

City of Rigby  
Council Meeting Minutes  
Sept 6, 2018

Mayor Richardson called the meeting to order at 7:00pm Thursday, Sept. 6, 2018. The pledge of allegiance was given by Dr. Datwyler and the prayer given by Adam Hall.

The chair asked the clerk to call the roll:

Councilman Burke	Present
Councilman Taylor	Present
Councilman Hall	Present
Councilman Olsen	Present
Councilwoman Weight	Present
Councilman Datwyler	Present

Also present: Chief Tower, Mitch Bradley, and Attorney Dunn

The Mayor opened the meeting asking if anyone in the audience who had not sign the sign in sheet and wanted to speak would need to do so. He then opened the meeting for the public hearing.

Public Hearing – Proposed increase in fees:

Richard Lee: Mr. Lee who lives in Idaho Falls was opposed to the fee increase in the airport. He felt a 50% increase was too high all at one time. While the rates of the proposed fee is comparable to those charged in Rexburg, Idaho Falls and Soda Springs the Rigby airport lacks enhanced features that these other airports have: instrument approach, on site fuel stations, wider taxi ways, security gates and other features. He would support a graduated increase spread over a number of years.

Mike Jenkins, president of the Rigby Airport Board, came forward to respond to Mr. Lee's concerns. He commented that the existing rates have been in effect for as long as anyone can remember. One owner has had his lease for 30 years at the same rate. The airport is trying to become self-sufficient and the board felt a rate increase while it is 50% increase is comparable with the other airports. One big difference is the Rigby airport cannot participate in federal funds due to the proximity of the Idaho Falls and Rexburg airports. As such the Rigby airport can only participate in state funds with a 50/50 match versus of 90/10 match for federal funds that other air fields receive. The Rigby airport board does not want to participate in the federal match due to other restrictions and requirements the fed would require. He felt the advantage of having a hanger at the Rigby airport was faster take offs and approaches. There is an on- site fuel station available for airplanes to use and at a dollar lower than at the other air fields.

No one else came forward to speak and the mayor closed the hearing and opened it up for council discussion.

The council was aware of the reason for the utility rates for water and sewer but was concerned with the rates for the airport. A lengthy discussion ensued both for the increase as recommended and opposed to the degree of the increase and changing the term of the lease from 25 years to 10 years.

Councilman Burke moved to approve the rate increase for water, sewer and the airport as proposed in Resolution #189-2018 seconded by Councilman Olsen.

The Mayor asked the clerk to poll the council:

Councilman Burke	Yes
Councilman Taylor	No
Councilman Hall	No
Councilman Olsen	Yes
Councilwoman Weight	No
Councilman Datwyler	No

Motion failed.

Councilman Taylor moved to approve the rates for the water and sewer as proposed. Motion seconded by Councilman Hall.

Councilman Burke	No
Councilman Taylor	Yes
Councilman Hall	Yes
Councilman Olsen	No
Councilwoman Weight	Yes
Councilman Datwyler	Yes

Further discussion ensued on the airport rates and term. The mayor asked for a voice poll from the council for a 10 year term from a 25 year term: Four in favor with Hall and Olsen voicing no.

Councilman Hall favored a lease with 25 years which favors the pilots.

Councilman Taylor moved to accept the resolution for water and sewer rates as proposed with the airport fees being increased 12 ½ % with a 25 year lease term. Motion seconded by Councilman Datwyler.

The Mayor asked the clerk to poll the council:

Councilman Burke	No
Councilman Taylor	Yes
Councilman Hall	Yes
Councilman Olsen	No
Councilwoman Weight	Yes
Councilman Datwyler	Yes

Non-commercial Kennel License:

Nichole Weekes residing at 203 Dove Ave came forward and is requesting a non-commercial kennel license for 13 Yorkshire terriers. She explained that 6 of the dogs are neutered. She breeds one female once a year with a single pup. She noted all her neighbors have signed off on the dogs but for two homes and the assisted living care haven't responded one way or the other. A total of 11 properties and she has 8 homeowners signing off on the license. The mayor stated she meets the 75% (8.25) with 8 being acceptable. Councilman Taylor asked if the enterprise was commercial or a non-commercial.

According to the planning and zoning administrator the dogs would not constitute a commercial enterprise. The applicants could not apply for a commercial kennel license in a residential zone. Councilman Taylor asked the attorney if the activity was a commercial enterprise. The attorney said the license before the council is a kennel license and not business license. In his opinion selling one dog is a commercial enterprise. The age of the dogs range from 3 years to 15 years. Mrs. Weekes indicated that selling the pups is an issue they would cease breeding the dogs. She just wants to keep the dogs they now have and do not plan on increasing their numbers.

Councilman Olsen moved to approve the non-commercial kennel license seconded by Councilman Burke.

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

Mitch Bradley asked if the council would amend the council to accommodate a number of persons who he has asked to attend this evening concerning a problem on Aspen Drive.

Councilman Hall moved to amend the agenda regarding Aspen Drive seconded by Councilman Taylor.

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

Aspen Drive:

Public Works Director Mitch Bradley indicated Aspen Drive has had a consent problem with storm drains.

Becky Marler:

There is only one drain in Aspen Drive and whenever it rains the drains are clogged and causes water to over flow on the street. Being the street has been installed over two years the issue is now the city's. She would like more drains installed or more frequent cleaning.

LID #9 – Adjustment on Assessment:

Mitch Bradley indicated that he had reviewed the assessment on the property at 375 S 3<sup>rd</sup> West. The property was incorrectly assessed 125 lineal feet instead of the 116 lineal feet per the property deed. Also the property was assessed the full width of the road surface restoration instead of the 7 ½ feet as done on other LID's in the city. The property was originally assessed \$23,391.80. With the adjustments the correct assessment should be \$11,302.

Councilman Taylor moved to adjust the assessment on 375 S 3<sup>rd</sup> West from \$23,391 to \$11,302 seconded by Councilman Datwyler.

The Mayor asked the clerk to poll the council:

Councilman Burke	Yes
Councilman Taylor	Yes
Councilman Hall	Yes
Councilman Olsen	Yes
Councilwoman Weight	Yes
Councilman Datwyler	Yes

3<sup>rd</sup> Reading Ordinance #2018-596 – Adopting 2018 Budget:

Councilman Taylor moved to suspend the full reading of the ordinance and that the ordinance be read in summary form seconded by Councilman Burke.

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

The attorney read the summary of Ordinance #2018-596.

Councilman Taylor moved to approve Ordinance #2018-596 seconded by Councilwoman Weight.

The Mayor asked the clerk to poll the council:

Councilman Burke Yes

Councilman Taylor Yes

Councilman Hall Yes

Councilman Olsen Yes

Councilwoman Weight Yes

Councilman Datwyler Yes

Replacement of 2007 Heil Garbage Truck:

Mitch Bradley indicated the 2007 garbage truck broke down again and resulted in the city having to lease a truck from Eagle Rock. The 2007 truck is becoming an issue and while it is used as a backup truck the city is not able to rely on it running a single route without breaking down. In his discussion with the mayor, the company which we have been leasing a truck from pending the repairs and return of the Labrie truck is available for purchase. The company has offered a sell price of \$45,000 after a credit of \$15,000 being applied for the lease payments we have made on the truck. Mr. Bradley would like to dispose the 2007 truck versus trading it in.

The clerk indicated the purchase would have to come out of the sanitation fund but is not in the current budget.

Councilman Datwyler moved to authorize the purchase of the truck.

The mayor indicated he wanted to see the service records on the truck prior to any purchase. Item tabled for more information. Councilman Datwyler tabled his motion.

Treasurer's Report:

The clerk came forward and reviewed with the council the financial statement for the period ended July 31, 2018. He reviewed the excel worksheet showing revenue and expenditures – budget and actual. For the most part all of the funds revenues to budget were coming in line with budget with most being at 83% or better to budget. As for expenditures to budget, again most were under budget but for a few which are exceeding the budget and will be amended to account for the changes.

He reviewed the journal entries made for the period commenting there were fewer than the previous month and included the normal accrual for interest earnings and the internal service fund.

Amending 2017/18 Budget:

The clerk came forward and reviewed the various funds that needed amendment due to either deferred expenditures being recognized or emergency purchases due to breakdown of equipment and costs overrun on the related LID a #9 project which was budgeted at the original engineers cost estimates but was not updated for the new costs of construction. The clerk reviewed each fund for the reason for the amendments.

The mayor mentioned the council could either move to publish the amended budget as presented and/or add a line item for the purchase of the garbage truck. The clerk recommended delaying the amendment for the garbage truck until after the first of the next budget year and delay the purchase as well. The public works director didn't see the delay being a problem.

Councilman Hall moved amended 2017/18 budget seconded by Councilman Burke.

The Mayor asked the clerk to poll the council:

Councilman Burke	Yes
Councilman Taylor	Yes
Councilman Hall	Yes
Councilman Olsen	Yes
Councilwoman Weight	Yes
Councilman Datwyler	Yes

Councilman Taylor moved to publish Ordinance #2018-597 and set the date for the public hearing on the September 20, 2018 seconded by Councilwoman Weight.

The Mayor asked the clerk to poll the council:

Councilman Burke	Yes
Councilman Taylor	Yes
Councilman Hall	Yes
Councilman Olsen	Yes
Councilwoman Weight	Yes
Councilman Datwyler	Yes

Schedule of ball fields:

Councilwoman Weight commented that since the city did not want to take over the youth sports activities and there are new leagues wanting to come to Rigby and use the fields. She had at first thought utilizing an on-line scheduler but had second thoughts on using it. For cities that do not have leagues use the scheduler but those that have leagues do not use the scheduler. She was wanting the two leagues to work together and would like the leagues to do the scheduling the same as is being done for the shelters. Council discussed having one league come in and schedule all the fields for their exclusive use. The mayor would like both groups to come in and sit down and work out a schedule. Bo Porter commented from the audience that he had a solution which he thinks will work. He noted he has been working on this since January and there hasn't been any progress on it with the other team. Mr. Porter presented the council a schedule he had worked up. The mayor commented that one team had

done extensive work on upgrading and maintaining one field in the south park. He would still like to meet with both teams together. Councilwoman Weight had reviewed the paper being handed out to the council and thought it was an agreeable schedule.

Approval of Minutes:

Councilwoman Weight moved to approve the minutes of August 16, 2018 seconded by Councilman Taylor.

The mayor called for a voice poll: all in favor none opposed with Councilman Datwyler abstaining.

Approval of Bills:

The clerk commented there was a correction to Stalling Repairs as noted on the bill list. Councilman Datwyler moved to approve the bills as corrected. Councilman Hall seconded the motion.

The Mayor asked the clerk to poll the council:

Councilman Burke	Yes
Councilman Taylor	Yes
Councilman Hall	Yes
Councilman Olsen	Yes
Councilwoman Weight	Yes
Councilman Datwyler	Yes

Other Council Business:

Summer Picnic: Councilman Burke mentioned the summer picnic is set for Sept. 13 at 6:00 pm at Scotty's Park.

Public Comment:

Jackson Carpenter: Came before the council to address the speed limits on 5<sup>th</sup> West. He lives adjacent to the new bridge and feels the speed limit needs to be reduced and patrolled with stops signed be erected at certain interchanges.

Chris Hunt: Also stated the speed on 5<sup>th</sup> West needed to be addressed by a three prong address: education, engineering, and enforcement. He had a company which would sponsor flyers to hand out to the residences explaining the serious of rate of travel being done on 5<sup>th</sup> West.

Amber Hensley: She mentioned that beside the speeding there needs to be cross walks installed along 5<sup>th</sup> West and Sundance being the church is on the corner and a number of kids cross the street at various times all week.


Becky Marler: Lives on Aspen and suggested a three-way stop be done on 5<sup>th</sup> and Aspen along with lowering the speed limit.

Adjournment:


Councilwoman Weight moved to adjourn seconded by Councilman Hall.

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

Meeting adjourned: 8:48 pm

  
Jason Richardson, Mayor

ATTEST:

  
David Swager, Clerk