

City of Rigby
Council Meeting Minutes
February 21, 2019

Mayor Richardson called the meeting to order at 7:00pm Thursday, Feb 21, 2019. The pledge of allegiance was given by Benson Taylor and the prayer given by Nicole Weight.

The mayor asked the clerk to call the roll:

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|---------------------|---------|
| Councilman Burke | Present |
| Councilman Taylor | Present |
| Councilman Datwyler | Present |
| Councilwoman Weight | Present |
| Councilman Olsen | Present |
| Councilman Hall | Absent |

Also present: Chief Tower & Attorney Dunn

Amend Agenda:

The mayor indicated an item came up yesterday that the council needed to consider under executive session – acquisition of property. He asked that the council amend the agenda to allow of its inclusion.

Councilman Datwyler moved to amend the agenda to allow for an executive session per Idaho Code 74-206(b) to deliberate the acquisition of property not owned by a public agency. Motion seconded by Councilman Taylor.

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

Ordinance #2019-598- Annexation of J&L Legacy LLC- 1st Reading:

Tabled until later.

Impact Area Map:

Sharon Parry, planning/zoning administrator, came forward and reviewed the current proposed impact map for the city of Rigby. She noted three changes that the county p/z commission had added to the map: area west of Hwy 20 to 500 North near the Jefferson Hill golf course, section of developed property along 200 North to 100 North and west of 4000 East and section west of Hwy 20 along county line from 3800 East to 3700 East. Being that the county changed the map the city's planning/zoning commission had to reschedule the public hearing from Feb. 13 to March 14 due to the change in the map.

The mayor stated do to the tight time line the council will review the proposed area of impact at its March 21 meeting which will require concurrent publishing of the two notices: one at the p/z commission hearing March 14 and one at the council hearing for March 21.

Councilman Datwyler moved to approve the proposed impact area publication notice of public hearing on March 21, 2019 with notice of said hearing being published March 6 and March 13, 2019. Motion seconded by Councilman Olsen.

The mayor asked the clerk to poll the council:

| | |
|---------------------|-----|
| Councilman Burke | Yes |
| Councilman Taylor | Yes |
| Councilman Datwyler | Yes |
| Councilwoman Weight | Yes |
| Councilman Olsen | Yes |

Ordinance #2019-598- Annexation of J&L Legacy LLC- 1st Reading:

The attorney read the summary of Ordinance #2019-598.

Swearing in Board Members – airport and urban renewal agency:

Urban Renewal Agency: The mayor indicated that the ordinance for the creation of the new urban renewal board was not complete and therefore the urban renewal board can't be sworn in until the council adopts the new ordinance. He asked if the four members could come the evening of March 7 when the ordinance will be complete.

Airport board: The mayor asked if Richard Lee would come forward and be sworn in to office. Mr. Lee is replacing Mike Jenkins whose term expired.

The mayor asked if Bruce Spaulding would come forward. Being the Mr. Jenkins was not in attendance he asked if the airport board would present a plaque to Mr. Jenkins recognizing his years of service on the airport board.

Vacating Land:

The mayor stated that there was a section of road on Boulder that the council had moved to quit claim to the adjoining land owners. The quit deed currently is only doing the south side of the road.

The attorney interjected stating that prior to doing the quitclaim deed the council needs to either declare the property as surplus which would require the city to advertise the property for sale or to declare the property as waste which could then be quit deeded.

Councilman Burke moved that the property as described in exhibit A on the attached quitclaim deed with the property reference of RPA 060000303A be declared a waste property. Motion seconded by Councilwoman Weight.

The mayor asked the clerk to poll the council:

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|-------------------|-----|
| Councilman Burke | Yes |
| Councilman Taylor | Yes |

| | |
|---------------------|-----|
| Councilman Datwyler | Yes |
| Councilwoman Weight | Yes |
| Councilman Olsen | Yes |

Councilwoman Weight moved to approve the quitclaim deed on the property located on the south side of Boulder St seconded by Councilman Burke.

The mayor asked the clerk to poll the council:

| | |
|---------------------|-----|
| Councilman Burke | Yes |
| Councilman Taylor | Yes |
| Councilman Datwyler | Yes |
| Councilwoman Weight | Yes |
| Councilman Olsen | Yes |

Excavation Permit:

Mitch Bradley public works director for the city of Rigby came forward and reviewed the need and purpose of the proposed excavation permit. The mayor asked if he were to plant a tree in the right of way would he be required to obtain a permit. Mr. Bradley said no permit would be needed if the work was done outside of the road. The permit calls for a deposit of \$1,000 upon execution of the permit and if the work is done as specified that \$900 would be returned to the contractor. Being a new fee the council will need to have a public hearing prior to initiating the excavation permit.

Councilman Burke moved to publish and advertise the excavation permit fee and to hold a public hearing on the proposed fee March 21, 2019. Motion seconded by Councilman Taylor.

The mayor asked the clerk to poll the council:

| | |
|---------------------|-----|
| Councilman Burke | Yes |
| Councilman Taylor | Yes |
| Councilman Datwyler | Yes |
| Councilwoman Weight | Yes |
| Councilman Olsen | Yes |

Review and Approval of Minutes:

Councilman Taylor asked if a reason needed to be stated on the annexation of the Dansie property. The attorney indicated that if a reason was stated then it should be shown in the minutes. The clerk will review the tape of the meeting and if a reason was stated in the council decision he would modify the minutes to reflect the reason.

Minutes tabled.

Review and Approval of Bills:

Councilman Taylor moved to approve the bills seconded by Councilman Olsen.

The mayor asked the clerk to poll the council:

| | |
|---------------------|-----|
| Councilman Burke | Yes |
| Councilman Taylor | Yes |
| Councilman Datwyler | Yes |
| Councilwoman Weight | Yes |
| Councilman Olsen | Yes |

Other Council Business:

- a- 4th of July – the mayor stated the council meeting for the first Thursday in July will be the 4th. Council will reschedule that meeting at the next council meeting.
- b- County/City Area of Impact Joint Agreement: Discussed above.
- c- Farmers/Merchant Banquet: The clerk stated the annual farmer/merchant banquet will be held Thursday March 7. The mayor will be in attendance for the awarding of the two city employees.

Public Comment:

None

Executive Session:

Councilwoman Weight moved that the council enter into executive session per Idaho Code 74-206(b) to deliberate the acquisition of property not owned by a public agency. Motion seconded by Councilman Datwyler.

The mayor asked the clerk to poll the council:

| | |
|---------------------|-----|
| Councilman Burke | Yes |
| Councilman Taylor | Yes |
| Councilman Datwyler | Yes |
| Councilwoman Weight | Yes |
| Councilman Olsen | Yes |

Council enters executive session: 8:15 pm.

Council exits executive session: 8:37 pm.

Council Discussion/Decision:

Councilman Taylor moved to allow the mayor to negotiate the acquisition of land as discussed in executive session to be obtained at fair market value. Motion seconded by Councilman Burke.

The mayor asked the clerk to poll the council:

| | |
|---------------------|-----|
| Councilman Burke | Yes |
| Councilman Taylor | Yes |
| Councilman Datwyler | Yes |
| Councilwoman Weight | Yes |

Councilman Olsen Yes

Adjournment:

Councilman Burke moved to adjourn seconded by Councilman Olsen.

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

Meeting adjourned: 8:39pm

CITY OF RIGBY



~~Jason Richardson, Mayor~~

Doug Burke, Council Pres

ATTEST:



David Swager, Clerk