

City of Rigby  
Council Meeting Minutes  
January 21, 2016

Mayor Richardson called the meeting to order at 7:00 pm Thursday, Jan 21, 2016. The pledge of allegiance was given by Benson Taylor and the prayer was offered by Nichole Weight.

The Mayor asked the clerk to call the roll.

Councilman Olsen	Present
Councilman Burke	Present
Councilwoman Thomas	Present
Councilman Walker	Present
Councilwoman Weight	Present
Councilman Taylor	Present

Also present: Chief Keith Hammon and Attorney Robin Dunn

Amend Agenda:

The mayor indicated there were two items that needed to be discussed that would require that the agenda be amended.

- 1) Item #9- Discussion on the Towne Square is more appropriate that it be addressed in executive session versus open council.
- 2) Beer/wine application from Lil' Mikes BBQ is requesting a license.

Councilman Taylor moved to approve item #9 Rigby Towne Square be discussed under executive session according to Idaho Code #74-206(f) and that the application from Lil' Mikes BBQ be placed on the agenda. Motion seconded by Councilwoman Weight.

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

Application for beer/wine license:

Julie Shults came forward and explained to the council that they had opened Lil Mikes BBQ and being unfamiliar with Idaho laws were not aware that they needed a county and a city license in addition to the state license. They are new to the area and enjoy the community support of the business. The mayor informed Ms. Shults that the city does not allow distribution of beer/liquor on Sunday and other holidays. She indicated they are closed on Sundays so that shouldn't be a problem.

Councilwomen Thomas moved to approve the beer/wine license to Lil' Mikes BBQ be approved seconded by Councilman Burke.

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

Rocky Mountain Power Grant:

Tim Solomon representing Rocky Mountain Foundation came forward and presented a check for \$5,000 to the city for the purchase of an office at the Rigby rodeo grounds. Mr. Solomon said that last year the foundation awarded the city a grant for \$5,000 for fencing around the rodeo grounds and he was here this evening to award the check for the office.

The mayor and rodeo director Steve Cook came forward and accepted the check on behalf of the city. The mayor thanked Mr. Solomon for the grant and for their past support that the foundation has given.

#### City joining East Idaho Water Rights Coalition:

The mayor said the city has been involved with an association of east Idaho water users for a number of years. The object of the association was to protect municipals water use from water calls from the Twin Falls irrigators. During the past year the association increased their involvement in water rights. Due to the increase of involvement, the association re-organized and increased their contribution rates based on population. The prior annual fees were \$150 and the new rate structure to the city is \$1,400. The mayor was unclear as to the full extent and involvement that the association does.

Discussion around prior involvement in a re-charge effort failed to gain support after the city expressed support.

After discussion the council wanted a representative from the association to come to the council and explain the increase and what the city would be gaining by joining and paying the fees.

#### Verizon's' GPS Tracking Devise

The mayor explained that he has received complaints from citizens that city employees are using city owned vehicles for personal use. Some of the complaints cited vehicles being seen in Menan, at retail shops in other cities and other perceived abuses. He has reviewed a tracking devise that Verizon offered is able to track vehicles fuel usage mostly by monitoring employees' behavior and abuse of vehicles for personal use. It would also track maintenance of vehicles and compare one vehicle driving experience with all others. The system would also track where a vehicle goes on an hour by hour basis and day by day basis with up to six months for historical tracking. The packet contained two proposals for 13 vehicles and 9 vehicles. The police have five vehicles and the public works the balance. The mayor did not feel the devise needed to be placed on all of the city vehicles: snow plows, dump truck, garbage truck etc. but the police and some of the other public works vehicles should be considered when employees take them out of the city. He also commented that some vehicles have stopped at city hall and are left idling for up to 30 to 40 minutes which is a waste of fuel. He is also concerned with vehicles making side trips for personal use while the employee is on city business. The devise would track all stops by location, time and duration of each stop. The mayor stated that companies' using the devise has seen a saving of 20-30% in fuel by modifying employees driving abuse and behavior with the knowledge that his use is being monitored.

Councilman Olsen noted that his company had used a similar devise in his company and due to logistic of monitoring them quit using them. He couldn't see definitely any savings from them. He felt savings could be achieved by monitoring personal use closer for all vehicles. Councilman Olsen also said a similar devise could be attached to cell phones. The mayor said that currently only the police have cell phones that could have that app. Other employees do not have cell phones capable of having a tracking device attached to their phone. The comment was made that an employee sometime carries their cell phone and at times are not always in a city vehicle.

The mayor reiterated that abuse has been told to him of employees using the vehicles for personal use from citizens in the community. He also said that maintenance records are available which would be helpful. Councilman Taylor reviewed the costs and noted the major cost of the system was the installation and the labor to install. Councilman Olsen stated the city could install the unit themselves being that it was a plug in devise. The mayor said Verizon did state that the city could install the device and save the installation fee.

Currently when a violation is reported they is no oversight available to verify the complaint. A tracking devise would provide oversight. The mayor questioned if the lack of oversight versus having the oversight worth the cost.

Councilman Burke asked if other cities or counties were using a similar devise. The mayor said one county was using Verizon which is being used a protective measure. Councilman Burke said his company saw a saving from 30% to as much as 50% from using a tracking devise.

Councilman Walker moved that the discussion be tabled seconded by Councilman Burke.

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

LHTACT Grant Application:

The mayor indicated the application to upgrade the Annis Highway from 2<sup>nd</sup> North to 400. The county has submitted a similar application for the county's portion. The likelihood of the city receiving the grant this year was deemed nil based on conversation he has had with ITD. The city matching portion would be \$170,000 which would come from the road fund. The match most likely would not be due for 3-5 years from now. Time would be needed to design and fund the state portion of the project which is normally a 3 year process for design alone. The total project totals \$2.275 million. The city would be committing the funds to this project which would preclude other projects. The Annis Highway is in need of improvement and has heavy foot traffic. The mayor walked the street last summer and 80% were in favor of three lanes with sidewalks. The grant application has been submitted to LHTACT and the council needs to lend their support for the project.

Councilman Burke moved that the council approve the LHTACT grant application seconded by Councilwoman Thomas.

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

Resolution #179-2016- Resolution in support of LTHACT application:

Councilman Walker moved to adopt resolution #179-2016 seconded by Councilman Olsen.

The mayor asked the clerk to poll the council:

Councilman Olsen	Yes
Councilman Burke	Yes
Councilwoman Thomas	Yes
Councilman Walker	Yes
Councilwoman Weight	Yes
Councilman Taylor	Yes

Amending City Code to allow for rabbits:

The mayor distributed a draft copy of a proposed ordinance allowing rabbits in the city. The draft copy was drafted following that for chickens. The proposal would allow for 5 rabbits and their offspring for up to 16 weeks with housing/shed with a solid floor that can't be burrowed out.

Council discussion wanted something broader so the issue doesn't have come up with every different type of animal. Idaho Falls allows animals under a 50 pound weight restriction. Restricting barnyard

animals and exotic animals was also discussed. Councilman Olsen was okay with the language as drafted subject to revision in certain areas.

Councilman Olsen moved that the draft copy of the ordinance be reviewed by the attorney for legalese of the ordinance and enforceability to be presented to the council at a later date, motion seconded by Councilman Burke.

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

Council Committee Assignments:

The mayor had received emails and letter from the council as to committee assignments. After discussion the mayor announced the following assignments:

Councilman Olsen- Water/Sewer and Chamber of Commerce  
Councilman Taylor – Rodeo and planning/zoning  
Councilman Burke – Airport and urban renewal  
Councilwoman Weight- library and parks  
Councilman Walker- Police and Sanitation  
Councilwoman Thomas – Senior Citizens and Museum

Rigby Police Department – budget, promotions, acquisition of car, hours of office secretary:

Chief Hammon came forward and reviewed with the council a number of items.

The chief presented a revised budget that was presented a couple months ago regarding the reduction in force of one officer and moving the compliance department to the police and eliminating auto and office expenses directly related to the compliance except for animal control.

Overall reduction totaled \$80,762 for a revised budget of \$612,193.

The topic of compliance cellphone, uniform, vehicle maintenance was discussed. The chief said the cellphone could be eliminated and no expense would be needed for uniforms. Only minor expense would be expended for the vehicle but would still be needed by the police officers. Training budget would be cut for the secretary. She does write grants and additional training may be needed.

Discussion on equipment and vehicle replacement: The chief would like to obtain a car this year. The mayor indicated the car had been budgeted out of the capital improvement fund. The chief would like a replacement car every year instead of group purchasing 2-3 cars every three to four years. This would aid in the rotation of cars annually versus having all of the fleet aging at the same time. He also reviewed his surplus sales and drug forfeiture sales. There is going to be a change in the future about property received under the federal/state donation program that will require restrictions of use on sales. Currently there is no restriction as to the use of the proceeds from equipment acquired from the federal/state program.

Questions arose as to the hours of the secretary. The chief stated that they received a lot of complaints of not having the office door open. He noted that now the secretary is able to keep the door open five days a week. Last year she worked 24 hours in the office and 16 hours doing compliance. If she is now working five days a week in the office how is her time be utilized? The mayor noted that the office in city hall is open 9:00 to 5:00. Are the hours of the secretary being used productively? The secretary explained that she worked the 16 hours doing compliance and worked harder to keep current with her other duties. Now her work scope has been expended and doing additional work assisting the officers

and spending more time writing grants. The secretary reviewed a laundry list of her duties. The mayor noted that several of items mentioned were specific projects and not an on-going duty.

The mayor said he wanted the chief to review the budget with the council because the city will need to re-open the budgets for other items later in the year. Councilman Taylor asked if the vehicles could be retrofitted instead of purchasing replacements. The chief said he would look into it as an option.

Approval of Minutes:

Councilman Taylor moved to approve the minutes seconded by Councilwoman Thomas.

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

Approval of Bills:

Councilman Walker moved to pay the bills with the exception of East Idaho Water Rights Coalition, seconded by Councilwoman Weight.

The mayor asked the clerk to poll the council:

Councilman Olsen	Yes
Councilman Burke	Yes
Councilwoman Thomas	Yes
Councilman Walker	Yes
Councilwoman Weight	Yes
Councilman Taylor	Yes

Other Council Business:

Signature Cards – Zion’s Bank:

The treasurer handed the mayor and council president signature cards from Zion’s Bank that needed to be executed.

Recreation Board:

Councilwoman Weight asked about the recreation board having a person on the board 16 -18 years old. The clerk noted there is not currently a rec board and perhaps that section of the code needed to be deleted. The park/rodeo committee is different from the recreation board.

Ticketing of Cars:

Councilwoman Weight asked when the police ticket cars for snow removal. The chief said it is an ongoing issue. The chief has issued a warning prior to writing a ticket. The mayor said a warning is preferred.

Public Comment:

Lance Byington:

Mr. Byington came forward and complained that three drivers were being discriminated against from participating in the Figure 8 races. He said he had approached the operator of the event and was told the three drivers could not participate. The operator gave Mr. Byington no explanation why they couldn’t participate. Mr. Byington said they paid their entry fee, obeyed the rules and the cars were not deemed unsafe. He felt the council needed to be informed why Rigby drivers were being banned from driving.

After questions and answers to and from the council, the mayor said Councilman Taylor, Olsen and Walker would meet with the operator along with Director Cook to investigate the complaint.

Willard Price:

Mr. Price came forward but the mayor informed Mr. Price that the topic of the Rigby Towne Square is being discussed in executive meeting to which he was invited to attend.

Executive Session:

Councilman Taylor moved that the council enter into executive session per Idaho Code 74-206(f) – to discuss with legal counsel the legal ramifications of or legal options for controversies not yet being litigated but imminently likely to be litigated. Motion seconded by Councilman Burke.

The mayor asked the clerk to poll the council:

Councilman Olsen	Yes
Councilman Burke	Yes
Councilwoman Thomas	Yes
Councilman Walker	Yes
Councilwoman Weight	Yes
Councilman Taylor	Yes

Council enters executive session at 9:00pm.

Council exits executive session at 10:02pm.

The mayor asked if there was any discussion or comment. Hearing none he asked for a motion to adjourn.

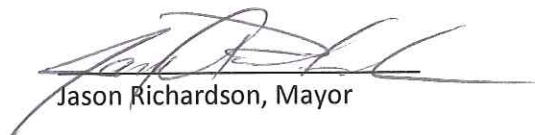
Adjournment:

Councilman Walker moved that the council adjourn seconded by Councilwoman Thomas.

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

Meeting adjourned: 10:02pm

CITY OF RIGBY

  
Jason Richardson, Mayor

ATTEST:

  
David Swager, Clerk