

City of Rigby
Council Meeting Minutes
Dec 17, 2020

The Mayor called the meeting to order at 7:00 pm Thursday, Dec 17, 2020. The pledge of allegiance was given by Nicole Weight and the prayer given Doug Burke.

The Mayor asked the clerk to call the roll:

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

Also present: Mitch Bradley, Chief Tower

Amend Agenda:

Councilman Datwyler moved that the agenda be accepted and item 3.b (retirement) moved to the first order of business followed by item 7.A (library salary) and to ratify the agenda as amended. Motion seconded by Councilwoman Harrison.

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

Recognition Retirement Ken Harvey:

The asked if Mr. Harvey would come forward. Ken is retiring from the city at the end of the month after 13 years of service. Mitch Bradley commented on Ken's work and stated he would be missed in the city. The mayor presented Mr. Harvey with an engraved plaque of appreciation.

Library Director Salary Increase:

Stacey Grant, chair of the library board, came forward and stated the library board voted and recommended Marilyn Kamoe salary be set at \$48,000 per year from the current amount of \$37,033 the raise to be effective December 1, 2020. Mrs. Grant recited the grant and the new software system installed this year and the savings it will have over the old system.

The mayor spoke in agreement with the pay increase along with Councilwoman Harrison. Councilwoman Harrison moved to adjust the annual salary of Marilyn Kamoe to \$48,000 per year effective December 1, 2020. Motion seconded by Councilwoman Weight.

The mayor asked the clerk to poll the council:

Councilman D Burke	yes
Councilwoman King	Yes
Councilwoman Harrison	Yes
Councilman Datwyler	Yes
Councilman R. Burke	Yes
Councilwoman Weight	Yes

Public Hearing – Triumph Group:

The mayor telephoned the attorney and put him on speaker phone to participate in the meeting.

Mike Winchester inquired about a procedure issue with the public hearing. He said the first notice had the date December 19 for the public hearing. Not living in the area he did not receive a second notice with the correct date of December 17 on it. The clerk indicated that a revised notice was mailed out showing the correct date on December 4th or 5th along with a correction on the legal posting. The attorney stated he had discussed this with the clerk and felt the city was in compliance with providing adequate notice. One person in attendance indicated she had not received the second notice however two other residents indicated they had received the second notice. The mayor indicated the city mailed out the second notice and delivery of the mail was out of the city's hand and based on the advise of the attorney would proceed with the public hearing.

Blake Jolley representing the Triumph Group came forward and presented the plan for the development of the R-2 portion of the Dansie property. He presented a new site plan with the corrections as recommended by the planning zoning commission. The property on the west side of the development has been changed so the two units would be facing each other and not facing the Sunbrooke development. In addition the parking would face north and south to facilitate car lights not shining into the development. The road accessing the Sunbrooke development necks down to match the narrower width of the county road. The road complies with the city code being 42 foot back of curb-back of curb with allows for on street parking. He also mentioned the two units on the west end have a setback of 100 feet from the Sunbrooke development. All lots are larger than the 8,500 square feet required by city code. He has green space in excess of the 32% excluding the meandering side walk on the north side of the development. The meandering walk way is 60 feet from the street and the adjoining lots.

In support of the development:

Jorelle McClellan came forward and voiced support for the development. She also noted she is the developer of the project. She is a resident of Jefferson County and feels the Dansie property is prime to be developed. She wants the development to be beautiful and aesthetically pleasing. She noted development is being built to be self-contained with housing and commercial development for restaurants and other commercial businesses. The area is also within walking distance to the schools.

Neutral:

Moses Rico indicated she signed as being neutral but is opposed to the development. She and her husband moved to Rigby two years ago due to its small town atmosphere. The development will be overcrowded and will increase traffic on an already overcrowded road. She is also concerned that the development will decrease her home value. The development is in conflict with existing homes in Sunbrooke development. Access to the school is another issue that has not been addressed.

In Opposition:

Mike Winchester stated the development lacks a turning lane. A turning lane is needed due to the amount of traffic on Hwy 48. A development only has two accesses which will increase congestion. The development will create high density in an already highly developed area.

Dan Jones agreed with the comments made by Mr. Winchester. He feels turn lanes are needed. He thanked the developer in accommodating his concern expressed during the planning zoning hearing in changing the two units on the west end of the property.

Rebuttal:

Blake Jolley came forward and addressed the concerns stated by the public. ITD has reviewed the plans and are in discussion with a pedestrian crosswalk on Hwy 48 but nothing firm. Hwy 48 is controlled by the state. In phase II a third access/egress road will be constructed linking the development to 5th West. All of the development meets or exceeds the city’s requirement for R-2 zone.

Closed public hearing:

Council discussion:

The mayor asked if the city’s planning zoning administrator would come forward and comment on the plan. Mrs. Hansen indicated the developer has been very accommodating in their dealing with the city. A number of changes have been made and the latest plan was made at the request of the planning zoning commission. The green space is significantly greater than required by city code.

Councilwoman Weight feels this development is better designed than prior ones and she likes the amount of green space in the development.

Councilwoman Harrison stated growth is coming and we all should see that this development has been designed with adequate thought and planning. The new PUD zones are better than the prior one as seen with this development. The development meets the R-2 zone of the city.

Councilman D Burke likes the plan and thought it had been well thought out with good spacing and access.

Councilwoman King likes the developer worked with the adjacent homeowners. She commented that she knows the developer and can make a decision without bias.

Councilman D Burke moved to accept the plan and the development for the R-2 zone seconded by Councilwoman Harrison.

The mayor asked the clerk to poll the council:

- Councilman D Burke yes
- Councilwoman King Yes
- Councilwoman Harrison Yes
- Councilman Datwyler Yes - thanked them for working on the development agreement
- Councilman R. Burke Yes
- Councilwoman Weight Yes

Development Agreement – Sunrise Estates:

Ione Hansen, pz administrator, came forward and reviewed the development agreement for the Sunrise Estates development. This development is the vacant lot between Hwy 48 and W Main and west of 2nd West and east of 3rd North with access off of Hwy 48. Council discussed the agreement and noted the following two changes were needed: right turn only out of the development and sidewalk on the west side of the driveway from Hwy 48 to the parking lot inside the development.

Councilwoman Harrison moved to approve the development agreement with the changes noted (right turn and sidewalks) seconded by Councilwoman King.

The mayor asked the clerk to poll the council:

Councilman D Burke	Yes
Councilwoman King	Yes
Councilwoman Harrison	Yes
Councilman Datwyler	Yes
Councilman R. Burke	Yes
Councilwoman Weight	Abstained

Development Agreement – Timber Ridge Townhomes:

Ione Hansen, pz administrator, came forward and reviewed the development agreement for the Timber Ridge Townhomes development. This development is the vacant lot on the west side of 3rd West across from the fair ground's west entrance.

Council reviewed the agreement. Councilwoman Weight moved to approve the development agreement for the Timber Ridge development seconded by Councilman D Burke.

The mayor asked the clerk to poll the council:

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

Review Economic Developer Contact:

The mayor reviewed the contract for the economic developer agreement with Brent Tolman. Mr. Tolman stepped forward and answered the council questions. The contract expires annually with an auto renewal unless cancelled by either party in writing.

Councilman Datwyler moved to approve the contract for the economic development director, Brent Tolman, seconded by Councilwoman King.

The mayor asked the clerk to poll the council:

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

Clerk's Financial Statement/Journal Entries:

The clerk reviewed the excel spreadsheet of the actual/budgeted revenues and expenditures for the year ended September 30, 2020. He commented the city's revenues exceeded budget in all funds but for the park/rodeo fund. The expenditures were below budget in almost all funds but for the airport fund which incurred expenditures delayed from the prior year for the land purchase.

The journal entries were more this period with yearend accruals and other adjustments.

Road Report: The clerk also presented the council with the yearend annual road report. This report will be published and forwarded to the state.

Transportation Plan State/Local agreement:

Mitch Bradley came forward and reviewed the transportation plan. The city's share of the plan is for 7.34% with federal funds covering the remaining 92.66% of the study. The estimated cost of the plan is for \$80,000 with the city's share of the plan being \$5,872. The city needed to issue a resolution agreeing to the participation in the study. The mayor reads resolution #201-2020.

Councilwoman King moved to approve entering into the transportation plan seconded by Councilwoman Harrison.

The mayor asked the clerk to poll the council:

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

Councilman Datwyler moved the mayor reads resolution #201-2020 and council approve the resolution. Seconded by Councilman D Burke.

The mayor reads resolution #201-2020.

The mayor asked the clerk to poll the council on the adoption of resolution #201-2020:

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

Review of WWTP Engineer Contract:

Jim Mullen from Keller's Associates came forward and reviewed the WWTP contract for the new treatment plant. The attorney stated he had read the contract and recommended some changes which have been made. Mitch Bradley also stated the changes he recommended to be changed have been changed as well. The clerk reviewed a number of issues mostly with an explanation and/or clarification of the language contained in agreement. The contract is for fixed fee of \$1,867,000 and time/material contact of \$350,000 for a total contact of \$2,217,000. Estimated total budget for the treatment plant is \$13,366,000. The mayor noted the clarification as noted were minor and did not contain any major corrections that would require a new contract.

Councilman Datwyler moved to approve the WWTP contract with Keller Engineering as clarified seconded by Councilwoman Weight.

The mayor asked the clerk to poll the council:

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

Police Grant:

Sam Tower presented a council with three mini-grants that had been procured and written by Officer Dan Buono. The three grants are as follows:

- E-Ticketing grant for \$45,000 with city's match of 25%. For the purchase of e-ticketing equipment.
- Impaired driving services grant for \$9,434 with city's match of \$2,358. For the purchase of 7 alcohol detection devices.
- Police traffic services grant for \$16,792 with city's match of \$4,198. For the purchase of 8 speed detection radar devices.

Councilwoman King moved to approve all three grants seconded by Councilwoman Harrison.

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

Tower also mentioned the department had received two Dodge cars, one marked and the second unmarked. The cars were approved in August 2020 but only delivered this week.

Other Council Business:

Sewer Blower - The mayor mentioned that one of the blower units at the WWTP had gone out and is not operational. The WWTP operator will give a report on the blower in an upcoming council meeting. This is one of the issues the homeowners adjacent to the plant have been complaining about.

Public Comment:

None

Approval of Minutes:

- December 3, 2020: Councilwoman King moved to approve the minutes of December 3, 2020 seconded by Councilman Datwyler.
The mayor called for a voice poll: All in favor with Councilwoman Weight abstaining.
- December 10, 2020: Councilwoman King moved to approve the minutes of December 10, 2020 seconded by Councilwoman Weight.
The mayor called for a voice poll: All in favor none opposed.

Review and Approval of Bills:

The clerk said two additions were needed to the bill list as mailed out: library sales tax \$42.96 and Perfection Data - \$4,000.

Councilman Datwyler moved to approve the bills list with the addition of the two items cited seconded by Councilwoman Weight.

The mayor asked the clerk to poll the council:

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

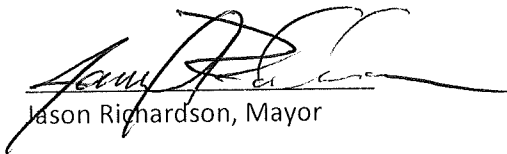
Adjournment:

Councilwoman King moved to adjourn seconded by Councilwoman Harrison.

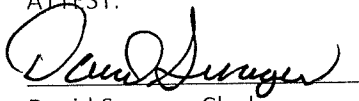
The chair called for a voice poll: all in favor none opposed.

Meeting adjourned: 9:40pm

CITY OF RIGBY


Jason Richardson, Mayor

ATTEST:


David Swager, Clerk