

# City Council Meeting

February 06, 2013

35 North 1<sup>st</sup> East  
Rexburg, ID 83440

blairk@rexburg.org  
www.rexburg.org

Phone: 208.359.3020 x2313  
Fax: 208.359.3022



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

February 06, 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.

**Roll Call of Council Members:**

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

**Boy Scout Troop 253** led the Pledge to the Flag.

**Sandra Affriyie** said the prayer.

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

**Judd Riley** at 3389 South 2000 West indicated he was having an event at the Archer School and his signs to advertise the event next Thursday and Saturday were taken down. He said the code limited his signs by size and type plus non-conforming use. He does not plan his events three months in advance; therefore, it is hard to comply with the sign code requirements. He reviewed Ordinance 1027, which restricts signs by size and type; however, he was requesting to allow his signs in Rexburg. City Attorney Zollinger reviewed Mr. Riley's sign request which is for temporary signs. The temporary signs fall under a separate application process, versus a permanent sign.

***Ordinance 1027: TEMPORARY SIGN:***

*A sign which is intended to be displayed for no more than thirty (30) days consecutively, and is not permanently affixed. All devices such as search lights, twirling or sandwich type signs, sidewalk or curb signs and balloons or other air or gas filled figures are allowed, but may not be used more than sixty(60) days in total during any calendar year. Temporary signs are only intended for and therefore allowed in non-residential zones.*

- 1. Unless otherwise regulated in this code (such as construction sign or real estate or property for sale, rent or lease sign) temporary signs must be reviewed by the planning and zoning administrator or designee for approval before being put up.*
- 2. Temporary signs must be recorded and logged in at the city with the approval of the planning and zoning administrator or designee.*

3. *In general, temporary signs are reserved for limited activities important to the citizens of the City of Rexburg. Signs shall be located outside of the City right-of-way, be 32 sq. ft. or less, and in good taste for the surrounding environment, and must be maintained in good condition as to color, material integrity (fraying, tearing, etc.), and structural alignment.*
4. *Examples of uses of temporary signs are for big events such as the International Dance Festival, Rexburg Rush, close out sales, going out of business sales, or other events held at limited allotted times of year.*
5. *Signs located within the City right-of-way and authorized by the City are exempt from these regulations.*

**Mr. Riley** was instructed to contact the Code Enforcement Officer at City Hall to comply with the temporary sign code. The Code Enforcement Officer can help clarify questions about the sign code. City personnel remove unauthorized signs when they are found inside the city. Mr. Riley's signs were located in front of private commercial properties. There were a total of six signs removed. He did contact the Code Enforcement Officer after his signs had been removed. Attorney Zollinger said craft fairs are an example of a temporary singular event.

**Presentations:**

**A. KENYA Project – Preston Lindsay**

**Preston Lindsay** at 876 Liberty Lane reviewed the proposal to support the children in Kenya. *Mr. Lindsay is an after school teacher at the Madison Middle School. He indicated "We've been given a wonderful opportunity as a community to help out about 1000 orphan children in Kakamega, Kenya. All of these children lost their parents to the AIDS epidemic, and are in destitution. A friend of mine, Kathleen Tucker, visited Kakamega a few years back and saw the horrible conditions these kids were in and had to help. With her associate Alice, they founded three schools to see to their various needs. A philanthropic opportunity is now available to us to help these students get a high school, and more than one meal a day."*

He and the students at the Madison Middle School have been working on the project for a month or longer. He is an alumnus from BYU-I attending graduate school at Pepperdine University in Social Entrepreneurship and Change: *"Pepperdine University is a Christian university committed to the highest standards of academic excellence and Christian values, where students are strengthened for lives of purpose, service, and leadership"*. Mr. Lindsay met Kathleen Tucker through his graduate school experience. She founded a non-profit organization for the Kenya Project. Kathleen is noted to be one of a hundred most influential women in the world.

*Kathleen Tucker  
Vice President  
KidsTalk Foundation  
Phone (858) 442-6601  
[Kathleen@KidsTalkAfrica.org](mailto:Kathleen@KidsTalkAfrica.org)  
<http://www.kidstalkkenya.org/info.htm>*

They want to provide a high school for 1,000 orphan children whose parents died of Aids. They either stay in the school or they sleep on a dirt floor that someone in the community will offer them. It is absolutely awful and the children are in dire need. They are living in abject poverty and in extreme violence. It is not uncommon for people to be assassinated. A director of the three schools lost a brother and father-in-law by assassination four months ago. Fund raising is the only way to help. You cannot send goods or school supplies to them because the goods would be divided up within corrupt circles; therefore, they are fund raising; seeking a \$100,000 to build the high school for \$20,000 and land for \$75,000.

The students need to develop a business plan to graduate from the high school. It has to be a Social Entrepreneurship because of their abject poverty and lack of any infrastructure; this is an opportunity to lift their community.

**Mr. Lindsay** indicated that they plan to start the fund raising with a garage sale at Madison Middle School, donated items that are not used any more from the community will be used for the event; also, a walkathon is planned to raise money. All of the money will go to the non-profit organization for the Kenya children. Last year the Madison Middle School students raised \$16,000 for the Japanese Tsunami Relief Fund by themselves.

*The [magnitude 9.0 Tohoku-Oki quake](#) was the most powerful earthquake to hit Japan and the [fifth-most powerful quake ever recorded](#), generating a tsunami that killed thousands and triggered a nuclear crisis. Research revealed the seafloor moved nearly 165 feet (50 meters) during the temblor.*

**Mr. Lindsay** hoped the events could gain community support. BYU-I book store will provide art work towards the third effort of an auction in the Hemming Village-Atrium. The orphans will also provide 150 pieces of art to be auctioned off. The final speaker at the auction will be Kathleen Tucker. Kathleen's friend will be showing a documentary video clip on girl's education worldwide. LDS Philanthropies locally are very interested in participating in the events. The hope is to open up a pathway program there to help the people help themselves; currently, it is not safe enough to begin. The first step is to open up the high school and give the teachers what they need to teach.

About three months ago, the children were suffering from a vitamin "A" deficiency; they could only eat once a day due to the meager circumstances. They also could only eat if they came to school. If they were sick and did not come to school, they did not eat. They are in the process of buying land to plant sweet potatoes. The sweet potatoes will help with the vitamin "A" deficiency. The sweet potatoes will also provide other nutrition for the children.

Professors and African Mission Presidents are planning to be at the art auction to support the children.

**Mr. Lindsay** gave a couple of examples of students trying to get educated. One young girl wants to be an aviation engineer. Another boy wants to be a brain surgeon. This boy sleeps on a dirt floor and he walks two hours to get to the school every morning and every night. He studies at home for hours on end until about 1:00 a.m. by candle light because there is no electricity.

They really want to give the children a chance to survive and gain an education. Mr. Lindsay asked the Mayor and City Council to help raise awareness about what is going on with the Kenya children. Help them make the connections to get the word out about the Kenya Project.

**Mr. Lindsay** loves Rexburg and he flies out to Rexburg from his schooling. This is an excellent opportunity to serve together and help these orphan children. They get calls every week concerning child abuse, rape, etc. This project is geared to making the environment safe for the children. For more information on the city and children visit [www.tucklets.org](http://www.tucklets.org).

**Council President Mann** asked to have the MYAB involved to support the effort in mid-March. Council Member Sutherland suggested using the city sign on East Main Street to advertise the art auction. He suggested the Bill and Melissa Gates Foundation for some support.

**Mr. Lindsay** said there are a lot of ways to go get the money; however, this is an opportunity to bring the community together to have a positive influence on the children in Kenya.

**Council Member Merrill** suggested Rexburg service clubs need to be involved also.

#### **Committee Liaison Assignments for 2013:**

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

**Council President Mann** reported his committees have met; some two times. The Emergency Services Board met on January 24<sup>th</sup> to rewrite the rules for dispatching the Madison Fire Department personnel and equipment to fires outside the Rexburg area to ensure some definite rules to keep adequate personnel locally to cover any fires. They have assisted with fires outside the area for the state and regional area including two notable fires:

1. Pocatello fire burned 70 homes
2. Mustang fire in Salmon, Idaho (*Sept. 9, 2012 (Reuters) - A massive Idaho wildfire forced hundreds of people from their homes on Sunday as high winds pushed the blaze to within miles of two communities. Managers of the 260,000-acre Mustang Complex fire, ignited by lightning in July in mountainous pine forests dissected by steep, narrow canyons in the Salmon-Challis National Forest,*

*prepared to defend threatened houses along a strategic stretch of highway near the two towns in east-central Idaho.) (Rexburg had a medical trailer and other fire trucks on several fires outside Madison County.)*

The funding revenue from the state received for 24 employees dispatched to fires outside the area was over \$400,000. The Emergency Services Board reviewed the policy for dispatching personnel and equipment outside the Fire District. Finance Officer Richard Horner proposed changing the cost allocation between the City and the Madison County Fire District to a 50/50 split. It is currently a 60/40 split with the fire district at 60%. He suggested changing the formula to have a 50/50 split on all operating costs. It is a difference of about \$120,000. The capital costs are already being split.

MYAB has met two times in the last two weeks; they did signups for the Chamber of Commerce Dinner; they did some volunteer work and made valentines for people at the Homestead Nursing Home; they are planning Rexburg Days. They will sell concessions for Upper Valley Idol. The Golf Board met and they will donate a golf pass to the Chamber Dinner auction event. They discussed hole number one at the Municipal Golf Course where the trees along West Main Street were removed. City Attorney Zollinger said a template can be used to check hole location for liability.

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

**Council Member Busby** reported GIS has not met; the Airport Board met and awarded Bart Webster a plaque for his years of service on the Airport Board. The Airport Board recommended an outside consultant to engineer an upcoming project at the airport. They discussed a letter sent out to the hanger owners on the fuel tax.

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 reviewed their list of priorities. A couple of curb cuts are needed for the trails. They are seeking public input to expand the trails system for bike lanes and walking paths. They are seeking a CHC Grant to expand the trails system. MEPI met to discuss new startup businesses. Syphon Soundwear and Appible, two businesses who are growing rapidly gave presentations.

*Information on Syphon Soundwear:*

*“Syphon sells flexible, wearable, wireless speakers in the action sports industry. Thin, flexible speakers can be used in hundreds of applications, like helmets, beanies, jackets, hoodies, and more. Syphon's first products will be in the motor sports market. If you've ever tried listening to music using earbuds underneath your helmet, you know just how uncomfortable it can be. They irritate your ear, fall out easily, and are just a hassle. With Syphon's thin, soft, flexible speakers, you don't have to worry about annoying earbuds ever again.”*

*- <http://www.syphonsoundwear.com>*

*Information on Appible:*

*“As one of the top mobile applications publishers, Appible® has created over 1,100 mobile applications across 5 phone platforms (iPhone, Android, Blackberry, Palm, Nokia) in 15 world languages, with sales in dozens of countries worldwide. Appible also creates content for other electronics and devices such as Xbox 360, PlayStation 3, and PlayStation Portable – as well as Windows, Mac and Linux™ computers. Appible’s new line of officially licensed wallpapers and themes – dubbed Digital Skins™ – connects brands and fans with many ways to personalize their smartphones, computers, and gaming consoles. With over 100 brand partnerships and counting, Digital Skins are proving popular with brands and fans alike. Appible has had numerous applications reach the #1 position for sales in the Apple App Store (iPhone/iPod touch) in a dozen countries, in their respective categories. The Digital Skins application that Appible has created for licensed partner Jordan Outdoor Enterprises – makers of Realtree® (Realtree.com) hunting camouflage – has enjoyed a top 25 position in sales in the US Apple App Store for iPhone (Sports category). The iPad Digital Skins application that Appible created for Mossy Oak® was recently hand-selected by Apple to be included in the US Apple App Store under the “New & Noteworthy” section of the Sports category. Appible is headquartered in Rexburg, Idaho.”*

*-<http://appible.com>*

**Madison School District Superintendent Geoffrey Thomas** gave a presentation at MEPI. He presented statistics in Madison School District. The Madison School District has 5,055 students with a 98.7% graduation rate and 85% of students go to post-secondary education. 30 seniors scored over 30 on the ACT's. The Consolidated Hospitals Corporation trails grant comes out of Idaho Falls; the grant money is awarded locally. The Rexburg skate park was built with grant money from CHC. Six students were recognized at the meeting for scoring over 30 on the ACT. Council Member Busby explained a federal audit of the school district considered Madison County School District one of the best they have seen in the state.

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 committee has not met. The Arts council met last week. New windows will be installed in the Romance Theatre. The Tabernacle is in need of new chairs for performances and events. Twenty-four new chairs for the Tabernacle will cost \$1,700 with an additional \$400 freight cost.

**Council Member Smith** explained the History of Madison County:

*"A Board of Education was formed in August of 1888... The Board of Education was established with the idea of beginning an academy in the town... They also ordered three dozen seats and desks at a cost of forty dollars per dozen. Immediately there was an effort throughout the area to raise money to be able to open the school. Rexburg donated \$186.10 in cash along with forty bushels of wheat and two steers. Various other communities donated eggs, potatoes, etc."*

- <http://www.madisoncountycentennial.com/pages/history.php>

**Council Member Smith** encouraged the City Council to purchase the chairs and donate them to the Tabernacle. Finance Officer Richard Horner explained there is enough room in the Tabernacle supplies budget to purchase the chairs.

**Council Member Busby** moved to approve the purchase of 24 chairs for the Tabernacle at a cost of about \$2,200 to start the replacement of older chairs; Council Member Benfield seconded the motion; Mayor Woodland asked for a vote:

**Those voting aye**

Council President Mann  
Council Member Benfield  
Council Member Smith  
Council Member Busby  
Council Member Sutherland  
Council Member Merrill

**Those voting nay**

None

**The motion carried.**

**Council Member Smith** reviewed the web site for the Madison County Centennial at [www.madisoncountycentennial.com](http://www.madisoncountycentennial.com). The event will start with a kickoff event at the Madison County Court House on Monday February 18<sup>th</sup> at 1:00 p.m... There has been lots of planning for the event. There will be an unveiling of pictures and art for sale. Eldred Stephenson is the Grand Marshal for the Madison County Centennial Parade. Council Member Smith unveiled a centennial blanket to be sold at the kickoff event. The blankets will sell for \$69.00 starting on February 18<sup>th</sup>; she asked everyone to support the coming events for the centennial throughout the year.

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

**Council Member Merrill** reported the Recreation Department Snow Fest went well. The figure 8 race turned out bigger this year. The County Fair Grounds would be a better location for the race. The spectator seating at the fairgrounds would make the race a larger event. The Traffic and safety committee was really well attended and a lot of input was given. The

intersection at the bottom of Millhollow Road by Madison Junior High School was discussed; in an effort to make the intersection safer they are working with the school district to extend the sidewalk another 60 feet and put another crosswalk on the west side of the intersection. The Traffic and Safety Committee reviewed city signage to make sure up to date signage is posted throughout the city. Snow removal is always an issue and different snow removal strategies were discussed in the meeting to alleviate issues. They are doing the best they can to avoid covering sidewalks and driveways. The city has a new snow blower to take snow off main street, etc. Council Member Busby asked about 7<sup>th</sup> South traffic going east up the hill. He asked for signage to warn drivers of the slick roads going up 7<sup>th</sup> South. Council Member Merrill indicated sanding would be the best solution.

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

**Council Member Sutherland** reported Planning & Zoning has not met. Rexburg Police Chief Turman purchased a new parking attendant car for \$9,000. The police continue to work on the Eastern Idaho Credit Union Bank Robbery and a counterfeiting case out of California. A nationwide press release was given in California on the bank robber dubbed the AK47 Bandit. The robber is still at large. The police department recently held a four day K9 training for dogs and handlers from around the state of Idaho and Montana. Six officers from the department were sent to the field officers training school. The police department is now using AlertID. AlertID will be available on the 12<sup>th</sup> of February. Message from Police Chief Turman:

*Dear Rexburg Residents,*

*The Rexburg Police Department is offering an exciting new program, AlertID, and you are invited and encouraged to participate. AlertID is a new public safety information and crime prevention tool that has been providing services in the State of Idaho. AlertID has been proven to help reduce crime in communities, and it is completely free of charge to citizens and law enforcement agencies.*

*I am proud to announce that the City of Rexburg Police Department is one of the first agencies in Idaho to make AlertID available to you, the residents we serve. To ensure the success of this program, I am requesting your involvement and participation in making our community a safer place to live.*

*Sincerely,  
Chief Shane Turman  
Rexburg Police Department  
Chief of Police*

*Citizens are able to join for free at [www.AlertID.com/Rexburg](http://www.AlertID.com/Rexburg).*

**Mayor's Report:**

**Mayor Woodland** reported on a trip to Boise for Chamber Days and meetings with the Association of Idaho Cities. Chamber Days is held by the Idaho Chamber Alliance. *“The Idaho Chamber Alliance was formed to help our local Chambers stay informed of what was happening at the State Legislature, stay connected with the issues and to help make an impact on the issues that affect our businesses, our economies and our communities. We represent 10,585 businesses throughout the state, small, medium and large.”* - <http://www.idahochamberalliance.com>.

**Mayor Woodland** explained the state legislature consists of 30% new members. They met with the Idaho State Supreme Court, State Legislators, and Governor Butch Otter. The State legislation issues were discussed including an issue dealing with personal property tax. Many cities and counties will be affected by the elimination of personal property tax.

**Public Hearings:** – NONE

**Items for Consideration:** – NONE

**Staff Reports:**

**Public Works:** – John Millar

**Public Works Director Millar** reviewed the need for a backup capacity pump by the elevated water tower before July. With the new pump the well will have full back up capability. Seven companies bided for the pump. Agricultural Services was the lowest bidder, however, the bid was not in compliance with the specifications of the pump. The bid is recommended to be awarded to the second lowest bidder, Pumptech at a price of \$65,425. A building will be completed before July to secure the pump and well equipment. The cost of the project includes the pump, motor shafting, pump head, installation of the pump, a water depth measuring device and a one year warranty.

**300 HP Pump Bid Results:**

<b>Bidder</b>	<b>Bid Amount</b>
Agricultural Services	\$60,834.00
<b>Pumptech</b>	<b>\$65,425.00</b>
CH Spencer	\$65,500.00
American Pump	\$66,865.00
Pumpco	\$84,851.28
High Plains Drilling	\$131,263.00
Boartlongyear	\$186,274.00

**Council Member Smith** moved to accept pump bid from Pump Tech at \$65,425, the 2<sup>nd</sup> bidder as presented; Council Member Merrill seconded the motion; Mayor Woodland asked for a vote:

**Those voting aye**

Council President Mann  
Council Member Benfield  
Council Member Smith  
Council Member Busby  
Council Member Sutherland  
Council Member Merrill

**Those voting nay**

None

**The motion carried.**

**Public Works Director Millar** reviewed the Amiad Screen System bid. It is a screen used at the waste water treatment plant to screen water fine enough to be used as irrigation. It is a capital cost for about a 20 year life.

**Amiad Screen Bid Summary:**

<b>Bidder</b>	<b>Amount</b>
<b>2M Company</b>	<b>\$16,460.88</b>
H.D. Fowler	\$16,960.95
John Deere Landscaping	\$17,506.63
Falls Plumbing Supply	\$17,711.16
Ferguson Supply	\$18,700.00

**Council Member Sutherland** moved to accept the Amiad screen bid from 2M Company for \$16,460.88; Council Member Merrill seconded the motion; Mayor Woodland asked for a vote:

**Those voting aye**

Council President Mann  
Council Member Benfield  
Council Member Smith  
Council Member Busby  
Council Member Sutherland

**Those voting nay**

None

Council Member Merrill

**The motion carried.**

**Public Works Director Millar** indicated the new Street Snow Blower can fill a 25 yard truck in 22 seconds. There have been repairs made to the mounting plate. A complete maintenance review of the new snow blower will be performed by the manufacturer in Burley, Idaho this coming summer. It takes about \$5,000 a day to clear snow with city crews. It can cost up to \$40,000 per day with city and outside crews. This year’s budget shows about \$7,000 of contracted worked to clear the snow.

**Finance Department** – Richard Horner

**Finance Officer Horner** explained the auditors will present the City of Rexburg Audit next City Council meeting on February 20<sup>th</sup>, 2013. The budget in brief can be found online at [www.rexburg.org](http://www.rexburg.org).

**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: – NONE
- D. Second Reading:** Those items which have been first read:
  - 1. **BILL 1098** – Creation of LID 43

**Council Member Sutherland** moved to second read BILL 1098; Council Member Busby seconded the motion; Discussion: Public Works Director Millar asked to suspend the rules on this BILL to allow the Staff to begin work on the LID this winter. Council Member Sutherland withdrew his motion; Council Member Busby withdrew his second.

**Council Member Busby** moved to suspend the rules for BILL 1098 for the creation of LID 43; Council Member Benfield seconded the motion; Mayor Woodland asked for a roll call vote:

<b><u>Those voting aye</u></b>	<b><u>Those voting nay</u></b>
Council President Mann	None
Council Member Benfield	
Council Member Smith	
Council Member Busby	
Council Member Sutherland	
Council Member Merrill	

**The motion carried.**

**Council Member Busby** moved to third read and approve BILL 1098 for the creation of LID 43; Council Member Sutherland seconded the motion; Mayor Woodland asked for a vote:

<b><u>Those voting aye</u></b>	<b><u>Those voting nay</u></b>
Council President Mann	None
Council Member Benfield	
Council Member Smith	
Council Member Busby	
Council Member Sutherland	
Council Member Merrill	

**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 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 January 16, 2013 meeting
- B. Approve the City of Rexburg Bills

Discussion:

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

**Those voting aye**

Council President Mann  
Council Member Benfield  
Council Member Smith  
Council Member Busby  
Council Member Sutherland  
Council Member Merrill

**Those voting nay**

None

**The motion carried.**

Adjourned at 8:11 P.M.

APPROVED:

\_\_\_\_\_  
Richard S. Woodland, Mayor

Attest:

\_\_\_\_\_  
Blair D. Kay, City Clerk