

City of Rigby
Council Meeting Minutes
Sept. 5, 2024

Mayor Datwyler called the meeting to order at 7:00 pm Thursday, Sept 5, 2024. The pledge of allegiance was given by Councilman Wilder and the prayer given by Councilman Espinosa.

The mayor asked the clerk to call the roll:

Councilman Espinosa	Present
Councilman Howe	Present
Councilman Stone	Present
Councilwoman Hillman	Present
Councilman Wilder	Present
Councilwoman Harrison	Absent

Also present: Mitch Bradley, Allen Fullmer and Sam Angell

Mayor's Proclamation:

The mayor read a proclamation declaring the week of Sept 17 through the 23rd as Constitution Week.

Library Board member:

The mayor asked Charley Hamilton to step forward and administered the oath of office for the Rigby library board.

Public Comment:

None

Public Hearing – Annexation/zone designation – 424 N 3950 East:

Applicant: lone Hansen, planning zoning administrator, reviewed the application and hearing held at the planning zoning meeting.

Opposed- Nancy Mahoney-Martian stated the application only stated to have city utilities. Wanted to know the reason besides having city utility services.

Neutral / In Favor: None

Council Discussion:

Councilman Wilder: Would like to see the zone and plat done together but acknowledges that's not how land use planning works.

Councilman Stone: Zoning as county and city sees very little difference between the two. Technically the same for both.

Councilman Howe moved to approve the annexation as commercial zoning seconded by Councilman Stone.

The mayor calls for a roll call poll:

Councilman Espinosa	Yes
Councilman Howe	Yes

Councilman Stone	Yes
Councilwoman Hillman	Yes
Councilman Wilder	Yes

Public Hearing – preliminary and Final Plat – 440 W 2nd North:

Conner Johnson, representing the developer, stepped forward and reviewed the conditions asked for by the planning zoning commission. He stated all the concerns/issues have been or will be complied with. Items discussed was the fencing around the perimeter of the development, location of fire hydrants, garbage dumpster's location and additional street lighting.

Opposed:

Paul Anderson: presented the council with a signed letter signed by eight of the property owners requesting a variance on the width of the road and variance on having sidewalks installed if an LID were to be installed. Other areas in the city do not have sidewalks. (Copy of letter included in minutes.)

He continued with the location of the road coming onto 3rd West will cause issues with the Barney's home. Concerned with the cost of the upgrade and who will be responsible for paying for the improvements. With the widening of the road, many property owners will lose their front yards with the expansion of the road.

Faylynn Barney: Any widening of the road will result in a loss of their front yard as their home does not have the current setback as cited in the city code.

Dave Byington: Concerned with the dump site at the end of 2nd North is directly in line with the road and it is not the best location. Also, the condition of the road is unknown.

In Favor:

Shane Wiser the developer has agreed to all the conditions the city has requested along with the planning commission. The decision on the road is up to the city. As for the fencing on the back side of the property, there are several types and styles of fencing already installed by other property owners, the city needs to decide what style and type of fence should be installed.

Laura Wiser the roads do line up with the crossroads on 3rd West and the entrance to the development can be shifted either way that the city decides.

Rebuttal:

Conner Johnson: the developer will work with the city regarding the road and water line.

Council Discussion:

Councilman Howe: the property will need to have a survey completed along the roadway.

Councilman Espinosa: the waiver of the sidewalks will be a council decision.

Councilman Howe: suggested other locations other than the one showing on the plat. At the end of the hammer head. The location of the fire hydrant will be deferred to the fire chief.

Open discussion: Council followed an open discussion concerning the LID and easements being encroached by the residents.

Councilman Howe moved to approve the preliminary and final plat subject to changes for the garbage dumpster location and fire hydrant, fencing will be addressed in the development agreement. Motion seconded by Councilman Wilder.

The mayor calls for a roll call poll:

Councilman Espinosa	Yes
Councilman Howe	Yes
Councilman Stone	Yes
Councilwoman Hillman	Yes
Councilman Wilder	Yes

Public Hearing – Moratorium on sign boards, billboards and other advertising boards:

Applicant: Ione Hansen, city planning zoning administrator, stated the city needs to limit the large electric billboards that are being requested to be installed in the city.

Public Comment: None – opposed, in favor or neutral.

Council Discussion:

Adam Hall asked if banners and realtors for sale signs are included in the moratorium. The council then struck the words sign boards, or related advertising boards in the draft copy of the ordinance.

1st Reading of Proposed Ordinance #2024-643 – Moratorium on Billboards.

Councilman Wilder moved to read ordinance #2024-643 in title and summary only as amended. Seconded by Councilwoman Hillman.

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

Mayor reads ordinance #2024-643 title and summary.

Councilman Wilder moved to suspend the rules for the second and third reading of ordinance #2024-643 and to pass and publish the ordinance as amended. Seconded by Councilman Stone.

The mayor calls for a roll call poll:

Councilman Espinosa	Yes
Councilman Howe	Yes
Councilman Stone	Yes
Councilwoman Hillman	Yes
Councilman Wilder	Yes

Altura utility survey:

The mayor stated Altura is conducting a survey of the property owners for the city to verify if we qualify for grants based on low to moderate income of the residents. The contract presented at the last council is for \$8,000.

Councilman Howe moved to approve the contract with Altura seconded by Councilwoman Hillman.

The mayor calls for a roll call poll:

Councilman Espinosa	Yes
Councilman Howe	Yes

Councilman Stone	Yes
Councilwoman Hillman	Yes
Councilman Wilder	Yes

One-way phone texting:

The mayor had checked with the school district on the system they use and it's not available for city use. The county is looking at Red Alert but at the present time they have not gotten back to him. The proposal presented at last council was tabled until more information can be obtained.

Fit-One Center:

Tabled

ICRMP renewal:

Councilman Stone moved to renew the contract with ICRMP, the city's liability insurance provider, seconded by Councilman Espinosa.

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

June 2024 Financial Statements:

The clerk reviewed the excel spreadsheet of budgeted revenues and expenditures for the period ending June 30, 2024. He commented revenues are coming in as projected and in some instances better than budget. Expenditures were generally running below budget. He anticipated the city would end the year in a good financial position. The journal entries were reviewed which consisted of accruing for the internal service fund charges and credits and the posting of interest earnings, which were higher than in previous periods.

Proposed Sewer Rate:

The mayor reminded the council of the need to consider raising the monthly sewer rates to account for increased costs in the wastewater treatment plant. He also stated that since the city had paid off the USDA loan, the monthly fee for the sewer bond could be decreased by a like amount that the raise in sewer fees would be. Being the city is proposing an increase in fees, a public hearing is required.

Councilman Wilder moved to advertise and hold the public hearing on October 3, 2024, seconded by Councilman Howe.

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

2nd Reading Ordinance #2024-642 – Budget Appropriation:

Councilman Wilder moved to read ordinance #2024-642 in title and summary only, seconded by Councilman Howe.

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

Mayor reads ordinance #2024-643 title and summary.

Councilman Wilder moved to suspend the rules on the third reading of the ordinance and approve and publish the ordinance seconded by Councilman Espinosa.

The mayor calls for a roll call poll:

Councilman Espinosa	Yes
Councilman Howe	Yes
Councilman Stone	Yes
Councilwoman Hillman	Yes
Councilman Wilder	Yes

Approval of Minutes:

Councilwoman Hillman moved to approve the minutes of August 15, 2024, seconded by Councilman Howe.

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

Review and Approval of Bills:

The clerk stated there were three changes in the bill list: the addition of two invoices for officers to attend a training session in Twin Falls for \$130 each and the deletion of a duplicate invoice to O'Reilly bill for \$10.99 for net payments totaling \$308,617.13.

Councilman Howe moved to approve the bills as corrected seconded by Councilwoman Hillman.

The mayor calls for a roll call poll:

Councilman Espinosa	Yes
Councilman Howe	Yes
Councilman Stone	Yes
Councilwoman Hillman	Yes
Councilman Wilder	Yes

Adjournment:

The mayor reminded the council of the upcoming public hearing on the Peterson property. Councilwoman Hillman moved to adjourn seconded by Councilman Stone.

Meeting adjourned: 8:45 pm

CITY OF RIGBY

Passed on a voice poll: all in favor, none opposed with Councilwoman Harrison abstaining the meeting of September 19, 2024.

