

**City of Rigby  
City Council Meeting  
January 19, 2010  
7:00 p.m.**

Mayor Smith welcomed everyone to the meeting and turned the time over to Councilman Zimmermann who invited everyone to join him in the pledge of allegiance. Mayor Smith then turned the time over to Councilwoman Hinckley who gave the prayer.

Dave Swager, City Clerk/Treasurer, performed roll call. Those present were: Mayor Smith, Councilman Blackburn, Councilman Day, Councilwoman Hinckley, Councilman Maloney, Councilman Simonson and Councilman Zimmermann.

**Nominations-**

Mayor Smith stated the next item on the agenda was regarding nominations and explained the Planning and Zoning Commission and Urban Renewal Agency were short some members.

Mayor Smith explained that he had talked with Jeremy Inskeep regarding the opening on Planning and Zoning and stated that Mr. Inskeep has agreed to serve as a commissioner. Mayor Smith stated that Mr. Inskeep has lived in the area for the past fifteen years. Mayor Smith stated that he appreciates anyone that will step forward to assist the city with its business. Mayor Smith stated that Mr. Inskeep comes highly recommended and would like to nominate him to fill the position of commissioner. Councilman Zimmermann moved to accept Jeremy Inskeep into the position of commissioner with Planning and Zoning. Councilwoman Hinckley seconded. All were in favor.

Mayor Smith went on to explain there was a vacant spot with Urban Renewal as well and stated that Shane Brown has agreed to take this position. Mayor Smith stated this was rather a unique situation as there was a man and wife that have decided they wanted to help out in the community. Mayor Smith explained that he had hoped to swear them in at the same time but stated the wife had a prior obligation. Mayor Smith stated he has known Mr. Brown for many years now and explained that he is the General Manager at Lake City International. Mayor Smith stated he was nominating Shane Brown for the open position on Urban Renewal. Councilman Blackburn moved to accept Shane Brown for the position in Urban Renewal. Councilman Day seconded. All were in favor.

Mayor Smith called Jeremy Inskeep forward and swore him into the office of Planning and Zoning Commissioner.

Mayor Smith called Shane Brown forward and swore him into the office of Urban Renewal Agency.

**Off-Site Host Server-**

Mayor Smith stated the next item on the agenda was regarding an off-site host server and turned the time over to a representative for the presentation.

Justin Perfolli from Ikon Solutions started by thanking the Mayor and Council for the opportunity to make this presentation this evening. Mr. Perfolli stated that Ikon has been in business in Southeast Idaho for about 45 years now and explained they had started with typewriters and copiers. Mr. Perfolli explained that the Recreation Center had purchased a copier from them and stated he had come up to connect it and make sure everyone could copy and scan. Mr. Perfolli stated that in speaking with Mr. Swager he had found the city is in need of a way to back-up the server because currently everything the city has is located in the main room. Mr. Perfolli stated they had Reid Blackburn on the phone and explained he was their specialist in software solutions. Mr. Perfolli stated that Mr. Blackburn has been with Ikon for the past twelve years and has extensive experience with implementing solutions for cities and private businesses as well. Mr. Perfolli then turned the time over to Mr. Blackburn via telephone conference.

Reid Blackburn referred to the computer set-up and stated he would try and make the presentation as short as possible and invited questions at any time. Mr. Blackburn stated that Ikon was known mainly for their copiers and printers and explained that people didn't know they also do document management. Mr. Blackburn gave a brief explanation of a program called DocumentMall. Mr. Blackburn then took control of the computer presentation and went over each screen and capabilities of the system. Mr. Blackburn expressed the importance of security and access and explained how this system could be set up according to department needs and restrictions. Mr. Blackburn explained that if a document was saved as PDF or Word that it would remain that way and went over saving documents. Mr. Blackburn stated there was no other software that allowed you to save your documents on line in a secure location. Mr. Blackburn gave a brief explanation on the search and retrieval functions of the system and the different options you have once that document is located. Councilman Blackburn stated for council information that Reid Blackburn is his brother and explained that he would not be voting at the time a decision would need to be made. Councilman Blackburn stated a presentation had been made about a year ago from this company Mr. Blackburn stated that was correct. Councilman Blackburn stated that he had talked with Mr. Swager a short time ago and explained that Mr. Swager had pointed to a CPU in the corner and had stated that was what the city's records were being kept on. Councilman Blackburn stated that he became quite concerned at that time because if there was a fire or anything the city's records would be lost. Mr. Perfolli interjected and stated that in his research 65% of private businesses that underwent a natural disaster were unable to open their doors again due to loss of records. Mr. Perfolli stated he felt this software was a step in the right direction as it gives businesses some place safe to store their records. Councilman Blackburn stated that he was glad Planning and Zoning and the Building Inspector were present and referred to the scanning and routing of documents and asked Mrs. Sessions what she thought the benefits of a program like this. Mrs. Sessions stated the city already has a program called Laserfiche that does this exact same thing. Mrs. Sessions stated the city has already been paying for this service and explained that it hasn't been used until recently because no one knew how. Mrs. Sessions stated that Rigby did not have to pay for training because she had come trained in operating Laserfiche and explained the city she had worked for previously also operated this system. Mrs. Sessions explained Laserfiche could do retrievals and emails and searches the same as the proposed program. Councilman Day stated that he remembered something about that from previous meetings and asked if Tommy Thompson was the representative for that and Mrs. Sessions stated that was correct. Mrs. Sessions explained that it was an easy system and that she could teach other people to use it and stated she was currently the only user because no one else had needed the system. Councilman Blackburn stated that he was unfamiliar with Laserfiche and asked Mr.

Pertoli and Mr. Blackburn if they were familiar with it at all. Mr. Blackburn stated they compete with Laserfiche quite a bit and stated they were a good solution as well. Mr. Blackburn stated that one difference in the two is that DocumentMall has nothing to download or install where Laserfiche does have software you need to purchase and install. Mr. Blackburn stated having something to install was not necessarily a bad thing but usually smaller companies come to them because they just don't have the infrastructure for more software. Mr. Blackburn stated that Laserfiche may be web accessible but is not truly web based and explained the security issues this difference poses for businesses. Mr. Blackburn stated that a lot of the times this type comes down to a one person activity. Mr. Blackburn stated the advantages of having DocumentMall is its accessibility to a variety of people. Councilman Day asked what the costs for this system would be shall the city choose to change and Mr. Blackburn stated the basic system would run about \$100 per month. Mr. Blackburn stated this estimate could change depending on the actual use agreement and number of users permitted. Councilman Simonson referred to the documents already scanned into Laserfiche and asked if those could be transferred into DocumentMall or if they would have to start all over. Mr. Blackburn stated they could be easily transferred to DocumentMall by an import. Mr. Swager stated he had started on this when he came back in September and explained there had been some lost documents on Caselle and they found at that time there had been no back up since January 2008. Mr. Swager explained he had talked to Microserv regarding the server and had asked them to put in a manual disc back up. Mr. Swager stated that if the city experience a fire like Mountain West Bank did recently there would be no financial back-ups and therefore the city would have no records. Councilman Day asked why Laserfiche couldn't back it up and Mr. Swager stated it stored in PDF or TIF format and explained that was not feasible for hard data like financials. Councilman Blackburn stated they would not be searchable once imported and Mr. Pertoli stated that was correct. Mrs. Sessions interjected and stated that was not correct as she could search the text and pull data. Mr. Swager stated that Laserfiche would not work on an accounting software package like Caselle and Mrs. Sessions stated that was because Caselle was not tied to Laserfiche in any way. Mrs. Sessions stated that Laserfiche was also stored off-site and explained that was the reason for its purchase. Mr. Blackburn stated that DocumentMall was set up to integrate with Caselle and ready to offer that service today. Councilman Simonson stated this was for \$100 per month and Mr. Pertoli stated for the basic service that was correct. Councilman Day asked what the start-up costs were and Mr. Pertoli stated the basic system allows for five (5) users and was charged at a yearly maintenance cost. Councilman Day suggested that prior to making a decision to look into the actual costs of this system and the affects of changing. Mayor Smith stated they also needed to see if there was a long-term contract with Laserfiche and Mrs. Sessions stated she didn't believe so. Mayor Smith asked if this was month to month and Mrs. Sessions stated it was by the year. Councilman Simonson asked what the cost was and Mrs. Sessions stated that it was \$895 last time she knew. Councilman Blackburn asked what the back-up capabilities were and Mrs. Sessions stated that she did not know but could find out. Mayor Smith stated the biggest advantage of this new system was to back-up the city's financial data. Councilman Simonson stated that if the city chose to stay with Laserfiche they would still have to buy something to back-up the financials and Mayor Smith stated that was correct. There was a brief discussion regarding the security options available with this program. Councilman Blackburn stated that if the city went with this software and there needed to be an upgrade this would be handled on their end and the city wouldn't have to do anything and Mr. Pertoli stated that was correct. Councilman Day stated that to be able to back up a financial document is a matter of dropping a CD into a hard drive and so backing up one file on a weekly basis is not that hard to do. Councilman Day stated he felt they needed to analyze the systems and perhaps even get Mrs.

Sessions' input on it before making a decision. Councilman Day stated he is also concerned over the proposed cost because he has seen some systems quote rather low to get you to make the purchase but then the actual cost is much higher than originally anticipated. Councilman Day stated he felt that a better idea would be to sit down with Mr. Swager and Mrs. Sessions and come up with a recommendation. Mayor Smith stated that he would sit down with both of them sometime before the next council meeting.

**Utility Cost Management Consultants-**

Mayor Smith stated the next item on the agenda was for utility cost management consultants and turned the time over to a representative for their presentation.

Mayor Smith asked if there was a presenter and Mr. Swager stated that it might just be Mike McCowin, Building Official/Public Works Director, and himself. Mr. Swager explained they had met with a company out of Utah to analyze the power bill for the city to make sure they are not overbilling the city. Mr. Swager stated this is a no-fee service and explained the city would send a copy of their bill down to them; they would review it and determine whether it's an appropriate rate for the city. Mr. Swager stated that if they found a discrepancy then they would contact the power company and negotiate a more appropriate rate based on usage and demand. Mr. Swager stated they were a 50/50 company which means if they were to find a \$100 cost savings then the city would send them half of that for as long as that rate change is in effect. Mr. Swager stated they did require a five-year contract with the city. Mr. Swager stated the city would need to check with legal counsel to make sure the city can obligate that long out. Mayor Smith asked Mr. McCowin if he had anything to add and Mr. McCowin stated he felt Mr. Swager had covered it. Mr. McCowin stated that when the power comes back on from an outage the meter shows a spike and when that meter gets read the company goes by the highest read or spike for that month to determine the bill according to this utility company. Mayor Smith asked if this was for information purposes or whether there needed to be a decision and Mr. Swager stated he would like to have a decision of either to go with them, bypass them or obtain more information for future discussion. Robin Dunn, City Attorney, stated the city only has one year with which to hold any contract. Mr. Dunn stated that some companies will agree to that with the option for automatic renewal. Councilman Blackburn asked Mr. Swager if he could relay that information to this company and Mr. Swager stated that he would. Councilman Day asked Councilman Maloney what he thought as he works for Rocky Mountain and Councilman Maloney stated he felt this would be a really good idea especially because it's an outside entity and didn't see how the city could lose. Councilman Maloney stated he was all for it if they could manage to get around the long-term contract issue. Mr. Swager asked if the feeling of the council was to pursue this under the one year renewal option. Mayor Smith asked if there needed to be a motion and Mr. Dunn stated just the approval to cut costs. Mayor Smith stated that they gave Mr. Swager the approval to pursue this but stated it needed to be on the one year renewal unless they decided to cancel with the 30 day notice.

**Recreation Center Equipment-**

Mayor Smith stated the next item on the agenda was regarding the recreation center equipment and turned the time over to Councilman Day for his presentation.

Councilman Day reminded the council there had been an offer on the recreation center equipment some time ago and then the school district had made a request to lease the equipment with the option to buy. Councilman Day distributed a copy of a letter he had drafted to the school regarding

this equipment and stated that he would really like Mr. Swager and Mr. Dunn to review this closely. Councilman Day referred to page 2 of this letter where it referred to the lease value, lease rate and the total purchase price with a copy of the proposed payment schedule and explained how he came to these amounts. Councilman Day referred to pages 3 and 4 and said the highlights in yellow were the pieces of equipment the school was interested in purchasing while the highlights in blue were the pieces of equipment the Police Department was interested in keeping for their use while everything in white the city would still own and could therefore sell. Councilman Day stated that he wanted to point out it is important that the police get this equipment as they needed a way to stay in shape for their employment. Councilman Day stated they were very selective in what they chose and he fully supports this need. Mayor Smith stated he appreciated Councilman Day's efforts on this and explained where this was another entity the city could deal directly with the school district. Councilman Blackburn asked if this was approved was the school prepared to move forward and Councilman Day stated they had actually wanted to get this taken care of sooner but time constraints did not allow for that. Mayor Smith stated that he has seen parts of this document before and was all for it. Councilman Simonson asked if there needed to be a motion granting the Mayor permission to proceed and Mr. Dunn stated that permission had been granted at a previous meeting and what is being presented now is more for informational purposes. Mr. Dunn stated this agreement was more money than what had been offered previously. Councilman Blackburn referred to the disposal of city property and even though it was going to the school district asked if there needed to be some form of public hearing. Mr. Dunn explained the bid process and how it relates to this issue. Councilwoman Hinckley referred to the other equipment and asked if there would be a sale on those and Mayor Smith explained there were other negotiations currently going on regarding that. Mayor Smith stated if the equipment wasn't sold at that time they would be opened for bid at auction and if not taken care of then the city could dispose of it in any way they chose.

**Delinquent Utility Accounts-**

Mayor Smith stated the next item on the agenda was regarding delinquent utility accounts and turned the time over to Mr. Swager for his presentation.

Mr. Swager referred to documents submitted in the council packets and explained these were a printout of the aging process including 90 days and past. Mr. Swager stated these accounts totaled \$20,661 with \$19,600 of that being from residential customers and roughly \$1,000 being from commercial. Mr. Swager explained that he had been talking to Mr. Dunn regarding these accounts. Mr. Swager stated that city code's only provision for these accounts is the assessment of late fees. Mr. Swager stated the problem with that even though they're shut off or the property is sold so the city has no recourse to collect this outstanding balance. Mr. Swager stated there needed to be liens placed on the property or some other way to keep these accounts under control. Mr. Swager stated that recently there was \$16,000 written off and now the accounts were back up to \$20,000. Mr. Swager stated that in the documents sent to the council there is information showing that four individuals owe approximately \$10,600 of that delinquent amount and explained that one account alone is up to \$3,900 and will be shut off but if he sells the property there is no recourse on the property. Mr. Swager stated he felt there needed to be more teeth in the ordinance. Councilman Blackburn referred to the \$16,000 previously written off and asked if this \$20,000 was in addition to this and Mr. Swager stated that was correct. Mr. Swager stated that he has been sending letters to all accounts over 90 days informing them their water will be shut off and explained the council members may very well be getting phone calls. Councilman Blackburn referred to the \$10,000

previously mentioned and stated this sounded more like commercial and Mr. Swager stated they were rental units. Councilman Day stated he thought the ordinance had been changed to make the owners responsible for payment of the bill. Mr. Swager stated that has been done but these buildings have changed between family members and they now won't say who owns the building so there's no recourse for the city. Councilman Day stated that he thought after a certain number of days the water was turned off and Mr. Swager stated that has been after 60 days but then the late fees get added. There was a brief discussion on the benefit of attaching a lien on the property and other concerns over the utility bills. Mayor Smith stated there had been a brief conversation about this prior to the meeting and it was his understanding that Mr. Dunn was going to do some research on the legality of the lien option. There was a brief discussion regarding the procedure for obtaining a judgment. Councilman Blackburn referred to the utility bills where they say payment is due by this date and shut off day is this day and asked why the city is not shutting them off at that time. Mr. Swager stated they come in and pay the previous month and that keeps their water on. There was a brief discussion regarding different options for collecting the bills. There was a brief discussion regarding whether these units have individual shut-offs. Councilman Day stated there had been previous discussions about doing Circuit Breaker for the elderly and felt this was something the city really needed to move in that direction.

**Council Protocol-BPS Phones-**

Mayor Smith stated the next item on the agenda was regarding phones for the police station and turned the time over to Larry Anderson, Chief of Police.

Chief Anderson reminded the council that at a previous meeting protocol had been set that if an expense was over a certain amount it needed to have council approval. Chief Anderson stated he had phone lines installed at the new building and explained the work was completed and the invoice came to \$4,200. Chief Anderson stated that under the new protocol he should have come before the council but since the work was already in play before the protocol was set he was asking forgiveness. Councilwoman Hinckley asked when this was completed and Chief Anderson stated he would have to look at the invoice as he could not recall from memory. Councilwoman Hinckley stated that per the bills it shows the invoice date was 8/20 and asked if there was a finance charge and Chief Anderson stated there was not. Mr. Swager stated because this work was under capital outlay and needed to be approved accordingly. Councilman Day asked if there needed to be a motion and Mr. Dunn stated that was not necessary as it was already part of the bills and explained this was informational only.

**Other Council Business-**

Mayor Smith stated the next item on the agenda was other council business and turned the time over to the council for anything they needed to discuss or disclose.

Councilman Blackburn referred to the new council and stated he had talked with the Jefferson Star and explained there was a spot for State and local legislature contact information. Councilman Blackburn stated he had also obtained information from the City of Idaho Falls where it shows a group photo. Councilman Blackburn stated the city's website needed to be updated with their individual photos. Councilman Blackburn suggested having this information made available in the paper or posted to the website or even a generalized email address for city concerns. Mr. Dunn stated that having someone answer those emails can be several hours but suggested not having

personal emails listed. Mr. Dunn stated that from a legal standpoint council members are not to make individual decisions and explained they are all to be council decisions.

Mayor Smith stated that he had a couple items he needed to discuss with the first being council assignments. Mayor Smith referred to a paper he had distributed to the council members. Mayor Smith stated there have been concerns raised about not having council assignments and so he had contact AIC and obtained some information. Mayor Smith stated the main concern was having councilmembers oversee employees and explained that was not what the assignments were for. Mayor Smith explained the assignments were for contacts or liaisons for the employees where information could be brought back to the council. Councilman Zimmermann stated that while attending the AIC conference they were told not to do this because it was second hand information. Councilman Day stated that he felt it was helpful having contact with the employees because when a question is brought before the council he is better able to address the concern. Mayor Smith stated they will continue with the council assignments with the understanding that council is not to tell an employee what to do.

Mayor Smith stated his next item was concerning the new council members and explained that once this meeting is closed Mr. McCowin will be taking pictures to update the website.

Councilwoman Hinckley asked if the new police station was going to have an open house and allow people to see where their tax money is going. Chief Anderson stated that right now they are still moving and unpacking boxes but once that was complete would definitely let people know.

Councilman Day stated that he had heard Commissioner Ogden has moved out of town and asked if that was correct. Councilman Blackburn stated that was correct that she had move to Rexburg. Councilman Zimmermann stated she had been on Planning and Zoning. Councilman Day stated it sounded like they would need another person for planning and zoning and Councilman Blackburn agreed. Mayor Smith stated that he had talked to Mrs. Sessions earlier today and she had not heard one way or the other from Commissioner Ogden so until there was something official there would be nothing to do. Mayor Smith explained there was one other person that had already accepted but was not present this evening to be sworn in.

Mayor Smith asked if there was any other council business. No further business was disclosed.

#### **Approval of Bills-**

Mayor Smith stated the next item on the agenda was the approval of the bills and asked if there were any concerns or comments.

Mayor Smith stated there was also a financial report included with the bills and wanted to thank Mr. Swager for his time on that. Mr. Swager referred to page 50 of the financial report and explained he had accrued the \$467,000 that the city will be receiving from the county next week as December revenue. Mr. Swager referred to page 47 also and explained how the equipment use is being tracked. Mayor Smith stated this is what Mr. Swager was doing with the software they had approved a short time ago and Mr. Swager stated that was correct.

Mayor Smith referred to the bills once again and asked if there were any questions on the bills. Councilman Maloney referred to page 1 about two-thirds of the way down there is a purchase for

\$1567 and one for \$1363 and asked what these were. Mr. Swager stated that he had lumped things together rather than breaking it out but explained one was for the generator and the other was for the police car. Councilman Maloney referred to the bottom of page 2 on the cell bills and asked if this was a total or for only one cell phone. Mr. Swager stated that once again he had lumped together the items but explained it was for all the police cell phones. Councilman Blackburn referred to the last page where it shows payment for a safety deposit box and asked what this is being used for and Mr. Swager stated he did not know. Councilman Maloney moved to approve payment of the bills. Councilman Zimmermann seconded. All were in favor.

**Approval of Minutes-**

Mayor Smith stated the next item on the agenda was the approval of minutes and asked if there were any changes, corrections or additions.

Councilwoman Hinckley stated there was a mis-spelling on her name and verbalized that correction. Councilman Simonson moved to approve the minutes. Councilman Blackburn seconded. All were in favor.


**Public Comment-**


Mayor Smith stated the next item on the agenda was public comment and turned the time over to the audience.

Bob Moon, Director of the Senior Center, and stated they had received a wonderful donation from someone and the police and several city employees came over and had lunch with us. Mr. Moon stated he would welcome them back at any time to say hello. Mr. Moon stated he had heard there might be a marquee somewhere that they could possibly use. Mr. Moon stated he wanted to thank the city for their continued help and support.

Mayor Smith asked for any other public comment. No further public comment was given.

Councilman Simonson moved to adjourn the meeting. Councilman Zimmermann seconded. All were in favor. The meeting was adjourned at 8:55 p.m.

  
Keith Smith, Mayor

Attest   
David Swager, City Clerk

Correction (Feb 2, 2010):

Boyd Hinckley commented the email address shown on the billings were wrong in that there should be a period after the word rigby so the address should read:  
rigby.govoffice.com.