

City of Rigby
Council Meeting Minutes
July 3, 2014

Mayor Richardson called the meeting to order at 7:00 pm Thursday, July 3, 2014. The pledge of allegiance was given by Keith Hammon and Robin Dunn offered the prayer.

The Mayor asked the clerk to call the roll.

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

Also present: Chief Hammon and Attorney Dunn

Beer and Liquor License – Transfer 172 E Main:

The clerk indicated the tavern previously owned by Clint Peterson d/b/a McLinttok's located at 172 E Main has been sold to Douglas Murray effective July 1, 2014. Mr. Murray has obtained state and county liquor and beer licenses and needs to have the Peterson's license transferred into his name.

Councilman Taylor enters meeting 7:04pm.

Councilman Olsen moved approve the transfer of the city liquor/beer license to Douglas Murray seconded by Councilman Maloney.

The mayor calls for a voice poll: All in favor, Councilman Taylor abstained.

Weeds in City:

Jay Clark came forward and requested the council not to change the weed ordinance as it was currently written. His purpose in coming this evening was to clarify some misrepresentation that was made at the last council meeting. His complaint is that weeds in the vacant lots mostly Rocky Mountain and Town Square are the most troublesome. He recapped the events that occurred in 2013 and noted the compliance officer sent letters out addressing the weeds June 13, 2013. The June 13 letter allowed an additional 10-day within which the property needed to be cleared up. By that date the weeds had already gone to seed. He requested in 2013 the ordinance be redrafted to allow for an earlier date to notify the property owners of their responsibility regarding weeds. The date was changed to the 4th Monday in May. Mr. Clark went to the police office in early May to remind the compliance officer of the need to change the date of mailing the letters and to request a copy. He noted the compliance officer became belligerent towards him and asked him to leave the office. His second concern was with his name being brought up and discussed at the last council meeting. (Which he didn't appreciate.)

After his confrontation with the compliance officer, he met Chief Hammon outside the police building to discuss the weeds. A disagreement arose between the two over who said what. His intention in going into the police office in May was to read the letter that was going to be sent. He later learned it had been sent when he first went to the office. He noted that when the letter went out and the reader read that he had 10 days to clear the weeds he agreed that at that time they did not need mowing but would after May 31. He did not request that the letter be sent earlier than specified in the ordinance. He only

wanted a copy which he obtained from another individual. His comment was the weed ordinance as it is written is workable as it is written if notice is given when specified.

Mayor Richardson interjected and read parts of the ordinance which had vague meaning and confusion as to what the intent should be. He went on further and said the ordinance is unclear when to send the letter and give a time of when the abatement should begin.

Councilman Olsen felt the discussion with the compliance officer that the issue had been resolved and now hearing Mr. Clark felt that it wasn't. But felt both Mr. Clark and the police need to clarify their concerns.

The mayor indicated the issue would be addressed at a later date.

Review of Treasurer's Financial Statement for May 2014 and accompanying May Journal Entries:

The clerk read through his management letter that was sent to the council. He noted none of the funds were what he considered red flags. Revenues were within budget guidelines as were most of the expenses. In some of the funds, roads, major expenditures have yet to be incurred. He then recapped the May journal entries.

Councilman Simonson moved to approve the financial statement and May journal entries seconded by Councilman Sullenger.

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

Purchase of Furnace – Wastewater Treatment Plant:

Rick Lamoreaux came forward and explained the problems the treatment plant was having with the furnace installed in the headwork building since it was installed. The furnace is a gas furnace and sits outside the building to prevent explosion with an open flame. He is proposing an electric furnace, also explosion proof, which will be housed inside the headwork building. Other cities have similar electric furnaces inside their headwork building and appear to be working fine. He ran through a number of different models and related prices. He recommended a furnace with an estimated price of \$8,600.

Councilman Taylor asked about the different prices, cost, warranty and electric versus gas to operate. Lamoreaux passed a spec sheet around for the council to review. He did not know the difference in operating costs.

Councilman Sullenger moved to authorize the purchase of an electric furnace for the headwork building seconded by Councilman Maloney.

The Mayor asked the clerk to poll the council. .

Councilman Walker	Yes
Councilman Maloney	Yes
Councilman Sullenger	Yes
Councilman Simonson	Yes
Councilman Olsen	Yes
Councilman Taylor	Yes

Ordinance 2014-570 Amending Zone Map:

The clerk commented that at the June 4, 2014 council meeting, the council approved a change of zone from residential to commercial for the Jefferson County Road/Bridge site located at 290 North 4000 East. With the zone change the city needs to adopt an ordinance effecting the change and publish the ordinance. The clerk presented the council with a summary of the ordinance which he could use for the publication.

Councilman Simonson moved to waive the reading of the summary seconded by Councilman Olsen.

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

Councilman Taylor moved to approve publishing ordinance 2014-570 in summary seconded by Councilman Walker.

The Mayor asked the clerk to poll the council. .

Councilman Walker	Yes
Councilman Maloney	Yes
Councilman Sullenger	Yes
Councilman Simonson	Yes
Councilman Olsen	Yes
Councilman Taylor	Yes

Ordinance #2014-571 – Creating LID #8 boundary and calling for bids:

The clerk presented the council with a draft copy of ordinance 2014-571 creating the local improvement district #8, specifying work to be done and calling for bids of such work. He noted that he and the attorney have reviewed the draft and they recommended changes in section #3 and section #9. Council concurred with the changes as noted.

Marvin Fielding, Keller & Associates, came forward and discussed with the council that his firm has the documents ready to request bids for 1st North. He noted the bids invitation will be published July 9, July 16, and July 23 in the local paper. Bids will be opened the morning of July 31. During the August 7 meeting the engineer will review with the council the apparent low bid. During the meeting, if the council is satisfied with the apparent low bidder and the contractor has met the other requirement contained in the bid, the council can issue a notice to proceed to the contractor.

Councilman Maloney moved to authorize the publication of Ordinance 2014-571 as corrected seconded by Councilman Simonson.

The Mayor asked the clerk to poll the council. .

Councilman Walker	Yes
Councilman Maloney	Yes
Councilman Sullenger	Yes
Councilman Simonson	Yes
Councilman Olsen	Yes
Councilman Taylor	Yes

Work Meeting: Review Enterprise and Debt Service Funds – 2015:

d) Debt Service Sewer Bond: The sewer bond had during the twelve month period March '13- to April '14 1,228 users. When extended to total revenue at \$32.75 generated \$629,000 in gross income. The clerk also estimated \$6,000 being earned on interest for a combined total income for 2015 of \$635,000. This equals the bond payment due in 2015. He recommended not changing the user fees.

c) Sewer Revenue Fund: The clerk presented the 8 various sewer rates that the city charges with the various compositions of users over the same time period - Mar-13 to April -14- would generate total gross revenues of \$615,000. Metered sewer fees would generate \$130,500 in revenues; outside septic dumps fees will generate \$85,000 and interest earnings would generate \$20,000 for combined total revenues all sources of \$850,500. Expenditures have been detailed using the prior three years actual and adjusted for current changes. It was noted all salaries are projected for a 3% cost of living increase and employee insurance rates are projected to increase 25% for budgetary purposes for all funds.

Rick Lamoreaux handed in a capital facility request after the council packets were mailed out. He is requesting \$160,000 additional funding to replace a sewer line along 1st North. The clerk noted the sewer facility study has identified roughly \$1.3 million of needed improvement in the collection system that entails 40 plus projects cited as needing improvement. The year-end surplus had a balance \$2.3 million. Given this, the clerk recommended that Lamoreaux review the engineer study and budget additional work in to the 2015 budget and complete the 5-year capital project budget worksheet to begin planning when the 40 projects can be estimated to be completed. One project a year will leave a huge backlog of uncompleted and needed improvements.

b) Water Revenue Fund: The revenue projection using the same rates would generate \$340,000 in fixed fees, \$181,000 in metered services. The clerk upped this estimate to \$185,000 for metered services. In addition there is estimated an additional \$10,000 in interest earnings for a total gross budget of \$535,000. Using the same analysis that was done for the sewer fund, the total expenditures total \$535,000.

Lamoreaux handed in a capital facility request after the council packets were mailed for an additional replacement of a water line along 1st North for an estimated budget figure \$60,000. Included in the line item "line replacement" is a figure of \$86,500 which would cover the proposed single item. The clerk also stated the water fund has identified projects needing improvement and as with the sewer system the water system 5-year capital facility budget worksheet needs to be completed to identify those areas needing improvement and when the needed deficiency in the water system can be addressed.

Also included is a line item for conversion of the central park from potable water to canal water. Prior councils had encouraged water conservation and for the past two years there had been amounts budgeted. This year the school district asked if the city would be interested in doing a joint venture on a pumping station. They would like to use canal water to irrigate the Harwood School ball field and grounds. Lamoreaux was opposed to the conversion due to having to run water line run on private property or in the road right of ways which he opposed doing due to leaks and he would like to convert the Rigby Canal water to well water or use it for water mitigation at a later date. The clerk reminded Lamoreaux that the city only has stock ownership in the Rigby Canal and the actual ownership of any water right is owned by the canal company and not the individual shareholders. Conversion of Rigby Canal water or mitigation by the city will never be allowed.

a) Sanitation Fund: The sanitation fund would be most difficult fund to reconcile of the four funds. The county has held public hearings to begin charging a tonnage fee of \$28 to all users. The estimated cost to the city will be an additional \$52,500 in costs. Without an increase in fees that the city charges it's residents, the sanitation fund will show a deficit of \$20,145. With a 3% overall increase in monthly fee the deficit would decrease from \$20,000 to \$12,365; a 5% increase would cut the deficit to just under \$8,400. If the city were to initiate a 50 cent per 90-gallon fee spread across all users the 50-cent increase would generate \$18,140. It was noted in the spreadsheet that the 50-cent increase would affect those with the large container and more frequent pickups than the individual user. The council would need to decide which way to go. The budget also includes the purchase of a new garbage truck for \$270,000 which will be funded from the sanitation surplus of roughly \$470,000.

The clerk indicated the governmental funds would be reviewed during the next council meeting. Final budget hearing is set for August 21, 2014 at which time all budgets need to be approved and submitted to the county clerk. Inquiry for the library budget, the mayor and clerk indicated the library board needed to draft their own budget and submit it to the council for approval.

Other Council Business:

None

Old Business:

None

Review and Approval of Bills:

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

The Mayor asked the clerk to poll the council.

Councilman Walker	Yes
Councilman Maloney	Yes
Councilman Sullenger	Yes
Councilman Simonson	Yes
Councilman Olsen	Yes
Councilman Taylor	Yes

Review and Approval of Minutes:

- a) June 19 minutes: Councilman Taylor moved to approve the minutes of June 19, 2014 seconded by Councilman Olsen.

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

- b) June 25, 2014: Councilman Sullenger moved to approve the minutes of June 25, 2014 seconded by Councilman Simonson.

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

Public Comment:

Continuous parking on city streets: Jay Park has a neighbor who parks his camp trailer in front of his home. The parking of the camper restricts Mr. Park view when he is exiting his driveway. The camper also restricts the neighbor on the other side of the camper when that neighbor exits his driveway. Mr. The lots only the street are only 50 foot wide and due to this limitation the trailer is parked so close to the driveway visibility is limited until your car is over half way out in the street. Park has requested police assistance but there is nothing in the code to limits parking as long as the trailer is currently licensed and is not parked during the winter months.

The mayor commented that at the present time there is nothing the city can do but requested the issue be placed on the upcoming agenda for discussion.

Misstatement during public hearing: David Swager, city clerk, indicated that he was misquoted during the public hearing on June 25, 2014. The comment made was taken out of context and omitted key phrases that needed to be included. The public speaker stated that the city clerk after the discussion of the Dove Ave. project, that no funds would ever be available for 1st North. The clerk had handed the council the minutes of July 2, 2013 where the topic was the water line on Dove Ave. and the decision to

remove the proposed LID on Dove and fund the project out of the water fund. Councilman Olsen asked during the July 2, 2103 meeting why the same could not be done for W 1st North. The clerk indicated the water fund is an enterprise fund and therefore the code does not allow diverting funds other than water projects to other uses. 1st North is a road project not involving water services and therefore water funds are not permitted to fund road projects that do not involve water lines. The public comment omitted the difference between a water project and a road project.

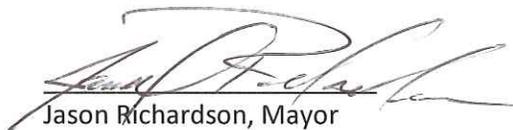
Adjournment:

Councilman Simonson moved to adjourn seconded by Councilman Sullenger.

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

Meeting adjourned 8:58pm.

CITY OF RIGBY


Jason Richardson, Mayor

ATTEST:



David Swager, Clerk