

City of Rigby
Council Meeting Minutes
April 16, 2013

Mayor Smith called the meeting to order at 7:00PM Tuesday, April 16, 2013. The pledge of allegiance was given by Scout Danan Pruitt and Councilman Zimmermann offered the prayer.

The Mayor indicated he would like to swear in Kirk Olsen into office as city councilman and asked to amend the agenda moving item #4 – Swearing into office – to item #1. Hearing no objection he asked Mr. Olsen to come forward and take the oath of office.

Mayor Smith asked the clerk to call the roll.

Councilman Day	Present
Councilwoman Hinckley	Present
Councilman Zimmermann	Present
Councilman Simonson	Present
Councilman Maloney	Absent

Also present: Attorney Rob Dunn and Chief Hammon.

Public Hearing – Water Ordinance #2013-559

The Mayor opened the public hearing and requested Chief Hammon to bring the sign in sheet to him. He then asked the clerk to come forward and present the water ordinance. The clerk came forward and presented the water ordinance citing the effective changes and the informed the council the dates the ordinance was approved for public hearing and confirmed publication had been completed.

The Mayor again stated that any person in attendance wishing to speak either for, neutral or opposed to come forward. Being none the Mayor closed the public hearing at 7:07PM.

The Mayor indicated the council would discuss the ordinance later in the meeting.

Acceptance of Elite Townhomes Subdivision: Cancelled

Sewer Manholes Rehabilitation:

Mike Jaglowski from Keller & Assoc came forward and discussed the status of the sewer manhole project. He indicated the manholes is part of the sewer collection project. At last review there were 15 manholes that will require attention due to the fact that they were allowing significant amount of water coming into the sewer lift station. The infiltration of the water adds to the overall costs of treating the sub-water. The preferred start date on the manholes is when the city is experiencing high sub-water. Both funding agencies have given their approval to the project. His only concern was the amount that is left in the overall budget under the contract. He submitted to the council a summary of five items where he feels he would need to be added to the engineer contract. Overall added cost is \$8,050. Being the expected costs of the manholes is under \$100,000 they would not need to solicit formal bids but would need to obtain three responsible bids. His proposal is not a fixed cost but would be billed out on time and material.

Councilwoman Hinckley questioned if the number manholes that were to be rehab were dropped would it cut down the overall cost. Jaglowski indicated it would probably reduce the construction costs but not necessarily the engineering fees. There would still need to be the same level of effort expended for fifteen manholes than for a smaller number.

The clerk questioned if a contingency could be allowed for a lower water table during rehab and next year a higher water table coming in and still allowing water infiltration. Jaglowski reviewed the process of injection being used and would need to review the industry standard for warranty work is usually one year. If the warranty period needed to be extended the added time could be written into the specs. He cautioned having an eighteen month warranty period wherein the city would pay for the eighteen month warranty and may not be used.

The clerk also questioned if the time and material could be added to a not to exceed. Jaglowski indicated the *not to exceed* would be written into the contract.

Councilman Zimmermann questioned if a low water year only allowed for half of the manholes being repaired could the loan be extended into the following year. Jaglowski would have to get with the funding agencies and review the cost to see if it warranted being carried over. The agency would like to close the loan as soon as possible.

Councilman Simonson asked the volume of water entering into the system due to leaking manholes. Jaglowski estimated around 150 gallons per minute during high ground water.

Councilman Simonson moved to approve the contract for the engineering and proceed with the rehabilitation of the sewer manholes. Motion seconded by Councilman Zimmermann.

Mayor Smith asked the clerk to call the roll.

Councilman Day	Yes
Councilwoman Hinckley	Yes
Councilman Zimmermann	Yes
Councilman Simonson	Yes

Request from ITD for water rate reduction:

The clerk indicated this was a carryover from last council meeting. At the previous meeting the council wanted additional information on use before discussing the item.

Councilman Zimmermann felt the rate reduction should be granted during the winter but maintained the balance of the year. Councilwoman Hinckley felt the reduction should be fair if granted to ITD it should be granted to all other users. She felt the city needed to maintain the water fund.

The Mayor indicated that a meter could be installed on the hose that ITD uses to fill the slurry and the reduced rate could be granted to that meter only.

Councilman Simonson questioned if it would be wise to grant a reduction to one user and not to other similar users the same reduction.

The council requested if Rick Lamoreaux could obtain additional information from ITD if the metering of the one hose could be a possibility. Lamoreaux will report back to the council his findings.

Councilman Simonson moved to table the discussion until next council seconded by Councilwoman Hinckley.

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

Water Ordinance #2013-559

Councilman Zimmermann felt the item had been discussed.

Councilman Zimmermann moved to adopt Ordinance #2013-559 seconded by Councilman Simonson.

Mayor Smith asked the clerk to call the roll.

Councilman Day	Yes
Councilwoman Hinckley	Yes
Councilman Zimmermann	Yes
Councilman Simonson	Yes

Other Council Business:

- Airport Board/ Council Work Meeting: the Mayor reminded the council there was going to be a work meeting in conjunction with the airport board meeting concerning the auditor comments about the airport finances.
- City Clean up – city clean- up is set for Saturday April 27 from 8:00AM to 5:00PM at the INL bus parking lot.
- Scouts in attendance – the mayor recognized the scouts in attendance.
- Councilman Day Resignation – Councilman Day read a letter of resignation effective at the end of the month.

He stated he took exception with the information being presented by the clerk, mayor and city attorney to the council and felt he could not continue to be a councilmember due to this. He continued and cited dates and events that occurred regarding a former councilman account. Councilman Day reviewed a meeting he had with the Mayor but wanted the two issues discussed to be brought forward in an attempt to “bury the hatch”. He reviewed an executive session which he felt was in violation of executive session rules. He questioned the procedure used by the attorney in filing the quiet title on 1st North, a meeting held with Dioptra, and conversation between himself and the attorney. He stated he has recorded conversations to support what he was saying. He recommended all the council review the open meeting laws and the attorney should sit at the end of the council table and not adjacent to the Mayor.

Review of Bills:

Councilwoman Hinckley moved to pay the bills seconded by Councilman Day.

Mayor Smith asked the clerk to call the roll.

Councilman Day	Yes
Councilwoman Hinckley	Yes
Councilman Zimmermann	Yes
Councilman Simonson	Yes

Approval of Minutes:

Councilman Zimmermann moved to accept the minutes of April 2, 2013 seconded by Councilman Olsen.

The Mayor asked for a voice poll: All in favor none opposed – Councilman Simonson abstained.

Public Comment:

The Mayor asked if there was any public comment.

Adjournment:

Having none, Councilman Simonson moved to adjourn, seconded by Councilman Zimmermann.


The Mayor asked for a voice poll: All in favor none opposed – Councilman Simonson abstained.
Meeting adjourned at 7:50PM.

CITY OF RIGBY



Keith Smith, Mayor

ATTEST:



David Swager, Clerk