

City of Rigby
Council Special Meeting Minutes
April 30, 2020

Mayor Richardson called the meeting to order at 7:00 pm Thursday, April 30, 2020. The pledge of allegiance was given by Blake Davis and the prayer given Aliza King.

The mayor asked the clerk to call the roll:

Councilman Datwyler	Present
Councilman D Burke	Present
Councilwoman Weight	Present
Councilman R. Burke	Present
Councilwoman King	Present
Councilman Davis	Present

Also present: City Clerk, Mitch Bradley, and Robin Dunn

The mayor asked if there was a motion for the council to enter into executive session per Idaho Code 74-206(f).

Councilwoman Weight moved that the council enter into executive session per Idaho Code 74-206(f): To communicate with legal counsel to discuss legal options for pending litigation or controversies not yet being litigated but likely to be litigated. Motion seconded by Councilman D Burke.

The mayor asked the clerk to call the roll:

Councilman Datwyler	Yes
Councilman D Burke	Yes
Councilwoman Weight	Yes
Councilman R. Burke	Yes
Councilwoman King	Yes
Councilman Davis	Yes

Council enters executive session: 7:03 pm

Council exits executive session: 8:50 pm

The mayor asked if there was any discussion/decision:

The attorney suggested the mayor recap the discussion that took place in executive session. Mayor Richardson explained the issues with the water line on 4000 E. The mayor explained the city had reached out to the church several times since the completion of the church building and the water line in late November/December with the last written request being sent to them in February 2020. He recapped several items that needed to be address: replace/repair the valve coming off of Hwy 48 that is leaking; replace approx. 1100 feet of 16 inch water line from Hwy 48 to the Burgess Canal; complete a late-comer agreement; pay for engineering fees incurred to insure compliance with ISPWC water line

installation the was agreed to after it was noted the water line was not being installed per Idaho public works standards; pay connection fee of \$6,000 for the water line to the church; repairs valve boxes on the water line; install county's road and bridge service line that was agreed to by the contractor; make note of ITD's installation of turn lanes on Hwy 48 and 4000 E that will be done in approx. three weeks and the church will need approval to excavate the valve on Hwy 48 in order to repair as time is of the essence. Council also discussed entering into mediation and/or what legal remedies the city has with the church to resolve the issues at hand and options available the both parties as discussed in January/February 2020 but never came to agreement.

Councilwoman Weight moved that items recapped by the mayor be sent to the church excluding mediation but including the addition of a trust account in the amount of \$750,000 for the estimated cost of replacing the 1100 feet of water along with other items, send notice that time is of the essence regarding ITD work on Hwy 48 and all fees mentioned to be paid. Motion seconded by Councilman D Burke.

The mayor asked the clerk to poll the council on the motion:

Councilman Datwyler	Yes - noted it was the first step in being courteous with the church
Councilman D Burke	Yes
Councilwoman Weight	Yes
Councilman R. Burke	Yes
Councilwoman King	Yes
Councilman Davis	Yes -noted the letter is the city's good faith effort to resolve the issues.

Adjournment:

Being no further business: Councilman Datwyler moved to adjourn seconded by Councilwoman King.

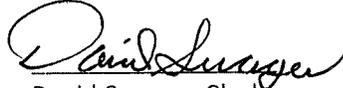
The mayor called for a voice poll: All in favor none opposed.

Meeting adjourned: 9:00pm

CITY OF RIGBY


Jason Richardson, Mayor

ATTEST:


David Swager, Clerk