

City of Rigby
Council Meeting Minutes
August 20, 2015

Mayor Richardson called the meeting to order at 7:00 pm Thursday, August 20, 2015. The pledge of allegiance was given by Carol Shackleford and the prayer was offered by Kirk Olsen.

The Mayor asked the clerk to call the roll.

Councilman Taylor	Present
Councilman Walker	Present
Councilman Maloney	Present
Councilman Simonson	Present
Councilman Olsen	Present
Councilman Burke	Absent

Also present: Keith Hammon, Attorney Dunn

Review of Library Budget:

Councilman Taylor handed the council a handout drafted by the library board. General topics covered in the handout: Summary of programs completed during the current year; Usage 2014 vs. 2015; needs of the library for 2015 – air conditioner and increased hours to open Monday; explained if the funds were not given seven steps would be taken to keep library operating. Total request for additional funds totaled \$25,000 - \$15,000 keep programs and \$10,000 expand hours of operation (\$6,000) and purchase air conditioner (\$4,500).

Councilman Olsen cited the newspaper article which stated the council had “cut” the library budget. His recollection was that the council wanted the library board to explain the use and the need for the requested \$15,000. Olsen said it was not a cut but the council wanted an explanation. The mayor concurred.

Kimber Tower of the library board came forward and reviewed with the council the information on the handout. She explained that without the \$15,000 the programs that would likely be cut were the summer reading program, e-audio books, books, training, computers, and close one more day. Mrs. Tower would like the \$15,000 plus an additional \$10,000 from the general fund. Question arose on the cost of the air conditioner as to who should pay. The clerk explained that he has been requesting a five year capital facility needs budget from the library for the past three or four years, and has yet to receive any information from them. He stated that the city purchased computers for the library three years ago after they failed and last year purchased the furnace out of the capital improvement fund. The air conditioner could be purchased out of the capital improvement fund, but again the library needs to lists its capital outlay needs over a five year moving forward schedule so they can be integrated into the capital improvement fund along with the other needs of the city. Mrs. Tower the air conditioner is down and the rental from the community room is down because of the room being too hot during the summer.

Councilman Simonson asked Mrs. Tower about other sources of funds that the library receives. She explained the library revenues were small compared with the services. The numbers of books checked out are up by 10,000 over last year, and the summer reading program had 200 more participants than last year. Councilman Simonson explained the library was to pay as you go and they needed to get back to the policy. He explained the additional funds did not directly account for the increase in the number

of books checked out. Tower said the increase purchases of the books did account for the increase in the number of checkouts. She stated the library cannot expand without additional funds over the previous funding. County residents stated the library needed to expand the hours for them to use the services.

The mayor asked about the line item for library department supplies. The budget amount was \$9,500 and the actual expense was far less than the budget for the past three years. Is this one item that could be reviewed and adjusted elsewhere in the budget?

The mayor restated that the capital outlay items for the library needed to be drafted into a plan so they could be reviewed along with the other capital needs of the city.

The mayor questioned the \$3,000 quoted for closing another day being that the library has been operating on the daily schedule for several years using the same level of funding, so he was questioning why the extra day closing when in prior years the library did not receive the extra \$15,000.

Councilman Maloney expressed concerns with dipping into the general fund as an ongoing funding source that could affect other programs in the city. The general fund is a rainy day fund and should be a onetime event and not an ongoing expense. The fund would be soon depleted if this trend were to continue. Mrs. Tower did not see the extra funding as an ongoing expense but it needed an increase for the short time.

Councilman Taylor questioned the funding for the park/rodeo (\$16,000) that it too needed to be reviewed. Councilman Simonson stated the city just took over the rodeo two years ago and felt the funding was to get the rodeo in a position of being self-sufficient. The mayor felt the comparison of the rodeo with the library is not comparable. Salary for the rodeo is \$2,000 per year.

The clerk indicated the general fund has a contingency account of \$10,000 along with a discretionary line item of \$5,000 which could be utilized for the extra funding for the library along with unbudgeted excess revenues over expenditures of \$4,000. The cost of the air conditioner should not come out of the library fund but again needed to be budgeted into a capital facility plan which has been requested from the library.

Councilman Walker cautioned forgoing salary increases as it will eventually come back and catch you short because the salaries will need to be caught up. The mayor stated that unless the council approved increase funding, the cost of operating an extra day was going to be an automatic request year after year. Prior year's funds that the library operated on in prior years now become insufficient without additional funds. He felt that if the library were to go back to funding at 10% of tax revenues the option would be for the library to cut services by 20%.

The mayor stated the council needs to determine the amount of additional funding that the council needed to review for the publication of the budget. Presently there are no funds being allocated to the library from the general fund other than its normal revenues and tax levy. Any amount can be included and during public hearing the amount could be reduced but not increased without a second public hearing. The mayor stated the library should not be dependent on funding from the general fund. The request from the city for a listing of capital outlay items from the library has been made several times with nothing coming forward.

Councilman Taylor moved to add \$15,000 to the library budget from the general fund. The mayor indicated the listing of needs from the library included \$4,000 for the air conditioner and if that were to be dropped the needs drops by a like amount.

Councilman Taylor's motion died for lack of a second.

Councilman Walker moved to approve a transfer of \$10,000 from the general fund to the library fund, seconded by Councilman Olsen.

The Mayor asked the clerk to poll the council.

Councilman Taylor	Yes
Councilman Walker	Yes
Councilman Maloney	No
Councilman Simonson	No
Councilman Olsen	Yes

Review of 2015 Budget:

The mayor stated the library has a "protected" tax base of 10%. Any amount over the 10% is scrutinize and being that a majority of the funding of the general fund is allocated to the police department, it too should be scrutinized. He noted the police department in prior years averaged 57% of the tax levy, the current budget is at 59%. He felt it appropriate to review the budget as was done with the library for the 2% increase. He noted two items: replacement of a K-9 Unit and Misc. Capital Outlay of \$6,000 that were not in prior years budget that is affecting the current budget. He has asked the police to explain the \$6,000 in the budget.

Chief Hammon came forward and gave the council the list of the items that make up the misc. capital outlay items. They included protective vests for the officers (\$3,200), new fire extinguishers (\$540), and upgrade of one Taser (\$2,000). He also discussed the \$1,000 increase in ammo expense.

Councilman Taylor questioned the increase in employee insurance. The clerk responded the premiums for health increase is budgeted to increase 15% and there is an increase in the co-insurance the city pays. The health insurance has a deductible of \$3,000. The city has an insurance buy-down policy of 80/20. The first \$300 of medical expense is paid by the employee. The next \$2,700 of medical expenses is paid on an 80/20% split between the city and employee with the city paying \$2,160. Over the years there has been an increase in employees using the buy-down program, and new employees are opting for dependent coverage, all making for an increase in employee insurance.

Councilman Taylor asked about the legal prosecuting amount of \$5,000. The clerk said it was budgeted in case the city needed to bring in outside counsel on a police investigation.

Councilman Taylor reviewed the training budget for the compliance officer. Budget amount is \$500 but prior expense hasn't exceeded \$200 in the prior years. Consensus is to reduce the budget amount to \$250.

The mayor also wanted the museum and the senior citizens representatives to come to the next council meeting to discuss their request and use of their appropriations.

Councilman Simonson moved to authorize the budget as adjusted to be published and call for public hearing on September 3, 2015, motion seconded by Councilman Maloney.

The clerk asked for clarification of the changes: Transfer to library \$10,000 and decrease in compliance travel of \$250.

The Mayor asked the clerk to poll the council.

Councilman Taylor	Yes
Councilman Walker	Yes
Councilman Maloney	Yes
Councilman Simonson	Yes
Councilman Olsen	Yes

Authorize increase in sewer revenue fees:

The mayor stated the sewer fees as discussed by the council needed to be increased by \$2.75 to balance the sewer revenue fund. Being the increase exceeds 5% a public hearing on the increase is required.

Councilman Olsen moved to call for a public hearing on September 3 on the proposed fee increase for the sewer revenue fund seconded by Councilman Walker.

The Mayor asked the clerk to poll the council.

Councilman Taylor	Yes
Councilman Walker	Yes
Councilman Maloney	Yes
Councilman Simonson	Yes
Councilman Olsen	Yes

2015 Audit Contract:

Councilman Maloney moved to approve the audit contract to Jensen/Poulsen for the 2015 fiscal year, seconded by Councilman Taylor.

The Mayor asked the clerk to poll the council.

Councilman Taylor	Yes
Councilman Walker	Yes
Councilman Maloney	Yes
Councilman Simonson	Yes
Councilman Olsen	Yes

Police Step and Grade Pay Schedule:

Officer Jason Jenkins distributed to the council a new pay scale using revised percentages for step increases and with caps in certain grades.

Each step on the schedule has the current officers at their current grade and step showing their respective pay and years of service. The average cost of living increases is at 2% plus the increase in step. Question arose concerning the difference of forty cents difference between a post certified officer and a non- post certified officer: Is the forty cent enough to bring an officer to the force? The mayor noted the hourly rate is \$3.00 an hour higher than previous pay for a beginning officer. The city just hired 3 officers at \$14.50. The mayor indicated the previous officer's rate of pay was around \$12.00

hour. Councilman Olsen argued the forty cents hour equals \$3.00 a day and his point is that the \$3.00 day is not enough of a difference between a certified beginning officer and a noncertified beginning officer. The cost to the city to train an officer and pay him to go through POST saves the city \$20,000.

Councilman Taylor felt hiring a noncertified officer at \$12.00 versus an ISU program candidate should be more since the city will not have to pay the POST training, and saving \$20,000 over a three year program contract. His question to Jenkins: Is \$15.30 enough to bring a person that graduated from ISU on board? The city had not hired a college graduate for the last several years. Taylor reiterated that the salary spread should be significant.

Question on the net increase in budget if the pay scale was adopted would be around \$12,000 increase over the current year. If everyone stays on the force that are currently staffed in five years the budget would be \$363,000. Certain positions would cap out during the next five years. The mayor commented that if the current pay scale was implemented in five years the increases would average 15%.

The only concern that Councilman Taylor had with the step/grade schedule is the pay difference between a certified and noncertified officer. The mayor's concern was the rate of increase increasing more than the 3% allowed in the tax rate. The police uses 57% of the total tax levy which is 1.5% and in some of the cases the increase from 5.0% to 5.4%. The county step/grade increases are in cents not a percent of base wage. In some cases fifty cents.

Council concurred that the mayor should sit down with the police and work up a schedule versus having them come back time and time again. There should be some contingency for a nonperforming officer from getting an annual increase year over year. There should be some policy in place to set the goals for each step that needs to be achieved. The salary increases cannot exceed the tax increases and leave nothing for other areas used by the police. 3% annual increases can't be done year after year.

Review of June, 2015 Financial Statements:

The clerk reviewed the June's financial statements using the projection for the last quarter of the year. Overall he stated where the funds are budgeted to be in the negative position due to use of prior year's savings the negatives will be less and most of the other funds will end the year in positive net results. The mayor commented that even though a fund has a budget amount not all of the funds are spent unless there is a need for the expenditures.

The clerk reviewed the journal entries indicating they consisted of monthly recurring entries for internal service funds and interest earnings.

Planning and Zoning Member:

The mayor nominated Brent Ellsworth for the position of planning and zoning member.

Councilman Maloney moved name of Brent Ellsworth be approved for member to the planning and zoning commission seconded by Councilman Walker.

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

Request for Proposals – Attorney Prosecuting Contract:

The mayor wanted to begin the discussion concerning the work done by the prosecuting attorney he has not had any problems or concerns over the work done by Mr. Dunn but felt it is part of the council

responsibility to get the best service for the city. The contract is for the prosecuting contract only and not the civil portion of the attorney's work.

He asked Mr. Dunn to review his work and at a later date to come back with statics as to the number of cases he work on along with an evaluation sheet that the county used for the road supervisor (knowing it would need to be modified), and evaluation by the police on their working relationship.

Mr. Dunn reviewed what transpired last year and explained why what happened occurred. He reviewed the history that his firm has done in the past. He noted during the interim time when Stephen Clark left and he began the current contract the city was using three attorneys. He said when the contract came back under consideration (2007) he reduced the fee roughly by one-half and reduced the number of attorneys from three to one (firm). He reviewed the process after a person is arrested for a violation through the court hearing. At which time the attorney represents the city before the court on the violation and if necessary prepare for trail. The process takes around four to six months. Mr. Dunn had concern if the council has issues with the work his firm was doing they should bring those concerns to him. He would like to be evaluated on the work performed. The mayor indicated that the service that the city is paying for needs to be at the best service and the best price. However, price alone is not the sole qualifying factor to be used in the determination of selection. Being local has advantages over using an attorney from another city by being readily available to the police from someone having to drive to Idaho Falls or waiting for someone to drive to Rigby to perform the service.

Motion to Amend Agenda:

Councilman Maloney noted the agenda needed to amend to allow for the rescission of the valley gutter contract.

Councilman Maloney moved to amend the agenda to discuss the rescission of the valley gutter bid seconded by Councilman Simonson.

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

Valley Gutter Bid:

The mayor recapped the decision made in April/May on awarding the valley gutter bid to LB Concrete. The contractor has failed to respond to the public works superintendent as to when work will begin. The public works director would like the contract to be rescinded and the amount carried over to the 2015 budget year.

Councilman Simonson moved to rescind the contract for the valley gutters to LB Concrete seconded by Councilman Olsen.

The Mayor asked the clerk to poll the council.

Councilman Taylor	Yes
Councilman Walker	Yes
Councilman Maloney	Yes
Councilman Simonson	Yes
Councilman Olsen	Yes

Approval of Purchase of Snow Plow and Box Spreader:

Councilman Taylor moved to authorize the purchase of a snowplow from First Street Welding for \$7,275.23 and a box sand spreader for \$11,907.18 for a total of \$19,182.41 seconded by Councilman Walker.

The Mayor asked the clerk to poll the council.

Councilman Taylor	Yes
Councilman Walker	Yes
Councilman Maloney	Yes
Councilman Simonson	Yes
Councilman Olsen	Yes

Approval of Bills:

Councilman Walker moved to approve the bills including the library bills seconded by Councilman Olsen.

The Mayor asked the clerk to poll the council.

Councilman Taylor	Yes
Councilman Walker	Yes
Councilman Maloney	Yes
Councilman Simonson	Yes
Councilman Olsen	Yes

Approval of Minutes:

Councilman Maloney moved to approve the minutes seconded by Councilman Walker.

The mayor called for a voice poll: All in favor none opposed with Councilman Taylor abstaining.

Other Council Business:

- The mayor informed the council that there were four council seats up for election and noted the newspaper indicated there were three when in fact there are four. Those being: Councilman Simonson, Councilman Olsen, Councilman Maloney and Councilman Burke. The filing period begins August 24 and ends at 5:00pm on September 4.
- Landon Wilde: The mayor noted the email that he and the council received from Bob Ziel inviting them to a second speaker on business development. The meeting is scheduled for Thursday, August 27 at 5:30pm in the Rigby Library.

Public Comment:

Tiffany Jenkins - Mrs. Jenkins came forward and expressed her desire that the council approve the step and grade schedule for the police department. Her husband works long hours and need additional finances. They have three children and they love living in the community but finances and long hours are becoming an issue.

Adjournment:

Councilman Simonson moved that the council adjourn seconded by Councilman Taylor.

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

Meeting adjourned at: 9:55pm

CITY OF RIGBY



Jason Richardson, Mayor

ATTEST:



David Swager, Clerk