

City of Rigby
Council Minutes
August 2, 2011

Mayor Smith opened the meeting at 7:00PM Tuesday August 2, 2011.

Mayor Smith asked Councilman Simonson to conduct the Pledge and Councilman Maloney the Prayer.

Mayor Smith asked the clerk to call he roll.

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

Also present: Chief Larry Anderson, and Attorney Rob Dunn

121 West 2nd South – Collin Hunter

Collin Hunter came forward and presented to the council a report from Teton Structural Engineers and a letter from Mike McCowin. Hunter explained the structural engineer had concerns with sagging deck and insufficient structure support. Concerns on the deck support: Teton Structural recommended changed the support beams from 4x4 to 6x6 support beams. A letter from Mike McCowin indicated he had done a laser line survey and the building had not moved. The deck sagging was made to allow access to the water shutoffs. This will be repaired.

Mayor asked if the concerns of the structural engineer had or had not been addressed. The Mayor reminded Mr. Hunter, McCowin is not a structural engineer and those concerns must be signed off by a structural engineer.

Hammerhead and fire hydrant are being installed. Both should be completed by the end of the week. The Mayor informed Hunter paving the parking lot is not in city code, but the Mayor's concern is with tenants parking on the asphalt designated for the fire lane. Also discussed was snow removal. Hunter asked if the hammerhead and fire hydrant were completed could he obtain an occupancy permit.

Attorney spoke of the reservation the council had with this property. Being this the council will hold the owner to task on this property. Paving although not required, would go a long way in making a favorable impression with the council. When hammerhead, fire lane and fire hydrant is installed, Hunter to come before council for approval in a subsequent agenda. After council approval, City of Rexburg will be doing the final inspection for occupancy permit.

Question on fire hydrant: Owner responsible to install the hydrant and fire line. Hunter is concerned with the connection fee and is requesting a waiver of any connection fee. Attorney informed council there is no authority to waive the fee. Councilman Day brought up the prior discussion that if the parking lot were to be paved would the council consider a waiver of the fire connection fee. Councilman Simonson suggested the council could waive the fee through council action if the parking lot were to be paved. Attorney Dunn affirmed this was within council authority.

Councilman Day express following concerns:

1. Waive fire connection fee in consideration with paving the parking lot;
2. Memo of understanding between property owner and city that restricts parking in fire lane and in hammerhead violation of such will subject offender to ticket and/or towing at car owner's expense;
3. Structural engineer to review and stamp with his PE stamp as to structural integrity of building;
4. Parking lot slopped to allow drainage with a sump collection pond;
5. French drain to be installed (this was brought up in the original agreement dated 2002);
6. Utility easement recorded on water/fire lines;
7. Paving the lane from 1st West to and including the property in question.

Hunter expressed reservation over paving lane on land he does not own but only has an easement.

Councilman Blackburn questioned lighting in the parking lot. Hunter responded the lighting would be from fixtures attached to the building and shining onto the parking lot.

Councilman Day made following motion relating to approving 121 W 2nd South:

1. Waiver of fire connection fee for paving the parking lot;
2. Memo of understanding restricting parking in hammerhead and on fire lane with cars subject to ticket and/or tow;
3. Lighting is sufficient for the parking lot;
4. French drain to be installed;
5. Structural engineer stamps and approves specification of building.

Seconded by Councilman Maloney.

Councilman Simonson	Yes
Councilman Maloney	Yes
Councilwoman Hinckley	Yes
Councilman Day	Yes
Councilman Blackburn	Yes

Contract with Keller and Associates:

Being the clerk had not received a copy of the contract but had only the addendum to the contract, he suggested the topic be tabled. Being no other discussion, item tabled.

East Jefferson Library District:

The clerk handed out a draft of the memo of understanding between the city and the library district regarding the disposition of assets upon formation of the district. Council discussed the concern if the library were to fail what happens to the building. Attorney suggested placing a deed restriction that if the library were to dissolve or become defunct the building would revert back to the city if not sold prior or sold without reinvestment in a new building. Further discussion and decision tabled until draft copy corrected.

Review of the 2011/2012 Budget:

The clerk presented the council copies of the 2011/2012 budget for the city of Rigby. He commented on changes made regarding COPS grant and other grants that were updated. Property tax levy will be \$1, 058,875 and an overall budget all funds of \$10,122,237.

Councilman Blackburn move to publish the budget as presented and hold the public hearing on August 16, 2011. Seconded by Councilman Simonson.

Councilman Maloney	Yes
Councilwoman Hinckley	Yes
Councilman Day	Yes
Councilman Blackburn	Yes
Councilman Simonson	Yes

Other Council Business:

Mayor commented on the chip seal and fog sealing recently completed in Town Sq Mall and in Hunter Creek.

Rigby Chamber of Commerce hosted Sen. Crapo at a noon meeting at the school district office Monday August 8.

Tennis Courts – Discussion on the misuse of the tennis courts by skateboarders.

County Fair – Fair begins this week. Car show being held August 20 and Bed Races on August 27.

City summer picnic being held Wed August 17 at 6:00PM being hosted by the Senior Citizen Center.

Review of Account Payable:

Review and approval of the bills was conducted; Councilwoman Hinckley asked about a cost comparison between the new and old lights. Councilman Maloney moves to approve the bills seconded by Councilwomen Hinckley.

Councilwoman Hinckley	Yes
Councilman Day	Yes
Councilman Blackburn	Yes
Councilman Simonson	Yes
Councilman Maloney	Yes

Motion passed.

Review of Minutes:

Review of the July 19, 2011 minutes were reviewed. Clarification needed in the paragraph of the 2009 building code; Morgan Lake paragraph; and changing sale to sell. Councilman Simonson moves to approve as corrected, seconded by Councilman Day. Voice vote – approved.

Adjournment:

Being no further business, Councilman Simonson moves to adjourn the meeting, Seconded by Councilman Blackburn. Motion Passed – meeting adjourned at 8:25PM.

CITY OF RIGBY



Keith Smith, Mayor

ATTEST:



David Swager, Clerk