

**COUNCIL MEETING MINUTES  
ST. ANTHONY CITY COUNCIL MEETING – JUNE 11, 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, and Bryan Stoddard. Elva Powell was excused.

**ALSO PRESENT:** City Attorney Bill Forsberg, Supt, Police Chief Jim Smith, City Clerk-Treasurer Taci Stoddard, Paul Scoreseby and Paul Snarr of Schiess & Associates, City residents Pam Timmons, Linda Evensoisky and Jack Wright, concerned citizens, and news media.

**PLEDGE OF ALLEGIANCE:** Councilmember Dee Rausch led those present in the Pledge of Allegiance.

**GOULD VARIANCE REQUEST:** The Mayor reported that Gordon and Aronlee Gould had sent a letter indicating they could not be present when the council reviewed the variance request and recommendation for denial by the Planning and Zoning Commission. They asked if the decision could be postponed so they could be in attendance. Council agreed to remove from the agenda until the next meeting on July 9<sup>th</sup>.

**KEEFER PARK TREE REMOVAL:** This item was also removed from the agenda for discussion at a later meeting as information was still being collected to present to the Council.

**PUBLIC COMMENT TIME:** No one present for public comment.

**PARKING – PAM TIMMONS:** City resident Pam Timmons discussed with the Mayor and Council concerns about recent enforcement of parking ordinances and laws. She had received a parking ticket for parking the wrong direction on her street. She explained she had health problems that made it easier to get out of her car if it was parked the wrong direction. She explained she didn't understand why she got a ticket when there were other cars parked incorrectly in the street besides her. She referred to the recent newsletter and the explanation about if cars are parked in residential yards they have to have a paved driveway. She questioned what is considered "proper parking". She feels there are too many things in the city to worry about besides parking.

She explained she isn't complaining or contesting the ticket, she is complaining that there are more important things to do than parking enforcement. Chief Smith explained that the ticket was written some time ago, and discussed with Timmons and the Council the zoning ordinances that outline the details about a hard packed area (not paved) needed for a driveway. Adding paved to the newsletter was an error. It has been in the zoning ordinances for some time, and the reason it was done was to keep people from parking on the lawns. Timmons asked why, if it was their private property, they couldn't park where

they wanted. Mayor Beck explained that the law stands until it is changed, and explained that what people do on their private property can also affect other neighbor's property.

Councilmember Fullmer explained that the way code reads proper parking is no more than 18" from curb, but where some people live there are no curbs. There are certain places which make it hard to be fairly enforced where there is no curb and gutter. Mayor Beck explained the Council has formed a committee to look at the parking ordinances. Timmons brought up truck parking. Enforcement was discussed and the fact that 100% enforcement is not realistic. Fullmer suggested having on the agenda where the City is going to consider the property line or right of way. Attorney Forsberg stated it wouldn't work to say right of way, but could way the road is the edge of the pavement.

Councilmember Andersen stated that the parking committee would be starting to have meetings again to review the city's parking ordinances. They realize there are some problems with the current ordinance and some adjustments are needed. He explained that they haven't gotten there yet, but are working on it for early fall to have it in place for winter parking. They are trying to address all the issues that have been discussed at this meeting. He asked that Timmons bear with the Council, that it will take some time, and current ordinances have to be enforced until something else is in place. There will be opportunity for public input before any changes are finalized.

Timmons also asked if she could put some gravel in the front of her house. The Mayor stated that Supt. Butigan needed to take care of that as it is in the street right of way. He stated anything done in the street right of way needed to be taken care of by the city or have city approval.

**CITY PROPERTY LEASE** – Linda Evensoisky and Jack Wright discussed with the Council leasing a section of city street that ends at the canal. The section is about 60 feet long and 80 feet wide and located on 8<sup>th</sup> West and 1<sup>st</sup> South. They would each like to lease half of the property or have the city vacated the property as it is not being currently used as a city street. Councilmember Andersen stated he didn't see a problem with leasing the property to adjacent property owners where items could be stored, but not to build and structures. There are utilities in the property which would need to be accessible. They were asked to bring the information into the City Clerk and then meet with the City attorney and have the terms of the lease drawn up. Then these can be brought to the City Council for approval. A cost to lease the property would need to be determined.

Jack Wright also mentioned other concern about enforcement of barking dogs and kennel licenses on the "island", as well as loud music. Chief Smith explained that the officer can't make a citation; it has to be made by the neighbor who is affected. Chief Smith stated he and Councilmember Rausch were working on revising the animal control ordinances.

**SPRINGCREEK SUBDIVISION PRELIMINARY PLAT APPROVAL:** After discussion between Mayor Beck, City Attorney Bill Forsberg and with Schiess &

Associates about the plat approval process, a recommendation was made to the Council to approve the preliminary plat with the conditions to be met as set for, and authorize the signing of the final plat when the conditions are met. The motion was made by Councilmember Stoddard, 2<sup>nd</sup>, all in favor, motion carried.

**ROAD IMPROVEMENTS – SCHIESS & ASSOCIATES:** The Mayor informed the Council that he had received unofficial word that the City’s application for funding on West Main Street had been recommended for the Statewide Transportation Plan for 2013.

*12<sup>th</sup> West:* The Mayor reported Schiess & Associates had been putting together bid specifications for the 12<sup>th</sup> West project. No formal bid published bid will be conducted as the construction will be less than \$100,000. Bids will be solicited from contractors and a performance bond required. Paul Snarr indicated he would like to dig a couple of test holes on the street to check for soft spots which may affect his cost estimate. Those will be tested and packets for bids back to the City office for distribution within 72 hours.

*City Streets Improvement Alternatives:* Paul Snarr, Schiess & Associates, presented the Council with information on street conditions and methods of repair with three different alternatives for types of repair. The lowest cost alternative would last the city for some time with maintenance. The Council discussed the need to get public comment and Schiess would need to have ready for public meetings. Schiess will present the information to the Council at the July 9<sup>th</sup> meeting and then a public meeting can be scheduled.

**UTILITY IMPROVEMENT PROJECT COST ESTIMATES:** Paul Scoreby of Schiess & Associates presented the Council with some cost estimates for water system improvements. Initial costs were high to do automatic control valve to fill the North water tank from the South system. Schiess was able to reduce that estimate to under \$46,000. If manual valve were used that would reduce the cost further to under \$9,000. Scoresby and Councilmembers discussed the effectiveness of manual valve. It was agreed to proceed with the manual valve, however, Scoreby was directed to make it so that the valve could be converted to automatic in the future. Scoreby stated it would add some costs; possibly double up to \$18,000. Councilmember Andersen stated that would still be less than ½ the cost of an automatic and be under \$20,000. He feels it should be done.

Along with the new valve the Council approved a new unit that will measure the depth of the water in the north side tank, as the current gauging system is inaccurate. It could be up to \$27,000 for both the manual control valve and the miltronics unit for the tank.

Scoreby also reported that with the Main Street water project a new water model was done and the water lines in Bridge Street will not need to be replaced. A line will be placed that crosses Bridge at 2<sup>nd</sup> North to hook up to existing lines.

**COMPREHENSIVE PLAN:** At the recent hearing on the comprehensive plan revision there was no public in attendance. The Commission recommends approval of the plan

and proceeding with adoption of the Plan. The Council discussed having the plan on the agenda for the 2<sup>nd</sup> July meeting and how to advertise. A motion was made by Fullmer to have a flyer done for the monthly newsletter, 2<sup>nd</sup>, all in favor, motion carried.

**SAFE ROUTES TO SCHOOL GRANT:** Bryan Stoddard read a resolution approving the agreement between ITD and the City for the Safe Routes to School grant and project and authorized the Mayor and City Clerk to sign the resolution. A motion to approve was made by Fullmer, 2<sup>nd</sup>, all in favor, motion carried.

**FIREWORKS PERMIT:** Council reviewed a permit for selling fireworks from TNT. The stand would be at Broulins. A motion to approve was made by Rose, 2<sup>nd</sup>, all in favor.

**CONGRESIONAL FUNDING FOR SEWER:** The Mayor reported to the Council that the STAG grant the City was approved for to continue sewer collection lines requires a 45% match. He was assured at time of applying the funds spent on the previous phases of the project could be used as match. There were changes in congress and no funds were approved until the 2<sup>nd</sup> year of the application. The 2<sup>nd</sup> phase of the sewer project closed out last year, and project funds to be used for match have to be spent after October of 2007. He has contacted the local congressional delegation to see if they can get EPA to work with that. The Council may need to look at some point whether the City can meet the 45% match requirement out of reserve funds.

**DANCO PROPERTY:** Mayor Beck explained that last year some City property near the airport was cleaned up because Danco had stored items on the property and had been requested to move and clean up their items, but had not complied. The property was cleaned up and a bill submitted to Danco for the clean up costs. Surveys were done at the time to find out where the property lines were. The building and property used by Danco is partly on city property and in addition a piece of their property is being used as a city street. Attorney Forsberg is proposing a straight forward swap with 6 foot setback for the building. Councilmembers were presented with deeds and survey maps for review. Danco has not yet paid bill for city clean up with property. Danco doesn't own property. Forsberg stated the city has the right to sue for trespass, and the right to charge for cleaning up the property. He explained the City was trying to swap with the properties at same time they are suing for property clean up. He needs authority to go ahead and propose the property swap. A motion to proceed was made by Councilmember Andersen, 2<sup>nd</sup>, all in favor.

**CANCELLATION OF 2<sup>ND</sup> JUNE COUNCIL MEETING:** A motion to cancel the 2<sup>nd</sup> council meeting in June was made by Rausch, 2<sup>nd</sup>, all in favor.

**MINUTES:** Minutes from the May 14<sup>th</sup> Council meeting were presented for approval. A motion to approve was made by Fullmer, 2<sup>nd</sup>, all in favor, motion carried.

**BILLS:** Bills were presented for payment approval. A motion to pay was made by Fullmer, 2<sup>nd</sup>, all in favor, motion carried.

**COUNCIL REPORTS  
DEPARTMENT REPORTS**

***COUNCILMEMBER STODDARD***

Stoddard asked where the city was on obtaining a new police car. Chief Smith stated he had been trying to order two new cars, but still needed to talk with the Council. He reported he could get 2009 Ford vehicles for the same price until June 30<sup>th</sup>, and wanted to discuss with the Council about going through the GM dealership. Mr. Walker from St. Anthony motors stated he was happy to go through the dealership to get the Fords. Mr. Packer at St. Anthony had stated it didn't make much difference to them about GM or Fords since the dealership did not make much off the police car leases whichever model was purchased. There were questions about the GM bid as it said it was \$42,000 for 1 car, but that may have been for two cars. Discussion continued about lease return vehicles versus police vehicles with warranties and ICRMP liability issues. Mayor Beck stated that money is factor, but also how well the city does to protect the public and the officer. The Ford is rated better as car than the Impala. Stoddard commented that the city had one of the best turn outs at a meeting and discussing police cars and public image means a lot. Bryan Fullmer pointed out that the Chief prefers the Fords and with the state bid the city would be using would they would be \$22,000 which is close to the same price as the GMs. Attorney Forsberg advised the Council that once the money is budgeted it is up to the administration to address how the money is spent. In the budgeting process there could be strings set up on how you want the money spent. He isn't sure the Council can come back to put stipulations on after the budget is set. Discussion continued and a motion to authorize the Chief to order the Ford for this budget year through St. Anthony motors was made by Fullmer, 2<sup>nd</sup>, Rausch, Andersen, Stoddard, and Rose in favor, Fullmer abstained, motion carried.

***COUNCILMEMBER FULLMER***

Fullmer complimented the departments being good on staying within budget. He discussed with Councilmember about whether he should be serving on the parking committee. It was agreed he should still serve.

***COUNCILMEMBER RAUSCH***

Rausch asked Councilmember had a chance to read notes about dog ordinances she had asked to be put in the packets. She asked if other councilmembers wanted to be in on working on the animal control ordinances, as they need reviewed and clarified

***CITY ATTORNEY FORSBERG***

Forsberg commented on a recent meeting with Fremont County interim Planning and Zoning Administrator Kurt Hibbert. It was a good things and he is please that things will be moving forward on the fairgrounds zone change and impact area.

He discussed the amount to charge for leasing city property. He doesn't fee the city should devalue city property by only charging \$1 or \$10 a year for a lease. After brief discussion Rose made a motion for \$100 per year the lease for Evensoisky and Jack

Wright based on a five year lease with a cancellation upon 30 days notice by either party, 2<sup>nd</sup>, all in favor, motion carried.

***CHIEF SMITH***

Chief Smith reported he looked at the building on Main and Bridge and while it is secure he will talk to the owner about the crack along the bottom of the door. There were concerns mentioned at the last Council meeting about the safety of the property at the entrance. Fullmer mentioned that the Chief might ask him to also board up a hole in the walkway in the back that opens up underground.

The Chief reported they are now set up to do dog euthanasia. The Mayor stated he when the gravel pit property is sold he would like to see the council put the proceeds toward a new dog pound.

There being no further business to come before the Council the meeting was adjourned at 10:15 p.m.

Attest:

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Willard D. Beck, Mayor

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Taci Stoddard, City Clerk-Treasurer