

City of Rigby
Council Minutes
December 6, 2011

Mayor Smith called the meeting to order at 7:00PM, Tuesday, December 6, 2011.

Mayor Smith asked Scout Eric Call to open with the pledge followed by Councilwoman Hinckley to offer the prayer.

The Mayor asked the clerk to call the roll.

Councilman Simonson	Present
Councilman Blackburn	Present
Councilman Maloney	Present
Councilwoman Hinckley	Present
Councilman Day	Present
Councilman Zimmermann	Present

Also in attendance Attorney Dunn, Chief Larry Anderson.

Prior to the opening of regular council business the Mayor indicated that an executive session was needed for two items. He explained one item needing executive session was to consult with legal counsel regarding pending legal issues and a second meeting to evaluate an employee.

The Mayor asked for voice poll – All in favor, none opposed. Hearing no objections, the Mayor indicated the agenda would be so amended.

Change in Contract – SCADA System:

Mike Jaglowski from Keller's came forward. Jaglowski indicated the technical experience needed for SCADA system needed to be included in the engineer contract. He indicated that during the summer a problem arose in the 3rd West lift station. To locate the problem the city crew needed to backtrack to problem. The problem was located at the end of the treatment plant due to a low flow being registered. With a SCADA system the problem can be isolated to the exact point in the system which is malfunction. Currently Jaglowski is requesting a modification of contract to add the SCADA design and installation to the contract.

Councilman Day asked for a break down of the equipment. Jaglowski indicated he did not have the breakdown but will provide the detail.

Councilman Blackburn asked about the estimated life of the SCADA system. Jaglowski indicated equipment is current state of the art with the latest technology. Most likelihood would be 10 years.

Councilman Zimmermann asked about the track life of the system. Jaglowski indicated the system is unique to Rigby; however, all SCADA systems work under the same concept of switches and relays being relayed to central computer generated program.

Councilman Day asked if it be any advantage if the equipment was outsource for bid. Jaglowski indicated not really being that the equipment needs to be compatible with the computer program. Generally most of the hard ware would be Square D.

Councilwoman Hinckley asked if the contract would be superseding any other work. Jaglowski indicated no the work would be done concurrent with the system.

Motion by Councilman Blackburn to proceed with the contract change subject to a review of the equipment list being provided prior to signing, seconded by Councilman Zimmermann.

Councilman Simonson	Yes
Councilman Blackburn	Yes
Councilman Maloney	Yes
Councilwoman Hinckley	Yes
Councilman Day	Yes
Councilman Zimmermann	Yes

Report on Sewer Collection Phase II and Phase III:

Jaglowski reported that Phase II and Phase III would be published for bids the week in the Star December 7, 2011. Bid opening would be January 11, 2012 with result being presented at council January 17, 2012. Phase II consist of the replacement of the major sewer lines and Phase III is for the upgrade of the electrical, mechanical deficiency in the 3rd West lift station along with the SCADA system.

Having no further discussion, Mike Jaglowski and Scott Barry exit meeting at 7:35PM.

Review of the Canvassed Election Results:

The clerk indicated the council needed to review and approve the results of the November election. The notice from the county was not present for council and the agenda item was tabled.

Approval of 2012 Beer, Wine and Liquor Licenses:

The clerk presented a list of vendors requesting beer, wine and liquor licenses which the council needed to review and approve the issuance of the 2012 licenses.

Motion by Councilman Day to accept and approve the 2012 liquor and beer licenses, seconded by Councilman Maloney. The Mayor called for a poll - all in favor with none opposed.

Amended Joint Power Agreement:

The clerk indicated the agreement before the council was from the IIIA joint power which the city joined as a pooling of 39 cities to provide employee health insurance. The amended agreement arose from a review of the IIIA agreement from the State Insurance Commission which is requesting the agreement be changed.

Being no further discussion, Councilman Zimmermann moved to authorizing the signing of the agreement seconded by Councilman Simonson. Mayor called for a roll call, all in favor with no one being opposed.

2011 City Road Report:

The clerk presented the 2011 road report for the council to review and accept. Having no discussion, Mayor called for motion: Councilman Blackburn moved to accept the 2011 road report, seconded by Council Day. Voice roll: all in favor, none opposed.

Review of 2012 Re-plat fees:

The clerk presented a modified list of the previously approved and passed fees relating to re-zone of previously approved plat for 20 plus acres and 10-20 acres rezone. The original fees were for fixed fee which the clerk has reduced to "at cost".

Councilman Day inquired about other fees not just the two referenced by the clerk. The clerk indicated prior discussion had only been around the two referenced. Other fees were discussed as being high and if they may also be stated "at cost". The clerk indicated it would be hard to have a patron come in and request for changes and be told the city could not give a specific price but would be subject to a later cost would be hard to explain to the citizen.

Further discussion, conceded leaving all other fees the same as passed but for those listed as "rezone".

After further discussion, Councilman Day moved to restate all "rezone fees" to be "at cost", seconded by Councilman Simonson.

Councilman Simonson	Yes
Councilman Blackburn	Yes
Councilman Maloney	Yes
Councilwoman Hinckley	Yes
Councilman Day	Yes
Councilman Zimmermann	Yes

Rigby Town Square Amended Agreement:

The clerk indicated that Willard Price had delivered an amended agreement for consideration of the council. The agreement called for an \$81,000 cash payment for reimbursement of costs the city expended on the Rigby Town Square project with a date certain of July 15, 2015 for the completion of the access road from Courthouse Way to the Annis Highway.

The attorney withheld specific questions and informed the council he would prefer to answer those specific questions in executive session.

Motion by Councilman Simonson to table further discussion relating to the agreement, seconded by Councilman Blackburn.

Other Council Business:

Rick Lamoreaux: Came forward and indicated the Rigby Chamber of Commerce had donated \$2,000 to the city towards the Christmas lights. Donation was accepted by the council. The Mayor complimented the city crew on the work they did in getting the town lit up for Christmas.

Councilman Simonson: Informed the council that he had received a phone call from Darwin Keller who stated he was not in favor of water meters.

Mayor Smith: Mayor Smith informed the council and the audience being the decision of the water project is under judicial review it would not be appropriate to take testimony or hear other comments at this time and asked such comments be held for a later date.

Approval of Council minutes:

Minutes of November 1, 2011- Moved by Councilman Simonson seconded by Councilman Zimmermann to accept as presented. Roll call: All in favor, none opposed.

Minutes of November 15, 2011- Moved by Councilman Maloney, seconded by Councilwoman Hinckley, to accept as presented. Councilman Blackburn asked to be excused in voting. Roll call – All in favor, none opposed.

Review and Approve of Bills:

Councilman Zimmermann moved to accept the bills as presented, seconded by Councilwoman Hinckley.

Poll of the Council:

Councilman Simonson	Yes
Councilman Blackburn	Yes
Councilman Maloney	Yes
Councilwoman Hinckley	Yes
Councilman Day	Yes
Councilman Zimmermann	Yes

Public Comment:

Robert Breckenridge: Mr. Breckenridge began speaking concerning the judicial review process. At which point the attorney interjected saying additional testimony on the water project and/or judicial review process was not in order, being the decision is before the judge and until a decision is handed down, no testimony will be heard. He indicated the Mayor had referenced this restriction during "other council business". Mr. Breckenridge again began speaking on the water project at which point Mr. Dunn interjected and explained the legal process wherein testimony is restricted.

Referring to the number of homes and listed concerns the public expressed to him:

1. City wants more money and the project is nothing more than money grab by the city.
2. Opinions of public do not matter to this council.

3. City wants control over homes and people.
4. Part of the big program from Washington, wherein the gov't want control from cradle to the grave.
5. City will default due to the amount of the indebtedness the city will be incurring.
6. Recall of select members of the council.
7. Rigby does not have a chance to grow because it is not a friendly business atmosphere.

Trevor Rodgers: Questioned if the city had any emergency disaster procedures in place in case of an event. Mr. Dunn explained the county oversees the emergency disaster program. The county is involved in the program and has various meetings throughout the year to keep abreast.

Second question: Why is Santa Claus in attendance?

Being no further public comment, the Mayor reminded council of the need for executive session.

Executive Session:

Councilman Blackburn moved to go into executive session per Idaho Code 67.2345.f, seconded by Councilman Zimmermann. Voice poll of the council all in favor, none opposed. Council enters executive session at 8:07PM.

Council exit executive session at 9:10PM.

Discussion on the Amended Agreement concerning the Rigby Town Square development. Council agreed the \$81,000 offered for the expenses the city has to date with the access being installed by 2015 would be acceptable.

Councilman Simonson moves to accept the amended agreement presented by Willard Price, seconded by Councilman Maloney.

Councilman Simonson	Yes
Councilman Blackburn	Yes
Councilman Maloney	Yes
Councilwoman Hinckley	Yes
Councilman Day	Yes
Councilman Zimmermann	Yes

Executive Session:


Motion by Councilman Zimmermann to enter into executive session per Idaho Code 67.2345.c, seconded by Councilman Simonson. Voice poll of the council – all in favor, none opposed. Council enters into executive session at 9:12PM.

Council exit executive session at 9:15PM.

Adjournment:

Being no further business, Councilman Simonson moves to adjourn, seconded by Councilman Zimmermann. Voice poll of the council- all in favor, none opposed. Council adjourns at 9:17PM.

City of Rigby



Keith Smith, Mayor

ATTEST:



David Swager, Clerk