

# City Council Minutes

## December 21, 2016



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

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

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December 21, 2016

### Mayor Jerry Merrill

#### Council Members:

Christopher Mann    Jordan Busby  
Donna Benfield     Tisha Flora  
Brad Wolfe          Sally Smith

#### City Staff:

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

### 7:00 A.M. City Hall Council Meeting

Council Member Mann said the prayer.  
Council President Smith led the pledge.

### Roll Call of Council Members:

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

**Public Comment:** not scheduled on the agenda (limit 3 minutes); issues may be considered for discussion on a future agenda. Please keep comments on point and respectful.

### Presentations:

#### Committee Liaison Assignments for 2016:

A. Council Member Mann: *Golf Board · Emergency Services Board · GIS Oversight · Development Workshop*

**Council Member Mann** reported the committees have not met.

B. Council Member Busby: *· Airport Board · Traffic & Safety · Trails of Madison County*

**Council Member Busby** reported the committees have not met.

C. Council Member Benfield: *Police · MYAB · Parks & Recreation*

**Council Member Benfield** reported the committees have not met.

D. Council Member Smith: *Legacy Flight Museum · Beautification Committee · M.E.P.I.*

**Council President Smith** reported the committees have not met.

E. Council Member Flora: *School Board · Rexburg Arts Council/ Museum of Rexburg*

**Council Member Flora** reported the new sand table was delivered to the Museum of Rexburg. Council President Smith asked if the museum was going to be opened during the Holidays. Council Member Flora replied the boiler at the museum isn't working and she is not sure when the repairs will be completed. She suggested checking with Jackie Rawlins to see what days the museum will be opened.

**Council Member Busby** asked when the Romance Theater marquee would be repaired. The sign was damaged due to a power outage. Mayor Merrill asked if a claim could be filed against the power company.

F. Council Member Wolfe: *Planning & Zoning · Urban Renewal Agency · IBC*

**Council Member Wolfe** reported the committees have not met.

**Staff Reports:**

**A. Finance:** - Matt Nielson

1. Financial Reports

**Finance Officer Nielson** reviewed the Budget Summary Report. The City is two months into the fiscal year. He mentioned anything above 17% would be an irregularity for example; the Legacy Flight Museum is at 71% that is due to a purchase of a Beech Airplane. The airplane was partially donated.

**Council Member Busby** asked about the owner of the airplane. Finance Officer Nielson replied the airplane is owned by the City and Madison County.

**Finance Officer Nielson** said the City has spent about three million more dollars than what has been received. This is typical for this time of the year. He explained the City is waiting to receive two more property tax checks in January.

**CITY OF REXBURG**  
FY 2017

**BUDGET SUMMARY REPORT**

2 months ending  
11/30/2016

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**EXPENDITURES**

**OPERATING EXPENDITURES**

	BUDGET	ACTUAL	17%	FORECAST	NEXT
Arts	374,100	76,038	20%	379,100	374,100
Building Maintenance	37,700	5,783	15%	37,700	37,700
Building Safety	698,100	143,813	21%	736,100	698,100
Customer Services	351,300	48,129	14%	351,300	351,300
Economic Development	283,700	65,434	23%	303,500	283,700
Emergency Services	3,376,900	544,999	16%	3,196,900	3,376,900
Financial Management	810,700	138,827	17%	810,700	810,700
GIS	436,200	58,213	13%	436,200	436,200
Golf Courses	448,900	60,889	14%	448,900	448,900
Human Resources	105,100	17,300	16%	105,100	105,100
Information Technology	461,700	60,370	13%	461,700	461,700
Legacy Flight Museum	56,100	39,637	71%	226,500	226,500
Legal Services	226,500	29,155	13%	56,100	56,100
Mayor, Council & Mayor's Youth Advisory Board	376,000	68,034	18%	376,000	376,000
Miscellaneous	51,400	4,364	8%	51,400	51,400
Parks & Ball Diamonds	557,600	86,749	16%	557,600	557,600
Planning & Zoning	261,500	35,844	14%	261,500	261,500
Recreation Administration & Programs	519,000	43,086	8%	519,000	519,000
Rexburg Rapids	432,800	16,107	4%	432,800	432,800

**Police Department**

Administration Division & Fund 09	1,102,100	148,067	13%	1,102,100	1,102,100
Patrol Division & Funds 13	2,095,900	316,258	15%	2,103,900	2,095,900
Investigations Division	647,900	113,092	17%	647,900	647,900
Community Services Division & Funds 08, 11, 14	566,400	91,115	16%	570,700	566,400
<b>Total Police Department</b>	<b>4,412,300</b>	<b>668,532</b>	<b>15%</b>	<b>4,424,600</b>	<b>4,412,300</b>

**Public Works**

Shop	480,200	65,396	14%	480,200	480,200
Sanitation	1,934,400	359,474	19%	1,934,400	1,934,400
Water	2,395,200	411,837	17%	2,398,700	2,395,200
Wastewater - Treatment	2,275,900	398,160	17%	2,275,900	5,423,400
Wastewater - Collection	1,370,700	202,952	15%	1,370,700	5,423,400
Street Operations	1,882,300	216,209	11%	1,886,300	1,882,300
Street Repair Contracts	240,000	10,493	4%	240,000	240,000
<b>Total Public Works</b>	<b>10,578,700</b>	<b>1,664,521</b>	<b>16%</b>	<b>10,586,200</b>	<b>17,778,900</b>

**TOTAL OPERATING EXPENDITURES**

<b>TOTAL OPERATING EXPENDITURES</b>	<b>24,856,300</b>	<b>3,875,824</b>	<b>16%</b>	<b>24,758,900</b>	<b>32,056,500</b>
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**CAPITAL EXPENDITURES**

Engineering	624,300	106,423	17%	624,300	624,300
Construction 06,30,31,32,39,41,42,44,46,49,51-58,82,85	20,755,200	3,536,005	17%	20,905,200	20,755,200
Contributed Capital	2,600,000		0%	2,600,000	850,000
Capital Reserve Funds 07, 18, 20, 33, 34, 35, 38	1,885,900	88	0%	2,375,900	1,885,900
LID Debt Service Funds 59-69	1,166,100		0%	1,166,100	1,166,100
Trust & RLF Funds 15, 16, 19, 21, 22, 90, 91	64,900	2,489	4%	65,100	64,900
<b>TOTAL CAPITAL EXPENDITURES</b>	<b>27,096,400</b>	<b>3,645,005</b>	<b>13%</b>	<b>27,736,600</b>	<b>25,346,400</b>

Contingent Operating Expenses	2,577,000		0%	2,557,700	2,550,200
Contingent Capital Expenses	2,149,800		0%	1,909,800	2,149,800
Internal Transfers Out for Operations	2,899,500	3,066	0%	2,869,300	2,899,500
Internal Transfers Out for Capital	17,323,000		0%	17,323,000	17,323,000

**TOTAL EXPENDITURES FOR ALL FUNDS**

<b>TOTAL EXPENDITURES FOR ALL FUNDS</b>	<b>76,902,000</b>	<b>7,523,895</b>	<b>10%</b>	<b>77,155,300</b>	<b>82,325,400</b>
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**CITY OF REXBURG**  
FY 2017

**BUDGET SUMMARY REPORT**

2 months ending  
11/30/2016

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<b>REVENUES</b>	<b>BUDGET</b>	<b>ACTUAL</b>	<b>17%</b>	<b>FORECAST</b>	<b>NEXT</b>
<b>OPERATING REVENUES</b>					
County Road Tax	844,000	1,445	0%	844,000	844,000
Federal Grants	497,000	389	0%	457,000	497,000
Franchise Fees	1,629,400	81,988	5%	1,629,400	1,629,400
Fund Balances for Operations	1,951,400		0%	1,951,400	1,951,400
Interest	161,500	10,694	7%	161,500	161,500
Interfund Charges for Services	2,873,700	464,150	16%	2,873,700	2,873,700
Miscellaneous	529,300	42,610	8%	529,300	529,300
Operating Contributions	2,706,000	217,226	8%	2,628,000	2,706,000
Parks, Recreation, Museums, Arts, Golf	1,219,100	43,413	4%	1,219,100	1,219,100
Permits & Licenses	737,200	211,161	29%	737,200	769,200
Property Tax	4,314,400	6,079	0%	4,314,400	4,314,400
State Taxes & Grants	2,695,900	14,366	1%	2,695,900	2,695,900
Utility Charges -Water	2,489,000	369,090	15%	2,489,000	2,489,000
Utility Charges -Wastewater	4,162,000	673,679	16%	4,162,000	4,162,000
Utility Charges -Sanitation	1,975,000	342,844	17%	1,975,000	1,975,000
<b>TOTAL OPERATING REVENUES</b>	<b>28,784,900</b>	<b>2,479,134</b>	<b>9%</b>	<b>28,666,900</b>	<b>28,816,900</b>
<b>CAPITAL REVENUES</b>					
Borrowing	5,888,700	956,446	16%	5,888,700	5,888,700
Capital Reserve Funds	5,006,100	597,398	12%	5,029,600	5,006,100
Construction Funds	5,358,400	34,936	1%	5,374,400	5,358,400
Contributed Capital	2,485,000		0%	2,485,000	2,485,000
Engineering Billings	623,300		0%	623,300	623,300
Fund Balances for Capital	3,563,600		0%	3,563,600	3,563,600
Grants	2,444,500	-121,535	-5%	2,444,500	2,444,500
LID Funds	498,100	18,276	4%	498,100	498,100
Trust Funds	1,483,300	30,321	2%	1,483,500	1,483,300
<b>TOTAL CAPITAL REVENUES</b>	<b>27,351,000</b>	<b>1,515,842</b>	<b>6%</b>	<b>27,390,700</b>	<b>27,351,000</b>
Contingent Operating Revenues	34,800		0%	2,800	2,800
Contingent Capital Revenues	508,800		0%	508,800	508,800
Internal Transfers In for Operations	2,889,500	3,066	0%	2,848,800	2,889,500
Internal Transfers In for Capital	17,333,000		0%	17,318,000	17,333,000
<b>TOTAL REVENUES ALL FUNDS</b>	<b>76,902,000</b>	<b>3,998,042</b>	<b>5%</b>	<b>76,736,000</b>	<b>76,902,000</b>
<b>OPERATIONS SUMMARY</b>					
<b>TOTAL OPERATING REVENUES</b>	<b>28,784,900</b>	<b>2,479,134</b>	<b>9%</b>	<b>28,666,900</b>	<b>28,816,900</b>
<b>TOTAL OPERATING EXPENDITURES</b>	<b>24,856,300</b>	<b>3,875,824</b>	<b>16%</b>	<b>24,758,900</b>	<b>32,056,500</b>
<b>---NET OPERATIONS</b>	<b>3,928,600</b>	<b>-1,396,690</b>	<b>-7%</b>	<b>3,908,000</b>	<b>-3,239,600</b>
<b>CAPITAL SUMMARY</b>					
<b>TOTAL CAPITAL REVENUES</b>	<b>27,351,000</b>	<b>1,515,842</b>	<b>6%</b>	<b>27,390,700</b>	<b>27,351,000</b>
<b>TOTAL CAPITAL EXPENDITURES</b>	<b>27,096,400</b>	<b>3,645,005</b>	<b>13%</b>	<b>27,736,600</b>	<b>25,346,400</b>
<b>---NET CAPITAL TRANSACTIONS</b>	<b>254,600</b>	<b>-2,129,163</b>	<b>-8%</b>	<b>-345,900</b>	<b>2,004,600</b>
<b>TOTAL ALL REVENUES</b>	<b>76,902,000</b>	<b>3,998,042</b>	<b>5%</b>	<b>76,736,000</b>	<b>76,902,000</b>
<b>TOTAL ALL EXPENDITURES</b>	<b>76,902,000</b>	<b>7,523,895</b>	<b>10%</b>	<b>77,155,300</b>	<b>82,325,400</b>
<b>NET ALL REVENUES OVER EXPENDITURES</b>	<b>0</b>	<b>-3,525,853</b>	<b>-5%</b>	<b>-419,300</b>	<b>-5,423,400</b>

**CITY OF REXBURG**  
FY 2017

**CASH & INVESTMENT  
BALANCE REPORT**

<b>CASH &amp; INVESTMENTS*</b>	<b>BALANCE AS OF 11/30/2016</b>	<b>Percentage of Portfolio</b>
Bank of Commerce Legacy Flight Museum Checking	40,290	0.18%
Beehive Credit Union CD	250,000	1.15%
Cash On Hand	1,350	0.01%
Citizens Community Bank CDARS	1,431,739	6.56%
Citizens Community Bank Checking (RLF)	153,705	0.70%
Idaho Central Credit Union CD	250,000	1.15%
Idaho Central Credit Union Savings	25	0.00%
Moreton Asset Management Government Securities	3,649,146	16.72%
Real Estate Investments (Streets)	307,085	1.41%
State Diversified Bond Fund	7,328,805	33.59%
State Local Government Investment Pool--City	3,026,098	13.87%
State Local Government Investment Pool--Fire District	435	0.00%
Wells Fargo Bank Drug Fund Checking	20,384	0.09%
Wells Fargo Bank Fire District Checking & Savings	265,135	1.22%
Zions Bank Capital Advisors	2,500,000	11.46%
Zions Bank Collateralized Acct	1,594,632	7.31%
Zions Bank Direct Auction-Agencies	444,449	2.04%
Zions Bank Direct Auction-CD	200,000	0.92%
Zions Bank General Checking	337,738	1.55%
Zions Bank Payroll Checking	20,179	0.09%
<b>TOTAL</b>	<b>21,820,995</b>	<b>100.00%</b>

**Finance Officer Nielson** said the only change in the Cash and Investment Report is that the City now has two and a half million dollars invested with Zions Bank Capital Advisors. There have been some declines in the City's savings and cash due to the new wastewater plant project.

**Finance Officer Nielson** explained they have not officially closed the books for fiscal year 2016. They are waiting for a few more things with the auditors to get the books closed and then the balances will be correct.

2. Surplus for Auction a John Deere Flex Mower and Ryan Aerifier Equipment

**Finance Officer Nielson** reviewed the recommendations to surplus for auction a John Deere Flex Mower and Ryan Aerifier Equipment. The Golf Course Manger said they don't have use for the equipment. The most amount of money they will receive for the equipment is about two to three thousand dollars.

**Discussion:**

**Council Member Busby** moved to surplus for auction a John Deere Flex Mower and Ryan Aerifier Equipment; Council President Smith seconded the motion; Mayor Merrill asked for a vote:

**Those voting aye**

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

**Those voting nay**

None

**The motion carried**

**B. Engineering:** John Millar

1. **Recommendation to increase the speed limit** on 4<sup>th</sup> South between 2<sup>nd</sup> West and 5<sup>th</sup> West from 25 mph to 35 mph.

**Public Works Director Millar** reviewed the recommendation to increase the speed limit on 4th South between 2nd West and 5th West from 25 mph to 35 mph. The engineers conducted a speed study at this location. The speed study indicated an 85<sup>th</sup> percentile of vehicles traveling at an average speed of 36.8 mph. This percentile is typically used to set the speed limit. This street is heavily monitored. He has visited with the Rexburg Police Department regarding the speed limit change. They are in favor of the speed limit change. Public Works Director Millar explained the speed limit was lowered at this location years ago because of a pedestrian accident. Since the accident they have changed the crosswalk and installed the latest revision of the rapid flash pedestrian crossing system.

**Smith Council President** asked if there will be a difference in pedestrian traffic with the new apartments being built close by. Public Works Director Millar replied the majority of traffic will flow east to west towards the university, with minimal crossing.

**Council Member Mann** asked about the speed limit in front of Les Schwab Tires. The speed limit will be 35 mph.

Discussion:

**Council Member Benfield** moved to increase the speed limit on 4th South between 2nd West and 5th West from 25 mph to 35 mph; Discussion Council Member Mann said he is concerned with the increase of the speed limit. He believes the speed limit should be lowed; Council Member Flora seconded the motion; Mayor Merrill asked for a vote:

**Those voting aye**

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

**Those voting nay**

None

**The motion carried**

- 2. Recommendation to increase the speed limit** on 7<sup>th</sup> South between 5<sup>th</sup> West and South Yellowstone Hwy to 35 mph “**except**” when the **yellow flashing light at 5<sup>th</sup> West is on the speed limit would be reduced to 20 mph.**

**Public Works Director Millar** reviewed the recommendation to increase the speed limit on 7th South between 5th West and South Yellowstone Hwy to 35 mph “**except**” when the yellow flashing light at 5th West is on the speed limit would be reduced to 20 mph.

**Council Member Benfield** questioned if the speed limit near the schools are always set at 20 mph because the schools are used for other functions that go past regular school hours. She asked if they are making an exception by changing the speed limit at that location.

**City Attorney Zollinger** explained the state statutes allows cities to choose one of two options post the speed limit not higher than 35 mph. or create school zones where the speed limit is set at 20 mph. He said school zones are regulated from 7:30 a.m. to 3:30 p.m. when the students are in session.

*49-658. SCHOOL ZONE SPEED LIMIT — PENALTY. (1) No person shall operate a vehicle in excess of the posted maximum speed limit established for a posted school zone. If a posted school zone speed limit sign includes the words "when children are present," the term shall mean one (1) or more children. The definition applies to children present on the same side of the street as the school building or across the street from the school building in any direction within the marked school zone.*

**Mayor Merrill** asked City Engineer Davidson to coordinate with the school officials regarding the scheduling of when the yellow flashing lights need to be turned on or off.

**Council Member Flora** asked if the children walking to school where taken into consideration. She said there are a lot of children cross that intersection.

**City Attorney Zollinger** explained there are several speed limits ranging from 25 mph to 35 mph. The speed limit on Pioneer Road is at 35 mph.

Discussion:

**Council President Smith** moved to increase the speed limit on 7<sup>th</sup> South between 5<sup>th</sup> West and South Yellowstone Hwy to 35 mph “**except**” when the **yellow flashing light at 5<sup>th</sup> West is on the speed limit would be reduced to 20 mph**; Council Member Wolfe seconded the motion; Mayor Merrill asked for a vote:

**Those voting aye**

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

**Those voting nay**

None

## The motion carried

**Public Works Director Millar** said this is his last City Council Meeting he will be reporting at because he will be working part-time starting in January. He expressed his gratitude to have worked for the City for 18 years. He said he has enjoyed working with the City Council Members and Mayor.

**Council Member Mann** commended City Engineer Keith Davidson. He said he called Keith on Saturday because a manhole cover was missing and the pipes were frozen. Keith immediately called the Water Department crew to come out and replace the cover and help with the frozen pipes.

**City Engineer Keith Davidson** explained there is an old fire truck that is taking up space. He asked City Council if the old fire truck could be surplus. Council Member Benfield asked that research be done to see if the fire truck has any monetary value.

**Council President Smith** questioned if there is any obligation to the person that donated the fire truck. Council Member Busby asked the name of the person that donated the fire truck. Council President Smith said Val Dietrich donated it and has expressed concerns with the fire truck not being displayed.

Discussion regarding the old fire truck.

**Council Member Flora** asked if the fire truck could be displayed at one of the City parks. The fire truck would need to be displayed in an enclosed area to keep the moving parts from rusting.

**Council Member Busby** questioned if the City is enforcing snow removal on sidewalks. He asked if the property owner could be held liable if a person suffers an accident while walking on the street because the sidewalk is not cleared of snow.

**Mayor's Report:** Discussion regarding a joint meeting with the Madison School District. The City Council Meeting on January 4<sup>th</sup> will begin at five o'clock.

**Public Hearings:** – NONE

### **Items for Consideration:**

#### **Calendared Bills and Tabled Items:**

A. **"LAND USE ACTION"** – Bills Recommended/Approved in a Land Use Public Hearing Procedure (Recommend Suspension of the Rules): – NONE

**BILL Introduction:** – NONE

B. **First Reading:** Those items which are being introduced for first reading: – NONE

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

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

### **Mayor's Business:**

**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 December 7<sup>th</sup>, 2016 meeting;
- B. Approve the City of Rexburg Bills

**Council Member Flora** moved to approve the Consent Calendar containing the minutes and city bills; Council Member Wolfe seconded the motion; Mayor Merrill asked for a vote:

**Those voting aye**

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

**Those voting nay**

None

**The motion carried**

**Adjourned at 7:50 A.M.**

APPROVED:

\_\_\_\_\_  
Jerry Merrill, Mayor

Attest:

\_\_\_\_\_  
Marianna Gonzalez, Deputy City Clerk