

City of Rigby
Council Meeting Minutes
July 2, 2020

Mayor Richardson called the meeting to order at 7:00 pm Thursday, July 2, 2020. The pledge of allegiance was given by Richard Datwyler and the prayer given Doug Burke.

The mayor asked the clerk to call the roll:

Councilman D Burke	Present
Councilwoman King	Present
Councilwoman Harrison	Present
Councilman Datwyler	Present
Councilman R. Burke	Absent
Councilwoman Weight	Absent

Also present: Chief Tower and Robin Dunn

Amend Agenda:

Councilman Datwyler moved to amend the agenda for two items:

- 2nd Reading of Ordinance #2020-613 – Annexation of Pacific Holdings
- Property Tax Relief Proposal

Motion seconded by Councilman D Burke.

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

Review of May 2020 Financials:

The clerk reviewed the May 2020 financial statements. He noted the revenues to budget were coming in higher than the budget percentage expected but for park/rodeo. The expenditures to budget were below expected percentage of budget and in the general fund legal/professional and the mayor/council were slightly over. Hearing no questions he turned to the journal entries explaining most were for the accrual of interest earnings and charges in the internal service funds.

2nd Reading – Ordinance #2020-613 – Annexation of Pacific Holdings:

Councilwoman King moved the Ordinance #2020-613 be read in title and summary only, seconded by Councilman Datwyler.

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

The mayor read the title and summary of Ordinance #2020-613. At conclusion of the reading the mayor commented the third and final reading of the annexation will be done at the next council meeting.

Property Tax Relief Proposal

The clerk reviewed with the council the letter the city received today, July 2 from the governor’s office concerning implementation of property tax relief. The city needs to submit a letter of our intention of foregoing the allowed 3% increase in property tax. To obtain the property tax relief the city needs to submit a letter of our intention to forego the 3% increase by July 17, 2020. The foregoing of the 3% will enable the city to submit our estimated costs of public safety for the period March 1 to December 30, 2020. The state will tabulate the total from all entities and provide relief to those participating by December 2020. The clerk explained our 3% increase for the coming year will be \$41,975. The city’s police department expenditures for the period Mar 1 to Dec 30, 2020 total \$369,915. He suggested the state’s reimbursement be put in trust account and allocated to the various tax funds over a period of years until the proceeds are exhausted. The amount foregone with the 3% increase is added to the overall “foregone” amount that could be used in the future.

The council discussed how taxes are raised and allocated to the various funds and various aspect of the program. Councilman Datwyler moved that a letter of intent to participate in the property tax relief program be submitted on or before July 17, 2020 seconded by Councilwoman King.

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

Disposal of City Assets:

- Disposal of Horse Barns/support of new arena: The clerk reviewed the two old horse barns that the rodeo committee is looking at tearing down. To tear down the horse barns the council needs to give the rodeo committee the permission to do so. In their place the urban renewal agency is looking at funding a new open arena similar to the one currently west of the horse barns. The open arena will allow for individual horse stalls during the summer and covered storage during the winter for boats and campers. Council voiced support of their removal and building of a new arena.

Councilman Datwyler moved to authorize the removal of the two old barns and supports the urban renewal agency construction of a new open arena. The urban renewal agency should request funding assistance from the county being the county residents have and use the horse barns. Motion seconded by Councilwoman Harrison.

The mayor asked the clerk to call the roll:

Councilman D Burke	Aye
Councilwoman King	Aye
Councilwoman Harrison	Aye
Councilman Datwyler	Aye

- Police Vehicles: The police chief came forward and requested permission to dispose of two police vehicles: 06 Chev car and 08 Dodge Charger car. The two cars have become high maintenance and will be replaced with the new cars approved last council.

Councilwoman Harrison moved to authorize the disposal of the two patrol vehicles via public auction seconded by Councilwoman King.

The mayor asked the clerk to call the roll:

Councilman D Burke	Aye
Councilwoman King	Aye
Councilwoman Harrison	Aye
Councilman Datwyler	Aye

- Public Works Vehicles: The clerk presented the council with a list of vehicles that Mitch Bradley would like to dispose: 75 International dump truck; 73 GMC truck; old Chevrolet service truck with service box and a 99 Chevrolet pickup with service box. The clerk explained the public works no longer uses the vehicles and in one instance the reverse in the truck no longer works.

Councilman Datwyler moved to authorize the public works director to dispose of the four vehicles via public auction seconded by Councilman D Burke.

The mayor asked the clerk to call the roll:

Councilman D Burke	Aye
Councilwoman King	Aye
Councilwoman Harrison	Aye
Councilman Datwyler	Aye

City Airport:

- Acceptance of Airport Grant: The airport has awarded a grant to assist with the purchase of additional land for the runway expansion. The grant in the amount of \$48,250 needs council acceptance of the grant.

Councilman D Burke moved that the city accept the grant from the Idaho Dept of Aeronautics in the amount of \$48,250 seconded by Councilwoman King.

The mayor asked the clerk to call the roll:

Councilman D Burke	Aye
Councilwoman King	Aye
Councilwoman Harrison	Aye
Councilman Datwyler	Aye

- Resolution # 195-2020 – Acceptance of grant project #SP-U56-18 in amount of \$48,250.
The mayor reads resolution #195-2020.
Councilman D Burke moved to adopt resolution #195-2020 seconded by Councilwoman Harrison.

The mayor asked the clerk to call the roll:

Councilman D Burke	Aye
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Councilwoman King	Aye
Councilwoman Harrison	Aye
Councilman Datwyler	Aye

Public Works – NOVDA amended Contract – Keller Assoc:

Jadin Jackson representing Keller Engineers presented the council with an amended contract for the wastewater treatment plant. The amendment is needed to preform addition work on the project to meet USDA-RD requirements (\$15,000); request waiver of sole source using the NOVDA vendor (\$3,000); and move engineering fees to design the test facility at the start of the project instead of at the end (\$81,940). Mr. Jackson explained that since DEQ had withdrawn their offer to fund the \$18 million project they turned to USDA-RD as the funding source and USDA-RD require more information than those required by DEQ. Total change order - \$99,940.

Councilwoman Harrison explained that Keller should have included in their bid for the project the cost of doing the most labor intensive work required then if that effort was not needed or used Keller could reduce their billing accordingly and not come back to the council every time a change was needed.

Councilman D Burke moved to approve the amended contract with Keller’s to \$99,940 seconded by Councilman Datwyler.

The mayor asked the clerk to call the roll:

Councilman D Burke	Aye
Councilwoman King	Aye
Councilwoman Harrison	Aye
Councilman Datwyler	Aye

Purchase of Police Safety Vests:

Chief Tower came forward to seek the purchase of two police safety vests at a cost of \$1,358 each. The existing vests have out lived their suggested useful life. The vests will qualify for reimbursement of 50% after submission of the purchase of the vests.

Councilman Datwyler moved to authorize the purchase of the safety vests seconded by Councilwoman Harrison.

The mayor asked the clerk to call the roll:

Councilman D Burke	Aye
Councilwoman King	Aye
Councilwoman Harrison	Aye
Councilman Datwyler	Aye

Other Council Business:

- Library Operation: Councilwoman Harrison stated she had received a complaint from a patron on turning away persons under 16 years of age. The patron, who has a current library card, explained her 14 year daughter was denied access to the library along with her 3 other minor

children. The patron wanted to know on what authority the library issued the age restriction and was told it was the library's policy during the COVID crisis. The 14 year old was admitted to the library but the patron had to leave her 3 minor children in the car which she felt was unacceptable. The mayor joined the discussion and mentioned he had discussed this with the library director on the reduced hours and accompanying decrease in service being provided to the patrons but to no avail. The attorney was asked if the library could restrict access to the library. He responded that any restriction could not be "arbitrary and conspicuous" and from what was being said indicates that it may be arbitrary and conspicuous and an ordinance may be needed. Councilwoman Harrison who acts as the council liaison will bring this item before the library board.

- Planning Zoning Questionnaire: The clerk distributed a questionnaire that the planning zoning consultant drew up requesting input from the council on changes, if any, they have concern.
- Parking 3rd West – PUD: Councilwoman King asked if parking was going to be allowed on 3rd West in front of the new development. Chief Tower stated 3rd West in that area would be posted as no parking.
- Summer Picnic: The mayor asked if Councilman Datwyler would take charge of the summer employee picnic. After discussion, the evening of Sept. 9 at 5:30pm was settled on and to be held at the Rotary shelter in the south park.

Public Comment:

Dave Youngstrom from Yellowstone Log Homes/Yellowstone Do It Center discussed the issues that BoTec had done to his rental units in boring through the sewer service line and causing the sewer to "fountain" in both of the bathrooms. He has suffered loss with the tenants being forced to move out and having Paul Davis Restoration come in and cleanup the sewage. He was informing the council that steps have been taken by his attorney to resolve the issue.

Approval of Minutes:

Councilwoman Harrison moved to approve the minutes of June 18, 2020 seconded by Councilman D Burke.

The mayor called for a voice poll: All in favor none opposed with Councilman Datwyler abstaining.

Review and Approval of Bills:

Councilman Datwyler moved to approve the bills for payment seconded by Councilwoman King.

The mayor asked the clerk to call the roll:

Councilman D Burke	Aye
Councilwoman King	Aye
Councilwoman Harrison	Aye
Councilman Datwyler	Aye

Executive Session:

Councilwoman Harrison moved the council enter into executive session per Idaho Code 74-206(f) – to communicate with legal counsel to discuss legal options for controversies not yet being litigated but likely to be litigated. Motion seconded by Councilwoman King.

The mayor asked the clerk to call the roll:

Councilman D Burke	Aye
Councilwoman King	Aye
Councilwoman Harrison	Aye
Councilman Datwyler	Aye

Council enter executive session: 8:55 pm

Council exits executive session: 9:09pm

Adjournment:

Councilman Datwyler moved to adjourn seconded by Councilwoman Harrison.

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

Meeting adjourned: 9:09pm

CITY OF RIGBY



Richard Datwyler, Council President

ATTEST:



David Swager, Clerk