

City of Rigby  
Council Meeting Minutes  
March 16, 2023

The Mayor Datwyler called the meeting to order at 7:00 pm Thursday, Mar 16, 2023. The pledge of allegiance was given by Doug Burke and the prayer given by Mike Wilder.

The mayor asked the clerk to call the roll:

Councilman Orme	Present
Councilwoman Harrison	Present
Councilman D Burke	Present
Councilwoman King	Present via cell phone
Councilman R. Burke	Present
Councilman Wilder	Present

Also in attendance: Mitch Bradley (via phone), Chief Fullmer, Attorney Angell

Amend Agenda:

Councilman Orme moved at the request of the attorney to amend the agenda to allow the executive session 74-206(f) to be discussed prior to adjournment. Councilwoman Harrison seconded the motion.

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

Public Comment:

None

Public Hearing – Annexation RGBY Holdings LLC:

Cody Thompson came forward and reviewed the site on 4000 E and 272 and 260 North. The owners are looking at annexing into the city 49 acres of R-1 home (single family). The property is contiguous to the city limits and they will connect to water and sewer.

The mayor asked if there was anyone who wished to speak (no one had signed up to speak). Seeing none he closed public comment. The mayor then opened the discussion for the council.

Councilwoman Harrison expressed concern with the traffic on 4000 and Hwy 48. General comment was the area was growing and was moving that direction.

Councilwoman Harrison moved to approve the annexation with the R-1 zone designation. Seconded by Councilman Orme.

The mayor called for roll call poll:

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

Chip Seal Bids:

The mayor opened two bids that were submitted for the 2023 chip seal bid. The two bidders were:

- TMC Contractors - \$334,025.72
- HK Contractors - \$319,599.36

Both bids had enclosed respective bid bonds. Mitch Bradley indicated the prices were below what he had penciled in for the cost. After review, Councilman Wilder moved to award the 2023 chip seal bid to HK Contractors in the amount of \$319,599.36 subject to final review and approval from the public works director. Motion seconded by Councilman D Burke.

The mayor called for roll call poll:

- Councilman Orme Yes
- Councilwoman Harrison Yes
- Councilman D Burke Yes
- Councilwoman King Yes
- Councilman R. Burke Yes
- Councilman Wilder Yes

Electrical Bid – Wilson Park:

The council reviewed the tabulation of the bids Harper Leavitt Engineers had reviewed. The bids were:

- Nelson Electric \$144,225
- Mtn. West Electric \$112,000

Councilwoman Harrison was concerned about the differences in a couple of the line items. She was concerned that they would come back to the city and request a price adjustment, as has been done with the engineering fees. Mitch Bradley stated the prices were for known material and their labor cost so the bid should be ironclad. Councilman Wilder said when you added two of the major items together they came to a similar total price.

Councilwoman Harrison moved to award the electrical bid to Mtn West Electric in the amount of \$112,000 seconded by Councilman D Burke.

The mayor called for roll call poll:

- Councilman Orme Yes
- Councilwoman Harrison Yes
- Councilman D Burke Yes
- Councilwoman King Yes
- Councilman R. Burke Yes
- Councilman Wilder Yes

Police Dept Update:

Chief Fullmer reviewed the roof leaking into the evidence room over the weekend. Claims has been submitted to ICRMP. He is looking a enlarging the room by about one-third. The department has advertise for a new patrol officer and he had received three applications to date. The posting is still open.

K-9 Unit Agreement:

Chief Fullmer reviewed the proposed agreement for a sponsorship of a K-9 dog. The Ball Family Trust and Golden Valley Natural will be paying \$27,225 in one-time fees and/or annual fees. Certain veterinary annual expenses are excluded and the police department will pay. The chief indicated three officers have expressed interest in being the dog's handler.

Councilwoman King moved to approve the K-9 agreement seconded by Councilman Orme.

The mayor called for roll call poll:

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

Outfit 2023 Tahoe:

The chief presented a quote he received from Day Wireless Systems in Pocatello. The quote is to outfit the new Tahoe with emergency lights, siren, speakers and other emergency equipment. The price is for \$6,262.22. The council asked about a radio which Chief Fullmer indicated the department has an existing radio which Day Wireless will install the bracket mount.

Councilman Orme moved to approve the quote for the Tahoe from Day Wireless for \$6,262.22 seconded by Councilwoman King.

The mayor called for roll call poll:

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

2<sup>nd</sup> Reading of LID #10 Ordinance #633-2023:

Councilwoman Harrison moved to read in title and summary only Ordinance #633-2023 seconded by Councilman Orme.

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

Mayor reads title and summary of ordinance #633-2023.

Approve of 2023 Audit Engagement:

The accounting firm of Jensen/Poulsen CPA have submitted an engagement letter for the 2023 audit of the city finances. The audit fee is the same as in the prior year, \$24,200, with an additional fee of \$2,400 for the inclusion of the audit for work done under the single audit requirement. The clerk explained the grant the city received for the wastewater treatment plant of \$20 million will require additional audit work to comply with the federal government audit requirements.

Councilwoman Harrison moved to approve the audit engagement agreement with Jensen/Poulsen seconded by Councilwoman King.

The mayor called for roll call poll:

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

Review of January 2023 Financial Statement and Journal Entries:

The clerk reviewed the excel spreadsheet comparing revenues and expenditures – actual and budget. Overall the revenues were within line with expected budget and expenditures were remaining with budget. He noted the snow removal/plowing budget for February is running \$34,000 over budget. In prior years the budget for snow removal has been well under budget but this years the expenditures are exceeding budget. The journal entries were recurring entries for interest and for the internal service fund charges.

ADA Ramp Grant and Resolution # 215-2023:

The city had been awarded a grant of \$60,000 with the state paying 75% of the approved costs and the city 25%. The question arose with a section of the agreement referring to sponsor but in the definition of parties, sponsor was not defined which party is the sponsor – city or state. The attorney indicated in that context the sponsor is the state and it would be best to add the word sponsor in the beginning paragraph.

Councilman Wilder moved to approve resolution #215-2023 subject to the clarification of sponsor seconded by Councilman Orme.

The mayor called for roll call poll:

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

Easter Egg City's Participation:

The mayor asked the chief if the Easter Egg would be held this year. The chief stated it was subject to the park being clear of snow. Possible alternative would be the parking lot in Scotty's South Park or the high school parking lot. Councilwoman King stated she would like to purchase two hover boards. The mayor inquired about the funds the city should have received from his walking to support health from Blue Cross. The did not know if the \$500 had been received but those funds could be used. He would check on the \$500.

Councilwoman King moved to purchase two hover boards not to exceed \$300 seconded by Councilman D Burke.

The mayor called for roll call poll:

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

Internship City's Ball Fields:

The mayor stated he had received two students inquiring about the position and he would be meeting with them next week along with Mitch Bradley. The position is still posted.

AIC Spring Meeting:

The mayor reminded the council of the upcoming AIC Spring Meeting being held April 11 in Idaho Falls. The council interested in attending should contact the clerk for the reservation.

Farmer-Merchant Banquet:

The annual Farmer-Merchant Banquet is being held this year on Tuesday March 30 at the county fair building. The city will purchase a ticket for those attending.

Museum

Councilman Orme stated the museum is looking for volunteers to assist in keeping the museum open. They need volunteers.

Approval of Minutes:

Councilwoman King moved to approve the minutes of Mar 2, 2023, seconded by Councilman Wilder.

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

Review and Approval of Bills:

Councilman Orme moved to approve the bills seconded by Councilwoman Harrison.

The mayor called for roll call poll:

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

Executive Session:

Councilwoman Harrison moved to enter executive session per Idaho code 74-206(f) to discussing pending litigation with attorney seconded by Councilman D Burke.

The mayor called for roll call poll:

Councilman Orme	Yes
Councilwoman Harrison	Yes

Councilman D Burke            Yes  
Councilwoman King            Yes  
Councilman R. Burke           Yes  
Councilman Wilder             Yes

Council enters executive session: 8:20pm

Council exits executive session: 8:40pm

Adjournment:

Councilman Orme moved to adjourn seconded by Councilman D Burke.

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

CITY OF RIGBY



~~Richard Datwyler, Mayor~~

Beddy Harrison, Council President

ATTEST:



David Swager, Clerk

## FAIR HOUSING MONTH PROCLAMATION

*WHEREAS, April 2023 marks the 55th anniversary of the passage of Title VIII of the Civil Rights Act of 1968, commonly known as the Federal Fair Housing Act; and*

*WHEREAS, the Idaho Human Rights Commission Act has prohibited discrimination in housing since 1969; and*

*WHEREAS, equal opportunity for all-regardless of race, color, religion, sex, disability, familial status or national origin-is a fundamental goal of our nation, state and city; and*

*WHEREAS, equal access to housing is an important component of this goal-as fundamental as the right to equal education and employment; and*

*WHEREAS, housing is a critical component of family and community health and stability and*

*WHEREAS, housing choice impacts our children's access to education, our ability to seek and retain employment options, the cultural benefits we enjoy, the extent of our exposure to crime and drugs, and the quality of health care we receive in emergencies; and*

*WHEREAS, the laws of this nation and our state seek to ensure such equality of choice for all transactions involving housing; and*

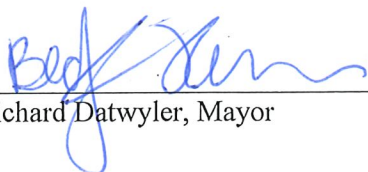
*WHEREAS, ongoing education, outreach and monitoring are key to raising awareness of fair housing principles, practices, rights and responsibilities; and*

*WHEREAS, only through continued cooperation, commitment and support of all Idahoans can barriers to fair housing be removed;*

*NOW, THEREFORE, I, Richard Datwyler, mayor of the City of Rigby, Idaho do hereby proclaim April 2023 to be*

### FAIR HOUSING MONTH

*In the City of Rigby, Idaho.*

  
Richard Datwyler, Mayor

April, 6, 2023  
Date