

*CITY OF ST. ANTHONY
COUNCIL MEETING MINUTES – January 14, 2009 – 7:00 P.M.
420 NORTH BRIDGE, SUITE A, ST. ANTHONY, ID, CITY COUNCIL CHAMBERS*

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

ALSO PRESENT: City Attorney Bill Forsberg, Police Chief Jim Smith, Public Works Superintendent Scott Butigan, City Clerk/Treasurer Patty Parkinson, approximately 12 Interested Citizens.

The meeting was called to order by Mayor Rose at 7 p.m.

PLEDGE ALLEGIANCE TO THE FLAG was led by a boy scout from the audience.

GENERAL BUSINESS

Elect Council President – Mayor Rose began the meeting by amending the agenda to open with the election of a council president. Councilmember Rausch made a motion to nominate Councilmember Andersen. Councilmember Stoddard seconded. Before a vote could take place Councilmember Fullmer made a motion to nominate Councilmember Powell. Councilmember Andersen seconded. Mayor Rose asked for those in favor of Andersen for council president and Councilmember Rausch and Stoddard said they were in favor. Mayor Rose asked for those in favor of Councilmember Powell and Fullmer and Andersen were in favor. This left a tie and Stoddard made a motion to wait until another council meeting to appoint. Rausch seconded. All councilmembers approved except for Fullmer, who was opposed. Fullmer said that in the event of a tie the Mayor should break the tie. Mayor Rose then agreed and cast his vote for Andersen. Councilmember Andersen was elected Council President with a tie breaking vote from the Mayor.

Realty Quest Contract Renewal - Realtor Judy Hobbs, of Realty Quest, took to the podium to speak about the renewal of the Industrial Park contract. The last contract with the city and previous Mayor Beck had expired in December 2008 and she wanted to review with the council some of the historical information regarding the last three sales in the Industrial Park. She informed the council that lots 1 through 11 could have an airport affiliation and join into the taxi way. She talked about the slow economy and how that has effected the movement of the properties. Ted Hendricks, Economic & Community Planner with ECIPDA (East-Central Idaho Planning & Development) asked if council had any questions. Council had no questions. Hendricks requested permission from the council to finish the sign and thought that the city had money for that still in the Industrial Park Fund. Hobbs requested the Mayor to sign the contract. Councilmember Fullmer asked Attorney Forsberg if there were any bidding requirements. Forsberg said there was not. Councilmember Stoddard said that Judy's done a good job. A motion to have the Mayor sign the Realty Quest Contract for another year's service was made by Fullmer and seconded by Rausch. All approved. Councilmember Andersen had some questions

regarding grammar and requested that the City's name be added to the contract. Hobbs said she would make those changes and bring it back for the Mayor's signature.

Rudd & Company Annual Audit Report – Scott Bond of Rudd & Company gave the report. Bond reported that there were no difficulties performing the audit even though the city was in transition between a Mayor and a Clerk. There were no uncorrected misstatements. The auditor made five different recommendations; the first being the use of several different funds and their classifications. Bond explained the different types of funds and indicated that some funds have been inactive. Bond recommended that the Council review those funds and determine if they should still be on the books and if there is a need for any new funds to have council approve the creation of those funds. Second, there were some fund deficits. Bond recommended to Council to review the budget for 2009 to modify it in order to address those deficits. Third, outstanding bank and cash reconciliation items. Clerk Parkinson is resolving these items and is willing to steer that project. Four, the policy on sick and compensated balances having a difference between what is authorized and what is being practiced by the employees. Bond recommended that the city review their policy to address. And finally, property and equipment inventory. The City needs to continue to keep track of fixed assets. Fixed assets are those assets valued at over \$5000 that should be recorded in inventory and kept track of as well as when disposing of an asset. Bond then moved on to the Financial Statements and Supplementary Information with the Independent Auditors' Report saying there were no material problems. Bond reported on the funds showing a deficit. He continued by saying that deficits occur as a normal course of business in a city, but that they need to be looked at. Bond also reported that all the utility and enterprise funds are in the black and all are performing well. Bond also reviewed all the special revenue funds and capitol funds.

Mayor Rose wanted an overview on how to adjust those deficits. Bond recommended looking at the budget that was adopted to see how much carry over was budgeted in each fund to see how the city can cut back.

Planning & Zoning Fees Resolution – There was no resolution prepared and so this item was tabled for the next agenda.

Council Member Department Appointments – Mayor Rose announced that he would like to fill his open council seat. Rose then asked council to approve the appointment of citizen, Bryant Biorn. Councilmember Fullmer said that if the city went to a four member council, money would be saved of \$6000 to \$7000 per year, by not paying for the position. Rose then said he has a letter he needs to read from Councilmember Rausch. Rausch has been offered another employment opportunity in another city and will be resigning as of January 28, 2009. Attorney Forsberg said that he would have to review state code to see if anything more than a new ordinance would need to be adopted if the council was to consider a four member council instead of a six member council. Councilmember Stoddard said that by going to a four member council that the council may be sacrificing representation from the citizens of the community. He felt a duty to the citizens who voted for having six council members. Andersen suggested tabling this change to have the City Attorney review this before a decision was to be made to see if there are any

requirements of a city our size to change from a six member council to a four member council. A motion to table was made by Andersen and seconded by Fullmer. All council members were in favor.

Bryant Biorn requested permission to address the council. Permission was granted from Mayor Rose. Biorn then spoke saying that he believed that, by law, they needed to have a six member council until the next election. Councilmember Fullmer then spoke saying they would have this clarified by the next meeting. Attorney Forsberg requested to have the time to review this item for the next meeting.

Council Assignments - Mayor Rose announced the following council members to be assigned to the following committees or departments: Andersen, Finance Committee and Street and Fire Liaison; Fullmer, Finance Committee and Sewer and Water Liaison; Stoddard Personal Committee and Police and Animal Liaison; Powell, Finance Committee and Sanitation Liaison. Rose had assignments for Rausch but will hold those until next meeting. Andersen said he has a conflict with being the Fire Liaison. Rose said he would review that for the next meeting. Stoddard reminded Mayor Rose that the Airport Board had requested a council member be assigned to their board. Mayor Rose said he would hold that for the next meeting. Fullmer requested that he be removed from the Finance Committee. Stoddard disagreed with him, but then they requested to exchange their places so that Stoddard was on the Finance Committee and Fullmer was on the Personnel Committee. Mayor agreed.

Proposal to change Regular Council Meeting Dates – Mayor Rose opened this item for discussion. Councilmember Powell would like to change the regular council meetings to either a Tuesday or Thursday night. Councilmember Andersen said Tuesday will not work for him. Powell can not meet on Monday. Councilmember Fullmer would like Monday. Powell currently has a conflict with Wednesday and Monday. A motion to move the regular council meetings to every second and fourth Thursday of the month at 7 p.m. starting in the month of February was made by Fullmer and seconded by Powell. All councilmembers were in favor. Attorney Forsberg will draft an ordinance to be signed at the next council meeting.

Identity Theft Prevention Policy – A resolution to adopt an Identity Theft Prevention Policy was read by the clerk. A motion to adopt this resolution was made by Councilmember Andersen and seconded by Councilmember Fullmer. All councilmembers were in favor.

Proposed Area of Impact Discussion – Mayor Rose reminded council that a public hearing has been scheduled for January 28, 2009 at 6 p.m. for the proposed area of impact. Councilmember Fullmer had questions about the county wanting to bring uniformity to impact zones and if that would be affecting the city. Attorney Forsberg explained what the county was trying to do is create a uniform joint powers of agreement so that everyone understands that the county's procedures are theirs and not the city's. Forsberg said that what they are attempting to do is procedural. Councilmember Andersen wanted to know if improvements are done in the county in the impact area then

is the county supposed to notify the city? Forsberg said that it's the county's procedure and thereby the county's rules. Andersen wondered if the council should meet with the county commissioners. There was discussion that Kurt Hibbard, a county commissioner, should be invited to come to a council meeting to speak with the council members. Mayor Rose wanted to know if the county had any new information that would affect the upcoming public hearing on the 28th. Fullmer wanted to know what the impact zone was for. Fullmer wanted to know if the impact zone gave the city any authority into what goes into the impact zone. Forsberg talked about what state code says about impact areas and the need for reviewing it every ten years. It's council's best guess to where the city has an interest in the next ten years. Forsberg talked about some history that the city had with impact zones and reasons that the council had for wanting to change the proposed area. Andersen wanted to know what the current area of impact is and what the proposed area of impact would be and why we want to change it. Andersen also wanted to know where the people whose names are on the petition are at in that proposed area of impact. Rose asked the clerk to get the map of the proposed area of impact. After the map was retrieved council members opened the map and reviewed it. Fullmer is concerned about the council being "on the same page" of the proposed area of city impact. He wanted to know if it was to protect our boundaries or for annexation. Councilmember Stoddard said the reason the proposed area was so large was so that there would be room for negotiating with the county. Rose said that there will be a sign up sheet to sign in to speak, with name, address and the purpose of their talk. Forsberg will be the moderator. Stoddard wanted to know if there was still a developer interested. Forsberg thought there was. Rose said that there will be a three or five minute time limit. Forsberg expected a large turn out. He thought there should be signup sheets for those in opposition, those in favor and for those that are neutral. People could also then plot themselves on the map. Council members may ask any questions that they want to assist them in their decision making. If they want anything they may contact the potential speakers and ask them to provide the information. Andersen wanted a map there that was better than the one they were currently using. Forsberg said he would get the map made.

Discussion on Street Improvements – Mayor Rose said he talked with Paul Snarr of Schiess & Associates on the 8th. He said that he and Snarr talked about the economic downturn and that the city council didn't feel that they are ready to do an LID or would be able to pass a bond. Rose said that the streets are a concern but funding is still a question. Councilmember Stoddard said there are grants requiring matches, but the city is unable to provide that match. Councilmember Fullmer made a motion to discontinue our current plan until better economic times. Stoddard said there was never any motion made to do anything to begin with. Motion died on the floor with no second.

Surplus Airport Property – Neal Shupe – Councilmember Fullmer said that the city is unable to sell the proposed airport property without making special conditions. In order to declare the property surplus it can't be something that the city is utilizing. Councilmember Andersen suggested tabling the topic until Neal Shupe returns with an offer to the city. Stoddard asked if there is a possibility of earning more revenue if the city were to sell it. Attorney Forsberg said an alternative is to get the property appraised and then put it up for sale for that appraised amount so that the city couldn't be accused of providing a deal to

any one person. Andersen wanted to know if that property could be divided up into parcels and sold in pieces. Forsberg thought the city could do that, but right now there's a full inventory. Fullmer thinks we need to decide whether we're going to sell the property or not and to let Shupe know. Andersen thinks council needs to authorize the mayor to talk to Shupe. A motion to not sell the property was made by Stoddard and seconded by Fullmer. All councilmembers were in favor except for Andersen who was opposed. The motion passed 4-1. A letter will be sent to Shupe by the clerk and signed by the mayor. Council requested that the letter allow for Shupe to provide any suggestions to the council for any other solution.

Discussion of Patrol Vehicles – A motion to table this discussion was made by Councilmember Fullmer. Councilmember Rausch wanted to know what the discussion was about. Mayor Rose said it was to have council consider whether or not it should be policy for the police officers to take their patrol vehicles home or not. Councilmember Andersen seconded. All councilmembers were in favor. Motion carried.

Insurance Buy Back – The Clerk explained that in 2003 the council members approved an insurance buy back (to accommodate an increased deductible from \$300 to \$500) of \$200 when an insured met their deductible. The Clerk wanted to confirm with the council that this policy was still in effect since there was no other council action and the policy was still being practiced. A motion to honor this commitment to the employees and to review this practice at a budget meeting for placement into the employee policy was made by Councilmember Fullmer and seconded by Councilmember Andersen. Attorney Forsberg wanted to know if it included employees and their dependents. Council confirmed that it did. All councilmembers were in favor. Motion carried.

PUBLIC COMMENT – Mayor Rose opened the floor for public comment. There was no public comment.

MINUTES – A motion to accept the regular meeting minutes of December 10, 2008 and special meeting minutes of December 18, 2008 with corrections was made by Councilmember Fullmer and seconded by Councilmember Andersen. Councilmember Stoddard wanted to know why there wasn't anything about the drip list in either set of minutes. The PWS reminded him that it had been tabled for next year. All council members were in favor. Motion passed.

INVOICES & CLAIMS - Payment Approval Reports were presented to Mayor and Council. Councilmember Fullmer said that department heads need to slow down their spending. Mayor Rose said that would be discussed in department reports. Councilmember Andersen asked the clerk to look into the "Merry Christmas" ad for the Standard Journal. Councilmember Fullmer asked about the \$600 cost of publishing the animal ordinance. The clerk explained that was a correct charge from the Standard Journal to publish a summary ordinance of that size. Stoddard asked about the deposit refunds and the clerk explained that there is a process for reviewing those refunds and providing them to the customers. Councilmember Rausch asked about a repair of a tire and the \$9500 cost from Rudd & Company for their audit. The PWS explained that a grader had needed a new tire and the clerk explained that those are the costs associated with the annual audit.

A motion to pay the bills was made by Andersen and seconded by Rausch. All councilmembers approved.

At 8:58 p.m. Councilmember Fullmer made a motion to enter into executive session pursuant to provisions of Idaho Code 67-2345, subsection 1(b). Councilmember Stoddard seconded with a roll call vote as follows: Councilmembers Powell, yes; Rausch, yes; Andersen, yes; Fullmer, yes; Stoddard, yes. Motion passed by majority, 5-0.

At 9:51 p.m. Mayor Rose called the regular meeting back into session.

MAYOR & COUNCIL REPORTS

Councilmember Fullmer asked all departments to watch their spending.

Councilmember Andersen reported that the Parking Committee will be meeting on Wednesday, January 21, 2009 at 7 p.m. and asked that the clerk make notifications to those on the committee.

Councilmember Powell requested that Mayor Rose report on his meeting with the county commissioners. Mayor Rose said he did talk to one on the phone and will set up a work meeting sometime later. Councilmember Fullmer reminded council that it's the County's turn to host the meeting.

DEPARTMENT REPORTS

The clerk reported on being recommended for the grant award. This grant, if awarded to the City would help the City fund the match needed for Phase 3 of the Sewer Project. Councilmember Fullmer wanted insurance amounts from last year and this year's budget for comparison purposes.

Attorney Forsberg said that the main project is the upcoming public hearing on the proposed area of impact.

The PWS reported that the grader is up and running with a new transmission. He also reported attempting to make contact with Mike Parker to see what he wants to charge for use of his grader while our grader was being repaired. Repair costs were \$4800. He reported that we are still waiting to see if the statement on the lift station was lighting damage or not and as soon as that report is made we can submit it to the insurance company. Boy Scout Jake Gardner is still making the sign for the Boyd Yancey Memorial Park.

The Chief of Police reported that the requested 10% cost reductions have been implemented into the police budget. One officer is currently in the academy which gives the city four officers and one part time officer. The Investigator is working the night shift because one officer is starting the D.A.R.E. program next week. Staffing level for this size city should be at six officers. The crashed Impala was turned over to the insurance company and we received a check for about \$5000. The police department would like to

put the Chevy and the Crown Victoria on the surplus property list for next council meeting in order to sell them.

There being no further business to come before the Council the meeting was adjourned at 10:17 p.m. by Mayor Garth Rose.

Attest:

Garth Rose, Mayor

Patty Unruh Parkinson, City Clerk-Treasurer