

City of Rigby  
Council Public Hearing Minutes  
October 9, 2012

Mayor Smith called the meeting to order at 7:00PM Tuesday, October 9, 2012.

**Public Hearing - "Proposed LID Hearings – Dove Ave"**

The Mayor indicated the proposed hearing scheduled for Sept 18, had been cancelled due to the publication notice not being published as requested in the local paper. The hearing for the LID – Dove Ave project had been rescheduled to Oct 9, 2012.

The mayor asked Councilman Blackburn to lead the pledge of allegiance and Councilwoman Hinckley offered the prayer.

Mayor Smith asked the clerk to call the roll.

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

Also present: Attorney Rob Dunn.

The Mayor reminded everyone there were sign up sheets at the front entrance for those wishing to speak – in favor, neutral or opposed. He then reviewed the rules and procedures to be followed. The proponent will be allowed 15 minutes to present their case. Those in favor will be allowed 5 minutes to present their presentation; order to be called will follow the sign in sheets. Those neutral or uncommitted will be allowed 5 minutes for their presentation. And those in opposition will be allowed 5 minutes for their presentation. If there is a recognized entity speaking on behalf of a group they will be allowed 15 minutes. If rebuttal is needed, the presenter will be allowed two minutes as will those in opposition. He then reminded everyone if they wished to speak to sign in.

Being none the Mayor asked Officer Jenkins that the sign in sheets be brought forward.

Being the city was the presenter he asked the city clerk to come forward and present the city's position. He asked attorney Dunn to keep track of the time.

**Proponent:**

City Clerk came forward and outlined the need for the LID on Dove.

The clerk recapped the 2010 water study report issued by Keller & Assoc in 2010. In their 2010 report they cited five areas of concern:

- Projected usage in the coming years will exceed the city's permit.
- Insufficient pumping capacity to meet peak water flows.
- Inadequate storage.
- Concern with fire suppression with current fire hydrants with 40 being antiquated or broken.
- Inadequate water lines with a mixture of 8 inch and 4 inch lines in various parts of the city.

The reason Dove Ave is being considered for a LID was that it was cited in the water report as having:

- Thin-walled PVC pipe which are prone to breakage and leaks.
- Connection between Dove and Farnsworth is difficult to access.
- Residences complaints with low water pressure.

Additional reasons to use a LID on Dove is to:

- Maximize the costs efficiency regarding road asphalt. With the sewer line being completed and part of the road being replaced with new asphalt it was not deemed to be cost efficient to pave a section of the road then tear it up and replace it with a second road surface when the water line was replaced.
- LID is feasible under the LID being that the Dove line does not branch to any other street and the only beneficial users of the line are the residences living on Dove.

If the project is approved the road on Dove will be completely repaved without a patch work of patches. The patches will over time separate and create water penetration allowing for the erosion of the road base.

The clerk reviewed the cost allocation of the project. The residences will pay for the section of pipe that runs through their subdivision roughly 1,500 feet. The city would pay for the section of pipe that ends at Edmark and connects back into Farnsworth. The pavement of roughly 28 feet of asphalt would be paid with city funds and 10 feet paid by the residences.

The allocation of the cost of the project is roughly 69% to the city and 31% to the residences. Based on engineer's cost estimate the total cost of the project including engineering fees and a 10% contingency allowance would total \$660,000. The homeowners assessment based on 1,500 feet would be around \$51.36 per lineal foot.

The clerk concluded his statement.

The Mayor indicated there was no one signed up to speak in favor of or neutral to the project. He then indicated there were four who signed in opposition having signed up would speak in the order of the sign in sheet.

### **Opposed:**

#### **Bob Zeal – 152 Dove:**

Mr. Zeal indicated the project was needed but felt that given the current economic conditions now was not the time. He expressed concerns for the older homeowners living on fixed income and for newer couples living on limited income. He concluded the water line was needed but now is not the time to burden the residences with added costs and fees.

#### **Glenn Rose- 167 Dove:**

Mr. Rose commented that he lives on social security disability and lives on fixed income. He listed a series of questions: why is his city services fees higher than his property taxes? He has concern about how the LID collection process is handled. He stated he had served on a voluntary committee and why they are being charged a connection fee and being charged twice on asphalt. He also wanted a guarantee that they would not be charged twice if the city did a city wide LID project.

**Richard Stephenson – 185 Dove:**

He asked with the starting of the sewer project five months earlier why the water lines weren't done at that time instead of now. He was concerned with the amount of dust being created.

**Bob Breckenridge – 258 Dove:**

Inquired if the letter he sent in had been received. He questioned the transparency of government. Wished the public had had more involvement with the project. Questioned the \$138,000 paid Keller for the study. Questioned the validity of the council not talking with the residents. Felt the residents living on Dove cannot afford the project. Stated the last time he spoke before the council he had volunteered his time to conserve water usage and reduce the cost of the water line and had not heard back from the city.

**Glen Rose** – requested additional time to speak. He reminded the council that Keller knew the problem with the water line over 10 years ago when the line collapsed so why has it taken so long to address the problem.

Being no further public comment the Mayor closed the public portion of the hearing at 7:37PM.

The Mayor then asked the attorney if he wanted to make any comment to the public.

**Attorney Dunn:**

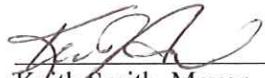
Attorney Dunn felt the need of the council to remain impartial during this process is the reason the city had Keller's do the brochure and talk with the residences.

**Adjournment:**

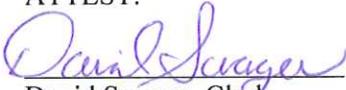
Having no further comment, Councilman Maloney moved to adjourn seconded by Councilman Zimmermann. Poll of the council: all in favor none opposed.

Meeting adjourned 7:39PM.

CITY OF RIGBY

  
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Keith Smith, Mayor

ATTEST:

  
\_\_\_\_\_  
David Swager, Clerk

### Dove Ave:

- **Water Report 2010**- Completed by Keller and Assoc. Identified specific needs relating with city's water system

- Usage exceeding water permit
- Insufficient pumping capacity to meet peak flows
- Inadequate storage  
confirmed by Rocky Mtn Environmental in June 2012

### **Fire suppression:**

- 200+ substandard and broken fire hydrants -40 antiquated or broken - \$300,000

### **Other areas needing upgrading having insufficient fire flows:**

- 8" line – West 2<sup>nd</sup> North from N 3<sup>rd</sup> West
- 8" line – Circle Drive with fire hydrant – does not have current fire hydrant
- 8" line – Summers St to 12" line at fairgrounds
- 12" line – on Railroad Ave – replace existing 4"
- 8" line – West Fremont to North 1<sup>st</sup> West.

### **Water lines needing replacement/upgrading:**

- West 1<sup>st</sup> North – 8 homes served with dead end water line -
- Alley between W 1<sup>st</sup> South and W. 2<sup>nd</sup> South -Replace 4" steel line
- Upgrade existing services:
  - Replace 2" lines with 8" – 800 feet
  - Replace 4" lines with 8" – 7,500 feet
  - Replace 6" lines with 8" – 14,518
    - Cost pipe replacement - \$1.1 million

### Reason why Dove was selected:

Area has been identified as needing replacement/upgrading -

- Thin-walled PVC pipe prone to breaks and leaks various sizes of pipe -
- Connection between Dove and Farnsworth difficult to access
- Residences low water flows

Cost to complete all deficiencies - \$3.9 million.

### Additional Reasons Dove was selected:

- Max use of road asphalt – with completion of sewer lines and water lines everything below road will have been replaced
- Single resurface of road surface – without patches -Distance between sewer and water lines and cross cuts for service lines – unable to make single trench without disturbing adjacent area
- **Not cost effective** to replace and years later re-excavate
- LID feasible water line on Dove is not a branch or service line to any other homes in the city.

LID #2 – construction for surface restoration only – no water/sewer lines

500 feet from Edmark to Farnsworth – looped line with no other services - Water services for car wash, dist health, Laundromat, and apartment complex comes off lines from Farnsworth.