

City of Rigby
Council Meeting Minutes
August 7, 2014

Mayor Richardson called the meeting to order at 7:00 pm Thursday, August 7, 2014. The pledge of allegiance was given by Patrick Sullenger and Councilman Taylor offered the prayer.

The Mayor asked the clerk to call the roll.

Councilman Walker	Present
Councilman Taylor	Present
Councilman Maloney	Present
Councilman Sullenger	Present
Councilman Simonson	Present
Councilman Olsen	Present

Also present: Chief Hammon and Attorney Dunn

Non-Commercial Kennel License:

Julie and Christian Smith residing at 350 Madsen St, came forward with an application for a non-commercial dog kennel. The applicants have 3- mini- schnauzers, 2- terriers mixed mutts and one Chihuahua/Papillion mixed. The applicant has the consent of adjoining property but for one home which they could not locate. The dogs are not licensed. The owners are waiting to have two of the dogs vaccinated.

Councilman Simonson moved to approve the kennel license seconded by Councilman Olsen. The mayor called for a voice poll: All in favor none opposed.

Award of Bid/Notice to Proceed – West 1st North:

Marvin Fielding from Kellers & Associates came forward and informed the council on the results of bids for W 1st North. In his letter (copy attached) Mr. Fielding recommended the council approve DePatco as the low bidder at \$497,539. DePatco has indicated they will be able to comply with the requirements outlined for bonds and insurance. They also indicated they could be ready to begin construction August 18, 2014.

The council asked about the range of prices from high to low. Fielding responded that the range is similar to other projects between contractors. The engineer's estimate was \$550,000. Question as to what substantial completion consist of. Fielding responded that substantial completion means for its intended use. Undue delay outside the control of the contractor – power company and telephone company not completing their work or weather prevents paving would not be held against the contractor.

Barry Lewis:

The mayor allowed Barry Lewis to come forward for a question. Mr. Lewis' question was to have the sidewalks reduced to four foot but for the intersection where ADA truncated dome need to be five foot width. He was concerned with having to lose a bush that would need to be removed for the five foot sidewalks. He was also concerned with having sidewalks on both sides of the street.

Councilman Maloney asked if anything happened with the proposal of 42 foot vs. 48 foot. The mayor indicated that was not an option with the parties he talked with.

Concern with the council was having to re-bid and draft the new scope of work. Mr. Fielding commented sidewalks would be a change order, shifting the road may require re-drafting the specs unless the road was shifted either north or south. Mr. Fielding noted the property owners along the quiet title section have all consented to having the sidewalk be 5 foot width as opposed to the four foot width. Mr. Lewis stated there is not a pressing issue with having 5 foot sidewalks versus 4 foot sidewalks. The mayor indicated the city code states a 5 foot sidewalk and his sidewalk in front of his home is 5 foot.

Follow up question to on-site inspection. Mr. Fielding indicated a person from Keller will be on-site during construction as well as a person from the city.

Councilman Taylor moved to award the apparent low bid to DePatco, subject to their completing the bond and insurance as specified seconded by Councilman Maloney.

The Mayor asked the clerk to poll the council.

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

Councilman Taylor moved to authorize the mayor to sign the contract between the city and DePatco seconded by Councilman Sullenger.

The Mayor asked the clerk to poll the council.

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

Second Reading – Ordinance 2014-571- Creating LID #8:

The mayor asked the attorney to read Ordinance 2014-571 as the second reading.

Follow up question to on-site inspection. Mr. Fielding indicated a person from Keller will be on-site during construction as well as a person from the city. Decisions that may need to be made will be brought back to the council. Following the question the clerk handed to the council the protocol that was used during the sewer construction project (Copy Attached.).

The mayor also asked about the existing water and sewer lines, will they need to be upgraded? Mr. Fielding said based on information he received from Rick Lamoreaux the water as well as the sewer lines are in good condition and there is no need to upgrade either. The individual water service lines have had a leak detection study and several are being replaced or will be replaced. The lines will be paid from the water fund and not from the LID account.

Review and Discussion of Library 2014 Budget:

The clerk reviewed the revenues from property tax (\$115,925), personal property tax (\$2,475) and sales tax (\$11,725) that were being shown. He noted the property tax levy has been capped at 10 mills per state statute. The other revenues shown were estimate that the library board worked up.

Kimber Tower from the library board handed the council a revised budget. The budget had projected revenues totaling \$157,025 and projected expenditures of \$186,341 for a deficit of \$29,316. Ms. Tower indicated the budget increases were for increases in training, book purchases and increases in salaries.

The library has 1 full time employee and 8 part-time employees. All the employees are hourly. Their wage goes from minimum wage to around \$20 hour. Ms. Tower reviewed the need for more funds for books purchase and training. The biggest increase is in salary. She noted the current director is the lowest department head at \$20 per hour and the board would like to see her salary increase to around \$25 per hour to even out her salary with other department heads. Ms. Tower commented that the director works more than 40 hours per week.

Councilman Simonson was concerned with where the city was going to find the additional \$30,000. Ms. Tower feels the additional fund is an investment. An increase in funding will result in an increase use. Council commented the comparison between cities owned libraries and district libraries are not comparable. Ms. Tower reviewed other city owned library for cost comparison. She noted every employee in the library will see an increase in salary if approved and the board wanted to up the quality of personnel.

Councilman Olsen asked Councilman Taylor if the equality of pay was comparable. Councilman Taylor felt that anyone working for the number of years the director has, her salary may be low for the years of service. The majority of the increase in the overall budget is in the salary category.

Councilman Simonson was concerned with the use of general fund to support the library because it would be an ongoing expense. The mayor expressed the concern of future salary increases beyond the current request. Councilman Taylor asked if the increases in salary would result in increase in hours in which the library would be open. The mayor noted that Rigby may be a training ground for other cities because the city does not have the money. His question: where is the \$30,000 going to come from? He also recalled the worksheet done recently where the city pulled significant funds from the general fund to support the library in the past. The library may not be able to support itself.

Councilman Maloney addressed the issue of expanding the library into a district. Ms. Tower noted the board is working to consolidate other libraries and increase the service area and the project will be over a 5 year period. Councilman Taylor concurred that the use of the library needs to increase from public use.

Councilman Olsen noted the increase in salary of around \$25,000 equals the deficit of \$29,000 and with an increase in salary increase the use of the library. Councilman Simonson felt the increase is not just for the current year but he sees this as an ongoing expense from the general fund year after year. Councilman Olsen concurred.

Councilman Taylor suggested making the increase of around \$12,000 but tell the library to show us the results we received with the added funding. Ms. Tower said the library will never be able to show financial gains but can show an increase in public use.

Councilman Simonson said all the council would be doing this evening would be to set the dollar limit but not a line by line expense category. Councilman Olsen felt the library need additional funds but he sees them coming back year after year with the same request if not more. The mayor felt the increase should be tied back to either property tax or another source of funds. Councilman Simonson felt it should not be tied to any one item. Councilman Walker felt it should not be tied to a contingent amount to be received. Councilman Simonson felt a \$10,000 increase would work. Councilman Taylor felt \$12,500 would be better. Councilman Olsen indicated it should be either \$10,000 or \$15,000. Councilman Walker felt that he would have a hard time next year if the increase this year couldn't be quantified. How to quantify the increase was in question.

Councilman Taylor moved to increase the funding for the library from the general fund \$15,000 for an appropriation expenditure of \$172,025 seconded by Councilman Olsen.

The Mayor asked the clerk to poll the council.

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

Review and Approval of Tentative 2014 Budget:

The clerk came forward and noted that he would make the change approved for the library would be made from the general fund contingency. It would be reduced from \$20,000 to \$5,000 with the difference being designated as transfer to library. Given this the general fund budget as presented would not need to be changed. He recapped the dates when the notice must be published (Aug 13 and Aug 20) with the public hearing being held Thursday August 21.

Councilman Taylor asked about the increase in sanitation. The clerk noted the increase was for the purchase of a new garbage truck which was being funded out of existing savings in the sanitation fund.

Councilman Taylor also asked if going to a private carrier if it would be cheaper. Councilman Simonson indicate that a prior council had looked into using private carrier but the city rates would be less than what the private carrier was looking a charging. The private carrier wants all or nothing.

The clerk also noted the budget includes the county tonnage fee. He wanted to keep that in the budget and if the county were to assess the tonnage fee, the budget has it covered.

Councilman Walker asked about the carryover of funds shown on the bottom of the notice. The clerk indicated the bracketed amount is coming from existing cash. \$350,000 being transferred

from the general fund to the capital improvement fund and the purchase of the garbage truck from the sanitation fund.

Councilman Simonson moved to publish the 2014 budget with the public hearing set for August 21 with the changes as specified seconded by Councilman Walker.

The Mayor asked the clerk to poll the council.

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

Continuous Parking on City Streets:

Chief Hammon reviewed the policy that he obtained from St. Anthony and Shelley. He gave the council a summary of trailers and other vehicles parked currently be parked on the streets. He noted there were 18 camp trailers around the city. Shelley handles their complaints on a case-by-case. Shelley does have an ordinance in place to address the issue. St. Anthony has a restriction of no parking. St. Anthony's chief would like the time extended. Chief Hammon noted that in two years he had two complaints filed over the past two years. The chief indicated he was not opposed to any change the council may want to make.

Councilman Olsen suggested the topic be tabled to be reviewed at a later date.

Treasurer's Report:

The clerk reviewed management letter that he sent to the council. He felt the general fund was coming in line with budget. He commented that the collection of property taxes skews the income during January and July. This overstates revenues during these two months and as a result, all funds receiving property taxes draw down on the revenues during the remaining months. He also showed the results of July through Sept. 2013 of revenues and expenses. He projected the general fund will end the year with a surplus of \$150,000. For the library fund their net operations through June 2014 showed net revenue over expense of \$36,700. The net results in 2013 for the last quarter of the year had the library expenditures exceeding revenues by \$28,800. He felt the library would break even at the end of the year.

The road fund had revenues exceeding expenses of \$40,000 this compares with \$37,800 for the prior year. Expenditures for 2013 and 2014 are within \$1,000 of each other. The last quarter of the year the road fund will drop \$17,000 from the net results shown at the end of June.

Water revenue fund has net results for the nine months of \$80,000. During the 4th quarter of 2013 the water fund broke even. The sanitation fund had a net loss for the nine months ending June 30 of \$8,200. And the summary of the 4th quarter in 2013 shows a net loss of \$1,400. The sewer fund has net revenue over expenditures through June 30 of \$32,000. The 4th quarter of 2013 has a net revenue exceeding expenses of \$43,000.

The clerk indicated that all the funds were in line with budget and factoring in the 4th quarter all of the funds should fall within expected budget for 2014.

Councilman Walker asked if the budget was straight lined or if it could be monthly adjusted. The clerk indicated that he would in the 2014 budget do a monthly index versus a straight line budget.

Review of Journal Entries:

The clerk then reviewed the journal entries with the council. He indicated the taxes were reconciled to the county records hence the addition of those entries over the normal accruing entries.

Motion by Councilman Simonson to accept the financial statements and journal entries for the period ending June 30, 2014 seconded by Councilman Taylor.

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

Surplus Property:

Chief Hammon came forward and provided the council with a list of police department equipment (copy attached) that he deemed surplus and would like permission to dispose. Some of the equipment were acquired under a police grant and have restrictions as to holding period and where the proceeds are to be placed.

Councilman Maloney moved to declare the property as surplus and authorize the chief to dispose of the listed property seconded by Councilman Sullenger.

The Mayor asked the clerk to poll the council.

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

Nomination Rigby Urban Renewal Agency Board:

The Mayor indicated the renewal board has a vacancy of two positions. He nominated David Metzger and Ben Davis as board members to the urban renewal agency.

Councilman Maloney moved to accept the nomination of David Metzger and Ben Davis to the urban renewal agency board seconded by Councilman Simonson.

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

Nomination to Rigby Library Board:

Councilman Taylor indicted there was a vacancy on the library board and he nominated Anna Bidwell to fill the vacancy.

Councilman Simonson moved to accept the nomination of Anna Bidwell to the library board seconded by Councilman Sullenger.

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

Other Business:

- The Mayor indicated the planning and zoning commission have a draft copy of the city's comp plan and would be reviewing it at their next meeting and setting the date for public comment.
- Councilman Taylor inquired on the status of the re-codification of the city code. The clerk informed the council that Sterling Codifiers have the ordinances and are working on updating the code. He expects it to be completed in September/October.

Review and Approval of Bills:

Councilman Walker moved to approve payment of the bills seconded by Councilman Taylor.

The Mayor asked the clerk to poll the council.

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

Approval of Minutes:

Councilman moved to approve the minutes of July 17, 2014 seconded by Councilman Olsen.

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

Public Comment:

None

Executive Session:

Councilman Taylor moved that the council enter into executive session per Idaho Code 67-2345(b) – to hear complaints against a public officer, seconded by Councilman Sullenger.

The Mayor asked the clerk to poll the council.

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

The council enters into executive session at 9:23pm.

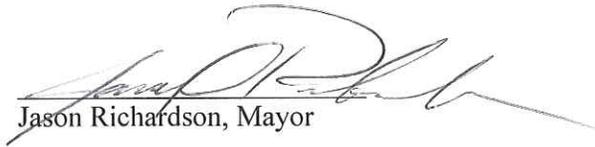
Council exits executive session at 10:54pm.

Adjournment:

Councilman Simonson moved to adjourn seconded by Councilman Taylor.

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

City of Rigby



Jason Richardson, Mayor

ATTEST:



David Swager, Clerk