

City of Rigby
Council Meeting Minutes
June 3, 2021

Work Meeting:

Present: Richard Datwyler, Aliza King, Doug Burke, Becky Harrison, Mitch Bradley, David Swager

Councilman D Burke felt the public works employees are entitled to a \$2.00 per employee pay raise along with Angie and Ione with Mitch receiving an 8% increase. The police dept. also entitled to \$2.00 but for new hires under 1 year service and without post training \$1.00.

Councilwoman King felt a 5% increase across the board for all employees. Councilwoman Harrison felt consideration should be given to the basic job duties and responsibilities for each position.

Sam Tower (entering late) stated he does an individual review for each employee each year. Mitch Bradley stated he hires guys from \$10.00 to \$15.00 and if they don't cut it he lets them go which happened a lot last year. Councilman Datwyler cautioned about salary and other budget items exceeding 3% per year. In the future the erosion from the revenues will slowly eat into savings.

Councilwoman Harrison directed the clerk to figure the impact on the budget and report back as follows:

1. \$2.00 per employee per hour increase for all.
2. \$2.00 per employee per hour increase for all but for Ione, Angie, Mitch and Dave which will be 8-10% increase.

Regular Meeting:

The Council President Datwyler called the meeting to order at 7:00 pm Thursday, June 3, 2021. The pledge of allegiance was given by Doug Burke and the prayer given Richard Datwyler.

The Chair asked the clerk to call the roll:

Councilman D Burke	Present
Councilwoman King	Present
Councilman Datwyler	Present
Councilwoman Harrison	Present
Councilman R. Burke	Absent
Councilwoman Weight	Absent

Also present: Chief Tower, Attorney Dunn, Mitch Bradley

Public Comment:

Melisa Campbell - Expressed frustration since buying her home on 4th North. First her basement was flooded prior to her moving in. After they cleaned up the water, she got notice of the LID assessment for \$16,000. Since then they have been informed their mail boxes will be moved to a cluster at the end of the street. During construction her yard has been littered with trash and cigarettes butts and her driveway blocked by the construction workers vehicles. Mitch Bradley offered explanation of the water was not caused by the city or the construction. The mail boxes was discussed at the public hearing and it was a 50-50 split to have individual boxes or cluster boxes. The council went with the cluster for cost savings. Tower said if the workers are littering, call his office and they will cite them for littering.

Ryan Day: Spoke on two items: 1) pay increases support the police and other dept. receiving pay increases. The city is growing and the work load is also increasing. 2) Special meeting on the annexation: questioned what the hurry was to call a special meeting when regular planning zoning meeting tabled the item. He felt the special meeting denied the public to have comment. Cautioned council from using special meetings.

Burgess Water:

Lynn Johnson came in to discuss the water rights in the Prophet ditch that he waters out of. The city owns water from the Hailey Cr subdivision and he was inquiring if the water the city owns could be retained in his ditch. The clerk indicated he had been in contact with the Burgess Canal and that they were meeting last evening to review the issue. Neither, the clerk or Mr. Johnson was aware of what was decided. The clerk will follow up with the Burgess Canal board as to their findings.

Water Line Extension – 4000 E and 200 North Brian Lott:

Mitch Bradley reviewed the “will serve” letter that was drafted for Mr. Lott to provide city water on 4000 E and 200 North. Mr. Lott will pay the cost of a 4 inch line on 4000 E and for a 2 inch water line on 200 North and the city will pay for the upsize line to a 12 inch line.

Councilwoman Harrison moved to ratify the “will serve” letter subject to the final costs and allocation between the city and Mr. Lott. Motion seconded by Councilwoman King.

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

Alternative to WWTP Expansion – HLE Engineer:

Kyle Jones representing HLE Engineering came forward and offered a proposal wherein HLE would review and calibrate a model:

- to simulate the WWTP loading in summer and winter to determine and understand the existing facilities treatment capabilities for aeration/mixer upgrade in the oxidation ditches; IFAS media; conversion of existing oxidation ditches into a MBR system.
- Develop suggested items for review or investigation if any.

The cost of the model would be \$24,850.

The model is different than the one used by Keller’s. The model may confirm the findings done by Keller’s or suggest alternatives, but until the tests are done it is an unknown.

Council discussed the need for a second test when Keller had already done their study and testing. The clerk suggested a second opinion may bring to light something Keller’s overlooked or had not considered. Councilman D Burke felt that it was similar to an insurance policy. Councilman Harrison felt it was a waste of money at this point in time. The attorney raised a point of the contract of joint drafting which the city was not a part of.

Councilman D Burke moved to approve the contract subject to revisions with the city attorney seconded by Councilwoman King.

The chair called for a roll call poll:

Councilman D Burke	Yes
Councilwoman King	Yes

Councilman Datwyler	Yes
Councilwoman Harrison	No

Amendment to Keller’s Contract – WWTP:

Marvin Fielding from Keller’s Engineering came forward with a revised copy of the contract amendment increasing the amount from \$2.2 million to \$3.9 million. Mr. Fielding indicated the engineering fee has been broken separating the administration, bond counsel and interim financing charges from engineering fees as presented at the May 20, 2021 meeting.

Council discussed the contract amount and felt the \$1.7 million may be excessive averaging 20% plus. Mr. Fielding explained the fee while being viewed as high does involve technical issues with the design and new technology. The clerk questioned the need at this point of expending \$2.9 million on the headworks facility when funding via a grant from USDA is not assured. The engineer fees for the design fees totals \$525,000 which includes final construction. If the project is delayed the city will spend \$317,000 on engineering design which may or may not need to be redesigned for an additional fee when the actual construction is reviewed and started. In the meantime, the city will be paying for the \$317,000 fee over a 40 year term. The clerk also questioned Mr. Fielding as to the percent calculated (22.6%) for engineering fees (\$525,000) on a project estimated cost of \$2.320 million. In the past Keller’s has charging 15% of construction costs. Mr. Fielding explained USDA only allows for lump sum fee contracts.

Councilwoman Harrison questioned the fee charged under “resident project representative” of \$547,000 on a 24 month contract. Mr. Fielding explained that the rate that Keller’s expects to pay out but the fee is only on a time & material basis not a fixed fee.

Councilman Datwyler recognizes the engineer fee as being viewed high but he had no knowledge of what a reasonable fee would or should be. Councilman Datwyler also commented he felt the mayor should be involved in this discussion. Councilman D Burke also felt the fee should be based on 15% of construction costs. He noted that based solely on the engineer cost estimates if the actual construction costs come in below what’s shown the percentage increases over what the clerk calculated. He felt a time & material based contract would be better.

Councilman Datwyler moved to table the decision pending the return of the mayor and to hold a work meeting for Wednesday, June 9 at 7:00 pm. Motion seconded by Councilwoman Harrison.

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

Review of April 2021 Financials and Journal Entries:

The clerk reviewed the city’s financial statements for the period ending April 30, 2021. He commented that overall the revenues to budget percentages were running above average. The expenditures to budget were running below average. He stated a few of the line items within one or two funds were exceeding budget but the overall budget was adequate. He reviewed the journal entries for the period noting there were to record interest earnings and April’s internal work force account.

Water Mitigation:

The clerk presented the council with an agreement for the city to participate with the city of Pocatello’s water rights to avoid a reduction due to the Dept of Water Resource water reduction order. The city had participated in prior years with Pocatello but for one reason or another Rigby’s participation fell by the side. There are currently 16 cities that have and do participate with Pocatello. The fee for Rigby to

join and avoid a water curtailment totals \$7,985.84 payable to the 16 cities. The clerk expressed concern in having the irrigation water in the Burgess Canal reduced the proposed 30% which will have an immediate effect on the South Park.

Councilwoman Harrison moved to approve the agreement to participate with Pocatello's water mitigation and pay the appropriate fee, \$7,985.84. Seconded by Councilman Datwyler.

The chair called for a roll call poll:

Councilman D Burke	Yes
Councilwoman King	Yes
Councilman Datwyler	Yes
Councilwoman Harrison	Yes

Speaker System at Rodeo Grounds:

Taken off agenda

Other Council Business:

Review of Police and Employee's Pay: Councilman D Burke stated the work meeting had discussed two options which the clerk will report back to the council. They are:

1. \$2.00 per employee per hour increase for all.
2. \$2.00 per employee per hour increase for all but for lone, Angie, Mitch and Dave which will be 8-10% increase. Pending this report from the clerk the item was tabled.

George Marriott: Former Councilman George Marriott is celebrating his 90th birthday this Saturday. The clerk asked each of the council members to sign a birthday card to him.

Response Meeting: Sam Tower highlighted the response meeting held last week regarding the school shooting.

Review and Approval of Minutes:

Councilwoman Harrison moved to approve the minutes of May 20, 2021 seconded by Councilman Datwyler.

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

Review and Approval of Bills:

Councilwoman King moved to approve the bills seconded by Councilwoman Harrison.

The chair called for a roll call poll:

Councilman D Burke	Yes
Councilwoman King	Yes
Councilman Datwyler	Yes
Councilwoman Harrison	Yes

Councilwoman King moved to approve the second bill list for the water mitigation seconded by Councilwoman Harrison.

The chair called for a roll call poll:

Councilman D Burke	Yes
Councilwoman King	Yes
Councilman Datwyler	Yes
Councilwoman Harrison	Yes

Executive Session:


None needed.

Adjournment:

Councilwoman King moved to adjourn seconded by Councilwoman Harrison.


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

Meeting Adjourned: 9:26pm



Jason Richardson, Mayor

ATTEST:



David Swager, Clerk