSIVE	26,400	5,721		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	8,000	10,445		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	16	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>\$ 404,184</b>	<b>100%</b>	<b>\$ 402,900</b>	<b>\$ 408,100</b>

### RESOLUTION NO. 2011-13

A RESOLUTION OF THE CITY OF REXBURG, IDAHO, ADOPTING A NEW RATE SCHEDULE FOR CERTAIN FEES.

WHEREAS, the City Council desires to maintain the overall quality of life experienced by its constituents; and

WHEREAS, the City Council desires to set certain fees so that they cover the cost of the services provided through the payment of those fees;

NOW THEREFORE, be it resolved by the Mayor and the Council of the City of Rexburg, effective November 17th, 2011, that the fees in attached list shall be charged as specified:

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR THIS 16th DAY OF November, 2011.

CITY OF REXBURG  
Madison County, Idaho

Richard Woodland, Mayor

ATTEST:

Blair D. Kay, City Clerk

2011 PROPOSED FEE INCREASES (Attachment for Resolution 2011-13)				10/18/11	Proposed
Dept	Category	Type	Current Fee	Changed	Fees
Airport	Landing Fee	Per Year	\$ 500.00000	2/21/07	\$ 800.00000
Airport	Lot Lease	Lot Lease Fee per square foot per year	\$ 0.12000	2/21/07	\$ 0.14000
Airport	Touch Down Fee	Per Year	\$ 500.00000	2/21/07	\$ 800.00000
Parks	Ball Diamonds	Ball Diamond Usage per game per diamond	\$ 16.00000	previous	\$ 20.00
Recreation	RAC Admit Daytime Individual	Fitness Single Entry	\$ 2.00000	4/6/11	\$ 3.00
Recreation	RAC Admit Daytime Individual	Age 0-3			Free
Recreation	RAC Admit Daytime Individual	Diapered (Includes a swim Diaper, must also have a swim liner or purchase one)	\$ 2.25000	4/6/11	Discontinue
Recreation	RAC Admit Daytime Individual	Height Less than 48" Tall	\$ 3.75000	4/6/11	Discontinue
Recreation	RAC Admit Daytime Individual	Height More than 48" Tall	\$ 5.00000	4/6/11	Discontinue
Recreation	RAC Admit Daytime Individual	Age 4 - 59			\$ 5.00000
Recreation	RAC Admit Daytime Individual	Seniors (60 years+)	\$ 4.00000	4/6/11	Discontinue
Recreation	RAC Admit Daytime Individual	Seniors (60 years+), Veterans, and Armed Services			\$ 4.00000
Recreation	RAC Admit Evening Individual	Age 0-3			Free
Recreation	RAC Admit Evening Individual	Diapered (Includes a swim Diaper, must also have a swim liner or purchase one)	\$ 2.00000	4/6/11	Discontinue
Recreation	RAC Admit Evening Individual	Height Less than 48" Tall	\$ 3.00000	4/6/11	Discontinue
Recreation	RAC Admit Evening Individual	Height More than 48" Tall	\$ 4.50000	4/6/11	Discontinue
Recreation	RAC Admit Evening Individual	Age 4 - 59			\$ 4.50000
Recreation	RAC Admit Evening Individual	Seniors (60 years+)	\$ 3.00000	4/6/11	Discontinue
Recreation	RAC Admit Evening Individual	Seniors (60 years+), Veterans, and Armed Services			\$ 3.00000
Recreation	RAC Admit Evening Group	Non-Exclusive Group-Up to 200 People			\$ 275.00000
Recreation	RAC Punch Pass Fitness -Resident	20 Punch Pass Fitness (6-8 am entry)	\$ 36.00000	4/6/11	Discontinue
Recreation	RAC Punch Pass Fitness -Resident	10 Punch Pass Fitness (6-8 am entry) M, W, F			\$ 25.00000
Recreation	RAC Rental	Life Jacket rental			\$ 3.00000

Council Member Sutherland moved to [set the public hearing](#) for City Fees including Airport, Rexburg Rapids and city parks for November 16<sup>th</sup>; Council Member Stout seconded the motion; Mayor Woodland asked for a vote:

**Those voting aye**

Council President Mann  
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

1. [Complete 7<sup>th</sup> South](#) from 5<sup>th</sup> West to 3<sup>rd</sup> West.

**Public Works Director Millar** asked to allow continued work on 7<sup>th</sup> South to work on the canal bridge this fall on 7<sup>th</sup> South which will go from 3<sup>rd</sup> W to 5<sup>th</sup> W. He said they need to either replace or widen the canal bridge at 4<sup>th</sup> W. The traffic next spring could use half the

bridge if it is completed this fall. The cost would be about \$525,000, while the estimate was \$500,000 last year. There is approximately 1.5 million in the construction fund for next year. Discussion on the source of the funds.

The street can remain open while construction is underway. Council Member Stout asked if property owners were contacted. Public Works Director John Millar said the properties are being surveyed to determine the extent of the right-of-way needed to finish 7<sup>th</sup> South in that area before contacting property owners. There will be 100 feet of curbing realigned on the south side of 7<sup>th</sup> South.

**Council Member Egbert** moved to approve the Completion of 7<sup>th</sup> South from 5<sup>th</sup> West to 3<sup>rd</sup> West. Council Member Erickson 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 Erickson	
Council Member Benfield	
Council Member Sutherland	
Council Member Stout	
Council Member Egbert	

**The motion carried.**

**Public Works Director John Millar** reported

1. The county parking lot concrete portion is being worked on this week; it should be paved by the end of October.
2. The work on the sewer high pressure line on US 20 in moving north as planned towards the Sewer Plant.
3. The parking lot is being completed at River Side Park; it will have ice skating on it this winter.
4. Left Hand Turn lanes on Main Street will be under construction in a week.
5. The recycling dumpsters have been moved from the Middle School and are currently at the City Shop until another location can be decided on. Council Member Benfield said she got a call thanking the City for removing the recycling dumpsters from the Middle School.

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

1. Discuss and approve the updates to the Employee Handbook.

**Finance Officer Horner** reviewed the proposed changes to the Employee Handbook. He addressed the issue of not allowing cashing out a vacation during the year. He explained the problem there has been at the police department regarding vacation time. Council Member Benfield reviewed the entire document and did not find any issues.

**Finance Officer Richard Horner** reviewed the budget handout for 2012.

**Council Member Stout** moved to approve the updates to the Employee Handbook excluding the paragraph as discussed; Council Member Egbert 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 Erickson	
Council Member Benfield	
Council Member Sutherland	
Council Member Stout	
Council Member Egbert	

**The motion carried.**

**Calendared Bills and Tabled Items:**

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

1. **Ordinance 1075** adding two conditional uses:
  - a. 0741 – Veterinary Services for Livestock (totally enclosed)
  - b. 0751 – Livestock Services except veterinary (totally enclosed)

**Council Member Egbert** moved to suspend the rules for **Ordinance 1075** adding two conditional uses: 0741 – Veterinary Services for Livestock (totally enclosed) and 0751 – Livestock Services except veterinary (totally enclosed); Council Member Erickson seconded the motion; Discussion on suspending the rules. Council Member Mann explained his concerns suspending the rules. Council Member Stout explained that he feels because of the conditional use process it is not as big of a concern. Mayor Woodland asked for a roll call vote:

**Those voting aye**

Council Member Erickson  
Council Member Sutherland  
Council Member Egbert

**Those voting nay**

Council President Mann  
Council Member Benfield  
Council Member Stout

Due to a tie vote; **Mayor Woodland** voted aye to pass the motion. Mayor Woodland explained because the conditional use process would require a public hearing he felt suspending the rules in this instance was acceptable.

**The motion carried.**

**Council Member Egbert** moved to third read and approve **Ordinance 1075** adding two conditional uses: 0741 – Veterinary Services for Livestock (totally enclosed) and 0751 – Livestock Services except veterinary (totally enclosed); Council Member Stout seconded the motion; Mayor Woodland asked for a vote:

**Those voting aye**

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

**Those voting nay**

None

**The motion carried.**

**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. The [Fourth Annual Eastern Idaho Legislative Forum](#) will be hosted by the City of Rexburg on November 17<sup>th</sup> at “Spring Hill Suites” Marriott located at 1177 South Yellowstone Hwy in Rexburg.

**Mayor Woodland** reviewed the planned event. The tentative schedule of the forum will be from 10 a.m. to 2 p.m. on November 17<sup>th</sup>.

**B. Committee Appointments:**

1. [Confirm appointment of Arthur Lee](#) to Arts Council

**Council Member Benfield** moved to confirm the appointment of Arthur Lee to the Arts Council; Council Member Sutherland seconded the motion; Mayor Woodland asked for a vote:

**Those voting aye**

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

**Those voting nay**

None

**The motion carried.**

**City Attorney Zollinger** explained the RR side storage (private rail) update: the track failed causing a railroad car to slip off the tracks. A meeting is planned with the railroad in the next month to review the safety concerns for the RR tracks in Rexburg.

**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 05, 2011** meeting
- B. Approve the City of Rexburg Bills

**Council Member Egbert** moved to approve the Consent Calendar consisting of the city bills and City Council meeting on October 05, 2011; Council Member Benfield seconded the motion; Mayor Woodland asked for a vote:

**Those voting aye**

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

**Those voting nay**

None

**The motion carried.**

Adjournment

---

Richard S. Woodland, Mayor

Attest:

---

Blair Kay, City Clerk