

City of Rigby
Council Meeting Minutes
July 6, 2023

The mayor called the meeting to order at 7:00 pm Thursday, July 6, 2023. The pledge of allegiance was given by Doug Burke and the prayer given by Roarke Burke.

The mayor asked the clerk to call the roll:

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

Also in attendance: Mitch Bradley, Attorney Angell, Chief Fullmer

Public Hearing:

- Zone Change – 280 N Yellowstone Hwy.

Dave Youngstrom representing Yellowstone Log Homes came forward and stated he has a parcel of ground approx. 30 acres that has a split zone – 6 acres residential and 24 acres industrial. He did not know how or when the split zone occurred, but all the acreage has been used as industrial since he acquired it. Ione Hansen, planning zoning administrator, said there is not metes and bounds defining the residential zone from the industrial zone. The 30 acres has a complete legal description.

Public Comment: None

Council Discussion:

Councilman Orme favors the zone change. Councilwoman King stated there needs to be more industrial zone in the city. Councilman D Burke concurred.

Councilwoman King moved to approve the zone change for the property located at 280 n Yellowstone Hwy seconded by Councilman D Burke.

The mayor called for roll call poll:

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

- Proposed Fee Increase – Research and copy time; Boring Fee Permit; and ordinance revision for sanitation and fee for noncompliance.

Public Comment: None

The mayor indicated being there were three items it would be best to discuss each one individually.

Councilman D Burke stated the council has reviewed the items in prior meetings and feels the council should proceed to act on them.

Research and Copy Fees - Ordinance #2023-636:

Councilwoman King moved to approve the resolution for the research and copy time ordinance #2023-636 seconded by Councilman Orme.

The mayor called for roll call poll:

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

Sanitation Ordinance - #2023-635:

Councilman Orme noted the had been prior discussion about the cans being provided by the customer. The attorney indicated that the words "provide and" in paragraph 4-5-08 could be removed.

With that change Councilman Orme moved to approve the sanitation ordinance #2023-635 seconded by Councilwoman King.

The mayor called for roll call poll:

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

Resolution #216-2023 – Boring Permit and Fees:

Councilwoman King moved to approve the boring permit resolution #216-2023 seconded by Councilman Orme.

The mayor called for roll call poll:

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

Public Comment:

Ambrea Morales: Came forward and was requesting permission from the city to have a shaved ice truck parked at various locations around the parks at various times of the year and day. Councilman D Burke had no objections if the service window was on the sidewalk side and the police chief had no objection. Chief Fullmer stated he had none if it was not impeding traffic.

Councilman D Burke moved to allow Ms. Morales to have the shaved ice truck on city streets seconded by Councilwoman King.

The mayor called for a voice poll:

All in favor none opposed.

Wayne Rogers: Came forward and complained the city attorney would not make an appointment with him which was an infringement of his rights.

Barbara Monroe: Complained the attorney would not make an appointment with her for her to express the corruption occurring in the city by the police department. She also was not allowed to be given the private phone numbers of the council members.

Adam Hall: Mr. Hall representing "Hot Classic Nights" complimented the city crew for the assistance they have provided in getting ready for the car show that will be held in Wilson Park Saturday July 8. The attendance this year appears to be exceeding that of the prior year. He also thanked the city for the electrical upgrades that have been installed. This will be a great benefit not only for the car show but for the city. The proceeds from the car show assists the Rigby Seniors Meals on Wheels program with \$15,000 being donated to them last year. With that he presented the mayor with a check for \$10,000 as part of their contribution for the electrical improvements.

Water Study Report:

Tyrel Clark from Keller presented a update on the 2023 Water Study. The purpose of the study is to determine, given the projected growth of the city and the existing water supply, will the water supply keep up with the growth. The city has a total of 5,885 gallons per minute with a capacity to pump of 8,900 gpm. Given the growth of 2.6% the city has capacity to provide water until 2043. The city has storage of 250,000 gallons. But in 2043 the city will have a deficient storage capacity of 960,000 gallons. The study suggested additional storage of a 1.45-million-gallon tank. The estimated cost of a 1.5-million-gallon tank is \$5.5 million. The study also estimated the city needs to upgrade its water supply lines at an estimated cost of \$4.4 million.

Resolution #216-2023 – Boring Permit:

It was noted the action to adopt resolution #216-2023 as taken under the public hearing of the agenda.

1st Reading Ordinance #2023-635 – Sanitation Ordinance:

Councilwoman King moved the read the title and summary of ordinance #2023-635 seconded by Councilman D Burke.

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

The mayor reads title and summary.

Councilman D Burke moved to suspend the rules for the second and third reading of the ordinance and to adopt ordinance #2023-235, as corrected, and to publish same seconded by Councilwoman King.

The mayor called for roll call poll:

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

1st Reading Ordinance #2023-636- Research fees and copy time:

Councilwoman King moved to read ordinance #2023 -636 in title and summary seconded by Councilman Orme.

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

The mayor reads title and summary.

Councilwoman King moved to suspend the rules for the second and third reading of the ordinance and to adopt ordinance #2023-236, as corrected, and to publish same seconded by Councilman D Burke.

The mayor called for roll call poll:

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

Donation from Tijuana Farms:

The organizer of the Tijuana Farm concert held last week donated \$350 to the city for emergency services. Carl Anderson wanted to have \$200 go to the police reserves and \$150 to the rodeo. The clerk felt all the donation should be to the police reserve fund.

Councilwoman King moved to accept the donation and directed that it be given to the police reserve fund seconded by Councilman Orme.

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

May '23 Financial Reports:

The clerk reviewed the May 2023 financial report of budgeted revenues and expenditures. He again noted both the revenues and expenditures were coming in line with expectations given the time of the year. Property tax collection will see the second half of the tax receipts come in July bringing the property tax supported funds into line with budget. As for expenditures, road fund will see additional expense for the seal coating, water power bill will increase for the summer watering and park summer maintenance will be coming for the few months. Journal entries were recurring interest earnings and charges for the internal service fund.

Civil Forfeiture of Vehicle:

Chief Fullmer stated the city had seized a vehicle during the drug arrest last month. He was requesting permission to proceed with the civil forfeiture of the vehicle. The vehicle has an outstanding lien on the vehicle which if the city were acquire it through the court would need to be paid. The lien is for around \$5,500 plus interest and other fees. The car could be used by a detective or sold. Councilman D Burke felt if it was acquired should be used in the police department for a couple of years.

Councilwoman King moved to proceed with the civil forfeiture of the vehicle seconded by Councilman Orme.

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

Law Enforcement Grant:

The city has police funds available through the Federal Emergency Fund program which is administered by the county. He has funds allocated to him around \$11,000 which he would like to use for the purchase of 2 car cameras and 2 radios. The total may exceed \$11,000 by \$800 which he feels could be reduced with removing certain items that the radios come with which are not needed.

Councilwoman King moved to approve the grant from the federal emergency funds seconded by Councilman Roarke Burke.

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

Councilwoman King moved to approve the purchase of the camera and radios seconded by Councilman Orme.

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

Purchase of New Vehicles:

Chief Fullmer has received the price for the lease of three 2023 Dodge Durango patrol cars. The lease is for either a 4-year or a 5-year term. The 4-year lease is \$13,305 and the 5 year lease is for \$11,715. Council asked if funds are available to which the clerk said in the capital improvement fund. He also recommended the 4-year lease over the 5-year.

Councilwoman King moved to approve the lease of the vehicles for the 4-year term seconded by Councilman D Burke.

The mayor called for roll call poll:

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

Other Council Business:

Summer Picnic- Councilman D Burke reminded everyone of the upcoming picnic July 27.

Approval Minutes:

Councilwoman King moved to approve the minutes of June 15, 2023 seconded by Councilman D Burke.

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

Approval Bills:

Councilwoman King moved to approve the bills for payment seconded by Councilman Orme.

The mayor called for roll call poll:

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

Adjournment:

Councilwoman King moved to adjourn seconded by Councilman Roarke Burke.

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

Meeting Adjourned: 8:31PM

CITY OF RIGBY

Becky Harrison

~~Richard Dotwyler, Mayor Council Pres~~

Becky Harrison

ATTEST:

David Swager

David Swager, Clerk