

City Council Meeting

September 21, 2011

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CITY OF
REXBURG
America's Family Community

September 21, 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
Aaron Davis – Assistant 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

Tyce Clements Smith led the Pledge of Allegiance.

Dave Ward said the prayer.

Roll Call of Council Members:

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

Council Member Erickson asked to be excused.

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

Pat Scheese, 77 West 1st South, requested a stop light at the intersection of 1st South and 2nd West. She was concerned with pedestrian safety and she mentioned an accident recently occurred at this intersection in front of the church.

Council President Mann requested Pat's concern be taken to the Traffic and Safety Committee. The City Council agreed this intersection is a problem and agreed to send it back to the Traffic and Safety Committee.

Allen Miller, 5th South, 3rd East, was concerned with people speeding in his neighborhood. He said the problem is common on streets throughout Rexburg. He feels drivers are not concerned with pedestrian safety. The City Council did not make a decision about this issue at this time. Allen Miller stated in his opinion, speed deterrence methods have been used in the past; however, they are ineffective in the long run.

Presentations:

A. Status Report on the City of Rexburg's "[Revolving Loan Fund](#)" and renewal contract with ECIPDA to manage the fund – Dave Ogden

Dave Ogden gave a brief summary of the ECIPDA. ECIPDA was organized in 1976 by nine counties in the area. ECIPDA deals with public infrastructure, small business growth, and the labor force. A revolving loan fund for the city has been managed by ECIPDA for the past few decades. Idaho Falls' business has been impacted more than Rexburg's has during the recession. Dave Ogden gave his presentation regarding the Revolving Loan Fund. He requested approval for the ECIPDA contract for \$9,000 per year to continue managing the fund. Business growth has slowed

during the recession. There are currently 12 outstanding loans adding up to 1.1 million dollars. As of 8/31/2011 all the businesses have kept up to date on their payments. On average, 1.8 dollars are leveraged for every dollar that is loaned out. There are currently several hundred thousand dollars available in the fund. The purpose of the fund is to create jobs. Dave Ogden said he was seeking approval for the ECIPDA to continue managing the loan. He asked the City Council if they had any questions. Mayor Woodland commended Mr. Ogden for his work.

Council Member Sutherland moved to approve the renewal contract for a maximum of \$9,000 with ECIPDA; Council Member Egbert seconded the motion; Discussion: Council Member Stout asked to go into executive session after the meeting to answer additional questions on the matter. The contract will expire September 30th.

Council Member Sutherland withdrew his motion; Council Member Egbert withdrew his second.

Council Member Stout moved to table the ECIPDA contract to manage the “Revolving Loan Fund” to the end of the meeting; Council President Mann 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 Sutherland	
Council Member Stout	
Council Member Egbert	

The motion carried.

Committee Liaison Assignments for 2011:

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

Council Member Stout representing the City Council presented Mayor Woodland with symbolic attire as a memento for the opening of “Rexburg Rapids” at Riverside Park this summer. Mayor Woodland accepted the humorous gift as a symbol of the efforts of many people over the years to build an outdoor swimming facility in Rexburg. Council Member Stout reported the Airport Board will have to decide in the near future how finance matching funds for a recent grant from FAA. He suggested using city funds and approaching the county for some funding.

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

Council Member Egbert commended the Parks Department for all of the outstanding work they have done. He mentioned how nice Smith Park was maintained. The parks look clean and green.

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

Council Member Sutherland reported he had no news from his committees; however, he will make sure the Traffic and Safety Committee receives the concerns of the dangers concerning crosswalks on 1st South and 2nd West as well as 3rd East and Main Street.

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

Council President Mann said the Emergency Service Board did an excellent job on the September 11, 2011 Memorial. He was very impressed with the Memorial. He reported the Mayor’s Youth Advisory Board met tonight and they are doing a great job. They have already chosen all of their leaders and they are off and running with Christmas around the corner.

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

Council Member Benfield said the Tabernacle, Rexburg Arts Council, and Romance Committees have met and they will have many events this fall. The Zombie Walk will be held on October 8th.

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

Council Member Erickson asked to be excused.

Planning and Zoning Building Director Val Christensen reported the on the previous Planning and Zoning Commission where they looked at bridge crossings on the Teton River. The committee has concerns regarding the current bridge crossing situation. 2nd East is having considerable traffic build up and the Planning and Zoning Commission suggested an alternative way to cross the Teton River to help with the traffic. They would like to have a joint city/county planning meeting to adopt a preliminary map to educate the public on the planned route for a second Teton River crossing. They also had concerns regarding people building barns or other buildings where a road would later be added. He is working on a preliminary drawing to be discussed in some future public meetings.

Council Member Sutherland suggested Planning and Zoning meet with Madison County to go over these concerns. The Planning and Zoning groups (*including Teton, Newdale, Sugar City, and Rexburg*) meet with the Madison County planning group quarterly.

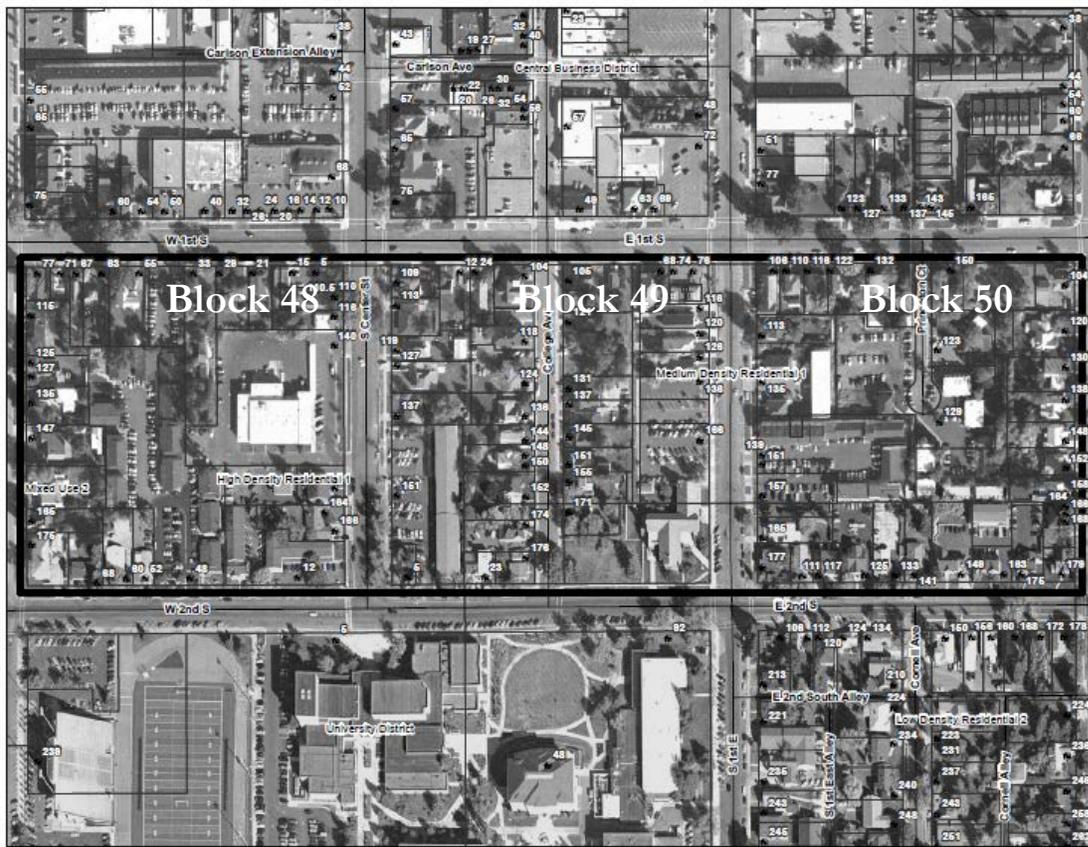
Public Hearings: - NONE

Items for Consideration:

- A. **Zone Change for all of Blocks 48, 49, and 50** in the Original City of Rexburg Townsite, Madison County, Idaho – **Zone change** for (11 00212) from Medium Density Residential One (MDR1), High Density Residential One (HDR1) and Central Business District (CBD) **to Mixed Use Two (MU2)** for three square blocks bordered by 1st South, 2nd East, 2nd South and 1st West – Staff

(The Planning and Zoning Commission held a public hearing on September 15th to take public input concerning the proposal to change the zone as presented. They unanimously recommended changing the zone to MU2 to accommodate the growth of student housing adjacent to the University)

Community Development Director Val Christensen said the ready team consists of the following members; Planning and Zoning Building Director Val Christensen, Director of Economic Development and Community Relations Scott Johnson, Public Works Director John Millar, City Clerk Blair Kay, Finance Officer Richard Horner, GIS Coordinator Craig Rindlisbacher, and Mayor Richard Woodland. They had a discussion regarding which blocks should be rezoned based on earlier discussions with the University. Similar discussions have occurred with interested developers who are looking at these blocks. The consultants made similar recommendations in 2008. The University has purchased several properties on College Avenue. The city has received requests to have construction projects on Block 48 and Block 50. The Ready Team suggested that the issue be taken to the Planning and Zoning Commission. A public hearing on blocks 48, 49 and 50 took place on September 15, 2011. He explained about a year ago the Comprehensive Plan Map changed on block 50 about a year and a half ago, while blocks 48 and 49 have been the same since the consultants presented the changes to the Comprehensive Plan in 2008.



Discussion on Block 48, 49 and 50 presented on map.

Community Development Director Christensen indicated the university expressed their concerns about the land needed for student population growth. The Planning and Zoning Committee has unanimously voted on September 15th to rezone these blocks. During Thursday’s Planning and Zoning meeting there was a lot of public comment and deliberation about the proposed rezone. He discussed the issue with Public Works Director John Millar; who indicated this would be the least expensive option for coping with the type of density and growth predicted. Leap forging development away from the University would greatly increase the cost to the city for infrastructure including water, sewer, and street construction projects.

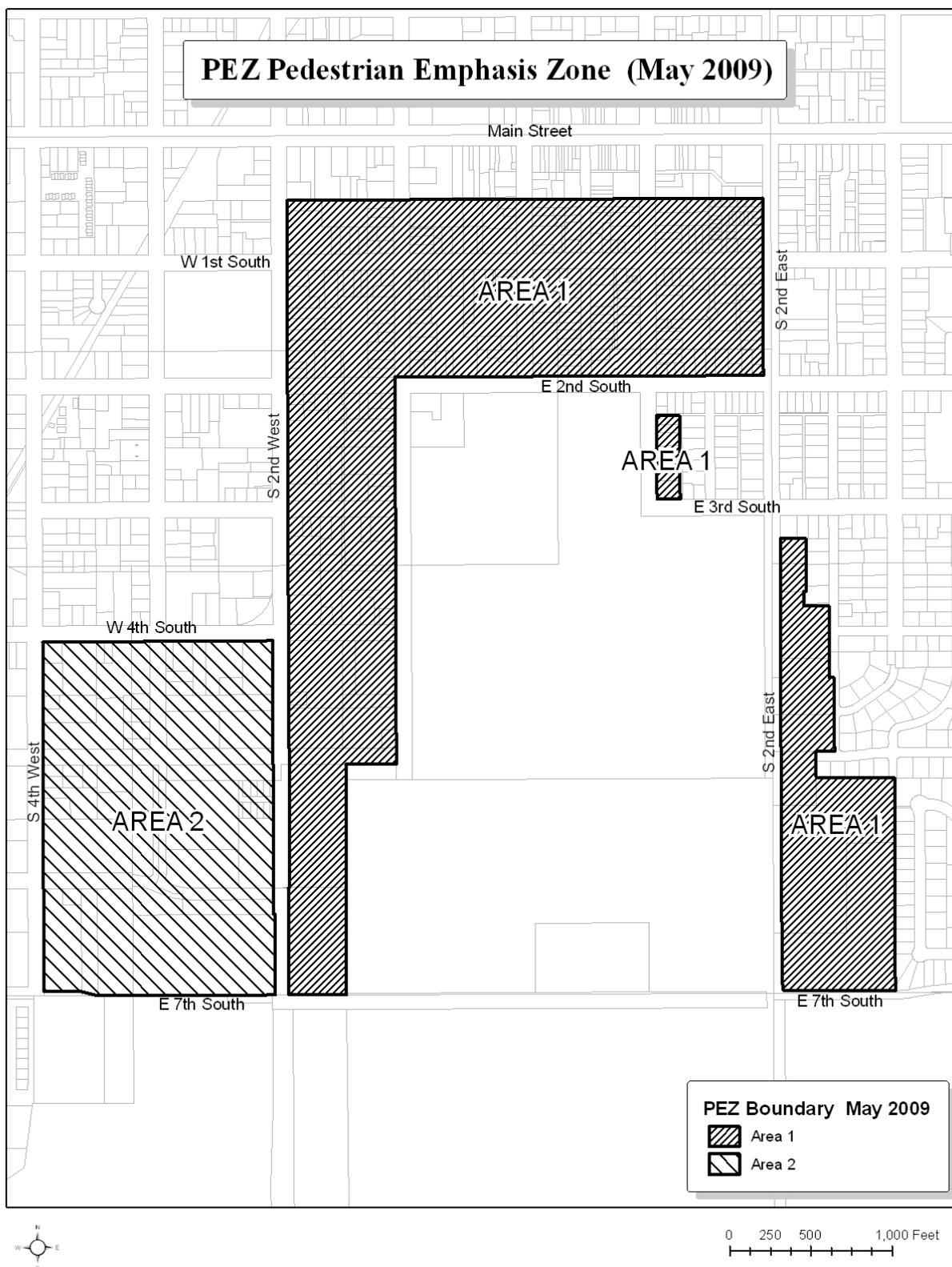
Council Member Sutherland suggested what is done on the west side will impact the people on the east side. He is concerned the people in the east side have not been involved. Community Development Director Christensen explained there are only 3 or 4 homes which are not rental properties in Block 50. He said there has been discussion with residents from the east side in previous public hearing that 2nd East would be a good separation point for University housing growth. He was ok with having the backs yards of properties on the west side of 2nd East being a separation point. Council Member Benfield asked if the east side residents were notified about the public hearing. Community Development Director Christensen responded stating individuals were not notified specifically, but the public hearing was advertised in accordance with current policies by posting the Blocks and using the newspaper. City Attorney Stephen Zollinger stated the state statute doesn’t require a written notice when the amount of parcels involved in the change is over 200 parcels of land. He said a written notice published as a “newspaper ad” in the newspaper in addition to the usual legal notices was all that was required by the state regulations. The total parcels included parcels within 300 feet of the affected property.

State Code 67-6511 (b) ...When notice is required to two hundred (200) or more property owners or purchasers of record, alternate forms of procedures which would provide adequate notice may be provided by local ordinance in lieu of posted or mailed notice.

Council Member Stout asked for a review of the properties on the overhead screen.

Council Member Benfield requested dialogue regarding the actual usage MU2. Community Development Director Christensen explained the zoning allows the residential components of more than 30 units per acre with a conditional use permit including 55 foot buildings for five or six story buildings. Four story buildings are the norm because five story buildings require steel and more concrete. Parking could be built underneath a four story building.

The Blocks are part of the PEZ Pedestrian Emphasis overlay established by the city in 2009 to encourage student housing densification adjacent to the University to minimize the expense of adding additional infrastructure for student housing development outside the area of the University. The PEZ is not a zone it is an overlay.



Council President Mann asked if a parking level would be included in the 55 foot height restriction. Community Development Director Christensen explained it would. Council Member Benfield is very concerned regarding the legality of this zone change. She asked if it is a city or a contractor request. Community Development Director Christensen explained the city is making the request by the recommendation of the Ready Team and the predicted population growth due to

increase in enrollment from the University at about 1,000 student growth per year. He predicts there will be a growth of 10,000 students in the next eight years based on the University's growth plans. He stated the current zoning of these blocks will not be sufficient to hold such significant growth.

Council Member Benfield said these blocks are part of the "heart of the community." She agrees there needs to be high density around the university, but she is worried about the huge effects this growth will have on the community. Community Development Director Christensen challenged Council Member Benfield to find an area of the city that the projected growth would not have a huge effect. She agreed high density needs to be around the University. She was concerned with the amount of density in Henderson's development and Hemming Village affecting the roads and pedestrians, etc. She is fearful of making the Blocks in question a higher density will cause increased traffic. She is not confident students will walk or bike, especially from block 50. She stated she is willing to support blocks 48 and 49, but not 50. Community Development Director Christensen indicated the growth would not happen overnight; however, it is a matter of planning to get ahead of the projected growth. It would be difficult to go to the University and say the city could not allow additional student growth.

Discussion between regarding the development of these blocks, particularly Block 50. Community Development Director Christensen said two serious developers are planning developments in Block 50. Only one developer is planning a development in Block 48. Twenty percent of the projected student growth will be married housing outside of the PEZ Overlay. He reviewed the current zoning as MDR1 for some of the area allowing 16 units per acre with up to 30 foot high buildings. City Attorney Zollinger clarified the density in the PEZ Overlay is controlled by the height of the buildings. Changing from a 30 foot building to a 55 foot building will control the change in density allowed with the MU2 Zone with a Conditional Use Permit.

The City Council reviewed the new "IVY" project adjacent to 7th South and South 2nd West on the overhead screen. This development will have 900 beds with only 1/3 online with student occupancy at this time. The University is planning to develop additional University single student housing for an additional 1,000 beds. It will be located on the east half of the block between 1st West and 2nd West just east of the "Nauvoo" housing and the new "Ivy" housing. Council Member Sutherland indicated the married housing has room to grow in areas outside the PEZ Overlay area. The "Hemming" project will have 520 beds.

Council Member Stout was also concerned if Blocks 48, 49 & 50 are restricted too much; the city may regret it in the long. Where else will the single students be housed? Council Member Egbert asked if this fits the Comprehensive Plan Map. Council Member Stout said this makes sense with the Comprehensive Plan; the growth is going to happen. Community Development Director Christensen said the Comprehensive Plan allows this growth; however, the zoning will have to change to follow the Comprehensive Plan.

Council Member Egbert indicated the growth plan does make sense by following the Comprehensive Plan. Council Member Sutherland summarized by restating the height of the buildings will control the density. Council Member Benfield is concerned with the economic times and she believes nothing will take place within the next year because of the economy due to the size of these developments. Community Development Director Christensen explained a zone change would be required to take place before a developer would be interested in purchasing land on these blocks. It takes time to acquire properties. It may take many years to develop; that is why planning is so important.

Council Member Benfield suggested buffer zones to prevent large complexes in the middle of single family homes. How will this development affect the properties across the street to the east or to the south? She mentioned the developments on 5th West that were buffered from single family neighborhoods. She does not see that same buffering in this proposal for 2nd East and 2nd South single family homes. Community Development Director Christensen explained that is why he drew

the line at 2nd East so the buffer would be the street; not a property to property line. The property value around the University is extremely valuable. He discussed the possible buffer opportunities with certain types of buildings. The problem is the cost of redevelopment to make small projects pencil out; two single family homes can't be torn down and replaced with five townhomes, twin homes, etc. Council Member Benfield asked what type of businesses would be allowed in MU2.

Community Development Director Christensen said the list was as long as his arm; however, it is the same list used for the downtown area. There are not any service stations allowed; otherwise, they are the type of businesses allowed in the Central Business District (CBD). A Walgreens could be built; however, the value of the land would preclude that type of business. He mentioned a recent appraisal for property on single student housing (Sunrise Village) on 2.2 acres at 5.5 million dollars. In order for the area to become a walking community we would need to meet the needs of students and allow for opportunities for business close by their housing. One example of restricting a business for students recently was the Henderson Development (IVY) requesting a hair care facility in their development. The current zone would not allow a hair care facility. The University might allow some commercial business development like hair care within their approved housing if it is done right with separate entrances. They would allow commercial development nearby which would alleviate parking issues with the population growth.

Council Member Sutherland reminds him of the decision in 1986 to widen 2nd East from 27 feet to 42 feet which caused much controversy. For example there were many neighborhoods zoned MDR for 45 years (Steiner Avenue, etc.) that were destroyed during this time to help with the growth of the college by houses turned in to dormitory housing. If the University provides the student housing, it will not be on the tax rolls. He said they have to do the best planning for the Community. We are pushed into a corner.

Council Member Benfield indicated she has seen several projects in the city where developers worked with the neighborhoods to develop their projects. Community Development Director Christensen said he would welcome that concept. He noted experts brought in by the University have determined blocks 48, 49 and 50; plus the blocks on the west side of the University are the best locations to increase student housing. A conditional zone change needs to be made to allow developers an opportunity to develop additional student housing. In this current proposal, there are only three single family privately owned homes in Block 50 affected by this proposal. Council Member Benfield asked why the Planning and Zoning Commission denied the recent zone change request on Block 48.

Community Development Director Christensen indicated the planners were upset with the type of buildings being planned for Block 48; plus, there were only four members voting out of a six member quorum. Of the six members, one recused (*To disqualify or seek to disqualify from participation in a decision on grounds such as prejudice or personal involvement*) himself and the other member had an emergency. It was a three to one vote. A month and one half later they changed their vote because they said they voted on a project not a block. Community Development Director Christensen indicated his value in the neighborhood will decrease because he lives on the hill with the opponents of this proposal. He said the bottom line is he would like people to come into his office and offer suggestions for what is best for the community in these decisions. Council Member Benfield still wants to consider the neighborhoods because that is our community. Community Development Director Christensen said they did consider the neighborhoods; that is why they stopped the proposal at 2nd East. Council Member Benfield agreed.

Council President Mann commented he is concerned with the buffers discussed. He is also concerned with Block 50 and feels he could not support such a big change. He is concerned with the overlay (aka PEZ) and the parking situation. He wants to see if the Hemming Project works too. He has owned rentals and the students say they don't have a car; however, they have access to their boyfriend's car, etc. After they move into their apartments, there are cars all over. You really don't see it until they are not allowed to park on the city streets in the winter when they are being towed. He wanted more time to see how the current developments will affect the city. He does see the need

to add student housing growth in the city; however, three blocks being made available for development at one time is too much. He has also heard that three blocks of redevelopment are not big enough. If he lived across the street from 2nd East, he would be concerned with this development proposal. Is my block next.

Council President Mann has seen the lines for development change all of the time. He did not think they had to change the look of Rexburg so it would pencil for developers. It is not their responsibility. It is free enterprise and private investment that makes it work. He did not think the city had to make these radical changes because a developer said it would not pencil. Unless the city lets them build it higher or bigger or with less green space, they can't develop the property. He is concerned with green space and he does not want a cement city across from the University and he does not think the University wants that either. He can change Block 49 tonight; but not Block 50 even though he has good friends in Block 50 that would like the change for the highest and best value for their homes. He understands that issue, but he can't make that big of a change. He requested a public hearing to get more testimony at a later date. City Attorney Zollinger said the process would have to start over from the beginning. The Mayor could allow public comments tonight outside of the public hearing process. Council President Mann wanted to give everyone an opportunity to weigh-in on the proposal.

Mayor Woodland asked for comments for those present up to a quarter to nine with a limit of two minutes per statement. The discussion was opened to public.

David Ward, 249 Harvard Ave, would like City Council to wait with a decision on Block 50. He agreed with Council Members Mann and Benfield. He wanted more time to shape this change according to the values of Rexburg as opposed to the expediencies of developers. He understands the University is really feeling the pressure to provide additional student housing; he teaches at the University. He understands the growth issue; however, he did not want to customize and compromise the community's commitment to family residential housing in the name of trying to accommodate students. It is possible to leave Block 50 out of the proposal and only consider Blocks 48 and 49. Block 50 with five residential homes and the Chapman property on the corner could be developed from higher buildings with four stories down to two stories, then to the homes on the west side of 2nd East. This would work so the people on east side of 2nd East would not have apartments across the street to view.

Dennis Ward has seen other universities who didn't plan to create apartment complexes in close proximity from campus and as a result were faced with serious traffic issues like Florida State University. They have major traffic issues and congestion.

Carla Jimison, 255 Harvard Ave, agreed with David Ward to create that buffer zone. It is a good way to buffer the neighborhoods by leaving single family housing on 2nd East. She does feel Block 48 and Block 49 need to be developed; however, she also feels the decision on block 50 needs to be postponed.

Don Sparhawk, 37 South 3rd East, is President of the East Main Street Neighborhood Association, has many concerns regarding the building of a five story building in a residential area. He would like to thank Council Member Benfield and Council President Mann for their concerns. They are mostly concerned about Block 50 with five story buildings across the street from residential areas. They are concerned about congestion on 2nd East and developing a plan for 2nd East that will protect its beauty. It is a lovely street and he knows it is congested but it is very lovely and one of the nicest streets in the Rexburg community leading up to the Temple and the University. He wanted to look at and study 2nd East to maintain its beauty. The city planted those trees not many years ago in 1986 on 2nd East. They would love to have the City Council have a public hearing to hear the concerns of the neighborhoods on the hill

Steve Nethercott, 52 W 2nd S, has been working on a student housing development in block 48 for a couple of years. He is in favor of the rezone and he has property in Block 48. It is almost

impossible to develop and take risks on Block 48 with multiple zones. The reality is the student body is increasing by the thousands over the next several years and he feels we need to develop close to campus. He mentioned the problems with developing in areas where the infrastructure is not in place. This area has the infrastructure in place for more growth. He mentioned experts have evaluated this area for traffic, power, plumbing, etc. that is already in place for high density development. This area already supports the projected growth. Building away from these areas will be a lot more costly and difficult. The rezone is going to make it easier for the developer to come in and take the risk. It has taken him several years to put the property together for development. There is mostly student dormitory housing in these blocks already. He supports the proposed zone change.

David Peck, 323 South 3rd East, said he would like more time to discuss this issue as proposed by Council Members Mann and Benfield. He requested the University commit to a growth number of students expected to come BYU-I. He would like a sound number for the basis of a decision. He was concerned with the overall impact of housing growth in this area as it will impact access points to streets, etc. He asked the City Council to postpone this zone change to allow adequate planning before an intelligent decision can be adopted. He does not see a problem with postponing the decision for 30 days to allow wider community review. He agreed with Community Development Director Christensen that community cooperation is needed; however, he would like more time so they can see what planning they are cooperating to support. We have to have some idea of what is going on with this proposal. If the issue is doubling the size of the community or the size of the University, we can't let that be the decision of the University; that has to be something we all participate in deciding. He hoped the City Council would affirm that Rexburg is a family community and allow up to 60 days to review this proposal with concrete information to make an intelligent decision. He applauded Council President Mann in his concerns and agreed with Council Member Sutherland that more information is needed from the University to allow for long term planning; instead of a decision that comes from nowhere.

Judy Taylor, 203 East 2nd South, said there are six residential homes across the street from their neighborhood in Block 50: 1. Walkers 2. Martins 3. Bells 4. Birches 5. Millers and 6. Williamsons. She noted the east side of Block 50 is a residential area; please leave it that way or you will ruin the only residential area left next to the University. There needs to be somewhere left for medium income professors and married students to live and walk to the University. She was concerned with her daughter hanging out with her teenage friends in her yard and 18 to 25 year old young men watching them from their four or five story apartment bedroom windows. This change will disrupt our neighborhoods and our lives. She asked the City Council to please leave Block 50 out of this proposal. She stated she is on the side of the students 18 years old and younger.

Myron Williams, 158 South 2nd East, indicated there are six houses there; however, only three of them do not want the zone change. He is one of the homes; He and Kristina Miller want the zone change. He understands Mrs. Walker wants the zone change too. So, that leaves just three houses opposed to the zone change. He said there is not a neighborhood there anymore. Maybe 12 years ago when he moved into the home, there was somewhat of a neighborhood. The 2nd East Street was not as busy and you could walk across the street without being hit; now, you don't go across 2nd East because it is too dangerous. You can't get out of the driveway due to all of the traffic. He doesn't see how this zone change will add traffic to 2nd East. They have tried to sell their home; if it does not sell it will become a rental. So, there goes another home as a rental with less maintenance than a single family home they occupy. This proposal affects me directly; he did not hear that from others who gave comments. City Attorney Zollinger indicated the comments relating to the status of single family homes on Block 50 can't be considered in the decision. Those statements would be considered "evidentiary" (*relating to, consisting of, or based on evidence*) not "commentary" (*an example illustrating a situation*). The City Council can't consider whether there is or is not three homes or whether there is or is not six homes. You can consider emotional and commentary information.

Council Member Benfield asked if Mr. Williams live on the east or west side of 2nd East. He lives on the west side of 2nd East in Block 50.

Allison Taylor, 203 East 2nd South reiterated her testimony at the Planning and Zoning Public Hearing. She said this is America's Family Community not American's College Community or there would be statues of college students in the roundabout. She has grown up in Rexburg and she has seen that Rexburg is "America's Family Community." It has always been her opinion that her neighborhood is very family oriented. Putting a five story apartment across the street from her neighborhood will ruin that family community feel.

David Martin, 130 South 2nd East, he would like the City Council to postpone their decision for at least 60 or 90 days. He was concerned with safety and vehicle pedestrian accidents; two teenage boys in his neighborhood were hit by a vehicle at an intersection near his home. He feels this change will increase the traffic.

Rachel Whoolery, 2169 Ferris Lane, in Hibbard owns four lots on block 50. She referenced letters of support for the zone change given to the city. 1. Linda Walker requested the rezone. 2. Karen and James Newman requested the rezone. 3. Kent Hansen who owns Academy Apartments with several parcels requested the rezone. 4. Kristina Miller requested the rezone 5. Myron and Karen Williams requested the rezone. She said 85% of Block 50 is already commercial rental properties. Of the people who have signed and read, there are only seven tax lots left that are not renting commercially or didn't sign for the rezone.

Ms. Whoolery indicated they are talking about Block 50 as though it was a residence with single family dwellings; it is not; it has not been for years and years. Where they are already single student housing and they have committed and invested in the city; and own property and pay taxes to Rexburg; they have signed and said they would like this change to enhance their eight unit properties. The existing zoning would only allow eight units financially restricting any possibility of redevelopment of the four older homes; therefore, her building area being diagonally across the street from the BYU- I Kirkham Building, and surrounded by American Manor Apartments; is a redevelopment site. She is in the business and she does this all of the time. She would like to see the zone change to enhance her property. She is in the PEZ Overlay and she is Comprehensive Plan compliant. The city has already agreed by these two documents that this is where this re-development should be done. She asked the city to move forward on what they have already decided would be a good idea and match the existing plan. Most of the properties are already higher density than the 16 units per acre right now for our block. American Manor and others don't match the existing density allowed right now. The issue with this proposal for many people was traffic; they know residential traffic has an entrance every 50 feet making for a lot of traffic. A planned development will have one entrance and one exit maybe on another block. They exit the development facing the road instead of backing out of their driveways. Traffic on 2nd East would be better by having these entry/exits cleaned up so that it would work better. She has checked with the city and the infrastructure is in place for a redevelopment of her area. They are very interested in having Block 50 joined with Blocks 48 and 49 for MU2 zoning.

Mary Haley, 275 East 1st South, referred to her homeowners association not being notified of this proposal. She feels the homeowners association should have been notified. She referred to three homes in Block 50 at the corner of 2nd East and 1st South on the south side that are in foreclosure now. These homes have dormitory housing which was not applicable there; in the winter time they have disregarded the ordinance; parking cars on the sidewalks, lawns, etc. when the streets have been closed to parking. The city was notified, the ordinance people were notified and nothing was ever done. She referred to a lot of the problems in the community right now can be attributed to people not having confidence in the ordinances that have been passed. They are not monitored as to what is allowed and what is not allowed with the idea of offending people. She thought that was a bunch of baloney.

City Attorney Zollinger stated the staff will follow up on those comments; otherwise, what the City Council should be considering commentary; not evidence; and certainly not personal beliefs whether enforcement has or has not been adequately monitored; the staff does acknowledge that it may have been oversight on the city's part not to have notified that particular homeowners

association; however, the rationale was that we followed the statutory provisions on how to notify this large of a body as to the proposed changes; the other thing that is important to recognize is that this is not a short sided or knee jerk reaction. This particular process of Blocks 48, 49 & 50 have been topics of discussion with Planning and Zoning for the last three or four years. Whether this public hearing represented the culmination of that or just a furtherance of that will be decided by the City Council's final deliberations. In regards to Mr. Peck's comments, there does come a time when experts have to be relied upon for their knowledge and understanding of traffic movements, and infrastructure adequacy; the evidentiary basis for redevelopment was presented to Planning and Zoning by the experts for these three blocks. The Planning and Zoning Commission made a rational decision based upon input from experts. If not here, then where; and if somewhere else, then why? That is what Planning and Zoning was presented; Planning and Zoning did their deliberations and due diligence. This was not a rapid decision made in one evening by Planning and Zoning. The decision was made over the course of several years.

City Attorney Zollinger continued: Through those discussions, the PEZ Overlay was adopted. Now, the City Council can consider the proposal for approval; table the whole proposal, or deliberate on Blocks 48, 49 and ½ of 50 for approval. The simple solution would be to review the Comprehensive Plan Map for Block 50. This Block could be split down the middle following the same line as Cornell Avenue. One of the letters suggested this as an option; then the rest of Block 50 could be considered for rezoning in the future with a more deliberate discussion concerning neighborhood issues as indicated by Council Member Benfield. There was not a lack of consideration from Planning and Zoning with respect to the impact of the zone change proposal on both sides of 2nd East. As Community Development Director Christensen pointed out; there is always going to be a line; it is always going to be drawn somewhere that people on both sides of the line will have different opinions. The line was drawn on 2nd East because it created the greatest degree of separation without having a five story structure in someone's back yard. It added the additional width of 99 feet for a roadway. This was factored into Planning and Zoning's recommendation based on deliberate decision making that came forward to City Council. 2nd East created delineation across which Planning and Zoning was not willing to go.

City Attorney Zollinger continued: The City Council has the ability to base their decision on all or a portion thereof; Attorney Zollinger simply pointed out that the existing Comprehensive Plan Map shows a demarcation at the mid-block for Block 50 that line up the block south of Block 50 (Cornell Avenue). This would allow the City Council to address some of the immediate needs or requests from developers; while allowing the City Council to respond to the concerns addressed here tonight by the citizenry. He suggested voting on 48, 49 and half of block 50. (Splitting Block 50 was reviewed on the overhead screen including building heights allowed for each zone.)

Council Member Stout made additional proposals to buffer the neighborhoods on the east side of 2nd East including minimizing the use of the PEZ Overlay and lowering the height of the buildings on the east half of Block 50. City Attorney Zollinger explained the PEZ Overlay already allows development; concerns of the citizenry were the building heights allowed by MU Zones. The difference between MU1 and MU2 was the height of the buildings going from 30 feet in MU1 to 55 feet in MU2. The difference between the existing MDR1 Zone and MU1 Zone is the commercial aspect allowed in MU Zones.

City Attorney Zollinger was not sure if the commercial aspect or the building height aspect was the more troubling for the neighbors on the east side of 2nd East.

Council Member Benfield said she was prepared to make two motions. Motion one would be to accept Block 48 and Block 49 into the MU2 Zone tonight. The second motion would be to bring everyone to the table to come up with additional information, compromise, etc. to resolve the issues of buffering the neighborhoods. City Attorney Zollinger said this proposal came from the culmination of the research that was done and presented to Planning and Zoning for consideration. Those neighbors that have shown up to give comments were not the moving parties in this proposal. The City of Rexburg in consultation with consultants brought in, including Planning and

Zoning consultants. To address Mr. Peck’s concerns, the city did not take the proposals at face value; they were not allowed to tell the city what to do. They were required to listen to the local input to hear what the city felt was in the best interest of the community. They took a great deal of input and testimony from residents in the Rexburg area. This was different from the consultants the city used four or five years ago; input was sought from local long time residents in the area. They were interview and this was discussed with them.

Council Member Benfield moved to approve the zone change for Blocks 48 and 49 bordered by 1st South, 1st East, 2nd South and 1st West from Medium Density Residential One (MDR1), High Density Residential One (HDR1) and Central Business District (CBD) to Mixed Use Two (MU2); Council President Mann seconded the motion; Mayor Woodland asked for a vote:

Those voting aye

Council President Mann
Council Member Benfield

Those voting nay

Council Member Stout
Council Member Egbert
Council Member Sutherland

The motion failed.

Council Member Benfield moved to table the zone change for Block 50 for 60 days for further consideration; Council President Mann seconded the motion. Mayor Woodland asked for discussion. Council Member Stout said it did not make much sense to him with having rezoned Blocks 48 and 49; he did not want to kick the can down the road past the election. Mayor Woodland asked for a vote:

Those voting aye

Council President Mann
Council Member Benfield

Those voting nay

Council Member Stout
Council Member Egbert
Council Member Sutherland

The motion failed.

Council Member Sutherland moved to approve the zone change for Blocks 48 and 49 bordered by 1st South, 1st East, 2nd South and 1st West from Medium Density Residential One (MDR1), High Density Residential One (HDR1) and Central Business District (CBD) to Mixed Use Two (MU2); and the west ½ of Block 50 (*delineation from Cornell Avenue and Princeton Court*) bordered by 1st South, 1st East, 2nd South including all of the parcel at 141 East 2nd South owned by James B. Newman from Medium Density Residential One (MDR1), and High Density Residential One (HDR1) to Mixed Use Two (MU2); Council Member Egbert seconded the motion; Discussion: Council Member Egbert review the zoning for Block 50 is currently MDR1 allowing 30 foot buildings. This would buffer the building height from 55 feet down to 30 feet. Further discussions for Block 50 on the east side can be done in the future. Council President Mann did not want to split properties and he wanted to make sure adequate green space would be maintained. He was in favor of including Green Briar’s Development because it was an older development. Council Member Sutherland said the east half of Block 50 could be discussed in the future for the buffering issue. Council Member Benfield asked Community Development Director Christensen if this proposal was adequate for what he needed. City Attorney Zollinger reiterated property owners on the east side of Block 50 can apply for future zone changes for their property development on the east side of Block 50; the city staff is satisfied with including only the west side of Block 50 for planning. Mayor Woodland asked for voted:

Those voting aye

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

Those voting nay

None

The motion carried.

Written input:

July 28, 2011

To Whom it May Concern:
RE: MU2 Rezone

We would like to have our property rezoned to MU2 (Mixed Use 2). Our property is Parker Addition, Tax 2, Lots 1 & 2, Block 1 and is .22 acres. The property address is 141 E 2nd S.

Signed: James B. Newman, Owner
Karen Y. Newman, Owner

=====

July 29, 2011

Rexburg Planning and Zoning,
I would like my property at 152 S 2nd E parcel #RPRRXB10503370 rezoned to be Mixed Use 2. Rachel Whoolery will be representing me at the meeting on September 1st,

Thank you,

Kristina Miller
152 S 2nd E
208.206.2563
copperchange@gmail.com
July 29, 2011

=====

To: Rexburg City
From: Kent Hansen
Property Owner
The Academy Complex

We request our properties to be rezoned to MUZ:

123 Princeton Court (9 plex)	RPRPRNCT000010LC
100 East 1st South (Duplex)	RPRRXB10500090
104 South 2nd East (Triplex)	RPRRXB10500010
	RPRRXB10500040
	RPRRXB10500795

Signed: Kent Hansen, Owner

=====

I would like to rezone my property at 120 S. 2nd East, Rexburg, ID 83440:
COMMENCING 99 FEET SOUTH OF THE NORTHEAST CORNER OF LOT 1 OF BLOCK 50 OF THE ORIGINAL REXBURG TOWNSITE, IN MADISON COUNTY, IDAHO, AS PER THE RECORDED PLAT THEREOF, AND RUNNING THENCE WEST 127.5 FEET; THENCE SOUTH 97.25 FEET; THENCE EAST 127.25 FEET; THENCE NORTH 97.25 FEET TO THE POINT OF BEGINNING.

To Neighborhood/Commercial Mixed Use2 (MU2).

Rachel Whoolery will be representing me at the meeting on September 1, 2011

July 29, 2011
Linda B. Walker
208 356-4671

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To whom it may concern,

July 29, 2011

We would like to change the zoning for lot RPRRXB10503850, address 158 S 2 E, Rexburg Idaho 83440 to MU2.

Thank you for your consideration,

Myron Williams
Karen Williams

=====

Date: September 19, 2010
Mayor Woodland and City Council Members:

I will admit I'm upset I can't even speak at the city council meeting. I was disappointed by the outcome of the planning and zoning meeting. This is not only because we lost, but also because I felt that the neighborhoods views were not all expressed. This is not because of the lack of interest in meetings like the planning and zoning meeting, but instead blame goes to the city for not notifying them.

Another reason I was disappointed was Mr. Ferguson, on the planning and zoning committee, admitted to owning land in the affected areas. Instead of thinking of the families this would affect; he focused on the size of his wallet.

Thirdly, Mary Ann Mounts, who seemed to listen to me intently while speaking, after the public hearing was closed began to critique what I was saying. She told me that changing the zoning to mixed use would not make it so there was a store like Maverick or 7-11 across the street. Although on Rexburg.org it says, "It allows higher residential dwelling unit density and by having a more commercial style than a residential style." She also critiqued me, and not my mother who said something similar. I feel she was being somewhat prejudice towards me because of my age, or it seemed more to me like she had made up her mind before the public meeting had even begun.

All I ask is for you to allow a public meeting. Give the people of Second East and other affected areas the right to speak their minds. Let the kids of the area explain to you that they don't want this to happen. If this passes I will lose the neighborhood I grew up in. When I'm older I won't be able to visit my hometown with my kids and show them where I grew up, because there could be anywhere from a 5 story apartment to a small grocery store in its place. It hard enough to know I might have to move, but it's worse to think that all the memories that this home holds will be demolished.

Thanks for your time,

Allison Mae Taylor

PS – They were discussing block 51 (where I live) during the planning and zoning meeting when they were only suppose to discuss block 50 and the other areas the planning and zoning was meant for. At the same time other people on the planning and zoning committee were telling them it was against the rules, but certain people on the committee were persistent in discussing block 51.

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Date: September 20, 2011
Dear City Council Members:

I am writing in opposition to the zoning change that is going on across the street from us. I feel that we as a neighborhood were misrepresented during the planning and zoning meeting last Thursday. Mrs. Wollery said that she had talked to the residents across the street and that for the most part they were for it. This was a gross exaggeration. The only one that is for it is Mr. Williams because they have already moved to Chester and are trying to sell their home. They are asking way more that it is worth, which is the reason it is still on the market. It hasn't been for sale the entire time they are

saying either. They have put it up for sale, then taken it down on and off for the last several years. The rest of the residents on that block do not want it changed. No one wants 5 story high-rise apartments in their back yard. We also do not want them across the street from us either. I don't think you would either if it were your home. 100% of the neighbors on our side of the street do not want it to change and only Mrs. Wollery and Mr. Williams want it to on the other side of the street, that's 71% against this proposal on that side. If you do the math that is more than 2/3 the majority of the neighborhood opposed to this zoning change.

Last year you turned down this proposal and we feel that the Wollery's have taken advantage of the changes the university wants to make in blocks 48 and 49 so they stuck block 50 in there like a political bill with things hidden inside. We are not opposed to block 48 and 49 but we are opposed to block 50. It will totally change our neighborhood. We would be stuck as the buffer here on 2nd East because you know the East Main Neighborhood Association and the Association on Harvard will not allow us to change our zoning to sell out. I don't see how taking out these historic homes is of value to the city. Our home was one the original president's home when it was Ricks College and George Romney grew up in this house. There is great need to preserve this old neighborhood. New isn't always the best thing. We love our old home and our beautiful yard, which we have spent countless hours on. If you've driven by, you know. If you've seen our poinsettias at Christmas time, you know where we live. You need to leave something here that makes it still look like a family community. I know the college is talking about expanding but you also need to realize that a great portion of that will be online students who will not even be here on campus. There are families on this block that you will displace because of this change. The Wollery's have already kicked all the families out of their property, which caused a great loss to our church congregation and our neighborhood. Please don't allow them to take the families that own homes in this area.

We also have a concern about a conflict of interest on the planning and zoning board. There are members who own land in the area who would greatly benefit from this change. There are also those that would benefit because of the jobs they currently have. They should have recused themselves from the voting because of the money they will make should this go through. At the very least there should table this and allow a rehearing so our voices can be heard.

One proposal may be to grant it for 1/2 of the block and leave the residences alone like you have done on Cornell Avenue. That way you could preserve the residential neighborhood and still give the University what it wants. It would seem to me that you would want to safeguard the permanent residents that live here and raise their families instead of letting a few people capitalize financially on the students that are only here for a few years and then gone.

You may think that this does not involve kids but it does. Our daughter was up until 1:00 last night writing you a letter. I hope you will take the time to read it. She and her friends are very affected. They even started a Facebook page to save second east. I wonder what you would think if your 13 year old daughter cried herself to sleep because of the changes that were proposed in her neighborhood. On a personal note, we could not afford to move out without a substantial offer. Our family has been hit very hard the last five years. We have lost both of my parents, Allison's grandparents, both of my sisters from health issues suddenly and Dave was diagnosed with cancer. I also fell last year and am recovering from a total hip reconstruction. We are in no position financially to move right now. Allison has lost so much these past few years, please don't take her home and neighborhood away from her too!

PLEASE save our neighborhood. I appreciate the time you've taken to read our letters. I will close with reiterating the quote my daughter came up with. The quote was her own, not mine, but I would like to remind you of it in case you don't read it in the minutes. She said, "This is American's Family Community, if it were America's College Community we would have statues of college students in the roundabouts."

Sincerely,

Dave and Judy Taylor

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Dear Mayor and City Council,

I have recently been informed that you are no longer going to allow the public to speak at the City Council meeting on Wednesday September 21, 2011. We are Americans and our forefather fought, and many died, so we could have freedoms. One of those freedoms is the freedom of speech. As the public of Rexburg, Idaho we have the right to stand up and state our opinions.

We elected you to represent us which gives you great responsibility. Some of that responsibility is to listen to the people. But my question to you is how can you listen to the people and hear what they have to say if you wont let us speak in the City Council meetings?

All I ask is that as our representatives you hear and let us say what we believe is right. I believe that tearing people houses down and replacing them with apartments and malls isn't right. It may create more housing and more shopping, but it is also forcing Rexburg citizens to move. As our City Council I ask you to please do not make Rexburg citizens to move from the comfort of their own homes. You are here to represent us and to help us, but tearing down peoples houses and replacing them with apartments and malls isn't what most of us want.

I thank you City Council and Mayor for taking the time to read and think about all the letters that have been sent in. I thank you for making Rexburg the way that it is today. Thank you so much.

Sierra Price
269 Millhollow Road

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9/21/2011

To whom it may concern,

My name is Jessi Birch, and I live at 148 S 2nd E with my husband and four children. We purchased our home 7 years ago and have enjoyed living in Rexburg, but more importantly, we have enjoyed our little neighborhood. Over the years, our neighbors have become like family to us giving us a sense of community and security. I have just now, today, learned of the current talk with regard to the plans to rezone our block. I am somewhat disturbed that, as a resident, I was never invited to participate in and was just now informed of these talks that could have such a massive impact on the future of my neighborhood. As mentioned before, we enjoy the street on which we live and have no intention of selling or moving. That said, I would not be happy if I had a 5 story student housing complex right next door; nor would I appreciate having any commercial buildings that could bring discomfort or harm to my children or myself. Furthermore, Second East is a busy enough street as is without adding any further traffic which I am sure the street could not safely handle. Rexburg is a city that prides itself on being so "family friendly", and that is quite frankly one of the things I love about it, so let's all do our part to keep these little pools of family neighborhoods a little friendlier for the families who inhabit them. Thank you for your time and consideration.

Sincerely,



Jessica W Birch

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Save 2nd East from Zone Change

About the petition

The City of Rexburg will hear a petition approved by Planning and Zoning to change the zoning for blocks 48 thru 50 from Medium Density Residential One, High Density Residential One, and Commercial Business District to Mixed Use Two for three square blocks bordered by 1st South, 2nd East, 2nd South, and 1st West.

We're trying to save block 50 (borders 2nd South) from the proposed zoning change. This petition is being submitted in opposition of the above proposal. If you are opposed to this zone change, please help by signing this petition. Thank you, David L. Taylor, petition organizer

Signatures

1. Name: David Taylor on Sep 18, 2011
Comments: I support this petition. The encroachment caused by the Mixed Use Two zoning change would result in a significant increase in traffic and the breakdown of several neighborhood. If Rexburg is truly "America's family community," then this type of zoning change must be turned down.

2. Name: Rachel Stringham on Sep 18, 2011
Comments:

3. Name: Randall Brady on Sep 18, 2011
Comments:

4. Name: Lindsey Rahn on Sep 18, 2011
Comments:

5. Name: Rebecca Cook on Sep 18, 2011
Comments:

6. Name: Jay Lawrence on Sep 18, 2011
Comments: Please save the homes-

7. Name: Laura McBride on Sep 18, 2011
Comments:

8. Name: Ashley Daily on Sep 18, 2011
Comments: I used to live at the corner of 2nd and 1st west. It's a great neighborhood with character and history. Please leave it alone and re-develop elsewhere. That part of Rexburg doesn't need it. People live there happily, and have for quite some time. Don't take away people's homes to make way for more apartments. That's done in bad taste.

9. Name: Vonda Smith on Sep 18, 2011
Comments:

10. Name: Jared Smith on Sep 18, 2011
Comments:

11. Name: Judy Taylor on Sep 19, 2011
Comments: Please save the families and homes on 2nd East!

12. Name: Cindy Harrell on Sep 19, 2011
Comments: New is not always better! We don't need more high rise apartments. We need AFFORDABLE housing which is found in older homes/apartments.

13. Name: Jennifer Rock on Sep 19, 2011
Comments:

14. Name: Grace Rindlisbacher on Sep 19, 2011
Comments:

15. Name: Scarlett Fluckiger on Sep 20, 2011
Comments:

16. Name: Rebecca Allen on Sep 20, 2011

Comments:

17. Name: Leslie Kerby on Sep 20, 2011
Comments: I am a Rexburg resident and I don't think the zone should be change when the residents living within that zone disapprove of it.

18. Name: Kamber Garcia on Sep 20, 2011
Comments:

19. Name: Heather Holt on Sep 20, 2011
Comments:

20. Name: Chris Goodwin on Sep 21, 2011
Comments:

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B. Approve Beer License for Teton Lanes, 585 N 2nd E – Staff

City Attorney Zollinger explained the business closed their doors for a couple of months. They are reopening under new ownership.

Council Member Benfield moved to approve a beer license for Teton Lanes; Council Member Sutherland 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 Sutherland	
Council Member Stout	
Council Member Egbert	

The motion carried.

Staff Reports:

A. Public Works: – John Millar

Public Works Director John Millar received bids for the parking lot on the east side of Rexburg Rapids. He said there have been six different bid proposals:

HK Contractors	\$58,449.00	Hill and Son	\$61,393.80	Zollinger	\$61,647.00
TMC	\$62,591.00	3H Construction	\$66,550.00	Jerome Bowen	\$69,163.80

The bids ranged from \$58,449.00 to \$69,163.80. The Engineer’s estimate was \$56,210.00.

Council President Mann had concerns where the money was coming from to fund this project. Public Works Director Millar indicated the funds could come from several funds: Riverside Park “Rexburg Rapids Reserve Funds,” Park Impact Funds, and Urban Renewal Funds. Council President Mann could only vote for funding out of the Urban Renewal Funds. City Attorney Stephen Zollinger said the money could only come out of the Urban Renewal Funds.

Council Member Sutherland motioned to approve the low bid from HK Contractors for \$58,449.00; **Council Member Egbert** seconded the motion; Discussion: Council President Mann did not want the Park Impact Fees to pay for this project. Park Impact Fees are established for city parks. **Mayor Woodland** asked for a voted:

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

Council Member Stout
Council Member Egbert

The motion carried.

Public Works Director John Millar:

1. [Approve Fall Cleanup](#) from (October 03, to November 07)

Council President Mann moved to approve the Fall Cleanup from October 03 to November 07; 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 Sutherland	
Council Member Stout	
Council Member Egbert	

The motion carried.

Public Works Director John Millar: reported on additional projects:

1. The mainline high pressure sewer line project is under construction along Hwy 20 to the Sewer Treatment Plant. The line will go across Erickson Pontiac and the Municipal Golf Course.
2. Pioneer Road and 7th South street construction should be completed by late fall.
3. Traffic Lights at Main Street and Center Street and 1st East and Main Street will be going out for bids shortly.
4. HK Contractors will be starting on the county parking lot on North 1st East by City Hall.
5. Council Member Stout asked about bumps on the new pavement on Pioneer Road. The pavement will be smoothed before the city accepts the work. The pavement is thick enough to allow for some smoothing.
6. Council Member Benfield asked about lots where weeds have not been mowed. The city's compliance officer will make contact with owners to have the lots mowed.

B. Finance Department: - Richard Horner did not attend the meeting.

Calendared Bills and Tabled Items:

- A. BILL Introduction:** – NONE
- B. First Reading:** Those items which are being introduced for first reading. – NONE
- C. Second Reading:** Those items which have been first read. – NONE
- 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:

Director of Economic Development Scott Johnson indicated Intermountain Gas reported their intention of moving the gas line construction project up from the previous five year date. The gas line loop capacity expansion project down by Ammon, Idaho will be done a year from now. The city was not the reason for the project moving ahead of their planned schedule. The expansion should serve most of the University's needs for additional natural gas. Economic Director Johnson said it would put the city in a favorable position for the future. The Broad Band Committee continues to meet. They have met with a number of vendors from fiber to wireless. They have looked at a lot of technology to understand what the needs and the demands require. They are going to Utah tomorrow to meet with another company. Right now they are trying to understand the technology and what is out there and what might work for the city. Today, the city hosted the State Board of

Transportation; Idaho Transportation Department (ITD). It was a great meeting and the State Board was very appreciative of the presentation on Economic Vitality. It was a very meaningful opportunity for his department and his staff to establish a great foundation for moving forward. They have asked if the city and the Economic Development Department to possible help out on other things in the future. Council Member Sutherland asked about a time table on the Thornton Interchange. It is going up the funding ladder.

Council Member Benfield commended Scott Johnson for his well put together presentation to ITD. She was very complimentary to him and his staff. It was a phenomenal, a really, really good presentation along with the drive around. They were not aware of everything going on in Rexburg. The way Scott presented the issues was Cadillac. Economic Director Johnson indicated it was a very good discussion with great comments and feedback. They heard it was one of the best meetings the State Transportation Department had attended on the issues.

Council Member Benfield said it was the presentation and the way the city wanted to partner with them.

Economic Director Johnson said the theme of the meeting was a “Small town facing some big city challenges.” The end component was the city realizes things are going to change due to the current recession and funding opportunities from the federal level. We will have to make some serious decisions that have not been needed in the past. It is about understanding the city’s resources and how to better manage them and partner with ITD with their resources. The call to action was to ask the state to come and be a part of the city’s planning and let the city be a part of the state’s planning.

Council Member Benfield said the approach giving on the exits and entrances to Rexburg were great. They gave positive feedback on having to upgrade the approaches and the city can use them as an example of what can be done.

Economic Director Johnson said they did ask for help on legislation as the make proposed changes to the state code.

Economic Director Johnson said a new company has come to town from Folsom, CA. It is called “Affinity Amp LLC” and they have hired 10 people so far. They are still in transition. Another company looking to locate in Rexburg does cloud computing. It is a go to box project from an off shoot from a local company. They have created some amazing technology that is pretty disruptive. They came to the city and said they would have to move unless they could satisfy three components. They needed to network with other professional; have access to qualified help; and sufficient band width. The city has worked with them on the first two components and they are jointly working to solve the third component of their business model requirements.

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 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, Bills, etc:

- A. [August 17, 2011](#) meeting
- B. Approve the City of Rexburg Bills

Council President Mann moved to approve the Consent Calendar consisting of the minutes, and the city bills; Council Member Egbert seconded the motion; Mayor Woodland asked for a vote:

Those voting aye

Council President Mann
Council Member Benfield
Council Member Sutherland

Those voting nay

None

Council Member Egbert
Council Member Stout

The motion carried.

Mayor Woodland asked to go into Executive Session at 9:50 P.M. to discuss a contract issue per state statute 67-2345(a) “To consider hiring a public officer, employee, staff member or individual agent, wherein the respective qualities of individuals are to be evaluated in order to fill a particular vacancy or need. This paragraph does not apply to filling a vacancy in an elective office or deliberations about staffing needs in general.”

Council Member Sutherland moved to go into Executive Session to discuss a financial contract renewal per state statute 67-2345(a) “To consider hiring a public officer, employee, staff member or individual agent, wherein the respective qualities of individuals are to be evaluated in order to fill a particular vacancy or need. This paragraph does not apply to filling a vacancy in an elective office or deliberations about staffing needs in general.” Council Member Stout seconded the motion; Mayor Woodland asked for a roll call vote:

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

The motion carried.

Executive Session:

Mayor Woodland ended the executive session at 9:58 P.M.

Council President Mann moved to approve the renewal contract to manage the “[Revolving Loan Fund](#)” with ECIPDA; Council Member Sutherland 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 Sutherland	
Council Member Egbert	
Council Member Stout	

The motion carried.

Adjournment

Richard S. Woodland, Mayor

Attest:

Marianna Gonzalez, Deputy City Clerk