City of Rigby Council Meeting Minutes February 2, 2017

Council President Burke called the meeting to order at 7:00pm Thursday, February 2, 2017. The pledge of allegiance was given Emily Thomas and the prayer given by Douglas Burke.

The chair asked the clerk to call the roll:

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

Councilman Olsen Absent

Also present: Chief Tower, Attorney Dunn

Approve Engineering Contract – Keller's & Assoc – LID and other projects

Councilman Taylor asked if the issue on the contract had been resolved. The attorney responded that the information provided him was a proposal for engineering services and was not a contract. Normally services are tied to the particular project. This was not the case being it was discussed fifteen years ago. At most, to the question if this was a contract is tenuous at best. He further stated that the length of time from 2002 to current and the LID doesn't really tie into the 2002 proposal. However, the mayor and public works director has given implied consent for the work to be done. Therefore it would be next to impossible to change at this point in time. It would be advisable that the engineering firm and public work director provide the council with more input on what is being done on a month to month basis.

Councilman Taylor asked if the city was at risk on this issue. The attorney responded that the 2002 proposal is tied to this contract and if challenged the city would have to defend its action. Councilwoman Thomas asked if part of the defense would be the prior work that Keller's has done for the city as a basis for continuing with them. The attorney responded that engineering service are not based on the lowest price but quality of work although price is a contributing factor. The attorney suggested that it would be wise to do a new proposal on the next project to clarify any issues. Councilman Burke asked if it was possible to do "reviews" in three/ five years of the services provided by Keller's. Councilman Taylor thought it would be beneficial to do that.

Councilman Taylor moved to approve the contract for Keller's doing the LID #9 and the four other sewer projects, motion seconded by Councilman Burke.

The chair asked the clerk to call the roll:

Councilman Burke

Yes

Councilman Datwyler	Yes
Councilwoman Weight	Yes
Councilwoman Thomas	Yes
Councilman Taylor	Yes

Approve Ordinance #2017-587 - Creating LID #9 and Call for bids

The clerk explained the ordinance creating LID #9 required being posted three times in the paper and after bids are reviewed and a tentative contractor is awarded the contract the next step is to create the assessment roll which requires notification of public hearing to the property owners. This publication requires publishing of the public hearing twice. Then if the council and the property owners accept the assessment roll the actual construction can be awarded to the low bidder.

Councilwoman Thomas moved to approve the Ordinance Creating LID #9 and the call for bids seconded by Councilman Datwyler.

The chair asked the clerk to call the roll:

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

Police Grant – EAN Camera:

Chief Tower explained that the Department of Homeland Security has authorized a second camera for the city. This grant is administered through Jefferson County. The city will be purchasing a new police vehicle this year and the camera unit will go in that vehicle. The city will pay for the camera and be reimbursed after payment.

Councilman Taylor moved to approve the acceptance of the grant and expenditure of the funds which will require the police budget be amended at a later date. Motion seconded by Councilwoman Weight.

The chair asked the clerk to call the roll:

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

Treasurer's Quarterly Report:

The treasurer came forward and gave a brief overview of the finances of the city as of December 31, 2016. Being that certain funds are funded by property taxes the percentage of revenues to budget is below the average. However, nothing in his review based on prior years comparison caused him any alarm. The revenues for the enterprise fund being monthly accrual are falling at or above the average for the year. As for expenditures but for certain categories which have early expenditures are within

and under budget. Tax receipts came in this week and those funds receiving property taxes will see the revenues jump ahead of budget.

He also commented that the city had expended through December, 2016 \$17,760 compared to \$7,102 for December, 2015.

Approval of Minutes:

Councilman Taylor asked about the reference in the minutes of the May 2002 council minutes. The clerk indicated he included the motion approved in the May 2002 minutes because Keller's made reference to those minutes without stating the motion itself.

Councilwoman Thomas moved to approve the minutes of January 19, 2017 seconded by Councilman Datwyler.

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

Approval of Bills:

The clerk indicated one bill from Delta Dental came in after the bill list was sent out and the bill for \$1,047.24 needed to added and included in the bills being approved.

Councilman Taylor moved to approve the bills including the Delta Dental bill, seconded by Councilman Datwyler.

The chair asked the clerk to call the roll:

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

Other Council Business:

- <u>Councilwoman Weight:</u> Commented that the library had received a grant for 20 backpacks which included games and other learning tools which are available for check out. The expense to Sprout Learning for \$1,380 will be funded through the grant.
- <u>Councilwoman Thomas:</u> The Crown of Life Church is holding joint coordinator meeting February 7 for all the event coordinator in the county to collect all events for the year and publish them at one time.
- <u>Councilman Burke:</u> He had solicited two playground suppliers in Utah to present proposals for the new playground equipment and they're bidding three different styles. The Urban Renewal Agency is the agency overseeing the project in the South Park.

Public Comment:

None

Adjourn:

Councilwoman Thomas moved to adjourn seconded by Councilwoman Weight.

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

Meeting adjourned: 7:35PM

CITY OF RIGBY

Jason Richardson, Mayor

ATTEST:

David Swager, Clerk