

City of Rigby
Council Meeting Minutes
October 3, 2024

Mayor Datwyler called the meeting to order at 7:00 pm Thursday, Oct. 3, 2024. The pledge of allegiance was given by Councilman Espinosa and the prayer given by Councilman Wilder.

The mayor asked the clerk to call the roll:

Councilman Espinosa	Present
Councilman Howe	Present
Councilman Stone	Present
Councilman Wilder	Present
Councilwoman Harrison	Present
Councilwoman Hillman	Present

Also present: Mitch Bradley, Sam Angell, and Allen Fullmer

Mayor's Proclamation:

The mayor read and proclaimed October 12, 2024, as Period Action Day.

Public Comment:

Betsy Stone – commented on the city's need to consider development progress in its decision regarding annexation and zone changes.

Public Hearing Zone Change – 190 N 5th W/507 W 1st North:

Courtney Stalling representing R&S Peterson outlined the reasons the property qualifies for a zone change from R-1 to R-2 and R-3. She contended all the code requirements referenced in the city code have been met, including comp plant 2.1 (property rights), 2.2 (encourage in-fill development and utilize infrastructure within AOI), and 2.4 (growth in and around city). The development of the area is not in conflict with any of the development code guidelines. She referenced the planning zoning discussion and decision in support of the zone change.

Public Comment: In Support – Kirk Roland and Morgan Peterson signed to speak but declined.

Neutral - April Jones – concerned with traffic along her property that border her property.

Opposed – None

Council Discussion/Decision:

Councilman Wilder – asked about the lawsuit and the compliance of 5th West being in agreement with that suit. Mitch Bradley stated the only section of 5th West that is not in compliance is the location where the road necks down from 48 feet to 37 feet on the south section of the road not along the entire length of 5th West.

Councilman Howe – commented the traffic concern will be addressed when the plat is presented.

Councilman Stone – concerned with the impact on the schools. He cited the comp plan where the impact on the schools is to be considered but it did not give any guidelines to use. And, until the plat is presented the number of homes or units is unknown.

Councilwoman Harrison – commented the impact on schools is referenced but overall, the council has very little if any input other than attending school board meetings.

Councilwoman Harrison moved to approve the application for zone change from R-1 to R-2 on 11.28 acres and to R-3 on 19.22 acres being that the development is in compliance with the city's comp plan and city's zoning regulations. Motion seconded by Councilman Espinosa.

The mayor called for roll poll:

Councilman Espinosa	Yes
Councilman Howe	Yes
Councilman Stone	Yes
Councilman Wilder	Yes
Councilwoman Harrison	Yes
Councilwoman Hillman	Yes

Public Hearing – Increasing Sewer Rates:

The clerk stated the reason for the necessity to consider an increase in sewer rates. For the last couple of years, the sewer fund has been close to break even in cash flow. With the new plant coming online, there will be an increase in operating costs, electricity being the main reason with an increase in the number of pumps and other electrical equipment being used and the increase in power rates. On the other hand, the city has paid off its USDA loan and with that reduction in debt the sewer bond rates could be reduced a like dollar amount as the proposed \$8.00 increase in sewer rates would be. The residential consumer will have an increase of \$8.00 for sewer but a reduction of \$8.00 for sewer debt. Only the metered users will have an increase, those mainly on the metered commercial businesses.

Public Comment: None for, opposed or neutral.

Council Discussion/Decision:

Councilman Stone asked how Rigby rates compare with other cities in the area. The clerk stated Rexburg rates are higher and well as other cities and Rigby is right in the middle.

Councilman Howe moved to approve the proposed sewer rate increase and approve resolution #219-2024 seconded by Councilman Stone.

The mayor called for roll poll:

Councilman Espinosa	Yes
Councilman Howe	Yes
Councilman Stone	Yes
Councilman Wilder	Yes
Councilwoman Harrison	Yes
Councilwoman Hillman	Yes

Horrocks Engineering – Sewer Collection System Study:

Drew Geiger and Garrett Richins, representing Horrocks Engineering, presented their finding regarding the sewer collection system. They discussed the methodology they used to evaluate sewer flows and capacity of flows on the main collection system. Their study did not include all lateral and truck lines but only the main sewer lines with manholes. They measured the diameter of the sewer pipes from 8 inch to 24 inch and sewer flow using average daily flows using the gravity flow. Against that they used the current population of the city and projected the growth for 10-years and the resulting flows to 2040. Using the model called *SewerGEMS* they calculated the full flow, maximum flow and velocity flow from each line. Based on their analysis the current system does not exhibit any deficiencies to the 50% rule

for 12-inch pipes or the 75% rule for pipes smaller than 12-inch. Forecasting to 2040, the future anticipated collection system does not exhibit any deficiencies according to the rule of 50% capacity for 12-inch pipes or 75% for pipes smaller than 12-inch. In conclusion, they stated “the sewer collection system is sufficient for the city’s current needs. Based on the current outlook of future developments over the planning period, the system will have enough capacity to serve currently known development. No capital improvements are recommended, there no impact fee study was performed.”

One-way Text Messaging:

The council has been discussing the need to have a one-text system to notify residents of conditions or instances where the city needs to contact the residents. A situation occurred where the water system needed to be shut down to a large number of homes late Friday afternoon. Residents were upset not being informed and called city hall to see what and when the water would be back on. After this situation, the mayor now sees the benefit of having a system to notify the residents. Councilman Wilder said he had looked at other systems with a lower cost per text message, but it involved the user to install an app on their phone and it did not have a data base. Councilwoman Harrison said she has too many apps already on her phone and would prefer just having one to receive texts only with having an app. Council discussed with Jayden Eastman, via zoom, the proposal offered by TextmyGov and the associated fee for three-year agreement. The city could opt out of the agreement but would have to pay the balance on the agreed fee if it did.

Councilman Wilder moved to enter into a three agreement with TextMyGov for \$3,000 per year seconded by Councilman Howe.

The mayor called for roll poll:

Councilman Espinosa	Yes
Councilman Howe	Yes
Councilman Stone	Yes
Councilman Wilder	Yes
Councilwoman Harrison	Yes
Councilwoman Hillman	Yes

Treasurer’s August 2024 Financial Report:

The clerk reviewed the excel spread sheet of the August 2024 financial statement and journal entries with the council.

Interfund Transfers:

The 4th quarter for the interfund transfers were reviewed as listed below.

	<u>To</u>	<u>From</u>
General Fund	18,750.00	
Water Revenue		6,250.00
Sanitation		6,250.00
Sewer Revenue		6,250.00

Councilwoman Harrison moved to approve the interfund transfer seconded by Councilman Stone.

The mayor called for a roll call poll:

Councilman Espinosa	Yes
Councilman Howe	Yes

Councilman Stone	Yes
Councilman Wilder	Yes
Councilwoman Harrison	Yes
Councilwoman Hillman	Yes

Amend 2024 Park Fund Budget:

With the new rodeo grandstand and bleachers being purchased and partly funded by the urban renewal agency, the city needs to amend the park budget to add the revenue and expenditure for the project. The additional revenue is Grant \$750,000, donations \$550,000. The expenditures for the grandstand total \$1.3 million and \$500,000 for the bleachers on the north side of the arena. The balance of the funding will be from the park fund surplus balance of \$500,000.

Councilman Stone moved to advertise the public hearing for the budget amendment and to conduct a public hearing on the amendment November 7, 2024. Motion seconded by Councilman Howe.

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

Ordinances: #643, 644, 645, 646, 647:

The clerk indicated there were zone changes going back a couple of years as well as the last zone change on 2nd North. He had been negligent in doing an ordinance for zone changes until it was brought to his attention. These five ordinances bring all the zone changes current.

Ordinance #2024-643:

Councilwoman Harrison moved to read ordinance #2024-643 in title and summary only, seconded by Councilman Wilder.

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

Councilwoman Harrison moved to suspend the rules of the required three readings and moved to advertise, adopt and approve ordinance #2024-643 seconded by Councilman Wilder.

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

Ordinance #2024-644:

Councilwoman Harrison moved to read ordinance #2024-644 in title and summary only, seconded by Councilman Wilder.

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

Councilwoman Harrison moved to suspend the rules of the required three readings and moved to advertise, adopt and approve ordinance #2024-644 seconded by Councilman Wilder.

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

Ordinance #2024-645:

Councilwoman Harrison moved to read ordinance #2024-645 in title and summary only, seconded by Councilman Wilder.

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

Councilwoman Harrison moved to suspend the rules of the required three readings and moved to advertise, adopt and approve ordinance #2024-645 seconded by Councilman Espinosa.

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

Ordinance #2024-646:

Councilwoman Harrison moved to read ordinance #2024-646 in title and summary only, seconded by Councilman Wilder.

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

Councilwoman Harrison moved to suspend the rules of the required three readings and moved to advertise, adopt and approve ordinance #2024-646 seconded by Councilman Espinosa.

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

Ordinance #2024-647:

Councilwoman Harrison moved to read ordinance #2024-647 in title and summary only, seconded by Councilman Wilder.

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

Councilwoman Harrison moved to suspend the rules of the required three readings and moved to advertise, adopt and approve ordinance #2024-647 seconded by Councilman Stone.

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

Change in Financial Institutions:

The treasurer stated the city has funds in the broker RBC for several years but the broker that was handling the account has moved to a different firm. For the past two years he has not been contacted by any individual from RBC. He was recently contacted by the Zion Bank trust officer, Scott Burnett, who stated he has left Zion and moved to Raymond James. The treasurer stated that Scott has contacted over the years at least twice each year and he has a good report with him. Since his move from Zion, no individual from Zion has contract him either. He therefore was looking for the council to allow the funds invested with RBC be transferred to Raymond James.

Councilman Howe moved allow and authorize the transfer of the investment in RBC be transferred to Raymond James seconded by Councilman Espinosa.

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

Rodeo Grounds Grandstand Demo and Erection:

Blake Jolley, from Connect Engineering presented the council with proposal to demo the center portion of the rodeo ground grandstand, design a new grandstand and to erect the new. He and Mitch Bradley both stressed the need to move forward on the project to have its replacement in place by May, 2025.

The project will be bid out under five phases as follows:

Phase 1 Demolition of Center Structure - \$120,000
Phase 2 Footing and Foundation - \$145,000
Phase 3 New Structure Construction - \$195,000
Phase 4 Bleachers Purchase and Install – \$760,000
Phase 5 Concessions and Bathroom – If budget allows
Total all phases: \$1.3 million.

Breaking the project down into separate phases will allow separate individual bids with a faster turn around and lower price per phase as no one company will be able to perform each phase without seeking subcontractors and the length of time required to publish and collect the bids. Using the contract management method allows bids to be procured under the \$200,000 bid limit (Idaho Code 67-2805(1)).

After council discussion, Councilwoman Harrison, moved to authorize Jolley to proceed with Phase 1 and Phase 2 with the bids authorized not to exceed the amounts cited, seconded by Councilman Stone.

The mayor called for a roll call poll:

Councilman Espinosa	Yes
Councilman Howe	Yes
Councilman Stone	Yes
Councilman Wilder	Yes
Councilwoman Harrison	Yes
Councilwoman Hillman	Yes

Review and Approval of Minutes:

Councilman Wilder moved to approve the minutes of September 19, 2024, seconded by Councilman Espinosa.

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

Review and Approval of Bills:

Councilman Stone moved to approve the bills with the addition of the \$735.50 overpayment to Kirk Marley seconded by Councilwoman Harrison.

The mayor called for a roll call poll:

Councilman Espinosa	Yes
Councilman Howe	Yes
Councilman Stone	Yes
Councilman Wilder	Yes
Councilwoman Harrison	Yes
Councilwoman Hillman	Yes

Adjournment:

Councilwoman Harrison moved to adjourn seconded by Councilman Wilder.

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

Meeting adjourned: 9:05 pm

CITY OF RIGBY

Richard Datwyler, Mayor

ATTEST:

David Swager, Clerk

Moved and approved on a voice poll the meeting of October 17, 2024: all in favor none opposed.