

City of Rigby
Council Meeting Minutes
September 17, 2013

Mayor Smith called the meeting to order at 7:00 pm Tuesday, September 17, 2013. The pledge of allegiance was given by Marilynn Kamoe and Councilman Olsen offered the prayer.

Mayor Smith asked the clerk to call the roll.

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

Also present: Attorney Robin Dunn and Chief Hammon

Amended Budget Hearing:

The mayor reminded those in attendance if they wish to speak either for, against or neutral to the proposed amendment of the 2012 budget there was a sign in sheet at the front of the room.

The mayor then asked the clerk to present the proposed amendment. The clerk indicated the overall changes totaled \$64,500 from unanticipated revenues and several line items within certain funds. The clerk indicated the notice has been published in the paper as required showing the original budget, the amended amount and the revised budget amount.

The mayor again asked if there was any person wishing to speak on the amended budget. Being none he closed the public hearing at 7:05pm.

Purchase of Library Computers:

Marilynn Kamoe came forward and explained that the library needed to upgrade their computers. She indicated the computer she uses is failing and needs to be replaced. The clerk indicated there were funds available in the general fund up to \$5,000 that could be allocated to the library. Mrs. Kamoe indicated different computers would need different software based on their use and the individual price of each computer would be based on the expected service use.

The Mayor indicated he would like to have items such as the computers to be placed on a rotating basis to keep things current.

Councilwoman Hinckley moved to authorize the library to purchase up to \$5,000 worth of computer and/or software upgrades seconded by Councilman Maloney.

Mayor Smith asked the clerk to poll the council:

Councilwoman Hinckley	Yes
Councilman Maloney	Yes
Councilman Zimmermann	Yes

Councilman Olsen	Yes
Councilman Sullenger	Yes

Approval of 2013/14 Budget – Ordinance 2013-563:

The clerk indicated the council has in prior meetings approved the 2013/14 budget and the final action needed will be the formal approval of the ordinance adopting the 2013/14 budget. This would be the third reading of the ordinance.

Councilman Olsen moved to approve ordinance 2013-563 with waiver of the third reading seconded by Councilman Sullenger.

Mayor Smith asked the clerk to poll the council:

Councilwoman Hinckley	Yes
Councilman Maloney	Yes
Councilman Zimmermann	Yes
Councilman Olsen	Yes
Councilman Sullenger	Yes

Resolution 169-2013 – Establishing 2014 rates for city charges and fees:

The clerk reviewed the resolution as presented. The only change was in the sewer revenue fee which he is recommending be reduced by five cents all other fees and charges are to remain the same as for the prior year.

Councilman Zimmermann moved to approve resolution 169-2013 establishing the fees and rates for the 2013 budget year seconded by Councilman Maloney.

Mayor Smith asked the clerk to poll the council:

Councilwoman Hinckley	Yes
Councilman Maloney	Yes
Councilman Zimmermann	Yes
Councilman Olsen	Yes
Councilman Sullenger	Yes

Interfund Transfers:

The clerk indicated that at the end of each quarter there is established in the budget for the three enterprise funds to transfers \$6,250 from each of the enterprise funds to the general fund to reimburse the general fund for administrative expenses incurred in support of the enterprise funds.

Councilman Maloney moved to authorize the transfer funds from the each of the enterprise funds to the general fund seconded by Councilman Zimmermann.

Mayor Smith asked the clerk to poll the council:

Councilwoman Hinckley	Yes
Councilman Maloney	Yes
Councilman Zimmermann	Yes

Councilman Olsen Yes
Councilman Sullenger Yes

Approval of Summary Copy of Ordinance #2013-562 for publication:

The clerk presented the council with a summary of Ordinance 2013-562 which is needed to be reviewed by the council prior to publication. The code allows lengthy ordinances to be published in summary form if the summary is approved by the legal counsel that the summary contains sufficient information to inform the public. Legal counsel has reviewed and approved the summary and final approval need be obtained from the council.

Councilwoman Hinckley asked when the ordinance would be effective. The clerk indicated the effective date would be after publication.

Councilwoman Hinckley moved to approve the summary copy of ordinance 2013-562 to be published seconded by Councilman Zimmermann.

Mayor Smith asked the clerk to poll the council:

Councilwoman Hinckley Yes
Councilman Maloney Yes
Councilman Zimmermann Yes
Councilman Olsen Yes
Councilman Sullenger Yes

Ordinance to Amend 2012 Budget – Ordinance 2013-567:

The mayor indicated there had been a public hearing regarding the amendment and asked if there was any discussion from the council.

Being none, Councilman Zimmermann moved to approve ordinance 2013-567 and waive the required reading of the ordinance seconded by Councilman Sullenger.

Mayor Smith asked the clerk to poll the council:

Councilwoman Hinckley Yes
Councilman Maloney Yes
Councilman Zimmermann Yes
Councilman Olsen Yes
Councilman Sullenger Yes

Approval of 2014 Liquor Licenses:

The clerk presented a listing of the various businesses that have applied for a 2014 liquor license which expire September 30, 2013.

Councilman Olsen asked if the fees charged were comparable with other cities. The clerk indicated he had not reviewed all of the surrounding cities but felt the fees being charged were comparable. The mayor stated that in addition to the fees the city also receives a portion of the state liquor stores profit based on population which totals around \$40,000 per year for the city.

Councilman Zimmermann moved to approve the liquor licenses seconded by Councilman Maloney.

Mayor Smith asked the clerk to poll the council:

Councilwoman Hinckley	Yes
Councilman Maloney	Yes
Councilman Zimmermann	Yes
Councilman Olsen	Yes
Councilman Sullenger	Yes

Mayor's Proclamation of Constitution Week:

The mayor read the proclamation declaring the week of September 17 through September 23 as constitution week. Copy attached.

Purchase of Tractor – Park/Rodeo Committee:

The mayor indicated the park/rodeo committee was looking at replacing the tractor they purchased last year with a larger tractor. Information regarding the tractor was lacking prior to council and the committee will bring additional information at the next council. They are looking at a cost of around \$22,000 and were looking various options available.

Other Council Business:

- City cleanup this coming Saturday at the INL bus parking lot from 8:00am to 5:00pm.

Review and Approval of Bills:

The council reviewed the bills. Councilman Zimmermann inquired about the Brett Price Excavation bill (purchase of 300 yds. of gravel).

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

Mayor Smith asked the clerk to poll the council:

Councilwoman Hinckley	Yes
Councilman Maloney	Yes
Councilman Zimmermann	Yes
Councilman Olsen	Yes
Councilman Sullenger	Yes

Approval of Minutes:

Councilwoman Hinckley reviewed the minutes making corrections. Councilman Maloney moved to approve the minutes as corrected seconded by Councilwoman Hinckley.

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

Executive Session:

Prior to entering into executive session, legal counsel reviewed the rules for entering executive session with the council, for the benefit of the two new councilmembers and as a reminder for the older councilmembers. He highlighted what could be discussed in executive session and that

no decision can be made while the council is in executive session. The mayor also stated that the only topic that can be discussed during executive sessions was the named action in the motion.

Councilman Zimmermann moved that the council enter into executive session according to Idaho Code 67-2345, subsection (f) to discuss with legal counsel the Peck/Ormsby lawsuit seconded by Councilman Maloney.

Mayor Smith asked the clerk to poll the council:

Councilwoman Hinckley	Yes
Councilman Maloney	Yes
Councilman Zimmermann	Yes
Councilman Olsen	Yes
Councilman Sullenger	Yes

Council enters executive session at 7:43pm.

Council exits executive session at 7:57pm.

Councilman Maloney moved to enter into executive session according to Idaho Code 67-2345, subsection (f) to discuss the 1st North quiet title proceedings seconded by Council Zimmermann.

Mayor Smith asked the clerk to poll the council:

Councilwoman Hinckley	Yes
Councilman Maloney	Yes
Councilman Zimmermann	Yes
Councilman Olsen	Yes
Councilman Sullenger	Yes

Council enters into executive session at 7:58pm.

Council exits out of executive session at 8:22pm.

Adjournment:

Being no further business, Councilman Zimmermann moved for adjournment seconded by Councilman Olsen.

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

Council adjourned at 8:23pm.

CITY OF RIGBY



Keith Smith, Mayor

ATTEST:



David Swager, Clerk