

City Council Meeting

August 21, 2013

35 North 1st East
Rexburg, ID 83440

blairk@rexburg.org
www.rexburg.org

Phone: 208.359.3020 x2313
Fax: 208.359.3022



CITY OF
REXBURG
America's Family Community

August 21, 2013

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 P.M. City Hall – Pledge to the Flag

Mayor Woodland welcomed everyone to the meeting.

Troop 49 Rexburg 3rd Ward led the Pledge to the Flag.

Hyrum Erickson said the prayer.

Roll Call of Council Members:

Attending: Council Member Benfield, Council Member Sutherland, Council Member Merrill, Council Member Smith, Council Member Busby and Mayor Woodland.

Council President Mann asked to be excused.

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

Attorney Hyrum Erickson at 457 Maple Drive invited everyone to the Legislative Tour on September 22, 23, and 24; Meals and transportation has been arranged. The Legislators will stay at Spring Hill Suites. Almost everyone will be driving to the Conference. Council Member Benfield asked the City to fill out the questionnaire. There will be two 55 passenger buses for 68 Legislators and their companions. Monday, September 23rd is the day for touring the City of Rexburg. The only local elected officials will be the City Council. The County officials will only attend on Sunday due to meetings in Boise on Monday and Tuesday.

Sunday – September 22

	Activity	Location	Step-on Guides	Volunteers
12 – 1:30PM	Hotel Check-in Lunch – Millhollow Load buses	SpringHill Suites Marriott, Rexburg	Tamra Cikaitoga, Director Jan Brown	Mayors Dalling & Woodland, Daryl Olsen, Trent Smith, Melanie Davenport
2PM	Head north	Marriott to Hwy 20	Tamra Jan Brown	
	Seed Potato Facility	Ashton	Tom Howell, Ashton Seed Growers	
	Warm River	Henry's Fork and Warm River	Tamra and Jan	
4:30PM	Head to Mesa Falls		Tamra and Jan	
5PM	Mesa Falls – Forest Service	Upper Mesa Falls	Tamra and Jan	Liz Davey, District Ranger
6PM	Load bus to Harriman St. Park		Tamra and Jan	Keith Hobbs Bob Hanson
6:30 – 7:30PM	Dinner – Dutch Oven	Harriman St. Park	Mark Seeley Rand Hillman	Daryl Olsen Mayor Dalling
7:30PM	Load bus to hotel			
8:30PM	Arrive at Hotel	SpringHill Suites		



Eastern Idaho Legislative Tour 2013 – Schedule

Rexburg Area Chamber of Commerce

127 E. Main St. • Rexburg, ID 83440 • (208) 356-5700 • donna@rexburgchamber.com

Monday – September 23

	Activity	Location	Step-on Guides	Volunteers
8AM	Bus pick up	SpringHill Suites	Scott Johnson Steve Zollinger	Sally Smith, Brett Sampson
8:30AM	Breakfast Tour New Labor & Delivery floor	Madison Memorial Hospital	Doug McBride	Sally Smith, Brett Sampson
10:15AM	Load bus		S. Johnson S. Zollinger	Sally Smith, Brett Sampson
	City drive around	Rexburg	S. Johnson S. Zollinger	Sally Smith, Brett Sampson
10:30AM	Tour BYU-I	Brigham Young University - Idaho	Brett Sampson	Sally Smith, Brett Sampson
11:30AM	BYU-I student presentation		B. Sampson	Sally Smith, Brett Sampson
12PM	Lunch w/ President Clark Q&A		S. Johnson S. Zollinger	Sally Smith, Brett Sampson
1PM	Rexburg Issues (meeting on campus): <ul style="list-style-type: none"> • Infrastructure • URD's – E Center • Envision Madison • Primacy 		S. Johnson S. Zollinger J. Millar R. Horner	Sally Smith, Brett Sampson
2PM	Load bus to Ag tour		S. Johnson S. Zollinger	
	Drive thru Sugar City	Sugar City	S. Johnson S. Zollinger	
	Sand Dunes – BLM	St. Anthony Sand Dunes	Monica Zimmerman	
	Aquifer recharge	Egin Lakes	Jerry Rigby Jeff Raybould	
	Tour of Bench – Madison County		Mark Ball Bart Webster	
5 – 6PM	Downtime at hotel	SpringHill Suites		
6PM	Load bus to Hemming Village		Richie Webb Josh Peterson	
6:30PM	Dinner	The Atrium, Hemming Village, Rexburg	Hyrum Erickson	
7:30PM	Load bus to hotel			
8PM	Arrive at Hotel	SpringHill Suites		

Tuesday – September 24

	Activity	Location	Step-on Guides	Volunteers
8AM	Load bus Travel to Madison High School	SpringHill Suites	Geoff Thomas Alan Dunn	Richie Webb Bob Jones
8:30AM	Breakfast Education presentation <ul style="list-style-type: none"> • Rick Hansen – orchestra & band 	Madison High School	G. Thomas A. Dunn	Richie Webb Bob Jones
10:30AM	Travel to Yellowstone Bear World		Courtney Ferguson +1	Richie Webb Bob Jones
10:45AM	Tour Bear World		Courtney Ferguson	Richie Webb Bob Jones
12PM	Lunch <ul style="list-style-type: none"> • Tourism • Economic impact • Transportation 	Yellowstone Bear World		Richie Webb Bob Jones
1PM	Adjourn to home			
	<i>Optional Tour: Fly Fishing</i>			



Eastern Idaho Legislative Tour – 2013

Rexburg Area Chamber of Commerce

127 E. Main St. • Rexburg, ID 83440 • (208) 356-5700 • donna@rexburgchamber.com

August 16, 2013

Dear Mayor Woodland and Rexburg City Council,

The Rexburg Area Chamber of Commerce would like to invite you to participate and attend the 2013 Eastern Idaho Legislative Tour. Furthermore, we would like to sincerely thank you for your gracious and generous donation to this Tour. From September 22-24 it will be our privilege to host the entire Idaho state legislature as guests here in our fair city of Rexburg.

As you are aware, this is an unprecedented opportunity for us to showcase the growth – and growing pains – we as a community have been experiencing over the last several years. To help educate our legislative guests more fully on the issues that we are facing, we want to invite and encourage you to participate as local officials in any and all events relating to the Tour.

If you choose to participate, please RVSP individually to the Chamber so that we know how many people we can count on and expect to be at the events and tours.

Sincerely,

Donna Benfield
Executive Director

Hyrum Erickson, President
Rexburg Area Chamber of Commerce

Presentations:

A. Students for a new crosswalk at Lincoln School – Lincoln Elementary Students

Lincoln Elementary students **Mandy Cook, Maddie Schwiemann, and Javen Ball** presented an overhead presentation for a new crosswalk at Lincoln School. Mandy, Maddie, and Javen were dressed in their Sunday best clothes. A fourth student, **Jane Schmidt** helped to produce the video; unfortunately, the sound did not work. The video can be viewed at:

<http://www.educrations.com/lesson/view/lincoln-crosswalk/9594106/>

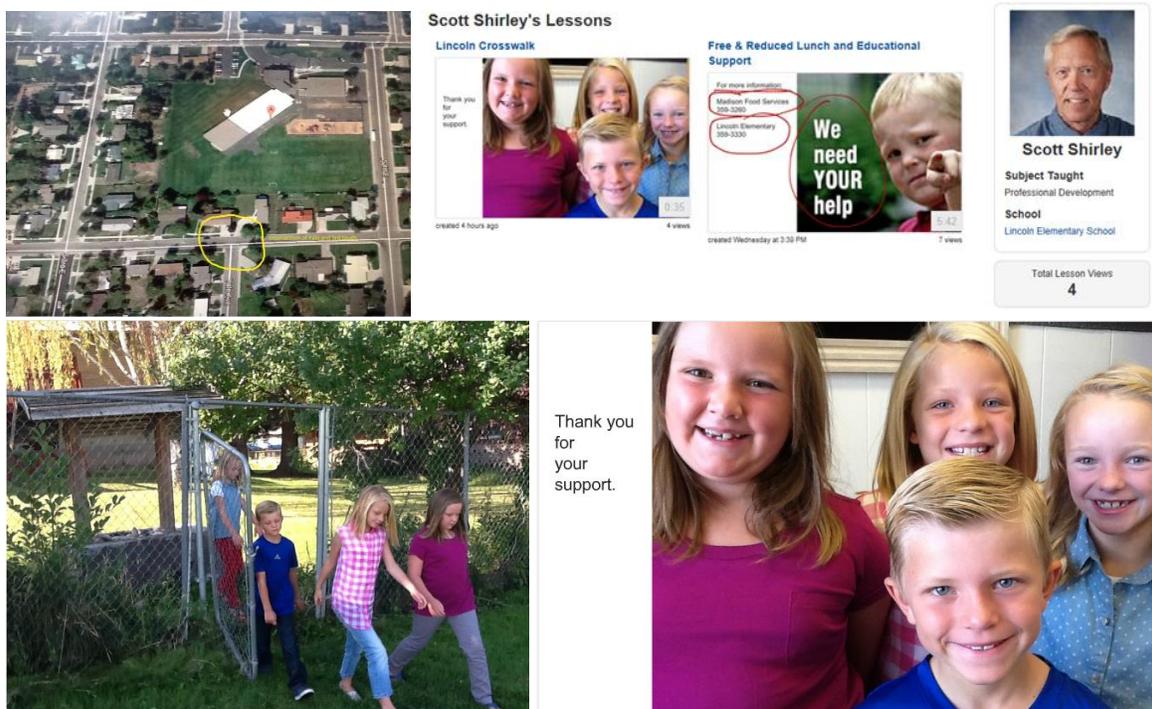


Proposal: South of the Lincoln School on 3rd South, there is not a crosswalk at Yale Avenue for the kids. They cross the road and there is a gate on private property to enter the school property that

kids go through onto the playground. We understand that access permission could change at any time, but in the meantime, kids need to be able to cross the street somewhere at that intersection.

Public Works Director Millar said there are numerous properties going south of the school that do not have sidewalks. Council Member Sutherland suggested the Traffic and Safety Committee should look at this proposal. Council Member Merrill will put the proposal on the Traffic and Safety Committee agenda. Council Member Busby was concerned with snow removal on a proposed sidewalk through private property to the school grounds. There is not a sidewalk on the school grounds for pedestrian traffic from the neighbor’s yard gate at the end of Yale Avenue.

Discussion:



The children concluded their request to the City Council by exclaiming in one voice:
 “Thank you for your time.”

=====

B. Willowbrook Estates sharing their ideas collectively for street access and road concerns in the area discussed in recent City Council meetings.

Dear Blair Thank you for your time this morning, I appreciate your help. As the Willowbrook neighborhood we would like to take a few minutes at the next city council meeting (August 21st @ 7 pm) to share our feelings and ideas collectively in regards to the last city council meeting's discussion of the Meadows neighborhood's access and road concerns. Thank you again for your help and support. Tisha Flora

Sam Angell at 1128 Green Willow Drive graduated from Ricks College in 1999 and Madison High School in 1995. He is an attorney in Idaho Falls doing governmental defense work; also, he has represented the City of Rexburg in a few matters. He represented the Willowbrook Subdivision to review some points made in earlier meetings by residents of Meadows Subdivision requesting an additional egress point out of the Meadows. Currently there are two egress points exiting on the south end of the Meadows on 7th South. They don’t think another egress point is required and it should not go through Willowbrook if a third egress point is constructed.

Mr. Angell reviewed four points to respond to the Meadow’s request:

1. The social contract argument: Buying and/or leasing property comes with some expectations. Both residents of the Meadows and Willowbrook had their expectations of the property before they purchased or leased the property. Those residing in the Meadows knew that they were going have a longer drive to get out of the complex. The Willowbrook residents purchased their property believing they would live in a low traffic and low density area with two exits onto 12th West. To allow the Meadows traffic to flow through the Willowbrook Subdivision would alter the social contract for both of those subdivision residents.

2. Who will pay for the farm land to create the egress/ingress road? The burden will go to the tax payers to build another egress from the Meadows. Council Member Sutherland said the City is not in the business of purchasing property for ingress or egress unless there is a severe need for the community. He referenced the straightening of Pioneer Road where property was purchased to straighten the road. The City would not buy the land unless there was a serious safety concern.
3. It would affect the Comprehensive Plan and the purpose of RR2 Zoning which limits traffic flow. He read from the code explaining the RR2 Zoning.

3.12.010. Purpose and Objectives

*The RR2 Zone is established to provide rural residential zoning for the development and protection of country neighborhoods. Land in this zone is required to be relatively flat with a maximum slope of 3%. The minimum development size for RR2 Zoning is on half (1/2) acre. **This zoning may be applied in areas where traffic flow is limited primarily to local area residents and where the expansion of transportation to areas adjacent to the zone is not anticipated.** The zone shall be characterized by single-family dwellings on lots of a minimum of 1/2 acre, ample off-street parking and reflecting a rural isolated atmosphere.*

Mr. Angell believes the change would greatly affect the purpose behind the RR2 Zoning and stated once again that this would set a dangerous precedent for other complexes in the City.

The Willowbrook neighbors suggest no change to the Willows Subdivision ingress or egress; however, Mr. Angell proposed a solution that a single lane limited emergency access road with a locked gate could go through a potential park in Willowbrook. This would subside safety concerns of the Meadows residents. The gate would remain closed unless there was an emergency. City Attorney Zollinger said there was a future egress on the plat going north out of the Meadows towards John Steiner's property.

Discussion: The pre-approved plat started as a county subdivision. The current ingress/egress is considered safe by the Fire Department, Police Department and Emergency Services.

Sherrie Barton at 1076 Green Willow Drive spoke about a garage fire on 12th West and 7th South which restricted traffic out of the Meadows on 7th South. City Attorney Zollinger explained the traffic was controlled by Emergency Services (*police*) while the Fire Department was fighting the fire; however, traffic would be allowed to exit the area if an emergency existed. Ms. Barton commented that 7th South could have one traffic lane going in and two traffic lanes going out from the Meadows. She thought this might be a less expensive alternative to other plans presented to the City Council. City Attorney Zollinger clarified that the Meadows Homeowners Association came in, after the initial presentation of Mrs. Hagge, and explained their discussion was not requesting most of what is being discussed tonight. The Meadows Board would like sidewalks and other things to help benefit the area.

Committee Liaison Assignments for 2013:

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

Council President Mann was excused.

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

Council Member Busby reported his committees have not met.

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

Council Member Benfield reported Trails of Madison County met to work on new trails. Right-of-way is a problem in the county. Bike courses are being planned at three levels of expertise. They are also looking at an area East of Hidden Valley for Mountain Biking.

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

Council Member Smith reported an Airshow is planned for 2014. Many events are being held at the Legacy Flight Museum including weddings. They are working on a new plane. They are attending other air shows and working with individuals for contributions. The Romance Theatre is receiving some new windows. There is not a reasonable process to make the windows operable to open or close; also, there is only about four inches of space between the windows and the wall. The curved part of the façade (*including curved glass*) is a problem, but must be done due to the agreement with the Idaho Historical Society to restore the façade to how it looked when the beauty parlor was there. There had been deliberation on the best method for the curved metal to go around the façade and a satisfactory solution has been found. The project is funded with two different grants.

Discussion: The void space behind the windows will be vented. Scaffolding will be donated to the theatre by Oakland Construction. The windows will appear to be tinted.

Council Member Benfield reviewed the city code concerning tinted windows. This project will comply with city code.

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

Council Member Merrill commended the Police for the Block Party in his neighborhood. He thanked the Police for their friendly presentation. He reported the Traffic and Safety Committee meet two weeks ago; Parks and Recreation reported similar revenue on the Carousel as last year. Rexburg Rapid's expenses are lower with an expected revenue surplus of \$12,000. The Teton Dam Marathon had about 600 participants, but experienced another loss. They need more people to participate. Last year the race lost \$3,000 versus a \$6,900 loss this year. They hope that with the better prize packages and other things they are implementing there will be increased participation next year. The Rush Triathlon lost \$3,000 this year versus \$9,720 loss last year. There were more positive reviews this year versus past years. The Cube Cyclo race will be held again this year on October 5th, 2013. They are looking at having a one day event instead of three days which they believe will cut down on the cost and bring additional popularity to the event. Rexburg Rapids will close Labor Day, September 02, 2013.

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

Council Member Sutherland reported Planning and Zoning met last week to review and refine the Development Code. The Police are a tremendous Department and some of their officers have received awards.

Police Chief Shane Turman gave two reports for police officer awards:

Gary Hagen saved a child this year and he received the Zion's Bank Home Town Hero's Award.

Officer Lieutenant Colin Erickson received the National School Safety Award which is one of fourteen awards throughout the country. He has placed cameras in the schools for safety.

Mayor's Report:

Mayor Woodland reported on a recent meeting with TRPTA where they discussed transportations. He reiterated to TRPTA the same concerns from past meetings and they wanted answers to their questions. He told them he could not commit to give them any money with their current plan which they then promised to revise.

A discussion about patrons on TRPTA ensued. There are a couple of patrons who are serviced when TRPTA gets notified. Right now they are operating on a needs based service. TRPTA would like to do a trial run in Rexburg and see the potential results that would occur.

Council Member Benfield indicated LINX has proposed a bus trip to Bozeman for the City Council to see how their transportation system works. The City Council members are interested in the proposal to see how other communities work with LINX.

A. Internet Contract for Golf Courses with Cable One



Golf Course Internet Service Contract with CableOne

	<u>Municipal</u>	<u>Teton Lakes</u>	<u>Total</u>	<u>Savings/Yr</u>	<u>3 Yr Savings</u>
Current Cost	76.45	84.45	\$ 160.90		
1 Year Contract* Cost	84.99	84.99	\$ 169.98		
3 Year Contract* Cost	69.45	69.45	\$ 138.90	\$ 264.00	\$ 792.00

* Signing a new contract will increase the download speed from 5 to 30 Mb and upload from 1 to 2 Mb|

Discussion: City Attorney Zollinger said a three year contract would double the speed for internet connectivity. Council Member Merrill was given the same offer and he said it has been a good deal for his business.

Council Member Smith moved to approve the Cable One contract and authorize Mayor Woodland to sign the three year Internet Contract for city golf courses with Cable One; Council Member Benfield seconded the motion; Discussion: Mayor Woodland asked for a vote:

Those voting aye

- Council Member Benfield
- Council Member Busby
- Council Member Merrill
- Council Member Smith
- Council Member Sutherland

Those voting nay

None

The motion carried.

Public Hearings:

A. 8:00 P.M. Amendment the 2013 Appropriation Budget by appropriating additional monies received by the City of Rexburg by Ordinance 1106.

BUDGET AMENDMENT FY 2013
City of Rexburg

FUND	ORIGINAL	AMENDMENT	FINAL	REVENUE	EXPENSE
GENERAL	8,395,000	255,000	8,650,000	Reimbursements, Carryover, Grants	Overhead, IT Person, Legal, HVAC, Supplies
STREET OPERATIONS	2,404,200	295,800	2,700,000	Equipment Sold, Carryover	Loaders, Sander
POLICE SMALL GRANTS	41,700	97,700	139,400	Fund Balance Carryover	School District Share, Vests, Laptops
POLICE ANIMAL CONTROL	179,300	2,700	182,000	Fund Balance Carryover, Grant	Supplies, Fiber Connection
EMERGENCY SERVICES	2,439,100	19,600	2,458,700	Grants, Contributions, Equipment Sold	Uniforms, Vehicle, Camera, Supplies
LEGACY FLIGHT MUSEUM	98,500	90,000	188,500	Contribution	Airplane
ESD PARAMEDIC CARE UNIT	162,600	400,000	562,600	Billings	Personnel Costs
ROMANCE THEATER	144,200	17,800	162,000	Grant	Lighting
RIVERSIDE PARK CONSTRUCTION	4,730,700	(4,230,700)	500,000	N/A	Cut in Capital Budget Items
STREET REPAIR CONTRACTS	795,800	204,200	1,000,000	Transfer from Operations	Street Share of LID
AIRPORT OPERATIONS	16,400	7,900	24,300	Fund Balance Carryover	Operating Expenses
LID CONSTRUCTION	300,000	900,000	1,200,000	Street & Property Owner Assessments	5th West Construction
REXBURG ARTS COUNCIL	51,700	4,000	55,700	Grants, Admissions	Supplies
COMMUNITY SAFETY LIGHTING	273,600	246,400	520,000	Fund Balance Carryover	Lighting Construction Projects
NON-AMENDED FUNDS	30,890,900	-	30,890,900		
GRAND TOTAL EXPENSE:	50,923,700	(1,689,600)	49,234,100		

Finance Officer Horner reviewed the changes (*additional revenues or carryovers*) which included one fund going down. Out of State revenue was receive for fighting fires.

Mayor Woodland opened the public hearing.

Written correspondence: – NONE

Public Testimony in favor of the proposal (5 minute limit): – NONE

Public Testimony neutral to the proposal (5 minute limit): – NONE

Public Testimony opposed to the proposal (5 minute limit): – NONE

Mayor Woodland closed the public hearing for deliberations:

Finance Officer Horner said these were final numbers.

AN ORDINANCE OF THE CITY OF REXBURG, IDAHO, AMENDING ORDINANCE NO. 1088, THE APPROPRIATION ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2012 AND ENDING SEPTEMBER 30, 2013: APPROPRIATING ADDITIONAL MONIES THAT HAVE BEEN OR ARE TO BE RECEIVED BY THE CITY OF REXBURG, IDAHO, AND BUDGET REDUCTIONS IN THE NET SUM OF \$-1,689,600 AND PROVIDING AN EFFECTIVE DATE.

Council Member Sutherland moved to suspend the rules for Ordinance 1106 to amend the 2013 Appropriation Budget to appropriate additional monies received by the City of Rexburg in the 2013 budget; Council Member Merrill seconded the motion; Mayor Woodland asked for a roll call vote:

<u>Those voting aye</u> Council Member Benfield Council Member Busby Council Member Merrill Council Member Smith Council Member Sutherland	<u>Those voting nay</u> None
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The motion carried.

Council Member Sutherland moved to approve the amendments to the 2013 Appropriation Budget and consider Ordinance 1106 third read; Council Member Merrill seconded the motion; Mayor Woodland asked for a vote:

<u>Those voting aye</u> Council Member Benfield Council Member Busby Council Member Merrill Council Member Smith Council Member Sutherland	<u>Those voting nay</u> None
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The motion carried.

Items for Consideration:

A. Approve Beer and Wine Applications – Staff

LICENSE_NO	NAME	END_DATE	CYCLE_CODE	ASSESS_CODE	ASSESSMENT_AMOUNT
000000102	H B BOYS LC (Chevron One Stop)	20130930	SEP	BEER	50.00
000000103	GREAT SCOTT'S #1-BEER	20130930	SEP	BEER	50.00
000000104	GREAT SCOTT'S #2-BEER	20130930	SEP	BEER	50.00
000000112	VALLEY WIDE CO-OP BEER LICENSE	20130930	SEP	BEER	50.00
000001746	MAVERIK - BEER	20130930	SEP	BEER	50.00
000001747	MAVERIK - BEER	20130930	SEP	BEER	50.00
000001749	BROULIM'S - BEER	20130930	SEP	BEER	50.00
000001927	APPLEBEE'S NEIGHBORHOOD GRILL & BAR	20130930	SEP	BEER-4	200.00
000002606	TETON LANES BEER	20130930	SEP	BEER-4	200.00
000002610	WALGREENS BEER LICENSE	20130930	SEP	BEER	50.00
000002627	WAL- MART #1878 BEER LICENSE	20130930	SEP	BEER	50.00
000002813	ALBERTSON'S BEER	20130930	SEP	BEER	50.00
000002817	WINGER'S- BEER LICENSE	20130930	SEP	BEER-4	200.00
TOTALS FOR B.LICENSE_TYPE:					1100.00
000000101	BROULIM'S - WINE	20130930	SEP	WINE	50.00
000000105	MAVERIK - WINE	20130930	SEP	WINE	50.00
000000106	MAVERIK - WINE	20130930	SEP	WINE	50.00
000001402	H B BOYS LC (Chevron One Stop)	20130930	SEP	WINE	50.00
000001403	GREAT SCOTT'S #1-WINE	20130930	SEP	WINE	50.00
000001404	GREAT SCOTT'S #2-WINE	20130930	SEP	WINE	50.00
000001928	APPLEBEE'S NEIGHBORHOOD GRILL & BAR	20130930	SEP	WINE-4	200.00
000002611	WALGREENS WINE LICENSE	20130930	SEP	WINE	50.00
000002628	WAL-MART #1878 - WINE LICENSE	20130930	SEP	WINE	50.00
000002814	ALBERTSON'S #171 WINE	20130930	SEP	WINE	50.00
TOTALS FOR B.LICENSE_TYPE:					650.00

Council Member Busby moved to approve the “renewal” of Beer and Wine licenses for 2014 as presented; Council Member Smith seconded the motion; Mayor Woodland asked for a vote:

Those voting aye

Council Member Benfield
Council Member Busby
Council Member Merrill
Council Member Smith
Council Member Sutherland

Those voting nay

None

The motion carried.

Staff Reports:

Public Works: – John Millar

- A. Approve Bid for the sale of 4.27 acres (at \$70,010 per acre) of City Property located east of 278 North 2nd West in Rexburg. The total bid price is \$298,942.

Discussion: **Public Works Director Millar** reviewed the minimum bid requested of \$70,000 per acre. He asked for approval to go forward.



DP Beck, LLC

2860 W. 5200 S.
Rexburg, ID 83440

Land holding company associated with DL Beck, Inc.

Owners: David and Pam Beck

Phone: 656-9344 Fax: 656-9345

Email: dlbeckinc@gmail.com

August 14, 2013

To The City of Rexburg,

DP Beck would like to submit a bid for the sale of property located east of 278 North 2nd West in Rexburg Idaho.

LEGAL DESCRIPTION:

Lot 1 Block 6 of the Original Rexburg Townsite of the City of Rexburg, Madison County, Idaho, as per the recorded plat thereof. ALSO: That portion of Third North Street between Lot 1 of Block 6 and Lot 1 of Block 13; and that portion of First West Street between Lot 1 of Block 6 and Lot 2 of Block 5, of the Original Rexburg Townsite of the City of Rexburg, Madison County, Idaho, as per the recorded plat thereof.

We propose to purchase the above stated land for \$70,010.00 per acre. Acreage being 4.27, bringing the total to \$298,942.70 for said property. We would also propose a 50/50 split of all closing cost.

Thank You,

A handwritten signature in black ink, appearing to read 'David L. Beck'.

David L. Beck

Council Member Sutherland moved to approve the only bid for the sale of 4.27 acres at \$70,010 per acre of City Property located east of 278 North 2nd West in Rexburg; Council Member Benfield seconded the motion; Discussion: it was advertised once a week for three weeks. The funds will be allocated to the Parks Department. It will be purchased “as is” by the bidder; however, a bike path will be planned when the property develops. The owner may seek to align the canal with the road. Mayor Woodland asked for a vote:

Those voting aye

- Council Member Benfield
- Council Member Busby
- Council Member Merrill
- Council Member Smith
- Council Member Sutherland

Those voting nay

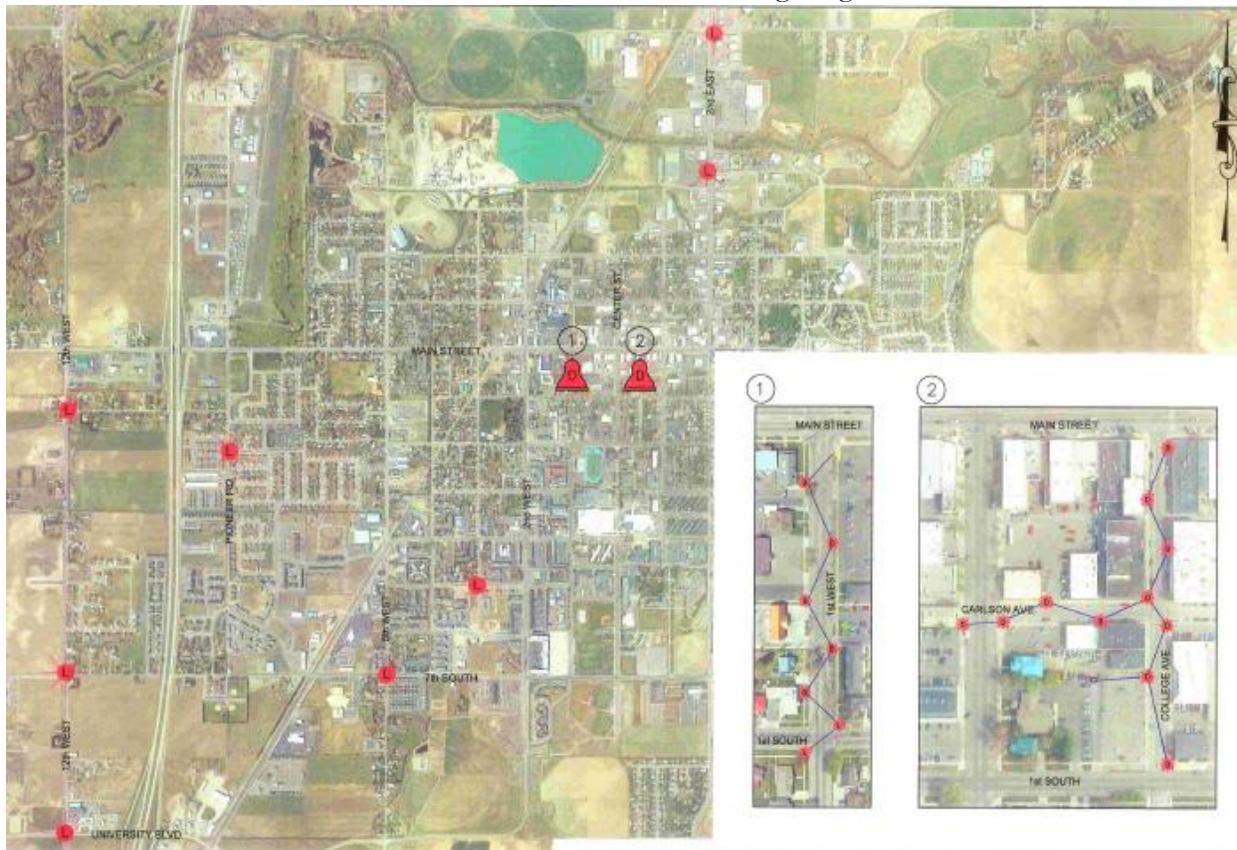
None

The motion carried.

Other Public Works Construction Projects:

1. Wastewater Treatment Plant is 75% complete.
2. A water well (*Number 1*) was down last Friday which caused tight water availability. The pump repair cost will be between \$25,000 to \$30,000. It is being repaired.
3. The new pump house on well seven by the water tower is being built.
4. 7th South micro seal was finished last Monday. It is 17 cents per square yard cheaper than chip sealing.
5. New Decorative street light locations were reviewed. College Avenue, Carlton Avenue, and 1st West. Council Member Busby asked about the long term plan for 12th West and 7th South. Public Works Director Millar said a traffic light or round-about may be needed. There will be two street lights at this intersection too. Council Member Busby asked for a traffic study on that intersection on the first two weeks of school. The lighting fund will pay for the new street lights. The cost of these new lights will be \$220,000 to \$240,000.

Council Member Sutherland asked for more street lighting on North 2nd East.



6. Mesa Fall trash containers are overflowing.
7. Pedestrian lights with buttons need to have a delay. The Hawk Signal does have a delay built in to the signal.

Finance Department – Richard Horner

Finance Officer Horner reviewed the following:

1. The Salary Survey is under way.
2. The Impact Fee review committee is being formed.
3. The Utility Billing Clerk has tendered her resignation; Finance Officer Horner requested permission to replace this position.

Council Member Busby moved to approve filling the position of “Utility Billing Clerk” in the Finance Department; Council Member Benfield seconded the motion; Mayor Woodland asked for a vote:

Those voting aye

Council Member Benfield
Council Member Busby
Council Member Merrill
Council Member Smith
Council Member Sutherland

Those voting nay

None

The motion carried.

Calendared Bills and Tabled Items:

A. “LAND USE ACTION” – BILLS RECOMMENDED/APPROVED IN A LAND USE PUBLIC HEARING PROCEDURE: – NONE

B. BILL Introduction: – NONE

C. First Reading: Those items which are being introduced for first reading:

1. Ordinance 1106 – Amend Appropriation Budget 2013

Discussion: Ordinance 1106 was approved and third read by suspending the rules at the previous public hearing to amend the 2013 budget.

D. Second Reading: Those items which have been first read:

Discussion:

AN ORDINANCE ENTITLED THE ANNUAL APPROPRIATION ORDINANCE OF THE CITY OF REXBURG, IDAHO, FOR THE FISCAL YEAR OCTOBER 1, 2013, TO SEPTEMBER 30, 2014, AND APPROPRIATING TO THE SEVERAL DEPARTMENTS, OFFICES AND FUNDS OF THE SAID CITY GOVERNMENT FROM THE REVENUE DERIVED FROM TAXES LEVIED FOR SAID FISCAL YEAR, AND ALL OTHER SOURCES, SUCH SUMS AS MAY BE NECESSARY OR DEEMED NECESSARY BY THE MAYOR AND CITY COUNCIL TO DEFRAY THE EXPENSES AND LIABILITIES OF SAID CITY FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2014; AND PROVIDING FOR THE EFFECTIVE DATE OF ORDINANCE.

Council Member Sutherland moved to consider Ordinance 1100 for the Appropriation Budget 2014 second read; Council Member Merrill seconded the motion; Mayor Woodland asked for a vote:

Those voting aye

Council Member Benfield
Council Member Busby
Council Member Merrill
Council Member Smith
Council Member Sutherland

Those voting nay

None

The motion carried.

E. Third Reading: Those items which have been second read: – NONE

Consent Calendar: The consent calendar includes items which require formal City Council action, however they are typically routine or not of great controversy. Individual City 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 August 07, 2013 meeting
- B. Approve the City of Rexburg Bills

Council Member Smith moved to approve the Consent Calendar and pay the bills; Council Member Benfield seconded the motion; Mayor Woodland asked for a vote:

Those voting aye

Council Member Benfield
Council Member Busby
Council Member Merrill
Council Member Smith
Council Member Sutherland

Those voting nay

None

The motion carried.

Council Member Busby asked to have public reminders for property owner’s responsibility for snow removal on sidewalks.

Adjourned at 8:59 P.M.

APPROVED:

Richard S. Woodland, Mayor

Attest:

Blair D. Kay, City Clerk