

City of Rigby
Council Meeting Minutes
February 5, 2015

Mayor Richardson called the meeting to order at 7:00 pm Thursday, February 5, 2015. The pledge of allegiance was given by Patrick Sullenger and Kirk Olsen offered the prayer.

The Mayor asked the clerk to call the roll.

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

Also present: Keith Hammon, Robin Dunn and Rick Lamoreaux

Civil Air Patrol:

Kenn Condon was not present and the Mayor asked if the item could be moved later in the agenda.

Councilman Taylor moved to discuss the civil air patrol later in the agenda, seconded by Councilman Sullenger.

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

Non-Commercial Kennel License:

1. Dan Barney – presented an application for 6 dogs. His application was denied at the January 15, 2015 hearing due to lack of signatures from the adjoining neighbors. His current application contains 75% acceptance from his neighbors.

Councilman Walker moved to approve the application seconded by Councilman Taylor.

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

2. Amber Estrada – presented an application for 3 dogs. Her dogs are all indoor dogs. Her application contained 75% approval from the adjoining neighbors.

Councilman Taylor moved to approve the application seconded by Councilman Walker.

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

Airport Ordinance Reading #2015-579:

The mayor requested that the attorney read ordinance #2015-579 in its entirety. The attorney read the ordinance in its entirety.

After the reading Councilman Taylor had questions on section 2 wherein the president of the board has authority to make disbursement from the fund without board approval. After discussion the reference of the president of the board was eliminated from the sentence.

John Anderson, president of the airport board, came forward and explained the operation of the airport regarding bills and expenditures.

Section 4 which authorizes a petty cash fund was discussed. It was felt having the president of the board to have the authority to make expenditures up to \$500 without the board's pre-authorization approval. All expenditures from the fund shall still be subject to airport board's approval prior to submission to the city for reimbursement.

For expenditures in excess of the petty cash fund, Mr. Anderson said a special board meeting would be held for approval to spend.

Mr. Anderson indicated he would make the changes to the ordinance as discussed and present the amended ordinance back to the council.

Civil Air Patrol:

Kenn Condon came forward and informed the council of the activities that the civil air patrol performs. He also stated they were establishing a program at the Rigby airport. The civil air patrol has three missions: 1) the cadet program is offered to individual between the ages of 12 to twenty one. 2) Aerospace education and 3) Emergency service assistance.

The unit wants to become involved in the community through volunteers. Mr. John Anderson stated the airport hosted a fly-in a couple of years ago and the civil air patrol participated in the open house.

2nd Reading: Ordinance #2015-575 – LID #8 Assessment:

Councilman Taylor moved to read the summary of the ordinance seconded by Councilman Walker.

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

The attorney then read the summary of ordinance 2015-575.

2nd Reading: Ordinance #2015-577 – Allowing the sale of liquor on Sundays:

In attendance was a large contingent of citizens who were in attendance to discuss the proposed ordinance change.

Councilman Taylor moved to amend the agenda and move public comment after the reading of ordinance 2015-577. Motion seconded by Councilman Olsen.

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

Councilman Walker moved to read ordinance 2015-577 in summary seconded by Councilman Sullenger.

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

The attorney then read ordinance 2015-577's summary.

Public Comment:

Christa Widdison – Spoke in opposition of amending the liquor ordinance and allowing the sale of liquor on Sunday. After living in the community for 44 years she saw no need to allow bars to sell beer and liquor. Individuals wanting to drink on Sunday can buy the liquor on Saturday.

Bruce Jones: Expressed concern about signal that allowing sale on Sunday what it tells the young people. He also expressed concern about addiction that alcohol and drugs causes.

Marvin Baker: Stated he was against the city selling liquor on Sunday. Hasn't been done before shouldn't be done now. Also express concern about drunk driving on Sundays.

Kent Ward: Appreciates living in the city and the changes that has occurred over the years. But, he is opposed to allowing the sale of alcohol on Sundays.

Doug Murray: As owner of the Top Cat Bar, he was the person wanting the change in the ordinance. But he is doing it a business and sees the loss of income that occurs on Sunday. Other cities in the county allow the sale of liquor but the restriction is affecting his business. A large number of people signed the petition supporting the sales who are members of the LDS faith.

Gae Lynn Hinckley: Came forward and made comment that the sale of liquor could be accomplished by a gated activity as allowed by the city code.

Having no other person wishing to make public comment the mayor moved forward with the balance of the agenda.

Adoption of Ordinance #2015-576 – Intermountain Gas Franchise:

Councilman Olsen moved to approve the adoption of Ordinance 2015-576 seconded by Councilman Walker.

The mayor asked the clerk to poll the council:

Councilman Taylor	Yes
Councilman Sullenger	Yes
Councilman Walker	Yes
Councilman Olsen	Yes

Adoption of Ordinance #2015-578 – Restriction of Water Surplus Funds:

Councilman Walker moved to approve the adoption of Ordinance 2015-578 seconded by Councilman Sullenger.

The mayor asked the clerk to poll the council:

Councilman Taylor	Yes
Councilman Sullenger	Yes
Councilman Walker	Yes
Councilman Olsen	Yes

City's Participation in Aquifer Recharge:

Roger Warner and Earnest Carlson, representing the "Recharge Development Corporation," reviewed with the council the proposed ground water recharge agreement. The agreement is endeavors by the RDC to have entities form an association wherein those participating in the recharge program to be entitled to receive credit in future years for water diverted back into the aquifer. A number of cities and other entities have express interest in such a program due to the probability of water calls being made which would restrict an unlimited amount of water from being drawn from the aquifer.

The council expressed concern over the cost of the program, the uncertainty of how the water calls would affect cities and the validity of the overall program.

The mayor expressed concern on making sure in future years the city's water supply is not interrupted.

Councilman Olsen asked what the status of the calls on the city if such water calls are made. Mr. Warner indicated the Twin Falls Spring water user's rights are senior to the ground water rights in the upper Snake River Valley. The state owns the water in the river but entities have the right to use the water subject to availability. The state Idaho has approved similar recharge agreements, but the one before the council is much larger in scope and area and the complexity due to the different users.

After lengthy discussion, Councilman Olsen moved to have the city participate in the recharge program for 100 units seconded by Councilman Sullenger.

The mayor asked the clerk to poll the council:

Councilman Taylor	No
Councilman Sullenger	Yes
Councilman Walker	No
Councilman Olsen	Yes

Being the vote was tied, the mayor voted no saying he would like the full council in attendance for the vote and that he would probably place the topic on the next agenda.

Councilman Sullenger voted to table the decision pending a full council attendance seconded by Councilman Walker.

The mayor asked the clerk to poll the council:

Councilman Taylor	No
Councilman Sullenger	Yes
Councilman Walker	Yes
Councilman Olsen	No

Being the vote was tied, the mayor voted yes.

Reappoint Member to Planning Zoning Commission:

The mayor informed the council that Roger Warner's term on the planning and zoning commission is expiring and Mr. Warner would like to serve a second term on the commission. The mayor placed Mr. Warner's name in nomination for a second term on the city's planning and zoning commission.

Councilman Taylor moved to confirm the appointment of Roger Warner on the planning and zoning commission seconded by Councilman Sullenger.

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

Fire Hydrants:

Rick Lamoreaux discussed with the council the need to purchase 5 new fire hydrants. He has identified five hydrants that need to be replaced due to age. He obtained three bids with the bid from HD Fowler being lowest at just under \$13,000.

Councilman Taylor moved to authorize the purchase of the five hydrants seconded by Councilman Sullenger.

The mayor asked the clerk to poll the council:

Councilman Taylor	Yes
Councilman Sullenger	Yes
Councilman Walker	Yes
Councilman Olsen	Yes

Police Department Questions and Answers regarding Wages:

Chief Hammon presented the council with a series of questions regarding when and how the police department can issue and receive pay increases. Chief Hammon felt the department needed a schedule based on job description, training and education. Several officers have received promotions and doing additional work without any increase in salary.

Councilman Taylor noted the city value the employees and what is the goal of the city officer retention or serve as a training ground for other cities. Years ago he felt former chief Anderson had a step and grade schedule but during the economic downturn the step/grade was abandoned. The county has implemented a pay scale just this year.

The mayor thought a well-trained department needed to balance against the ability to continue funding a schedule. One item that always affects pay is overtime. And he noted the department spends a lot of in overtime. Currently there are excess funds within the budget for the current year. The chief stated Rigby could not compete with Rexburg or Idaho Falls in wages. He based his review on similar sized cities.

Councilman Walker indicated that retention of officers will always be an issue. Councilman Olsen felt a schedule for the police department should be implemented.

The chief will bring back a schedule for the council's consideration.

Approval of bills:

Councilman Walker moved to approve the bills seconded by Councilman Sullenger.

The mayor asked the clerk to poll the council:

Councilman Taylor	Yes
Councilman Sullenger	Yes
Councilman Walker	Yes
Councilman Olsen	Yes

Approval of Minutes:

Councilman Taylor moved to approve the minutes of January 15, 2015 seconded by Councilman Olsen.

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

Other Council Business:

- a. **Personnel Policy:** The mayor explained there was a side-by-side comparison showing the differences between the proposed personnel policy and the current policy.
Comp Time: The mayor suggested not including comp time. We don't offer it currently nor does the mayor feel we should. Comp time becomes an accounting nightmare.
Work Week: He suggested keeping the work week the same as it current is – Thur –Wed.

Vacation Time: Discussed going to straight PTO (paid time off) instead of vacation and/or sick leave.

The mayor suggested holding off further discussions on the personnel policy at the present time.

- b. **Code Changes:** The chief gave the council a copy of the various code changes affecting law enforcement of the current reading and the proposed reading. One item was the distance reference from mileage to time in which to respond. Mileage has been challenged in other entities. It was noted several Idaho Falls police and Bonneville police officer's live within the city limits but live outside of their work locations.

The mayor also mentioned the non-commercial license restriction from front-street to include four side of the property. And a dollar fee when a resident has more than three dogs. The extra dollar does nothing and has no logic as to why it's one dollar.

The mayor reminded the council of the time and mentioned these items will be discussed at a later council.

- c. ICRMP is hosting information meeting covering open meetings, public hearings and conflict of interest on Feb 24, 2015 in the Iona city building at 7:00pm.

Adjournment:

Councilman Sullenger moved to adjourn seconded by Councilman Olsen.

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

Meeting adjourned at 9:45pm.

CITY OF RIGBY


Jason Richardson, Mayor

ATTEST:


David Swager, Clerk