

City of Rigby  
Council Meeting Minutes  
March 17, 2022

The Mayor Datwyler called the meeting to order at 7:00 pm Thursday, Mar 17, 2022. The pledge of allegiance was given by Doug Burke and the prayer given Val Orme.

The mayor asked the clerk to call the roll:

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

Also present: Mitch Bradley, Robin Dunn and Sam Tower

Public Comment:

- Jeremy Scott came forward with a complaint involving the county prosecutor, county sheriff department and Rigby police department. His complaint involved the county and/or Rigby Police Dept not following proper and timely procedures in a case involving an assault on his 14 year old son and one other 14 year old youth. Between the two police departments one or the other or both failed to obtain necessary documentation to present to the prosecutor office so charges could be filed. With the prosecutor office his complaint was for a 41 year old male assaulting two youth individual and pleading the charge down to the lowest possible misdemeanor. Due to his complaining and the lack of action on the case, Jefferson County has assigned it over to Madison County as a special prosecutor. He felt all three departments need to move one step up on their action and investigation procedures so no other juvenile who is assaulted has to go through this process nor should the suspect be allowed to obtain a slap on the wrist.
- Kip Manwaring representing R&S Properties informed the council that his clients will be making a zone change on the property north of the INL bus lot from R-1 to to R-3. The issue is the 5<sup>th</sup> West which has legal constraint on it do to it being construction not in conformity with city standards which is not the owner's responsibility.

Clerk's Financial Statement:

The clerk reviewed the financial statements for the period ending January 31, 2022. He noted revenues to budget were in line and in a couple instance ahead of budget. Expenditures to budget were overall under 34%. He also reviewed the journal entries for interest earnings and the internal charges occurring in the internal service fund.

Interfund Transfer – Wastewater Treatment Project:

The clerk was requesting an interfund transfer from the sewer revenue fund to the wastewater treatment project of \$1 million. Engineering fees and the NOVDA system has put the wastewater treatment project in negative cash position of \$1,181,987. The city did receive the grant from the Army Corp of Engineers in the amount of \$650,000 but the fund still has engineering fees accruing in the amount of \$479,040. Making the amount needed to complete engineering design phase of \$1,010,000. He further commented that last year the wastewater project expended \$1.5 million which came from

accumulated savings in the sewer revenue fund. And if the current transfer is approved the sewer revenue saving will be reduced another \$ 1 million which prior to the engineer design fees the sewer revenue fund had accumulated savings in the amount of \$5.4 million and after the current transfer the balance will be \$2.9 million. He stated that the position the city has made in prior years to have funds on hand for future upgrades and improvements have been reduced drastically over last year and this year.

Councilman Orme moved to authorize the transfer of \$1,010,000 from the sewer revenue fund to the wastewater treatment project seconded by Councilman D Burke.

The mayor asked the clerk to poll the council:

Councilman D Burke	Yes
Councilman Orme	Yes
Councilwoman Harrison	Yes
Councilwoman King	Yes
Councilman R. Burke	Yes

Suspending Engineer Design Contract:

The mayor asked if Keller's would come before the council and update the council on the status of the wastewater treatment project. Keller's presented a 7 page slide presentation showing the historical effluent ammonia levels recorded from 2018 to December 2021, a slide with the NUVODA performance levels achieved from October 2020 to February 1, 2022. All of the waste water has been dumped into a single ox ditch with the attempt to measure flow measured in million gallons per day, BOD measured in pounds per day and TKN measured in pounds per day. The summarization of the three showed with a two-ditch capacity until 2040 the flow would equal 48% for gallons per day, 81% for BOD pounds per day and 59% of TKN pounds per day. If the plant were to be scaled back he listed the following items that needed to be address:

- UV System
- Plant water system
- Filtration
- Dewatering system
- Additional aeration mixed with cat walk
- A second NUVODA screen for the second ditch
- Biosolid management plan

His concluding slide indicated the NUVODA system needed to be measured through the end of March 2022. At the April 21, 2022 council meeting, WWTP capacity for NUVODA would be given, revised costs would be presented for a full build out of the plant, and a review of DEQ funding available. He also indicated and stated that if the design were to be moved back to the original plan of \$13 million from the \$23 million plan a new engineer contract would need to be issued for the revision of the existing plans, time, scope and fees involved.

Councilman Orme moved to table further discussion on the engineer contract pending the April 21, 2022 meeting seconded by Councilman D Burke.

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

Seal Coat Bid:

The opened three bids for the summer seal coat and fog coating project. The three bids were as follows for 50,806 sq yds of seal coat and fog coat:

- TMC - \$156,991
- HK Contractors - \$193,063
- Knife River - \$212,369

The apparent low bidder is TMC.

Councilman D Burke moved to award the seal coat bid to TMC provided they meet all specifications as specified on the bid seconded by Councilwoman Harrison.

The mayor asked the clerk to poll the council:

Councilman D Burke	Yes
Councilman Orme	Yes
Councilwoman Harrison	Yes
Councilwoman King	Yes
Councilman R. Burke	Yes

SouthPark Engineer Contract:

Mitch Bradley presented the council for approval of the engineering contract fee to be paid for the engineering to be done on the South Park ball fields. The city has a verbal agreement with the urban renewal agency wherein contract is a "flow through" verbal agreement between the city of Rigby and the Urban Renewal Agency wherein the URA will reimburse the city for fees paid out under the contract.

Councilwoman Harrison moved to approve the contract with Keller's seconded by Councilwoman King.

The mayor asked the clerk to poll the council:

Councilman D Burke	Yes
Councilman Orme	Yes
Councilwoman Harrison	Yes
Councilwoman King	Yes
Councilman R. Burke	Yes

Sugar Mill subdivision:

Mitch Bradley reviewed the warranty letter/bond as presented by Mills Concrete. After consultation with the attorney there was an issue in the exception from defect in materials or workmanship which may be discovered within the five year warranty period and when the warranty period begins. With those issues the item was tabled until the city can get the items corrected.

Other Council Business:

- Lincoln Day Banquet: The mayor informed the council of the upcoming Lincoln Day banquet scheduled for Saturday, March 19 at the Rigby Middle School common room at 6:00pm
- Farmer Merchant Auction/Dinner: The annual Farmer/Merchant Banquet & auction will be held at the County's fair building on April 12, 2022 at 7:00pm
- Easter Egg Hunt: Aliza King requested that the city participate in an award for the annual Easter Egg Hunt to be held in the city park on April 16. She was requesting the city donate two hover boards at a total cost of \$208.00.

Councilwoman King moved to authorize \$208 be paid for the donation of 2 hover boards seconded by Councilman D Burke.

The mayor asked the clerk to poll the council:

Councilman D Burke	Yes
Councilman Orme	Yes
Councilwoman Harrison	Yes
Councilwoman King	Yes
Councilman R. Burke	Yes

- Street Lighting intersection 400 N and 3<sup>rd</sup> West and Annis Hwy and 400 N: Councilwoman Harrison asked about getting lighting on the two intersections. Both are heavily traveled during the evening and needs lighting. Mitch Bradley will look into getting lights.
- Museum Directional Signage: Councilman Orme asked about the road signs discussed earlier in the year. Mitch Bradley indicated he had one sign and would get them erect if the museum could assist on the purchase of additional signs.

#### Review Council Minutes:

- February 17, 2022:  
Councilwoman Harrison moved to approve the minutes of February 17 seconded by Councilman D Burke.  
The mayor called for a voice poll: all in favor none opposed with Councilman R Burke abstaining.
- March 3, 2022:  
Councilwoman Harrison moved to approve the minutes of March 3, 2022, seconded by Councilman Orme.  
The mayor called for a voice poll: all in favor none opposed.

#### Review and Approval of Bills:

Councilman D Burke moved to approve the bills seconded by Councilman Orme.

The mayor asked the clerk to poll the council:

Councilman D Burke	Yes
Councilman Orme	Yes
Councilwoman Harrison	Yes
Councilwoman King	Yes
Councilman R. Burke	Yes


#### Adjournment:

Councilwoman King moved for adjournment seconded by Councilman D Burke.

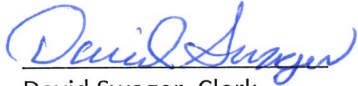
The mayor called for a voice poll: all in favor none opposed.

Meeting adjourned: 8:45pm

CITY OF RIGBY

  
Richard Datwyler, Mayor

ATTEST:

  
David Swager, Clerk