

*CITY OF ST. ANTHONY
COUNCIL MEETING MINUTES – March 11, 2009 – 7:00 P.M.
420 NORTH BRIDGE, SUITE A, ST. ANTHONY, ID, CITY COUNCIL CHAMBERS*

PRESENT: Mayor Garth Rose, Councilmembers Woody Andersen, Bryant Biorn, Rod Willmore, Bryan Stoddard and Elva Powell.

ABSENT: Councilmember Bryan Fullmer

ALSO PRESENT: City Attorney Bill Forsberg, Police Chief Jim Smith, Public Works Superintendent Scott Butigan, City Clerk/Treasurer Patty Parkinson, and approximately 13 Interested Citizens.

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

PLEDGE ALLEGIANCE TO THE FLAG was led by Councilmember Rod Willmore.

GENERAL BUSINESS

Discussion of Proposed City Area of Impact – Mayor began by rearranging the agenda and moved the discussion of the Proposed City Area of Impact to the beginning of the meeting, as there were citizens in attendance specifically there to listen. Mayor reported on meeting with the County Commissioners the week before and talked about some of the things discussed during that meeting. Mayor said he is inclined to return the proposal back to the Planning & Zoning Board. A motion to send the Proposed City Area of Impact back to the Planning & Zoning Board for further planning and discussion was made by Councilmember Stoddard. Councilmember Biorn asked to amend the motion to direct the City's Planning & Zoning Board to follow the recommended guidelines from the County's Planning & Zoning Board. Councilmember Andersen also wanted to amend the motion to include the City of Parker and their input. Stoddard made the amendments recommended to his motion and Councilmember Powell seconded. All council members present were in favor. Motion passed.

P&Z Chandler Variance – A recommendation from the Planning & Zoning Board regarding a variance request from Craig Chandler was submitted with the recommendation that the City Council approve the request for variance. A motion to approve the variance recommendation was made by Councilmember Andersen and seconded by Councilmember Biorn. All council members present were in favor. Motion passed.

PSI Contract Increase Request – Councilmember Powell reported on the meeting with the Finance Committee and reported that the city provides the can count to PSI. PSI then invoices the city. It was discovered that we have misreported the number of cans, as we report the number of households with two cans and not the actual number of cans. It was estimated that last month there were 90 cans that were not invoiced the \$3.90 second can rate. At the last city council meeting, Stoney Tucker reported that PSI has charged the same rate for all cans, \$6.05. There isn't anything in the current contract that indicates

who is responsible for counting the cans. The City has underpaid them by the extra can on those households. Councilmember Andersen suggested that the city go out and make an accurate can count, update our records to ensure that we have an accurate count. Andersen also suggested that the serial numbers of cans be identified and a record kept for each household. After some discussion, a motion that the Mayor enter into negotiations with PSI, letting them know that there has been an error in the can counts and request that the city will make up the difference from the last 36 months, believing that this should more than compensate for the 4% increase that PSI has requested, was made by Councilmember Biorn. This motion was seconded by Councilmember Willmore. All council members present were in favor. Mayor Rose requested the Clerk remind him to contact Tucker next Tuesday to enter into negotiations.

Key Financial Investment Call – Councilmember Stoddard reported that part of the funds currently invested with Key Financial Investments have become “callable”. These funds are required to be on hand for our enterprise funds. The recommendation of the Finance Committee is to move what has come due to the Local Government Investment Pool (LGIP) until the economy recovers some, as the LGIP has a higher rate of interest. A motion to accept this recommendation was made by Councilmember Andersen and seconded by Councilmember Powell. All council members were in favor. Motion passed. Mayor Rose asked the Clerk to make the transfer.

State Right of Way North of City Building – Public Works Superintendent Scott Butigan talked about attending the work meeting with the County Commissioners and how they indicated that they had \$7000 set aside for the cities to use for economic development. Butigan suggested that the city request these funds to put in a sprinkler system and plant grass on the north side of the building, this being the suggestion of one of the County Commissioners. Last year the cost of a sprinkler system was estimated around \$4000 just for materials. A motion to present a proposal to the County Commissioners for a request for reimbursement for the materials and seed necessary for a sprinkler system and grass for the north side of the city building was made by Councilmember Willmore and seconded by Councilmember Stoddard. All council members present were in favor. Mayor Rose directed Attorney Forsberg to prepare the proposal.

Ordinance – Council Meeting Date Change – Mayor Rose introduced the ordinance to change the day of the City’s council meetings from the second and fourth Thursday of every month to the second and fourth Wednesday of every month. A motion to suspend the rules and read the ordinance by title only for the first reading was made by Councilmember Stoddard. Councilmember Biorn seconded. All councilmembers present were in favor, motion carried. Councilmember Biorn read by title only. A motion to pass on the first reading was made by Stoddard and seconded by Biorn. All councilmembers present were in favor, motion carried. A motion to suspend the rules and read the ordinance by title only for a second and third reading was made by Stoddard and seconded by Biorn. All councilmembers present were in favor, motion carried. Biorn read the second and third readings by title only. A motion to adopt the ordinance was made by Stoddard. Biorn seconded, with a roll call vote as follows: Councilmembers Powell, yes; Biorn, yes; Andersen, yes; Willmore, yes; Stoddard, yes. Ordinance passed by majority, 5-0. The Clerk was ordered to publish.

EPA Wastewater Grant – Paul Scoresby – Paul Scoresby of Schiess & Associates reported on this grant. The EPA has awarded the City up to \$537,000 in grant money for the purpose of Phase III of the Wastewater Project. Scoresby introduced Taci Stoddard as the newest Commerce of Idaho Grant Administrator. The Department of Commerce has indicated to the City that they will accept an application for a grant up to \$500,000. This can be considered part of the match required for the EPA. Scoresby felt that there is a very good chance that we would be awarded the additional grant from the Department of Commerce. The City now needs to go through the formal procurement process for acquiring a grant administrator and a grant engineer. Once the city has those two on board, then an income survey needs to be done according to the Department of Commerce rules to verify that we qualify. All these things need to be done between now and November. Scoresby said he would, at no cost, do the preparations for the RFB. Clerk Parkinson asked if the engineering and administrative costs could be part of what is applied against the grant. Scoresby wasn't really very sure, but didn't think that either of those costs could be applied to the grant funds. Councilmember Andersen wanted to know if the grant administrator would be doing the survey and what would the cost of the survey be. Scoresby said he would check on the costs, thinking it would cost anywhere from \$5000 to \$10,000. A motion to have the Mayor sign the EPA Agreement number XP-96086501-0 and to move forward with the next steps was made by Andersen and seconded by Councilmember Willmore. All council members present were in favor. Motion passed.

South Side Teton Highway Annexation – Paul Scoresby of Schiess & Associates also brought the council up to date on the newest map for this proposed annexation. Attorney Forsberg then continued, saying that the people on the proposed map have received water and sewer but are currently not annexed into the city. At the time that property owners were getting these services, they said they would accept annexation into the city. It was thought that since they receive full city services and look like part of the city, they should be included in the city limits. Planning and Zoning approved this and a map was created, however the first annexation map didn't include two parcels. At this time, it is recommended to council to return the annexation map back to the Planning and Zoning Board to include the two other parcels and hold a hearing using the corrected map. Scoresby said most have water, not all have sewer. Councilmember Andersen didn't know if we had signed waivers by the homeowners or not. Forsberg said that at the last hearing there were no objectors. A motion to send the proposed annexation back to the Planning and Zoning Board for a public hearing on the additions to the map was made by Councilmember Stoddard and seconded by Councilmember Biorn. All council members present were in favor. Motion passed. The Clerk was asked to turn this item over to the Planning and Zoning Board.

Discussion of Adopting Proposed Personnel Policy – This item was introduced by Mayor Rose. Councilmember Stoddard wanted to know about including a random drug testing policy. Currently the city drug test employees that have CDL driver's licenses. Attorney Forsberg felt that a policy is optional and currently the Police Department does have their own policy. Forsberg recommends that if a policy is established that it be done outside of the Personnel Policy. Council discussed the Paid Time Off section. Council

would like the Personnel Committee to meet and add the maximum numbers and bring back to council for review. Councilmember Andersen said that there should be more vacation time accrual for long term employees, especially those after 10 years. He said we have good employees and this is one way to keep them. Andersen said that there are currently maximum amounts of 480 hours for sick and 240 hours for vacation and he would like the cap for PTO to be 600 hours. He doesn't want to take anything away from the employees. A motion to send the Proposed Personnel Policy to the Personnel Committee for their review and recommendations was made by Councilmember Biorn and seconded by Andersen. All council members present were in favor. Motion carried. Councilmember Powell is the Chairperson of the Personnel Committee and she said she would make arrangements to meet.

Discussion of 3rd North and 3rd West Streets – Public Works Superintendent Butigan said that he thought that the streets have never been officially approved to be opened up. Councilmember Andersen said that at the time the school district removed the old school; the ground was leveled and sold to a man named Floyd Gardner. At this point, the owner has chosen not to do anything with the property. While the school district had it, they tore the street out and put in a parking lot and changed the drainage so it would work for them. They also moved the fence line on the north and so now the line of site or curb line does not line up. The City can only speculate what the owner wants to do with the property. The City looked at it three years ago and to do just the asphalt it would have cost \$65,000. The grading on 3rd West and 2nd West would change and there may be a lot of problems and with it being a through street, there would be a dip in the road and there could be driving and drainage issues. The city then decided to wait to see what the owner might do and then work with the owner at that time to make any street changes. Councilmember Willmore said that citizens have asked him why this street has never been opened up and with the school changing to one way streets, then it would open things up for drivers. Councilmember Biorn said it might be best for the city to wait until the property owner decides to do something and maybe then the property owner can help with paying for the changes. Biorn said we do have some gravel streets in the city now and asked if there was a problem with having that street be made of gravel. Andersen said it's a maintenance factor and there are issues on how well it can be maintained. Mayor Rose said that maybe the city leaves it as is, and then when the owner does something we can share the costs. Butigan said we could get by with doing less by not paving it and not putting in curb and gutter or to use the tailings of another road and creating a road from those materials. The county already has quite a bit of that kind of material and they might be willing to give the city some for this road. Biorn asked how important it is to do this now. Willmore said if we change to one way streets on Fourth North then this would give people another route to use. Willmore asked Butigan to talk to the county and give the council an idea of what it will take to do this road. Council tabled until next meeting so that Butigan can come up with costs.

Surplus Property – Chief Smith provided a list of four vehicles that will be advertised as surplus property and sold by closed bid. The list includes a 1985 Dodge Pickup, a 1995 Ford Crown Victoria, two 1998 Ford Crown Victorias and miscellaneous ammunition. Council discussed whether or not there was any value to keeping any of the vehicles for parts or other use. Chief Smith said that the vehicles have some major repairs and he

couldn't see any value to keeping them. Council discussed setting prices and decided that there would be at least a minimum bid of \$250 for each vehicle. The money received on the sale should come back to Police Department as they are all police vehicles, originally purchased through the Police Department's budget. A motion to declare the above listed items as surplus was made by Councilmember Biorn and seconded by Councilmember Willmore. All council members present were in favor. Motion carried. Mayor Rose said that the ammunition disposal will be left to the discretion of Chief Smith. Mayor directed the Chief to sell the ammunition as he sees fit. The Clerk was directed to place the advertisement for the vehicles.

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 Anderson and seconded by Councilmember Biorn. All council members present approved. Motion carried.

PUBLIC COMMENT - Mayor Rose opened the floor for public comment. There being no comment Mayor Rose closed the floor.

MAYOR & COUNCIL REPORTS -

Councilmember Stoddard reported that the Police Department had budgeted this year for six police officers and one animal control officer and we are currently at five police officers. The Police Department would like to get back to the six originally budgeted for. Due to the limited number of officers, it takes away from investigations. The Finance Committee recommends that the Police Department hire a sixth person to replace the officer lost in December, as it's what was budgeted for and in the budget. Councilmember Andersen voiced his agreement. Powell said she would make no comment. Mayor said we have had this number before, up until recently. The City started with seven, but cut back to six in order to get a new patrol vehicle. A motion to lift the hiring freeze and allow the Police Department to hire an additional officer was made by Andersen and seconded by Councilmember Willmore. All Council members were in favor except for Powell who was opposed. Motion passed 4-1. The Mayor directed the Chief to hire an additional officer.

Councilmember Biorn reported on the last Chamber meeting. He said he was unable to attend, but they wanted to know if the council is still on board with the City allowing them to do the Farmer's Market, expected to begin sometime in May. Councilmember Stoddard was against having the Market at anytime during the July 24th Celebration and that the Council needs to express this to the Chamber so there is no confusion. Sherri Jackson will be in sometime in April to propose this to the Council. Council also discussed the demolition derby and if there would be enough interest.

Mayor Rose asked for a volunteer from council to work with County Commissioner Miller on the census. Councilmember Stoddard was requested to do this and he said that he would.

Councilmember Andersen reported on the Parking Committee. Their next meeting is tomorrow night. They are making progress and should have something to bring to council

Attest:

/s/
Patty Unruh Parkinson, City Clerk-Treasurer