

City Council Meeting

September 07, 2011

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CITY OF
REXBURG
America's Family Community

September 7, 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

Eric Wheeler led the Pledge of Allegiance.

Matt Nielson said the prayer.

Roll Call of Council Members:

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

Public Comment: on issues not scheduled on the agenda (limit 3 minutes): - NONE

Presentations:

- A. [Mayor Woodland recognizes “Garrett Smith”](#) - 16 years old from Rexburg just named the National High School Rodeo All Around Champion Cowboy.

Mayor Woodland introduced Garrett Smith from Rexburg, Idaho as the National High School Rodeo All Around Champion Cowboy. Garrett and his brother work with a coalition called “Project Filter” against the use of tobacco. They visit elementary schools and educate children about the dangers of tobacco and drugs. Mayor Woodland commended Garrett and his brother, Wyatt Smith for their community service.

Council Member Sutherland asked where the championships were held. Gillette, Wyoming. His mother is used to the action and does the filming of the events. Garrett’s major goal is to win the bronc riding and attend college. Garrett and his brother are both football players. These are the only two brothers that have won the all around championships back to back.

- B. **Status Report** on the City of Rexburg’s “**Revolving Loan Fund**” and renewal contract with ECIPDA to manage the fund – Dave Ogden

Mr. Ogden asked to defer the report to a future meeting.

- C. [Proclamation No. 2011 – 06](#) Hispanic Heritage Month – Mayor Woodland

Mayor Woodland introduced the proclamation by inviting Ronalee Flansburg and some young dancers. Ronalee said the community has a great Hispanic population. They are starting a Hispanic dance team to raise awareness and celebrate the Hispanic population.

Elvira Perez explained her history with dance and why she came to Rexburg. She is a third generation Mexican American and wants to teach these traditions to her children and the girls in the community. Jenny Magallanes, Nicole Perez and Jaida Gordo were dressed in Hispanic dress costumes.

Elvira Perez grew up in San Diego, CA; She went to a fine arts high school (Mar Vista) in Imperial Beach, CA and was in a program called Dance Chore. She received college credit for dancing and was able to perform in several different venues including Sea World. In 1989 she met Patricia Morayma Ginez in the 58th Spanish Branch in Las Vegas, Nevada. Patricia was a classically trained dancer who studied at Bellas Artes in Mexico (their version of Juilliard) and was looking to form a "balet folklorico". She accepted the invitation knowing that she didn't know much about Mexican traditional dancing. The group worked hard and became the Spanish branches' favorites for talent shows or special events. Elvira danced professionally for several years, sometimes as part of a group as well as solo with a mariachi band behind her. She is looking forward to teaching the girls in this area about this culture through dance.

Mayor Woodland asked Bill Riggins to read the proclamation.

PROCLAMATION
No. 2011 - 06

A PROCLAMATION OF THE MAYOR OF THE CITY OF REXBURG,
IDAHO, PROCLAIMING SEPTEMBER, 2011, AS HISPANIC HERITAGE
MONTH IN THE CITY OF REXBURG.

WHEREAS, Rexburg is home to people whose ancestry represents many nations, including Mexico, the Spanish-speaking nations of Central America, South America, the Caribbean, and Spain; and

WHEREAS, September 15th is the anniversary of the independence of five Latin American countries; Costa Rica, El Salvador, Guatemala, Honduras, and Nicaragua; and

WHEREAS, Mexico and Chile celebrate their independence days on September 16th And September 18th, respectively; and

WHEREAS, the City of Rexburg has been given the privilege of hosting several performances of the International Dance & Music Festival; and

WHEREAS, the Rexburg Arts Council would like to raise awareness of the Hispanic Culture and enrich the Arts and Culture in Rexburg; and

WHEREAS, there are leaders in the Hispanic Community working with the Arts Council to provide opportunities for Hispanic Youth to participate in folk dance and music; and

WHEREAS, it is appropriate to increase Hispanic Cultural awareness and diversity by paying tribute to the valuable contributions made by Hispanic Americans to our business, cultural, and educational communities.

NOW, THEREFORE, I, MAYOR WOODLAND OF THE CITY OF REXBURG, IDAHO do hereby proclaim the month of September, 2011, Hispanic Heritage Month in the City of Rexburg celebrating Hispanic culture, traditions, and achievements.

PASSED AND APPROVED this 7th day of September, 2011.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of our City to be affixed this 7th day of September, in the year two thousand and eleven.

APPROVED:

Richard S. Woodland
MAYOR

ATTEST:

Blair D. Kay
CITY CLERK

Mayor Woodland asked the City Council to ratify Proclamation No. 20111 – 06.
Council Member Benfield moved to ratify Proclamation No. 2011 – 06; 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 Erickson	
Council Member Benfield	
Council Member Sutherland	
Council Member Stout	
Council Member Egbert	

The motion carried.

Council Member Erickson said the Hispanic culture in the upper valley is very good. His company has nine Hispanic members on the payroll. They are very dependable and have been very dependable throughout the years.

Bill Riggins has been a resident of Rexburg for the past five years.

Mr. Riggins was born in San Diego, California, to a Mexican mother and an Irish father. He lived in Tijuana, Mexico, for the first nine years of his life. He owned his own business in San Diego, California, for over 15 years. He returned to school when he was 35 years old and obtained a bachelor’s degree at the age of 39 while working 40 to 60 hours a week. He again returned to school and obtained a Master’s degree at the age of 43 while holding down a full time job and serving as a lay bishop in his church. And then, once again, he returned to school and obtained a Doctorate in Education at the age of 49 again while working full time.

In a letter to the Rexburg Arts Council, Mr. Riggins wrote, "America is wonderful place where wonderful things can happen when people are given an opportunity and they are willing to work. I am so pleased that the City of Rexburg has noticed that a valuable group of their population needs to be recognized and invited to be part of the greater whole. Art, culture, music, dance, food, etc., are all a natural way for all of us to come to know each other. I look forward to helping the people of the City of Rexburg in the process of coming to know their Latino neighbors. I look forward to helping the Latino population know that they are an accepted group in our society and that they too have access to the American dream."

Committee Liaison Assignments for 2011:

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

Council Member Stout reported the Trails Committee had an LDS Ward clean up trash on the trails. It really looks nice. In the future the trails could be cleaned by volunteers. He asked to discuss permitted parking on 2nd South and 3rd East. The permits are to mitigate the parking during the school months. He asked if the parking patrols could be curtailed during the months the students are out of town. There have been some complaints. People have assumed since the University does not ticket during the seven week break, the city doesn’t either. Chief Turman said it

would make it a little hard to regulate the different holidays and regulate parking differently. Council President Mann said the University does not regulate parking during the seven week break. Council Member Erickson said the Police Chief could handle it as needed without changing the rules. They could use good common sense with the parking regulations. One problem would be to have people continuing parking on the street at the end of the seven week break.

The Airport Board had a meeting today with Bill Statham from ITD. Funding from the FAA was discussed. FAA will be giving money to the state and then the state will fund local airports. This will change how funding is pursued. Council Member Stout asked David Taylor to discuss the issues. David Taylor indicated the Airport Board has a lot of new members. He asked the City Council to draft a letter of support of the airport at the current location. This would help with the city maintaining funding. The airport is not long enough to accommodate some planes that fly into Rexburg. They have to fly out without adding the weight of additional fuel, etc. They want to expand the airport to the north. He wanted to emphasize how important the airport is to Rexburg. It is one of the infrastructure elements to bring growth to Rexburg. The second item he requested is to initiate a budget item for the airport. They owe the city about \$11,000 due to back projects needing matching funds, etc. He asked for any questions. The airport is a great asset to the community. Most of the airport traffic is for business.

Council Member Stout said the Airport Board has asked Craig Frisby to be the volunteer Airport Manager. He asked for an official motion.

Council Member Stout moved to nominate Craig Frisby to be the volunteer Airport Manager; **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.

Council Member Stout said the airport is looking at a short fall in revenue due to an FAA Grant. It is due to engineering costs that FAA declined to pay. Deputy Finance Officer Nielson indicated the engineering would not be reimbursed. We are waiting for \$22,000 to \$23,000 to come back. Council Member Erickson indicated the engineering was done by the city. Council Member Sutherland said the county would have some liability to pay some of the engineering costs too. The last thing the county wants to do is pay money out to the airport and the golf cost. Deputy Finance Officer Nielson said the engineering fees are receivables for the city in lieu of overheads.

Public Works Director Millar indicated the city carries the lion's share of the load for the airport. Council Member Erickson indicated the county does not budget for the airport.

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

Council Member Egbert did not have a report.

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

Council Member Sutherland reported Traffic and Safety did not have a quorum for an official meeting.

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

Council President Mann reported Emergency Services had not met. Patriot Day is this Sunday, and at 6 p.m. there will be a commemorative service remembering the 911 tenth anniversary. MYAB worked at Celebrate Youth (back to school event) in Porter Park selling cotton candy.

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

Council Member Benfield reported the Police Department is doing the parking permits. The “B” parking permits for businesses and their employees are selling. No complaints so far. The Tabernacle Committee will meet tomorrow. The School Board had no report. The troops are coming home soon. On either Sept 24 or Oct 15 we will celebrate the troops coming home. She asked about spending a donation of \$435 from the National Guard. She would like to get a welcome home banner that can be used for the troops coming home and various events in the future. This expense would cost about \$700 to \$800. The donation must be used for a welcome home celebration.

Discussion on what to spend the money on for the troops. A banner was one suggestion; food was a second suggestion. They decided to spend the money on food.

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

Council Member Erickson reported the parking lot on 1st East will be completed in about six weeks. The county sold the corner lot at Main Street and 1st East. The city and county are doing a joint agreement to share the new parking lot. This will keep the parking lot secure as a parking lot. No report for Planning and Zoning. The Teton Lakes Golf Course will need similar funding as last year from the city. The golf course employees made a good effort to keep expenses down. He referred to the hard times other golf courses have had this year. The downturn will limit any set aside funding for capital improvements.

Public Hearings: - NONE

Items for Consideration:

- A. [Approve renewal](#) of “Beer and Wine” Licenses - Staff

Council Member Sutherland motioned to approve the renewal of “Beer and Wine” Licenses as discussed; Council Member Erickson seconded the motion; Discussion: Council President Mann was concerned with the fee amount. He was concerned with the police costs to monitor the sale of beer and wine in Rexburg. He suggested to give the increased revenue to the DARE program. Chief Turman said they did a sting to catch beer and wine sales to youth. It is a \$1,000 fine from the state or loss of license to sell for ten days. Council Member Stout asked to raise the off premise fees to \$200 for beer and \$200 for wine. This suggestion can be discussed and a change can be made in November to take effect the following year. **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

Council Member Sutherland said he has never seen better work in the parks, recreation and streets. He has never seen the parks look so beautiful. We have a great bunch of employees in the city. Mayor Woodland said the same compliment for the Romance Theatre and the Tabernacle.

Public Works Director Millar gave the following report.

1. He reported on a million dollar high pressure sewer pipe line on the west side of Rexburg. He presented a map showing the project details.
2. Well #3 is in full operation. The well was tested today. It will be one of the city’s main wells after the testing phase. The power comes through the University’s power grid. It’s power costs are about 50% less than the city’s rate.
3. 7th South and Pioneer Road reconstruction is nearly complete. They are smoothing bumps down to make the rebuilt streets smooth. This work will be completed by the end of the week.
4. The county parking lot is moving forward on 1st East.
5. The Master Plan for parking at Riverside Park was presented for a cost of about \$100,000. The concerns were discussed including having only one exit to the parking lot. The exit is also a busy pedestrian area with children crossing. The parking lot for additional parking is 40% constructed. Council President Mann suggested having an additional exit on the north end of the facility.

Council Member Sutherland moved to pave the new parking area as presented; **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.

Public Works Director Millar said there was not an LID to charge property owners on the 7th South project. Some of the sidewalk, etc. will be completed when the vacant properties develop.

B. Finance Department: - Richard Horner

Deputy Finance Officer Nielson reported Rexburg Rapids closed for the season with budgeted revenue on target.

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.
 1. **BILL 1070 Amend the 2011 Budget**

Council Member Sutherland moved to third read and approve BILL 1070; **Council President Mann** 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.

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

Mayor's Report:

Mayor Woodland indicated they are moving ahead with Economic Development.

Economic Director Scott Johnson was excused due to a conflicting schedule; however, he did submit the following information to the City Council.

1. Presentation to Idaho Transportation Department State Board on Economic Vitality – September 21st at 10:00 a.m. in the Council Chambers. I have been asked to prepare and present a two hour presentation discussing the possibilities that ITD might play in economic vitality at the local and state levels. All council members are invited to attend. I have a draft of the presentation to view, just visit him in his office. Also, I am asking for input from council members ahead of the 21st meeting.
2. East Idaho Business Competition will be held in November this year. We have \$7,500.00 in donations so far with almost that amount in additional commitments for seed money to the winners this year. Last year's competition was the first and we gave away \$10,000.00 in seed money. Two of the top three businesses are up and running today in Rexburg thanks to this competition and our ability to get them funding after the competition. We were able to get those two companies just under \$500,000.00 in funding through a combination of private investment and public, such as RDA, investment. These are technology companies, one software and one manufacturing that are providing higher than average wages. Also, our third place finisher went to the state competition and took first place there.
3. Our next Broadband meeting is tomorrow at 3:30 pm in the council chambers. We will be discussing funding of the feasibility study and learning about new wireless technologies from Fire Tide and AlphaCorp. Brad Egbert is our council liaison, but interested council members are invited to attend.
4. Bealls, a new clothing store similar to Kohl's is under construction by K-Mart and should be opening this month. This is a great addition to Rexburg. Claire Boyle had worked with this store for about 2 years creating a great foundation, we contacted them at the request of a citizen about one year ago and they are coming thanks to the combined efforts of many people.
5. Business recruiting efforts for identified companies continues. A possible Economic Summit is being discussed in conjunction with the university.

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, 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 Erickson 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 Egbert
- Council Member Stout

Those voting nay

None

The motion carried.

Council Member Erickson asked for a review of the Riverside Park Master Plan. Between the sidewalk and the entry road on the east side; there is a need to have grass on both sides of the street. It is supposed to have sod added for next spring. Council Member Stout asked to review the area on the east side of the entry way into Riverside Park. Council Member Erickson said additional parking will be needed when the ball fields are developed. It is a matter of which parking will be developed first. Public Works Director Millar explained the parking lot plan has 147 stalls completed now; 60 more with the current expansion. The total number of parking stalls needed for Riverside Park when the ball fields are completed is about 400 spaces.

Mayor Woodland asked for an executive session to discuss a personnel matter;

Council Member Sutherland moved to go into Executive Session to discuss a personnel matter per Idaho Statute 67-2345 (b) "To consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public school student"; **Council Member Stout** seconded the motion; **Mayor Woodland** asked for a roll call vote:

Those voting aye

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

Those voting nay

None

The motion carried.

Executive Session;
Executive Session ended.

Adjournment

Mayor Woodland, Mayor

Attest:

Blair D. Kay, City Clerk