

City of Rigby  
Council Minutes  
July 5, 2011

Mayor Smith called the meeting to order at 7:00PM Tuesday July 5, 2011.

He announced the pledge of allegiance would be lead by Mayor Smith followed by the prayer offered by Robin Dunn. The clerk called the roll.

Councilman Zimmermann	Present
Councilman Simonson	Present
Councilwomen Maloney	Present
Councilman Hinckley	Present
Councilman Day	Excused
Councilman Blackburn	Excused

Also present Attorney Dunn.

Idaho Intergovernmental Insurance Authority:

Discussion on the IIIA proposals and the reasons behind the association. Small cities such as Rigby with only 20 employees do not have the ability to negotiate insurance rates. By joining a larger pool, Rigby has the advantage to negotiate rates. The IIIA will not be in full force for about 3 years. During this time insurance reserves will be built and maintained and at a later point will begin to self insure. The Clerk recommended adoption of the agreement. By joining prior to August the premiums paid from August to January will be refunded or added to the IIIA insurance reserves. By joining this shows intent for the IIIA in forming an association large enough to service its members.

Councilman Maloney moved to sign and enter into the agreement, Councilman Simonson seconded motion.

Councilman Simonson	Yes
Councilwomen Maloney	Yes
Councilman Hinckley	Yes
Councilman Zimmermann	Yes

ICRMP Insurance Deductable

The clerk explained that during the past winter various sewer lines were cleaned. Some 20-25 homes sustained sewer backup causing damages in their homes. The city contracted with two restoration companies to assist in cleaning up the sewer damages. The clerk was contacted with the insurance adjustor who informed him that "depreciation" was factored into the settlement. The result left approximately \$7,500 of non-covered claims. The question is should the city pay the "depreciation" or pass the deductible onto the patrons.

Councilman Simonson moves to have the city pay the non-covered deductible, seconded by Councilwoman Hinckley.

Councilwomen Maloney	Yes
Councilman Hinckley	Yes
Councilman Zimmermann	Yes
Councilman Simonson	Yes

Library District Memorandum of Understanding.

Clerk presented to the council a draft copy of the memorandum of understanding of the following items:

- Property – How the physical assets of the library will be dispersed to the library district:
  - Lease
  - Sale
  - Transfer
- Revenues – Continued support of the district for one year pending the district ability to levy its own property taxes.

Discussion on the building. Councilman Zimmermann thought a sale would be appropriate but did not know the valuation. Appraisal would not be needed between governmental entities. Building sold to Journeys was for \$50,000.

Attorney Dunn suggested a lease with option. Dunn commented the building has no use other than a library without remodeling. Lease with option will still need to meet the statutory requirements.

Clerk will get in contact with Frank Nelson, member of the State Library Board, for additional information regard the specifics of this issue.

Councilman Simonson moves to allow the Mayor, Clerk and himself enter into negotiations for the building under a lease with option agreement with the Mayor authorized to sign the agreement. Motion seconded by Councilman Maloney.

Councilman Hinckley	Yes
Councilman Zimmermann	Yes
Councilman Simonson	Yes
Councilwomen Maloney	Yes

Other Council Business.

Peck Ormsby – Attorney Dunn indicated the case is moving slowing and still moving forward.

Chip Seal – Councilman Simonson commented on chip seal courthouse way and attempting to receive reimbursement from developer.

Approval of Bills.

Councilwoman Hinckley asked about the dispatch service. Mayor indicated that rate will be increasing again this coming year. He indicated he and the police chief negotiated with the county commissions two years ago and the proposed rate increase was spread over 2 or three years. After this time the service will increase 3% per year.

Councilman Zimmermann – Questioned Keller retainer bill being charged to Planning and Zoning. Clerk indicated this was where the retainer was budgeted and paid. The retainer is a monthly fee for non project related services.

Status of Caribou Street - The Keller bill brought up a question regarding Caribou and the attorney indicated part success and part no change. There are new owners in Caribou who have taken a roll in improving the area.

Councilwoman Hinckley questioned the invoice from Les Schwab regarding tires. Clerk explained it was for recapped tires and axle alignment of the rear axle of the garbage truck.

Moffatt & Thomas bill questioned. Attorney commented the bill was for the Peck Omsby suit.

Motion by Councilman Maloney to pay the bills presented, seconded by Councilman Simonson.

Councilman Zimmermann	Yes
Councilman Simonson	Yes
Councilwomen Maloney	Yes
Councilman Hinckley	Yes

Approval of Minutes.

Review of the minutes indicated the motion on paying the 4% salary holdback and VEBA-HRA lacked a second. Minutes tabled for further clarification.

Public Comment:

Jason Richardson – Came forward and indicated that he had a group of young men who needed to do a large amount of man hours volunteer work. Mr. Richardson made inquiry if the city had any service projects that could be posted so the work could be completed prior to the starting of school.

Jack Scanlan – Requested assistance in his service line from the curb to the house which collapsed during the sewer cleaning and requested reimbursement. Baring reimbursement he would seek legal action. Mr. Scanlan also mentioned there were 3 other homes with similar pipe failure during the sewer cleaning project.

Linda Scanlan – Came forward to clarify her statement made in 5<sup>th</sup> West public hearing. Her comment concerning “domestic terrorist” was not directed to H&S but at the prior council that pasted the agreement. She indicated council action which obligate private property is violation of her constitutional rights. According to her research on the agreement, the action the council took was an act of “domestic terrorism” in claiming private property.

Councilwomen Hinckley commented on the information contained in their packet regarding pay for the council and mayor. The clerk commented the last pay adjustment was in 1998 and went on explain the devotion of time the Mayor puts forth day in and day out. Clerk recommended consideration for the mayor salary should be considered.

Councilman Simonson also commented that the duties of the mayor is increasing and should be reviewed. Mayor commented that this will be on a future agenda.

Being no further business, Councilman Simonson moved to adjourn, seconded by Councilwoman Hinckley.

Poll of Council – all in favor, none opposed, Motion passed. Meeting adjourned 7:55PM.

CITY OF RIGBY

  
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Keith Smith, Mayor

ATTEST:

  
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David Swager, Clerk