

**COUNCIL MEETING MINUTES – MARCH 8, 2006**  
**CITY OF ST. ANTHONY**  
**420 NORTH BRIDGE, ST. ANTHONY, IDAHO**

**PRESENT:** Mayor Bill Beck, Councilmembers Garth Rose, Shawn Fransen, Darby Merrill, Matt Blanchard, and Dee Rausch. Councilmember Cathy Koon was excused.

**ALSO PRESENT:** City Clerk-Treasurer Taci Stoddard, Supt. of Public Works Woody Andersen, City Attorney Penny Stanford, Police Chief Bryan Fullmer, Pat McCoy – Fremont County Treasurer, Fremont County Commissioner Paul Romrell, Dee Young – Airport Board Member, concerned citizens, and newsmedia.

**PUBLIC MEETING & AUCTION – SURPLUS AIRPORT PASTURE**

**PROPERTY:** The Mayor and Council discussed the surplus and proposed sale of the Airport Pasture property. No comments were received from the public.

A public auction for the property with minimum bid of \$1.5 million was then held. No bids were received. Mayor Beck stated from this time forward the City Council can entertain offers from individuals for any part of the airport pasture land to be deemed purchasable. A motion to accept made by Merrill, 2<sup>nd</sup>, all in favor, motion carried.

**BARG PROPERTY NUISANCE:** Commissioner Paul Romrell addressed the Council and gave a state of the County addressed somewhat like the Mayor gave to the Commissioners recently. He described the beautiful area we live in and his life and memories he had growing up and living in Fremont County. He discussed what he described as an historic time in the County with growth and development that is being seen and proposed. He stated that decisions being made right now will have an effect on what Fremont County will look like forever and he is humbled to be a part of those decisions. He talked further about issues the County is currently working on such as hiring a full time land use planner and re-writing of the County's comprehensive plan. The County also started a clean up effort last year that has become a controversial issue. County residents had been asked to voluntarily clean-up their properties. The intent of the clean up effort was not to make life miserable for people, but to take some time (over a few years) to get some success. Some letters were sent out last year, but no citations were issued. Some of the letters worked and some didn't.

The property he has had the most calls about is the Virgil Barg property, a few miles west of the City at the Highway 20 Business Loop North exit. Romrell reported some headway has been made, but very little. The Commissioners met recently with Barg and it appears that he is not willing to follow the original agreement he had with the County, and he was informed he would be receiving a citation. The County plans on pursuing that course. Romrell feels they have exhausted cooperative efforts with him, and they have time some time to build case to go to court with. The Commissioners would like the support of the City if nothing more than to just show support and they intend to do same thing with Chamber of Commerce. They would also like to see the City declare the property a nuisance, as it is not a county power. City Attorney Stanford stated the

County's does have powers for nuisance properties, but she suggested the County and Commissioner Romrell adjourn to executive session.

A motion to adjourn to executive session to discuss potential litigation made by Merrill, 2<sup>nd</sup>, all in favor by roll call vote, motion carried. Council adjourned to executive session. Potential litigation was discussed; no decisions were made.

Council returned to regular session and discussed legal ramifications of the City declaring the property a nuisance. According to State Code and City Attorney Stanford the City can declare and abate a nuisance within three miles of the City limits, but has no prosecution power for criminal charges. Stanford recommended the City partner with the County to take legal action to declare notice and pursue a court order for clean up of the Barg property and encourage and citizens interested in pursuing their own suit join as additional plaintiffs with the City and County. Stanford will work with the County Attorney in following up with this recommendation. No physical action will be taken at the property until the court order is obtained. A motion to follow the City Attorney's recommendations made by Merrill, 2<sup>nd</sup>, all in favor, motion carried. Romrell expressed his appreciation for the City helping the County with this issue.

**COMMERCIAL DEVELOPMENT AT AIRPORT** – Mayor updated council about project and withdrawal investor Cedar Falls from the project. ECIPDA offered to inject the \$200,000 that was short because of the Cedar Falls withdrawal. Ted Hendricks of ECIPDA discussed the proposals for ECIPDA's share in the project with a couple different scenarios. (A sheet showing the different options is attached as part of these minutes.) Hendricks answered questions from the Council about each of the proposals. If the Council elects to have ECIPDA manage the property, it will be listed with a realtor immediately after the initial facilitation with Summit Truss for the truss plant property. Hendricks encouraged the council to dedicate the surplus from property sales to further economic development. Mayor Beck stated he had discussed these options with the City Attorney and they met her approval. Project funds paid out of the utility fund would be paid back utility fund with interest to be determined. Councilmember Fransen made a motion to accept the 2<sup>nd</sup> proposal which would partner the City with the Development Company for the life of the sale of the lots at the Park, with ECIPDA receiving 33.6% and the remaining 66.4% going to the City, motion received a 2<sup>nd</sup>, all in favor, motion carried. Council discussed the additional proposal to allow ECIPDA to facilitate Summit Truss going into the property and then having the lots appraised and marketed with the help of a realtor. ECIPDA will receive approximately 10 acres for managing and marketing the industrial park, which it will in turn sell to Summit Truss. A motion to let ECIPDA manage and market the sale of lots at the industrial park in exchange for the 10 acres made by Merrill, 2<sup>nd</sup>, all in favor, motion carried.

**ROY PARKER – UTILITY BILLING REQUEST:** Roy Parker, City Resident, explained that he was recently incarcerated and had not made arrangements to suspend his utility bills while he was gone. He has paid the bill on his home, but asked for consideration of the bill for his business until he has funds to pay it. Mayor Beck explained the water had been turned on at some point and there was usage at his business,

but Parker stated he did not turn the water on and was not sure who had. Parker proposed that he pay the usage for the water and any penalties on the bill. After discussion a motion was made by Rose to charge the water turn on and off fees amounting to \$40.00 plus the water usage calculated since he had been gone. Merrill abstained, all others in favor, motion carried.

**CATERING PERMIT – MULE DEER BANQUET:** The City Clerk presented a catering permit for council approval. The permit request is from the Star Bar to cater the Mule Deer Banquet at the National Guard Armory on March 25, 2006. All licenses for the Star Bar are in order. A motion to approve made by Merrill, 2<sup>nd</sup>, all in favor, motion carried.

**COMP PLAN AMENDMENT ORDINANCE:** Mayor Beck reviewed with the Council the purpose of ordinance and the Facts, Findings and Conclusion and recommendations of the Planning and Zoning Commission at the conclusion of their required hearings. The ordinance amends the comp plan impact zone map to change zoning of the airport and airport pasture to allow the property to be annexed. The Planning and Zoning Commission recommended the amendment. Councilmember Merrill introduced the ordinance and made a motion to read by title only for the 1<sup>st</sup> reading. All voted in favor of the motion. Merrill read 1<sup>st</sup> reading. A motion to suspend the rules and read the ordinance on the 2<sup>nd</sup> and 3<sup>rd</sup> reading by title only made by Merrill, 2<sup>nd</sup>, all in favor. Merrill read 2<sup>nd</sup> and 3<sup>rd</sup> readings by title only. A motion to pass was made by Fransen. All in favor by roll call vote. Ordinance is adopted and will be published by the City Clerk.

**ANNEXATION ORDINANCE:** An annexation ordinance to annex the airport pasture and airport property was presented to the Council. A motion was made by Merrill to read the ordinance by title only for the 1<sup>st</sup> reading, 2<sup>nd</sup>, all in favor. A motion to pass on the 1<sup>st</sup> reading was made by Blanchard, 2<sup>nd</sup>, all in favor. A motion to suspend the rules and read 2<sup>nd</sup> and 3<sup>rd</sup> readings by title only made by Merrill, 2<sup>nd</sup>, all in favor. Merrill read 2<sup>nd</sup> and 3<sup>rd</sup> readings by title only. A motion to pass was made by Merrill, 2<sup>nd</sup>, all in favor by roll call vote. Ordinance is adopted and will be published and file with the County and the State Tax Commission. The Council and Mayor discussed how the lots will be subdivided and sold. Ideas for covenants and design standards for the subdivision were also discussed.

**DOWNTOWN PARKING PROBLEMS –** Mayor Beck discussed the recurring parking problems downtown, particularly on 1<sup>st</sup> North in the 1<sup>st</sup> blocks East and West of Bridge Street. New buildings have been constructed in that area and the City was aware of the need for parking, so the parking lot behind the Fort Henry Business Development Center was construction. The Mayor feels like there has not been adequate cooperation with people he has talked with, particularly employees of the call center on West 1<sup>st</sup> North. Added to that is some misunderstanding with East Idaho Credit Union and the County Prosecutor's office and those employees who are instructed specifically to park within a certain distance to back door. Beck stated it is a difficult situation. He sent a letter to the call center about a week ago asking them to have their employees park in the parking lot

and then had a discussion with the manager who feels like they are being single out. The Mayor stated he had thought about whether two hour parking should be enforced. Chief Fullmer stated he would like to see the council take some time to look at the issue and really study it; not hurry into making a decision. Mayor instructed Councilmember Blanchard to work with Chief Fullmer on the issue, and stated the Councilmember Koon also needs to be involved.

**NORTH BRIDGE WATER AND SEWER EXTENSIONS:** Mayor Beck reported that bids had been received on the project and were awarded to 3H Construction. He has discussed with the contractor the need to quickly because of high ground water. Beck explained the need to get easements from property owners for streets and utilities. The Ward family that is constructing the new laundry is asking for \$8,827 (which is the utility hook-up cost) for their property that is needed by the City. A motion to approve the purchase was made by Merrill, 2<sup>nd</sup>, all in favor. The Mayor will continue working with other property owners on purchase of additional property.

**MINUTES:** Minutes from the February 8 & February 22<sup>nd</sup> council meetings were presented. No changes were noted. A motion to approve was made by Merrill, 2<sup>nd</sup>, all in favor, motion carried.

**BILLS:** Bills were presented for council approval. After brief discussion a motion to pay the bills was made by Merrill, 2<sup>nd</sup>, all in favor, motion carried.

**TREE ORDINANCE:** A motion was made by Councilmember Blanchard to table this item for the next council meeting, 2<sup>nd</sup>, all in favor, motion carried.

## **MAYOR & COUNCIL REPORTS DEPARTMENT REPORTS**

***COUNCILMEMBER ROSE*** – Rose asked if anyone was going to the St. Anthony Work Camp annual meeting the next day. Supt. Andersen stated he would be able to attend. Mayor Beck asked Andersen to ask them about doing the project in the Police Department to change the department’s entrance.

***COUNCILMEMBER MERRILL*** – Merrill stated she had talked with quite a few citizens about the addressing and felt those she had talked with didn’t want to change addresses, but supported doing it for emergency services. Mayor Beck reported the City of Ashton had approved a joint county-wide system.

***MAYOR BECK*** – The Mayor reported on recent efforts to support the Free Fisherman’s Breakfast. The Chamber has received funds and letters promising funds. Beck himself received a call from Mike Vickers who offered to match up to \$5,000 and donations that were received. The Mayor stated he has gotten several other sources of funds to us to match up with that money.

Mayor Beck also reported on a recent meeting with David Taylor and St. Anthony Motors. They have found a piece of property at the South St. Anthony exit and will build a new dealership there in the next two to three years. They also discussed getting water and sewer utilities to the property.

The Mayor stated he had met with the County Commissioners about the Search and Rescue proposed building location at the airport pasture. The Commissioners have suggested finding other locations for that building outside the new industrial park so the City has additional property to sell. He also discussed with them the possibility of eventually getting a road out of the South end of the industrial park with the county's help.

There being no further business to come before the council the meeting was adjourned at 10:21 p.m.

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Willard D. Beck, Mayor

Attest:

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Taci Stoddard, City Clerk-Treasurer