

City Council Meeting

November 19, 2014

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CITY OF
REXBURG
America's Family Community

November 19, 2014

Mayor Richard Woodland

Council Members:

President Sally Smith Jordan Busby
Donna Benfield Jerry Merrill
Christopher Mann Brad Wolfe

City Staff:

Stephen Zollinger – City Attorney
Matt Nielson – Finance Officer
John Millar – Public Works Director
Val Christensen – Community Development Director
Scott Johnson – Economic Development Director
Blair Kay – City Clerk

5:00 P.M City Hall – JOINT MEETING with the Planning and Zoning Commission.

(meal provided)

Attending: Council Member Mann, Council Member Benfield, Council Member Busby, Council Member Merrill, Council Member Wolfe and Council President Smith.

Mayor Woodland asked to be excused.

Attending from the Planning and Zoning Commission: Thaine Robinson, Jedd Walker, Dan Hanna, Melanie Davenport, Bruce Sutherland, Mark Rudd, Steve Oakey, and Tisha Flora.

A. Urban Renewal discussion on property located on the corner of 2nd West and 1st North.

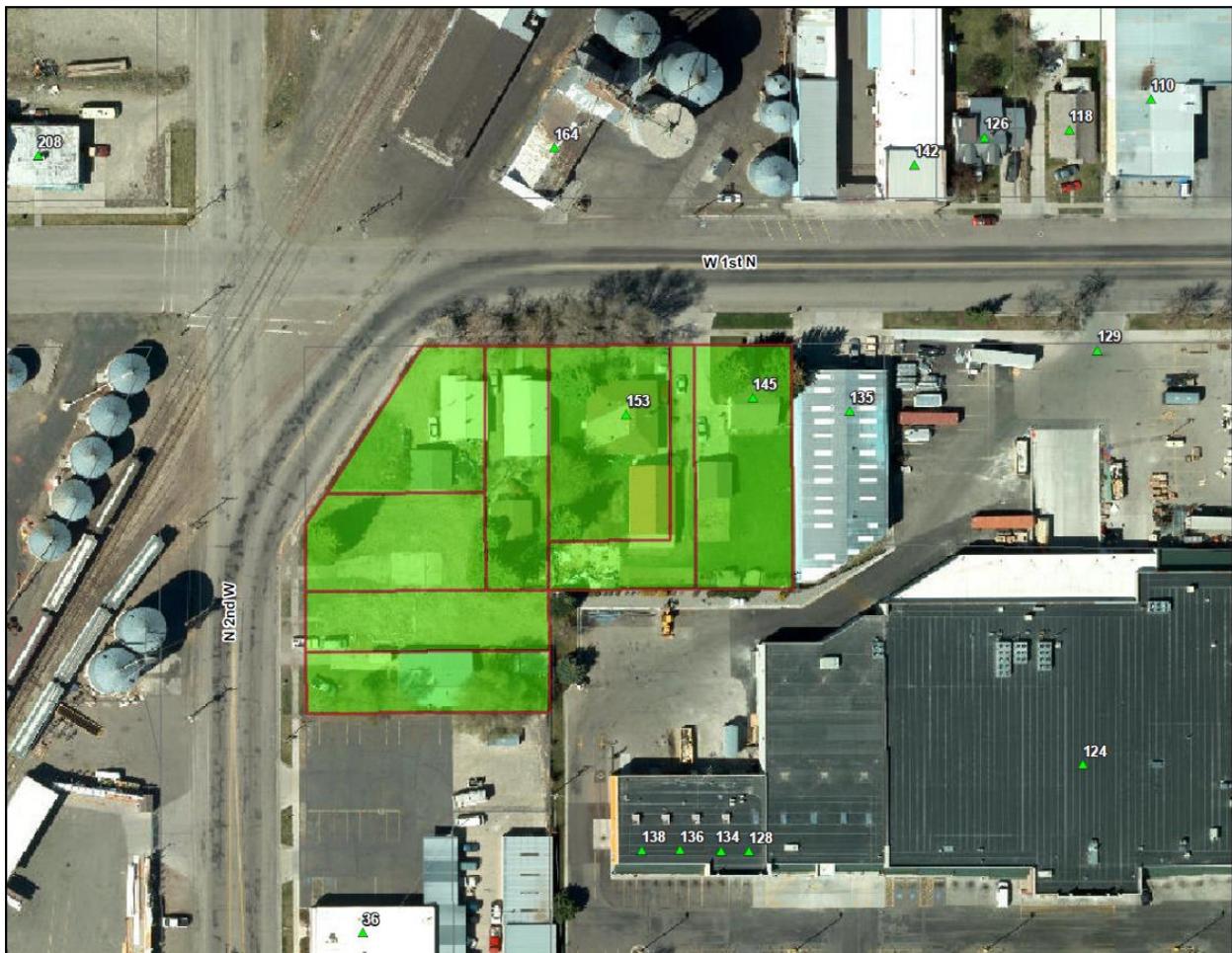
Richard Horner from the Urban Renewal Agency discussed the Urban Renewal Property at 2nd West and 1st North. A decision needs to be made as to what types of developments would work well there. It is almost one acre that could sell for half a million. Some parameters need to be established before they sell it. There would not be access points allowed on the corner; however, access could be allowed before the corner or after the corner. It is zoned CBD.

The CBD is established to recognize the historic central retail and service center of the City. Front setbacks are not common and lot coverage may approach or be one hundred percent. On-street parking serves many of the businesses. Office and residential uses are encouraged on the upper floors of the downtown buildings.

The CBD zone is intended to be located only in the central core area of the City and to be expanded out from that central area in an orderly and progressive manner as the demand for additional commercial land is generated. The CBD zone is to be characterized by wide, clean, well-lighted streets, ample pedestrian ways, and vehicular parking lots for the convenience and safety of the public.

Attractive, inviting, and well-maintained shops, stores, offices, and other buildings are also characteristic of this zone. Signing of shops and business establishments should be simple and attractive with signs mounted flat against the building to reduce the sign clutter and enhance the aesthetics of the downtown area. The uses characteristic of this zone are retail stores, banks, office buildings, theaters, hotels, and a wide variety of specialty shops and retail outlets. Conversely, uses which tend to create business dead spots, cause undue scattering of business, and generally tend to thwart the use of the land for its primary purpose have been excluded from the zone. This zone will tend to encourage an architectural theme which will strengthen the continuity of the downtown area and give it a "character" with which the citizens of Rexburg can identify.

There was discussion on what is allowed in that zone. Most thought the current zoning and location would lend itself to being developed in a manner that would beautify and work well with that area of the city. There was a question and discussion about Broulim's development agreement and if it requires connectivity to adjacent lots. Also, in the current zone, does it allow buildings to be built right up to the easement line. Yes.



Discussion:

B. Zoning Discussion

There was discussion about being proactive on some areas that may need rezoned before it becomes an issue. Planning and Zoning Commissioner Bruce Sutherland pointed out that neighborhoods are always changing. The first step is for the neighborhoods to approach Planning and Zoning, they decide what is best for that land use and make their recommendations and then the neighborhood should approach city council. He agreed that there are some areas that should be looked at. City Council has some areas they have noticed that may need changed.

There was discussion on Light Industrial areas. Right now there are not a lot of regulations for Light Industrial. There needs to be more regulations when it comes to beautification along roadways to create some buffering. There could be some language added that says the corridors need to have some landscaping.

City Attorney Zollinger posed the question, does the city want to start laying out their vision for the corridor next to Walmart or do we wait for a developer to do it? The Planning and Zoning Department needs to set the zoning for those new areas.

There will be some discussion in the regular Planning and Zoning meeting tomorrow about off street parking for apartment complexes. Planning and Zoning Commissioner Melanie Davenport has been communicating with apartment owners and they have some ideas that might help with the parking issues. She was wondering if City Council would like to meet with some of the apartment owners in March, 2015.

Mixed Use 2 Zoning was brought up. Council President Smith was wondering if it should be eliminated because those zones usually end up becoming either commercial or residential through

conditional use permits. They seldom stay a true mixed use zone. These areas are supposed to be a transitional area between residential and commercial

Mixed Use 2 Zoning

It is the purpose and intent of the moderate intensity mixed use ("MU2") district to provide areas in which a variety of housing types may exist among neighborhood-serving commercial and institutional uses. The MU2 zone shall differ from the MU1 zone by allowing higher residential dwelling unit density and by having a more commercial style rather than a residential style. The MU2 zone is intended and therefore shall only be applied to areas that are designated Neighborhood Commercial/Mixed Use on the City's Comprehensive Plan map. For land that is zoned MU2, and is located within the Pedestrian Emphasis Zone (PEZ): less parking and higher density for residential units are allowed as per the definition of the Pedestrian Emphasis Zone found in Chapter 2.

Zoning allows the city to set what density will actually work with the infrastructure of the city.

The University stands in the way of some zoning changes. BYU-I liaison Eric Conrad would be the best person to communicate between the city and the university.

The next City Council and Planning and Zoning joint meeting will be January 15th, 2015 at 5:30 P.M.; which is the 3rd Thursday in January, 2015.

Work Meeting adjourned at 6:48 P.M...

7:00 P.M. City Hall – Pledge to the Flag

Council Member Benfield led the pledge.

Taylor Groom said the prayer.

Roll Call of Council Members:

Attending: Council Member Mann, Council Member Benfield, Council Member Busby, Council Member Merrill, Council Member Wolfe and Council President Smith.

Mayor Woodland asked to be excused.

Presentations: NONE

Committee Liaison Assignments for 2014:

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

Council Member Mann reported that the Golf Board and Emergency Services have not met. He did talk to Chief Child who reported that Urban Renewal did give us \$100,000 more for the construction of the Fire Department. Mayor's Youth Advisory Board met today and walked over to the Police Station to prepare for Shop with a Cop. They watched a video, prepared the trees, and made assignments for collecting donations. Mayor's Youth is also preparing for Santa at the Carousel on Monday, Dec. 8th. There will be free rides on the carousel at Porter Park. He wanted to congratulate the Chamber of Commerce for a great Veterans Day program. The Orchestra concert last Wednesday was very good. They did a great job. He attended the AIC meeting in Idaho Falls last week and met the new AIC president.

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

Council Member Busby reported GIS has not met nor has Traffic and Safety. Today they had a meeting with the GDA Engineers to discuss the master plan for the airport. They currently have cameras at the airport to get a count of the number of planes coming and going and to collect data on the types of airplanes using the runway.

Council Member Busby recognized the youth attending city council for their government class. He asked about seeing the fire station remodel. Chief Child would be happy to take anyone through. It is gutted and new plumbing is being put in. Fire Administration is working out of the upstairs offices in city hall.

C. Council Member Donna Benfield: *Police · Trails of Madison County · IBC · Teton Flood Museum Committee*

Council Member Benfield reported that she has been out of town for a month so she has not met with any of her committees. She will have a report next time.

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

Council President Smith reported the Legacy Flight Museum has not met and will not be meeting until the new year. She had an arts meeting with Paula Sonderegger who is putting on the Messiah on the 19th and 20th of December. It looks to be a great production. M.E.P.I. has the Rexburg Business Competition coming up on December 4th. There will be contestants from the high school and the community. It is coming together well and gets bigger each year. She was invited to attend a graduation at drug court. It was a humbling experience. It is a wonderful program. Judge Moeller does a good job. It was amazing to see all ages of people getting through this tough program. For most, it is a last resort to help them get their life together. We need to support that. They have the court every two weeks.

Council Member Benfield said that she has attended before and it really is a good experience. It is a great program.

E. Council Member Jerry Merrill: *School Board · Parks & Recreation · Urban Renewal Agency*

Council Member Merrill reported recreation is preparing for Snowfest in January. Urban renewal has already been discussed earlier this evening in the work meeting. The School District has not met.

Council Member Busby asked where we are at with the land swap on the baseball fields. Attorney Zollinger has been trying to talk to the school districts attorneys in Idaho Falls. We are just waiting on the state to authorize the request.

Council Member Benfield asked when Snowfest will be. It will be Saturday, January 31st, 2015.

F. **Council Member Brad Wolfe:** *Planning & Zoning · Beautification Committee*

Council Member Wolfe reported that the Planning and Zoning Meeting was tabled two weeks ago. They will meet tomorrow. Melanie Davenport with the Rexburg Vision Committee has been meeting with people regarding downtown beautification. The committee will be meeting tomorrow at 1:00. They have established a Merchant Advisory Board that will help the vision committee by providing input on behalf of all the merchants.

Mayor's Report:

Public Hearings: – NONE

Items for Consideration: – NONE

Staff Reports:

A. Public Works: – City Engineer Keith Davidson presented the resolution, authorizing acceptance of a grant from Idaho State Aeronautics.

1. **Approve Resolution 2014 – 19** for an Airport Grant.

Resolution 2014-19

*Exact from the minutes
of a regular meeting of the City Council of City of Rexburg, Idaho
Held on November 19, 2014.*

*The following Resolution was introduced by Councilman _____, read in full,
considered and adopted:*

Resolution number **2014-19** of city of Rexburg, Idaho accepting the Grant offer of the state of Idaho through the Idaho Transportation Department, Division of Aeronautics, in the maximum amount of \$35,543 to be used under the Idaho Airport Aid Program, Program number: F158RXE, project number: AIP-012/13 in the development of the Rexburg-Madison County Airport; and

Be it resolved by the Mayor and City Council of City of Rexburg, Idaho (herein referred to as the "City" as follows:

Sec. 1. That the City shall accept the Grant Offer of the State of Idaho in the amount of \$35,543, for the purpose of obtaining State Aid under Program Number: F158RXE, Project Number: AIP-012/13 in the development of the Rexburg-Madison County Airport; and

Sec.2. That the Mayor of the City of Rexburg is hereby authorized and directed to sign the statement of Acceptance of said Grant offer (entitled Acceptance) on behalf of the city. The city clerk is hereby authorized and directed to attest the signature of the Mayor and to impress the official seal of the City on the aforesaid statement of Acceptance; and

Sec. 3. A true copy of the Grant Agreement referred to herein be attached hereto and made a part thereof.

Passed by the City Council and approved by the Mayor this 19th day of November, 2014.

Richard S. Woodland, Mayor

ATTEST:

Blair D. Kay, City Clerk

Discussion:

Council Member Busby moved to approve **Resolution 2014 – 19** for an Airport Grant; Council Member Benfield seconded the motion; Council President Smith asked for a vote:

Those voting aye

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

Those voting nay

None

The motion carried.

Council Member Mann said that a citizen thanked the city for sanding the roads so well.

Council Member Busby asked for more sanding on University and 12th West by the high school. They had a bus get hit there. He also asked if the street lights there are operable. Engineer Davidson said that they should be working and he will check into it.

B. Finance Department: Matt Nielson

Attorney Zollinger asked to open a new employee position in the city. The city would like to purchase a new Asset Management Software for keeping track of city trucks, maintenance on ditches, testing water valves and water lines, etc. This software would require a full time position to manage it. It would supplement the GIS and Building Departments. We are at a point where we will need to hire a software manager and would like to get someone in house started now.

Council Member Merrill asked if it is a module that attaches to the current software. City Attorney Zollinger said that they are not looking to purchase the software just yet, but they know it's coming. This position would fall under Public Works. Chief Financial Officer Nielson said that the program would integrate well with City Works, the permitting software currently being used by the Building Department. City Works has been a huge success. The Asset Management Software goes with it.

Council Member Mann asked how it would be funded. It would come out of Public Works. The new position would come from in house personnel. There is too much for one person to keep up on right now. Attorney Zollinger requested to start right away to look at filling this position. Chief Financial Officer Nielson said that the new person would fill in for now and then work into the new position.

Council Member Merrill moved to grant permission to move an employee to fill in now who will transition into the full time Asset Management Software Manager later. Council Member Busby seconded the motion. Council President Smith asked for a vote.

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

The motion carried.

Calendared Bills and Tabled Items:

A. 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. Ordinance 1122 - Rezoning 117 South 2nd East; and 204, 216, and 230 East 1st South from Low Density Residential 3 (LDR3) to Mixed Use 2 (MU2).**

Discussion:

Council Member Wolfe moved to second read Ordinance 1122 to rezone 117 South 2nd East; and 204, 216, and 230 East 1st South from Low Density Residential 3 (LDR3) to Mixed Use 2 (MU2); Council Member Merrill seconded the motion; Council President Smith asked for a vote:

<u>Those voting aye</u>	<u>Those voting nay</u>
Council President Smith	Council Member Busby
Council Member Merrill	Council Member Benfield
Council Member Wolfe	Council Member Mann

The motion failed due to a tie vote. The proposed second reading of Ordinance 1122 will be carried forward to the next agenda.

2. 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 November 05, 2014 meeting
- B. Approve the City of Rexburg Bills

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

Those voting aye

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

Those voting nay

None

The motion carried.

Council Member Busby moved to go into executive session per **Idaho State Statute 67:2345**) (c) To conduct deliberations concerning labor negotiations or to acquire an interest in real property which is not owned by a public agency; (f) To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. The mere presence of legal counsel at an executive session does not satisfy this requirement; Council Member Wolfe seconded the motion; Council President Smith asked for a roll call vote:

Those voting aye

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

Those voting nay

None

Executive Session: 7:40 P.M.

Executive Session ended: 8:13 P.M.

Adjourned at 8:13 P.M.

APPROVED:

Council President Smith

Attest:

Mary Flanary, Deputy City Clerk