

*CITY OF ST. ANTHONY
COUNCIL MEETING MINUTES – February 11, 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, Bryant Biorn, Rod Willmore and Bryan Stoddard.

ABSENT: Councilmember Elva Powell.

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

The meeting was called to order by Mayor Rose at 7:00 p.m.

PLEDGE ALLEGIANCE TO THE FLAG was led by Chief Jim Smith.

GENERAL BUSINESS

Fire Hydrant/One Way at Central School Report – Mayor Rose asked Chief Smith to report on the request from Central School to do a one way street in front of their new addition to the school. Chief spoke to the Roseborough's (neighbors to the school and they would be effected by a one way in front of their residence) and he said they were in favor of a one way because it promoted school safety. Chief also talked to the Superintendent of Schools and he would like two lanes going down 5th North. One lane would be for the buses and one for other traffic. He said they talked about having no parking signs on the east side of the street so that parents wouldn't park there and allow their children to cross the street. Councilmember Stoddard asked how far down from Bridge Street would the one lane be. Chief said it would start where the Family History Center is going one block west and one block south. Councilmember Andersen asked if there was no parking on the east side of the road then wouldn't that take away parking from the Hawkes' and Roseborough's residences? Chief said that this could be a problem with the Hawkes' house. Andersen wanted to know about the two lanes and would there be designated lanes. Chief said there would be a school bus lane on the school's property and then one lane for traffic. Andersen thought this would make for a wide street and wondered if traffic would remain in one lane or if drivers would try and squeeze more lanes in there. There was discussion about asking the school to drop off the high school kids first then that would make for a better traffic flow. However, this has been asked of the school before and they have been unwilling to change their schedules or bus routes. Councilmember Fullmer said that this issue came up at Lincoln School wanting a one way street and he asked if this will open them up to wanting a one way street at their school. Council discussed, since there was no one living in the Hawkes' home, if creating a one way wouldn't be an inconvenience to a new owner, if they had to drive all the way around the block to get into their drive way. Councilmember Stoddard asked about who would be responsible for the costs for signage and striping. Some councilmembers thought the school should pay for these costs. Councilmember Willmore said that there will be a

problem with traffic all being dumped in one direction, however it's a good idea for safety for the kids. Fullmer asked if there was a study of traffic flow and how many vehicles were going to the Junior High and how many vehicles were going to Central. Chief said he didn't count the number of vehicles, but said he would make a count if council wanted. Councilmember Biorn wanted a count of vehicles going both directions. A motion to have the Chief of Police make a count of the number of vehicles passing in each direction and bring back to the next council meeting was made by Fullmer and seconded by Andersen. All councilmembers present were in favor.

Motion to accept the Annual Audit Report – Councilmember Fullmer asked if the audit is correct. Councilmember Biorn said the audit is correct. Councilmember Stoddard said most of the deficits have been addressed and the city will continue to work on these items throughout the year. Stoddard said that the finance committee received a good explanation of the prior year's audit at the Finance Committee Meeting held the prior evening. A motion to accept the audit was made by Fullmer and seconded by Biorn. All councilmembers present were in favor. Fullmer wanted to know how he could be notified of the Finance Committee meetings. Clerk Parkinson said that in the future she would ensure that all councilmembers be notified of any upcoming public meetings. Parkinson also ensured the council that the meeting was posted as required by the public meeting laws.

Ordinance Purpose Statement/Fiscal Note – Councilmember Fullmer suggested adding a statement of purpose and fiscal note that would be added to the agenda so that future councils can see why the council did what they did. Fullmer said that it would be the responsibility of the committee chair person or the person sponsoring the ordinance change to come up with the statement purpose and fiscal note so that council would have an idea up front on the purpose and costs so that it would help in making decisions. Fullmer asked that council think about it for now. Councilmember Biorn said that this should be added to the agenda as well as the ordinance. Attorney Forsberg wondered about what additional staff time it would take to do this and who would be determining what the costs would be. Fullmer said the committee would have to ask department heads what the costs might be. Mayor Rose said that the council burdens the departments with unbudgeted costs when creating new ordinances and resolutions. Councilmember Stoddard asked if this change would be required for both ordinances and resolutions. Fullmer said that he thinks it should be done with everything that would have any fiscal impact. Forsberg felt that between council, committees and department heads that this can be figured out.

Main Street State/Local Agreement & Resolution Signing – Paul Scoresby of Schiess & Associates took to the podium and explained to the council that the City is at a turning point and that tonight is the night the council must decide if they want 2.4 million dollars by reading the resolution, accepting it and sending a \$10,000 check to LHTAC (Local Highway Technical Assistance Council). The City must come up with just shy of \$200,000 for the local match for the term of this project. Scoresby said that there may be a half dozen ways to come up with the match. Scoresby had a list of six ways to raise the money. Councilmember Fullmer asked what ways could the city raise the money for the match. Scoresby said that the City could request that the County help by financially

supporting the project. The City could do "in kind" work. The City could supply materials. Every year there is an LHRIP grant for \$100,000 and this year Paul Snarr has the City lined out for the bridge at the end of Main. The City has roughly four of five years to come up with the money. An LID could be done, spreading it all the way across the city which wouldn't impact any one person that much. Scoresby suggested doing a two tiered LID, where those on West Main Street paid more, since they would directly benefit from the road. Or the City could do a general obligation bond. Councilmember Andersen said this match could be obtained over the course of construction. Scoresby said construction is scheduled to begin in 2012. The \$10,000 is for the deposit to the State for the expenses they incur to initiate starting this project. The City wasn't aware they had to come up with the \$10,000 up front and had not budgeted for it. Paul Scoresby called Paul Snarr and he said he will contact LHTAC and see when the drop dead date is and let us know. Councilmember Stoddard said that council should take some time to allow the finance committee to review it. Andersen thinks council should make a decision. Andersen recalled that in the past the City purchased a road grader and borrowed from utilities to pay for it. Andersen said he thinks it's important to borrow from utilities, if needed, as this road is more important than a road grader and is important for our infra structure. Scoresby explained that with a project this large the road is dug up and all the utilities are looked at and replaced or worked on if necessary. Public Works Superintendent Scott Butigan talked about some of the things that could be cut from the Street Fund to help cover costs of this \$10,000 and the engineering costs from Safe Route To School. PWS Butigan was able to show that by cutting certain things out of the street budget and foregoing those items for this year he could cut \$25,000 to \$28,000 from the budget to help pay for these items. Councilmember Biorn says that the money has been found and the project needs to be done. A motion to read the resolution and submit a \$10,000 check was made by Andersen and seconded by Stoddard. All councilmembers present were in favor except for Fullmer who was opposed. Fullmer said he opposed because it was never determined where the \$10,000 would be coming from. Mayor Rose said the money would be coming out of the Street Fund. A motion to take the \$10,000 out of the current Street Fund budget was made by Fullmer and seconded by Stoddard. All councilmembers present approved. Biorn read the resolution. Attorney Forsberg asked that a clerical note be made that the project number should be placed into the resolution.

Council reminded Scoresby that they are ready to put out to bid the Safe Route To School project. Scoresby said that he would talk to Paul Snarr and have him follow up.

Lloyd Swenson Park Fund/close – A recommendation from the Auditors and Finance Committee was made to close out the Lloyd Swenson Park Fund and move the funds to another fund. Councilmember Fullmer wanted to move the funds to the Safe Route To School Fund to help pay for the engineering costs. Councilmember Anderson is in favor of keeping it in parks as the funds were originally donated for a park. A motion to close the Lloyd Swenson Park Fund and transfer the remaining funds of \$3200 to the Henry's Fork Greenway Fund was made by Councilmember Biorn and seconded by Councilmember Willmore. All council members present approved.

Skate Park Fund/close – A motion to close the Skate Park Fund and transfer the remaining funds of \$72 to the Henry's Fork Greenway Fund was made by Councilmember

Fullmer and seconded by Councilmember Willmore. All council members present approved.

Resolution for Hearing Procedures – Attorney Forsberg introduced this resolution. Forsberg explained that the Idaho Statue provides for land use planning and also requires that the City adopt rules for hearings. Forsberg has never found any rules for this and believes the City does not have any. This is a proposal for rules for hearings. Forsberg felt that these rules should be adopted for all public hearings that the City might undertake. Forsberg said it isn't critical to adopt the rules prior to the upcoming hearing, but it is being recommended for future use for any other public hearings the council might have. A motion to table the resolution for review until the first meeting in March was made by Councilmember Fullmer and seconded by Councilmember Andersen. All council members present approved.

Fullmer wanted to know about the next public hearing and when written comment can no longer be submitted. Attorney Forsberg said the last day to submit written comment is the 20th, five days before the public comment. The Public Notice was posted correctly with the 20th being the last day to submit written comment.

Mayor Rose adjourned the meeting for a five minute break.

After a five minute break Mayor Rose brought the meeting back into session.

INVOICES & CLAIMS - Payment Approval Reports were presented to the Mayor and Council. A motion to accept the invoices and claims and to make payment was made by Councilmember Fullmer and seconded by Councilmember Andersen. All council members present approved.

MINUTES - Special meeting minutes of January 6, 2009 and Regular meeting minutes of January 14, and January 28, 2009 were presented to the Mayor and Council. A motion to approve the minutes was made by Councilmember Fullmer and seconded by Councilmember Stoddard. All council members present approved.

MAYOR & COUNCIL REPORTS –

Councilmember Willmore reported on the Airport Board and said there was an emergency landing at the airport about a month ago. He also said that the street department was doing a good job plowing the airport and it was a good thing that they had plowed the airport because of this emergency; it gave the pilot a place to land.

Councilmember Stoddard said that the Chief will report on getting the replacement police car. Chief talked about the two Crown Victoria's and he said he'd wait until department reports to fill in the council.

Councilmember Biorn reported on the Chamber meeting and how the Chamber is celebrating the centennial of Andrew Henry, mountain man and fur trapper, and how they will be redoing the sign. They plan on taking the existing sign down, painting it and putting it back up. There is also a Chamber Banquet on the 21st. Mayor Rose suggested that

they all attend as a group to show support. The banquet is being held at the JCC and is being catered by the Relay Station at \$25 per person.

Councilmember Andersen reported that the Parking Committee will be meeting tomorrow night at 7 p.m.

Councilmember Fullmer didn't have anything to report.

Mayor Rose said that he is planning on giving the State of the City Address. Mayor also neglected to appoint to the Parks and Recreation Department. Councilmember Andersen volunteered for the appointment and was so appointed.

DEPARTMENT REPORTS

Attorney Forsberg reported on the last Planning and Zoning meeting where the committee looked at the present ordinance that requires a minimum square footage of 10,000 square feet in order to build on a property. Many lots are currently not that size. Shawn Fransen brought this matter to the Council and Planning and Zoning for a proposal to remove any square footage requirements and just meet the set back requirements. Planning and Zoning will propose to Council that only the set back requirements be met. Their thinking was that it would be better to have lots built upon then remain empty or not buildable due to the lot size requirements. An ordinance will be drafted and Planning and Zoning will hold a public hearing sometime in March.

Forsberg also advised the new council members that the use of electronic aides to make notes or to send emails, that those notes and documents become subject to the open records law and public information requests. So, anything on a computer becomes public record. Also, under the open meeting law there can be no communications that aren't public unless the council goes into an authorized executive session. So council members can't instant message or email, as that would be in violation of the open meeting law.

Public Works Superintendent Butigan reported on the mix up this summer regarding a fence purchased through Hadden Fencing and how they would not take the fence back without a strong restocking fee. PWS Butigan will have the crew pick up the fencing material and is negotiating with Sugar City, as they are interested in purchasing the fencing material.

Chief Jim Smith reported on talking to the West Bountiful Police Department and their finance person said we could get two used vehicles for \$5,500. One is a 2004 Crown Victoria and one is a 2005 Crown Victoria, both with less than 65,000 miles on them. Chief reported that one patrol officer last night had a car die with an engine light and another vehicle had headlight problems. Equipment alone in the used vehicles is valued at \$5,000. Councilmember Fullmer said he should buy them both at \$5,500. Chief will offer \$5,000 for both to see if they will accept. Councilmember Andersen asked what color they are. Chief reported they are white. Mayor Rose said it's a good buy. Fullmer said that in his experience Utah takes good care of their vehicles.

Chief reported that the department is going back to 12 hour shifts, saying that the families

/s/

Patty Unruh Parkinson, City Clerk-Treasurer