

City of Rigby
Council Meeting Minutes
August 18, 2016

Mayor Richardson called the meeting to order at 7:00 pm Thursday, August 18, 2016. The pledge of allegiance was given by Benson Taylor and the prayer was offered by Nicole Weight.

The Mayor asked the clerk to call the roll.

Councilwoman Thomas	Present
Councilwoman Weight	Present
Councilman Burke	Present
Councilman Taylor	Present
Councilman Olsen	Absent
Councilman Datwyler	Absent

Attorney Dunn also present

Decision on Personnel Hearing:

The mayor indicated the decision from the personnel hearing would be to either affirm the decision or to reverse the decision.

Councilwoman Thomas asked if a modification of a decision concerning the termination of an employee would have legal consequences. The mayor responded that regardless of any decision regarding termination could result in legal consequences regardless of the decision.

Councilwoman Thomas moved that the decision of terminating the employee be a resignation. She cited that he has been a good and hardworking employee for the city. And, in consideration of his future plans, felt resignation would be appropriate, Councilman Burke seconded the motion.

The Mayor asked the clerk to poll the council:

Councilwoman Thomas	Yes
Councilwoman Weight	Yes
Councilman Burke	Yes
Councilman Taylor	No

Public Hearing – 2016/17 Budget:

The mayor asked if there were anyone in attendance who would like to comment on the proposed budget. Being none, the mayor closed the public hearing on the 2016/17 budget.

The mayor asked the clerk if there had been any changes in the budget since publication or if he had any recommendations for changes. He indicated there have been no changes.

Councilman Burke moved to approve the budget as referenced by Ordinance 2016-586. Motion seconded by Councilwoman Weight.

The Mayor asked the clerk to poll the council:

Councilwoman Thomas	Yes
Councilwoman Weight	Yes
Councilman Burke	Yes

Councilman Taylor

Yes

Water Grant:

Rick Miller from The Development Company came forward and reviewed with the council the past history his company has had with the city and the purpose of what the Development Company provides to the area. Currently the city is looking at upgrading its water system with a new well and/or storage tank. The Idaho Dept. of Commerce has grant funds available for local match to a maximum of \$500,000. The city will need to update a census report to requalify the low income ratio which Rick felt the city would and could do with better census survey. The US Census has Rigby at 47% low income. To qualify for the block grant it would need to be around 51%, which historically the city has been at. The cost of the survey would be around \$6,000. The application would need to be submitted to Dept. of Commerce by November after the survey has been completed to get into this year's grant process which would be awarded in early 2017.

The council wanted to proceed and wanted Mr. Miller to have a contract available for the next council meeting.

2016 City's Personnel Policy:

The mayor noted the policy before the council contained the corrections concerning accrual of vacation time and the accrual from years to months, along with the provision of buy down on unused vacation time.

Councilman Taylor asked if an employee had vacation hours of 185 they could either use the time off or request being paid. The clerk indicated that was correct.

Councilman Burke moved to adopt the 2016 personnel policy seconded by Councilwoman Thomas.

The Mayor asked the clerk to poll the council:

Councilwoman Thomas	Yes
Councilwoman Weight	No
Councilman Burke	Yes
Councilman Taylor	Yes

Pay Adjustment for Officer Lusk, Scott:

The mayor indicated that given the passage of the new personnel policy the pay adjustment can be handled through himself and the new police chief. He is looking at a raise higher than 2% for them.

Amend Police Budget:

The police dept. will be getting a grant for new computers totaling around \$8,500. In order to accept the grant and to spend the funds the budget needs to be amended.

Councilwoman Weight moved that the police budget be amended with publication of the hearing and setting the hearing date of Sept. 1, 2016. Motion seconded by Councilman Taylor.

The Mayor asked the clerk to poll the council:

Councilwoman Thomas	Yes
Councilwoman Weight	Yes
Councilman Burke	Yes

Councilman Taylor

Yes

Urban Renewal:

Vacant Position: The mayor indicated there is a vacancy on the urban renewal and they recommended Christie Burdis as a candidate. The mayor then nominated Christie Burdis as member for the urban renewal agency.

Councilman Taylor moved to accept the nomination of Christie Burdis to the urban renewal board seconded by Councilwoman Thomas.

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

Highway Sign: Following up from last council the urban renewal is looking at a marque sign fronting Short Street and the Veteran Memorial. The question arose as to who will be responsible for the maintenance of the sign. Council expressed desire to have the sign but were cautious of accepting it without knowing what the annual costs of power and maintenance would be. There may be spots that could be sold for advertising on the sign which could help offset the costs. The agency is also looking at installing a directional sign to locate businesses in the city. Council will need more information for annual costs and location of the sign before committing. Discussion tabled.

Surplus Property – Rodeo Equipment:

The rodeo ground has two horse starting gates that are no longer in use. There is an 8-horse gate and a 4-horse gate that need to be declared surplus and dispose them with an auction with minimum bid on each item. The 8-gate horse gate recommended minimum bid is \$2,000 and the 4-horse gate minimum bid is \$250.

Councilman Taylor moved to declare the 8-horse and 4-horse starting gates surplus to sale at public auction September 1, 2016 after 2 week publication with minimum price of \$2000 on the 8-horse gate and \$250 minimum on the 4-horse gate.

The Mayor asked the clerk to poll the council:

Councilwoman Thomas	Yes
Councilwoman Weight	Yes
Councilman Burke	Yes
Councilman Taylor	Yes

Approval of August 4, 2016 Minutes:

Councilman Taylor moved to approve the minutes of August 4, 2016 seconded by Councilman Burke.

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

Approval of Bills:

Councilwoman Weight inquired about the refund of \$1,568. The clerk indicated it was a deposit refund on a 4-plex apt.

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

The Mayor asked the clerk to poll the council:

Councilwoman Thomas	Yes
Councilwoman Weight	Yes
Councilman Burke	Yes
Councilman Taylor	Yes

Other Council Business:

Early Iron Car Show and County Fair: Being conducted this weekend.

Councilwoman Thomas informed the council the fair organizers expressed thanks for the city's donation to the kid's passport activity.

Public Comment:

Skyler Johannson- 218 W 1st South: Wanted to know the reason behind Chief Hammon's dismissal he feels the public needs to have the information for the dismissal.

The mayor addressed the request by stating that certain information contained in an employee's personnel file is restricted from being released to the public. He cited Idaho Code 74-106 which in part states, information regarding sex, race, marital status, birth date, home address and telephone number, applications, testing and scoring materials, grievances, correspondence and performance evaluations, shall not be disclosed to the public without the employee's written consent. He went on and stated that by law the city cannot release and talk about. He is aware of the frustration but an employee does not give up his right to privacy just because he works for a public entity.

Councilwoman Weight indicated that Keith Hammon could give the information to Mr. Johannson or allow the city to release it in writing that the reason be released.

Mark Hammon – 330 North 3800 East: Mr. Hammon asked about a severance package of one day.

The mayor stated that he did not receive a severance package being that there was no direction from the council in that regard.

Mr. Hammon expressed frustration that after Keith worked 22 years he got axed with nothing else. He continued to ask why each of the councilmembers had dismissed his brother and he wanted the reason for the action. The mayor again referred to Idaho Code 74-106 as the reason the council cannot provide the answer Mr. Hammon wants.

Mr. Hammon became agitated and vocal and the mayor asked him to stop and sit down. Mr. Hammon refused and at which point Mr. Hammon was asked to leave the meeting by Officer Martin.

The mayor reminded the audience that decorum will be expected in speech and language. And, asked if anyone else from the audience wanted to address the council.

No one else come forward, the mayor then proceeded to the next item on the agenda.

Executive Session:

Councilwoman Weight moved that the council enter into executive session per Idaho Code 74-206(b) – to consider the evaluation, dismissal or discipline of a public officer, employee, or staff member. Motion seconded by Councilwoman Thomas.

The Mayor asked the clerk to poll the council:

Councilwoman Thomas	Yes
Councilwoman Weight	Yes
Councilman Burke	Yes
Councilman Taylor	Yes

Council entered executive session: 8:06 pm

Council exit executive session: 9:35pm

Decision / Discussion:

The mayor asked if there was any decision or discussion.
Councilman Taylor commented the evaluations were valid.

Adjournment:

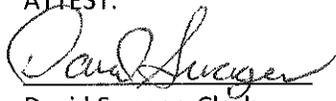
Councilman Burke moved that the council adjourn seconded by Councilwoman Weight.

The called for a voice poll: Three in favor - one opposed.

CITY OF RIGBY


Jason Richardson, Mayor

ATTEST:


David Swager, Clerk