

# City Council Meeting

November 04, 2015

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

November 04, 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

Blair D. Kay – City Clerk

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**

Boy Scout Troop 218 led the pledge.

Jason Flora said the prayer.

## **Roll Call of Council Members:**

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

**Council Member Benfield** joined the meeting via telephone.

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

**Tayiz Banez** from Venezuela said she attends the Madison High School and is a member of their swim team. She has been swimming for ten years and is an Idaho State swimming champion. She holds the state record in the 100 yards breaststroke. She would like to see more participation in the sport of swimming, because it is a great sport.

**Ms. Tayiz Banez** said her daughter Tayez whom is named after her is her only daughter. She has four sons who were also competitive swimmers in Venezuela, one of them is a BYU-Idaho graduate in Mechanical Engineering. She said the Madison High School Swim Team consists of her daughter and another male student. There are other students that are interested in joining the swim team; however, they have to travel to Idaho Falls for swim practice. The Idaho Falls swimming pool doesn't meet the competitive swim regulations, which causes them to travel further for swim meets. She and her family travel to Boise or Twin Falls for competitions. The City of Boise has a great swimming pool facility that meets the competitive swim regulations. She believes Rexburg should have a swimming pool facility like the one in Boise. The competitive swim tournaments would bring more commerce to Rexburg.

**Nicolas Alison** referenced the Envision Madison report. Principle: 4 in the report states Enhance Community Recreation and Tourism. Enhance recreational opportunities by coordinating and advertising those opportunities that already exist. Provide more recreational opportunities during the cold winter months by building an indoor athletic complex. The final survey of the report showed the biggest item was an indoor athletic complex too. He asked City Council to seriously consider an indoor swimming facility used to host swim competitions. He understands City growth is a determining factor. He urged City Council to look for ways to fund the building of an indoor recreation complex. He believes an indoor complex would boost the local economy.

**Craig Johnson** said he agrees with the comments that were shared regarding an indoor recreational complex. He also expressed his gratitude for the elections and for those who ran for City Council. He is grateful for the City's public servants who share their time and serve our community. He appreciated the clean campaigning.

### **Presentations:**

#### **A. Rexburg Connect bus service**

**Jerry Vargas** from the Houston Texas represents Rexburg Connect a transportation business. He said Brian Hutchings and his son Sam Vargas will present the transportation business plan to City Council.

**Mr. Hutchings** thanked Mayor Woodland and City Council for their time. He said they have been communicating with BYU-Idaho University and City staff in starting up a transportation business. The short term goal for their business is to offer transportation to BYU-Idaho University Students. The long term goal would be to offer the service to Rexburg residents. He said there is a great need for transportation within the University's student population because most students don't own a car. Rexburg Connect would use shuttles or buses to transport the students from one side of the University to the other side and to local business. They have offers from thirty different businesses who will offer discounts to the students. This will offer an incentive for the students to shop at these local businesses.

**Mr. Sam Vargas** with Rexburg Connect stated they are seeking City Council approval to work with City staff on creating bus stops around the University. They will need City street access for the bus stops. It will take team work from BYU-Idaho, the City, and Rexburg Connect to get the business started. He said their goal is to create safe transportation for the BYU-Idaho students. He reviewed the City street map on the overhead screen to show which City Streets they would like to have access to for bus stops. There are three different streets. The first street is City owned, the second is half owned by the City and the other half by the university. The third street is owned by the University. He indicated they hope to have three bus stop locations on each of the three streets.

**Mr. Sam Vargas** asked if the bus stop on 2<sup>nd</sup> South near Northpoint Apartments would cause any traffic problems. City Engineer Davidson did not see a traffic problem at that location. He also asked about the second stop on 1<sup>st</sup> W near the BYU-Idaho Stadium. City Engineer Davidson said they will need to work with BYU-Idaho to see if they will allow them to use their parking lot.

**Mr. Sam Vargas** reviewed the next set of bus stop locations. Council Member Busby asked about the number of buses that will be operating. Mr. Vargas said on the East side of the University there will be 2 buses circling around and one bus running the North side. The stop across the stadium could possibly impede traffic, which is something their company doesn't want to do. They would like to have a bus stop to the west of the stadium. He said in total they would like to have three bus stops per street. They are only looking at a total of three streets at this time.

Discussion regarding passenger safety and bus driver safety.

**Council Member Busby** asked about the destination for the third bus stop. Mr. Vargas said it is a University route and a grocery/entertainment route. Rexburg Connect only services BYU-Idaho students. Mr. Hutchings said in the future they will want to offer transportation services to Rexburg residents however it is not feasible at this time.

**Council Member Busby** asked if they will provide transportation to the new Super Walmart. Mr. Vargas said they have contacted Super Walmart’s manager about having a bus stop at their location. The store would like the City to be involved in the process.

**Council Member Busby** asked about the size of the buses they will be using. Mr. Vargas replied they are full size 25 to 30 passenger buses. In order to make it feasible they will need to be able to transport a large number of passengers.

**Council Member Merrill** motioned to approve for City Staff to work with Rexburg Connect on the use of City Streets for their bus stops. Council Member Busby Second the motion. Mayor Woodland asked for a vote:

**Those voting aye**

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

**Those voting nay**

None

**The motion carried**

**Committee Liaison Assignments for 2015:**

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

**Council Member Mann** reported the Golf Board met last night; however he did not attend the meeting, due to the elections. He took time to congratulate Council President Smith, Council Member Busby, Tisha Flora and Council Member Merrill for being elected to the Rexburg City Council. They are great people and he looks forward to continue working with them.

**Council Member Mann** reported Emergency Services Board dedicated the remodeled Fire Station. Mayor’s Youth Advisory Board met today. They cut out Christmas tree ornaments for the Shop with a Cop fundraiser. The tree ornaments are printed with a number indicating age and the word boy or girl indicating who the gift should be purchased for. The trees are then delivered to Rexburg businesses. He said the customers visiting the business may choose an ornament and donate a gift. The donated gifts can be returned to the business or be taken to the Rexburg Police Department.

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

**Council Member Busby** reported GIS Oversight Committee and The Airport Board did not meet. Traffic and Safety met; he said Deedee Tucker the Public Works Administrative Assistant was given the go-ahead to write an article about safety on the City’s roundabout. The article will be in the Scroll Newspaper.

**Council Member Busby** reported there are a number of traffic studies taking place throughout the City. Public Works Director Millar is trying to figure out who all is in charge of the traffic studies so the City can obtain the results. There is concern with the narrow road running in front of Windsor Manor Apartments. Public Works Director Millar is trying to push back the on street parking for safety reasons at that location.

**Council Member Busby** said the Traffic & Safety Committee is trying to figure out a way to educate the public on crosswalk safety. There is a problem with pedestrians pushing the crosswalk button and immediately start crossing the street before looking both ways.

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

**Council Member Benfield** reported she has not met with any of her assigned committees. She also congratulated everyone that won and didn't win last night. She has been there and knows what it's like to not win; however she calls everyone who ran a winner for being willing to serve their community. Council Member Benfield stated she also looks forward to the next few years.

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 and the Rexburg Arts Council did not meet. M.E.P.I. met on Monday; they are moving forward with the four committees that were outlined at the last City Council meeting. The committees have been received well and will bring great input. She said Economic Director Johnson attended the meeting to help guide and direct them.

**Council President Smith** thanked everyone; she thought the elections were handled well and everyone acted in an admirable manner as they should. She welcomed Tisha Flora, who will be a new City Council Member in January.

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

**Council Member Merrill** thanked everyone who ran and participated in the election process. He also thanked the voters for taking the time to go and vote.

**Council Member Merrill** reported the Madison School Board met; they are trying to decide whether or not to include the tennis courts near the Madison Junior High in the land transfer agreement. There were comments regarding the property by the Madison High School where the City would like to build a water tank.

**Council Member Merrill** reported Parks & Recreation are working on the indoor recreation programs for the winter months, they hope to get started soon. The irrigation and grading is almost complete at the playing fields in Riverside Park. The playing fields have taken longer than expected to grade, because the dirt hauled in from the Super Walmart site had a lot of rocks in it.

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

**Council Member Wolfe** reported Planning & Zoning has not met. He said he has heard from numerous people including the news media what a great race it was and how honorable everyone was. He appreciates those who are willing to serve.

#### **Mayor's Report:**

**A. Request to waive the fees** to use the Tabernacle for a Christmas Concert – Shey Ercanbrack

*“The original Underground Railroad was a network that existed in 19th century America to liberate African slaves. We often congratulate ourselves for having eradicated 19th century slavery. However, it has not been eradicated. It is uglier than ever. Its victims today include nearly 2 million precious children in the world.\* They are sex slaves. This is why Operation Underground Railroad (O.U.R.) was created. Using cutting-edge computer technology and human intelligence, O.U.R. under cover teams of former CIA and Special Ops personnel go into the darkest corners of the world to help local law enforcement liberate enslaved children and dismantle the criminal networks. Since the organization was founded in January of 2014, they have liberated over 300 children from this nightmare. Not only do they rescue the children, but they reunite them with their families when possible and work with The Elizabeth Smart Foundation to nurture and rehabilitate them.*

*OUR Joy to Everyone Christmas Concert is an event that will take place here in Rexburg on Monday, December 14, 2015. The performers will be made up of talented performers from Rexburg & surrounding areas including a high school choir composed of choral students from Sugar-Salem High School, a children's choir, dancers, & local singers who have been finalists or winners in the community event, Upper Valley Idol.*

*The concert will bring the whole community together to share in the true meaning of Christmas as we unite to help others in need. We will have a visit from Santa Claus as well, children will be able to sit on Santa's lap & get a free picture taken. The goal of O.U.R. Christmas Concert is to raise awareness for Operation Underground Railroad and to raise money to support future rescues and rehabilitation of victims.*

*100% of the profits from the concert will go directly to O.U.R. to help save children. We sincerely appreciate your donation of any kind to this worthy cause."*

*For additional information or questions regarding O.U.R. Joy to Everyone Christmas Concert please contact:*

*Shey Ercanbrack  
(435) 232-0076  
ourchristmasconcert@gmail.com*

*\*UNICEF Report  
Tax ID: 27-5448061 501(c)(3)*

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*As parents in this community and concerned citizens, we have chosen to partner with Operation Underground Railroad to bring relief to children around the world caught in the sex trafficking trade. Our mission is to raise money for O.U.R. by hosting a fundraising Christmas Concert, O.U.R. Joy to Everyone on Monday, December 14, 2015 at 7 PM in the Rexburg Tabernacle. As a non-profit organization, we rely on sponsors and businesses like yours to help fund our efforts. All money raised will go directly to this deserving organization.*

*What type of sponsorship fits you?*

*Platinum Sponsor: \$1, 000+*

*Our largest donation will be advertised as the official sponsor.*

*If you choose to donate to this great cause your company will be acknowledged by:*

- Your business being announced on social media via our Facebook Page*
- Your business logo on 11x17 posters around town*
- Your business logo on the concert program*
- Your business highlighted at the concert with a short dialogue to the audience*

*Diamond Sponsor: \$500*

*If you choose to donate to this great cause your company will be acknowledged by:*

- Your business being announced on social media via our Facebook Page*
- Your business logo on 11x17 posters around town*
- Your business logo on the concert program*
- Your business highlighted at the concert with a short dialogue to the audience*

*Gold Sponsor: \$250*

*If you choose to donate to this great cause your company will be acknowledged by:*

- Your business being announced on social media via our Facebook Page*
- Your business logo on 11x17 posters around town*
- Your business logo on the concert program*
- Your business highlighted at the concert with a short dialogue to the audience*

*Silver Sponsor: \$50-\$100*

*If you choose to donate to this great cause your company will be acknowledged by:*

- Your business being announced on social media via our Facebook Page*
- Your business logo on the concert program*
- Your business name mentioned to the audience*

*Shey Ercanbrack  
565 Pioneer Road #31  
Rexburg, Idaho 83440  
(435) 232-0076  
ourjoytoeveryone@gmail.com  
Tax ID: 27-5448061 501(c)(3) non-profit charity*

*For more information about O.U.R., please visit their website at [www.ourrescue.org](http://www.ourrescue.org)*

**Cost of Running the Romance Theater and the Rexburg Tabernacle Civic Center**

Operations			
Rexburg Tabernacle (Based on the 2014 Operations Budget)		Romance Theater (Based on the 2014 Operations Budget)	
Yearly Operating Cost	\$ 32,364.55	Yearly Operating Cost	\$ 36,663.00
Daily Fixed Rate (365 days)	\$ 88.67	Daily Fixed Rate (365 days)	\$ 100.45
Fixed Cost/hour	\$ 3.69	Fixed Cost/hour	\$ 4.19

Labor Costs for the Romance Theater and Rexburg Tabernacle Civic Center				
Position	Hourly Wage	Benefits	Total Wage Costs	
Lights/Sound Tech	\$ 18.00	\$ 1.60	\$	19.60
Concessions	\$ 8.00	\$ 0.71	\$	8.71
Cultural Director (as of 11/1/15)	\$ 14.49	\$ 11.15	\$	25.64

Printed Supplies			
	Cost per Ream	Cost Per Page	
Paper 8.5 x 11 (plain white)	\$ 3.25	\$	0.01
Paper 11 x 17 (poster paper)	\$ 30.00	\$	0.12
Cost per Full Color Printed Page (8.5 x 11)			
	\$ 0.05		
Cost per Full Color Printed Page (11 x 17)			
	\$ 0.10		
<b>Total Cost for Color Copies</b>			
	8.5 x 11	\$	0.06
	11 x 17	\$	0.22

Sample Event at the Romance Theater	
8 Hours at the Romance	\$ 29.56 (Rent)
4 Hours of Concessions (w/2 Employees)	\$ 69.69
Light/Sound Tech (4 hr.)	\$ 78.40
4 Hours of Cultural Director	\$ 102.56
Advertising	\$ 16.65 (50 11 x 17 pages, and 100 8.5 x 11 pages)
	<b>\$ 296.86</b>

Sample Event at the Tabernacle Civic Center	
8 Hours at the Romance	\$ 33.48 (Rent)
Light/Sound Tech (4 hr.)	\$ 72.89
4 Hours of Cultural Director	\$ 102.56
Advertising	\$ 16.65 (50 11 x 17 pages, and 100 8.5 x 11 pages)
	<b>\$ 225.58</b>

Discussion:

**Council Member Busby** moved to waive the fees to use the Tabernacle for a Christmas Concert; Council Member Merrill seconded the motion. Mayor Woodland asked for a vote:

**Those voting aye**

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

**Those voting nay**

None

**The motion carried**

**Public Hearings:**

- A. 7:00 P.M. Ordinance 1134 – Adopting the Urban Renewal Plan** for the North Interchange Urban Renewal District; also, **Resolution 2015 – 13** (Intergovernmental Agreement between the City of Rexburg and Sugar City); and **Resolution 2015 – 14** (Intergovernmental Agreement between the City of Rexburg and Madison County).

**Council Member Merrill** reviewed the proposal of adopting the Urban Renewal Plan for the North Interchange on the overhead screen. He said the Urban Renewal Agency proposed a larger area than what is shown on the map below. It was recommended by the Madison County Commissioners to decrease the area. He said the Urban Renewal Agency began with a larger area and decrease the size of the area; however they cannot increase the area after they have started the process.

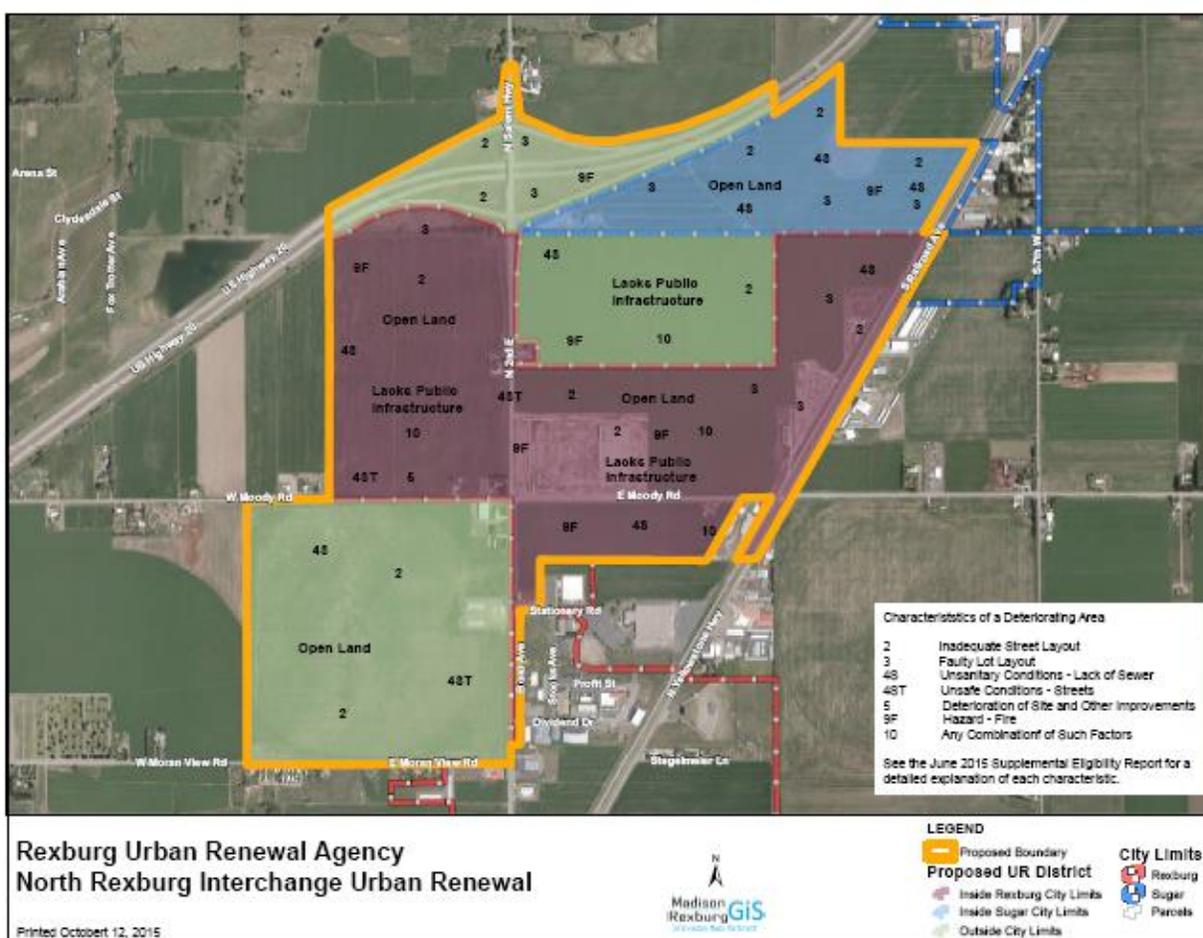
**Council Member Merrill** pointed out the North Interchange and the location of the Super Walmart. The Plan is to start widening the road from the corner of where the Super Walmart begins to the North Highway Interchange. Another part of the plan is to make the Moody Road a three lane road. Council Member Merrill stated within the planned infrastructure they will included the installation of water and sewer lines, etc. to allow future development.

**Council Member Merrill** said all of the land owners inside the North Interchange Urban Renewal District have signed the Urban Renewal agreement. The land to the north is in the City of Sugar City’s impact zone. The City of Sugar City has also approved this plan. Sugar City asked to be included and wanted to be involved in the planning. The City of Sugar City would also like to see future development.

**Council Member Merrill** said what is before City Council tonight is the public hearing and decision to approve or deny Resolution 2015-13 an intergovernmental agreement between the City of Rexburg and Sugar City. A decision will also be made to approve or deny Resolution 2015-14 an intergovernmental agreement between the City of Rexburg and Madison County. The final decision will be to approve or deny Ordinance 1134- adopting the Urban Renewal Plan for the North Interchange Urban Renewal District.

**Council Member Busby** asked if making Moody Road a three lane road would support future growth. City Engineer Davidson indicated it would handle future growth.

Discussion regarding the widening of the roads to accommodate traffic flow.



*“This Plan was prepared by the Board of Commissioners, consultants, and staff of the Urban Renewal Agency for the City of Rexburg (the “Agency”) and reviewed and recommended by the Agency pursuant to the Idaho Urban Renewal Law of 1965, Chapter 20, Title 50, Idaho Code, as amended (the “Law”), the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended (the “Act”), and all applicable local laws and ordinances.”*

*“The proposed redevelopment of the Project Area as described in this Plan conforms to The City of Rexburg Vision 2020 Comprehensive Plan, as amended (the “Comprehensive Plan”), and adopted by the Rexburg City Council (the “City Council”).”*

**Mayor Woodland** opened the public hearing.

**Written correspondence:** - NONE

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

**Public Testimony neutral to the proposal (5 minute limit):**

**Kenneth Hart** asked how the North Interchange Urban Renewal District Plan will benefit the City of Sugar City. Council Member Merrill stated the City of Sugar City doesn't have road access yet; however part of the Urban Renewal Plan is to improve the two side roads. After tax money is collected and saved they anticipate building infrastructure in the interior part of the Sugar City property. Mayor Woodland stated the City of Rexburg and Sugar City are partners in this Urban Renewal District. The services need to develop their property would be available.

**Kenneth Hart** asked if its pay as you build or can the Urban Renewal District borrow money. Council Member Merrill indicated for the initial widening of the two City roads, the plan is to issue a bond. The bond would be paid back with the urban renewal funds that are collected.

**Public Testimony opposed to the proposal (5 minute limit):**

**Ralph Matson** stated he lives across the street, slightly to the North of Super Walmart on 2<sup>nd</sup> East. He stated if a five lane road is built it will wipe out his house and the ditch that waters the farm lands. He stated Council Member Merrill said the property owners in the North Interchange Urban Renewal District had signed the agreement. Mr. Matson said he was left out of the decision to widen the road and wipe out his house.

**City Attorney Zollinger** clarified there was an inadequacy in Council Member Merrill's presentation regarding the North Interchange agreement. The Urban Renewal Agency obtained signatures for all property owners whom are legally allowed to oppose the agreement. It did not include residences; it was also a miss-statement to imply Mr. Matson signed off on the agreement. City Attorney Zollinger also stated it was a miss-statement to imply that there is a plan in place to immediately construct a five lane road. As Mr. Matson pointed out there is a ditch and right of way acquisitions that haven't been address. It would be a lengthy process to widen the street to the West.

**City Attorney Zollinger** said the current plan is to take steps immediately needed to widen the road to the East and extending it all the way to the North Interchange. Mr. Matson in not unique in his concerns about his property, there are other property owners to the south that would be affected by widening the road to five lanes. He indicated as the North Interchange Plan moves forward and development starts, the possibility of widening the road to five lanes increases. The North Interchange Plan is a twenty year plan. City Engineer Davidson said the time frame of the five lane road is unknown.

**Kelly McKamey** stated the North Interchange Plan doesn't affect him personally, he doesn't live in the area. He opposes the general status of how the Urban Renewal Agency operates. Once this is approved the Urban Renewal Agency Board whom is not elected officials will continue the process without the property owner's approval. He said there are other Urban Renewal Districts and he believes it's an abusive system. He opposes the Urban Renewal Districts based on principle.

**Mayor Woodland** closed the public hearing for deliberations.

**Mayor Woodland** asked if there were any questions from the audience.

**Kenneth Hart** asked about the collateral of the bond or loan. Finance Officer Nielson said the collateral is the future revenue stream from the tax increments that are generated.

**Mr. Hart** asked where the members of the Urban Renewal Agency live. Council Member Merrill said they are Rexburg and Madison County residents.

A student in the audience asked if the widening of the road to five lanes would end before the bridge on the north Rexburg exit. He is concerned with traffic trying to get to the Super Walmart. Council Member Merrill said the state highway begins where the widening would end. Council Member Mann said traffic would still flow because one lane would turn off and the other lane would go over the bridge.

The student also asked if the City or Madison County would fund the widening of the road. Council Member Merrill replied, the project would be funded by the Urban Renewal Agency. The Urban Renewal Agency has the power to borrow money to pay for the projects. He said the tax revenues from additional developments in this Urban Renewal District are saved to its fund.

Discussion regarding interest by possible developers.

**Mrs. Tisha Flora** questioned if future development doesn't come, will the taxes collected from the Super Walmart be enough to pay back the bond. Council Member Merrill replied, the Urban Renewal Agency is set up in a way that if the money isn't there or the North Interchange District doesn't develop as it should then they won't build more.

**City Attorney Zollinger** clarified the Urban Renewal Agency will not encumber more than what the tax increments will bring in. There are a number of projects in the North Interchange District that could possibly be built in the course of twenty years. He said the purpose of the Urban Renewal Agency is to allow development to occur in advance of structure being there.

**Council Member Mann** stated Urban Renewal is one of the few tools cities have to promote growth.

#### **Deliberations:**

**Mayor Woodland** asked for a motion to approve Resolution 2015 – 13 (Intergovernmental Agreement between the City of Rexburg and Sugar City); and Resolution 2015 – 14 (Intergovernmental Agreement between the City of Rexburg and Madison County).

**Council Member Mann** moved to approve **Resolution 2015 – 13** (Intergovernmental Agreement between the City of Rexburg and Sugar City); and **Resolution 2015 – 14** (Intergovernmental Agreement between the City of Rexburg and Madison County); Council Member Merrill seconded the motion. Mayor Woodland asked for a vote:

#### **Those voting aye**

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

#### **Those voting nay**

None

#### **The motion carried**

**Council Member Merrill** moved to approve the adoption of the Urban Renewal District for the North 2<sup>nd</sup> East Interchange and consider Ordinance 1134 as first read for the Urban Renewal Plan; Council Member Mann seconded the motion. Discussion: Council Member Busby requested that City staff review the complaint by Ralph Matson concerning the road widening on the west side of 2<sup>nd</sup> East. He wanted to make sure the development of the west side of 2<sup>nd</sup> East would occur through negotiations with the property owners as their property develops in the future. Council Member

Merrill indicated one of the things he appreciates about the Urban Renewal Board Members is they too are land owners. He doesn't believe the board would entertain a forced sell of property. Council Member Smith stated she agrees with Council Member Mann's statement of urban renewal being a great tool for the State of Idaho and cities. Council Member Wolfe stated this is second public hearing the first was before Planning and Zoning. They approved it unanimously. Mayor Woodland asked for a vote:

**Those voting aye**

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

**Those voting nay**

None

**The motion carried**

- B. **7:30 P.M. Resolution 2015 – 12 for the City of Rexburg and Madison County** to consider proposed Airport fee increases. Also, other fees for the City of Rexburg will be reviewed for increase or addition to the City's fee list.

**Mayor Woodland** welcomed the Madison County Commissioners as they made their way up to sit in front of the dais in the City Council Chambers to participate in the public hearing.

**Finance Officer Nielson** stated Madison County and the City of Rexburg have some joint ventures. They have some fees that crossover between the City and Madison County. The main fees include the Municipal and Teton Lakes Golf Courses, Legacy Flight Museum, and the Rexburg Airport.

**Finance Officer Nielson** reviewed the increased fees for the Rexburg Airport. He stated the increases were recommendations made by the Airport Board. The landing fees increased from \$800.00 to \$ 900.00. There was increase in the fuel royalties from \$0.05 to \$0.07 and an increase in the lot lease per square foot from \$0.14 to \$0.15.

**Finance Officer Nielson** reported on the fee increases for golf courses. He said the Golf Board is recommending an average increase of about 5% on daily fees and season passes. They did not recommend an increase in the junior golf passes. He indicated there are a few fee changes for the Legacy Flight Museum and Rexburg Rapids.

The City's fee list showing the proposed increase and changes was viewed on the overhead screen as contained in Resolution 2015 – 12.

*RESOLUTION NO. 2015-12*

*A RESOLUTION OF THE CITY OF REXBURG, IDAHO, ADOPTING A NEW RATE SCHEDULE FOR CERTAIN FEES.*

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

*WHEREAS, the City Council desires to set certain fees so that they cover the cost of the services provided through the payment of those fees;*

*NOW THEREFORE, be it resolved by the Mayor and the Council of the City of Rexburg, effective November 5th, 2015, that the fees in attached list shall be charged as specified:*

*PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2015.*

*CITY OF REXBURG  
Madison County, Idaho*

By \_\_\_\_\_  
Richard Woodland, Mayor

ATTEST:

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

<b>Department</b>	<b>Category</b>	<b>Description</b>	<b>Current Fee</b>	<b>Adopted Fee</b>
Airport	Fee	Landing/Touch Down Fee Per Year	\$800.00000	\$900.00
Airport	Fee	Royalty per gallon of fuel sold at the airport	\$0.05000	\$0.07
Airport	Rental	Lot Lease Fee per square foot per year	\$0.14000	\$0.15
Customer Service	Business Registration	Street closure (house move)	\$62.50000	DELETE
Customer Service	Fee	Parade/Public Gathering Ap Expediting Fee (Received less than 21 days prior)		\$25.00
Customer Service	Fee	Road/Street Closure Ap Expediting Fee (Received less than 48 hours prior)		\$100.00
Customer Service	Fee	Road/Street Closure Application (Minimum -not including Police charges)	\$62.50000	\$50.00
Financial Mgmt	Fee	Stop Payment Fee for Lost Check/ or Non-sufficient Funds Fee	\$25.00000	\$35.00
Golf	Admission	Class Fee	\$165.00000	\$185.00
Golf	Daily Fees	Rexburg Municipal 09 Hole	\$10.14000	\$10.85
Golf	Daily Fees	Rexburg Municipal 09 Hole Junior	\$5.19000	\$5.19
Golf	Daily Fees	Rexburg Municipal 18 Hole	\$14.15000	\$14.86
Golf	Daily Fees	Rexburg Municipal 18 Hole Junior	\$8.73000	\$8.73
Golf	Daily Fees	Rexburg Municipal Add 9	\$4.01000	DELETE
Golf	Daily Fees	Rexburg Municipal Add 9 Junior	\$3.54000	DELETE
Golf	Daily Fees	Rexburg Municipal School Class Round-9 Hole	\$4.01000	\$4.72
Golf	Daily Fees	Teton Lakes 09 Hole	\$13.68000	\$14.39
Golf	Daily Fees	Teton Lakes 09 Hole Junior	\$10.14000	\$10.14
Golf	Daily Fees	Teton Lakes 09 Hole-Weekend	\$14.62000	\$15.57
Golf	Daily Fees	Teton Lakes 18 Hole	\$19.34000	\$20.52
Golf	Daily Fees	Teton Lakes 18 Hole Junior	\$15.33000	\$15.33
Golf	Daily Fees	Teton Lakes 18 Hole-Weekend	\$22.41000	\$23.59
Golf	Daily Fees	Teton Lakes Add 9	\$5.66000	DELETE FEE
Golf	Daily Fees	Teton Lakes Add 9 Junior	\$5.19000	DELETE FEE
Golf	Daily Fees	Teton Lakes Add 9 Weekend	\$7.78000	DELETE FEE
Golf	Daily Fees	Teton Lakes School Class Round-9 Hole	\$4.01000	\$4.72
Golf	Pass	2nd Season Pass	\$327.36000	\$343.87
Golf	Pass	3 Month Pass	\$337.97000	\$354.95
Golf	Pass	College Pass	\$337.97000	\$354.95
Golf	Pass	Coupon-Muni Only (12 9-Hole Rounds)	\$103.54000	\$108.73
Golf	Pass	Coupons (12 9-Hole Rounds)	\$139.86000	\$146.93
Golf	Pass	End of Season Pass-Sept thru Nov or until Closed for Winter	\$141.51000	\$148.82
Golf	Pass	Family Pass	\$826.65000	\$868.16
Golf	Pass	Junior Pass	\$166.75000	\$175.24
Golf	Pass	One Month Pass	\$129.48000	\$136.09
Golf	Pass	Season Pass both Courses	\$441.75000	\$463.92
Golf	Pass	Senior Pass-Before Noon Monday thru Friday (For Age 65 or Older)	\$275.47000	\$289.39
Legacy Flight Msm	Admission	Dances per hour past midnight additional		\$150.00

Legacy Flight Msm	Admission	T6 Plane Ride Per 20 Minute Ride	\$200.00000	DELETE
Legacy Flight Msm	Admission	T6 Plane Ride Per 30 Minute Ride	\$400.00000	DELETE
Legacy Flight Msm	Admission	T6 Plane Ride Per Hour for 4 hours or more	\$500.00000	DELETE
Legacy Flight Msm	Admission	T6 Plane Ride Per Hour for less than 4 hours	\$650.00000	DELETE
Legacy Flight Msm	Admission	T6 Plane Ride Per Person "Around the Patch"	\$100.00000	DELETE
Legacy Flight Msm	Rental	Dances minimum		\$650.00
Legacy Flight Msm	Rental	Dances per hour after midnight additional		\$150.00
Legacy Flight Msm	Rental	Group Deposit for over 100 people including dances		\$200.00
Legacy Flight Msm	Rental	Group Deposit for up to 100 people		\$100.00
Legacy Flight Msm	Rental	Group Rental for birthday parties of 1-2 families		\$75.00
Legacy Flight Msm	Rental	Group Rental up to 50 people		\$250.00
Legacy Flight Msm	Rental	Group Rental up to 100 people		\$350.00
Legacy Flight Msm	Rental	Group Rental up to 200 people		\$450.00
Legacy Flight Msm	Rental	Group Rental up to 300 people		\$550.00
Legacy Flight Msm	Rental	Group Rental up to 400 people		\$650.00
Legacy Flight Msm	Rental	Kitchen rental for drink sales (not for catered food events)		\$100.00
P & Z	Fee	County Surveyor Fee for 01-10 Lots		\$250.00
P & Z	Fee	County Surveyor Fee for 11-25 Lots		\$500.00
P & Z	Fee	County Surveyor Fee for 26+ Lots		\$1000.00
Recreation	Carousel	1 Ticket to ride	\$1.00000	\$1.25
Recreation	Carousel	10 Tickets to ride	\$9.00000	\$11.25
Recreation	Carousel	20 Tickets to ride	\$16.00000	\$20.00
Recreation	Carousel	30 Tickets to ride	\$21.00000	\$26.25
Recreation	Carousel	75 Tickets to ride	\$40.00000	\$50.00
Recreation	Programs	Girls Basketball (Grades 2-8)	\$35.00000	\$40.00
Recreation	Race Admission	Teton Dam Marathon: Full Marathon per person	\$65.00000	\$75.00
Recreation	Race Admission	Teton Dam Marathon: Half Marathon per person	\$60.00000	\$70.00
Recreation	Race Admission	Teton Dam Marathon: Team Relay -- each member fee	\$45.00000	\$55.00
Rexburg Rapids	Admission	Daytime Individual Ages 3 - 59	\$5.00000	\$5.50
Rexburg Rapids	Admission	Daytime Individual Non-Swimmer	\$2.75000	\$3.00
Rexburg Rapids	Admission	Daytime Individual Seniors (60 years+), Veterans, and Armed Services	\$4.00000	\$4.50
Rexburg Rapids	Admission	Evening Group Non Exclusive 020-049 People per person	\$4.25000	\$4.75
Rexburg Rapids	Admission	Evening Group Non Exclusive 050-099 People per person	\$4.00000	\$4.50
Rexburg Rapids	Admission	Evening Group Non Exclusive 100-199 People per person	\$3.50000	\$4.00

Rexburg Rapids	Admission	Evening Group Non Exclusive 200-299 People per person	\$2.75000	\$3.25
Rexburg Rapids	Admission	Evening Group Non Exclusive 300-900 People per person	\$2.25000	\$2.75
Rexburg Rapids	Admission	Evening Group Reserved Exclusive Aquatic Center Rental	\$900.00000	\$935.00
Rexburg Rapids	Admission	Evening Group Reserved Non Exclusive 000-200 People	\$275.00000	\$315.00
Rexburg Rapids	Admission	Evening Individual Ages 3 - 59	\$4.50000	\$5.00
Rexburg Rapids	Admission	Evening Individual Non-Swimmer	\$2.75000	\$3.00
Rexburg Rapids	Admission	Evening Individual Seniors (60 years+), Veterans, and Armed Services	\$3.00000	\$3.50
Rexburg Rapids	Pass	10 Punch Pass -No Slide	\$45.00000	\$49.50
Rexburg Rapids	Pass	10 Punch Pass -With Slide	\$58.50000	\$63.00
Rexburg Rapids	Pass	25 Punch Pass -No Slide	\$106.25000	\$116.75
Rexburg Rapids	Pass	25 Punch Pass -With Slide	\$139.00000	\$148.75
Rexburg Rapids	Pass	Season Pass - Per Individual		\$90.00
Rexburg Rapids	Programs	Fitness/Lap Swim-5 Week Session/ twice per week/90 minutes	\$35.00000	\$38.00
Rexburg Rapids	Programs	Non-Resident Swim Lessons 30 minutes	\$46.00000	\$51.00
Rexburg Rapids	Programs	Non-Resident Swim Lessons 40 minutes	\$55.00000	\$60.00
Rexburg Rapids	Programs	Resident Swim Lessons 30 minutes	\$41.00000	\$46.00
Rexburg Rapids	Programs	Resident Swim Lessons 40 minutes	\$50.00000	\$55.00
Rexburg Rapids	Programs	Swim Club- 5 Week Session/ twice per week/ 60 minutes	\$70.00000	\$75.00
Rexburg Rapids	Programs	Water Aerobics- 5 Week Session/ twice per week/ 60 minutes	\$35.00000	\$38.00
Street	Work Order Charges	Bobcat (Skidsteer) per hour	\$35.00000	\$45.00
Street	Work Order Charges	Excavator (Mini) John Deere per hour	\$30.00000	\$40.00
Street	Claw-back Fee	Curb & Gutter per linear foot including Infiltration System	\$18.00000	\$47.64
Street	Claw-back Fee	Street Construction per Square Yard for Residential Subdivision	\$23.00000	\$28.45
Street	Claw-back Fee	Street Construction per Square Yard for Business Subdivision		\$36.40
Teton Flood Museum	Admission	Ages 02-11 Per Person	\$0.50000	\$1.00
Teton Flood Museum	Admission	Family pass		\$6.00

**Mayor Woodland** opened the public hearing.

The Madison County Commissioners opened and joined the public hearing.

**Madison County Commissioner Ricks** stated Madison County Clerk Kim Muir had given sufficient public notice. The ordinance number for Madison County’s new rate schedule for certain fees is Ordinance No. 402.

**Written correspondence:** - NONE

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

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

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

**Mayor Woodland** closed the public hearing for deliberations.

**Madison County Commissioner Ricks** closed the public hearing

**Deliberations:**

**Mayor Woodland** asked for a motion to approve Resolution 2015 – 12 for the City of Rexburg and Madison County to amend the Airport fees; also, adopt other fees as presented for the City of Rexburg on the City’s Master Fee List.

**Council Member Busby** moved to approve Resolution 2015 – 12 for the City of Rexburg and Madison County to amend the Airport fees; also, adopt other fees as presented for the City of Rexburg on the City’s Master Fee List; Council Member Smith seconded the motion. Mayor Woodland asked for a vote:

**Those voting aye**

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

**Those voting nay**

None

**The motion carried**

**Madison County Commissioner Ricks** asked for a motion on behalf of Madison County to approve Ordinance 402. Madison County Commissioner Smith moved to approve Ordinance 402; County Commissioner Weber seconded the motion. Discussion; County Commissioner Smith asked about the fees listed that do not pertain to Madison County, do the fees need to be removed from the Madison County’s Ordinance 402. City Attorney Zollinger clarified there is no harm in including the fees, because Madison County can’t collect on City’s fees. He said it would be best to redact the City fees from the Madison County’s Ordinance No. 402. Madison County Commissioner Ricks asked for a vote; all voted aye.

**C. 7:30 P.M. Ordinance 1138 – Final Assessment roll for Local Improvement District Number 45 (L.I.D. 45).** The City Council will hear and determine all objections to the regularity of the proceedings in making assessments, the correctness of assessments, and the amount levied on particular lots or parcels in relation to the benefits accruing thereon and in relation to the proper proportionate share of the total cost of the improvements.

**Staff: City Engineer Keith Davidson** reviewed the Final Assessment roll for Local Improvement District Number 45 (L.I.D. 45). He stated the majority of the project took place on 2<sup>nd</sup> North in between Center Street and 2<sup>nd</sup> East. This project consisted of installing new water lines and replacing service sewer lines. It also included the reconstruction of the street, sidewalk, curb and gutter. There were three other properties included in the Local Improvement District 45. The first is the addition of a sidewalk at Porter Park. The other two properties are at Elm Street and 1<sup>st</sup> West; one had their sidewalk replaced the other property had curb and gutter added.

City Engineer Keith Davidson said they received two letters opposing L.I.D. 45 because they thought the costs were too high.

Mayor Woodland asked about the cost of the project. City Engineer Davidson replied the costs were all lower than the estimated costs. There was one that was higher, because the owner asked for additional repairs. The costs on average were about 25% less.

Council President Smith asked about the response from the opposing letter sent in by the ownership. Finance Officer Nielson said he has tried contacting them via telephone and email. They did not respond.

LOCAL IMPROVEMENT DISTRICT 45											
Item #	Dir	Street	Company/ L Name	F Name	Mail Address- No	Cost	Engineering 12%	City Participation /Cost	Final Assessment	Original Estimate	Difference
1	E	2nd North	Sharp	Richard	1 East 2nd North	\$ 2,011.89	\$ 241.43	\$ 346.85	\$1,906.47	\$ 2,500	\$ (593.53)
2	E	2nd North	Kohler	Marden	1883 W ROYAL HUNTE DR STE 200	\$ 1,387.34	\$ 166.48	\$ 138.60	\$1,415.22	\$ 1,700	\$ (284.78)
3	E	2nd North	Harris	Roger	19 East 2nd North	\$ 1,016.64	\$ 121.88	\$ 56.70	\$1,080.82	\$ 1,500	\$ (419.18)
4	E	2nd North	Harris	Roger	19 East 2nd North	\$ 2,299.09	\$ 275.89	\$ 4.73	\$2,570.26	\$ 3,400	\$ (829.74)
5	E	2nd North	Derrick	Shawn	39 East 2nd North	\$ 4,995.59	\$ 599.47	\$ 893.55	\$4,701.51	\$ 5,900	\$ (1,198.49)
6	E	2nd North	Johnson	Cheryl	47 East 2nd North	\$ 3,475.30	\$ 417.04	\$ 610.05	\$3,282.29	\$ 5,600	\$ (2,317.71)
7	E	2nd North	Fikstad	Dennis	55 East 2nd North	\$ 3,625.49	\$ 435.06	\$ 713.65	\$3,346.90	\$ 4,100	\$ (753.10)
8	E	2nd North	Spencer	Theron	85 East 2nd North	\$ 2,855.07	\$ 342.61	\$ 530.08	\$2,667.60	\$ 3,300	\$ (632.40)
9	E	2nd North	Jones Living Trust	Richard & Phyllis J Francisco	75 East 2nd North	\$ 3,567.16	\$ 428.06	\$ 977.20	\$3,018.02	\$ 5,400	\$ (2,381.98)
10	N	Center St	Ley	Solorzano	176 North Center	\$ 535.58	\$ 64.27	\$ 174.83	\$425.02	\$ 600	\$ (174.98)
11	E	2nd North	Nielsen	Kendell L	20 E 2nd N	\$ 363.60	\$ 43.63	\$ 92.40	\$314.83	\$ 1,500	\$ (1,185.17)
12	N	Center St	Hill	DAVID	168 North Center St.	\$ 161.50	\$ 18.18	\$ 38.50	\$131.18	\$ 200	\$ (68.82)
13	E	2nd North	Flamm	Garth	26 East 2nd North	\$ 4,654.39	\$ 558.53	\$ 581.18	\$4,631.74	\$ 5,900	\$ (1,268.26)
14	E	2nd North	Lloyd	Daniel	15853 E CRESTRIDGE CIR	\$ 4,402.72	\$ 528.33	\$ 642.08	\$4,288.37	\$ 5,100	\$ (811.03)
15	E	2nd North	Zollinger	C Jeffery	950 S GREENHAVEN E	\$ 818.10	\$ 98.17	\$ 207.90	\$708.37	\$ 900	\$ (191.63)
16	E	2nd North	Zollinger	C Jeffery	950 S GREENHAVEN E	\$ 1,963.04	\$ 235.56	\$ 284.90	\$1,913.70	\$ 2,300	\$ (386.30)
17	E	2nd North	Memmott	Brian	58 East 2nd North	\$ 3,097.40	\$ 371.69	\$ 377.48	\$3,091.61	\$ 5,400	\$ (2,308.39)
18	E	2nd North	Bake	Blaine	60 East 2nd North	\$ 4,643.79	\$ 557.25	\$ 582.23	\$4,618.82	\$ 5,700	\$ (1,081.18)
19	N	1st East	Jones	David & Lesa	175 N 1st E	\$ 4,710.30	\$ 565.24	\$ 706.48	\$4,569.06	\$ 6,100	\$ (1,530.94)
20	N	1st East	Hill	Jeffery	210 North 1st East	\$ 3,356.84	\$ 402.82	\$ 639.10	\$3,120.56	\$ 3,800	\$ (679.44)
21	E	2nd North	Sharp	Brandon	111 East 2nd North	\$ 3,265.94	\$ 391.91	\$ 1,197.18	\$2,460.88	\$ 4,700	\$ (2,239.32)
22	E	2nd North	Eckersell	WMB	125 East 2nd North	\$ 5,332.64	\$ 639.92	\$ 578.73	\$5,393.83	\$ 7,500	\$ (2,106.17)
23	E	2nd North	Sharp	Dean	135 East 2nd North	\$ 5,742.52	\$ 689.10	\$ 949.73	\$5,481.89	\$ 6,900	\$ (1,418.11)
24	E	2nd North	Bell Black Properties, LLC		237 North 2nd East STE 100	\$ 4,493.42	\$ 539.21	\$ 764.75	\$4,267.87	\$ 5,500	\$ (1,232.13)
25	E	2nd North	Standard Plumbing Supply		P O BOX 708490	\$ 5,348.59	\$ 641.83	\$ 642.60	\$5,347.82	\$ 8,300	\$ (2,952.18)
26	E	2nd North	Standard Plumbing Supply		P O BOX 708490	\$ 3,376.65	\$ 405.20	\$ 931.35	\$2,850.50	\$ 3,600	\$ (749.50)
27	N	2nd East	Rawling Ventures, LLC		625 AUTUMN CT	\$ 5,106.19	\$ 612.74	\$ 1,205.75	\$4,513.18	\$ 6,800	\$ (2,286.82)
28	N	1st East	Johnson	Kenton D	176 North 1st East	\$ 5,148.75	\$ 617.85	\$ 1,085.88	\$4,680.73	\$ 5,100	\$ (419.28)
29	E	2nd North	Rolfson	David Varold	114 East 2nd North	\$ 4,001.29	\$ 480.15	\$ 463.58	\$4,017.87	\$ 5,200	\$ (1,182.13)
30	E	2nd North	Parkinson JR	Ross T	124 East 2nd North	\$ 5,694.09	\$ 683.29	\$ 670.95	\$5,706.43	\$ 7,200	\$ (1,493.57)
31	E	2nd North	Bell	Garon J	140 East 2nd North	\$ 1,550.33	\$ 186.04	\$ 409.68	\$1,326.89	\$ 3,700	\$ (2,373.31)
32	N	2nd East	Cornelius	Chris	117 North 2nd East	\$ 5,969.65	\$ 716.36	\$ 938.18	\$5,747.83	\$ 2,900	\$ 2,847.83
33	E	2nd North	Corpany	Jon D	150 East 2nd North	\$ 3,885.49	\$ 466.26	\$ 274.58	\$4,077.17	\$ 5,800	\$ (1,722.83)
34	E	2nd North	Bank of Commerce		P O BOX 1702	\$ 12,785.00	\$ 1,534.20	\$ 3,167.33	\$11,518.87	\$ 16,000	\$ (4,481.13)
35	W	2nd South	Porter Park	City of Rexburg	P O BOX 280	\$ 15,389.75	\$ 3,077.95	\$ 18,467.70	\$0.00		\$ -
36	W	2nd North	Upgrades/Street Reconstruct	City of Rexburg	P O BOX 280	\$ 431,427.95	\$ 86,285.59	\$ 517,713.54	\$0.00		\$ -
						\$ 572,448.05	\$ 104,433.18	\$ 558,059.92	\$118,827.32	\$ 160,100	\$ (41,272.68)
<b>Miscellaneous</b>											
Item #	Dir	Street	Company/ L Name	F Name	Mail Address- No	Cost	Engineering 12%	City Participation /Cost	Final Assessment	Original Estimate	Difference
							12%				\$ -
											\$ -
37		Elm Ave	Beck	Kay	154 Elm Ave	\$ 909.00	\$ 109.08	\$ 231.00	\$787.08	\$ 1,000	\$ (212.92)
38	S	1st West	Baker	Matthew	116 South 1st West	\$ 1,075.98	\$ 129.12	\$ 351.23	\$853.87	\$ 2,800	\$ (1,946.13)
						\$ 1,984.98	\$ 238.20	\$ 582.23	\$1,640.95	\$ 3,800	\$ (2,159.05)
<b>Removed from LID</b>											
39	W	1st North	Johnson	Dean T	265 West 1st North	\$ -	\$ -	\$ -	\$0.00	\$ 3,400	\$ (3,400.00)
									\$120,468.27	\$ 167,300	\$ (46,831.73)

Mayor Woodland opened the public hearing.

Written correspondence:

SUGGESTION FORM  
COMPLIMENT OR COMPLAINT

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

www.rexburg.org

Phone: 208.359.3020  
Fax: 208.359.3022



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

1. PLEASE TYPE OR PRINT CLEARLY IN DARK INK.
2. COMPLETE THE ENTIRE FORM AND SIGN.
3. RETURN/SEND FORM TO THE CUSTOMER SERVICES DEPARTMENT.

**CONTACT INFORMATION**

Your Name: Ross Parkinson Home Tele: 356-3019  
 Street Address: 124 E 2nd N Business Tele: 360-8382  
 City/Town: Rexburg State: Ida Zip: 83440  
 E-Mail Address: \_\_\_\_\_

**COMPLIMENT OR COMPLAINT**

Issue or Concern: The cost assessed to home owners. LID 45  
Item 30  
Total \$5706.43  
 Street Address (if known): 124 E 2nd N.  
 Have you commented on this item before? [ ] Yes [  ] No  
 If so, to whom: \_\_\_\_\_

**PLEASE BRIEFLY DESCRIBE BELOW**

(Use back of form or attach additional documentation if necessary)

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Signature: Ross Parkinson Date: 11-3-15

Return to: **City Hall**  
Customer Services Department  
35 N 1<sup>st</sup> East  
Rexburg, ID 83440

Received by: Blair D. Kay Date: 11-3-15



**STANDARD PLUMBING SUPPLY COMPANY, INC.**

Corporate Offices  
P.O. Box 708490  
Sandy, Utah 84070  
Phone (801) 255-7145 · FAX (801) 255-7100

City of Rexburg  
Attn. City Clerk  
P.O. Box 280  
Rexburg, ID 83440

**In re local improvement district no. 45 property located at 157 E 2nd North**

To whom it may concern,

We wish to object to the assessments for the property located at 157 E. 2nd North known as items #25 & #26. Our first objection is that the notice incorrectly identifies the owner of the property. The notice identifies Standard Plumbing Supply as the owner of the property. The owner of the property is Reese Real Estate & Investment Company. The assessment has been made to the wrong company.

The assessment is to raise funds for the purpose of providing sewer and road improvements. The property located at 157 E. 2nd North consists of two parcels. We object to the assessment of item #26 which coincides with the second parcel. The second parcel is a cell phone tower. The amount of \$2,850.50 is extremely high for a property that does not take advantage of sewer or water service and the annual rental income barely covers this assessment.

Finally we object to this assessment for the purpose of the local improvement district as the amount is greater than the total property tax paid for the year. The special assessment is over \$1,500 greater than the total property tax paid for 2015 and is over \$2,500 more than the total property tax for the second parcel. When added to the property tax this equates to a tax that is 2.5 x the regular property tax for the first parcel and 11.4 x the normal property tax for the second parcel. This special assessment creates a burden on the property owner that is three times greater than is normally required. We find this to be an excessive burden to be placed upon the property owners shoulders.

For the reasons given above we object to the excessive assessment and state that the assessment are grossly exaggerated and inaccurate.

Sincerely,

Miles Romney  
Property Manager  
Standard Plumbing Supply Company, Inc.

**Public Testimony in favor of the proposal (5 minute limit): NONE**  
**Public Testimony neutral to the proposal (5 minute limit): NONE**  
**Public Testimony opposed to the proposal (5 minute limit): NONE**

**Mr. Richard Jones** spoke against LID 45. He said he hired a private contractor to replace a portion of his property's curb and gutter. He believes he is being overcharge, because the portion of the curb and gutter that was installed by the private contractor was not deducted from the total cost.

**City Engineer Davidson** stated he will look into the issue with the cost assessed to Mr. Jones's property. He was unaware of the situation.

**Mr. Bill Eckersell** also spoke against the cost of LID 45. He too wanted to hire a private contractor to replace the curb and gutter on his property; however was told by a City employee he couldn't hire a private contractor. He said the final assessment was higher than what the private contractor would have charged him.

**City Engineer Joel Gray** stated his understanding with Mr. Jones property was he had the City tear out the sidewalk and paid a private contractor to pour the sidewalk. He indicated Mr. Jones's assessment doesn't include the replacement of his sidewalk.

**Mayor Woodland** asked City Staff to look into the cost issues with Mr. Jones and Mr. Eckersell's cost assessments.

**Mayor Woodland** closed the public hearing for deliberations.

**Deliberations:**

**Mayor Woodland** asked for a motion to approve the Final Assessment roll for Local Improvement District Number 45 (L.I.D. 45) and consider Ordinance 1138 as first read.

**Council Member Busby** moved to approve the Final Assessment roll for Local Improvement with the condition that Mr Eckersell and Mr. Jones concerns with their assessments are addressed District Number 45 (L.I.D. 45) and consider Ordinance 1138 as first read; Council President Smith seconded the motion. Mayor Woodland asked for a vote:

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

**The motion carried**

**Items for Consideration:**

**A. Conditional Use Permit** to allow a precast building to house fiber optic equipment for high speed internet and video at approximately 251 West 2<sup>nd</sup> North; the property is in the Low Density Residential 2 (LDR2) Zone. – **WITHDRAWN 11-03-2015 by Maurey Lee from Cable One, Inc. Mr. Lee indicated they have two other sites to develop before they pursue the development of this site; they will re-evaluate their options in another year.**

**From:** Lee, Maury [<mailto:Maury.Lee@cableone.biz>]  
**Sent:** Wednesday, November 04, 2015 8:44 AM  
**To:** Elaine McFerrin  
**Subject:** Proposed OTN (fiber building) in Rexburg

Good morning Elaine, as mentioned on the phone, Cable One is withdrawing its proposal to place a fiber building next to Pacific Corp. I thank you and all those who worked on this project and apologize for any inconvenience this may cause.

Maury Lee  
General Manager  
Pocatello & Idaho Falls Areas  
204 W. Alameda

Pocatello, ID 83201  
208-232-1795

**Written Input:**



1407 West North Temple  
Salt Lake City, Utah 84116

October 9, 2015

City of Rexburg  
Community Development Department  
35 North 1<sup>st</sup> East  
Rexburg, ID 83440

RE: Cable One, Inc. installation on PacifiCorp property at 251 W. 200 N. Rexburg- landscape buffer recommendation by Planning and Zoning

Dear Sirs,

PacifiCorp has entered into a lease agreement with Cable One Inc., for their placement of a precast building to house fiber optic equipment on PacifiCorp property. The lease agreement does not include provisions for landscaping that requires water use.

PacifiCorp is not in favor of vegetation that requires water use as it becomes an additional burden to both PacifiCorp and to Cable One. If the city's purpose is to block the view of the structure, PacifiCorp would ask that Cable One install PVC slats in the chain link fence.

Cordially,

A handwritten signature in blue ink that reads "Claudia Conder".

Claudia Conder  
Sr. Property Agent



September 17, 2015

City of Rexburg  
 Planning and Zoning Commission

I would like to take this opportunity to provide information regarding the special use permit for Cable One and the leased property with PacifiCorp, Inc. The continuing growth of internet speeds in your community, and around the country, for residential, education and business customers has resulted in the need to move our optical platforms closer to our communities. Cable One is planning to upgrade all of our Idaho communities to enable 1 Gigabit per second (1Gbps) in 2016. This facility is critical making Rexburg a "Gig City" in 2016.

The Equipment building we have selected provides the space for our optical equipment and support facilities required to offer highly reliable service our customers and communities have come to expect from Cable One.

A few points on how we will use this facility.

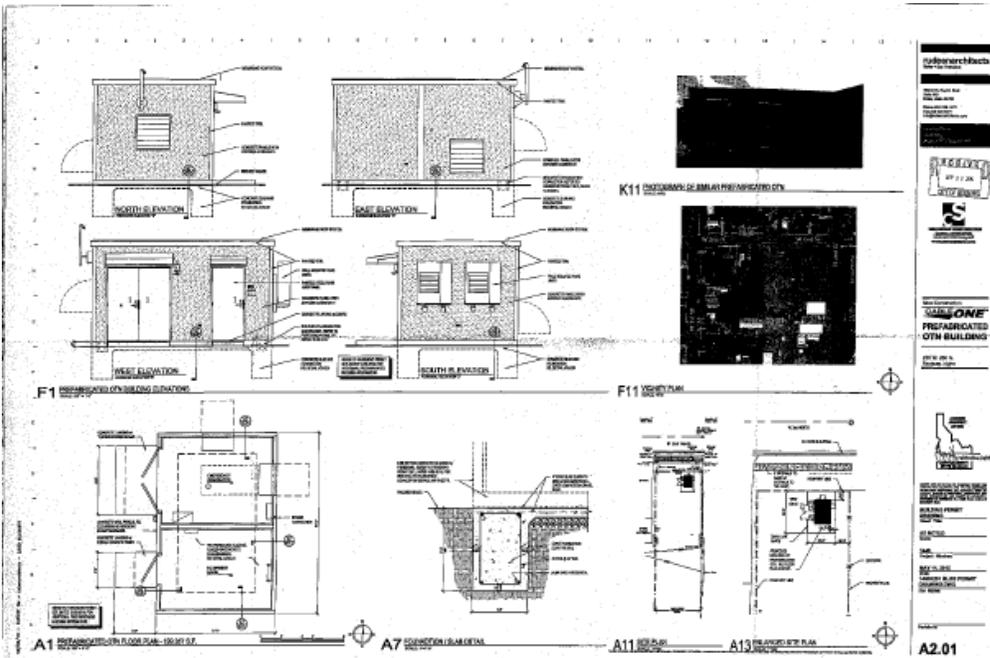
1. This building is not intended to be occupied on a regular basis. The only need for our technicians to visit this facility is to install new equipment, monthly maintenance or emergency repairs. When a technician is required vehicle parking will be on the street north of the building.
2. This facility will house the fiber optic equipment required to serve businesses in your community with high speed connections. We currently serve "Basic American" potato plant with a direct fiber optic cable.
3. Due to recent extended power outages in the area the need to have a backup generator is required. The backup generator we use is housed in a separate room in the building so it's not subject to adverse weather conditions. Our generators are meant to be used in residential neighborhoods and being located inside the building will not disrupt the solitude of the area. The generator will be set to exercise once per week at an agreed upon time for up to 30 minutes.
4. The air conditioning system we use are manufactured by Daikin, Inc. This product is known for its high efficiency and quiet operation. The system is designed to run continually and does not switch on and off like a home unit causing compressor startup noise. The units will be facing the road to the south, away from any residential lots.
5. A condition to the special use permit to add Juniper Bushes around the facility has been brought up. Cable One is concerned this could create a visual barrier and allow someone to hide and potentially damage the facility. Our security fence including PVC slats for privacy will look nice and provide the security we need for this valuable facility. The grounds inside of the area and around the base of the fence will be covered in landscape gravel and maintained weed free. I have attached a picture of our facility in Star, ID located close to a residential area.

Regards,  
 Dick Rohm  
 Director of Engineering, West Division



210 East Earl Drive, Phoenix, Arizona 85012-2626  
 602-364-6000 • f 602-364-6014 • [cableone.net](http://cableone.net)

**Building Drawing:**



Staff: Community Development Director Val Christensen reviewed the proposal on the overhead screen.

**Public Works Staff Review Comments**

*Property Location: Approximately 251 West 2nd North*

- 1. The sewer line to the existing or previously occupied residence needs to be capped.*
- 2. Water for yard maintenance can be obtained from the existing water meter.*
- 3. Where this facility is adjacent to a residential area the yard should be landscaped and maintained.*
- 4. A landscaping buffer should be placed on the west side of this installation.*

Planning and Zoning motion with conditions:

**Steve Oakey** motioned to recommend to City Council approval to allow a Conditional Use Permit for a precast building to house fiber optic equipment on the property at approximately 251 West 2nd North, to include 4 proposed conditions. **Gil Shirley** seconded the motion. (Steve Oakey amended his motion to include proposed conditions #3 and #4. Gil Shirley seconded the amended motion.)

- 1. There shall be a chain link privacy fence with PVC slats around the precast building (as suggested in the Rocky Mountain Power letter read in this meeting).*
- 2. The rest of the property shall be in gravel and maintained weed free.*
- 3. The sewer line to the existing or previously occupied residence that was on the subject lot shall be capped.*
- 4. The subject privacy fence shall be a minimum of six feet in height.*

**Those in Favor:**

*Steve Oakey  
Mark Rudd  
Thaine Robinson  
Jedd Walker  
Gil Shirley*

**Those Opposed:**

*Melanie Davenport*

**Motion carried.**

*The Standards Applicable to Conditional Use Permits, Section 6.12B from Rexburg Development Code 1115 apply to all conditional use permits.*

**Staff Reports:**

**A. Public Works:**

- 1. Local Highway Safety Program Agreement** with ITD for Pedestrian Crossing upgrades to provide reflective performance and visibility for BYU-I crosswalks.

**City Engineer Keith Davidson** reported on grants needing City Council approval. The one from the Local Highway Technical Assistance Council (LTAC) is a grant to replace the crosswalks with thermo-plastic. The thermo-plastic provides higher visibility and it doesn't wear off like paint. They will replace the crosswalks around the BYU-Idaho University Campus. He said LTAC requires a \$2,000.00 deposit which will be refunded once the grant process is completed. The total estimated cost of the project is \$57,000.00. He indicated they applied for the grant in the spring. LTAC offered the grant to help mitigate accident prone areas in cities and because there were pedestrian vehicle accidents around the university campus, the City applied for the grant.

**Council Member Mann** asked where the accidents occurred. City Engineer Davidson replied there is a history of accidents coming down 2nd East and 2nd South. The City's Street Department Crew will start the work at these locations in the spring. He said the thermo-plastic melts into the asphalt and will last about five years.

**Council Member Benfield** left the meeting due to technical difficulties.

**Council Member Wolfe** moved to approve the **Local Highway Safety Program Agreement** with ITD for Pedestrian Crossing upgrades to provide reflective performance and visibility for BYU-I crosswalks; Council Member Busby seconded the motion. Mayor Woodland asked for a vote:

**Those voting aye**

Council President Smith

**Those voting nay**

None

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

**The motion carried**

## 2. ITD Grant for Airport Apron Rehabilitation Program

**City Engineer Davidson** reported ITD is matching funds for the Airport Apron. He is seeking City Council approval for Resolution 2015-15.

### Written Input:



**IDAHO TRANSPORTATION DEPARTMENT**  
Division of Aeronautics  
3483 Rickenbacker Street • Boise ID 83705

(208) 334-8775  
itd.idaho.gov/aero

October 21, 2015

Richard Woodland, Mayor  
City of Rexburg  
PO Box 280  
Rexburg, ID 83440

IDAHO AIRPORT AID PROGRAM  
STATE FY-16 Grant Offer for the  
Rexburg-Madison County Airport  
IAAP Program Number: F168RXE  
IAAP Project Number: AIP-014

Project Description: Apron Rehabilitation  
This grant is in the amount of \$12,508 to match \$29,184 from the City of Rexburg.

Dear Mayor,

Enclosed are two (2) copies each of the Grant Agreement and City Resolution for the above referenced project. Please have the City Council ratify both the Grant Agreement and the City Resolution, as Mayor please sign both copies of each, and have the Clerk attest to the resolution. Please retain one set for your local records and return one set to me. Please complete these actions by November 25, 2015, as noted on page 2 of the grant. These funds will be available for reimbursement upon receipt of the ratified agreement in this office.

I look forward to working with the City on this project. If you have any questions call me at (208) 334-8784.

Sincerely,

William P. Statham, Manager  
Airport Planning and Development

**Council Member Busby** moved to approve resolution 2015-15 for **ITD Grant** for the Airport Apron Rehabilitation Program; Council Member Smith seconded the motion. Mayor Woodland asked for a vote:

#### Those voting aye

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

#### Those voting nay

None

**The motion carried**

**Council Member Mann** expressed concern with the East end of Park Street. He said the road narrows to about four feet. There appears to have been work done; however, the asphalt has not been replaced. City Engineer Davidson said the City's Water Department replaced a water line. He will have them repair the street as soon as possible. Council Member Merrill also had concerns about Park Street. He said more speed limit signs need to be installed in the middle of Park Street to remind drivers it's a 25 mph speed zone. The City Street Department will coordinate with the Rexburg Police Department to use the speed limit trailers on Park Street to keep drivers from speeding.

**Council President Smith** asked about the construction on University Boulevard. City Engineer Davidson said a four inch gas line is being installed.

Discussion regarding water line replacements around the City.

**B. Finance Department:** – Finance Officer Nielson

**C. Community Development** – Val Christensen reviewed the monthly building report

**A. Monthly Building Permit Report**

**Community Development Director Christensen** reported this month was a good month for single family residential building. They issued permits for ten single family houses. He said the DL Beck Apartments will begin construction this month.

**Council Member Busby** asked about a sign on the Fujimoto property. He said the sign has a picture of a large hotel on it stating future development. Economic Director Johnson answered yes, they do have a sign. However there were no further details available.

**Calendared Bills and Tabled Items:**

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

**B. BILL Introduction:** – NONE

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

1. **Ordinance 1134 – Urban Renewal Plan** for the North Interchange Urban Renewal Project.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF REXBURG, IDAHO, APPROVING THE URBAN RENEWAL PLAN FOR THE NORTH INTERCHANGE URBAN RENEWAL PROJECT, WHICH PLAN INCLUDES REVENUE ALLOCATION FINANCING PROVISIONS; AUTHORIZING THE CITY CLERK TO TRANSMIT A COPY OF THIS ORDINANCE AND OTHER REQUIRED INFORMATION TO COUNTY AND STATE OFFICIALS; APPROVING THE SUMMARY OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

Discussion:

**Council Member Mann** moved to consider Ordinance 1134 for the Urban Renewal Plan for the North Interchange Urban Renewal Project first read; Council Member Merrill seconded the motion; Mayor Woodland asked for a vote:

**Those voting aye**

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

**Those voting nay**

None

**The motion carried**

2. **Ordinance 1138 – LID45 Final Assessment Roll.**

AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL, FOR LOCAL IMPROVEMENT DISTRICT NO. 45 IN REXBURG, IDAHO, FOR THE PURPOSE OF INSTALLING CERTAIN STREETS, CURBS, GUTTERS, SIDEWALKS, AND OTHER PUBLIC FACILITIES AND PARTS THEREOF WITHIN THE CORPORATE LIMITS OF SAID CITY, TO BE GRADED, RE-GRADED, GRAVELED, PAVED, RE-PAVED AND OTHERWISE IMPROVE THE HEREINAFTER DESCRIBED STREETS WITHIN THE DISTRICT AND TO CONSTRUCT AND RECONSTRUCT SIDEWALKS, CURBS, GUTTERS, DRIVEWAYS, DRAINAGE FACILITIES, OFFSITE STORM SEWER, WATER AND SANITARY SEWER FACILITIES, STREET LIGHTS AND OTHER PUBLIC FACILITIES AND OTHER WORK INCIDENTAL TO ALL OF THE FOREGOING IMPROVEMENTS; ORDERING ASSESSMENTS TO BE MADE IN ACCORDANCE WITH THE ASSESSMENT ROLL AND PRESCRIBING DETAILS CONCERNING SAID ASSESSMENTS; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, AND DECLARING AN EMERGENCY.

Discussion:

**Council Member Busby** moved to consider Ordinance 1138 first read LID45 Final Assessment Roll; Council President Smith seconded the motion; Mayor Woodland asked for a vote:

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

**The motion carried**

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

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

**Mayor's Business:**

**A. Ratify Richard Smith** to serve on the P&Z Commission in the City's impact area. He will replace Chuck Porter, who served on the P&Z Commission for a term of 3 years.

**Council Member Merrill** said Richard Smith serves on the Airport Board. He asked if Richard Smith will serve on both the Airport Board and Planning and Zoning. Mr. Smith will serve on both Committees.

**Council Member Busby** asked if it would be a conflict of interest for Richard Smith to serve on both Committees. City Attorney Zollinger indicated it would not be a conflict of interest.

**Council Member Busby** expressed concern with having the same committee members circulating throughout the City's committees. He said they are all great people and appreciates their willingness to serve; however, he would like to see more of a variety of people serving.

**Council Member Busby** asked about the process the City uses to obtain committee members. City Attorney Zollinger indicated there is an application online for each City Committee, anyone is welcomed to apply.

A City resident asked about the notice the City's restaurants and business received from Eastern Idaho Public Health regarding the precautionary water advisory. She said she would have appreciated the notice sooner than when it was received. Mayor Woodland stated the City was not

notified by the Eastern Idaho Public Health Department until Friday late afternoon. The City added the notice to its Facebook page and web-site first thing Monday Morning.

**Discussion** regarding Rexburg's water quality.

**Council Member Mann** moved to ratify **Richard Smith** to serve on the P&Z Commission in the City's impact area. He will replace Chuck Porter, who served on the P&Z Commission for a term of 3 years; Council Member Wolfe seconded the motion; Mayor Woodland asked for a vote:

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

**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 October 21, 2015 meeting
- B. Approve the City of Rexburg Bills

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

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

**The motion carried**

**Finance Officer Nielson asked for an executive session to** *(e) To consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations.*

**Council Member Busby** moved to go into executive session per **Idaho State Statute 74:206** *(e) To consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations;* Council Member Mann seconded the motion; Mayor Woodland asked for a roll call vote:

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

**The motion carried**

**Executive Session at 9:06 P.M.**  
**Executive Session Ended at 9:36 A.M.**

**Adjourned at 9:37 P.M.**

APPROVED:

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Richard S. Woodland, Mayor

Attest:

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Marianna Gonzalez, Deputy City Clerk