

City of Rigby
Council Meeting Minutes
March 7, 2019

Council President Doug Burke called the meeting to order at 7:00pm Thursday, Mar7, 2019. The pledge of allegiance was given by Adam Hall and the prayer given by Doug Burke.

The mayor asked the clerk to call the roll:

Councilman Burke	Present
Councilman Taylor	Present
Councilman Hall	Present
Councilman Datwyler	Present
Councilman Olsen	Present
Councilwoman Weight	Absent

Also present: Chief Tower, Public Works Dir. Mitch Bradley & Attorney Dunn

Ordinance #2019-598- Annexation J&L LLC:

Councilman Datwyler moved that the ordinance be read in summary form second by Councilman Hall.

The attorney reads the summary of ordinance #2019-598.

Ordinance #2019-599 – Creating Urban Renewal Agency Board:

The attorney explained that the ordinance is to terminate the city council as the board of urban renewal board and replace with a new board. The chair asked if the attorney would read the ordinance in its entirety. The attorney reads the ordinance in full.

Councilman Taylor moved to suspend the rules of the required three readings and read the ordinance in full once. Motion seconded by Councilman Datwyler.

The chair called for a poll of the council:

Councilman Burke	Yes
Councilman Taylor	Yes
Councilman Hall	Yes
Councilman Datwyler	Yes
Councilman Olsen	Yes

Councilman Taylor moved Ordinance #2019-599 be published and adopted seconded by Councilman Hall.

The chair called for a poll of the council:

Councilman Burke	Yes
Councilman Taylor	Yes

Councilman Hall	Yes
Councilman Datwyler	Yes
Councilman Olsen	Yes

Resolution #191-2019 – Reestablishing Urban Renewal Board members and terms:

Councilman Taylor asked if the resolution could be read in full. The attorney reads the resolution in full. The attorney noted the important part of the resolution is the terms of the commissioners as follows: Commissioner Hall: 1 year; Commissioner Abbott: 2 years; Commissioners Hillman and Taylor: 3 years; Commissioners Marler and Corbett: 4 years. After expiration of the above commissioners terms the new terms will be four years thereafter.

Councilman Hall moved to adopt Resolution #191-2019 seconded by Councilman Olsen.

The chair called for a poll of the council:

Councilman Burke	Yes
Councilman Taylor	Yes
Councilman Hall	Yes
Councilman Datwyler	Yes
Councilman Olsen	Yes

Public Works:

IDBG – Water Project: Rick Miller from the Development Co. came forward and reiterated a phone call he had had with Sharon Dial and the mayor concerning the block grant on the water system. The engineer's estimate for the pump and well house was presented to be \$1,387,000 with IDBG funding \$400,000 of the initial cost. With the balance of the project, \$987,500, being funded either through a loan from DEQ or city financed. If funded through DEQ the interest rate would be 2.75% for 20 years and would require a rate increase of \$3.81 per month.

The clerk indicated that in his discussion with the mayor Mrs. Dial stressed the city needed to commit to with the storage tank and/or well and pump house prior to April, 2019 or risk having the federal withdraw the \$400,000 from the grant award.

Discussion among the council was that the city had decided to go forward with the well and pump house.

Councilman Taylor moved that the city proceed with the commitment to a well and pump house seconded by Councilman Hall.

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

Engineer Contract: Councilman Taylor moved that the city proceed with the procurement of an engineering firm for the design and construction of a well and pump house seconded by Councilman Hall.

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

Amend Contract WWTP Study Contract: Marvin Fielding from Keller Engineering came forward and explained the additional testing that was being done due to a high amount of load coming into the plant. Keller's have done the testing and wanted to increase their contract from \$73,700 to \$79,300 due to the influx of material coming into the plant.

Councilman Taylor asked why the added tests given that study based on historical information to which Keller had knowledge of when they proposed the contract. Mr. Fielding explained the last year inflows were greater than previous years and Mr. Humphreys was pulling more tests to determine the source of the inflow. Councilman Taylor indicated the contract was issued for a study and just because more tests were done why increase the costs of doing the study. Mr. Fielding explained do to the increase flows he felt more testing was needed and without prior consent from the council directed that more tests be done. Both Councilman Taylor and Burke stated that the study contract was a contract and that Keller proceeded with incurring costs without informing the council of a potential increase in their contract.

Councilman Olsen felt the rate could be justified and moved to approve the \$6,000 increase seconded by Councilman Datwyler.

The chair called for a poll of the council:

Councilman Burke	No
Councilman Taylor	No
Councilman Hall	Yes
Councilman Datwyler	Yes
Councilman Olsen	Yes

Councilman Taylor noted the proposal was also requesting a 45 day extension from the due date of April 30, 2019 to complete the study he therefore moved to approve the 45 day extension from April 30, 2019. Seconded by Councilman Datwyler.

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

Planning-Zoning:

Nomination and swearing in Kevin Cowley as member of the planning/zoning commission:

Councilman Taylor moved to accept the nomination of Kevin Cowley as a member of the planning/zoning commission seconded by Councilman Hall.

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

The chair then gave the oath of office to Mr. Cowley.

Adding Title 10-2-1 – Development Agreements to the city code: The clerk explained the p/z administrator was attending a county p/z meeting and was unable to attend this presentation. He was therefore filling in for her.

The state statute requires that cities/counties have in their code a provision for development agreements. While the city has had development agreements in the past, the city is lacking a development code.

Councilman Taylor moved to proceed with the code revision to add the new code for development agreements seconded by Councilman Olsen.

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

Amending 1-12-1 of city code: Application of Comp Plan:

The current code does not include “area of impact” which should be included for the comp plan to be comprehensive for development outside the city but within the area of impact.

Councilman Taylor moved to proceed with the code revision to add the words “and in the area of city impact” to the code. Seconded by Councilman Datwyler. .

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

Amending 11-15-18(a)1 – Transfers of water rights:

The current code addresses when subdivision are done within the city such water rights will be transferred to the city. The new wording is to be: “Surface water rights related to, appurtenant to, or held by the landowner for use on lands in said subdivision are transferred from the owner of said lands to the city of Rigby.”

Councilman Datwyler moved to proceed with the change in the referenced code to amend the language seconded by Councilman Hall.

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

Clerk’s Report:

The clerk came forward and reviewed the financial statements for the period ending January 31, 2019 with the council. He referred to an excel spreadsheet which recapped the city’s funds by actual to budget for both revenues and expenditures. He stated that for the revenues the tax based funds were higher than budget due to the receipt of tax revenues in December. The three proprietary funds

receipts were in line with expectations and some of the other special revenue funds: park and rodeo were under due to operations yet to begin. As for expenditures: the various funds of the city were within budgeted expectations including the various departments within the general fund.

He referred to the journal entries he made during the month and asked if the council had any questions. Councilman Taylor asked about the negative net results showing the summary of revenues/expenditures. The clerk explained two items: the capital outlay budgets and net results for the period showing capital items not being incurred at this point in time.

Reschedule of July 4 Council Meeting:

Due to the holiday of 4th July falling a scheduled council meeting date: Councilman Hall moved that the July 4, 2019 meeting be rescheduled to July 3, 2019 at 7:00 pm seconded by Councilman Burke.

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

Other Council Business:

Ball Fields: Councilman Hall stated that the parties using the ball fields have met and agreed to split the various fields between the two parties.

Hot Classic Nights: Councilman Hall said the Hot Classic Night event has been rescheduled from July 13 to July 20.

Public Comment:

None

Approval of Minutes:

- Feb 7, 2019: Councilman Taylor moved to approve the minutes of Feb 7, 2019 seconded by Councilman Hall.
- The chair called for a voice poll: All in favor none opposed.
Councilman Taylor asked the attorney to remind the council when a reasoned response was needed during the next land use decision.
- Feb 21, 2019: Councilman Datwyler moved to approve the minutes of Feb. 21, 2019 seconded by Councilman Taylor.
- The chair called for a voice poll: All in favor none opposed with Councilman Hall abstaining.

Approval of Bills:

Councilman Taylor moved to approve the bills seconded by Councilman Datwyler.

The chair called for a poll of the council:

Councilman Burke	Yes
Councilman Taylor	Yes
Councilman Hall	Yes

Councilman Datwyler Yes
Councilman Olsen Yes

2018 Audit Report:

Sheri Poulsen from Jensen/Poulsen CPA's came forward and presented the council with the audit for the period ended September 30, 2018. She reviewed the general fund, road, water, sanitation and sewer funds noting all have increased their respective fund balances or in the case of the road fund decreased due to expenditures per budget. She stated the city's financial position continues to improve. One of the deficiencies she noted, as she has in prior years, the lack of segregation as to reconciliation of cash, particularly in cash disbursements. But stated, it is the position of the city that the cost to hire additional personnel is not cost effective. Overall, she gave the city a "clean" opinion and stated the audit process was done without difficulties.

Councilman Hall moved to approve the 2018 audit report seconded by Councilman Datwyler.

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

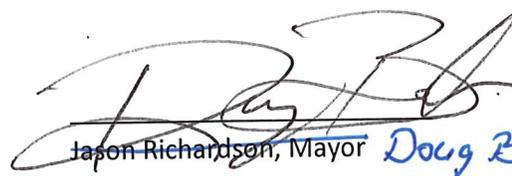
Adjournment:

Councilman Taylor moved to adjourn seconded by Councilman Hall.

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

Council Adjourned: 8:40 pm

CITY OF RIGBY


Jason Richardson, Mayor *Doug Burke, chair*

ATTEST:


David Swager, Clerk