

City of Rigby
Council Meeting Minutes
November 5, 2015

Mayor Richardson called the meeting to order at 7:00 pm Thursday, Nov. 5, 2015. The pledge of allegiance was given by Keith Hammon and the prayer was offered by Mike Maloney.

The Mayor asked the clerk to call the roll.

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| Councilman Maloney | Present |
| Councilman Simonson | Present |
| Councilman Olsen | Present |
| Councilman Burke | Present |
| Councilman Taylor | Present |
| Councilman Walker | Excused |

Also present: Keith Hammon

"In God We Trust":

The mayor commented that there is a movement to add the words "In God We Trust" to the city hall. Referring to the literature that was sent to the city, this is a nation-wide project to add the words back into the public sector. He noted the House of Representatives and the Senate Chambers have the motto on display in their chambers, the US currency has the words printed on each bill, and in 1956 the words became the national motto following World War II. The mayor noted that our country was founded on the principle of religious belief. There is a resolution (179-2015) wherein the city could pass that the motto would be on display here in the council chambers. The mayor read the resolution.

Concern was expressed by the council if the words were on the police cars (no) and if it would cause the city to have conflict with or bring suit against the separation of church and state.

Councilman Maloney moved to adopt resolution #179-2015 – A resolution of the council of the city of Rigby, supporting the display of the national motto "In God We Trust" in the city council chambers in a prominent location at city hall. Councilman Burke seconded the motion.

The Mayor asked the clerk to poll the council.

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| Councilman Maloney | Yes |
| Councilman Simonson | Yes |
| Councilman Olsen | Yes |
| Councilman Burke | Yes |
| Councilman Taylor | Yes |

Review of Revised FY 2015 Police Budget:

Chief Hammon presented to the council a revised FY2015 budget with the reduction of one officer and other line item budget cuts. The revised budget showed a reduction of \$79,962 in total expenditures with a revised annual budget of \$612,993. Hammon mentioned that the line item for training was increased from the earlier proposals. He also asked the council to come to some sort of resolution on the budget or the contract with the county as soon as possible.

The mayor clarified that the first proposal contained three scenarios: one with reduction of two officers either straight out termination or via attrition and a second scenario was the reduction in force by one officer. The mayor indicated that in talks from last council the reduction in the force of two officers could not be sustained and the reduction of one officer could be sustainable in the short term but could lead to issues in the long term. Hammon agreed.

Councilman Taylor told of an incident (home break in) which took the Rigby police two weeks to respond to the homeowner's complaint and questioned if the reduction in force would add to the delay in responding. Hammon questioned the two week period mentioned as ever happened but said a reduction would not cut down response. He also said split shifts using the detective and sergeant would have to be adjusted as time went on.

Mayor Richardson indicated that the split shift was relatively new. The Chief indicated it was new only because the field training officer is now available and off of the training.

Discussion on Contracting with County Sheriff for police coverage:

Mayor Richardson asked Jefferson County Sheriff Steven Anderson to come to this evening council meeting to discuss the proposed contract and to answer questions from the council that they may have.

Sheriff Anderson came forward and stated not to dismantle the police department but work to retain it. However, if the council decided to dismantle the department, he would provide professional and ethical service to the city.

The mayor asked the sheriff about the concern of the loss of police coverage within the city if the city were to contract with the county. Anderson responded no, there would not be any loss. The officers would be retained in the city except on instances of emergency where both agencies respond and assist when needed.

Councilman Olsen expressed concern with the contract over the long term either with a change of commissioners and their influence and/or involvement in the contract. The sheriff responded that it would be a joint involvement between the city and county where either could agree or not agree.

Councilman Olsen suggested what would happen if the county were to raise the price by 15%. The sheriff said the city could opt out. He went on to say that the cost would be overwhelming to re-establish the police department, in his opinion.

The sheriff responded to a question of support. The current coverage is one officer day and night. With the county the coverage Monday through Friday would be a city deputy, an eastside and a west side deputy along with sergeant all on duty. In addition in an emergency there would be two resource officers, a detective, a detective supervisor and three command staff that could respond. Instances of this happening are rare.

The mayor asked about the increase of costs over time. The sheriff said costs increase over time. The county has a step and grade pay schedule but the 5% has been built into the contract to cover the step/grade increases.

The sheriff indicated that the county commissioners do approve his budget but he does the line item detail. The sheriff commented that since he has been in office his budget is well ahead of schedule and he is frugal in his spending.

As to unused funds that the city pays and not expended, they will be credited back to the city the following year.

Councilman Maloney asked about the sheriff a comment in his opening statement where he would prefer the police department be retained. The sheriff said the disbanding of the department affects the officer's families. The officers are highly trained. The city would be losing control over the department in the way council has influence over the department.

Concern with the detective work, the county would cover the work but based on calls he has seen, the county is able to provide the work and coverage. This could change over time and if it did it would have to be addressed at that time.

Councilman Olsen had concern with the contract not carrying over if a new sheriff was to come into the equation and he may not want the city contract. The contract would be binding only to the end of the year and may or may not be renewed at the same price or different price.

The mayor then opened discussion to the council.

The mayor noted the contract revision that now contains the language for automatic renewal. The mayor stated that he had had conversations with members of the council during the summer about options with contracting with the county. The council had been told that no change could be made in the police department and that more funding was needed for salary. The mayor is also concerned with the impact on the officers and their families. But the concern should be what is better for the city should be listed first. The decision should be made what is the best responsible use of city funds and not to individuals. The city is not a job program. When a department will not make changes and that decision is made as to not hurt fellow employee that is not an admirable decision or choice.

Councilman Taylor said the decision should include nonmonetary considerations. Items such as pay raises, coverage and who controls the officers. He then went on and cited that it took major courage that the mayor has done in focusing attention on this issue and in offering an alternatives solution. He believes the county can provide the coverage and support over the city. But the city already has the backup support from the county. As the city grows, any reduction will need to increase its force to what is currently and beyond. Taxes and budgets will increase over time. Feels the county is not totally out of the issues that has been dealt with over the several months but feels the problems have been cleared up.

Councilman Simonson also stated the city will grow as the county grows. Expressed concern that the contract can change over time. And the control the county commissioners have over county budgets. The city will loss direct control over the police department. Sees the contact growth of 5% increases every year outpaces the 3% allowed in property taxes growth. The police contract will in time exceed the current costs savings. The longer the contract runs, the harder it will be to reestablish the police department if and when that decision may be made. Also to reestablish the department with the caliber of personnel we have now will be extremely hard and expensive. The council needs to be prudent with taxpayers money but also need to listen to what the citizens are saying on how they want the money

spent. Thought a public vote should be considered. Feels the public has expressed their preference for the quality of life in keeping the police department.

The mayor said that the decision to enter into the contract should be made that it will succeed and not to plan for failure. Responding to the budget creep, it will take a long time to erode the difference between the 5% and 3% on the \$250,000 savings. There are failsafe measures built into the contract. The city doesn't have an initiative form of government. An advisory vote could be made but the wording would be extremely hard to write. Many patrons have expressed support but have refrained from speaking out due to intimidation by others.

Councilman Olsen has had a mix of opinions but the majority of patrons support keeping the police.

Councilman Burke felt the decision should be made as a business decision and the savings of \$350,000 is an important point.

Councilman Maloney likes the advisory vote but stated that a decision needs to be made. Savings are important but other items, quality of life, also matters. The people he has talked with have not supported going with the county.

The mayor stated that the new budget the police chief is now proposing, the gap between the current budget and the county budget has been narrowed. The mayor also noted that St. Anthony works on a five man force and he wanted the chief to get with the St. Anthony police chief to see how he operates his department with 5 men.

Councilman Burke thought working with a reduced budget for the current year and see how it works out this year.

Approval of Minutes:

Councilman Taylor moved to approve the minutes of October 15, 2015 seconded by Councilman Simonson.

The mayor called for a voice poll: All in favor none opposed – Councilman Maloney abstained.

Approval of bills:

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

The Mayor asked the clerk to poll the council.

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| Councilman Maloney | Yes |
| Councilman Simonson | Yes |
| Councilman Olsen | Yes |
| Councilman Burke | Yes |
| Councilman Taylor | Yes |

Other Council Business:

- AIC Newly Elected Officials Seminar – the mayor handed out registration forms to the newly councilmember-elect for a seminar that will be held in Idaho Falls, November 18 for newly elected city officials.

- Telephone App – Councilman Olsen asked about the phone app. The mayor indicated the provider has not provided the city with access; so no, the system is not working.
- Water Shares – The mayor said that the water shares the city approved to purchase could not be acquired due to restrictions placed on the transfer of water from one water district to another.
- City Magazine – Councilman Olsen asked about the status of the Idaho Life magazine that the council approved earlier this year. No information other than they thought it would be out in Oct/Nov.
- Employee Christmas Party – Councilman Olsen felt being the city didn't have a summer party the city should have a Christmas Party.
- Light Parade – Chief Hammon said the Christmas Light Parade will be held Dec 4, 2015 as well as the Festival of Trees.
- Rigby Towne Square – Estimates should be available from Thompson Eng around December 1, 2015.

Public Comment:

Wayne Clark – Supports the Rigby police department. Mentioned that the public hearing was overwhelming in support of keeping the department. Sheriff Anderson mentioned that the mutual aid agreement between the two departments was strong and working effectively. Stated that the cost of maintaining the building and other capital assets is going to be expensive. In his opinion the cost to re-instate the police department is going to be more expensive than what has been mentioned. The combining of the BYU police into the city of Rexburg's police department has not worked as discussed. Foresees the same problems with the merger of the Rigby and Jefferson County departments, sounds good but in reality will be different. On his tax bill he pays about \$50 month for police, thinks this is a fair price for the service the city receives.

Pat Scott – Stated that when she moved back to Rigby she heard that Rigby was not friendly to businesses. Found it true when the city council meeting is scheduled the same evening as the Chamber of Commerce – Bar J Wranglers concert. This concert was scheduled over a year prior. Also mentioned that the police issue shouldn't be just a monetary decision. City should look at having the county do planning and zoning as well as roads. Felt the quality of life should be a factor in the decision process.

The Mayor mentioned that the council meetings are set by ordinance for the 1st and 3rd Thursday of each month and has been these dates since he become mayor in 2014.

Mark Willis – While not living in the city he mentioned that the county sheriff did call him while he was on vacation that his garage door was open. Felt multi-tasking in a single department was not effective. Commented that while calling 911 the sheriff department did not respond within the 5-10 minutes he thought they should have.

Ryan Day – The contract and discussion put Sheriff Anderson in a difficult and awkward position. Advised the council not to hold an advisory vote one reason was the time when it could be done and postponing the decision and second, council needs to make the decision.

Lisa Swanson – Felt the council would be making a mistake if they only listened to those who spoke in opposition to the police merger. A lot of residents have not shown up but have an opinion in support of the merger. No one likes waste in government. Rigby is still a small community and

expressed concern that the code officer is targeting and harassing residents who water their bedding plants on the wrong day or dogs that come out onto the sidewalk. Felt the city does not need a code officer.

Executive Session:

Councilman Simonson moved that the council enter into executive session per Idaho Code 74-206(b) to evaluate city employees and/or staff. Motion seconded by Councilman Taylor.

The Mayor asked the clerk to poll the council.

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| Councilman Maloney | Yes |
| Councilman Simonson | Yes |
| Councilman Olsen | Yes |
| Councilman Burke | Yes |
| Councilman Taylor | Yes |

Council enters executive session at 8:45pm

Council enters regular session at 9:55pm

The mayor stated the council evaluated the police chief, public works, clerk and park/rodeo director during the executive session.

Councilman Taylor requested that the two items: police contract and department heads evaluation be placed on the agenda as actionable items.

Adjournment:

Councilman Simonson moved that the council adjourn seconded by Councilman Olsen.

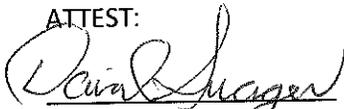
The mayor called for a voice poll: All in favor none opposed.

Meeting adjourned at 9:55pm

CITY OF RIGBY


Jason Richardson, Mayor

ATTEST:


David Swager, Clerk