

City of Rigby  
Council Meeting Minutes  
May 7, 2020

Mayor Richardson called the meeting to order at 7:00 pm Thursday, May 7, 2020. The pledge of allegiance was given by Richard Datwyler and the prayer given Doug Burke.

The mayor asked the clerk to call the roll:

Councilman Datwyler	Present
Councilman D Burke	Present
Councilwoman Weight	Present
Councilman R. Burke	Present
Councilwoman King	Present
Councilman Davis	Present

Also present: Chief Tower, Mitch Bradley, and Robin Dunn

Public Hearing:

Annexation 60 Acres with zone request – 350 N 3800 East: Removed from agenda at request of applicant.

Annexation 34 Acres with zone request – 439 N 4000 East:

Planning-Zoning Administrator Rigby's lone Hansen came forward and reviewed the application that was approved by Rigby's planning-zoning commission. The application is for the annexation of 34 acres off of Rigby Lake Drive and for the creation of a RV park within the 34 acres. The 34 acres contains an existing fun park known as "Squealers" and the addition of RV park.

Kent Hansen came forward and reviewed what his plan for the RV park would be. He stated the RV park in Idaho Falls is also owned by him and he wants to mirror that park with the Rigby park. They have a good reputation of clean and well maintained facility. In addition to the parking spaces he is going to build showers and laundry facility.

The mayor asked if there were any persons who had signed up to speak: Being none he then read a letter received from Kim Cooper who stated his opposition to the RV park. In his letter he cited decrease in market value to his proposed single family home development. He requested that the RV park erect a 8-foot concrete wall subject to his approval. (Copy of letter in p/z file.)

Being no further speakers, the mayor asked Mr. Hansen if he would like to address the comments made by Mr. Cooper. Mr. Hansen again stated his RV park in Idaho Falls has a good reputation and his intention is to maintain that standard of operation in Rigby.

Council discussion:

Councilman D Burke: Felt the fence as requested by Mr. Cooper is not appropriate in that Cooper has yet to do anything with his ground.

Councilwoman Weight: Could see both side of the issue. But couldn't see a concrete fence where the code requires a privacy fence or trees to act as a buffer.

Councilman Davis: Commented that Mr. Cooper has not begun any development on his ground.

Councilwoman King: Felt the RV park adjacent to Hwy 20 is a good fit for the location.

Councilman R Burke: With the RV park he couldn't see it being an issue as the spaces are for short term rental and long term is not allowed.

The mayor commented that the RV ordinance limits continuous parking to 3-month.

Councilwoman King moved to annex the 34 acres as commercial property at the address of 439 N 4000 East with a RV park. Councilwoman Weight seconded the motion.

The mayor asked the clerk to poll the council:

Councilman Datwyler	Yes
Councilman D Burke	Yes
Councilman R. Burke	Yes
Councilwoman King	Yes
Councilman Davis	Yes
Councilwoman Weight	Yes

Amended Plat with change in zoning – 4100 E and Hwy 48:

Ione Hansen came forward and reviewed the proposed amendment to the Hailey Creek plat. The applicant amended plat was approved by the city's planning/zoning commission on April 9, 2020. The application wants to amend the plat and remove the commercial zoning and making it R-2. They also modified the plat for changes in road width and other changes that were modified by the city since the plat was first platted. Central Fire has reviewed the amended plat and approved it.

Dan Larsen representing the owner and Kartchner Land Management stated the changing of the zone from commercial to R-2 will allow them to build townhomes on the site with increased green space and parking. The amended plat only affects that area that was originally zoned commercial. Being the location of Hailey Cr is outside of the "general commercial area" of the city, and would not be developed as commercial where a R-2 zone adjacent to the school would be a better fit.

The mayor asked if anyone had signed up to speak: There were none.

The council asked about ITD permission with the change. Mr. Larsen stated that traffic study would show heavier traffic in a commercial zone than that of a R-2 zone. The existing entrance off of Hwy 48 would not change and there were be one on 4100 East.

Councilman Datwyler moved to approve the amended plat and change in zone from Commercial to R-2 seconded by Councilman D Burke.

The mayor asked the clerk to poll the council:

Councilman Datwyler	Yes
Councilman D Burke	Yes
Councilman R. Burke	Yes
Councilwoman King	Yes
Councilman Davis	Yes

Councilwoman Weight                      Yes

Piggy-Back Agreement – Out of State Vendor:

Mitch Bradley came forward and informed the council that the city needed to purchase a generator for the new well #5. There is a cooperative purchasing agreement with an out of state co-op. Under Idaho code 67-2807 for the city to participate in a co-op with an out of state vendor the council need to approve such an agreement. The agreement before the council is with SourceWell out of Minnesota with access to the procurement of generators that the city is hoping to acquire.

Councilman Datwyler moved to approve the co-op agreement with SourceWell seconded by Councilwoman Weight.

The mayor asked the clerk to poll the council:

Councilman Datwyler	Yes
Councilman D Burke	Yes
Councilman R. Burke	Yes
Councilwoman King	Yes
Councilman Davis	Yes
Councilwoman Weight	Yes

Slurry-seal rodeo grounds parking lot:

Mr. Bradley stated the need to seal the rodeo grounds parking lot. At first he was going to micro seal the parking lot but in talking with contractors, they indicated with cars turning on the asphalt it would not hold up. A preferred method would be to use a slurry seal. He's obtained a bid from Klinger Asphalt who would do the slurry for \$31,500, crack seal where needed for \$900 and restripe the parking spaces for \$5,330 for a total of \$37,730. The bid to do the micro seal was for \$80,400. The slurry seal and the micro seal both will hold up for 3-4 years until it needs to be done again, based in large part on traffic and use. With the savings of \$43,000 between the two, he felt the slurry seal is the better way to go in addition the micro seal did not include crack seal or restriping.

Councilman Datwyler moved to approve the slurry bid of \$37,730 seconded by Councilwoman King.

The mayor asked the clerk to poll the council:

Councilman Datwyler	Yes
Councilman D Burke	Yes
Councilman R. Burke	Yes
Councilwoman King	Yes
Councilman Davis	Yes
Councilwoman Weight	Abstained – due to potential conflict with family member.

Rocky Mountain Power:

Mitch Bradley wanted to inform the council that Rocky Mountain Power through the efforts of Tim Solomon obtained 13 60-foot power poles for the city. The poles will be used for future lighting projects in the Scotty's and Central park.

#### Engineer Contract – Lift Station:

Mr. Bradley stated that one of the items coming up in the next couple of years is the installation of second sewer pressure line along the Annis Hwy. The county will be doing a reconstruction of the Annis Hwy in either the year 2021 or 2022. As part of this the city needs to install a new lift station at the intersection of Annis and 400 North. This second lift station will allow the city to split the city in two halves. For sewage east of State St would be rerouted to the new sewer line on Annis and those west of State will continue to use the existing line on 3<sup>rd</sup> West. The line on 3<sup>rd</sup> West is nearing capacity and with the splitting of the city into halves will reduce the 3<sup>rd</sup> West line by one-third.

Mr. Fielding came forward and reviewed his contract with the council. The contract for \$112,885 is broken into phases with the flow study being done now at a price of \$12,680. This is needed to engineer the new lift station and the sewer lines on Annis and 4<sup>th</sup> North to be gravity flow along with other items needed.

Councilman Datwyler moved to approve the contract for the East Rigby Reroute in the amount of \$112,885 seconded by Councilwoman King.

The mayor asked the clerk to poll the council:

Councilman Datwyler	Yes
Councilman D Burke	Yes
Councilman R. Burke	Yes
Councilwoman King	Yes
Councilman Davis	Yes
Councilwoman Weight	Yes

#### Pretreatment Study Wastewater Treatment Plant:

Scott Humphreys presented the council with two informal bids for the study on the city's pretreatment guidelines. The two bids are: CWA Consulting -\$38,000 and Keller Eng. - \$37,000. Estimated time to complete study is six months. Both vendors have been preapproved by DEQ.

Councilwoman Weight moved to accept the Keller bid at \$37,000 seconded by Councilman R Burke.

The mayor asked the clerk to poll the council:

Councilman Datwyler	Yes
Councilman D Burke	Yes
Councilman R. Burke	Yes
Councilwoman King	Yes
Councilman Davis	Yes
Councilwoman Weight	Yes

#### Update Nuvoda test trail:

Marvin Fielding from Keller Engineering presented the council with new information regarding the test run for the Nuvoda wastewater handling system. After a review of the test to be done in July it was determined that instead of building a temporary screen plant it would be cost effective to build a permanent screen plant to be used during the test run. The change would be a shift of expenditures now versus a later date. If the Nuvoda system fails the building could still be used for the oxidation

ditches with some modification in the pumping system. Being information was information, no decision made.

Clerk's Report:

The clerk reviewed the financial statements for the period ending March 31, 2020. He compared actual revenue with budget and actual expenditures to budget. He commented all were within the percentage including the rodeo fund. The rodeo fund is at 3% which is normal for the March period. The current year may be off due to the COVID-19 shutdown. The rodeo has been rescheduled from June 19/20 to August 21/22. He reviewed the journal entries noting they are mostly recurring entries for interest earnings and internal charges. He presented a cost comparison for snow removal for the current year versus last year. The expense this year for snow removal totaled \$62,026 vs. 2018/19 \$44,370.

Approval of Minutes:

April 16, 2020: Councilman Datwyler moved to approve the minutes of April 16, 2020 seconded by Councilman D Burke.

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

April 30, 2020: Councilman Datwyler moved to approve the minutes of April 30, 2020 seconded by Councilwoman King.

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

Review and Approval of Bills:

The clerk noted on the Keller invoice they have included a charge of \$35 for Administrative Reserve. Prior to invoicing any fee in this category their contract indicated the work must be approved by the Mitch Bradley and in writing. Being this was not done their invoice has been reduced by the \$35. Councilman Datwyler moved to approve the bills seconded by Councilman Davis.

The mayor asked the clerk to poll the council:

Councilman Datwyler	Yes
Councilman D Burke	Yes
Councilman R. Burke	Yes
Councilwoman King	Yes
Councilman Davis	Yes
Councilwoman Weight	Yes

Executive Session:

Councilwoman Weight moved that the council enter into executive session per Idaho Code 74-206(f): To communicate with legal counsel to discuss legal options for pending litigation or controversies not yet being litigated but likely to be litigated. Motion seconded by Councilman D Burke.

The mayor asked the clerk to call the roll:

Councilman Datwyler	Yes
Councilman D Burke	Yes
Councilwoman Weight	Yes

Councilman R. Burke	Yes
Councilwoman King	Yes
Councilman Davis	Yes

Council enters executive session: 8:15 pm

Council exits executive session: 8:37 pm

The mayor asked if there was any discussion/decision: None.

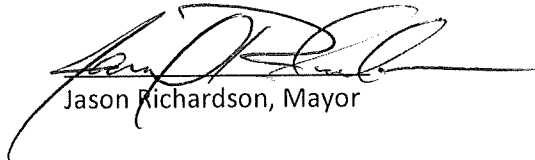
Adjournment:

Being no further business - Councilman Datwyler moved to adjourn seconded by Councilwoman King.

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


Meeting adjourned: 8:38pm

CITY OF RIGBY



Jason Richardson, Mayor

ATTEST:



David Swager, Clerk