

City of Rigby  
Council Minutes  
December 20, 2011

Mayor Smith opened the meeting at 7:00PM Tuesday December 20, 2011.

Mayor Smith asked Scout Aaron Swenson to conduct the Pledge and Steve Cook 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	Present

Also present: Chief Larry Anderson, and Attorney Rob Dunn

Review of the Park/Rodeo Association 2011 Activities:

Steve Cook, Park/Rodeo manager, came forward and discussed the projects the parks/rodeo association completed last year. They included: new sound system, installation of French drains around the horse barns and grandstand, asphalted the manure pit, gas heater in the concession stand, new chain link fencing installed around the horse walker, Lions Club planted trees on the east end of the bleachers, installation of the flag pole in the rodeo arena. Steve also gave credit to the City and City crews for their assistance during the year. He complimented Rick Lamoreaux for his work on the fair board. In addition Mr. Cook thanked Rocky Mountain Power for the assistance in the installation of the flag pole in the use of men and equipment.

For current events he stated the chariot races have been brought back to Rigby, the fair will be the 3<sup>rd</sup> week in August to coincide with the car show, and the high school will be holding two rodeo events this year.

As for future projects he is working on improving the horse barns, installing new track railing and general lighting and security lighting around the grand stand. For long term goals he would like to have an indoor riding arena so the younger horsemen can work during the winter months.

At the end of Mr. Cook presentation the Mayor asked Glen Pond to come forward for a special presentation.

Glen Pond from Rocky Mountain Power presented Mr. Cook and the Rigby Park/Rodeo Association, with a \$1,000 check from the PacifiCorp Foundation for assistance with the fencing project on the horse walkers. Mr. Pond indicated the PacifiCorp Foundation assist various community with grants for the betterment of the community. Mr. Cook accepted the check on behalf of the Rigby Park/Rodeo Association.

Review and Acceptance of Canvassed Election Results:

The clerk hand out the results of the November election as certified by Jefferson County commissioners. The council reviewed the certification with Councilman Blackburn moving to accept the results of the election as certified, Councilman Zimmermann seconded. All in favor none opposed.

Attorney Contract:

The clerk discussed the contract for the city attorney was distributed to the council at the last council meeting and opened the floor for council discussion.

Councilman Day inquired about Section 2 – Attorney Fees- regarding fringe benefits, cost of living increases ect. It was explained the attorney is an employee per IRS regulations and as such is not an independent contractor who does not have employee benefits.

With little other discussion, Councilman Zimmermann moved to accept the contract as presented and authorized the Mayor to sign the contract on behalf of the city, seconded by Councilman Day.

The Mayor asked the clerk to poll the council:

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

Peterson Request to farm the former Sucher Property:

The clerk explained the topic had been discussed during the September 20, 2011 council meeting. During that meeting the Morgan Peterson had requested the acreage he owns be allowed to be placed under cultivation. During the Sept 20 meeting the council stated 5 restrictions are placed on the property subject to acceptance from planning and zoning. The five restrictions are:

- Damn surrounding the curb and roadways to prevent water from undercutting the base of the road.
- Protection provided on the sidewalks and curbs from equipment entering and leaving the property must be protected.
- Ground must be in farm cultivation annually and variance granted year to year if ground is under cultivation.
- Protection of adjacent homeowner's property from flooding.

It was explained to council the planning commission could not act on the variance inasmuch as it did not involve a zone change. The clerk went on to explain the city code did not specifically prohibit farming inside the city limits but the ground in question had not been farmed for several years and the property lost its ag exemption for county taxes.

After discussion, Councilman Day moved to allow farming subject to the restrictions listed on the property, with Councilman Simonson seconding the motion. Councilman Blackburn recued himself from voting being his home is adjacent to the property in question. Voice roll, all in favor, none opposed.

Other Council Business:

Retirement of Chief Anderson:

Mayor Smith announced that Chief Larry Anderson was retiring effective December 30, 2011 after 42.5 years with the city in the capacity of patrolman and 36 years as chief. Chief Anderson thanked the Mayor and Council for their support and complimented the council as being one of the "best" council he has had the experience to work with.

Nomination of Officer Keith Hammon:

Mayor Smith recognized Sergeant Keith Hammon, who was in attendance, as being his nomination to replace Chief Anderson. Officer Hammon has been the city for 17 years. Officer Hammon received a standing ovation from the council and audience.

Summer Water:

Councilwoman Hinckley expressed her desire to have the city work towards an ordinance wherein violations of the summer water restrictions could be cited. Chief Anderson responded his department would talk with the residents who left there water running over long period of time. He mentioned several instances where residents would call and his officer's would respond when not involved in other police action.

Letter to Editor:

Councilman Zimmermann commented if the council had read the recent article in the December 14 edition Jefferson Star written by Harry Guelzaw. He thanked the author and stated it corrected part of the misinformation being spread around the community.

Employee of the Year:

Mayor Smith spoke of the changes made in how the employee of the year got nominated. This year the employees of the city participated in the nomination. For this year employee the Mayor indicated Dean Christiansen had been selected for various reasons. Perhaps the most compelling reason was how Dean has taught a younger employee not only how to do a job but explained why and how it needed to be done. The new employee thought Dean really cared as him as being a part of the city crew. Special award with Dean in attendance will be given at the next council meeting.

Life/Safety Ordinance:

The clerk indicated that in the council packet he had included revised draft of the life/safety ordinance. The Mayor indicated that the city had a meeting with two apartment owners who reviewed the ordinance and with minor exception thought the ordinance was something they as landlords could live with and felt it would be in the interest of the tenants to have such an safety ordinance.

The Mayor requested the council review the draft and present their thoughts at the next council meeting.

Councilman Day indicated a couple of instances where time reference was incorrect, such references were corrected.

Approval of December 6, 2011 Minutes:

The council reviewed the minutes of December 6, 2011. Councilman Maloney moved to accept the minutes, seconded by councilwoman Hinckley. Voice roll: all in favor none opposed.

Approval of Bills

A review of the bills was reviewed by the council. Councilman Blackburn moved to approve the bills for payment, seconded by Councilman Simonson.

The Mayor asked the clerk to poll the council:

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

Being no further business, the Mayor asked if there was any public comment. Having no public comment, the Mayor thanked the scouts for their attendance this evening and asked which merit badge they were working on. He then indicated the next order of business was for the council to recess into executive session.

Executive Session:

Councilman Blackburn moved to enter into executive session according to Idaho Code Section 67-2345; subsection (f) – to communicate with legal counsel on pending and existing litigation, seconded by Councilman Simonson. The Mayor asked the clerk to poll the council:

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

Enter executive session 8:05PM

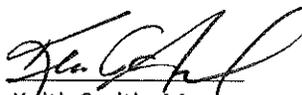
Exit executive session at 9:15PM

Adjournment:

Motion by Councilman Simonson to adjourn, seconded by Councilman Zimmermann. Voice roll – all in favor – none opposed.

Meeting adjourned at 9:16PM

CITY OF RIGBY

  
Keith Smith, Mayor

ATTEST:



David Swager, Clerk

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