

City Council Meeting

April 15, 2015

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CITY OF
REXBURG
America's Family Community

April 15, 2015

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

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

Troop 404 led the pledge.

Shane Turman said the prayer.

Roll Call of Council Members:

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

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

Steve Oakey commented on the beer and wine sales ordinance and wanted to know if public comments will be allowed before the 3rd reading. He said that the 2nd reading did allow public comment.

Mayor Woodland said that public comments have already been accepted. He feels that we have already heard everything.

Jennifer Barzee, representing the Upper Valley Soccer Foundation, was wondering who the parks and fields crews report to. Mayor Woodland said that they report to the mayor and Council Member Merrill, as he is the liaison. Ms. Barzee said that they have been experiencing limited use of the three soccer fields. Bryan George, representing AYSO, would appreciate the opportunity to present at the next city council regarding the growth of soccer in Rexburg. Council Member Busby told them to have any presentation information to the city clerk the Monday before the meeting. Council Member Wolfe asked about the limited use they are experiencing. Ms. Barzee said that in previous years the wet ground has delayed them from practicing; however, this spring was dry but the field's crews won't let them use the fields while the prep work is being done. Their practices are in the evening so the crew can still do work during the day. Mayor Woodland said that perhaps the herbicide sprays are a reason for delay. She said that is fine and they can work around that but the soccer goals are also locked up by the city. One set of those goals was purchased by Upper Valley Soccer Foundation and they can't use them until the city decides the fields are ready and unlocks them.

Presentations:

A. Housing Parking Proposal – Housing Owners

Trent Vandersloot from Idaho Falls is the general manager for North Point Apartments and he represents the off campus housing association. He appreciates the opportunity to present. He referred to his handout. They have collected data and analyzed it. They have learned a lot. They do not blame anyone for where they are at. He appreciates the City. They had a successful outreach to the apartment owners over a two semester period. The numbers represent five thousand beds. Over the two semester period, they kept track of all booting and towing records. They have all sorts of data including reports to the city. They wanted to figure out the problems and why they are happening and what they can do. There is an average of 18 percent of visitor parking being used. They have counted and found that at peak there is 30 percent being used. About two percent of the number of parking stalls will get a parking violation within a period of time. That seems low. They agree that booting and towing has a great effect on residents and guests. As they monitor this they have become aware of the issues. That which is measured tends to improve. As a group they have come forward with a commitment to resolve the problems for the benefit of the city and students and community. Concerning booting, they would like to set up protocol. The booting companies will inform managers with a weekly written report. The report would include a list of the booting and towing's along with the date, time, location, license plate numbers and pictures and what the resolution was. If there is an escalated incident, the booting company must report within 24 hours. Those reports will be submitted to the owners or someone of equal status. They are committed to not boot or tow during move in or move out periods. They are committed to provide information to all residents upon check in and they will provide parking contracts to each resident who will be bringing a car into the residents.

**Off-Campus Housing Association
Booting and Towing Evaluation Report**

4,605 beds represented
BYU-Idaho Semesters Fall 2014 - Winter 2015

Percentage of visitors parking used

Average 18%
Peak 30%

Number of visitors compared to number of beds

Average 1.1%
Peak 3.2%

Percentage of parking spaces with parking violations

2%

Rachel Whoolery of Windsor Manor Apartments said that in February they went before the Planning & Zoning Commission to discuss the necessity of looking into changes to the Pedestrian Emphasis Zone (PEZ). She talked about what they are doing as a complex by putting in a parking garage and numbering each stall. She had asked that the ten percent visitor parking be lowered. They met with the city and the other owners and found that, as owners, they do want to be involved and look at how they can be active in solving the problems. They need to get more involved and know how many of their tenants are being booted and towed. It was great to get all the owners together and to see the data. According to the visitor's audits, an average of 1.1 percent of the visitor parking is being used and 3.2 percent at the peak times. The complexes have too much visitor parking. More students have cars so it would be nice to look at a new ratio.

Council Member Merrill asked if The Ivy was included. Ms. Whoolery said The Ivy did take part in the discussions. He is surprised at the low numbers because he can never find a visitor parking spot. She said that probably the tenants are leaking over into the visitor parking. Mr. Vandersloot said that The Ivy did not do a visitor parking audit. Ms. Whoolery said there is about a seven percent difference between what they are seeing and what is required.

Council Member Busby asked Mr. Vandersloot about the time frame for the study. Mr. Vandersloot said that it was done over two semesters. The past two to three weeks, the owners did their own visitor audit during peak visitor times.

Council Member Busby asked if Darren Helm of Guardian Booting and Towing had been involved in the conversations with the owners. She said that he has. Mr. Helm said he has been working with the owners. He has a new software program that allows managers to see the boots that are put on within five minutes along with pictures and the reason why the vehicle was booted. It allows the managers to send lists to inform his employees of any special cases. It will allow managers to add and subtract permitted residents. It will be a big benefit to all.

Council Member Busby asked if that is sent by smart phone or text. Mr. Helm said they get an email.

Council Member Merrill said that it is excellent what they have been doing. He reiterated that the city should not be involved with this. Ms. Whoolery said the city comes in when it comes to changing the required visitor parking. She said there are several ways to look at the PEZ to alter the wording to say that within the Conditional Use Permit, they have the option to come to the city with a viable plan and then their parking would be reduced to allow reduced visitor parking.

Council Member Busby mentioned that demographics change so how often will we need to change the rules. She explained that she is changing and analyzing as needed.

Council Member Smith asked about the weekly report and if that is too much for the owners to handle. Ms. Whoolery said they are not sure about that weekly number but it gives them a good time line. Mr. Vandersloot said that he has been getting live updates from the new software and it serves as a tracking method. They may not see every single boot but if there is a spike in boots it will give them a red flag. During the two semester period they were only getting about two percent of two thousand stalls getting boots. It's the twenty four hour escalated periods that they want to make sure are taken care of.

Council Member Wolfe said it appears that one rule doesn't fit all. He likes having proposals or requests from those apartments that may have different issues. He would like to see adjustments made as needed. Ms. Whoolery said that the owners would present their well thought out plan and what they need in order to get their reduced visitor parking.

Council Member Wolfe likes the idea of letting the apartment complexes come up with the plan that best serves their needs.

Council Member Merrill said he has full confidence in the owners to run their businesses as they see fit. He wants to know why we have to be involved in it. Attorney Zollinger said because they are running a business and they are far below the national standard for visitor parking. Council Member Merrill said that maybe that is the national standard but the owners should be getting the complaints. Mr. Zollinger said that we are getting the complaints. Visitor parking is an amenity that should be provided by the business.

Council Member Merrill asked if we could eliminate overnight parking all year round so that visitors can park on the streets. A lot of the people parking on the streets are residents. It is the apartment owner's problem to provide the necessary number of parking stalls. Mr. Merrill says they should be able to do the numbers on visitor parking as they see fit. Mr. Zollinger said that historically, the owners don't do that. Mr. Zollinger said that, since Mr. Helm's involvement, the number of parking complaints has gone down but the complaints are more escalated. Some owners would maximize profits at the expense of putting residents out on the streets. Mr. Merrill thinks if they can show a reasonable plan they should be able to do that. Mr. Zollinger said that ten percent visitor parking may be excessive. He believes this is a good step at trying to arrive at the appropriate number but it shouldn't be left up to them. Going with industry standards has proven to be most effective but we do allow the owners to present their needs and we try to support their requests.

Council Member Merrill asked what the percent of students with cars is. Ms. Whoolery said that depends on the area and men verses women. The girls have fewer cars.

Mayor Woodland commended them on the work they have done and their desire to make things work.

Trent Vandersloot would like to have street parking be able to account for part of their visitor parking. He submitted some written comments from other owners.

Discussion on visitor parking on the streets.

Richey Webb gave an example. At hemming Village they brought in a business and needed extra parking. He agreed with the city on the number of stalls needed. It has proven higher than they needed. The city was very helpful. The idea of being able to work together is helpful. He needs fifty percent ratio but others don't need that much. Giving the owners the option to present their case is a good idea. They also have enough evidence now to know what is working and what isn't.

Council Member Merrill said that he appreciates Darren Helm for taking action on helping to solve the problem.

Council Member Mann asked if the apartment owners would be willing to get rid of the predatory booting for a reduction in the visitor parking. Mr. Vandersloot said that it does create a burden on them. It would have to be a huge portion in order for them to consider throwing out booting.

Blake Willis said this new software program will help make it easier to maybe agree to that.

Rachel Whoolery said for two months they didn't do any towing. They would knock on doors and try to find owners of cars to have them move or put a note on their car. They had mothers calling and complaining saying that there is always someone in their child's stall. They then booted two cars and sent out a notice and suddenly there were no cars in the wrong spot. There has to be some sort of consequence for not parking in the right spot.

Council Member Benfield said that this has been a problem for a long time but we are in a better spot than ever. She sees a lot of progress with the owners and booters. We are finally making headway.

Attorney Zollinger said that now we take an amendment proposal on the PEZ zone to Planning & Zoning. We have always considered street parking as a factor. We are not going to give exclusive action opportunity over that. They will address some areas for timed parking. They will visit with tenants and see if they need to reduce timed parking's. He believes the next step is to let the owners have another year to resolve the issues. He thinks that the industry is taking correct steps. We will take the necessary steps to reduce the visitor parking.

Blake Willis asked if there is a target number of complaints to show resolve. Mr. Zollinger said that he just wants to see the owners invested in it. If, over the next six to twelve months, we see no change in the number or intensity of complaints, we can come back again and try to find the next best step.

Steve Oakey presented another idea. He thinks more rules are not the answer. Mr. Oakey read his comments regarding a solution to the parking problems.

At the January 21st City Council meeting it was correctly stated that I was sole Planning and Zoning (Jan. 15) board member to oppose the latest attempt to fix the City Development Code Parking Regulation. At that same City Council meeting Val Christensen reflexively stated, "Steve Oakey wants no parking ordinance". Knowing that there may be many incorrect or assumptive motives attributed to me, I state in written form and for the record my reasons for voting against this particular parking fix. Whether you find my opinion well-reasoned or persuasive, at a minimum, it is mine and not a mischaracterization. Furthermore I would invite anyone in favor of this ordinance change, to publicly justify how it would improve the overall efficiency of the parking system.

I understand how by comparison to the existing complex Parking Rules, someone would confuse my suggestion towards simple, understandable rules, as utter chaos and parking Armageddon. To alleviate doubts or fears of this impending doom, I would like to share with you, in the next few minutes, some basic and simple rules that I use to cut through the surface clutter, when issues like this come up. Often times I find that holding to these simple rules amidst public pressure, requires some intellectual fortitude and conviction, for the obvious reason that, more times than not, when our friends, neighbors and fellow citizens appear in these chambers it is for a self-interest that obscures the overall, and equally applied interests of the many.

When it comes to a simple, liberally applied understanding of land use and property rights, I envision a checkerboard like system of long and narrow public thoroughfares and utilities wherein the city will protect its well defined obligation to maintain safe, efficient travel along streets, sidewalks, and utility corridors. With transparent and informed consent, the city will manage these long and narrow connections, guaranteeing the entry and exit of the many broad and deep squares that are privately owned, operated, bought, sold or leased, however the owner sees fit. Property owners can enter into any voluntary arrangement, at their discretion; whether for profit or loss as it is not the government's obligation to guarantee property value, only property use. It is at the boundaries of these separate properties that the government steps in to enforce against force and fraud, health and safety.

For the sake of simplicity and brevity how can this "checkerboard theory" apply to parking issues in the city if Rexburg? The rule simply stated is; "you take care of yours and we will take care of ours". Property owners and public officials must be made to understand, strict, well defined boundaries, responsibilities and rules that require the city only to guarantee equal, efficient access to publicly held thoroughfares and utilities, period. Property owners, whether occupying a residence or a business are solely responsible to provide parking for themselves or their customers, period. If we are to take a more introspective view, we can see, today, how this simple rule will play out. One of many examples we could use is my own street. I live on Cornell Ave, a narrow residential street a half block in either direction from campus, rental houses and apartments. A street that many years ago had no parking restrictions but, because of evolving traffic patterns, today has restricted permit parking on one side only. During certain times of the year and certain times of the day, City traffic police patrol Cornell and frequently issue bright orange citations to non-permitted vehicles. I have seen firsthand, at the Police station, how upset, and frustrated many ticketed owners can be as they plead for some leniency using arguments about being late for class or they didn't see the posted signs etc. I have also heard accusations, usually with hushed tones, how the city targets students for extra revenue. I suspect that in order to better serve the community Chief Turman will periodically review ticket writing policies and perhaps in the event that one officer is overzealous in issuing citations, that suggestions will be made at improving instructive law compliance rather than punitive punishment. A very similar dynamic can be seen when private operators try to manage parking and traffic flow at their businesses; some with a reputation of better management than others. One additional layer of burden that private owners have that the city does not is that private owners have no recognizable, respected police force and must hire private towing companies to help enforce posted parking rules. Additionally the city feels compelled to regulate these private owners' parking lots with arbitrary, blanket rules that are continually subject to change based on the next car count study. The fact is that private owners encounter the same management struggles as the city enforcement and it does no good to label private operators "predatory", call them on the carpet and insist on imposing ever expanding, ever changing, ever complex parking rules.

How does my simple rule compare with the current state of complex rule making? By insisting that it orchestrate how complex arrangements are made, including parking, the city invites complex rules that initiate unfair treatment of certain groups, special deals and requirements, special zoning boundaries, and an ever larger more expensive bureaucracy, all of which exist in Rexburg. When you force parking regulations, you invite on the city, blame for failures, and shift responsibility from where it should be, on private owners. I have not even touched on the well-documented causation that increased regulation adds additional, unnecessary cost to development. In the March 4th City Council meeting it was agreed upon by council members that to finally, and once and for all, solve the parking problems in Rexburg, we need more studies, more information, more renewed parking formulas. In other words the city council wants the same thing that its predecessors wanted and unless a vastly simpler idea is implemented, the yet unelected successors will want. You would be hard pressed to find a dozen people in this town that could easily explain to the average citizen, how our parking regulation works and I include myself and other members on the Planning and Zoning, and City Council. Give me ten minutes on the street with any passerby and I would explain a much simpler alternative. Take to heart the question that Rex Erickson asked years ago; "why is this our problem"? I invite the City Council to reject this latest iteration of the ever elusive parking fix, in favor of a simple, understandable, enforceable, parking rule. As eluded to previously in my comments, let me share another simple rule I use when thinking about passing additional rules; "any law that increases the complexity of the legal system has to justify itself by showing how it improves the overall efficiency of the system." The current attempt at tinkering and massaging is simply putting off the difficult task.

Now there's going to be fear, second-guessing, and the paternal instinct that people don't know how to manage their own affairs, and the question will be asked; "can we do this?" To encourage you, I would suggest you watch a YouTube video of a panel discussion sponsored by Zillow, July 24, 2014. Participants on this panel, some of the most respected urban scholars in the country, included Wendell Cox, Edward Glaeser, and John Norquist. Norquist was Mayor of Milwaukee from 1988-2004, served for ten years as President of the Congress for the New Urbanism, and is a self-styled progressive urban planner. One of the few issues that these three could agree on was when Ed Glaeser asked about minimum parking requirements. Quoting Norquist "It should be between the property owner and the people who want to occupy the property; there shouldn't be any parking minimums".

Dear City Council and Mayor, you are not alone in doing the right thing, and greatly simplifying the parking code is the right thing to do.

Letters from Apartments Owners:

*Shelbourne Apartments, LLC
BYU Idaho Approved Men's
Housing
570 S 2 W
Rexburg, Idaho 83440
April 8th 2015
To: Rexburg City Council
Re: PEZ Zone Booting and Parking
Council Members,*

Shelbourne Apartments would like to take this opportunity to voice our strong support for the presentation made on our behalf and other apartment complex owners by the Off Campus House Holders Association. The booting and towing issues are closely linked to the overall parking problem in the PEZ zone. The Shelbourne rate of booting over the past two semesters is quite low and I suspect is much lower than the rate of parking citations issued over the corresponding time period on the city streets. Both the city and the apartment complexes need to be able to control parking, the city through the use of citations and the apartments by booting or towing.

In regards to visitor parking, it is unreasonable for the City to expect that only private property owners should be asked to shoulder the need for visitor parking. The City also has a responsibility to provide short-term parking on the streets for its own residents and those visiting from out of area. The amount of spaces actually needed for visitor parking is not at all clear to us, while the acute need for long term parking is very clear. Most of our visitor parking goes unused, while our own residents unable to obtain parking in our lot are forced to try and find it from the city or another complex. The current visitor parking spaces could be put to much better use if we were to use them for our own tenants. Lastly, we would propose that the City change the current "parking by permit only" in the PEZ zone to allow for short-term parking. Many municipalities are faced with the issue of high demand for limited on street parking, but recognize the need for short term parking as well. This could easily be accomplished by placing a 90 minute parking limit in the PEZ area "except by permit". This change would accommodate a large amount of visitor parking, while also limiting the "car shuffle" occurring when a time limit runs out, as the majority of cars parking in the PEZ zone would have permits or they are only there for a short time and are not concerned with the time limit.

We appreciate the willingness of the City to work with the Off Campus House Holders Association and look forward to a win-win solution that benefits all parties concerned.

*Sincerely
Nicholas Marassi
Shelbourne Apartments, LLC*

Rexburg City Council,

Thank you for listening to our comments regarding booting towing and parking issues in Rexburg City. As land owners and business owners within the city, we appreciate having a VOICE. Many of us have gotten together and drafted a proposal that we believe will help create a better experience for our customers and will be better overall for the city. Please consider the proposal we have prepared and Trent VanderSloot will be presenting.

*Thank you,
Christopher Carr*

Owner; Central Park Apartments, Heritage Apartments, La Jolla Apartments, Nauvoo House Apartments

Committee Liaison Assignments for 2015:

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

Council Member Mann reported the Mayor's Youth Advisory Board did not meet today because they are meeting Friday to decorate for their area high school dance which will be Friday night. The

theme is Under the Sea with black lights and bubbles. Emergency Services has met. They talked about building issues with the fire department remodel. The Golf Board has met. Sales are up.

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

Council Member Busby reported Traffic and Safety was cancelled. The Airport Board has not met. They will be having a GDA meeting to talk about the findings from a study. The GIS met and reviewed the new software. Once it is up and running, they will have a presentation for city council.

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

Council Member Benfield reported the Police Department has a new officer, Kenny Marlor. They now have an officer set up at the hospital from 6 pm to 4 am each night. Ron Ball attended a task force meeting in California regarding the AKA bandit. Madison County Trails Committee met and they are working on the bike park. They are trying to decide the different levels and sections of the park. They also discussed having a plan B in case they don't get the grant. Plan B is to go out and get community support. Steve is going to talk to the hospital about using some of the land next to the lot as an easement or parking lot. They had a concern from someone about the path to the high school. There is a lot that goes into that. She met with Louis Clements who is on the Historical Society. He is helping with the Flood Museum. He has a student that is connecting QR codes on the displays so people can read and learn more about each item. He is also doing studies and found that over 70 percent of the visitors are from out of town. She invited the locals to visit the museum.

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 did meet and talked about the free pancake breakfast and fly-in coming up in June. They also talked about the insurance on the planes. John Bagley will be back in May and may be buying another airplane. Deborah Lovejoy has been very proactive in getting things organized. She is very impressive and helping a lot. MEPI met. Scott Johnson gave a great report on economic development. There are some good things coming from Envision Madison. There will be at least one more public input session. Some good things have come from the broadband study.

Council Member Merrill asked if there is any dark fiber that has been laid around the city that isn't being used. Council Member Smith said there is and that is one of the things they are trying to pull together. Mayor Woodland said that the city has some dark fiber they were able to buy for cheap out of Japan where the tsunami destroyed the plant. It could go from the sewer plant to the tabernacle and city hall.

Council Member Smith said that the reason not much has come forward on that is because there is a lot going on with the federal government to find out if it's legal for municipalities to participate. There is a lot of great economic development going on. The arts council will have some changes that will be discussed when council does their drive around.

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

Council Member Merrill reported the school district is negotiating to find a place to build a water tower. Parks and Recreation are planning the marathon and summer recreation programs. Urban Renewal has not met but they are working on the north district out towards the interchange.

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

Council Member Wolfe reported Planning & Zoning will meet tomorrow. Beautification has a proposal from an engineer on Center Street for some changes. They will be looking at that on the drive around. They want to look at some architectural lighting.

Council Member Busby said that vaping laws have changed. He asked Attorney Zollinger to clarify. Attorney Zollinger explained House Bill 159 is a positive step to add electronic cigarettes as a violation under state law by minors, but they limited the cost for first offenses to \$17.50. The concern is that they are undermining the fact that most minors can pay that easily. They took it

from a misdemeanor to an infraction as well. He would like to have a city ordinance that gives us the ability to make the minors attend a smoking cessation class that costs \$25.00. He is not sure if the state left that door open but he will come back with a proposal if possible.

Council Member Merrill said he thought that vape pens were already under the same laws as cigarettes.

Attorney Zollinger said that inhalants do fall under the same ordinance in our city. He is looking at the practicality of leaving that first offense at \$17.50.

Council Member Busby said that they caught three sophomores with vape paraphernalia. Attorney Zollinger said that they have yet to take into custody a minor that was smoking legal stuff.

Mayor Woodland said that the Chamber of Commerce would like some more money for fireworks. We have stopped doing the Christmas in the Night Time Sky so he suggested that we transfer the funds that were being used for that to the fireworks fund for the 4th of July.

Council Member Busby motioned to transfer the funds from “Christmas in the Night Time Sky” fund to the Fireworks fund; Council Member Wolfe seconded the motion; Discussion: Council Member Benfield withdrew from the vote due to a conflict of interest because she works at the Chamber of Commerce. Mayor Woodland asked for a vote.

Those voting aye

Council Member Smith
Council Member Wolfe
Council Member Busby
Council Member Mann
Council Member Merrill

Those voting nay

None

The motion carried

Public Hearings: - NONE

Items for Consideration:

Staff Reports:

A. Public Works: – John Millar

1. **Award Bid for replacement Boom Truck.**

Public Works Director Millar explained the Boom Truck bid came in at \$64,250 from Mountain States Industrial Services. This bid is much higher than he anticipated but with the money he saved from other purchases he would like to buy this truck which is still within the equipment budget for the year.

Council Member Merrill asked how to tell if the trucks are not good. Mr. Millar said high hours and high mileage.

Discussion:

Council Member Merrill moved to award the only bid for replacement of a Boom Truck to Mountain States Industrial Services for \$64,250 and amend the budget; Council Member Busby seconded the motion; Mayor Woodland asked for a vote:

Those voting aye

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

Those voting nay

None

The motion carried

2. **Award Bid for the equipment for the pasteurization equipment** for the wastewater treatment plant project.

Public Works Director Millar reviewed the only bid for the pasteurization equipment package from GE at \$1,732,900 including all equipment, delivery, and startup and training services. There is a delivery time, they need to get it ordered so it will be here and installed before winter.

Council Member Wolfe asked about the eleven million dollar loan. Mr. Millar said that is on the water system which is separate.

Council Member Merrill asked how this relates to the new system they were looking at. Mr. Millar said this is the new system.

Council Member Busby said given the assembly time would we be able to construct appropriately in time for winter. Mr. Millar said they will have all of the buildings built and the piping done so that when the equipment arrives they will be able to bolt it right in.

April 14, 2015,
City of Rexburg WRF – Solids Handling RFP Results

“This includes the equipment provided in GE’s preliminary proposal for \$1,495,000 plus an additional \$82,000 for the heat recovery system and another \$155,900 for a second dual fuel boiler unit. The heat recovery system is recommended as this will increase the efficiency of the pasteurization system and provide enough surplus to heat to heat the floor of the new solids storage facility. Heating the storage facility floor will further dry the solids, decreasing the weight and volume of solids that need to be transported for disposal and significantly improving their quality for land application purposes. The second boiler unit is also required to provide additional hot water for the floor heating system and will also serve as a backup unit for the pasteurization boiler.”

“The GE proposal meets the general requirements and design criteria in the RFP. The system is designed to handle up to 28,600 gpd of thickened (6%) waste activated sludge. The system will heat thickened WAS to the required temperature (158°F) and mix sludge in one of three tanks for one hour to meet the temperature and time requirements for class A biosolids. Pasteurized sludge will then be pumped from the tank, through the heat recovery heat exchanger that will pre-heat incoming cold thickened WAS, and on to the first anaerobic digester tank. Sludge from the first digester tank will be recirculated through a cooling heat exchanger as required to ensure that the first tank does not operate above the maximum design temperature of 107°F. Sludge will then pass in series through the other three anaerobic digester tanks prior to being sent to the existing screw press units for dewatering. Sludge from all four digester tanks can be recirculated through a common heating heat exchanger as required to maintain the design operating temperature of 98°F. Hot water to heat sludge for pasteurization and maintain temperature in the anaerobic digesters will be provided by dual fuel boilers. The boilers will use biogas produced in the anaerobic digesters and will only require natural gas during startup or other extenuating conditions were the digestive process is interrupted, reducing biogas production.

Discussion:

Council Member Busby moved to award the only bid for the equipment for the pasteurization equipment for the wastewater treatment plant project to GE for \$1,732,900 including all equipment, delivery, and startup and training services; Council Member Wolfe seconded the motion; Mayor Woodland asked for a vote:

Those voting aye

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

Those voting nay

None

The motion carried.

B. Finance Department: Matt Nielson

1. Quarterly Treasurers Report

Finance Officer Nielson reviewed the Treasurer's Quarterly Report ending March 31, 2015. He explained that we are six months into the fiscal year. We have spent forty percent of operating expenses and about twenty two percent in overall expenses. We are investing about 21.7 million. The airport will show a deficit until those funds start coming in from the FAA etc. Finance Officer Nielson requested a budget adjustment for the Police Impact Fee. We had budgeted \$300,000 from the general fund to buy the old street shop building. He would like to change that and buy it out of the impact fee fund. It would put it into a deficit and then we would pay it off as we collect impact fees. He would like permission to switch that budget from general fund to impact fees fund.

Discussion:

Council Member Busby motioned to transfer the funds for the old street shop from the general fund to the impact fee fund. Council Member Benfield seconded the motion.

Discussion: Mayor Woodland asked for a vote.

Those voting aye

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

Those voting nay

None

The motion carried.

Finance Officer Nielson reported that Rexburg Rapids needs a boiler repair that will cost \$8,000. The water comes in so cold that the condensation builds up and drips on top of the boiler unit and corrodes it. They hope to also address the leak.

CITY OF REXBURG
 TREASURER'S EXPENDITURE REPORT BY FUND
 FISCAL YEAR TO DATE ENDING 03/31/15 @ 50% of the Fiscal Year 2015

#	FUND	WAGES	CAPITAL	OTHER	TOTAL	BUDGET	BUDGET	END BAL.
48	AIRPORT CONSTRUCTION		128,342	0	128,342	641,000	20%	-102,378
47	AIRPORT OPERATIONS	2,400	15,500	7,316	25,216	20,100	125%	-4,324
81	ARTS COUNCIL	13,391		46,599	59,990	86,200	70%	-29,185
36	ARTS PROMULGATION			0		132,300	0%	80,339
82	BROADBAND FIBER INITIATIVE			0		4,100	0%	283
28	BUILDING SAFETY AND P&Z	217,413	4,584	222,642	444,639	1,390,000	32%	641,825
85	COMMUNITY SAFETY LIGHTING		15,492	36,138	51,630	258,800	20%	95,709
83	EI BUSINESS COMPETITION			12,568	12,568	15,600	81%	-7,124
19	FIRE DISTRICT		1,554	246,964	248,518	1,510,000	16%	1,215,947
21	FIRE EMPLOYEES TRUST			12,587	12,587	55,700	23%	30,966
20	FIRE IMPACT FEES			0		80,100	0%	71,435
18	FIRE JOINT EQUIPMENT		1,562	0	1,562	291,500	1%	190,996
17	FIRE OPERATIONS	648,669	223,814	593,573	1,466,056	2,982,800	49%	-782,957
37	FIRE PARAMEDIC CARE UNIT	34,464		19,991	54,455	900,800	6%	108,473
93	FIRE PIPES & DRUMS			4,327	4,327	8,500	51%	1,732
32	FIRE STATION ADDITION		593,197	0	593,197	1,919,400	31%	508,136
01	GENERAL	1,920,581	169,118	1,862,400	3,952,099	10,327,800	38%	3,728,659
29	GEOGRAPHIC INFORMATION SYS.	95,959	6,655	98,476	201,090	419,200	48%	-53,745
51	GOLF COURSE CONSTRUCTION			273	273	6,200	4%	-627,559
50	GOLF COURSE OPERATIONS	57	23,400	113,425	136,882	498,300	27%	1,319,522
24	LEGACY FLIGHT MUSEUM			9,407	9,407	89,600	10%	52,851
53-58	LID CONSTRUCTION FUNDS		120,436	1,111	121,547	1,700,000	7%	-222,642
59-79	LID DEBT SERVICE FUNDS			120,300	120,300	600,800	20%	-201,325
45	MAYOR'S YOUTH COMMITTEE			1,308	1,308	4,500	29%	1,562
38	PARKS IMPACT FEES		122,288	0	122,288	969,100	13%	837,110
41	PARKS RIVERSIDE CONSTRUCTION		106,777	0	106,777	410,000	26%	-27,796
14	POLICE ANIMAL CONTROL	26,432	3,440	27,234	57,106	119,400	48%	-45,611
08	POLICE D.A.R.E.			458	458	15,900	3%	6,667
09	POLICE DRUG INTERD./EDUC.			736	736	11,000	7%	2,265
07	POLICE IMPACT FEES			28	28	-41,800	0%	45,151
91	POLICE SHOP WITH A COP			12,037	12,037	22,700	53%	18,889
13	POLICE SMALL GRANTS	12,515		7,694	20,209	50,800	40%	-9,652
03	RECREATION PROGRAMS	10,759		32,852	43,611	180,600	24%	1,501
22	REVOLVING LOAN		4,105	0	4,105	18,000	23%	1,282,312
23	REXBURG RAPIDS	1,344		22,932	24,276	547,400	4%	154,062
40	ROMANCE THEATER	12,911	20,939	17,472	51,322	70,800	72%	-50,717
25	SANITATION OPERATIONS	95,282	72,000	630,690	797,972	1,782,100	45%	1,617,533
46	SEWER & WATER LINE EXTENSION			0		1,000,000	0%	
35	SEWER CAPITAL RESERVE			71,644	71,644	2,396,400	3%	3,240,163
27	SEWER OPERATIONS	189,192	496,800		1,624,774	5,635,000	29%	16,979,005
52	SEWER PLANT CONSTRUCTION		134,297	0	134,297	3,000,000	4%	720,415
31	SHOP CONSTRUCTION					1,000,000	0%	
33	STREET IMPACT FEES			0		200,000	0%	90,408
44	STREET NEW CONSTRUCTION		59,756	0	59,756	2,200,000	3%	285,844
02	STREET OPERATIONS	248,945	265,109	528,770	1,042,824	2,687,000	39%	113,603
43	STREET REPAIR CONTRACTS		293,131	13,059	306,190	1,544,700	20%	450,865
04	TABERNACLE (Aud. & Museum)	8,395	173	25,399	33,967	133,600	25%	-29,694
05	TABERNACLE ORCHESTRA			1,776	1,776	7,800	23%	-7,028
39	TRAILS OF MADISON COUNTY			92	92	100,000	0%	-92
90	VETERANS MEMORIAL TRUST			0		6,700	0%	5,278
34	WATER CAPITAL RESERVE			0		407,300	0%	1,355,830
26	WATER OPERATIONS	140,435	237,600		961,495	2,856,900	34%	14,004,792
42	WATER TANK AND WELL		1,944	0	1,944	9,500,000	0%	-1,944
	TOTAL	3,679,144	3,122,013	4,802,278	13,125,677	60,774,700	22%	47,056,355

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

2. Quarterly Treasurers Report

Finance Officer Nielson reviewed the Budget Summary Report ending March 31, 2015.

CITY OF REXBURG
FY 2015

BUDGET SUMMARY REPORT
6 months ending
3/31/2015

Page 1

EXPENDITURES

OPERATING EXPENDITURES

	BUDGET	ACTUAL	50%	FORECAST
Mayor & Council & MYAB	279,000	136,443	49%	277,900
Economic Development	208,400	106,134	51%	206,800
Arts	430,700	147,056	34%	354,600
Customer Services	308,800	158,109	51%	308,900
Information Technology	433,100	192,194	44%	412,400
Financial Management	861,500	364,353	42%	847,800
Legal Services	220,200	109,014	50%	223,300
Planning & Zoning	164,500	82,632	50%	174,900
Building Safety	1,225,500	362,007	30%	1,222,900
GIS	419,200	201,090	48%	405,000
Emergency Services	3,883,600	1,520,512	39%	3,325,600
Golf Courses	498,300	136,882	27%	491,000
Parks & Ball Diamonds	538,000	165,113	31%	569,100
Recreation Administration & Programs	425,900	193,967	46%	457,500
Riverside Aquatic Center	547,400	24,276	4%	424,800
Miscellaneous: MYAB, Airport, Legacy Flight Museum	135,800	34,777	26%	215,600
Police Department				
Administration Division & Fund 09	1,365,200	504,105	37%	1,063,000
Patrol Division & Funds 13	1,883,000	897,696	48%	1,885,200
Investigations Division	687,800	373,039	54%	690,000
Community Services Division & Funds 08,11,14	555,300	270,881	49%	559,900
Total Police Department	4,491,300	2,045,721	46%	4,198,100
Public Works				
Shop	469,600	240,601	51%	488,900
Sanitation	1,782,100	799,196	45%	1,790,300
Water	2,056,900	961,495	47%	2,148,700
Wastewater	4,135,000	1,623,550	39%	4,095,000
Street Operations	2,330,700	1,042,824	45%	2,391,700
Street Repair Contracts	1,544,700	306,190	20%	1,040,800
Total Public Works	12,319,000	4,973,856	40%	11,955,400
TOTAL OPERATING EXPENDITURES	27,390,200	10,954,136	40%	26,071,600
CAPITAL EXPENDITURES				
General Fund Contingency	203,700		0%	156,800
General & Street Fund Transfers	2,025,300	73,703	4%	2,286,300
Engineering	591,000	287,089	49%	591,000
Construction 06,30,31,32,39,41,42,44,46,49,51-58,82,85	19,739,500	1,213,360	6%	19,554,800
Contributed Capital	4,300,000		0%	4,300,000
Capital Reserve Funds 07,18,20,33,34,35,38	4,302,600	195,513	5%	2,237,800
LID Debt Service Funds 59-69	600,800	120,300	20%	569,200
Trust & RLF Funds 15,16,19,21,22,90,91	1,621,600	281,576	17%	1,018,300
TOTAL CAPITAL EXPENDITURES	33,384,500	2,171,541	7%	30,714,200
TOTAL EXPENDITURES FOR ALL FUNDS	60,774,700	13,125,677	22%	56,785,800

CITY OF REXBURG
FY 2015

BUDGET SUMMARY REPORT
6 months ending
3/31/2015

REVENUES

OPERATING REVENUES

	BUDGET	ACTUAL	50%	FORECAST
Fund Balances for Operations	2,177,500		0%	1,609,500
Property Tax	3,688,300	2,208,052	60%	3,688,300
Interest	163,600	78,242	48%	177,600
State Taxes & Grants	2,244,500	576,759	26%	2,353,300
Miscellaneous	1,083,800	524,923	48%	1,072,100
Utility Charges	7,831,400	3,848,521	49%	7,843,800
Permits & Licenses	677,400	344,998	51%	728,100
Franchise Fees	1,582,500	498,527	32%	1,582,700
Parks, Recreation, Museums, Arts, Golf	1,092,900	215,204	20%	1,058,300
County Road Tax	700,000	507,343	72%	800,000
Operating Contributions	2,398,500	795,264	33%	2,498,100
Interfund Charges for Services	3,177,400	1,540,452	48%	3,278,200
Fund Transfers for Operations	1,506,800	73,703	5%	1,416,900
Federal Grants	700,000		0%	417,500
Reimbursements	0	0	0%	0
Contingent Revenues for Operations	0	0	0%	0
TOTAL OPERATING REVENUES	29,024,600	11,211,988	39%	28,524,400
CAPITAL REVENUES				
Fund Balances for Capital	1,147,300		0%	1,090,700
Contributed Capital	4,710,000		0%	4,789,300
Construction Funds	17,474,200	1,240,043	7%	17,414,000
Capital Reserve Funds	4,352,600	783,206	18%	6,872,100
LID Funds	535,000	47,089	9%	529,300
Trust Funds	1,603,600	453,891	28%	1,838,200
Fund Transfers In	1,927,400		0%	3,108,200
TOTAL CAPITAL REVENUES	31,750,100	2,524,229	8%	35,641,800
TOTAL REVENUES ALL FUNDS	60,774,700	13,736,217	23%	64,166,200

OPERATIONS SUMMARY

TOTAL OPERATING REVENUES	29,024,600	11,211,988	39%	28,524,400
TOTAL OPERATING EXPENDITURES	27,390,200	10,954,136	40%	26,071,600
---NET OPERATIONS	1,634,400	257,852	-1%	2,452,800

CAPITAL SUMMARY

TOTAL CAPITAL REVENUES	31,750,100	2,524,229	8%	35,641,800
TOTAL CAPITAL EXPENDITURES	33,384,500	2,171,541	7%	30,714,200
---NET CAPITAL TRANSACTIONS	-1,634,400	352,688	1%	4,927,600

TOTAL ALL REVENUES	60,774,700	13,736,217	23%	64,166,200
TOTAL ALL EXPENDITURES	60,774,700	13,125,677	22%	56,785,800
NET ALL REVENUES OVER EXPENDITURES		610,540	1%	7,380,400

CITY OF REXBURG
FY 2015

**CASH & INVESTMENT
BALANCE REPORT**

CASH & INVESTMENTS*	BALANCE AS OF 3/31/2015	Percentage of Portfolio
Bank of Commerce Legacy Flight Museum Checking	25,254	0.12%
Beehive Credit Union CD	249,525	1.15%
Cash On Hand	1,050	0.00%
Citizens Community Bank CDARS	5,096,484	23.50%
Citizens Community Bank Checking (RLF)	156,327	0.72%
Real Estate Investments (Streets)	301,064	1.39%
State Diversified Bond Fund	7,103,804	32.75%
State Local Government Investment Pool	3,105,517	14.32%
Wells Fargo Bank Drug Fund Checking	20,042	0.09%
Wells Fargo Bank Fire District Checking & Savings	257,040	1.19%
Zions Bank Collateralized Acct	3,592,719	16.56%
Zions Bank Direct Auction-Agencies	1,162,569	5.36%
Zions Bank General Checking	604,172	2.79%
Zions Bank Payroll Checking	14,111	0.07%
TOTAL	21,689,678	100%

2015 Budget Meeting Schedule									
				updated: 4/14/2015			Location: Front Conference Room		
Date	Time	Day	Department	Liaison	Oversight	Oversight	Oversight	Dept. Head	Others
5-May	5:30 PM	Tuesday	Golf	Chris	Chris	Jordan	Brad	Matt	none
6-May	9:00-2:30	Wednesday	Council Drive Around	All Council Members					
6-May	4:30 PM	Wednesday	Airport	Jordan	Jordan	Chris	Brad	John	Deb/Natalie
6-May	7:00 PM	Wednesday	Council Meeting						
7-May	2:00 PM	Thursday	Mayor & Council, MYAB		Jordan	Sally	Jerry	Mayor	none
7-May	2:30 PM	Thursday	Customer Service		Jordan	Sally	Jerry	Blair	none
7-May	3:00 PM	Thursday	Geographic Information Systems	Jordan	Jordan	Sally	Jerry	Craig	John/Richard
7-May	3:30 PM	Thursday	Community Development		Chris	Jordan	Brad	Val	
7-May	4:00 PM	Thursday	Economic Development		Chris	Jordan	Brad	Scott	none
7-May	7:00 PM	Thursday	Emergency Services	Chris	Chris	Jordan	Brad	Corey	Mike/Dave
8-May	7:00 AM	Friday	Legacy Flight Museum	Sally				Matt	Deb
11-May	12:00 PM	Monday	Parks & Ball Diamonds (lunch)		Jerry	Brad	Sally	Greg	Max
11-May	1:00 PM	Monday	Recreation Programs		Jerry	Brad	Sally	Bob	none
11-May	1:30 PM	Monday	Rexburg Rapids		Jerry	Brad	Sally	Bob	Jori, Dodie
11-May	2:00 PM	Monday	Information Technology		Jordan	Sally	Jerry	Kelvin	
11-May	2:30 PM	Monday	Legal		Jordan	Sally	Jerry	Stephen	none
11-May	3:00 PM	Monday	Financial Management		Jordan	Sally	Jerry	Matt	
12-May	9:00 AM	Tuesday	Waste Water		Jerry	Brad	Sally	John	Keith/Donna
12-May	10:00 AM	Tuesday	Streets		Jerry	Brad	Sally	John	Keith/Bill
12-May	11:00 AM	Tuesday	Water		Jerry	Brad	Sally	John	Keith/Chuck
12-May	12:00 PM	Tuesday	Engineering (lunch)		Jerry	Brad	Sally	John	Keith
12-May	12:30 PM	Tuesday	Sanitation		Jerry	Brad	Sally	John	Keith
12-May	1:00 PM	Tuesday	Shop		Jerry	Brad	Sally	John	Keith/Lynn
13-May	8:30 AM	Wednesday	Rexburg Arts Council	Sally	Sally	Brad	Jerry	Dan	
13-May	9:00 AM	Wednesday	Teton Flood Museum	Donna	Brad	Sally	Jerry	Dan	Jill
13-May	9:30 AM	Wednesday	Orchestra	Sally	Sally	Brad	Jerry	Dan	Gwyn Harris
13-May	10:00 AM	Wednesday	Tabernacle	Sally	Sally	Brad	Jerry	Dan	
13-May	10:30 AM	Wednesday	Romance Theater	Sally	Sally	Brad	Jerry	Dan	
13-May	2:00 PM	Wednesday	Police Administration		Donna	Jordan	Chris	Shane	Lewis/Sheila
13-May	2:30 PM	Wednesday	Police Patrol		Donna	Jordan	Chris	Shane	Foster
13-May	3:00 PM	Wednesday	Police Detectives		Donna	Jordan	Chris	Shane	Ball
13-May	3:30 PM	Wednesday	Police Comm. Pol., DARE, AnCil		Donna	Jordan	Chris	Shane	Erickson
13-May	4:00 PM	Wednesday	Trails of Madison County	Donna				Keith	Greg/Max

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. **Ordinance 1131** to rezone 408 and 416 West Main, and 407 West 1st North from Medium Density Residential 2 (MDR2) to High Density Residential 2 (HDR2).

Discussion:

Mayor Woodland asked for a motion.

Council Member Busby moved to consider Ordinance 1131 second read; Council Member Smith seconded the motion; Mayor Woodland asked for a vote:

Those voting aye

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

Those voting nay

None

The motion carried

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

1. **BILL 1128** changing the times when beer and wine can be sold in the City of Rexburg; repealing Ordinances 341, 343, and 445.

Doug Nielson spoke neutral. He invited the council to allow the residents to vote on this issue. He is a bishop and feels that the council's personal views should not decide the outcome. Everyone should be given the opportunity to have a say. It should be a majority decision.

Steve Oakey pointed out that there have been many comments about public health in regards to selling beer on Sunday. We don't pass laws to prevent obesity. We have free choice and we have a right to choose what we do with our own bodies. It should be a conversation about what is good for our community. We can already buy alcohol in the city on Sunday. It is unfair for businesses that cannot sale on Sunday.

Attorney Zollinger explained that the issue cannot be put to a vote. It was already voted on that alcohol sales can go on in Rexburg. It is up to council to manage the time, place and manner of how those alcohol sales take place in the city.

Discussion:

Written Input:

1. **Steve McGary** reviewed an article NEWS RELEASE — 21 JANUARY 2014 – Church Says Existing Alcohol Laws Benefit Utah – SALT LAKE CITY — *The Church of Jesus Christ of Latter-day Saints today released the following information that includes a video interview with Elder D. Todd Christofferson and a whiteboard animation which explain the Church's position on existing Utah alcohol laws.* <http://www.mormonnewsroom.org/alcohol-laws-utah>

From the article:

Utah's alcohol laws and policies are sometimes ridiculed, and their benefits, including the many lives these laws and policies protect, are overlooked. For decades, reasonable alcohol controls have served Utah well. Implementation of the comprehensive alcohol laws in Utah has resulted in the state falling well below the national average in devastating alcohol-related societal costs. In fact, Utah has the lowest number of alcohol-related traffic deaths^[1] per capita of all 50 states....

...Despite these and other benefits, Utah's alcohol laws have continually been challenged. While many other states are trying to curb alcohol consumption because of the significant public costs and the many problems associated with it, some in Utah are trying to undo laws and regulations that have contributed to these desirable outcomes sought after by other communities....

.... Utah's alcohol laws help to create a culture that allows for the use of alcohol while respecting its potential, seen in every society, to inflict high costs on individuals, families and communities. That is why the Church strongly discourages changing any laws and policies that would make restaurants more like bars, including the Utah law that requires alcoholic beverages to be prepared out of sight of restaurant patrons. That law sends a clear reminder that the destructive potential of alcohol should be respected. ...

Good morning Mayor Woodland and Council Members,

I will not be able to attend the City Council meeting this Wednesday during which Bill 1128 will be read for the third time and presented for your vote. I am in Washington caring for my 90 year old father. I appreciate the discussions and communications that you and I have engaged in regarding Bill 1128. I have discussed with you the issue of repealing the ban on Sunday alcohol sales. Through all of our discussions and conversation I still maintain my position in opposition to Bill 1128.

I appeal to you as the elected leaders of our community to reject Bill 1128 based upon the values of integrity, honor and common sense. I believe each of you in your heart feel that the current policy is the correct course. Changing the current policy add little value to our community.

I appreciate the link that Blair sent of the news conference held last year by the LDS Church. The theme of that news conference in my opinion, was highlighting the social values of community and state ordinances that restrict the accessibility of alcohol to the general public. I noted that the figures presented in that new conference were consistent with those that I have presented to the council. In addition the news report highlighted the good that has occurred in the State due to restricting the accessibility to alcohol.

In thinking of the future, it is important to remember that once passed ordinances such as 1128 will not recede on it's own accord and will be harder to reverse.

Again, I appeal to each of you to reject Bill 1128. Our community will be better off and stand higher and with other cities who have done the same.

Regards,
Stephen McGary
915 Hillview Drive
Rexburg

2. *Mayor Woodland and the Rexburg City Council,*

I am against Bill 1128.

Calling this decision "economic development" is incorrect. People who make up the economic base in Rexburg will not be purchasing alcohol on Sunday. Changing the unique laws in our community in order to service a few tourists who may stop at Applebee's for a Sunday drink, once a week during the summer months, will not improve Rexburg's economy. Therefore, there is no reason to change the law. I have discussed Bill 1128 with many friends and associates; they all concur. Bill 1128 is not necessary and will not improve the economy in Rexburg. Citizens of Rexburg do not want this change.

Thank you all for your work in behalf of our delightful, friendly, and unique community.

~Laurene Jackson

3. *The Impact of Alcohol on our Society – Kim and Ying Ng*

**Rexburg City Council Meeting - April 15, 2015
Bill 1128 (Sale of Alcohol on Sunday)**

- a. **Introduction**
- b. **One hundred years of Alcoholism in brief anti alcohol movement and prohibition**
- c. **National Council on Alcoholism and Drug Dependence information**
<https://ncadd.org/get-help/family-information-and-education/144-family-education>



National Council on Alcoholism and Drug Dependence (NCADD) claim:

“Our Nation’s #1 health problem is alcoholism and drug dependence.”

<https://ncadd.org/learn-about-alcohol/drinking-and-driving>

Facts



17.6 million people, or one in every 12 adults, suffer from alcohol abuse or dependence along with several million more who engage in risky, binge drinking patterns that could lead to alcohol problems.

More than 7 million children live in a household where at least one parent is dependent on or has abused alcohol.

Facts About Alcohol: Alcohol abuse and alcoholism can affect all aspects of a person’s life.

Information from Centers for Disease Control and Prevention

- **88,000 deaths** are annually attributed to excessive alcohol use
 - Alcoholism is the **3rd leading lifestyle-related cause of death in the nation**
 - Excessive alcohol use is responsible for **2.5 million years of potential life lost (YPLL) annually, or an average of about 30 years of potential life lost for each death**
 - Up to **40% of all hospital beds** in the United States (except for those being used by maternity and intensive care patients) are being used to treat health conditions that **are related to alcohol consumption**
- Alcoholism has little to do with what kind of alcohol one drinks, how long one has been drinking, or even exactly how much alcohol one consumes. But it has a great deal to do with a person's **uncontrollable need for alcohol**. The alcoholic is frequently in the grip of a powerful craving for alcohol, **a need that can feel as strong as the need for food or water.**



Question: Is alcoholism a disease?

Answer: Yes, **alcoholism is a disease**. Like many other diseases, **alcoholism is chronic**, meaning that it **lasts a person's lifetime**; it usually follows a **predictable course**; and it has **symptoms**.

Drinking and Driving

FACT: An estimated **32% of fatal car crashes** involve an **intoxicated driver or pedestrian**.
Nearly **13,000 people are killed each year in alcohol-related accidents**

Hundreds of thousands more are injured

Alcohol-related crashes cost American taxpayers over \$100 billion

Over **1.4 million arrests** for DWI each year (less than **1% of 159 million self-reported episodes of alcohol-impaired driving**) and **780,000 are convicted**

Two-thirds of those sentenced to incarceration are repeat offenders

Warning: Drinking and Driving is NOT the Only Alcohol-Related Risks of Death:

Annually, almost 100,000 deaths are alcohol-related, and only 13.5% are drink and driving.

Over 86.5% of all alcohol-related deaths are pedestrian accidents, falls, fires, homicides, alcohol-overdose, suicides and health-related death, e.g., cirrhosis, etc.

Real Life Stories

Jessica's Story:

Jessica, a **20 year old college student**, admitted to **smoking marijuana and drinking** with friends before she ran over and **killed a jogger, a 46 year-old father of three, happily married with a successful career and good standing in his community as a volunteer at a local food bank**. Jessica was convicted of vehicular manslaughter and negligent homicide. **The judge sentenced Jessica to prison for 20 years. Her parents and many of her classmates wept in the courtroom.**

Affected parties:

Jessica herself

Her parents and many of her classmates, friends and relatives.

The 46 year old father – the victim

The victim's wife and his 3 children

The victim's parents and his siblings

The victim's friends

The victim's employer and work colleagues

The local food bank

Jacqueline's story

Not every who gets hit by a drunk driver dies!

<http://blogs.seattletimes.com/today/2013/04/beat-on-crash-on-highway-520-at-mountlake-boulevard/>

April 4, 2013 at 6:27 AM

Driver in deadly 520 head-on crash has pending DUI case

Posted by **Jack Broom** and **Mike Carter**

A crash on SR 520 **killed a woman** this morning. The State Patrol says the driver of the SUV, **was driving the wrong way and drove head-on into the gold Mazda** on the right. The patrol said it appeared that the SUV **driver had been drinking**.

There are hundreds and thousands of these types of real people and real life stories

Alcohol and Crime



FACT: 5.3 million adults – 36% of those under correctional supervision at the time – were drinking at the time of their conviction offense

Excessive drinking leads to criminal behavior:

FACT: Alcohol is a factor in 40% of all violent crimes today

Crimes include: **rape, sexual assault, robbery, aggravated and simple assault.**

Based on victim reports, alcohol use by the offender was a factor in:

- 37% of rapes and sexual assaults
- 15% of robberies
- 27% of aggravated assaults, and
- 25% of simple assaults

Plain and simple, **we have failed to treat the cause** - binge drinking, alcohol abuse and dependence- alcoholism.

Alcohol and Pregnancy



Fetal Alcohol Effects (FAE) or Fetal Alcohol Spectrum Disorder (FASD)

FASD is the leading known cause of preventable mental retardation.

FASD **can occur anytime** a pregnant woman drinks alcohol.

Research has shown that **drinking any alcoholic beverage is harmful**, especially binge drinking (consuming four or more drinks on one occasion).

Alcohol and the Workplace



Alcohol and College Students



Consequences—Researchers estimate that each year: **1,825 college students between the ages of 18 and 24 die** from **alcohol-related unintentional injuries**, including motor-vehicle crashes. **696,000 students between the ages of 18 and 24 are assaulted by another student who has been drinking.**

97,000 students between the ages of 18 and 24 report experiencing alcohol-related sexual assault or date rape.

Roughly 20 percent of college students meet the criteria for an AUD. About 1 in 4 college students report **academic consequences from drinking**, including **missing class, falling behind in class, doing poorly on exams or papers, and receiving lower grades overall.**²⁶

Alcohol and the Human Body

In 2013, of the 71,713 total liver disease deaths among individuals **aged 12 and older, 46.4 percent involved alcohol.** Among males, 48.9 percent of the **46,240 liver disease deaths involved alcohol.** Among females, 42.7 percent of the **25,433 liver disease deaths involved alcohol.**

Among all **cirrhosis deaths** in 2011, 48.0 percent were alcohol related. The proportion of alcohol-related cirrhosis was highest (72.7 percent) among decedent's ages 25–34, followed by decedents aged 35–44, at 70.3 percent.³⁰

In 2009, alcohol-related **liver disease was the primary cause of almost 1 in 3 liver transplants in the United States.** **Drinking alcohol increases the risk of cancers** of the mouth, esophagus, pharynx, larynx, liver, and breast.

Note:

Expanding our understanding of the relationship between **moderate alcohol consumption and potential health benefits remains a challenge**, and **although there are positive effects, alcohol may not benefit everyone who drinks moderately.** <http://alcoholicsvictorious.org/faq/impact>

The Impact of Alcohol Abuse on American Society

Alcohol related crashes kill someone in the U.S. **every 22 minutes.** At any minute, **one of 50 drivers on the road is drunk and every weekend night, one out of 10 is drunk.**

Alcohol related accidents are the leading cause of deaths **among young people.** (Dallas Times - Sat., 6/9/90)

Heavy drinking is involved in **60% of violent crimes, 30% of suicides, and 80% of fire and drowning accidents.**

The suicide rate of alcoholics is **30 times** that of the general population. (AFA journal - 1/90)

One baby with **Fetal Alcohol Syndrome will cost \$405,000** in direct special services from birth to 65 years. (San Diego County Dept. of Health Services)

Is it worth it?

New and more damaging effect of alcohol are continued to be found:

<http://www.niaaa.nih.gov/news-events/news-releases/study-defines-brain-and-behavioral-effects-teen-binge-drinking>



U.S. Department of Health and Human Services
NIH News
National Institutes of Health

National Institute on Alcohol Abuse
and Alcoholism (NIAAA)
<http://www.niaaa.nih.gov>

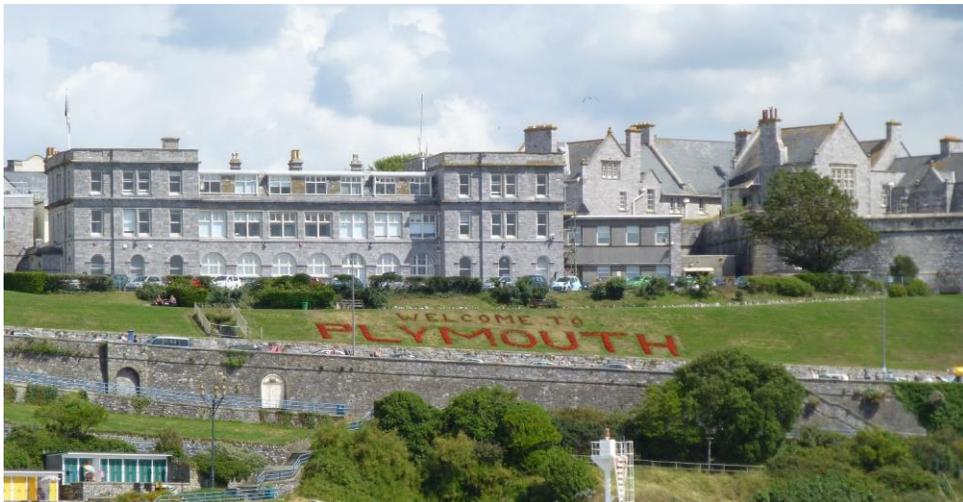
For Immediate Release - Thursday, April 2, 2015 Study defines brain and behavioral effects of teen binge drinking **NIH-funded findings also point to possible treatments for harmful effects of adolescent alcohol exposure** Adolescent binge drinking can **disrupt gene regulation and brain development in ways that promote anxiety and excessive drinking behaviors that can persist into adulthood**, according to a new study supported by the National Institute on Alcohol Abuse and Alcoholism (NIAAA), part of the National Institutes of Health. A report of the study, conducted in animals by researchers at the **University of Illinois at Chicago College of Medicine**, appears online in the journal **Neurobiology of Disease**.

“These findings are an important contribution to our understanding of the **alcohol-induced brain changes that make alcohol problems in adulthood more likely among young people who abuse alcohol,**” said NIAAA Director **George F. Koob, Ph.D.**

d. Conclusion

Human costs, is it worth it?

Plymouth, England.



*The Streets of Plymouth
where the Pilgrim Fathers
last walked before their
journey to America.....*



Kim and Ying Ng

Discussion:

Mayor Woodland asked for a motion.

Council Member Merrill moved to consider BILL 1128 approved and third read; Council Member Wolfe seconded the motion; Mayor Woodland asked for a vote:

Council Member Mann commented that he recognizes that there are different opinions. He respects everyone on the council no matter how they vote.

Council Member Wolfe appreciates Council Member Mann's comments. He wants everyone to know that he has thought long and hard about this issue. He has talked to a lot of people. He feels like the arguments against it don't apply to this ordinance. He doesn't think allowing one more day of sale in the city is going to affect the arguments. It's wrong to tell one business they can and the others they can't. It's not his position to tell everyone that they have to live the way he personally believes.

Council Member Smith has seen a lot of correspondence and had several calls. She thanked all those who have commented. They really do take those comments into consideration.

Council Member Busby has also had many comments. He said that we spend millions of dollars and he has never had anyone come up to him and tell him he is spending too much money, but he has had that this time with people saying you better or better not. He appreciates the community input.

Council Member Wolfe also said that he feels that he is representing the majority of the people. He only had one person say that it shouldn't pass.

Those voting aye

Council Member Smith
Council Member Benfield
Council Member Wolfe
Council Member Merrill

Those voting nay

Council Member Mann
Council Member Busby

The motion carried

2. **BILL 1129** repealing Ordinance 717 (Flood Plain)

Discussion:

Mayor Woodland asked for a motion.

Council Member Smith moved to consider BILL 1129 approved and third read; Council Member Merrill seconded the motion; Mayor Woodland asked for a vote.

Those voting aye

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

Those voting nay

None

The motion carried

3. **BILL 1130** Rezone 1st North (specified area) – from Low Density Residential 2 (LDR2) to Mixed Use 2 (MU2).

Mayor Woodland asked for a motion.

Council Member Mann moved to consider BILL 1130 approved and third read; Council Member Smith seconded the motion; Mayor Woodland asked for a vote:

Those voting aye

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

Those voting nay

None

The motion carried

Mayor's Business:

A. Replace Marsha Bjornn on the Urban Renewal Agency.

Rexburg Redevelopment Agency (7 voting members)										
Last Name	First Name	Address	City	State	Zip	Phone#	Email	Position	Appointed	Expires
Merrill	Jerry	571 Taurus Dr	Rexburg	ID	83440	709-3050	merrilljerry@hotmail.com	Council Rep		
Erickson	Rex	440 Reed Street	Rexburg	ID	83440	356-9132	rexe@ericksonet.com	Voting	01/01/13	1/13/18 2nd Term
Merrill	Jerry	571 Taurus Dr	Rexburg	ID	83440	709-3050	merrilljerry@hotmail.com	Voting	02/13/13	2/18/18
Hancey	Douglas "Doug"		Rexburg	ID	83440	351-4183	shicar1@hotmail.com	Voting	07/01/14	1/1/19
West	Joseph	125 Crestview St	Rexburg	ID	83440	356-4808	joseph@Eznettools.com	Vice Chair	01/01/11	1/1/16 2nd Term
Horner	Richard	3848 S. 4413 W.	Rexburg	ID	83440	716-1327	ryhomer@msn.com	Chairman	06/01/14	1/1/19
Bjornn	Marsha	540 Gemini Dr	Rexburg	ID	83440	356-9350	marsha.bjornn@gmail.com	Voting	01/10/10	1/1/15
Solomon	Timothy "Tim"	127 East Main	Rexburg	ID	83440	252-2446	timothy.solomon@rockymountainpower.net	Voting	07/01/14	1/1/19
Meeting Time: Hold meetings when needed										
* According to Resolution No. 2010-09, the Rexburg Redevelopment Agency shall consist of seven (7) members										
* Resolution 91-8 WHEREAS, the City of Rexburg desires to implement and empower an Urban Renewal Agency by the Idaho Urban Renewal Law of										
* Resolution 91-9 PLANNING AND ZONING COMMISSION --- WHEREAS, THE Rexburg Redevelopment Agency ("Agency") has submitted proposed Urban Renewal Plan entitled "North Highway Urban Renewal Plan, City of Rexburg" (the "Plan") to the City of Rexburg and the City Council, through the Mayor, referred the Plan to the Rexburg Planning and Zoning Commission for review and recommendations concerning the conformity of said Plan with the Comprehensive Plan known as the Madison County Rexburg Comprehensive Plan 2000; APPROVED NOVEMBER 26, 1991.										
* ORDINANCE 728 --- WHEREAS, the Rexburg Redevelopment Agency (hereinafter "Agency") has embarked on an Urban Renewal Project to redevelop a portion of the City of Rexburg pursuant to the Idaho Urban Renewal Act of 1965, as amended, Chapter 20, Title 50, Idaho Code (the "Urban Renewal Act"), and the Local Economic Development Act, Chapter 29, Title 50, Idaho Code (the "Economic Development Act"); APPROVED DECEMBER 27, 1991.										

Discussion:

Council Member Mann moved to ratify the nomination of Richard Smith to replace Marcia Bjornn on the Urban Renewal Agency. Council Member Merrill seconded the motion. Mayor Woodland asked for a vote.

Those voting aye

Council Member Smith
Council Member Benfield
Council Member Wolfe
Council Member Busby
Council Member Mann
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 April 01, 2015 meeting
- B. Approve the City of Rexburg Bills

Council Member Busby asked for a correction to the last minutes. He clarified that he did not agree to pay for the benefit race for OUR. He is simply allowing for the fees to be waved and we are not assuming responsibility for that.

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

Those voting nay

None

The motion carried

Discussion on the Idaho Falls magazines. Council Member Benfield explained that they would like us to put ads in it. It is mostly ads that tell about different things.

Adjourned at 9:22 P.M.

APPROVED:

Richard S. Woodland, Mayor

Attest:

Mary Flanary, Deputy City Clerk