

City of Rigby
Council Meeting Minutes
May 7, 2013

Mayor Smith called the meeting to order at 7:00PM Tuesday, May 7, 2013. The pledge of allegiance was given by Mr. Dinsdale and Councilman Olsen offered the prayer.

Mayor Smith asked the clerk to call the roll.

Councilwoman Hinckley	Present
Councilman Maloney	Present
Councilman Olsen	Present
Councilman Zimmermann	Present
Councilman Simonson	Present

Also present: Attorney Rob Dunn and Chief Hammon.

Public Hearing – Amending R-2 Zone – Title 10, Chapters 5,6, &9.

The Mayor opened the meeting stating the first item on the agenda was the public hearing regarding changes in the city code relating to R-2 – multi-homes. He reminded those in attendance that there is a sign in sheet for those wishing to speak in favor, neutral or in opposition. The Mayor asked the clerk to present the facts associated with the hearing and amendment.

The clerk came forward and reviewed the work done on the R-2 zone by the planning and zoning commission. He reviewed the dates the planning and zoning commission conducted the public hearing and the dates for the hearing were published. He commented the council had received in their packets the minutes from the public hearing along with the commission discussion of the proposed changes. The commission has recommended the council approve the amendments. The clerk reviewed the dates the city council moved to advertise the hearing and the dates the city had advertised the hearing. He read the summary of the proposed changes.

At the conclusion the clerk's presentation the mayor asked again if there was anyone in attendance who wished to speak on the proposed changes would need to sign the sign in sheet. Mr. McAllister signed in speak in opposition but recanted due to his error in not realizing what he was signing. Being no other person who wished to speak the mayor closed the meeting at 7:07PM.

Proclamation of Children's Mental Health Awareness Day

The mayor read the Proclamation of Children's Mental Health Awareness month which he then proclaimed that May 9, 2013 be Children's Mental Health Day. (Copy of the proclamation attached.)

ECIPDA Admin. Contract for Sr. Citizen Grant:

Rick Miller representing The Development Center (ECIPDA) presented the council with a contract as grant administrator for the Sr. Citizen block grant in the amount of \$118,000. The contract is for a fixed fee of \$12,000. He also left a copy of the Environmental Review Record that was completed and is available for public review. Miller reviewed the federal regulations applicable to the grant.

Councilman Simonson asked if the city's match of \$5,000 was included in the grant. Miller responded the grant is for \$118,000 with the city match of \$5,000 and Jefferson County's match of \$2,000 brings the total funds for the project to \$125,000, which his contract will administer.

Councilwoman Hinckley inquired when the project would be complete and if the center would have to be closed. Miller indicated he thought the project would be completed in December and the center does not expect to be closed for any length of time but for one or two days during the period when the kitchen would be remodeled.

Councilman Zimmermann asked if the project would be bid out piece meal or in total. Miller indicated the board was reviewing the best option on how to proceed.

Councilman Zimmermann moved to approve the contract with ECIPDA for the administration of the ICDBG for the Rigby Sr. Citizens Center, seconded by Councilman Simonson.

Mayor Smith asked the clerk to poll the council.

Councilwoman Hinckley	Aye
Councilman Maloney	Aye
Councilman Olsen	Aye
Councilman Zimmermann	Aye
Councilman Simonson	Aye

Adopting Fair Housing Resolution #167-2013:

The clerk indicated that the attached resolution is another requirement of the federal government in relation to receiving the block grant.

Councilman Simonson moved to approve Fair Housing Resolution #167-2013 and waive reading of the resolution, seconded by Councilman Maloney.

Mayor Smith asked the clerk to poll the council.

Councilwoman Hinckley	Aye
Councilman Maloney	Aye
Councilman Olsen	Aye
Councilman Zimmermann	Aye
Councilman Simonson	Aye

Idaho Dept of Transportation Request for reduction in water rate:

Rick Lamoreaux came forward and explained to the council that he had talked with the highway dept concerning their water rates. He recommended ways for them to reduce the amount of water used and the council concerns with the fairness of other non-city water users. He felt the highway district is alright with the issue. No action taken by the council.

Amending R-2 Zone – Ordinance 2013-560:

The Mayor opened the discussion on amending the R-2 multi-homes ordinance.

Being little comment or discussion Councilman Maloney moved to adopt ordinance 2013-560 seconded by Councilman Zimmermann.

Mayor Smith asked the clerk to poll the council.

Councilwoman Hinckley	Aye
Councilman Maloney	Aye
Councilman Olsen	Aye
Councilman Zimmermann	Aye
Councilman Simonson	Aye

Discussion on Updated Zone Map:

The clerk handed the council the draft copy of the proposed zone map that the planning and zoning commission has recommended for adoption. The planning and zoning commission has held hearing for the proposed changes with two changes coming out of the hearings: section west of the armory and east of the old Holder's Machine Shop and a section along 2nd West and 2nd South which was zoned R-1 but has R-2 homes built in the area.

Councilman Olsen asked if the map is in the spirit of the comp plan and what has happened over the past few years. In response to his question it does reflect the comp plan and bring the map current with what has been annexed and added over the years.

Councilman Simonson moved to publish the proposed zone map and setting time and date for public hearing seconded by Councilwoman Hinckley.

Mayor Smith asked the clerk to poll the council.

Councilwoman Hinckley	Aye
Councilman Maloney	Aye
Councilman Olsen	Aye
Councilman Zimmermann	Aye
Councilman Simonson	Aye

Discussion on Abatement of Dangerous Buildings:

The clerk handed the council a draft copy of the proposed ordinance regarding the abatement of dangerous buildings and a copy of the ICC 1997 Uniform Code for the Abatement of Dangerous Buildings. The clerk felt the 1997 Uniform Code was designed for a larger city. The

city does not have the staffing or personnel which the 97 code cites. Together he and Councilwoman Hinckley picked several items from the 97 code and other cities to arrive at the draft copy. The clerk wanted the council to review both items for a discussion at a later meeting.

Councilman Zimmermann had concerns with the buildings around Short Street which he did not know whose responsibility they fall under.

Councilman Olsen asked the number of buildings/homes that may be affected by this ordinance. The clerk felt the number is under ten but he has not identified any specific number.

Other Council Business:

- Park Irrigation: The Mayor updated the process of converting the south park from the potable water to the canal water. He estimated the project should be fully operational off of the canal in two to three week time. The south park uses around 100,000 per day. The saving will be seen in allowing more homes to be connected to the potable water system. The central park will be looked at converting next year.

Approval of Bills:

Councilwoman Hinckley asked about the bill to HK Contractors.

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

Mayor Smith asked the clerk to poll the council.

Councilwoman Hinckley	Aye
Councilman Maloney	Aye
Councilman Olsen	Aye
Councilman Zimmermann	Aye
Councilman Simonson	Aye

Approve Minutes:

Councilman Zimmermann moved to approve the minutes with the correction of the scout's name, seconded by Councilman Olsen.

The Mayor polled the council: All in favor none opposed, Councilman Maloney abstained.

Public Comment:

- Darwin Dinsdale: Came forward and questioned the quiet title process and to repair 1st North back to the condition it was before the construction. He requested the lawsuit be withdrawn.
- Barry Lewis: He felt the council should contact each homeowner along 1st North and obtain their feelings regarding 1st North. He felt that the number of petitions submitted to the council are being ignored by the council. He has mailed a petition to each council

member on Sept 8, 2012 and has not heard back from that mailing. He stated the citizens only want the road repaved.

- Joe Sites: Commented that he served on the planning and zoning board for a short period of time and that he was asked to step down. During his time on the council the property south of 1st North showed it being zoned R-2 but upon later discovery the R-2 zone was done in error and should be R-1. He also commented that there was a 300 foot buffer that was zoned R-1 which would not require those living along 1st North as to any notification of a proposed zone change. He noted over the period of years there have been a number of applications to change the zoning to R-2 but have been denied. He commented that if the property south of 1st North was not there the LID would not be an issue.

The Mayor clarified a statement made by Mr. Sites that the reason he was asked to step down was that he had not lived within the city the required two year time period as required by the city code.

Adjournment:

Being no further business, Councilman Simonson moved to adjourn seconded by Councilman Zimmermann.

The Mayor polled the council: All in favor none opposed.

Meeting adjourned 8:00PM.

CITY OF RIGBY



Keith Smith, Mayor

ATTEST:



David Swager, Clerk