

City of Rigby
Council Meeting Minutes
April 4, 2019

Mayor Richardson called the meeting to order at 7:00pm Thursday, Apr 4, 2019. The pledge of allegiance was given by Adam Hall and the prayer given Nicole Weight.

The mayor asked the clerk to call the roll:

Councilman Taylor	Present
Councilman Datwyler	Present
Councilman Hall	Present
Councilwoman Weight	Present
Councilman Olsen	Present
Councilman Burke	Present via telephone

Also present: Mitch Bradley Public Works Director, Chief Tower, and Attorney Dunn

Pediatric Center:

Mitch Bradley came forward and explained what the Pediatric Center would like to enhance the landscape around their building. A representative from the Pediatric Center followed Mr. Bradley and went into greater detail what they were looking for approval to precede. The plan is to expand area east of the building that currently in the city's right of way and not being maintained. They would like to push their parking lot into part of the right of way, do landscaping around three sides of the property and install grass on the city's right of way up to the fence along the interchange. They will take responsibility for the maintenance of the area but would like city's participation in the grass and water system on the right of way.

Council discussion in general supported the work, questioned the extent of the city's participation including waiver of water fees. Suggested to the Pediatric Center to work out the details with Mr. Bradley and come back with a details for final approval.

French Drain Claremore Ave:

Tabled due to lack of information.

Contract for well and well house:

Keller Eng has submitted a contract for the design and construction of a new well for \$44,970 and \$121,660 for the design and construction of a well house and pumping equipment for a total contract of \$166,630 with an allowance for administrative reserve of \$15,000 included but only to be used on a case-by-case basis where deemed necessary. Mr. Fielding from Keller's indicated that the hydrologist Tom Wood participated in the design of the well. Based on Mr. Wood's recommendation the contract was not do a test well. Based on the area and prior knowledge the cost of doing the test well, \$80,000

was deemed an unnecessary expense but not without a certain amount of risk associated for foregoing the test well.

Council discussed the pro and con of doing versus not drilling a test well, and the amount the city is at risk, \$250,000, in drilling a second well. The council also discussed the options the city has to fund the well: internally or outside financing. A decision on method of funding and exercising the grant from the Department of Commerce is needed prior to April 18, 2019. Council will discuss funding options at the next council meeting.

Councilman Datwyler moved to approve the contract seconded by Councilwoman Weight, without the test well.

The mayor asked the clerk to poll the council:

Councilman Taylor	No – due to prior issues
Councilman Datwyler	Yes
Councilman Hall	Yes
Councilwoman Weight	Yes
Councilman Olsen	Yes
Councilman Burke	Yes via telephone

Water Line 4000 East:

Mr. Bradley stated that since the special meeting of Mar 28, 2019 an alternative has been discussed concerning the installing of the water line. The church, engineer, contractor and other utility entities are still in discussion about the alternative route.

The mayor indicated that from the meeting of Mar 28 he negotiated \$50,000 that the city would commit to the water line. The amount of the commitment was not based on the adjusted costs with the road but a flat dollar commitment of \$50,000 regardless of what the church negotiate. A come late agreement was discussed but no final agreement has been made. Councilman Taylor discussed having a percentage of the re-negotiated contract as discussed up to \$50,000. The mayor indicated no, this is not the commitment he negotiated that it was a flat amount.

Councilman Hall moved to authorize \$50,000 for the 4000 E water line and the mayor continue to negotiate, motion seconded by Councilman Taylor.

The mayor asked the clerk to poll the council:

Councilman Taylor	Yes
Councilman Datwyler	Yes
Councilman Hall	Yes
Councilwoman Weight	Yes
Councilman Olsen	Yes
Councilman Burke	Yes via telephone

Ordinance #2019-602 – Excavation Exemption:

Councilman Taylor moved to have the first reading of Ordinance #2019-602 be read in summary seconded by Councilman Hall.

The mayor called for a voice poll: All in favor none opposed.
Attorney Dunn reads the summary of the ordinance.

Amending city code:

- Adding geotextile fabric
- Changing road widths on cul-de-sacs
- Defining minimum diameter width/depth of cul-de-sac.

Mr. Bradley requested that after the council discussion on Mar 21 that the above changes he is requesting be moved forward to a draft ordinance. Council concurred.

Councilman Taylor moved that the three proposed changes to the city code be moved to ordinance for a reading at the next council. Motion seconded by Councilwoman Weight.

The mayor called for a voice poll: All in favor none opposed.

Planning Zoning:

- Adding Ranch Zone to city Code:
Planning zoning director Parry came forward and reviewed the draft copy of the proposed ranch zone. Council went into detail discussion about particular wording and presented “what if” cases involving parcels with 15,000 square feet if they could or could not be classified as ranch. Councilman Taylor felt removing 15,000 square feet from the ordinance and using 2 acres would be easier to follow instead of having the read one section of the code and then refer to the comp plan to come to the final decision that 15,000 would not be allowed anyway.

Councilman Hall moved to table the discussion until the changes as discussed have been made seconded by Councilman Taylor.

The mayor called for a voice poll: All in favor none opposed.

- Adding Historic Downtown Overlay Zone:
Mrs. Parry said the word “historic” has been removed from all reference in the ordinance do to misunderstanding of the word. Council discussed changing the restriction along the residential areas of Main for parking and se backs. Also discussed the general provisions which stated “shall” be applied. Instances given where a business may not want to have a zero setback and the other items listed under the general provisions which will force a business comply with all of the provisions. Council felt the general provisions should be encouraged but not forced given any business intentions. Councilman Burke expressed concern with the lack of parking currently available and people will not walk from one end of Main to the next block but would drive instead. Off street parking should be addressed in the ordinance so as not the have a business rely solely on street parking or parking in front of residents homes.

Ordinance referred back to planning/zoning for clarification.

- Amending Planned Unit Developments:

Mrs. Parry reviewed the new wording of the proposed ordinance which spells out the limitation of the number of units allowed (6) per acre. She felt the current code wording is cumbersome to understand and with the new wording it would make it easier for the city and developer to understand the limitation being imposed. The mayor indicated that this ordinance is ready to go to ordinance and the city could have the three readings and then print.

Councilman Taylor moved to have the proposed changes to the planned unit development available at the April 18 meeting for the first reading in ordinance format. Motion seconded by Councilman Datwyler.

The mayor called for a voice poll: All in favor with Councilman Burke voicing no.

Clerk's Report:

The city treasurer came forward and reviewed the Feb 2019 financials with the council. He noted that on the excel spreadsheet all funds budget to revenues were exceeding the 40% anticipated budget amount. And on the expenditures to budget all funds but the airport were under 40%. He reviewed the journal entries indicating they were routine in nature: interest and internal service charges. He referred the council to the water connection fund indicating the balance in fund. Concern was expressed with the 4000 E water line and he indicated this was the fund that would in all probably fund the added costs.

Information to be provided council:

Councilman Burke has drafted a resolution which would prevent information from being presented during council meeting that had not be provided them in their packets prior to the meeting. He said that at the last council the planning zoning director presented the council with a number of proposed ordinance changes that she wanted action on. He felt they should be included in the Friday packet to allow each councilmember to review and ask questions prior to the meeting. He also indicated the minutes of the planning zoning commission are not available and they should be made available in a timely manner. Council discussed if the issue was a recurring issue or just a one-time occurrence, if the resolution would restrict future councils and occasionally items do come up such as last week's special meeting that would be precluded. Councilman Datwyler felt it should be "good" practice to follow the procedure but not mandate it. Councilwoman Weight indicated the last planning zoning minutes posted to the city web page were those of December, 2018. The mayor spoke to Mrs. Parry and indicated she needed to bring those minutes current.

Councilman Burke moved to adopt the resolution. Motion died for lack of a second.

Other Council Business:

- AIC Spring Dist. meeting: The Assoc of Idaho Cities is hold a spring meeting in Idaho Falls on April 23. The mayor encouraged all of the council who could attend should try to attend these meetings and to let the clerk know if they're interested in attending.
- Museum: Councilman Olsen said last week free museum had 250 individuals attend the open house. One young girl back east did a report on Philo Farnsworth and won a trip to Washington DC to present her paper.

Public Comment:

None

Approval of Minutes:

- March 21, 2019 – Councilman Taylor moved to approve the minutes of March 21, 2019 seconded by Councilman Hall.
The mayor called for a voice poll: All in favor with Councilman Olsen and Councilwoman Weight abstaining.
- March 28, 2019 – Councilwoman Weight moved to approve the minutes of March 28, 2019 seconded by Councilman Taylor.
The mayor called for a voice poll: All in favor none opposed.

Review and Approval of Minutes:

Councilman Datwyler moved to approve the bills seconded by Councilwoman Weight.

The mayor asked the clerk to poll the council:

Councilman Taylor	Yes
Councilman Datwyler	Yes
Councilman Hall	Yes
Councilwoman Weight	Yes
Councilman Olsen	Yes
Councilman Burke	Yes via telephone

Executive Session:

Councilman Hall moved that the council enter executive session per Idaho Code: 74-206(b) to evaluate an employee(s) seconded by Councilman Taylor.

The mayor asked the clerk to poll the council:

Councilman Taylor	Yes
Councilman Datwyler	Yes
Councilman Hall	Yes
Councilwoman Weight	Yes
Councilman Olsen	Yes
Councilman Burke	Yes via telephone

Council adjourned into executive session: 9:08 pm

Council enters regular session: 10:03 pm

Adjournment:

Councilman Taylor moved to adjourn seconded by Councilman Hall.

The mayor called for a voice poll: All in favor none opposed.

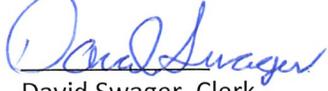
Council adjourned: 10:03 pm.

CITY OF RIGBY



Jason Richardson, Mayor

ATTEST:



David Swager, Clerk