

City of Rigby
Council Meeting Minutes
November 20, 2012

Mayor Smith called the meeting to order at 7:00PM Tuesday, November 20, 2012.

The Councilman Blackburn led the pledge of allegiance and Chief Hammon offered the prayer.

Mayor Smith asked the clerk to call the roll.

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

Also present: Attorney Rob Dunn, Chief Hammon also in attendance Mike Jaglowski and Kyle Jones from Keller's Eng.

Sewer Construction Update:

Phase II:

Mike Jaglowski from Keller & Associates came forward and reviewed with the council the current status of the sewer construction project. In his handout he indicated the project is 99% complete. The contractor will have total completion on December 16, 2012 with substantial completion February 24, 2013. The city, engineers and contractors completed a walk through on November 16, 2012. He commented the list was short in comparison to other walk through and he felt good with DePatco having a short list. There are several items that are non-structural items. Total change orders approved totaled \$656,560 which is 21.68% of base contract price with the total contract with change orders totaling \$3.684 million.

Phase III:

A preconstruction meeting was held with the general contractor (HK) and the related subcontractors involved with the project. The project is being held for the notice to proceed to be issued by the funding agencies. Jaglowski also reviewed SCADA project and that it is on target to be completed December 31, 2012. There is a 12 month warranty period and a training period which will begin after December 31, 2012. He felt the timing was right with the low sub water and low sewer flows in which testing and training can be done.

Hearing no questions from the council the Mayor thanked Mike for his presentation.

Oaks Retirement Home:

Jeramie Megara came forward and presented the council with a plot plan for the construction of a second 15 bed assisted nursing center west of the existing facility. In addition to the second building being construction, the plat has two lots that could be used for single family homes. The request before the council was permission for the second assisted nursing home to hook onto the water and sewer system of the city. The land is not annexed into the city and the property is not contiguous to existing annexed land. The property is across Highway 48 from the Hailey Creek subdivision. The existing nursing center has been having sewer problems and may request permission to hook onto the sewer

system as well as the proposed unit. Megara would build the water and sewer system according to city specs. The area is within the city area of impact. He addressed two items that the city had brought before the county p/z meeting. 1) Roads would be county roads and constructed to city standards with curb & gutter if annexed into the city. 2) Water lines would be metered at the beginning of the right of way. Megara stated that if the lines were built to city standards, the developer felt the city should take responsibility for the water and sewer lines. This point is open for further discussion.

Central Fire Chief Deuel had recommended the addition be tied into the city water system for fire suppression and there would be two fire hydrants installed in the subdivision.

Councilman Simonson questioned the right to have city water & sewer lines on privately owned property. Clarification from Megara indicated if the city placed the condition on the water & sewer lines being the responsibility of the developer then they would address it at that time.

Councilman Blackburn asked what the distance is from the highway to the end of the subdivision and if the distance would affect either water or sewer. Jaglowski answered the question that the line would be 8 inch and the distance would not be affected with loss of pressure.

Jaglowski asked Megara if the fire marshal had expressed a minimum flow required for fire suppression. Jaglowski indicated that he had not read that in the engineer report. Megara indicated he thought the question was addressed with the size of the water line, but he was not sure of the answer.

Mike Jaglowski reported to the council that he has reviewed the plans and had issued a report dated October 5, 2012. For capacity of the sewer system he estimated the contribution from the facility would be 6,325 gallons per day. The sewer system and the wastewater treatment center has capacity to handle the additional flow. The sizing of pipe and possible sewer lift station would need to be addressed later.

As for the water system, Jaglowski went through a number of alternatives for the water system. He referred to the *Water Facilities Planning Study* conducted in 2009. Based on the state requirement of "firm pumping capacity" the city has available water supply but does not have available *firm pumping capacity* in case the city's largest pump going down and the city had a fire. This analysis was done using the state guidelines of maximum daily demand for meeting fire suppression. Currently the city does not have the water to meet the requirement. The city may question if all of the events were to happen at one given time: having maximum daily demand, largest pump going down, and fire event. He reminded the council that two years ago the largest pump did go down and the city was scrambling to keep the city's water pressure up to the minimum amount required by DEQ. In the same WFPS the report indicated the city has a deficient storage capacity of 1.07 million gallons.

Councilman Blackburn asked J Megera if there were any existing water rights on the current development and on the additional sites. Megera did not know but would find out.

Councilman Simonson questioned the water rights from the Hailey Creek subdivision. Megera said the water rights on the Hailey Creek subdivision were transferred to the city. The city had existing water rights which the city had not used. The development changed the point of diversion and Hailey Creek put in the well and turned the system over to the city.

Megera questioned the fire suppression report that Jaglowski commented on that the same condition exist with or without the Oaks being on the system.

Councilman Simonson also asked if the current well being used if could it be used to supplement the city water for fire and potable well use. Megera would need time to look into that question. Surface water rights could be used for irrigation but not for fire protection being it's not available 24/7.

Council decided more time was needed for them to review the information being presented. The request will be taken under advisement.

Megera, Jaglowski and Jones exit meeting at 7:50PM.

Resolution to appoint engineer to design and review bid specifications for Dove and 1st North:

The city attorney reviewed the process and informed the council that a motion to appoint the engineer was needed and a resolution was not needed at this time.

Motion by Councilman Simonson to appoint Keller & Associates to design and write bid specification for the construction of the water line on Dove Ave and the street improvements on 1st North. Motion seconded by Councilman Zimmermann.

The Mayor asked the clerk to poll the council.

Councilman Simonson	Aye
Councilwoman Hinckley	Aye
Councilman Zimmermann	Aye
Councilman Blackburn	Aye

Amending Chapter 2, Title 3-2A-3 through 3-2C-10:

The clerk indicated that he had published the proposed changes in the beer and liquor ordinance so they comply with state and county, eliminated the code section relating to licenses for bar tenders, delete the restriction of serving liquor during days of general and primary elections and changing the expiration date from December 31 to September 30.

Councilman Blackburn moved to approve the changes as addressed in the publication for amending Chapter 2, title 3 of the city code, seconded by Councilman Simonson.

The Mayor asked the clerk to poll the council.

Councilman Simonson	Aye
Councilwoman Hinckley	Aye
Councilman Zimmermann	Aye
Councilman Blackburn	Aye

Councilman Simonson moved to suspend the rules and read in title only the proposed change in Amending Chapter 2, Title 3-2A-3 through 3-2C-10, and to approve the clerk to publish the amended ordinance and set time and date for public hearing, seconded by Councilman Blackburn.

The Mayor asked for a voice poll: all in favor none opposed.

The city attorney read the amended ordinance in title only.

Approval of 2013 Beer, Liquor and Wine Licenses:

The clerk presented the council with a list of licensees that have applied for a 2013 alcohol license: The list includes: Don's Lounge, Liberty Bar, The Office Bar, The Subway Club, Maverick Store, Bob's Kwik Stop, Broulins, Me N' Stans, Stop N' Go, Gater Jacks, Rigby Bowl.

Councilman Zimmermann moved to approve the licensure for the above licensees, seconded by Councilman Simonson.

The Mayor asked the clerk to poll the council.

Councilman Simonson	Aye
Councilwoman Hinckley	Aye
Councilman Zimmermann	Aye
Councilman Blackburn	Aye

Park/Rodeo Committee:

New Committee Member:

The clerk informed the council Linda Jorgensen who has served as treasurer of the Jefferson Park/Rodeo Association for 30 plus years is stepping down from that position. The Park/Rodeo Committee is recommending Stephanie Shaffer be appointed as committee treasurer.

Councilwoman Hinckley moved to accept the name of Stephanie Shaffer as park/rodeo committee member, seconded by Councilman Zimmermann.

The Mayor asked for a voice poll of the council: all in favor none opposed.

Park/Rodeo Bylaws:

The park/rodeo committee has submitted bylaws for council consideration. Being the attorney has not reviewed the by-laws the item was tabled pending his review.

TRPTA Designated Bus Parking:

Councilman Simonson reminded the council he works for TRPTA and his presentation is an employee of TRPTA and not as a councilman.

Councilman Simonson stated that TRPTA may begin a separate route for Rigby in the future. If that was done TRPTA would like to have a backup bus available for use in case the one bus has trouble. He requested permission to park two TRPTA buses at a site designated by the city and that the parking restrictions be waived if this was to happen.

Being little discussion the Mayor expressed that he did not see this being an issue with the council, having heard none, and that he would look favorably on the issue. Being that the permission is not currently being requested at this time when TRPTA made a formal request, the council at that time would review the issue.

Other Council Business:

Midnight Madness – Being held November 30, 2012. Parade begins at 6:30PM.

1st North – Councilman Zimmermann inquired where the city was in the survey of 1st North. Clerk indicated 1st American is behind in completing the search of the deeds and he indicated it would 2 to three weeks before it was complete.

Capital Improvement Plan – Councilwoman Hinckley asked if the goals that the clerk outlined two meetings ago if it should involve council or just department heads. Clerk indicated it should include the council and that a work meeting be held for each aspect versus all at one time. Councilwoman Hinckley and the clerk will work on setting dates for work meetings.

Approve of Bills:

Councilman Zimmermann asked if the city has heard any thing relating to the employees health insurance with III-A. Clerk said there was a meeting in Boise this afternoon but he has not heard anything back from that meeting.

Councilman Blackburn moved to approve the bills, seconded by Councilman Zimmermann.

Approval of Minutes:

The Mayor said that Councilman Blackburn would be abstaining from voting on the approval of the minutes and with the council having three voting members he would hold this item over when a full quorum was voting.

Public Comment:

The council interacted the a group of scouts who were in attendance this evening for their citizenship merit badge.

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

The Mayor asked for a voice poll of the council: all in favor none opposed. Meeting adjourned at 8:10PM.

CITY OF RIGBY



Keith Smith, Mayor

ATTEST:

David Swager, Clerk

Consumed on Premise:**2012 Liquor/Beer Licenses**

	<u>Beer</u>	<u>Wine</u>	<u>Liquor</u>	<u>Total</u>
Gloria Peterson Dolly's Subway Bar	100.00		375.00	475.00
Garth Cordon Don's Lounge	100.00		375.00	475.00
Maria Blakely The Office Bar	100.00		375.00	475.00
Tom / Roberta Goe Old Time Saloon	100.00		375.00	475.00
Jack's LLC Gater Jacks	100.00			100.00
Rexburg Restaurants Inc Me N. Stan	100.00	135.00		235.00
James/Jennie Mills Rigby Bowl	100.00			100.00
<u>Not Consumed on Premises:</u>				
Broulim's Supermarket Inc.	50.00	110.00		160.00
TTOL Group, Inc Bob's Kwik Stop	50.00	110.00		160.00
Maverik Stores, Inc.	50.00	110.00		160.00
Conrad/Bischoff Inc. Stop N. Go	50.00	110.00		160.00
Totals	900.00	575.00	1,500.00	2,975.00