

City Council Meeting

March 20, 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

March 20, 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

5:30 P.M. City Hall – Joint Work Meeting with Madison County Commissioners

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

County Officials Attending: Commissioner Todd Smith, Commissioner Jon Weber, Commissioner Kimber Ricks.

A. Madison Economics Partners Inc. – Economic Development Director Scott Johnson

Economic Development Director Scott Johnson explained the beginnings of Envision Madison. The idea came from Robert Grow who founded Envision Utah. Envision Utah was created to solve Utah's growing pains with infrastructure, economy, job market, etc. After meeting with Robert Grow, Madison Economic Partners decided to begin the process of creating Envision Madison. An executive committee was created for Envision Madison. The committee has selected stakeholders from City and County residents to participate in the process. Envision Madison will meet monthly with stakeholders to work out the details of Envision Madison.

Discussion on the stakeholders involved and the costs of the project. It will initially cost \$289,000 in order to receive professional service from Robert Grow and his team. Funding has already begun through various stakeholders and entities involved. Funding from government entities are anticipated to be minimal until plans of action are created from the project.

B. Municipal Golf Course Sidewalk project

Deputy Finance Officer Matt Nielson discussed the cost for the Municipal Golf Course sidewalk project. There are different options to consider when deciding the height and type of fence that would work best along the sidewalk. Commissioner Todd Smith asked if the project could be completed in phases. Public Works Director John Millar said installing the fence would be a priority due to liability.

Discussion on the type of fence to use for the project.

Council Member Merrill proposed an idea for making a mini-golf course in the area where the first hole is currently located. Discussion on what should be done to improve the area for the community and provide safety for pedestrians.

Muni Golf Course Main Street Development Cost Estimates			
		Linear Feet of Project <u>1250</u>	
Sidewalk (5' Wide)	Cost/Sq. Yard		
Excavation, Backfill, Compaction	5.75	\$	3,998
Concrete Installation	39.95	\$	27,743
Total Sidewalk Cost		\$	31,736
Railing		\$	3,000
6' Vinyl Picket Fence*		\$	29,750
Relandscape Trees/Shrubs on West End		\$	3,000
Landscape w/irrigation (\$12/ft)		\$	15,000
		Cost	\$ 82,486
Engineering	12%	\$	9,898
Total Estimated Cost		\$	92,384
Fence/Landscape Options (includes material and installation):			
	Cost/Linear Foot	Cost	
8' Chain Link/ft.	21.12	\$	26,400
6' Vinyl Picket Fence	23.8	\$	29,750
* Will need to consider the liability of a Vinyl versus chain link fence			

Council Member Busby moved to approve splitting the cost 50/50 for the sidewalk and railing with the county; not to exceed \$36,000 with each entity budgeting \$18,000 as discussed with the county's portion coming out of the 2014 Budget; Council Member Sutherland 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.

C. Prefunding of Airport Capital Projects

Airport Prefunding Discussion			
2014 Projected Construction Cost-			
1,350,000	Move taxiway 240' off center of runway & reconstruct apron		
\$ 1,215,000	FAA Grant (Includes 4 years of annual allotment & discretionary funds)		
\$ 94,500	City/County Cash Match (7%)	\$ 47,250	Each
\$ 40,500	State Match (3%)		

Deputy Finance Officer Nielson discussed discretionary matching funds for the project required by FAA. Public Works Director Millar stated the funds would need to be used within a certain amount of time otherwise they will be lost. \$47,250 is the cost that will be allocated over 2 years. Discussion on the future of the airport and the implications of the 2014 project.

Council Member Mann moved to approve the Prefunding of Airport Capital Projects as discussed with the city's portion of (\$47,250) being split between 2014 and 2015; 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.

D. Fiscal year 2012/ 2013 Budget – Deferred

E. Joint City/County entities (Golf, Airport, etc.) – Deferred

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.

Benjamin Dye and Braxton Kauer from Boy Scout Troop 356 led the Pledge to the Flag.

Larry Widdison said the Prayer.

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

Presentations:

A. Life Saving Award presented by Fire Chief Child and Mayor Woodland to Community Member Rick Hill, who initiated CPR on a co-worker at Taylor Chevrolet.

Presentation by Fire Chief Corey Child:

Fire Chief Child explained last May the Madison Fire Department received a call for a downed man with CPR in progress. Rick Hill was administering CPR to his co-worker J.T. Hightsman. It has been determined that without Rick Hills intervention J.T. Hightsman would have passed away. Rick Hill defaulted to what he learned when he was a Boy Scout. J.T. Hightsman is in full health and has returned to work at Taylor Chevrolet.

Committee Liaison Assignments for 2013:

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

Council President Mann reported the Golf Board and the Emergency Services Board have not met. MYAB has been providing concessions and ushering at the Romance Theatre for Upper Valley Idol. MYAB will be holding Rexburg Days cleaning at Smith Park and Porter Park. The community is invited to come and help with the cleaning. Travis Gugleman will hold concerts at the Romance Theatre April 11-13 and the MYAB will be doing concessions.

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

Council Member Busby reported none of his committees have met.

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

Council Member Benfield reported none of her committees have met.

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

Council Member Smith reported the Arts Council met last week. Upper Valley Idol was a success making \$3,000 more this year. The city will donate the Spanish dancer costumes to the Madison County School District who now oversees that dancing program. The wings have been restored on the Stearman plane at the Legacy Flight Museum.

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

Council Member Merrill reported Traffic and Safety Committee has not met. The Recreation Department is concluding winter programs and is beginning summer registration on April 15th. As the weather warms up the pool will be cleaned in preparation for their opening on Memorial Day weekend. There will be another figure 8 race on March 30th. Council Member Busby asked regarding city liability on the figure 8 race. Assistant Attorney Mike Sexton explained the figure 8 participants should have their own insurance and liability coverage. The Urban Renewal Agency needs to re-appoint committee members.

Council Member Merrill moved to re-appoint Glen Pond and Rex Erickson until January 2018; Rich Ballou and Joseph West until January 2016; Council Member Sutherland seconded the motion; Mayor Woodland asked for a vote:

Those voting aye

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

Those voting nay

Council Member Busby

The motion carried.

Council Member Merrill explained Madison County has asked the city to make a donation to the New Centennial Park that will be built. Council Member Smith explained the donation could come from the Arts Promulgation Fund.

Council Member Sutherland moved to approve a donation of \$10,000 from the Arts Promulgation Fund for the artwork done at the Madison County Centennial Park. Council Member Smith 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.

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

Council Member Sutherland reported Planning & Zoning met. He commended the Police Department for their outstanding work.

Mayor's Report:

Public Hearings: – NONE

Items for Consideration:

- A. Rezone – 577 South 5th West – Medium Density Residential 2 (MDR2) to High Density Residential 1 (HDR1)**

Presentation by Applicant:



Jonathan McMullen at 577 South 5th West explained the property up for consideration. The zone change is for the entire parcel of land. They will be building on the vacant side of the parcel. The zone change was unanimously approved by Planning and Zoning. This area is Moderate to High Density Residential in the comprehensive plan.

Discussion:

Council Member Merrill moved to approve the rezone at 577 South 5th West from Medium Density Residential 2 (MDR2) to High Density Residential 1 (HDR1); Council Member Smith 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.

- B. Resolution 2013-03 Fair Housing – Tina Daniels, Grant Administrator, The Development Company**

Discussion:



CITY OF
REXBURG
America's Family Community

**CITY OF REXBURG
Fair Housing Resolution 2013 – 03**

WHEREAS, April 2013 marks the 45th anniversary of the passage of Title VIII of the Civil Rights Act of 1968, commonly known as the Federal Fair Housing Act; and

WHEREAS, the Idaho Human Rights Commission Act has prohibited discrimination in housing since 1969; and

WHEREAS, equal opportunity for all-regardless of race, color, religion, sex, disability, familial status or national origin-is a fundamental goal of our nation, state and city; and

WHEREAS, equal access to housing is an important component of this goal-as fundamental as the right to equal education and employment; and

WHEREAS, housing is a critical component of family and community health and stability and

WHEREAS, housing choice impacts our children’s access to education, our ability to seek and retain employment options, the cultural benefits we enjoy, the extent of our exposure to crime and drugs, and the quality of health care we receive in emergencies; and

WHEREAS, the laws of this nation and our state seek to ensure such equality of choice for all transactions involving housing; and

WHEREAS, ongoing education, outreach and monitoring are key to raising awareness of fair housing principles, practices, rights and responsibilities; and

WHEREAS, only through continued cooperation, commitment and support of all Idahoans can barriers to fair housing be removed;

NOW, THEREFORE, I, RICHARD S. WOODLAND, MAYOR of City of REXBURG, IDAHO, Madison County, do hereby proclaim April 2013 to be

FAIR HOUSING MONTH

In the City of REXBURG, Madison County, State of Idaho.

Passed by the City Council and approved by the Mayor 20th day of March, 2013.

IN WITNESS WHEREOF, I have hereunto set my hand at the City of REXBURG, Madison County in City Hall on this 20th day of March, in the year of our Lord 2013.

Richard S. Woodland, Mayor

ATTEST:

Blair D. Kay, City Clerk

Council Member Mann moved to approve Resolution 2013-03 for Fair Housing; Council Member Sutherland 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.

C. Resolution 2013-04 Sewer Utility Rate Change for 1” water meters

Presentation by Staff:

Deputy Finance Officer Matt Nielson explained the purpose of the resolution. Residents are able to choose the size of their water meter; each meter size has a base rate for water and sewer usage. Some single family residents have a 1 inch water meter and they are charged the water and sewer usage rate for that meter; however, they only use that meter to water their lawn and do not have a 1 inch demand for sewer usage. This resolution allows single family residents to be charged the ¾ inch base rate for sewer even though they have a 1 inch meter. This only affects about 59 homes within the community.

Discussion:

RESOLUTION 2013-04

A resolution of the City of Rexburg, Idaho, adopting a new rate schedule for water, sewer, garbage fees.

WHEREAS, the City Council desires to maintain the overall quality of life experienced by its constituents; and

WHEREAS, the City Council desires to collect from all water, sewer, and garbage users an equitable user fee that reflects their appropriate share of operating costs, depreciation and debt service;

NOW THEREFORE, be it resolved by the Mayor and the Council of the City of Rexburg, effective March 1, 2013, the water, sewer, and garbage fees to be charged shall be as follows:

New Monthly Cost:

<i>Garbage</i>		<i>no change</i>
<i>Water</i>	<i>Base Fee for .75” Equivalent Meter</i>	<i>no change</i>
	<i>Usage Fee per 1,000 Gallons over 6,000</i>	<i>no change</i>
<i>Wastewater</i>	<i>Fee for 1” Single Family Residential Equivalent Meter</i>	<i>\$13.34</i>
	<i>Usage Fee per 1,000 Gallons</i>	<i>no change</i>
	<i>Other City Usage Fee per 1,000 Gallon</i>	<i>no change</i>
<i>Out of City Limits</i>		<i>no change</i>

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR THIS 20th DAY OF MARCH, 2013.

RICHARD S. WOODLAND, MAYOR

ATTEST:

BLAIR D. KAY, CITY CLERK

Council Member Benfield moved to approve Resolution 2013-04 for a Sewer Utility Rate Change for 1” water meters; 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.

Staff Reports:

Public Works: – John Millar

Public Works Director Millar reviewed city projects.

1. The winter projects are finishing. The street sweepers are out cleaning.
2. The streets are being patched as the ground thaws.
3. The recycling program has been moving into the commercial market. The BYU-I now dumps the recycling containers by Albertsons. The recycling program has been saving the city in man hours and tipping fees.
4. The state will seal coat Highway 33 this year. Hwy 33 is routed through Rexburg’s Main Street.

Finance Department – Matt Nielson

Deputy Finance Officer Nielson presented the budget summary report on the overhead screen.

CITY OF REXBURG
FY 2013

BUDGET SUMMARY REPORT
5 months ending 2/28/2013

Page 1

EXPENDITURES

OPERATING EXPENDITURES

	BUDGET	ACTUAL	42%	FORECAST
Mayor, Council	253,000	86,977	34%	252,800
Economic Development	197,300	61,171	31%	171,800
Cultural Arts	314,600	53,030	17%	226,300
Customer Services	286,300	98,548	34%	290,700
Information Technology	325,800	88,392	27%	325,800
Financial Management	751,600	276,023	37%	750,400
Legal Services	216,900	75,170	35%	232,600
Planning & Zoning	150,100	49,577	33%	159,800
Building Safety	604,400	160,376	27%	469,100
GIS	428,800	159,092	37%	434,900
Emergency Services	2,601,700	919,196	35%	2,987,200
Golf Courses	456,600	112,857	25%	462,500
Parks & Ball Diamonds	540,400	92,829	17%	582,300
Recreation Administration & Programs	266,600	54,424	20%	286,900
Riverside Aquatic Center Operations	494,000	23,789	5%	383,300
Miscellaneous: MYAB, Airport, Legacy Flight Museum	134,600	37,343	28%	141,800
Police Department				
Administration Division & Fund 09	1,007,200	344,348	34%	1,023,700
Patrol Division & Funds 13	1,768,900	637,919	36%	1,916,000
Investigations Division	638,300	215,471	34%	677,200
Community Services Division & Funds 08,11,14	601,900	180,133	30%	613,600
Total Police Department	4,016,300	1,377,871	34%	4,230,500
Public Works				
Public Works Director & Engineering	421,000	132,335	31%	419,600
Shop	399,400	115,462	29%	416,400
Sanitation	1,603,600	497,110	31%	1,579,100
Water	2,035,200	604,982	30%	1,924,700
Wastewater	3,667,400	1,089,211	30%	3,640,700
Street Operations	1,648,400	618,424	38%	1,642,600
Street Repair Contracts	795,800	16,512	2%	373,200
Total Public Works	10,570,800	3,074,036	29%	9,996,300
TOTAL OPERATING EXPENDITURES	22,609,800	6,800,701	30%	22,385,000
NON-OPERATING EXPENDITURES				
General Fund Contingency	100,000		0%	
General & Street Fund Transfers	1,777,600		0%	1,777,600
Construction 06,30,31,32,36,39,41,42,44,46,49,51-58,82,85	14,773,000	787,360	5%	9,882,600
Contributed Capital	3,200,000		0%	3,200,000
Capital Reserve Funds 07,18,20,33,34,35,38	7,185,400	81,158	1%	6,667,500
LID Debt Service Funds 59-69	476,200		0%	476,200
Trust & RLF Funds 15,16,19,21,22,90,91	801,700	126,270	16%	575,200
TOTAL NON-OPERATING EXPENDITURES	28,313,900	994,788	4%	22,579,100
TOTAL EXPENDITURES FOR ALL FUNDS	50,923,700	7,795,489	15%	44,964,100

46	SEWER & WATER LINE EXTENSION	25,946	437	26,383	1,000,000	3%	-26,383
35	SEWER CAPITAL RESERVE		80,959	80,959	2,896,000	3%	2,521,299
52	SEWER PLANT CONSTRUCTION	480,953	-	480,953	4,969,000	10%	3,132,799
33	STREET IMPACT FEES		-		300,000	0%	131,043
44	STREET NEW CONSTRUCTION	130	-	130	2,292,000	0%	1,865
02	STREET OPERATIONS	182,008	152,592	360,501	695,101	29%	313,487
43	STREET REPAIR CONTRACTS		9,309	7,203	16,512	2%	-16,512
04	TABERNACLE (Audtrm. /Museum)	6,924		16,368	23,292	22%	11,624
05	TABERNACLE ORCHESTRA			913	10,600	9%	8,251
39	TRAILS OF MADISON COUNTY			161	100,000	0%	-161
25	UTILITY (Water, Sewer, Garbage)	380,325	664,760	1,573,911	2,618,996	31%	25,398,213
90	VETERANS MEMORIAL		869	-	869	14%	4,946
34	WATER CAPITAL RESERVE			-	2,782,000	0%	1,656,062
42	WATER TANK AND WELL		49	-	49	0%	-49
TOTAL		2,992,490	1,800,088	4,685,375	9,487,021	50,923,700	19% 39,307,793

Citizens are invited to inspect the detailed supporting records of the above financial statement.

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. BILL 1101 AMENDING ORD 1094 Stopping, Standing, Parking**

“SECTION III” of Ordinance 1094 shall be amended to read as follows:

(A) Every vehicle at all times while being driven, stopped or parked upon the streets or alleys or publicly managed parking lots of the City of Rexburg, shall (1) be registered in the name of the owner thereof in accordance with the laws of the State of Idaho, unless such vehicle is not required by the laws of Idaho to be registered; (2) display in proper location and position, valid registration plates for the state from which the same are issued; (3) not constitute an obstruction to the free flow of traffic in accordance with the designed intent of the streets or alleys or publicly managed parking lots of the City of Rexburg; (4) not constitute a nuisance, defined for purposes of this Ordinance as any vehicle having four (4) or more unresolved violations of any provisions of this Ordinance or Parking Ordinance 1094.

(B) Any vehicle in violation of any of the above cited requirements of this Section, may be towed from the streets or alleys or publicly managed parking lots of the City of Rexburg at the owner’s expense, and held until all unresolved violations pertaining to the nuisance vehicle have been fully resolved.

Discussion:

Assistant City Attorney Mike Sexton explained the amendment. The amendment defines a nuisance vehicle and the penalty for such vehicle in violation.

Council Member Benfield moved to first read BILL 1101 AMENDING ORD 1094 Stopping, Standing, Parking; Council Member Mann 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.

- D. Second Reading:** Those items which have been first read: – NONE

E. Third Reading: Those items which have been second read:

1. **BILL 1093 AMENDING ORDINANCE 618** for Backflow Devices

SECTION IV: USE OF BACKFLOW PREVENTION DEVICES.

9. *In the event that documentation of test and repairs are not received by June 1st of the year when required, the City at the property owner's expense, may hire a State of Idaho licensed backflow prevention tester to test the backflow device(s) and add the cost of the test(s) plus a handling fee of \$10.00 to the property owner's City of Rexburg utility bill.*

Discussion:

Council Member Smith moved to third read and approve **BILL 1093 AMENDING ORDINANCE 618** for Backflow Devices; 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.

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 March 06, 2013 meeting
- B. Approve the City of Rexburg Bills

Discussion:

Council Member Busby moved to approve the Consent Calendar and pay the bills; 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.

APPROVED:

Richard S. Woodland, Mayor

Attest:

Marianna Gonzalez, Deputy City Clerk