



MINUTES

REGULAR MEETING

RIGBY CITY COUNCIL

THURSDAY April 17th, 2025

7:00 PM

CALL TO ORDER: Mayor Richard Datwyler called the meeting to order.

The Pledge of Allegiance was given by Counselman Wilder and the prayer by Councilwoman Harrison.

ROLL CALL ATTENDANCE:

Councilman Mike Wilder	Present
Councilwoman Becky Harrison	Present
Councilman Alex Espinosa	Present
Councilman Timothy Howe	Present
Councilman Reed Stone	Present
Councilwoman Tonya Hillman	Absent

ALSO PRESENT-

Director Of Public Works, Mitch Bradley
Chief Allen Fullmer
Planning and Zoning, Ione Hansen

PUBLIC COMMENT -

No Public Comment

ACTION ITEM - CONSENT AGENDA

The following business items may be approved by one motion and a vote. If any one member of the Council so desires, any matter listed can be moved to a separate agenda item.

A. Council Minutes – April 3rd, 2025

Councilman Espinosa made the motion to Approve the Council Minutes for April 3rd, 2025 seconded by Councilman Wilder,

B. Accounts Payable- April 2025

**Councilwoman Harrison made the motion to Approve the Accounts Payable for April 2025, seconded by Councilman Wilder,
roll call vote:**

Councilman Mike Wilder -	Yes
Councilwoman Becky Harrison -	Yes
Councilman Alex Espinosa -	Yes
Councilman Timothy Howe -	Yes
Councilman Reed Stone -	Yes

C. January Financial Report was presented

ACTION ITEM: PUBLIC HEARING: Annexation & Zone Designation from Rockwell Homes at approx. 750 Meadow Ave. Rigby, Idaho, to annex into the city 16.869 acres from county R-1 to Rigby City R-2 zoning

Presentation: Nate Clark representing Rockwell Homes proposed the Annexation and Zone Designation approximately 17 acres into the City of Rigby and make the zone R-2.

Public Comment:

- **For:** No Comment
- **Neutral:** No Comment
- **Against:** No Comment

Rebuttal: No Comment

Hearing Closed: The hearing was officially closed following the absence of public comments.

Council Discussion/Decision:

The Council reviewed the implications of adding a Zone 2 designation adjacent to Zone 1 at the city limits.

Councilwoman Harrison expressed concern that rezoning the area to Zone 2 could prompt future buyers to seek a Zone 3 designation for surrounding properties. She referenced the City of Rigby's Comprehensive Plan, highlighting potential conflicts with long-term zoning objectives.

Mayor Datwyler stated that zoning future areas as Zone 3 would require changes to the plat and the construction of an arterial road to support higher-density development.

Councilman Stone asked Mr. Clark for his opinion on resolving the issue. Mr. Clark proposed that the Council could make the Zone 2 designation contingent on allowing only detached single-family homes within the zone.

Councilwoman Harrison raised the concern that basing decisions on Rockwell Homes' current plans for the property could be problematic, as the land could be sold and contingencies may not be upheld by future owners. Mr. Clark clarified that an annexation agreement could ensure that only detached single-family homes are developed, regardless of property ownership changes.

The Council discussed the possibility of imposing a variance but noted that a hardship would be required for approval. They also considered a Planned Unit Development (P.U.D.), but Ms. Hansen pointed out that a P.U.D. would apply to a single lot, whereas this property would be divided into multiple lots.

Councilman Wilder questioned whether the hearing should be tabled until Sam Angell could provide guidance on whether an annexation agreement could limit development to single-family homes, and whether it would be legally defensible to deny multi-family zoning for adjacent properties. Mayor Datwyler expressed confidence that such denial might not be possible, with Councilman Wilder agreeing. Councilwoman Harrison concluded that she felt confident the decision to deny multi-family zoning would be admissible in court.

Councilman Howe made the motion to Approve the annexation and zone designation to R2 with a contingent to our annexation that states no multi-family housing.

Councilman Harrison asked to Counter and would like to make a motion to deny the zone change to zone 2 based on policy 3 in section 2.12 of the comprehensive plan.

There was not a Second on Councilwoman Harrison's Counter Motion.

Councilman Stone seconded Councilman Howe's motion to approve.

roll call vote:

Councilman Mike Wilder - Yes

Councilwoman Becky Harrison - No

Councilman Alex Espinosa - Yes

Councilman Timothy Howe - Yes

Councilman Reed Stone - Yes

The motion to approve the annexation and zone designation to **R-2** with the specified contingency passed.

ACTION ITEM: PUBLIC HEARING: Zone Change/ Zone Map Amendment from Rockwell Homes at Fieldstone Meadows Rigby, Idaho to change 17.625 acres of Fieldstone Meadows from an R-1 to R-2 zoning

Presentation: Mr. Nate Clark, representing Rockwell Homes, presented the proposal to rezone approximately 17.625 acres from Zone 1 (R-1) to Zone 2 (R-2), aligning it with the zoning designation of the adjacent property from the prior hearing. He explained that the plan is to develop single-family homes on smaller lots, making housing more affordable for first-time homebuyers. He emphasized that Rockwell Homes only sells homes and does not rent them.

Public Comment:

- **For:** No comments
- **Neutral:** No comments
- **Against: David Lindsey**, a resident of the first phase of Rockwell's subdivision, expressed concerns about increased traffic congestion in the area and stated opposition to adding more homes through the existing subdivision roads.

Rebuttal: Mr. Clark acknowledged Mr. Lindsey's concerns and noted that they align with those of the City and County. He explained that Rockwell Homes has worked with both entities to mitigate traffic issues, including improvements such as a middle turn lane and a right-turn lane at the subdivision entrance. He also mentioned that a traffic study was conducted by a private party and that Rockwell Homes has complied with the recommendations.

(Hearing Closed)

Council Discussion/Decision:

The Council discussed concerns regarding infrastructure and traffic in the area. They requested that Rockwell Homes assist in urging the Idaho Transportation Department (ITD) to address the need for an on-ramp at the south Highway 20 exit, considering the high traffic impact expected from the subdivision.

Councilwoman Harrison asked Mr. Bradley if he foresaw any infrastructure issues. Mr. Bradley confirmed that he had been involved in the planning process and that Rockwell Homes had addressed all of his concerns.

Councilwoman Harrison made the motion to Approve the Zone Change on the 17.625 Acres of Fieldstone Meadows to R-2, seconded by Councilman Espinosa, roll call vote:

Councilman Mike Wilder -	Yes
Councilwoman Becky Harrison -	Yes
Councilman Alex Espinosa -	Yes
Councilman Timothy Howe -	Yes
Councilman Reed Stone -	Yes

ACTION ITEM: Final Plat for Rockwell Homes at Fieldstone Meadows Rigby, Idaho, from an R-1 to amend the plat to allow R-1 and R-2 zoning

Presentation: Mr. Clark, representing Rockwell Homes, explained that the request is to amend the plat to incorporate future lots and the recently rezoned acreage. The amendment would include 43 additional single-family homes and an 8-acre parcel, which may be considered for a Conditional Use Permit in the future.

Mayor Datwyler inquired about the possibility of creating an easement for a bridge between Parcel 9 and Parcel 10 to provide access to the high school over the canal. Mr. Clark confirmed that Rockwell Homes would be willing to create the requested easement.

Public Comment:

- **For:** No comments
- **Neutral:** No comments
- **Against:** No comments

Rebuttal: No comments

(Hearing Closed)

Council Discussion/Decision: The Council discussed the differences in the number of homes allowed in Residential R-1 versus Residential R-2 zoning.

Councilman Wilder made the motion to Approve the Amended Plat to include only single family dwellings in an R-2 zone, an easement between Parcel 9 and 10 on Block 10, and turn over all water rights to the City, meet all city codes, and road and bridge fee, seconded by Councilman Howe, roll call vote:

Councilman Mike Wilder -	Yes
Councilwoman Becky Harrison -	Yes
Councilman Alex Espinosa -	Yes
Councilman Timothy Howe -	Yes
Councilman Reed Stone -	Yes

ACTION ITEM: PUBLIC HEARING: Conditional Use Permit from Rockwell Homes at Fieldstone Meadows Rigby, Idaho to allow for the development of Alturas Academy, located on 8 acres of Fieldstone Meadows

Presentation: Neil Humphries from Eagle Rock Engineering presented the CUP application on behalf of Alturas Academy Charter School. He explained that Rockwell Homes owns the property, and Alturas Academy has collaborated with them to develop the site plan. Rockwell Homes intends to sell the land to Alturas Academy contingent on CUP approval. Mr. Humphries noted that the infrastructure is adequate to handle the project.

The proposed school, serving K-8 students, is a charter school that operates during regular school hours and runs its own buses. Eagle Rock Engineering participated in the traffic study, which identified the need to widen 3900 East. Mr. Humphries emphasized that this improvement is the responsibility of the City and County, which already have plans in place to address the issue.

Public Comment:

For:

- **Michelle Ball**, founder of Alturas Academy, shared her passion for education, rooted in her 37-year teaching career. She explained Alturas Academy's focus on smaller class sizes and individualized learning, allowing students to progress based on skill levels rather than grades.
- **Brian Bingham**, representing Alturas Academy, clarified that charter schools do not charge tuition and rely on lotteries if applications exceed available spots. He described their funding model using grants and philanthropy, noting that the school would not rely on property taxes. He stressed the need for the school given Rigby School District's recent growth of over 1,000 students and highlighted that the academy will accommodate 650 students.
- **Curtus Johnson** from Rockwell Homes explained his initial hesitation but acknowledged the school's importance in addressing overcrowding in Rigby School District. He expressed his support and willingness to provide land for the project.
- **Dominic Bell**, a resident of Fieldstone Meadows, expressed enthusiasm for the opportunity Alturas Academy will bring to the area. He praised its educational approach and welcomed the chance for his children to potentially attend the school.

Neutral: No comments

Against:

- **Garett Rook**, a resident of Fieldstone Meadows, voiced concerns about traffic issues on his street. He acknowledged the need for the school but raised objections regarding:
 - Inadequate communication about the project due to outdated County GIS data, which prevented notification letters from being mailed to residents.
 - Narrow streets within the neighborhood.
 - Restricted access to greenspace and playgrounds, which will be gated with keycard access.
 - A lottery system for enrollment, allowing applicants from Rigby, Rexburg, and Ririe to compete for spots.
- **Hayley Rook**, also a resident, reiterated her husband's concerns, emphasizing traffic management challenges during school hours and work commutes. She expressed frustration with inconsistent information from Alturas Academy and the City.
- **Victoria Woodruff**, a Fieldstone Meadows resident, noted that she was not informed about the school when purchasing her home in November 2024. She expressed concerns about emergency services being impacted by traffic congestion.
- **Vanessa Peterson**, a resident, raised safety concerns about traffic and its impact on families with small children.

Rebuttal: Mr. Clark addressed residents' concerns, explaining that the school plan emerged at the end of 2024 and could not be shared earlier due to uncertainty about its approval. He clarified that greenspace and playgrounds will be accessible to residents from the front, with gated access on the sides and back. Regarding traffic, he highlighted their efforts to design an efficient drop-off system, referencing successful setups at Alturas Academy's downtown campus. He emphasized the school's value to the community.

(Hearing Closed)

Council Discussion/Decision:

- Councilman Wilder requested clarification from Ms. Hansen regarding the communication issue. Ms. Hansen explained that the County GIS system is only updated a few times annually, resulting in outdated records showing Rockwell Homes as the owner within the 300-ft notification radius. She stated that the City is required to use the official GIS system.
- Councilwoman Harrison addressed residents, noting that while the Planning and Zoning hearing is critical, the final decision rests with City Council. She reiterated that officials must adhere to notification procedures based on County GIS data.
- Councilman Stone inquired about possible remedies to address outdated GIS records. Ms. Hansen responded that the County is prioritizing updates to tax records and deeds during this time of year and is exploring solutions to resolve GIS data issues.

- Representatives from Alturas Academy clarified that while the lottery system includes applicants from surrounding districts, 90% of applicants are Rigby residents. Once enrolled, siblings are guaranteed spots unless capacity limits are reached.

At the end of the meeting, the Council discovered a typo on the notification letters mailed to residents, which incorrectly stated that comments could be submitted until April 24 rather than the accurate deadline.

Councilwoman Harrison made the motion to Table the Action Item until May 1st meeting, seconded by Councilman Stone,

ACTION ITEM: Resolution #223-2025: A Resolution Allowing for Rented Space in the Rigby City Park for Food Trucks During the Summer Season and Establishing Monthly Reservation, Garbage, and Electricity Fees

Council Discussion:

- The reservation fee was discussed and changed from Monthly to Seasonal, with a fee of \$900 to be collected upfront.
- It was agreed that the garbage fee should be included in the Seasonal fee. The season was defined as running from Memorial Day to Labor Day.
- The resolution was updated to apply specifically to Rigby South Park.
- A clause was added stating that food truck vendors must vacate their reserved space during Fairground events unless they coordinate with the event organizer, apply to be an event vendor, and pay the required event vendor fee.
- It was clarified that a \$100 seasonal electricity fee will apply to vendors at designated locations with electricity access, even if they do not use the electricity.

Table Resolution No # 223-2025 until May 1st with revisions

ACTION ITEM: Consider Approval of Public Hearing Date for FY2025-26 Budget

Councilwoman Harrison made the motion to Approve the date for Public Hearing Date for FY2025-26 Budget for August 7th, 2025, seconded by Councilman Stone, roll call vote:

ACTION ITEM: Consider Approval for an In-kind transfer of Investment from Zions Bank to Raymond James

Clarified it was just the management of the investments from Zions to Raymond James

Councilman Stone made the motion to Approve the Management of the Investments from Zions bank to Raymond James, seconded by Councilwoman Harrison,

roll call vote:

Councilman Mike Wilder - Yes
Councilwoman Becky Harrison - Yes
Councilman Alex Espinosa - Yes
Councilman Timothy Howe - Yes
Councilman Reed Stone - Yes

Action Item- Adjournment

Councilman Howe motioned to Adjourn, seconded by Councilman Stone, motion carried. All in favor say aye.

MOTION GRANTED

APPROVED _____
Richard Datwyler, Mayor

Attest _____
Kiesha Keller, City Clerk