

City of Rigby
Council Meeting Minutes
August 20, 2013

Mayor Smith called the meeting to order at 7:00PM Tuesday, August 20, 2013. The pledge of allegiance was given by Chief Hammon and Attorney Dunn offered the prayer.

Mayor Smith asked the clerk to call the roll.

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

Also present: Attorney Robin Dunn and Chief Hammon

The Mayor indicated the first order of business would be the public hearing on the 2013/2014 budget. The Mayor reminded those in attendance that there were sign in sheets at the front for those wishing to speak either in favor, in opposition or neutral to the proposed budget and/or the ordinance regarding abatement of dangerous buildings.

Being no one stepped forward; the Mayor asked if Chief Hammon would bring the sign in sheets to him.

The Mayor noted that Ryan Day had signed in to speak in favor of the budget and in favor of the proposed ordinance 562 – Abatement of Dangerous Bldg.

2013/2014 Budget Hearing:

He then asked the clerk to present the 2013-2014 budget.

The clerk stated the council moved to approve the tentative budget on August 6, 2013 and called for a public hearing. The notice of hearing has been published in the paper for two consecutive weeks and specified that August 20, 2013 a public hearing would be held to for public comment.

The clerk reviewed the budget noting where changes had occurred. The property taxes for 2013 were estimated to be \$1,175,448 versus 2012 tax levy of \$1,125,355. One item that has not been seen in prior years is the judgment levy in the amount of \$7,348. He explained this is due to Pacific Corp winning in the supreme court the valuation assessed them by the state tax commission. Rigby's share of the overpayment is the \$7,348. This is a one-time levy but may appear in later years in that Pacific are appealing the two previous year's assessment.

He noted that the levy for parks is capped out due to state statute limitation and with the decrease in valuation parks is getting less in tax support than in prior years. He also mentioned the road fund will be getting an additional \$33,000 from property taxes and has been budgeted in street seal coating. The percentage of support that the police is using from the general fund increased roughly 8% due to the loss of \$32,000 in school resource officer reimbursement.

All of the funds are in balance but for park which will be using \$1,425 of its savings, and the enterprise funds which will be using \$615,575 of their saving to fund the Dove St water line and the proposed street improvement along West 1st North.

For the enterprise funds he has proposed keeping the rates the same and lowering the sewer revenue monthly fee by five cents. This would assist the front office in collecting cash payments and the reduction of five cents is not affecting the sewer fund financially.

The sewer project fund is nearing completion with the completion of the sewer lift stations. The proposed manhole project may be delayed due to low sub-water.

With the clerk concluding his remarks, the Mayor indicated the only person who had signed to speak was Ryan Day who signed in favor of the budget.

Ryan Day:

Indicated he was in favor of the budget but made two comments. The road fund needed more funds to keep up with the road maintenance and seal coating. The amount budgeted over the next eight years is insufficient. The city needs to be proactive. The library has outdated computers which need to be updated brought to current standards.

He felt the clerk has done a good job for the city with the budget. In closing he accused the clerk of misusing city funds by preparing tax returns during city time. He handed Councilman Maloney information and wanted the councilman to investigate the clerk for the misuse of city funds.

Being no other person wishing to speak on the 2013/14 budget the Mayor closed the public hearing at 7:17pm.

The next order of business was the public hearing on the proposed ordinance – abatement of dangerous buildings.

Proposed Ordinance – Abatement of Dangerous Buildings

The Mayor asked the clerk to come forward and present the proposed ordinance on the abatement of dangerous building.

The clerk reviewed the process which the city went through to draft the proposed ordinance. The summary notice of public hearing was published twice in the local paper which specified that the public hearing on the proposed ordinance would be held this evening.

The clerk read the summary of the proposed ordinance and concluded his presentation.

With the clerk concluding his remarks, the Mayor indicated the only person who had signed to speak was Ryan Day who signed in favor of the proposed ordinance.

Ryan Day:

Mr. Day indicated he was in favor of the ordinance but had reservations about a number of points.

- Authorized person appointed by the mayor – He felt authorized person needed broader definition of qualifications.
- Abandoned structures – Time in which the owner need to respond – He felt 180 days was noted in the ICC – but was unsure.
- Securing doors and windows – He felt plywood covering was an unacceptable material.
- Notice to adjacent property owners – He felt the notice to adjacent property within 100 feet should be expanded to 500 feet.

- Limitations of Authority – He was unclear as to the meaning this section.
- Expense of to the city in demolishing buildings – Reminded the council the financial cost such an endeavor would cost the city financially.

Being no other person wishing to speak on the proposed ordinance – Abatement of Dangerous Buildings, the Mayor closed the public hearing at 7:27pm.

Recognition of Mark Later:

The Mayor recognized Mark Later for his 27 years of service to the city. He presented Mark with a certification of appreciation, a commemorative plate of the city, and noted that the city had ordered a Bucks Bag float tube for him which will be given him when it arrives.

Road Master Certificate:

Gale Lynn from LHTAC came forward and discussed the hours needed to complete the road scholar certification and what was needed to complete the road master certification. Rick Lamoreaux has completed his road scholar certification two years ago and this year completed the CPE hours needed for the road master certificate. With that she presented Rick with a certification of completion and a coat for his successful completion.

Approval of 2013/14 Budget:

The Mayor opened the discussion for the 2013/14 budget.

Councilman Zimmermann inquired as to the number of computer the library had. The library director indicated that she has 15 computers which were 10 years old. Cost to replace would be around \$1,000 each. Council concurred that a program was needed to keep the computers rotated and up to date.

Discussion on the road funding: It was noted that with the sewer lines being installed the sewer revenue fund has \$50,000 to seal coat a portion of the roads tore up during construction.

With no other discussion, Councilman Zimmermann moved to approve Ordinance 2013-563 – Adoption of the 2013/14 Appropriations with a waiver of the reading, seconded by Councilman Simonson.

Mayor Smith asked the clerk to poll the council. .

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

Abatement of Dangerous Buildings – Ordinance #2013-562:

After consideration of the comments made by Ryan Day, Councilwoman Hinckley moved to table the issue pending further review, seconded by Councilman Zimmermann.

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

Amending Code (7-5-6) – Refunds of Reservations Fees:

The clerk handed the council the propose change relating to refunds of reservations fees. The following has been added to the ordinance with the strike through being deleted. *It is encouraged to reserve meeting rooms and city shelters in advance. Reservations are on a first come first served basis. Only*

paid reservations are guaranteed. Refunds will be given if the cancellation is made fourteen days prior to the date reserved. No refunds will be made for reservations made within fourteen days of the event. The facility fee is nonrefundable and nontransferable even if cancelled in advance of the date of use.

Councilman Simonson moved to accept the changes as presented and begin the process for amendment, seconded by Councilman Sullenger.

Mayor Smith asked the clerk to poll the council. .

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

Repeal Ordinance 508 – Roll Back Curbing:

Rick Lamoreaux came forward and explained the reason for repealing the use of roll back curbing in the city. He commented with the low back side cars drive on the grass and somewhat harder to snowplow with the reduced visibility. He noted the only area in town that has roll back curbing is in the Pioneer Park. The Hailey Creek subdivision has the standard six inch back curb and he prefers this to the roll back curb. He noted other cities are having issues with the roll back curb.

Councilman Simonson moved to repeal ordinance 508 – roll back curbing seconded by Councilman Maloney.

Mayor Smith asked the clerk to poll the council. .

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

ICRMP Insurance:

The clerk noted the renewal of the ICRMP insurance is due for renewal. He noted the basic plan has a premium of \$55,725. For an extra \$18,230 the city can expand its coverage with a terrorism rider. He noted in prior years the city has elected not to have the terrorism rider.

Councilman Zimmermann moved to renew the ICRMP policy without the terrorism rider seconded by Councilman Olsen.

Mayor Smith asked the clerk to poll the council. .

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

Skate Board Park Closure:

Mary and Darryl Pinnock came forward to discuss the reason for the council decision to close the skate board park. Mr. Pinnock felt the statements made to the council were one sided and the council needed to hear both sides. First he contented there was no disagreement that occurred between himself and the mayor. Second he felt the organizers of the event over reacted in allowing vendors to set up on the concrete pad south of the skate bowl. The skate boarders felt that they were being intruded upon and were not part of the decision to close but were told that the park was closed.

He felt the vendors being allowed to setup on the concrete pad that the vendors created the problem and not the skate boarders.

The Pinnock’s wanted consideration in the future as to closing the skate board park.

Other Council Business:

- The Mayor reminded the council of the city picnic being held tomorrow at 6:00pm in the Bob Brown shelter.
- Councilwoman Hinckley commented that she had received a complaint from a resident to his adjacent property with overgrown weeds, grass and empty apartments.
- Councilman Olsen inquired as to the blocking of the lot between Autumnwood Drive and N 3rd West. Rick Lamoreaux explained a homeowner had filed a complaint with DEQ who came out and made the recommendation that the city control the dust.

Review of Bills:

Councilwoman Hinckley inquired to the Caselle billing. The clerk explained it was for the monthly software support and upgrade of the accounting system.

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

Mayor Smith asked the clerk to poll the council. .

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

Approval of the Minutes:

Councilman Zimmermann moved to approve the minutes of August 6, 2013 seconded by Councilman Simonson.

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

Public Comment:

None.

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

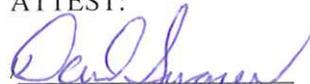
The Mayor asked for a voice poll: All in favor none opposed.
Meeting adjourned 8:35pm

CITY OF RIGBY



Keith Smith, Mayor

ATTEST:



David Swager, Clerk