

City Council Meeting

August 01, 2012



CITY OF
REXBURG
America's Family Community

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August 01, 2012

Mayor Richard Woodland

Council Members:

Christopher Mann Jordan Busby
Donna Benfield Jerry Merrill
Bruce Sutherland Sally Smith

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 A.M. City Hall

Roll Call of Council Members:

Attending: Council President Mann, Council Member Benfield, Council Member Merrill, Council Member Smith, and Mayor Woodland.

Council Member Sutherland and Council Member Busby asked to be excused.

Mayor Woodland led the Pledge to the Flag.

Scott Ferguson said the prayer.

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

Presentations: - NONE

Committee Liaison Assignments for 2012:

A. Council Member Christopher Mann: *Golf Board · Emergency Services Board · MYAB*

Council President Mann reported that his committees have not met. Channel 3 reported in a national news report stating Rexburg was a non-texting city. Nationally, other cities are exploring a non-texting policy like Rexburg's policy.

B. Council Member Jordan Busby: *GIS Oversight · Airport Board*

Council Member Busby was excused.

C. Council Member Donna Benfield: *Trails of Madison County · IBC · Teton Flood Museum Committee · M.E.P.I.*

Council Member Benfield reported the Trails of Madison County Committee met last week. They are waiting on a grant proposal to add connecting trails to the Madison Junior High School area.

D. Council Member Sally Smith: *Legacy Flight Museum · Rexburg Arts Council (Romance Theatre & Tabernacle Civic Center, Orchestra)*

Council Member Smith reported the Legacy Flight Museum met to report on the air show. She reported on the last Rexburg Arts Council meeting where the attending members reviewed the member list. She read the names of the current committee members which included members from other arts organizations. They need to be reaffirmed as members of the Rexburg Arts Council by the City Council.

1. *Reaffirm Rexburg Arts Council Committee members:*
 - a. Heidi Smith
 - b. Elizabeth Bossard
 - c. Marsha Bjornn
 - d. Rebekka Hanson
 - e. Gwyn Harris
 - f. Margaret Arnold
 - g. Omar Hansen
 - h. Roger Harris
 - i. Carly Paul
 - j. Paula Sonderegger
 - k. Lori Hansen
 - l. Ronalee Flansburg

Council Member Benfield moved to approve and reaffirm the Rexburg Arts Council Committee members as listed; Council Member Merrill seconded the motion; Discussion: Mayor Woodland asked for a vote:

Those voting aye

Council President Mann
Council Member Benfield
Council Member Merrill
Council Member Smith

Those voting nay

None

The motion carried.

E. Council Member Jerry Merrill: *Beautification Committee · Parks & Recreation · Traffic & Safety · Urban Renewal Agency*

Council Member Merrill reported the Recreation Committee is working on a Marathon Committee for next year. The Urban Renewal Agency met to discuss possible projects.

F. Council Member Bruce Sutherland: *Planning & Zoning · School Board · Police*

Council Member Sutherland was excused.

Public Hearing: NONE

Items for Consideration:

- A. City policy on buffering and infill – Stephen Zollinger

City Attorney Zollinger reviewed a proposal to have a city policy to encourage infill. Planning and Zoning has been supportive of infill projects. They are concerned with the lack of support for infill on infill projects. Planning and Zoning would like to have clarification on the infill policy. The centers of many Rexburg city blocks are empty spaces. One concern is having projects move outside the infill area because they are not desirable within the city's infill area. High Density Residential development outside the infill area will move traffic past existing residential areas to get to shopping centers, etc. The theoretical theory is residential development (neighborhoods) are developed adjacent to undeveloped properties where future development becomes undesirable to the neighborhoods. When there are proposals to develop these undeveloped properties, the residential areas are not supportive of the infill development.

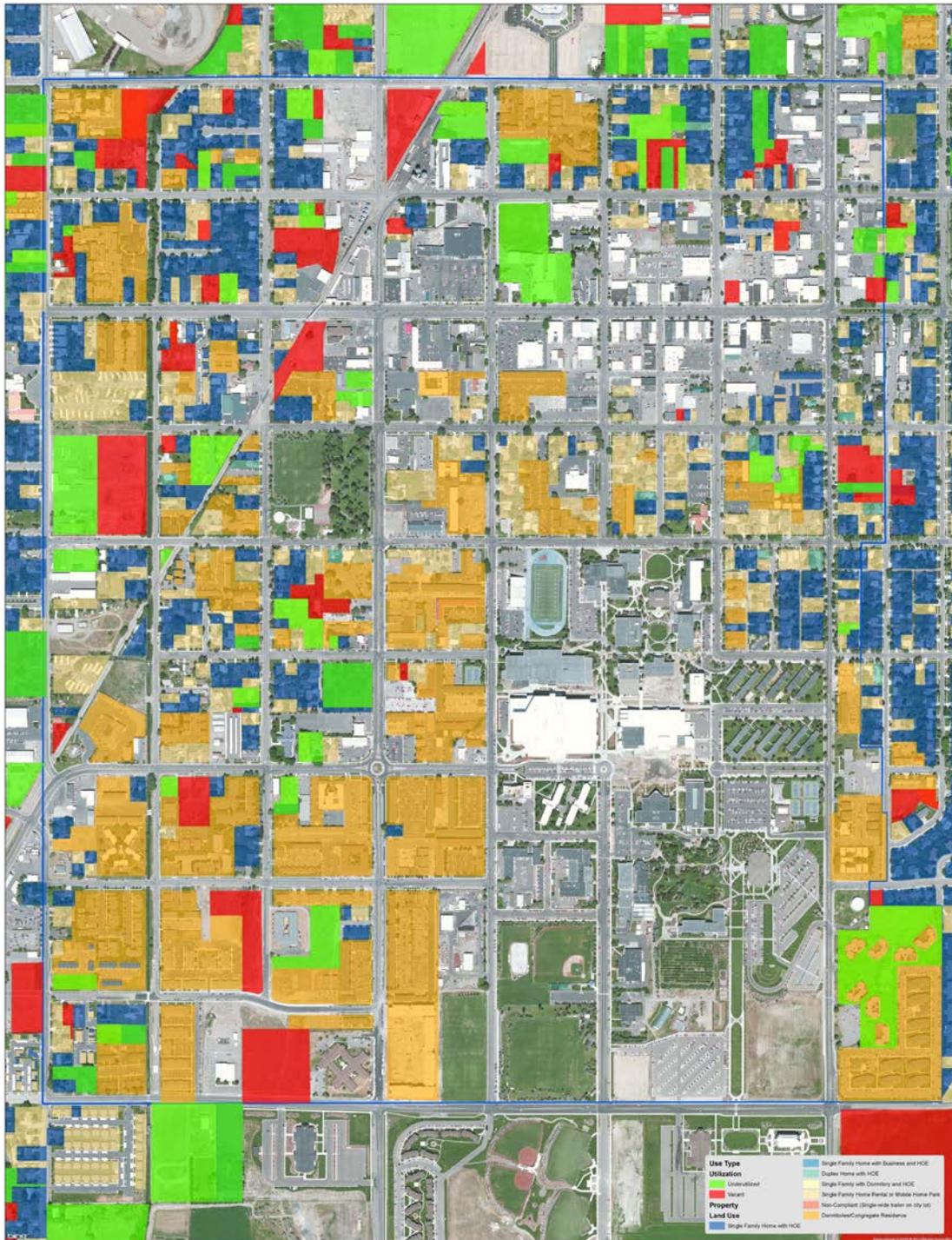
Discussion on the area needed to install a state hwy interchange. An example is the 7th South site on Hwy 20 where it would take out homes and require a sound wall on 7th South.

City Attorney Zollinger reviewed examples of city blocks where infill is possible. He referred to the block between Center Street and 1st East and between 1st North and 2nd North as the Zollinger block. They plan to develop the interior of this block at some point in the future. Other blocks in the city are being presented for development to utilize the center portions of the blocks. The development of these center blocks will impact some single family housing on the block or adjacent blocks. One solution is to push the development off the street to be more residential friendly to current neighborhoods. An example of the block development is the medical building being built on 2nd East close to Main Street. Controlled “pressure release” development is more acceptable than development that happens through extended pressure.

Commissioner Dan Hanna indicated the Planning and Zoning Commission is concerned with the city's Comprehensive Plan being a vision document for growth; however, the plan is not followed due to the concerns of neighborhoods.

Council Member Smith said this is a frustration not being on the same page when projects come in for development; maybe due to timing. She is concerned with the changes to the Comprehensive Plan. She thought more work meetings may be necessary to get everyone on the same page.

The "donut" referred to is the boxed area between 5th West, 2nd North, Harvard Ave, and 7th South as shown below:



City Attorney Zollinger said there needs to be an understanding to approve requests asking for Moderate to High Density with conditions or a lower density instead of denying the project.

Council Member Merrill was not opposed to having high density if it is in a desirable place.

Johnny Watson from JRW and Associates indicated allowed use for density is limited by parking, etc. when the projects are presented.

Commissioner Dan Hanna said four-plexes can be approved in some areas; however, a larger higher building would allow a more attractive neighborhood development with more green space. Development outside the “donut” requires more traffic through residential areas.

Council Member Merrill indicated development outside 5th West is not as desirable as development within the 5th West area. He referred to current developments (apartments) with limited or less traffic than initially expected by neighboring residents.

Community Development Director Christensen reviewed residential areas adjacent to vacant properties on the overhead screen.

City Attorney Zollinger said there are a high number of properties that are available for infill inside the “donut”. Council Member Benfield said the City Council is an elected body to represent the community. The decisions come on an individual basis. City Attorney Zollinger said the City Council is elected to represent the whole city instead of a few individuals. He indicated the need to continue to add beds due to growth. The question is where will these beds be built; will they be built in the infill areas or will the beds be built outside the “donut” on the outskirts of Rexburg.

Discussion on the City Council acting on the recommendations from Planning and Zoning.

City Attorney Zollinger referred to the 3rd East neighborhood interaction with the City Council on development adjacent to their neighborhood. It is an education process to get everyone the facts on how the city can be developed. Will the new development come inside the “donut” or outside the “donut” and drive through the neighborhood? Traffic and infrastructure management are part of the decision making process to develop inside the “donut”. The Planning & Zoning Commission makes recommendations to City Council after considering all factors and aspects of the development. The City Council needs all the information beforehand so that when a neighborhood comes to oppose a development, the city is able to explain the reason why the development is best for the city.

Council Member Smith said the City Council needs to get ahead of the development proposals with zone changes, etc.; she indicated an infill policy needs to be agreed upon.

Community Development Director Christensen said the infill map is a tool to show where there are available or underutilized properties which can be developed as infill properties.

Council Member Merrill said sometimes turning down a project will bring a better project forward in the future. Each project needs to be judged on its merits. Neighbors may not understand all of the facts and they may have some misunderstandings concerning the proposal.

Economic Development Director Scott Johnson said we are trying to create a standard or base line to make decisions; some projects will not fall within the “donut” area. Another question is how to educate the people on the merits of the project. It is a matter of getting ahead of the education process; people only show up when it affects their own properties. Projects need to be reviewed in a holistic (*characterized by the view that a whole system of beliefs must be analyzed rather than simply its individual components*) approach to show how it impacts the whole community.

Council President Mann said there is disagreement within the governing boards at times because of different levels of concern.

City Attorney Zollinger said the City Council needs to have the big picture before making a decision. A policy must be determined to help staff understand which direction they need to take their recommendations. If projects are presented to put bedrooms closer to the University to limit traffic, etc.; then let the staff and the Planning and Zoning Commission understand the policy for infill.

Community Development Director Christensen asked to understand what level of density for infill is acceptable.

Council Member Merrill asked for more information at work meetings to help get ahead of the curve on infill.

Discussion on painting a map to show possible infill areas for growth planning.

Community Development Director Christensen said he would put together direction for the Planning and Zoning Commission; starting with a growth map to get ahead of the growth curve.

Economic Development Director Scott Johnson cautioned the City Council concerning land pricing because it is a concern; don't make decisions that cause land costs to rise.

**B. Sign Ordinance – Signage for “Mixed Use” Zones and Signage for the Highway Corridor
- Staff**

Community Development Director Christensen presented some ideas to add “Mixed Use” signage to the sign code.

Mixed Use Signage

MU1: The sign area allowed is 10% of the wall area of the portion of the building that is commercial. The location of signage must be on the wall; it may not extend above top of wall. If residential apartments are above commercial, then signage may be above the top of the commercial portion of the building no more than 3' feet. Monument and pole signs must be reviewed and approved by the Design Review Committee on a case by case basis.

MU2: The sign area allowed is 10% of the wall area of the portion of the building that is commercial. The location of signage must be on the wall; it may not extend above top of wall. If residential apartments are above commercial, then signage may be above the top of the commercial portion of the building no more than 3' feet. Monument signs must be reviewed and approved by the Design Review Committee on a case by case basis.

Community Development Director Christensen reviewed the proposed changes to the sign ordinance to add “Mixed Use” Zones. The Mixed Use Zones are part of the Development Code. The proposal would be to allow pole signs in the Mixed Use Zones with a Conditional Use Permit. This would maintain the residential character of the residential areas where Mixed Use Zoning is allowed. If residential uses are in the building; the first floor would be the only floor where 10% of wall space for signage would be allowed. Monument signs would be allowed with a Conditional Use Permit.

Council Member Smith asked for clarification on proposed signage in MU1 and MU2.

Community Development Director Christensen explained MU1 Zones require the building to be setback from the street and MU2 Zones do not have a setback. MU1 Zones might want a pole sign but each proposed sign will be handled on a case by case basis.

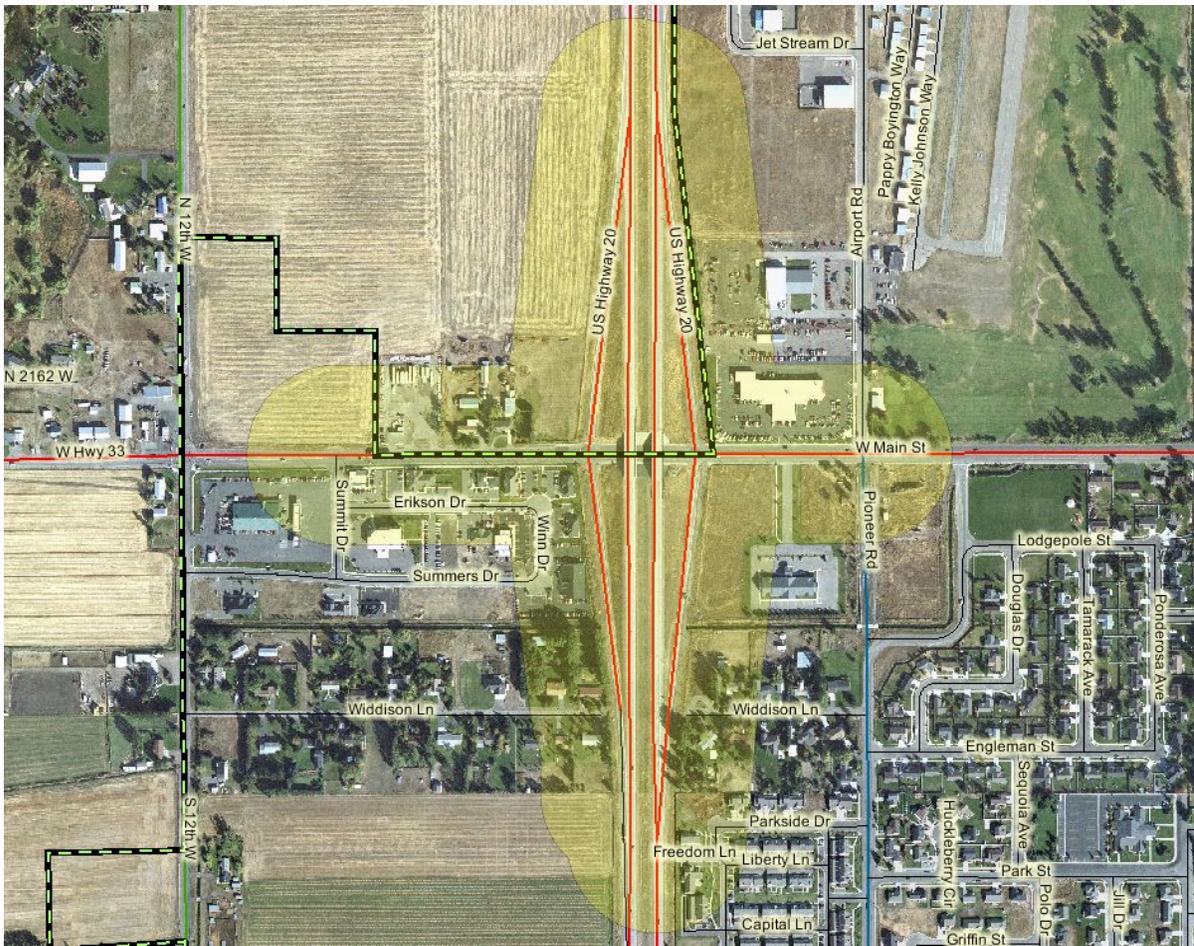
Council Member Benfield asked if the signage could go above the wall on the first floor.

Community Development Director Christensen said no, it cannot go above the wall. He asked City Council if they were comfortable with the Mixed Use language. The language will go to the Planning and Zoning Commission first to approve the language.

Highway Corridor Signage

Community Development Director Christensen presented a proposal to increase the signage height on the HWY 20 interchange areas to follow the grade of the interchanges. The current sign height allowed is 24 feet. This proposal would allow signage to follow the grade of the interchange with an additional 10 feet above the grade profile. The proposed increase in sign height would be allowed within the 1,500 foot distance from the highway corridor.

Visual of one possible option:



The parcels adjacent to the Highway 20 interchanges would be allowed sign heights 10 feet above the grade profile of the interchange for a distance of 1,500' feet on each side of the right-of-way with a Conditional Use Permit.

Council President Christopher Mann asked for the Planning & Zoning Commission's reason for rejecting this proposal 6 months ago.

Commissioner Dan Hanna said the concept was not rejected but the presentation was not adequate to clarify the proposal.

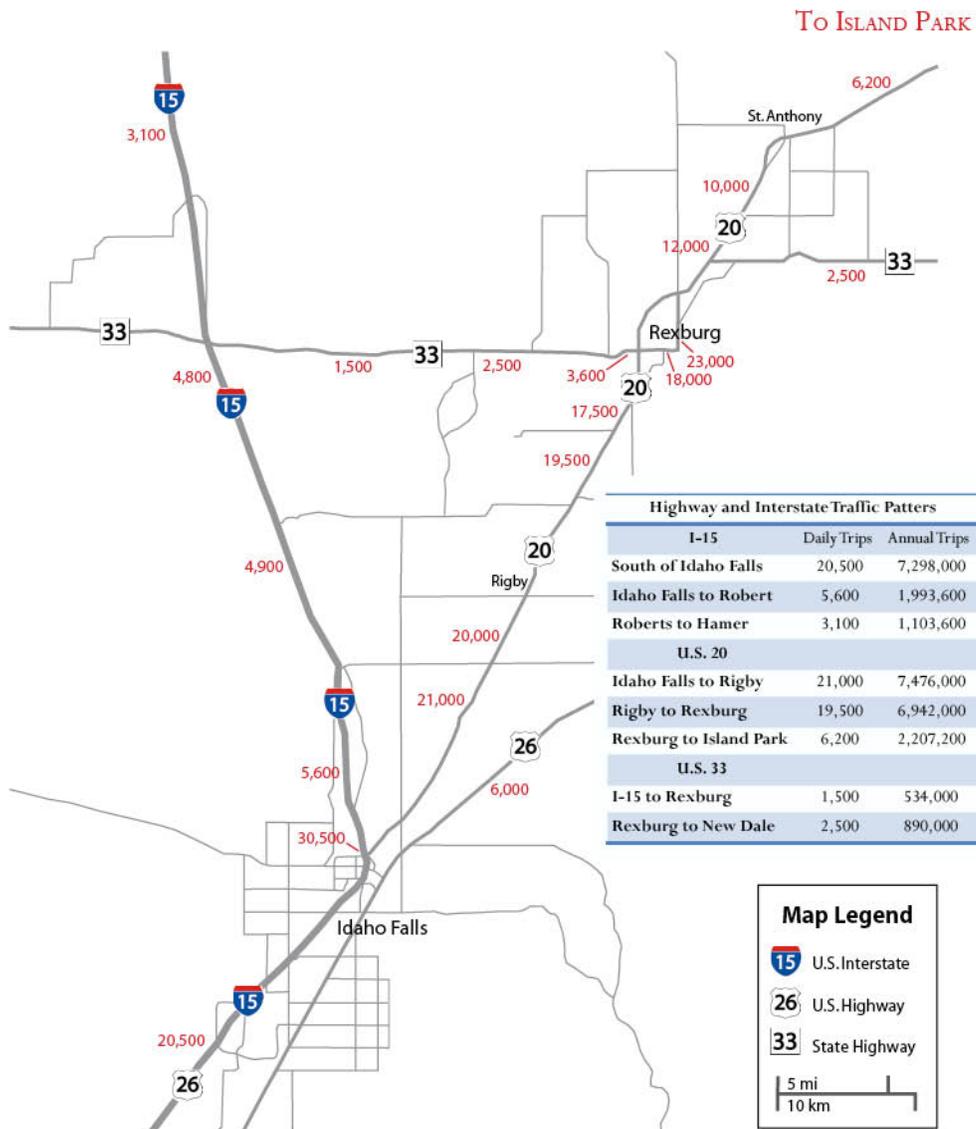
Commissioner Thaine Robinson said sign pollution was a concern for the Planning & Zoning Commission; they wanted to keep a clean appearance on the interchanges.

Council Member Smith asked Scott Johnson about the issue and his thoughts on the 1,500 feet.

Economic Development Director Scott Johnson indicated a 1,000,000 trips pass through the city each season. Staff is proposing (*to have the signage follow 10 feet above the interchange profile*) this as a compromise to get the signage above grade. There have been many businesses addressing this issue and have asked for a resolution. This proposal is a possible solution to the issue. The 1,500 feet is under discussion.

City Attorney Zollinger said the 1,500 feet would extend to the middle of the Madison Coop property next to 12th West.

YELLOWSTONE HIGHWAY CORRIDOR
2009 Average Daily Traffic Flow



Source: Idaho Department of Transportation. (2011). Highway data quest. Retrieved June 7, 2011 from <http://www3.idaho.gov/cgi-bin/webster.cgi>

(The annualized trips from Rexburg to Island Park would be between 1-2 million trips annually)

Council Member Benfield asked about the Madison Coop property or a future business with a similar property.

Discussion on the distance away from the interchange to allow the 1,500 foot rule.

City Attorney Zollinger asked for support for the proposal to move forward with wording that will more clearly define its purpose.

The City Council was supportive of more discussion on increased signage height around the interchanges on Hwy 20.

Community Development Director Christensen asked for direction on the highway signage. The City Council will read the planning minutes concerning the sign ordinance discussion at Planning and Zoning. The language will be fixed to clarify the intended purpose of the highway corridor signage.

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Planning and Zoning Minutes: 02-16-2012

Chairwoman Mounts said the fact Mr. Packer is here tonight is very positive. There have been enormous strides in the City's relationship with the University. There is lots of good data to base decisions on.

A heads up was given regarding sign height. Potential businesses are coming forward where this may be an issue. The subject needs to be addressed further to look at signs along the highway corridor and elsewhere as Rexburg grows.

Chairwoman Mounts expressed that it is so small town to be enlarging signs when the whole country is making them smaller and getting rid of them on their corridors.

Val Christensen said the goal is to bring the City Council and the Commission back together in a couple of months with more information to be presented to them from staff on these planning issues.

Planning and Zoning Minutes: 03-01-2012

New Business:

1. Update Sign Ordinance No. 1027 by adding Mixed Use 1 (MU1) and Mixed Use 2 (MU2)

Val Christensen presented the issue. The City's Sign Ordinance does not address Mixed Use 1 and Mixed Use 2 zones; he is bringing the matter to the Commission for input.

MU1

Staff recommends follow sign regulations for apartment complexes – small signs.

A wall sign could be kept lower and smaller.

No pole signs.

There could be signs on the commercial part of MU1 and keep residential without signage.

Commercial part of the development could have signs but no signs on the residential part of the development.

MU2

Staff recommends follow commercial property requirements except no pole signs.

Sign could be put up higher on the building.

Sign could be put up within a certain proximity of the commercial.

No pole signs.

On residential - follow residential rules (a percentage).

Sign should be in a certain proximity to the commercial part of the property.

Val Christensen will write up a draft document and bring it back to the Commission for review and further discussion.

2. Staff Recommendation to Increase Interchange sign heights to 10 feet above grade

Natalie Schneider presented the issue. The proposal, for right along the corridor, is for a 10 foot sign height increase above grade, which would actually increase the current sign height by 6 feet. Basically it would be targeted to inform commuters coming through the area; they would perhaps get pulled off the highway and into town when seeing the signs informing them of a business such as a restaurant or gas station in Rexburg.

All sign ordinance requirements would still need to be met.

Val Christensen said staff would need some kind of recommendation on this issue from the P&Z Commission whether or not they agree with it, for the Ready Team to take to City Council.

Chairman Dyer asked Bruce Sutherland for his input.

Mr. Sutherland felt it would be appropriate for a recommendation to come from the P&Z Commission for the City Council, as the Commission is charged with making the Sign Ordinance comply with the Zoning Ordinance in the best possible way, so that there is consistency.

Scott Ferguson recommended to City Council to give consideration to increasing the interchange sign heights to 10 feet above grade as described by staff tonight. **Jedd Walker** seconded the motion.

Those in Favor

Cory Sorensen

Scott Ferguson

Jedd Walker

Those Opposed

Dan Hanna

Thaine Robinson

Marilyn Rasmussen

Winston Dyer

A recommendation was not supported.



(Insert from City Council Public Hearing on May 02, 2007)

7:30 P.M. – Update and modify Sign Ordinance 908 – Gary Leikness

Planning and Zoning Administrator Gary Leikness reviewed the current sign height at 24 feet with a new proposal to increase the sign height around interchanges for businesses coming into Rexburg. He presented the information on an overhead presentation. The signs heights are at 24 feet maximum throughout the city. Cars traveling at highway speeds need higher signs to be able to make a decision to exit the highway. He provided the City Council with a staff report and analysis. See chart below:

Other Cities with Regional and Economic Similarities

City	Zone				
	Commercial	Professional Office	Regional Shopping	Industrial	Interchanges
Rexburg	24	12	24	24	24
Provo	35	25	40	5	40
Idaho Falls	60	60	60	60	60
Boise	30	15	30	25	30
Pocatello	30	30	30	30	60
Moscow	25	10	25	25	25
Eagle	15	15	15	15	15
Rock Springs, Wyoming	20	20	20	20	25 above centerpoint of interchange for property within 2500 feet of said center point.
Green River, Wyoming	15	10	15	15	15
Jackson, Wyoming	12	6	12	12	12
Average	27	21	27	23	28
Median	25	15	25	22	25

Forbes “Best Places for Business” Year 2002

City	Zone				
	Commercial	Professional Office	Regional Shopping	Industrial	Interchanges
San Diego	30	15	30	30	50 Within 1500 feet of a freeway ramp, and within 660-feet of freeway ROW
Santa Rosa	9	9	9	9	9
Las Vegas	40	12	40	40	30 feet above elevated freeway (within 200 feet of ROW), and up to 80-feet in height when sign is within 200-feet of highway ROW)
Ventura	no pole signs	no pole signs	no pole signs	no pole signs	25-feet, specifically for freeway service facilities
McAllen Metro Area	35	35	35	35	80-feet when located within 200 feet of Freeway
Boise City	30	15	30	25	30
Average	29	17	29	28	46
Median	30	15	30	30	40

It was suggested a higher sign may invite economic growth.

Staffs Conclusions

- *There are a wide range of acceptable sign heights near interchanges, 9-feet (Santa Rosa to 80-feet (Las Vegas).*
- *The places ranked as “best places to do business” have a higher average and median sign heights standards, although Santa Rosa and Las Vegas are both ranks as a top place to do business.*
- *Each community acts independent and enacts sign height standards that best meet the needs and atmosphere of their communities.*

Options for Rexburg include:

1. *Do nothing*
2. *Allow greater heights around interchanges*
3. *Modify the information with public input*

Council Member Erickson pointed out that in 2002 (according to Forbes) Santa Rosa was in the top 10 out of 200 best cities to do business. Today, Santa Rosa is 187 out of 200. He also explained that in Boise, they allow clusters of businesses on interchanges to petition as a group to raise the sign heights. Boise has maintained a high ranking on the Forbes list of the top cities to do business. The City of Driggs allows variances to the sign heights.

Mayor Larsen opened the public hearing:

Those in favor of changing the sign ordinance:

Jim McAllister representing Valley RV explained that the proposal would only affect about two businesses. He asked for a bigger buffer or a higher sign allowance with a variance. He is in favor of increasing the sign heights.

Andrew Grove representing Applebee's would like to see a change allowing a higher sign on the interchanges. He went through the reasons Planning and Zoning recommended not to change the current ordinance and had a rebuttal for many of them.

Advantages of Different Areas

City Center

- *35 MPH Speed Limit
- *Traffic Signals
- *Established Consumer Behavior
- *Large Activity Generators
(ex. Wal-Mart and Movie Theatre)

Highway Corridor

- *Easy Access from Highway
- *Taller Signs?

Mr. Grove also explained that the population of Rexburg alone does not warrant an Applebee's, so they are depending on the highway traffic traveling through Rexburg to help make Applebee's in Rexburg successful.

He gave information on other city populations that have an Applebee's:

City	Interchange Sign Height	Population	Applebee's?
Rexburg, Idaho	24 Feet	26,000	Coming Soon
Provo, Utah	40 Feet	113,459	Yes
Idaho Falls, Idaho	60 Feet	52,338	Yes
McAllen, Texas	80 Feet	106,414	Yes
Las Vegas, Nevada	30 Feet above Elevated Freeway	545,147	Yes
San Diego, California	50 Feet	1,255,540 (48x)	Yes
Boise, Idaho	30 Feet	193,161 (7x)	Yes
Pocatello, Idaho	30 Feet	53,372 (2x)	Yes
Santa Rosa, California	9 Feet	153,158 (5x)	Yes
Ventura, California	25 Feet	104,017 (4x)	Yes
Moscow, Idaho	25 Feet	21,862*	Yes
Rock Springs, Wyoming	25 Feet above Center Point	18,772	Yes
Green River, Wyoming	15 Feet	11,787	No
Jackson, Wyoming	12 Feet	9038	No
Eagle, Idaho	15 Feet	11,085	No

*Pullman, Washington has an addition 25,262 residents

Conclusions

- Sign height should be determined by multiple factors such as size of population and proximity to highways.

- *A 24 foot sign will be hidden by visual clutter in the background and is not effective at high rates of speed.*
- *Both the city center and highway corridor have individual pros and cons; and presently the city center has more advantages*
- *Increasing sign height alone will not, by itself, destroy the appearance of the city's gateways*
- ***Appeal***
- *As Highway traffic and visibility is critical to the success of businesses on the highway corridor, we request an increase in the current sign height restrictions*
- *We request 15 foot increase over the interchange center point, rather than 10, so that signs will not be impacted by background visual clutter*
- *500 foot distance from center-point is acceptable as it will help reduce clutter*

Mr. Grove also reviewed some pictures showing signs at different locations on highway 20 as traffic approaches the South interchange 50 foot 40 foot 34 foot and 24 foot. He thought 34 to 40 was an appropriate height.

DJ Barney, a local Rexburg business owner said other businesses will profit from bringing customers off Highway 20. He explained that customers who get off the highway may eat, buy fuel, stay in a hotel, etc. He also wanted on and off premise signs (billboards) to be addressed. He did not think 200 sq feet billboard signs were adequate along a highway corridor. He suggested 14 by 48 foot signs would be more appropriate. He emphasized one sign size does not fit all in Rexburg.

Mayor Larsen entered a letter from Adam Stout in favor of changing the sign ordinance into public testimony.

Those neutral to changing the sign ordinance: NONE

Those opposed to changing the sign ordinance:

Mayor Larsen entered three letters into testimony from Randall Porter, Millie Andrus and Joseph Romney who are all opposed to changing the sign ordinance.

Mary Ann Mounts at 20 East 2nd North said she has a degree in City Planning. It would be backward thinking to raise the sign heights. She went through several points as to why sign heights should not be changed:

- *Polls reveal that Americans do not like signs*
- *Blue board signs are what people look at*
- *On Star and other electronic devices are available for many cars now*
- *Sign competition would be a problem as businesses would try to outdo one another*
- *Higher signs will take away from the beauty of our community. It would be backward thinking to increase the sign heights in Rexburg.*

Winston Dyer at 667 Summerwood is speaking as a private citizen. He has not heard of any particular changes in the social, economic or geographic conditions for Rexburg which constitutes a need to change the sign ordinance. He has not seen businesses turn away from Rexburg due to sign issues. He referred to the Planning and Zoning recommendation to keep the sign ordinance unchanged. He said Rexburg has just completed the third year of 15% growth. Rexburg is experiencing some of the highest growth in the country.

Rexburg is neither limiting nor liberal with sign heights; we are somewhere in the middle on the sign ordinance. Each business is different; they have different needs. He explained Rexburg would be a much different place if every business was granted a waiver. He referred to the community vision (Comprehensive Plan). He feels strongly to hear from the citizens instead of the developers. He is opposed to changing the sign ordinance and suggested the "no action" option.

Thaine Robinson at 390 Maple Drive wants to maintain the attractiveness of the city. He challenged the City Council to look 15 years ahead and this south interchange will become the center of town.

Mayor Larsen closed the public hearing.

Mayor Larsen asked the City Council to deliberate the proposed change to the sign ordinance.

Council Member Benfield thanked Planning and Zoning for all their work on this proposal, landscaping projects and other projects in the city. She referred to comments from others on this issue. She indicated the City Council knew how Planning and Zoning felt about changing the sign ordinance. The City Council asked for a public hearing to see how the public felt on changing the sign ordinance. Three people have come forward in support of changing the sign ordinance in the meeting. No one has come forward in the meeting to testify in opposition to changing the sign ordinance; however, there have been a couple of letters in the negative that higher signs would give an unfair advantage to businesses on the interchange verses downtown businesses.

Council Member Benfield was concerned that smaller signs at the interchanges would give Rexburg businesses an unfair position in relation to signage at other cities on Highway 20 like Pocatello, Blackfoot, Idaho Falls, and other cities all the way up the region. She did not want to lose business to other cities. 24 foot signs are the lowest in Eastern Idaho along the Highway 20 corridor which gives all of Rexburg an unfair disadvantage. The bottom line for her personally is economic development. The City Council listed economic development as one of the top priorities for the city at the first of the year. She wants to promote economic development. This is economic development that other people are paying the price. We spend a lot of money on economic development trying to bring new business to our city. Now we have businesses trying to bring business to our community. Council Member Benfield is very much in favor of raising the sign height; maybe to the 40 foot level depending on the information given at this meeting. Raising sign heights will help economic development. She felt a 24 foot sign height limit puts Rexburg merchants at a disadvantage. She is in favor of a higher sign height.

Council Member Erickson wanted to make sure everyone understood that he built his business with a 24 foot sign. He is going to keep the 24 foot sign. This is not for his benefit at all. He thinks other businesses could benefit from a higher sign allowance. Rexburg is in the Upper Snake River Valley. He talked about some other cities in the Upper Snake River Valley. Pocatello allows a 60 foot sign within a 1000 foot radius of the highway. They also allow a 40 foot sign within a residential area. Blackfoot allows a 45-60 foot sign in commercial areas (depending on the commercial zone) and Blackfoot allows a 40 foot sign in residential areas. Idaho Falls can have a 60 foot sign in any commercial area. Rigby has five signs ranging from 40 to 60 feet. Ashton and St. Anthony have no sign height ordinance at this time. Boise has a gateway sign ordinance with several possibilities. A "gateway" in Boise is 10 foot above the back ground on entrance ways into Boise. He is in favor of raising the sign height. He recommended between 40-50 feet for a free standing sign. He did not recommend a billboard.

Council Member Mann was impressed with the Applebee's presentation. He will support the recommendation of Planning and Zoning to maintain the current sign ordinance. The recommended area won't affect enough businesses.

Council Member Benfield explained the recommended 500 foot radius can be expanded if the City Council chooses.

Council Member Stevens likes the comparison to other cities; however, he does not think it helps in this issue to go against the Planning and Zoning recommendation. Rexburg is unique and he attributes much of this to Planning and Zoning's effort for preserving the city. He supports their work on the sign ordinance. He also appreciated the presentation from Applebee's and he can see how a higher sign could benefit businesses.

Council Member Young respects Council Members Benfield and Council Member Erickson and their insight with the business community; however, he has a close relationship with the residential community, and 10 to 1 the community is against raising the sign height. He supports the Planning and Zoning recommendation to keep the current sign height ordinance. He quoted from Joseph Romney's letter stating that "the visual image of Rexburg as America's Family Community and the economic basis for its prosperity can be fostered without giving it the image of a commercial jungle." He agrees with Mr. Romney and does not feel higher signs are appropriate for Rexburg.

Council Member Schwendiman said he cannot see a 24 foot sign as he travels down a highway. He is in favor of raising the sign height 10 to 15 feet from center point. He mentioned the 500 foot radius of the highway would not affect the beauty of Rexburg.

Council Member Erickson said the circle could increase etc. The height needs an agreement.

Council Member Stevens mentioned sign height negotiations may not be practicable. He wants to see the Applebee's sign; however, he does not want to change the sign height on the interchanges.

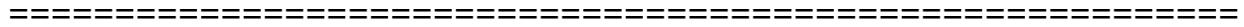
Council Member Erickson moved to consider Ordinance 908 revision first read. Council Member Benfield seconded the motion. Roll call vote:

<u>Those voting aye</u>	<u>Those voting nay</u>
Donna Benfield	Farrell Young
Rex Erickson	Bart Stevens
Randy Schwendiman	Chris Mann

This 3 to 3 vote requires the Mayor to vote.

Mayor Larsen said he appreciated Applebee’s presentation. He explained that economic development is critical to Rexburg. He also said 129 new businesses came to Rexburg last year with the current sign ordinance. He supports the current ordinance. He voted NO to changing the sign height ordinance.

The motion failed.



Council President Mann would like the sign ordinance discussion to go back to Planning and Zoning. The City Council was amenable to bring the proposed sign ordinance amendment back to the City Council for a final decision.

Staff Reports:

A. Public Works: – John Millar

1. Discuss wastewater treatment plant bid

City Engineer Keith Davidson said the original bidder had a sub bidder without proper licensing; so the sub bid will be rebid for the screw press and the UV building. The new bid opening is today at 2:00 P.M. and the City Council is invited. (*Results of the 2:00 P.M. bids*):

City of Rexburg
WRF Phase II Upgrade

<u>Bidder</u>	<u>Amount</u>
Nelson Brothers	\$2,243,340.00
D.L. Beck	\$2,565,000.00
Contractors N.West	\$2,624,000.00
Whittaker Construction	\$2,849,000.00
Depatco, Inc.	\$2,897,500.00
Alder Construction	\$3,063,000.00
Engineers Estimate	\$2,500,000.00

City of Rexburg
WRF Phase II Upgrade (REBID)
12/13/2013

<u>Bidder</u>	<u>Amount</u>
Nelson Brothers	\$2,183,340
D.L. Beck	\$2,310,200
Depatco, Inc.	\$2,490,000
Engineers Est.	\$2,500,000

2. Authorize surplus of equipment – 98 MAC Dump Truck with a standard transmission. A new truck will replace it.

Council Member Smith moved to authorize the 98 MAC Dump Truck for surplus; Council Member Benfield seconded the motion; Discussion: Mayor Woodland asked for a vote:

Those voting aye

Council President Mann
Council Member Benfield
Council Member Merrill
Council Member Smith

Those voting nay

None

The motion carried.

3. RFP from Forsgren and Keller (Public Works Committee will make the determination)
4. 7th South is near completion.
5. 1st East has been paved.
6. Construction continues on 2nd South.
7. Construction continues on 3rd East.
8. 4th South has been paved.
9. Open areas on sidewalks waiting for the replacement of trees on Main Street.
10. Discussion on Business Signs on Main Street.
11. Plants are being added on Pioneer Road.

C. Finance Department – Richard Horner

1. Pool rental for Special Events, (i.e. Dance Festival)

Finance Officer Horner reviewed expenses incurred by Rexburg Rapids. Council President Mann asked if the expense could come out of the City Council’s protocol or dance festival budget. The City Council concurred to use the dance festival fund.

City Attorney Zollinger reviewed the policy to waive fees for non-profit organizations.

Calendared Bills and Tabled Items:

- A. “LAND USE ACTION” – BILLS RECOMMENDED/APPROVED IN A LAND USE
- B. PUBLIC HEARING PROCEDURE: NONE
- C. BILL Introduction: NONE
- D. First Reading: Those items which are being introduced for first reading: - NONE
- E. Second Reading: Those items which have been first read:- NONE
- F. Third Reading: Those items which have been second read: - NONE
 1. [Ordinance 1086](#) Amending Ordinance 937 Arts Fee

Discussion:

Council Member Benfield moved to 3rd read [Ordinance 1086](#) amending Ordinance 937 Arts Fees; Council Member Smith seconded the motion; Discussion: Mayor Woodland asked for a vote:

Those voting aye

Council President Mann
Council Member Benfield
Council Member Merrill
Council Member Smith

Those voting nay

None

The motion carried.

Mayor’s Report:

City Attorney Zollinger asked to allow a ROW dedication for the Rockwell Court Apartments on 7th South. The property is currently used by the city and they can potentially be landlocked by a private enterprise. The legal correction for a ROW will allow the development to go forward.

Council Member Merrill moved to approve the ROW dedication between the city and Rockwell Court Apartments; Council Member Smith seconded the motion; Discussion: Mayor Woodland asked for a vote:

Those voting aye

Council President Mann
Council Member Benfield

Those voting nay

None

Council Member Merrill
Council Member Smith

The motion carried.

Economic Development Director Scott Johnson reviewed the proposal to allow the city to use the “Pinnacle” pool for a fee. He asked for direction on a lease option. Council President Mann asked if the facility would be used for swimming lessons through the winter. Yes, it would be an opportunity to try out an indoor facility. Does the City Council have an interest in this proposal? The adjoining building will be development for men’s student housing. The proposal would be for one year at a negotiable cost of \$5,000. The bathrooms would have to be moved at their cost. There was interest from the City Council to explore the proposal. They would not support a loss for the proposal; nor take revenue away from Rexburg Rapids.

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.

- A. Minutes from July 11, 2012 meeting
- B. Approve the City of Rexburg Bills dated July 25, 2012

- C. Proclamation 2012 – 04 (International Children’s Day)

**Rentmaster and Right Price Auto Sales
International Children's Day Celebration**

35 North 1st East
Rexburg, ID 83440

mayor@rexburg.org
www.rexburg.org

Phone: 208.359.3020
Fax: 208.359.3022



CITY OF
REXBURG
America's Family Community

**PROCLAMATION
No. 2012 - 04**

A Proclamation of the Mayor of the City of Rexburg, Idaho proclaiming July 30th as an "International Children's Day Celebration" for the City of Rexburg.

WHEREAS, that all children are created equal: that they are endowed by their Creator with certain unalienable rights; and

WHEREAS, the children are the highest priority of our city; and

WHEREAS, the children are the future of City of Rexburg; and

WHEREAS, all children locally and around the world should have the chance to enhance their talents through extended education regardless of their home financial status.

WHEREAS, it is especially important that the citizens of our city be aware of the needs of our children; and

WHEREAS, all citizens of our city are promoting a safe and healthy environment for our children; and

WHEREAS, during the month of July, all citizens of City of Rexburg should unite in an "annual" celebration aiding to further the cause of hope for our children.

NOW, THEREFORE, I, Richard Woodland, Mayor of City of Rexburg, Idaho, do hereby officially proclaim, the 30th Day of July, 2012 as **"RENTMASTER AND RIGHT PRICE AUTO SALES INTERNATIONAL CHILDREN'S DAY CELEBRATION"** in the City of Rexburg, and urge the entire community to come to together to participate in giving faith, hope, love, And commitment to our children.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of City of Rexburg to be affixed this 11th Day of July, 2012.

(Seal of City of Rexburg)

APPROVED:

ATTEST:

Richard Woodland
MAYOR

Blair D. Kay
CITY CLERK

International Dance & Music Festival Week
Mayor Richard Woodland

35 North 1st East
Rexburg, ID 83440

mayor@rexburg.org
www.rexburg.org

Phone: 208.359.3020
Fax: 208.359.3022



CITY OF
REXBURG
America's Family Community

PROCLAMATION
No. 2012 - 05

A Proclamation of the Mayor and approved by the City Council of Rexburg, Idaho, proclaiming July 28th, to August 4th, 2012 as INTERNATIONAL DANCE & MUSIC FESTIVAL WEEK for the City of Rexburg.

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

WHEREAS, it is a great honor to have the participants of this event share with us the talents and traditions of their communities and countries and show that our cultures are more similar than they are different; and

WHEREAS, this is also a wonderful opportunity to help promote the benefits of performing arts and to bring together citizens from all walks of life, to share in the enrichment of our growing multi-cultural communities, it's diversity, and to enjoy the universal language of music and dance; and

WHEREAS, the City of Rexburg extends a warm welcome to the dance teams and express our appreciation to those involved in planning and promoting this event. We wish you all the best of luck for a successful tour.

NOW THEREFORE, I, Richard Woodland, Mayor of the City of Rexburg, do hereby proclaim July 28th, to August 4th, 2012 to be

INTERNATIONAL DANCE & MUSIC FESTIVAL DAYS

in Rexburg and encourage all citizens to attend one of the performances and help welcome the festival participants to our great city.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of our City to be affixed this 20th day of July, in the year two thousand and twelve.

APPROVED:

ATTEST:

Richard Woodland
MAYOR

Blair D. Kay
CITY CLERK

Council President Mann moved to approve the consent calendar, pay the bills, and approve the minutes and proclamations; Council Member Benfield seconded the motion; Discussion: Mayor Woodland asked for a vote:

Those voting aye

- Council President Mann
- Council Member Benfield
- Council Member Merrill
- Council Member Smith

Those voting nay

None

The motion carried.

Council Member Smith moved to adjourn; Council Member Merrill seconded the motion; Mayor Woodland asked for a vote:

Those voting aye

Those voting nay

Council President Mann
Council Member Benfield
Council Member Merrill
Council Member Smith

None

The motion carried.

Adjournment at 9:30 A.M.

Richard S. Woodland, Mayor

Attest:

Blair D. Kay, City Clerk