

City of Rigby
Council Meeting Minutes
May 4, 2023

The mayor called the meeting to order at 7:16 pm Thursday, May 4, 2023. The pledge of allegiance was given by Becky Harrison and the prayer given by Doug Burke.

The mayor asked the clerk to call the roll:

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

Also in attendance: Mitch Bradley, Chief Fullmer, Attorney Angell

Amend Agenda:

Councilwoman Harrison moved to amend the agenda to allow for an action item, the approval of an airport grant which just came to the city Thursday morning seconded by Councilwoman King.

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

Public Comment:

- Barbara Monroe: Complained the city would not release the council private emails addresses to the public, the request for information that was submitted in January was late and incomplete, her reception to the city was anything but pleasant and living in Rigby costs more than living in Boise.
- Jadin Jackson: The UV water trough test has been completed and passed. After two attempts it passed on the third test run after a 5-day test period (had previously stated the test would be run for 7 days). The manholes information requested for the sewer study has been given Mitch on a flash dive for all the work Keller done from 2009 to 2023.

Shaved Ice Vendor in the Parks:

Carla Barlow as part of her senior project would like to have shaved ice food truck setup in the two city parks. The unit is self-contained, and they have all the health permits as required. The council discussed the dates, location, and times the vendor would be at the parks.

Councilman Wilder moved to allow Ms. Barlow to have the shaved ice truck set up from May 4, 2023, to October 1, 2023, in Scotty's South Park to be located on the east side of the parking lot from the hours of 11:00 am to 3:00pm on Sunday and for the baseball Monday – Thursday from 12:00 to 7:30pm (Barlow will provide the dates for the baseball later). Motion seconded by Councilwoman King.

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

Building Inspector Contract:

Ione Hansen reviewed the revised contact she had received from Jim Lynch for him to do the city's building inspections. The council discussed that perhaps it may be best to look for other individuals who

may be interested in providing the service to the city. Concern was expressed about Lynch not having the necessary software. Councilman Wilder felt it best if the council did their due diligence and not take the first vendor that comes with a proposal perhaps consider an RFQ or advertising for an inspector.

Transportation Plan:

Renae Harding from Harper Leavitt Engineers presented the council with the completed 2023 transportation plan. Her one major point would be for the city to change its functional classification of roads according to FHWA Highway Functional Classification Concepts. Doing so would qualify the city to receive funding under the national highway safety plan. Overall the streets of the city rank in the top percentile of 94% with one street having a rating of 71%.

RFQ Committee:

Mitch Bradley presented the council with the proposals he had received for the RFQ for engineering services. The firms responding were: Civil Science, Keller's, S&A Engineers, Great Western, Murray-Smith Associates, JUB Engineers, HLE, Horrocks, Forsgren Engineer, and Connect Engineering. All of the listed firms met the due date of April 25, 2023, at 5:00pm. It was suggested the committee members each take one or two proposals and review them over the next week or two.

120Water Agreement:

Mitch Bradley reviewed the proposal he had received from 120Water. DEQ is mandating the city identify each individual water service line for each household and business. The city lacks the manpower and equipment to comply with the mandate. Other cities have retained 120Water to do their work. They are proposing a fee of \$13,077 to perform the work. The council was in support of the agreement but being the attorney had not reviewed the agreement the item was tabled for May 18, 2023.

USDA-RD Loan Commitment:

Mitch Bradley is requesting the city turn back the loan commitment given the city by USDA-RD for \$9 million loan. The loan was originally establish to assist in the funding of the wastewater treatment plant expansion. Being the bids for the expansion came in lower than the engineers' estimate, the state granting a 100% grant of \$23 million to the city for the construction and being the work to date has passed the possible contingency issues there is no need to keep USD-RD loan on tap. Releasing the commitment will allow another entity to utilize those funds. It was also mentioned the requirement contained in the USDA-RD loan requires 100% American made products. This has caused delays in complying with that requirement. Jadin Jackson from Keller mentioned the bids were sent with that requirement being requested and they will continue to require 100% American made products installed. Rick Miller from the Development Co. said that if the city were to request new funding for a new project the city would need to reapply. The council asked the clerk if the city had sufficient reserves to assist in shortfalls arising from changes. He responded yes to a limited degree.

Councilwoman King moved to notify USDA-RD of the city's decision to turn back the WWTP loan commitment seconded by Councilman D Burke.

The mayor asked the clerk to poll the council:

Councilwoman King	Yes
Councilman D Burke	Yes
Councilman Wilder	Yes
Councilwoman Harrison	Yes

Police Evidence Room:

Chief Fullmer stepped forward and presented the council with two bids he had received to remodel and upgrade the police evidence room. He requested bids to erect two masonry walls with a pass-through evidence drawer, total cost of \$16,768. He is proposing funding the cost room with 50% coming from the drug forfeiture fund and 50% from the Rigby Urban Renewal Agency. He stated the proposed changes to the front lobby could be set back to next year being he felt the evidence room security is more important.

Councilwoman King moved to approve and authorize the two bids (ABS Architectural Supply \$7,517.94 net of sales tax and Palisades Masonry for \$9,250) for the evidence room seconded by Councilwoman Harrison.

The mayor asked the clerk to poll the council:

Councilwoman King	Yes
Councilman D Burke	Yes
Councilman Wilder	Yes
Councilwoman Harrison	Yes

In Car Video Cameras:

Fullmer presented the council with two bids for in-car video recordings. The one bid from Premier Vehicle Installation is for 4 cameras at a total fee of \$19,897 (\$4,974 ea.). The second bid from Motorola for 5 cameras total \$34,450 (\$6,890 ea.). Fullmer mentioned he prefers the Premier camera with their Wi-Fi function and lower unit price. The department has a homeland security grant of \$12,000 which can be used for the cameras with the city paying the difference. Two cars have nonfunctioning cameras, and he has three cars on order are not equipped with cameras. The council had concern where funding would be coming from the clerk indicated the equipment line in the police department may have funds available, but he was unsure without looking. The capital improvement fund did not have funds available. So, the funding would either come from the police equipment line item or from the general fund discretionary fund. He will advise the council at the May 18 meeting. Item tabled until the 18th.

3rd Reading of Ordinance #2023-634 – Annexation of RGBY Holdings LLC:

Councilman Wilder moved to read in title and summary only ordinance #2023-634 seconded by Councilwoman King.

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

Mayor reads in title and summary ordinance #2023-634.

Councilwoman King moved to adopt and publish in summary ordinance #2023-634 seconded by Councilwoman Harrison.

The mayor asked the clerk to poll the council:

Councilwoman King	Yes
Councilman D Burke	Yes
Councilman Wilder	Yes
Councilwoman Harrison	Yes

Consideration of Pay Increase Council:

Council discussed the possibilities of getting a salary increase for the mayor and council. It was noted the last increase was 10 to 11 years ago. Pros and cons of requesting the increase or not seeking an increase was discussed. The attorney mentioned one consideration to consider that given the passage of time since the last increase further delays may make the decision harder to justify because it will take a larger increase to bring the salaries into line with other cities. Councilman D Burke mentioned a \$200 per month increase for the council and a \$250 a month increase for the mayor would still be below other cities of comparable size. Councilwoman Harrison stated she did not feel justified in seeking any increase and felt the position is one of power which should not be overly compensated. Councilwoman King was not aware that the position was a paid position when she took office. Councilman Wilder felt the discussion should be before the full council and suggested tabling the discussion until such time.

2023 Ground Water Mitigation Agreement:

The city has over the past few years participated in the city of Pocatello’s agreement of participation between the surface water coalition and ground water appropriators. If the water resource board cuts Rigby’s ground water allocation the agreement will allow the city to pull from the surface water contained in the Pocatello’s agreement. The fee to the city is based on a 5-year average usage of 2,504 acre-feet of water at a cost of \$9,390. The mayor indicated it was insurance and offers the city some level of comfort from any water curtailment.

Councilwoman Harrison moved to authorize the city participation at a fee of \$9,390 seconded by Councilwoman King.

The mayor asked the clerk to poll the council:

- Councilwoman King Yes
- Councilman D Burke Yes
- Councilman Wilder Yes
- Councilwoman Harrison Yes

2002 Quit Claim Deed:

In 2002 the city council agreed to quit claim roughly 5 feet of real estate that border Eric McCauley property located at 450 Marian Court. The city drafted ordinance #494 which was approved by the council on March 19, 2002, but the ordinance was never recorded at the county clerk’s office. Total property involved totaled 509 sq. feet. The clerk was requesting ratification of the ordinance by this council and for its recording with the county clerk.

Councilwoman Harrison moved to ratify ordinance #494 and to record the ordinance with the county seconded by Councilman Wilder.

The mayor asked the clerk to poll the council:

- Councilwoman King Yes
- Councilman D Burke Yes
- Councilman Wilder Yes
- Councilwoman Harrison Yes

Resolution for setting rate for research and copies:

The city has seen an increase in the request for information involving pages more than 100 pages. Presently the city does not have fees associated with researching and printing/copying copies. The

attorney stated Idaho statutes allow for fees to be charged with the request exceeding 100 pages. He recommended the city adopt such a fee schedule that the fee would be for the lowest qualified to assemble the information. Council conscious was to draft such a resolution.

Airport Grant:

The received a grant application this morning for the funding from the Idaho Department of Aeronautics for \$5,267 for 100% funding of a lighted windsock. Being the windsock antenna is planned to be moved changing it now with the addition of electricity would be an advantage to both move the pole and get it electrified.

The mayor asked the clerk to poll the council:

Councilwoman King	Yes
Councilman D Burke	Yes
Councilman Wilder	Yes
Councilwoman Harrison	Yes

Other Council Business:

- Ribbon Cutting – the mayor stated there will be two ribbon cuttings coming up: Holiday Shop and Family Dollar. He indicated he won't be able to attend and asked who could attend them. Councilwoman Harrison could do one of them.
- Indemnification Agreement – the mayor said he had received the written request for indemnification from the canal company to allow the city to place a water discharge line in the bed of the canal. The council had discussed this several months ago and he wanted to update the council on his intention of signing the agreement. The attorney reviewed the agreement and was okay with the city executing it.
- Signage on Private Property- Councilwoman Harrison said she has received a complaint from a resident of commercial sign being placed on private property but usually fall into the street. The city will review the ordinance and talk with the business owner. The attorney will review the ordinance and see if there can be some enforcement put in place to assist compliance.

Approval of Minutes:

Councilman Wilder moved to approve the minutes of April 20, 2023, seconded by Councilman D Burke.

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

Review and Approval of Bills:

Councilwoman King moved to approve the bills for May 4, 2023, seconded by Councilwoman Harrison.

The mayor asked the clerk to poll the council:

Councilwoman King	Yes
Councilman D Burke	Yes
Councilman Wilder	Yes
Councilwoman Harrison	Yes

Adjournment:

Councilman D Burke moved to adjourn seconded by Councilwoman King.

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

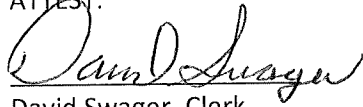
Meeting adjourned: 9:30pm

CITY OF RIGBY

A handwritten signature in black ink, appearing to read "Richard Datwyler", with a long horizontal flourish extending to the right.

Richard Datwyler, Mayor

ATTEST:

A handwritten signature in black ink, appearing to read "David Swager", written in a cursive style.

David Swager, Clerk