

City of Rigby
Council Public Hearing Minutes
October 10, 2012

Mayor Smith called the meeting to order at 7:00PM Wednesday, October 10, 2012.

Public Hearing -“Proposed LID Hearings – 1st North – 3rd West to 4th West”

The Mayor indicated the proposed hearing scheduled for Sept 19, had been cancelled due to the publication notice not being published as requested in the local paper. The hearing for the LID – 1st North – 3rd West to 4th West project had been rescheduled to Oct 10, 2012.

The mayor asked Councilman Day to lead the pledge of allegiance and Councilman Zimmermann 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 in attendance Chief Hammon and attorney Dunn.

The Mayor reminded everyone there were signup 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.

The Mayor stated there had been a number of letters that have been received and they will be entered into the official record of the hearing.

Being none the Mayor asked Chief Hammon 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 Councilman Day to keep track of the time.

Presenter:

The clerk indicated the city has given notice as required by state code 50- 1703. One of the considerations to be considered is a) how it relates to health, safety and welfare of the residents of the proposed district or of persons having the necessity to travel through the district and b) the financial impact of the creation and implementation of the objectives of the proposed district.

Reasons for the road improvement along 1st North: prior councils made decision in 1980's to upgrade all of the city road with adequate curb, gutter, drainage and full width pavement; roads without the above are expensive to maintain and lastly public safety.

The clerk reviewed the history beginning with the first LID on Dove and council adopting regulations for curb/gutter and drainage. Roads without curb/gutter the road base is undermined with water infiltration and soft shoulders in spring that break the asphalt a part, and finally public safety.

Under public safety the clerk indicated the school district is required to bus elementary children that attend a school that is further than 1.5 miles must be bussed. Secondary students must also be bused but the school district can have a common collection point in and around the city. Currently there are 26 elementary students residing in and around 1st North that have door to door pickup service. There are around 5-6 middle school children that walk down 1st North to a collection point on 3rd West. With the closing of the junior high next year the number of junior high students currently walking 1st North to attend school will be walking to a collection point either on 3rd West or 1st North depending on the number of students.

Second concern for public safety is the increase traffic and pedestrian using 1st North to attend church functions on 5th West. 1st North is the only access road other than Highway 48 for pedestrian traffic to use. The road does not have sidewalks and children along with adults walk in the road traffic lane when walking to and from the church.

Design Concept:

The road with sidewalks will fit within the city boundaries for the road with 42 feet back of curb to back of curb and 5 foot sidewalks on either side of the road. The deed for the road that is in the Hill Subdivision has been located as being 66 foot wide and it was deeded to the city in 1916. The Lake and Meisinger subdivision have deeded property to the city with 60 foot access. There is a small section of the existing 1st North which is in question but research is being done for the legal deed for the road.

Long Term Improvements:

The infrastructures under the road (water and sewer lines) are current and up to date. The Lake/Meisinger subdivision have concrete sewer pipe and is excellent condition.

In 1996 the city installed a new water line the entire length of 1st North from 5th West to 3rd West.

The sewer pipe running east from 4th West to 3rd West is new PVC pipe and has a 50 plus year life expediency. The current condition of the road from 5th West to 4th West has deteriorated to the point that any ongoing maintenance would be a waste of money. The road is plagued with cracking and asphalt undermined with soft road base. The road that did exist from 4th West to 3rd West was worse than the upper section but with the sewer project the road is now a gravel base road. The road with only a asphalt overlay would be a temporary fixed with an estimated life of around 10 years or less given the amount of traffic.

Cost breakdown:

The proposed LID district would have the city paying for the 28 foot traffic lanes, sidewalks and lights. The individual homeowners would be asked to pay for their 5 feet of parking lane, curb/gutter and driveway approaches. The engineer has estimated total cost of the project is around \$351,000. The project includes sidewalks and lights if elected to be installed the cost would not change to the homeowners if the council decides not to install them.

The homeowner beneficial cost would be \$78.66 per lineal foot.

The clerk concludes his presentation.

The Mayor noticed there were several persons who entered the meeting late and if they wanted to sign the sign-in sheet he asked them to do so now.

The Mayor indicated the next order of business would be to hear from those in favor of the project. There are two individuals who signed the sheets to speak in favor.

Speaking in Favor:

Scott Stoker: - 215 N 5th West: Mr. Stoker spoke that he was in favor of the street improvement. He felt the city is making improvement in and around the city. The current road needs improvement. There are a number of persons who favor the improvements but did not want to be involved in the controversy. He commented that when they began Hunter Creek subdivision they had to install 42 foot roads with curb, gutter and drainage. He said everyone uses the road and everyone with curb and gutter has at one time or another has paid for the improvements. The road needs improvement let's do it.

David Grant – 482 N 5th West: Spoke that when he moved into the neighborhood there was contention involving 1st North. He felt the fighting that is going on has gone on long enough. The amount of people using the road is increasing. Children use the road and safety is a concern. The time has come to heal the factions but the road needs improvement. Blame could be directed but it would not do any good. We need good road and sidewalks. Expensive lighting is not a top priority. We need it done.

Speaking in Opposition:

The mayor asked if there was any person wishing to represent a group of homeowners. Being none the Mayor called first person signing to speak in opposition to come forward.

Dina Johnson – 446 W 1st North: Mrs. Johnson handed out a prepared letter which she distributed to the council. Her main concern was the affordability of the project. She felt given her current finances her and her husband cannot afford two mortgage payments on the two homes they own, plus child support. Her husband has not had a pay increase for the past two years. The renter they had in the home had to move out due to the flooding the city caused when the water line broke. She is opposed to street lights. Dust during the summer has been extremely high.

Darwin Dinsdale – 449 No 1st West: Wanted confirmation of the protest letter mailed in – (clerk confirmed the receipt of the letter). He felt the pamphlet that was handed out, the person handing them out could not answer the questions asked. He wanted the road constructed as was done on Annis Highway. Limiting the road to what is similar to Annis would not put a burden on homeowners. There are three alternate routes that could be used: 1) extend 2nd North – Purchase the home on 4th and put a road in through 2nd North. 2) Access through the Peterson property – purchase the Lowder property and put a road into 3rd West. 3) Extend 4th West out to Hwy 48. The city tore up 1st North and need to replace the road they tore up. The road you want to put in only benefits the developers.

Barbara Gentle – 191 N 3rd West - Owns the old Hill property and is concerned with the loss of the pine trees along 1st North. The Hill house is a historical home and does not want the landscaping destroyed.

Deanne Dinsdale – 449 N 1st West: Quoted an article written in the Jefferson Star where a resident complained about driving on a mud road. Let him drive on 5th West. Stated they paid for a prior LID and only got a chip seal. When they moved there the road was just a county road. Developers have moved in and created the traffic problem. People can't sell their homes. The street has had sewer and water issues

all year. The road is a speedway and the police do not do a thing about it. Discussed the open meeting laws and questioned the reason why council cannot talk with citizens. There are other streets in town without sidewalks why is 1st North having to have them installed. Felt Rigby is dying.

Joe Sites – 212 N 4th West: Concerned about the lack of information regarding the LID. The map does not provide where is property boundary is. He doesn't know what his footage is. He want to know what is price would be on a hard money bid and what is assessment and footage is. Wanted to know what the term of the LID is – is it 5 years, 10 years, 15 years. Also has concern with the manhole at the intersection of 1st North and 4th West. It's been all summer with an open manhole.

Rebuttal:

The Mayor read the procedures relating to rebuttals.

City Clerk: The clerk questioned if his response was a rebuttal but rather more informational. He stated the meeting was only for the intent to create an LID District. If the council decides to proceed then hard number bids would be obtained and then the hard number assessed to each homeowner would be known.

He then mentioned the LID term can be for 10, 15 or 20 years. And the interest rate charged would vary based on market. He then reviewed what the assessed cost for a 75 foot lot would be around \$5,700 and on a 10 year note at 5% monthly payment would be \$60.46; for a 15 year note the monthly payment would be \$45.08 and for a 20 year note the payment would be \$37.62.

He again reiterated these are not hard number costs and this hearing is only one in a number of future hearings.

Rebuttal Opposition:

Dina Johnson: Felt that the road is to be torn up and the plan is to not repair it until next year – she finds this unacceptable.

Darwin Dinsdale: Feels that even with the road being torn up people still drive 50 mph down the road. Widening the road will only allow increase speed.

Being no further rebuttals the Mayor closed the public hearing at 8:00PM. He further added that the council will deliberate and make a decision on the LID during the October 30 council meeting.

The Mayor asked the attorney if he had any comments to make. The attorney felt the council gave the public the opportunity to obtain additional information some may have found the process inadequate. However the council can still obtain information on the project.

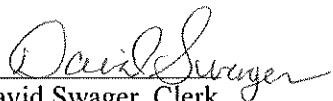
Being no further business: Councilman Simonson moved to adjourn seconded by Councilman Zimmermann. Mayor polled the council: all in favor none opposed.

Meeting adjourned 8:05 PM

CITY OF RIGBY


Keith Smith, Mayor

ATTEST:


David Swager, Clerk