

City of Rigby
Council Meeting Minutes
July 7, 2022

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

The mayor asked the clerk to call the roll:

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

Also present: Mitch Bradley, Sgt. Scott, and Robin Dunn

Amend Order of Agenda:

Councilman Orme moved to amend the order of business with the discussion of projects concerning ARPA funding be moved after public comment, seconded by Councilwoman King.

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

Public Comment:

- Tanya Jensen – Concerned with the quality of work done on her driveway on 4th North during the LID #10 construction Driveway prep was not compacted and has cracked.
- Beth Jones – Concerned with the amended zone as proposed by the developers on the Southgate property. Increasing the zoning to allow for more apartments will only increase traffic on Rigby Lake Road. Approved of the R-1 zone along 460 North.
- Aaron Harding – Requested permission to use the electric services at the Vet Memorial during the Farmers Market to avoid using a generator for his DJ sound system.
- Maria McLean – Expressed concern with the city’s manner in installing the water line on Rigby Lake Road prior to the public hearing for annexation. The action appeared to have been taken in prior to the annexation public hearing and there was not a public hearing held concerning the water line.

Council Projects with LSI Consulting:

Brent Tolman, economic development director, reminded the council of the need to begin working and produce a listing of projects where the city could request funding from the ARPA funds the state has allocated. He listed 5 projects currently on the list:

- Installing a charging station in South Park
- Constructing an overpass on 200 North over Hwy 20
- Constructing a pedestrian overpass on Hwy 48 near the high school
- Widening Rigby Lake Drive
- Installing traffic lights on Hwy 48 and 3rd West.

The mayor stated he would like to have each council member with a specific liaison to begin working on the project: King – parks; D Burke – rodeo, Urban Renewal, airport; R Burke – roads; Orme – police.

Amending Urban Renewal District Area:

Brent Tolman, consultant for the Urban Renewal Agency, presented a resolution for the addition of two properties along Hwy 48 to be included in the study for inclusion in the urban renewal district. The properties in question meet three of the ten requirements as specified in the state code. The property is just east of the INL bus parking lot. Two other properties are being considered but are not in the city and that request is going to the county.

Councilwoman King moved to read the summary of resolution in title and summary seconded by Councilman D Burke.

The mayor reads the summary ordinance #211-2022 in title and summary.

Councilwoman King moved to approve and adopt ordinance #211-2022 seconded by Councilman Orme.

The mayor asked the clerk to poll the council:

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

Change in venue of August 4, 2022 council meeting:

The mayor explained that due to a public hearing to be held on the annexation of the Southgate Property it was decided to move the council meeting to a larger facility, that being the school district administration offices.

The mayor asked for consent to the change in venue: all in favor

Ex Parte Communications with Public:

The mayor stated that after the adjournment of the June 16 council meeting several residents came forward and discussed various topics of concern with part of the council. The mayor asked the attorney to give the council his opinion when council can interact with the public and where is not appropriate. The attorney stated that land use require the council not to be swayed by individuals calling and/or talking with them about a particular land use item coming before the council and each member should politely end the discussion saying any comments need to be made to the complete council sitting as a council and not individually.

Update on Previously Incurred Costs ARPA Fund:

In an email the city received from William Teuscher, Idaho DEQ, DEQ stated the engineering and construction costs incurred to meet the ammonia levels of the NPDES/IPDES are eligible for reimbursement in the ARPA grant. The estimate of those costs, which the paid from prior savings and fund balances total \$3.4 million.

Police Dept Update:

Sargent Scott updated the council on event occurring: the fireworks traffic pattern was changed and appeared to move the cars out of the Jefferson Lake area faster than in previous years. The Classic Car show event being held this weekend will host a parade of cars down Main at 5:00pm to 5:30pm. Two officers will be attending POST later this fall. And he’s informing the officers to conserve gas during their patrol.

Water Services Outside City:

The property owned by Reed Thurgood which is across the road from PPI has requested that his property be allowed to connect to the city water system. The property is not within the legal boundary of the city and has water on two of the sides of his development. The council felt the property should be annexed into the city to have water services. The property is adjacent to and is contiguous to city boundary.

Councilwoman King moved that the property be annexed into the city to receive water services seconded by Councilman D Burke.

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

Street Lighting – Cedar Meadows:

Mitch Bradley explained that during the construction in Cedar Meadows street light should have been installed prior to the development and building of homes and as a result, the city needed to install two additional lights from the original site plan as accepted. But to meet city code the two lights were added due to driveways being installed which would require the moving of the poles to keep in compliance with city code. The cost of the two street lights and poles is \$15,000.

Councilwoman King moved to approve the purchase of the two additional lights seconded by Councilman D Burke.

The mayor asked the clerk to poll the council:

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

Larry Wilson Park Improvements:

Mitch Bradley stated the project for the Wilson Park was broken into two parts: the pre-stressed concrete restrooms and the electrical update in the park. The city awarded the pre-stressed restrooms in the June 16 meeting. A bid opening was held on for the second phase of the development for the electrical upgrade with a single bidder submitting a bid of \$276,766. That bid in conjunction with the restroom bid of \$168,000 put the total cost exceeding the grant of \$250,000 putting to total over by \$195,000 which would come from city funds. Council discussed the options available. Krisi Staten entered the conversation via the zoom meeting stating the electrical project could be rejected and the city would have additional time to rebid the project without losing the \$250,000 grant.

Councilman Orme moved to reject the bid from Bybee Excavation in the amount of \$276,766.16 seconded by Councilwoman King.

The mayor asked the clerk to poll the council:

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

Wastewater Treatment Plant – Rerouting Discharge:

Marvin Fielding from Keller stepped forward and explained to the council the request the Great Feeder Canal was making to the city. Currently the WWTP discharges its effluent water directly into the canal system. The water flows for about ½ mile in the canal prior to sinking into the aquifer. Within the ½ mile the canal needs to get in and make changes in the banks and other improvement and with the discharge the canal is too wet to allow equipment to enter the canal. After discussion with the various attendees the best alternative would be for installation of a pipe in the canal for about ½ mile after which the water discharge could be switched to an alternative stream bed. The pipe appears to be able to be gravity flow so the need of a pump would not be required. Keller explained the cost along with additional engineer fees could be added to the WWTP project under a change order without having to request news bids. Being the work could not start until after the water is turned out of the dry bed the canal company will allow the city additional time and delay their portion of the work.

Keller will work up estimates along with an amended engineer contract for the work to be added as a change order when the WWTP project is awarded.

Beer Garden – Scotty’s South Park:

Tabled.

Approval of Minutes:

Councilwoman King moved to approve the minutes of June 16, 2022 seconded by Councilman Orme.

The mayor called for a voice poll: all in favor none opposed with Councilman R Burke abstaining.

Review and Approval of Bills:

Councilman Orme discussed the billing from Keller’s Engineering on the 5th West Realignment. Being the bids received were twice amount the city had expected the bids were rejected. Keller’s contract for the engineering work was for \$45,000. But the contract had an attachment to the contract wherein Kellers were allowed to receive additional compensation equal to an additional 10% of the lowest responsible bid at bid opening. The lowest bid received was \$678,694.23 which would allow Keller an additional \$67,869 in engineering fees. The concern being Keller did not have to do additional engineering work on the project once their design and bid estimates were completed, therefor with no addition effort on Keller’s part, why would they or should they be compensated based solely on increase construction costs over engineer estimate. The clerk also commented that the scope of work as defined in their contract listed several items that would be done during construction. Keller had billed out 75% of the project management fee of \$1,815 and from Keller’s discussion on scope of work it would appear to have a greater amount of work during construction than during design. He also commented the invoice had not been included in the current bill listing due to irregular billing concern shown on the invoice. Mitch Bradley will contact Keller and review the invoice.

Councilwoman King moved to approve the bills as presented seconded by Councilman Orme.

The mayor asked the clerk to poll the council:

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

Adjournment:

Councilwoman King moved to adjourn seconded by Councilman D Burke.

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

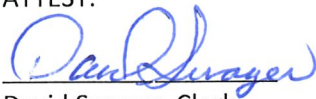
Meeting adjourned: 9:21pm

CITY OF RIGBY



Richard Datwyler, Mayor

ATTEST:



David Swager, Clerk