

City of Rigby  
Council Meeting Minutes  
December 15, 2022

The Mayor Datwyler called the meeting to order at 7:00 pm Thursday, Dec. 15, 2022. The pledge of allegiance was given by Roarke Burke and the prayer given by Mike Wilder.

The mayor asked the clerk to call the roll:

Councilman Orme	Present
Councilman Wilder	Present
Councilwoman Harrison	Present
Councilman R. Burke	Present
Councilman D Burke	Absent
Councilwoman King	Absent

Also in attendance: Mitch Bradley, Chief Fullmer, Ione Hansen

Public Comment:

None

Administer Oath of Office:

Alex Johnson stepped forward and the mayor administered the oath of office to him for the Rigby Urban Renewal Board.

Jon Fackrell – was in attendance on zoom and the mayor asked if he could come the evening of Jan 5, 2023 for the oath for the library board.

Public Hearing – Zone Change INL bus lot:

The mayor indicated the public hearing for the zone change from R-2 to commercial on the INL bus lot and asked if anyone in attendance wished to speak being no one had signed up to speak. Seeing none he turned the time over to the council for discussion.

The mayor stated the reason for the change was that the city was proposing to build a new public works garage on the site and a zone change was needed for it and the use was being used as commercial and not residential.

Councilman Wilder moved to approve the zone change seconded by Councilman Orme.

The mayor called for a roll call poll:

Councilman Orme	Yes
Councilman Wilder	Yes
Councilwoman Harrison	Yes
Councilman R. Burke	Yes

Public Hearing – Final assessments on LID #10:

The mayor asked those wishing to speak concerning their assessments now was the time to come forward.

Paula Johnson: Stepped forward concerning her mother's home on at 310 Tall Ave. Mrs. Johnson complained about the quality of concrete that was poured for her sidewalks and driveway. She also said there were chunks missing out of the curb. She had spoken with the PM of Avail Const. and was informed the problems of the concrete was not their concern. She felt the concrete that was in place prior to the construction was in better condition than what was installed. She presented the council pictures of leaves that were worked into the concrete which is creating ice ponds and Mitch Bradley showed the council pictures of the curb which were missing sections. He concurred with Mrs. Johnson the concrete is poor in quality.

Rick Hall: Stated his property a duplex at 390 and 370 Tall was charged for driveway (\$2,134.55) but his driveways comes off of 3<sup>rd</sup> West and did not have any coming off of Tall Ave.

Paula Johnson: Stated her driveway was torn out but her assessment as shown was not being assessed a driveway. Was she going to be assessed the cost of the driveway?

Jenny Cammack: 142 W 4<sup>th</sup> North – stated her driveway approach is greater than the 1 to 10 ratio she was informed it would be. The slope is way too great and driving into her garage in the winter is causing issues.

Connie McGary: 134 W 4<sup>th</sup> North – also stated her complaint about the driveway approach is too steep; the same as Cammack's.

Connie Wood: 380 Tall asked about the terms of the loan and interest rate. Stated her driveway dips but understand the reason and likes not having a lake in front of her home when it rains.

Jon Fackrell: 490 Marian Ave. His property is the corner property on 4th North and Marian. The side yard bordering 4<sup>th</sup> North was charged for curb, gutter and sidewalk but showed pictures that these items were not replaced. Mitch Bradley agreed, no work was done.

Zundel 510 Marian Ave: Was not in attendance but the assessment roll showed his property on the north side of 4<sup>th</sup> N was charged for curb & gutter but his were not replaced.

Robert McMurry – 110 W 4<sup>th</sup> North – complained about the quality of work done and some not getting done. His landscape has been replaced three times and is still not installed to his satisfaction. A portion of his sidewalk on the north side needs to be replaced. He's talked with the city, the engineer and the contractor and they shift the blame to someone else. He was worried about the warranty period running out and the work not getting completed.

Council discussed why there were so many issues that were not resolved and why were the assessment made with the work being assessed not done. Mitch Bradley replied that's why the city hired Keller an Engineer to oversee the project and to correct items like these. He explained Marvin Fielding from Keller's is out of the office until after the first of the year. Councilwoman Harrison asked if the contractor had been paid. Avail was paid based on the recommendation we received from Keller's.

Councilwoman Harrison moved that they table further discussion and action on the LID #10 until later when answers and correct assessments are completed seconded by Councilman Wilder.

The mayor called for a voice poll to table further discussion: all in favor none opposed.

Reconsideration of Denial of Zone Change – R&S Peterson:

Tabled at the request of applicant.

USDA Small Acreage Program:

No show.

Police Update:

Chief Fullmer gave a report on the Shop with a Cop event. 7 of the city's officers/reserves participated. A total of 70 officers assisted 67 kids last Saturday. The Rigby program had contributions from the Office Bar (\$1,350) and the Top Cat Bar (\$1,000) along with several residents.

Camera in the police department is currently being installed; records are being re-constructed and logged in the evidence room; and discussion with urban renewal about installing safety glass and other safety features in the front lobby.

Contract for IT support:

The mayor stated he had met with representatives of Complete Office Care and they reviewed the work they perform for the city regarding software upgrades, virus protection, backup servers and assistance to the city personnel. They have a yearly service contract with the current monthly fee being proposed \$999.55 versus last year's fee of \$955.95. They provide support service to city hall as well as the wastewater treatment plant. The clerk commented they are very responsive when he calls and has confidence in the quality of work they do. He would not like to change to a different party given everything involved.

Councilwoman Harrison moved to approve and authorize the contract with Complete Office Care seconded by Councilman Orme.

The mayor called for a roll call poll:

Councilman Orme	Yes
Councilman Wilder	Yes
Councilwoman Harrison	Yes
Councilman R. Burke	Yes

1<sup>st</sup> Reading of Ordinance #2022-632 – Rezone of City Property:

Councilwoman Harrison moved to read in title and summary only Ordinance #2022-632 seconded by Councilman Wilder.

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

The mayor reads the title and summary of ordinance #2022-632.

Councilwoman Harrison moved to suspend the rules of the required three readings and move to adopt and publish in summary Ordinance #2022-632 seconded by Councilman Orme.

The mayor called for a roll call poll:

Councilman Orme	Yes
Councilman Wilder	Yes
Councilwoman Harrison	Yes
Councilman R. Burke	Yes

Review of September 2022 Financial Statements:

The clerk reviewed the excel spreadsheet showing the twelve months operations of actual revenues and expenditures versus budget. Overall revenues were exceeding budgeted revenues and expenditures were running under budget. He stated he felt the city had ended the year on a positive note. The auditors were in last week and should have the audit completed in March.

Public Works:

Mitch Bradley did not have anything to report on under public works.

Other Council Business:

None

Approval of Minutes:

Councilwoman Harrison moved to approve the minutes of December 1, 2022, seconded by Councilman Orme.

The mayor called for a voice poll: all in favor none opposed with Councilman R Burke and Wilder abstaining.

Review and Approval of Bills:

Councilman Orme inquired about the bill to Blackline Paving – paving of the airport taxi way which will be reimbursed thru the State Aeronautics board.

Councilman Orme moved to approve the bills seconded by Councilman Wilder.

The mayor called for a roll call poll:

Councilman Orme	Yes
Councilman Wilder	Yes
Councilwoman Harrison	Yes
Councilman R. Burke	Yes

Executive Session:

The mayor stated he would like to hold an executive session to consider the hiring of a public officer.

Councilman Orme moved that the council enter executive session per Idaho Code 74-206(a) – for the consideration of hiring a public officer seconded by Councilman Wilder.

The mayor called for a roll call poll:

Councilman Orme	Yes
Councilman Wilder	Yes
Councilwoman Harrison	Yes
Councilman R. Burke	Yes

Council enters executive session: 8:31 pm

Council exits executive session: 8:51 pm

The mayor stated he was not in favor of renewing the current attorney's contract. The mayor stated he was nominating Sam Angell for the position of city attorney. Councilman Orme moved for the council to confirm the nomination and appointment of Sam Angell to the position of city attorney seconded by Councilman R Burke.

The mayor called for a roll call poll:

Councilman Orme	Yes
Councilman Wilder	Yes
Councilwoman Harrison	Yes
Councilman R. Burke	Yes

Adjournment:

Councilman Wilder moved to adjourn seconded by Councilman Orme.

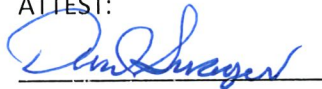
The mayor called for a voice poll to table further discussion: all in favor none opposed.

CITY OF RIGBY



Richard Datwyler, Mayor

ATTEST:



David Swager, Clerk