

*CITY OF ST. ANTHONY
COUNCIL WORK MEETING MINUTES – November 20, 2008 –6:00 P.M.
420 NORTH BRIDGE, SUITE A, ST. ANTHONY, ID, CITY COUNCIL CHAMBERS*

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

ALSO PRESENT: City Attorney Bill Forsberg, Police Chief Jim Smith, Public Works Superintendent Scott Butigan, City Clerk/Treasurer Patty Parkinson, approximately 27 Interested Citizens and Reporter Joyce Edlefsen from the Standard Journal.

The meeting was called to order by Garth Rose, Council President, at 6:00 p.m.

PLEDGE ALLEGIANCE TO THE FLAG was led by Bryant Biorn, citizen.

GENERAL BUSINESS

Street/Other Projects – Paul Scoresby and Paul Snarr of Schiess & Associates handed out a Project Status Report. They reported on some of the projects they have been working on with the City and past Mayor Beck. The bid documents may be ready by January for the Safe Routes to School Project. The City needs to review the Taxiway Improvements at the Industrial Park and to come up with a plan to receive drawings from the Park Owners. The City Crew has been working on some issues at the Industrial Park including hauling in gravel for drainage issues, which will be used at a later date. They reminded council that this item needs to be on the December or January agenda. The application for the West Main St. Bridge Project will be turned in by December and this grant could be tied into the grant for West Main St. as part of the match needed for that grant.

Mayoral Requests for Consideration – David Loomis, Don Oram, Will Rhea, Richard Brotzman, L. Scott Kamachi, Woody Andersen and Garth Rose all indicated that they were interested in being appointed as Mayor for the remainder of past Mayor Beck’s term.

Councilmember Requests for Consideration - Bryant Biorn, Matt Blanchard and Janelle Bell all indicated an interest in being appointed as a councilmember should a current councilmember be appointed as Mayor. Council President Rose said this is a non-issue until a new Mayor is appointed.

Heater Bids – Budget review – After review of the budget it was determined that the current budget doesn’t allow for this unexpected expense. The council asked that the Public Works Superintendent (PWS) look for other ways to find it in the budget, possibly under another item. Councilmember Andersen said that maybe the enterprise fund can help with this.

Second December Council Meeting – Councilmembers requested that this item be placed on the next regular council agenda.

Planning & Zoning Fees – Councilmember Andersen had questions about the proposed fees. PWS reviewed some of the proposed fees and what they covered, i.e., paving review fee was for having someone make sure the paving is done correctly; vacation filing fee was to vacate the plat; annexation filing fee was for a request for a homeowner that would like to be annexed into the City. Councilmembers requested this item be placed on the next regular council meeting agenda.

Ordinance for changing closing times of parks – Councilmember Andersen wanted to know why by ordinance instead of resolution. The City Attorney said it can be done by resolution but first the ordinance needs to be changed to say they are doing the times of closing by resolution. Andersen thinks any ordinances that have hours or fees should be done by resolution. The City Attorney was requested to draft an ordinance for consideration.

Ordinance to bring City Bar Closings in Line with State Law – Council requested this item be placed on the December 10, 2008 council meeting agenda.

Parking Ordinance – Bryant Biorn – Council President Rose gave the floor to Citizen Bryant Biorn who spoke about the impasse the city was experiencing with semi-trucks and the Parking Ordinance. He spoke on a number of matters from a written statement. Councilmember Andersen requested a copy of his written statement. Mr. Biorn said he would provide the Clerk with a copy. The Clerk will then get this out to the councilmembers. Council President Rose asked for opinions from Councilmember Rausch and Andersen. Councilmember Rausch still thought future citizens that want to drive semi-trucks should have the same benefits as all other citizens and that a grandfather clause isn't enough. She said it's their property and they should be allowed to park how they want and the way they want. City Attorney Forsberg indicated that there was a two year limit on non-conforming uses, both inside and outside a building. He referred them to section 17.40.020 of the St. Anthony Municipal Code. Councilmember Fullmer suggested scheduling a public hearing at a later time. Fullmer asked that this item be placed on the next agenda.

Drip List Policy – The PWS reported on the current drip list policy. He doesn't know that there is anything in writing regarding the City's policy for having a drip list. Last year the City had 93 people on the drip list. He thinks that about 85 of them shouldn't have been on the list at all. He wanted to know what the benefit of the drip list was for. Is it to protect the homeowner or the City's line? He would really like a written policy to follow so that everyone now and forward will have something to refer back to. This also affects the sewer charges as well, since sewer charges are determined by the usage during the previous months. The councilmembers would like the PWS to determine which lines should be on the list and those that shouldn't based on depth of the main water line. If it's 3 ½ half feet deep then the homeowner shouldn't be put on the list. In the past the City placed anyone that requested to be on the drip list on the list. Councilmember Fullmer wanted to know if we read meters all winter long. The PWS said that due to snow coverage, it doesn't allow for reading during the winter months. Councilmember Andersen said that we really need to come up with a policy so that there is something to fall back on and look at. Councilmembers requested this item be placed on the next council agenda. Councilmember Rose would also like to have a

rough idea how deep the lines are of those people that call in. PWS says his department has been checking this as citizens call in.

Shut Off Policy – PWS asked about having a written shut off policy. Councilmember Stoddard asked if there are restrictions on shutting off water in the winter. The City Attorney will check into this and provide a proposed written policy to follow for the next regular council meeting.

Airport Ground excess property – PWS reported that at one time part of the ground at the Airport and been considered surplus, but was later removed from surplus status. There has been a question about reconsidering this property as surplus however, there is a current viable lease and so the question arises if it can be considered surplus or not. Councilmember Fullmer requests the City have a formal opinion from our City Attorney on whether or not that property can be considered surplus before proceeding. This item will be placed on the agenda for the next regular council meeting.

Water Line on Bridge Street Report – The PWS said the contractor hired is bringing in equipment tomorrow and will be putting in the water line. This is for future expansion of the fire line. The project should be finished by the end of the week. The same contractors are also repairing the valve. The state should have Bridge Street repaved by next summer. Both projects are to be completed at the same time. There will be a brief water shut off and notices will be done to those affected. Councilmember Fullmer asked that the Fire Dept be aware of the shut off. Councilmember Andersen thought the Law Enforcement Building might also be affected. Newspaper Reporter Joyce Edlefsen thought she could also report in the paper about the shut off and work to be done. Councilmembers thought that notice should be given to all affected patrons.

Use of Durango and/or Lumina surplus property? – The Police Department is currently considering the new use for the Durango, if any, and the PWS is interested in using the Durango to replace the diesel pickup he is currently using. Councilmember Fullmer thinks the department heads should discuss and bring to the council their recommendation.

Council Reports

Councilmember Rausch wanted to know if everyone that wants to run for mayor can they visit with each of them and interview them. The City Attorney said that it's up to the council to decide how they want to do this. The City Attorney explained the procedure for appointing a new Mayor.

Councilmember Andersen wanted to know if they could only consider those on the list. The City Attorney advised that the council can consider anyone on or off the council and referred them to the state statutes. The minimum requirements are they must be 18 years of age and an elector. Andersen asked if a member of the council became Mayor, do they give up their council seat. The City Attorney advised yes.

Councilmember Fullmer wanted to know if a councilmember were to be appointed Mayor then would there be conflict of interest if they were included in the selection

process. The City Attorney didn't believe there would be but would check into this for confirmation. Fullmer also had questions regarding the current threat of recall and if the next Mayor came from the Council could they immediately be recalled. The City Attorney says that when a new position is appointed then there is a 90 day period where a recall can not be done. The City Attorney will provide each councilmember a copy of the statute. Fullmer wanted to know if the council could advertise. The City Attorney felt confident that the public is probably well aware that there is an opening for Mayor and that it's appropriate that the council is requesting for anyone interested to let the City Clerk know of their interest. The Council would like to have this as an ongoing agenda item, to try and decide how long they'll wait until deciding on an appointment of a new Mayor. Councilmember Andersen wanted to know if the discussion of the mayor candidates had to be public. The City Attorney says that can be a work meeting or a special meeting but it must be an open meeting to the public.

The City Attorney reported on last night's Planning and Zoning meeting. They had two public hearings on that agenda. One was the City Area of Impact where the Commission voted 4-3, a very close vote, to recommend to council to expand the City Area of Impact. The City Attorney recommended that Council may want to have a few public hearings on this issue since it came to such a close vote. The Planning and Zoning recommendation for increasing the City Area of Impact will be on the next regular council agenda. The other item that Planning and Zoning heard was on a variance request. Planning and Zoning will recommend approval with conditions. This too, will be on the next regular council agenda. Also, there will be a Web Seminar from AIC (Association of Idaho Cities) entitled "Model Zoning & Subdivision Ordinances" that the City Attorney is recommending the Planning & Zoning Commission and Councilmembers view.

The Chief of Police reported on the canal clean up that was going on this week. There were little to no problems. He also reported that Animal Control received approval for our current euthanasia facility. This approval is only acceptable until a permanent solution can be found.

There being no further business to come before the Council the meeting was adjourned at 7:37 p.m. by Council President Garth Rose.

Attest:

Garth Rose, Council President

Patty Unruh Parkinson, City Clerk-Treasurer