

**COUNCIL MEETING MINUTES**  
**ST. ANTHONY CITY COUNCIL MEETING – FEBRUARY 13, 2008**  
**CITY OF ST. ANTHONY, IDAHO**  
**420 NORTH BRIDGE, ST. ANTHONY, IDAHO**

**PRESENT:** Mayor Bill Beck, Councilmembers Garth Rose, Dee Rausch, Woody Andersen, Bryan Fullmer, Elva Powell, and Bryan Stoddard.

**ALSO PRESENT:** Police Chief Jim Smith, Attorney Troy Evans, Supt. of Public Works Scott Butigan, City Clerk-Treasurer Taci Stoddard, Planning and Zoning members Evan Tibbitts and Wendell Greenhalgh, Don Powell and Edge Wireless representatives.

**EDGE WIRELESS CELL TOWER SPECIAL USE PERMIT:** Mayor Beck asked Planning and Zoning Chairman Evan Tibbitts to report to the Council on the recent hearing on the special use permit to allow Edge Wireless to construct a cell tower that would be higher than allowed by City code. Tibbitts stated the planning and zoning board members felt it was a necessity. Only one board member was opposed, with the majority remaining recommending approval. No verbal testimony was presented at the meeting, only a written letter from resident Charles Sorensen, who was opposed. The legal notices were given as required by law.

Frank O'Leary of Edge Wireless presented additional information to Councilmembers. The tower height was reduced from 200 feet to 150 feet, as they tried to minimize the impact, but have adequate coverage. He pointed out that this was the 2<sup>nd</sup> time the issue was before the City Council, and the hearing was properly noticed for planning and zoning. All documents were properly submitted, and all requirements met. He met with the committee assigned to develop the lease, and he feels all legal steps have been met and exceeded. He addressed Edge's needs to provide adequate coverage. Councilmember Stoddard asked what conversation had been had with the high school about service and whether there was a site available at the school. O'Leary acknowledge the school had contacted them about inadequate coverage, and several possibly sites were looked at with the one at City Hall being the best location. This location could also benefit the City as there will be a place for the City's wireless equipment. It would also provide platforms for two other carriers which would reduce the need for additional towers in the City. He reminded Councilmembers that the current wireless tower used by the City would be removed.

Councilmember Andersen expressed concerns that the tower would be 60-80 feet higher than anything else in the area. He stated he felt people needed another chance to voice their opinion, and made a motion to hold another public hearing. Councilmember Fuller stated he was concerned about how this tower affected the comprehensive plan, and open space requirements. Discussion continued about adequate notice with O'Leary stating it would be undo hardship to Edge should another meeting be required with the time delay. Councilmember Stoddard pointed out that the current tower at City Hall was only 8X8 feet at the base, and the new tower would have any area of 50X50 feet which is a big difference in size. Councilmember Rose stated he could understand everyone's concerns, but the permit has been through the legal procedures. He continued that the City has elected councilmembers to make decisions for the City, and it is hard to get adequate public comment on every issue.

Councilmember Andersen's motion to hold another public hearing before the Council died for lack of a 2<sup>nd</sup>. A motion to take the recommendation of the Planning and Zoning Commission from their Facts, Findings, and Conclusions made by Rose, 2<sup>nd</sup>, Stoddard opposed, all others in favor. The special use permit was approved.

**EDGE WIRELESS LEASE:** O'Leary reported Edge is ready to come to the City Attorney with a final review of the lease document. He is waiting on information to move the City's equipment to the tower before the lease agreement can be finalized. He discussed they would be replacing any trees two to one that have to be removed. He and the Mayor also talked to the Council about the possibility of the City being able to work something out for the City to share a generator, but that may end up proving to be too difficult. A motion was made by Andersen to authorize the Mayor to sign the lease agreement, 2<sup>nd</sup>, all in favor, motion carried.

**COMPREHENSIVE PLAN AMENDMENT:** Mayor Beck explained the process so far that the City was working through in order to change the County Fairground property in the impact are from a C1 zone to a PSD (Public Service District), which may allow opportunity for a drag racing strip and another racing and vehicle events to be held at the Fairgrounds. Planning and Zoning is recommending not amending the comprehensive plan. The Council cannot override their recommendation without having their own public hearing. Councilmember Rose made a motion to table until the next meeting to look at the information further before making a decision, no 2<sup>nd</sup> was received, motion died. Councilmember Fuller asked Don Powell, who is trying to develop the racing facility if there is a development plan. Powell reported there is a plan, which includes ways to reduce the noise. Questions arose, along with concerns by Don Powell about whether they meeting should have addressed the racetrack specifically or whether is should have been only about the zone change. Powell also stated he didn't receive a notice about the hearing so he could have attended and presented his information. Attorney Troy Evans, who was present in City Attorney Bill Forsberg's absence, advised that issue be sent back for planning and zoning for the correct procedures to be done which he outlined for the planning and zoning commission.

**SURPLUS DECLARATION:** Mayor Beck discussed Neil Shupe of Shupe Flying Service and his desire to expand his commercial spraying operation at the airport. Because he only leases the property from the City this makes it difficult for him to get loans to expand his business. The Mayor suggested declaring the property surplus and selling it at public auction. Shupe understands the risks that he is not guaranteed the property. Surplusing and selling that property would also give some area for individuals to purchase space for some nice hangars. Loss of lease revenue was discussed, and the Mayor recommended keep funds from the sale of property in the airport fund. Supt. Butigan suggested a service fee for use of the airport to help recoup the loss of rent.

The Mayor also suggested the Council consider declaring the gravel pit property on the South side of town excess and putting it up for sale; possibly for development. Councilmember Rose suggested informing the Lloyd Swenson park committee of the City's intentions. The park committee has been inactive for some time, with no sign of proceeding with developing soccer fields at that location.

The Council agreed to proceed with having the Mayor get legal descriptions of the proposed surplus properties, and cost estimates in order to set minimum bids.

**CITY PARKING LOTS:** Mayor Beck explained that at time revamping was done on downtown parking regulations; the decision was made to not make any restrictions on parking lots. This has not been working well this winter to get parking lots cleaned out, and there were some vehicles that had to be towed. He stated it is time to address what the City is going to allow in the parking lots. There is also a need to work on the whole parking ordinance. The Mayor appointed Councilmembers Stoddard, Fullmer, and Andersen to a committee to review the city's parking ordinances, and gave them 60 days to present proposed changes to the City Council.

**UTILITY DEPOSIT RESOLUTION:** Councilmember Rose made a motion to discuss the resolution at the next meeting, 2<sup>nd</sup>, all in favor, motion carried.

**MAYOR'S COMMITTEE ORDINANCE:** An ordinance was presented to the Council to change the City's ordinance which required the Mayor set up committees. The new ordinance will allow the Mayor to appoint liaisons to different City departments, as well as to the Finance and Personnel Committees. A motion was made by Rose to suspend the rules and read the ordinance by title only for the 1<sup>st</sup> reading, 2<sup>nd</sup>, all in favor, motion carried. A motion was made by Councilmember Stoddard to amend and correct the ordinance to say "council", 2<sup>nd</sup>, all in favor. Councilmember Stoddard read the ordinance. A motion to pass on the 1<sup>st</sup> reading made by Stoddard, 2<sup>nd</sup>, all in favor. A motion to suspend the rules and read the ordinance by title only for the 2<sup>nd</sup> and 3<sup>rd</sup> readings made by Stoddard, 2<sup>nd</sup>, all in favor. Stoddard read 2<sup>nd</sup> and 3<sup>rd</sup> readings by title only. A motion to pass was made by Fullmer, 2<sup>nd</sup>, all in favor by roll call vote, motion passes. The Ordinance will be numbered and published by the City Clerk. The Mayor stated he would have liaison appointments by the next meeting.

**CITY STREET CONDITIONS:** Councilmembers reviewed information from the City's transportation plan listing the conditions of city streets and their remaining service life, along with reports presenting optimal treatments. Mayor Beck discussed the need for public input, and asked Councilmembers to give some thought about some solutions. He would like to allow some time at one of the next meetings to make plans on how to move forward to at least getting some public input. Councilmember Rausch suggested putting together an information packet, and Andersen suggested a pie chart comparing city budgets and where funds come from.

**MINUTES:** Minutes from the January 9<sup>th</sup> and January 23<sup>rd</sup> meetings were presented for Council approval. Changes were noted. A motion to approve with corrections made by Rose, 2<sup>nd</sup>, all in favor, motion carried.

**BILLS:** Bills were presented for Council approval. Questions were answered and a motion to pay was made by Andersen, 2<sup>nd</sup>, all in favor, motion carried.

Chief Smith added a bill for the report writing system which the Council had previously approved getting. The \$3,000 is in the budget. A motion to pay was made by Fullmer, 2<sup>nd</sup>, all in favor, motion carried.

**MAYOR & COUNCIL REPORTS  
DEPARTMENT REPORTS**

***MAYOR BECK***

The Mayor reported attending the City of Parker's Planning and Zoning meeting on the RV timeshare development outside of Parker which will be requesting to hook up to Parker's sewer collection lines, which is treated at the City's wastewater treatment plant. He attended to listen and to assure Parker the City would cooperate with their needs, and to also to let them know they would have an additional fee to them to for the City to take that sewage. Treating sewage from this development will be looked at by the City Council sometime soon.

***COUNCILMEMBER ROSE***

Rose restated to the Mayor the need to get the information to the park committee about surplusing the gravel pit.

***COUNCILMEMBER ANDERSEN***

Andersen stated that recognition should be given to DePatco for their snow removal efforts and donations of time, equipment, and fuel. The Police Department and Search and Rescue also helped with traffic control.

***DEE RAUSCH***

Rausch announced the upcoming Chamber of Commerce Banquet on February 21<sup>st</sup> at the Juvenile Corrections Center. The cost is \$25.00 per person and she encouraged the Council to support the chamber and attend the banquet.

***SUPT. BUTIGAN***

Butigan reported all the snow piles had been removed from the center of the streets and the hydrants taken care of. The crew is currently taking care of the lights at the airport. Crews are also about 1/3 done on the City Hall roof.

***CHIEF SMITH***

The Chief reported the new medical clinic was open. He also informed the council the tower at City Hall was now transmitting.

There being no further business to come before the Council, the meeting was adjourned at 9:50 p.m.

Attest:

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Willard D. Beck, Mayor

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Taci Stoddard, City Clerk-Treasurer