

**CITY OF ST. ANTHONY**  
**COUNCIL MEETING MINUTES – March 25, 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 ten Interested Citizens.

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

**PLEDGE ALLEGIANCE TO THE FLAG** was led by Brendon Stoddard.

**GENERAL BUSINESS**

**Drag Races/Don Powell** – Don Powell was present to represent the Midnight Muscle Car Club and asked for permission to do the 100 foot drag races scheduled for May 9<sup>th</sup> and September 25<sup>th</sup>. Councilmember Stoddard asked if there would be an easier way to do this each year since each year Powell comes to make this request. Attorney Forsberg said that he's just asking for council's permission. No permit is required. Councilmember Willmore said he likes him to come, since it reminds council of the dates. A motion to approve the 100 foot Drag Races at the airport scheduled for May 9, 2009 and September 25, 2009 was made by Councilmember Fullmer moved to approve and seconded by Willmore. All approved except for Councilmember Powell who abstained due to a conflict of interest.

**ECIPDA Proposed Economic Development Ted Hendricks** – Ted Hendricks said that the Industrial Park has been approved for a sign and he brought with him a drawing. Hendricks explained his proposal. He said the sign will cost about \$2200 to \$2300 and will be 4 x 8. Councilmember Stoddard asked if we renegotiate with the realty company, can the signs be changed out. Hendricks said it could. Councilmember Fullmer asked if Harry Halkar has been asked to bid on the sign. Hendricks said no. Fullmer asked that he be given the opportunity to bid on the sign so that the city could support local businesses. Hendricks asked that someone from the city contact Halkar to ask Halkar to contact him. Mayor asked the clerk to contact Economy Printing.

Hendricks also talked about their Economic Development plan in which all the projects originally planned for have been completed except for one. Hendricks talked about the projects that have been completed. Those being the Downtown Improvement Project, A Business Development Center – which are two buildings on Bridge Street, the EDA Building and the Fort Henry Business Center and the ML Building, and the Industrial Business Park. The unfinished project that was identified in the study was a convention center down on the river. He said they have identified a couple of parcels that could be used, the old laundry mat and the old city shop. Hendricks said there is grant money to

pursue that type of project. He asked for council's direction regarding this project. Hendricks said it would require probably both of those parcels to build this type of convention center. He said that this plan was developed about eight to ten years ago. Councilmember Fullmer mentioned that the city has a current problem just fixing our streets. Councilmember Stoddard said that we are still paying for the Fort Henry Building due to the cost overruns. Hendricks said he didn't believe the city had any money into that building. Hendricks then said it was the city's in kind work that they later hired contractors to do. Councilmember Andersen said that it was the cost overruns that the city incurred due having to fill in a basement that wasn't originally in the plan. Councilmember Biorn said he didn't think it would be something the city should be doing. Andersen wanted to know who would own the convention center and would it be similar to the business development building. Hendricks said it could be a combination of things. Andersen said if the city owns it or if The Development Company owns it then there would be no tax revenues from it. Attorney Forsberg said that if the city owned it there would be no tax revenue, but thought that if ECIPDA owned it there would be tax revenue. Hendricks disagreed, saying that had not been the case with their other property. Hendricks said that they don't necessarily have to own the buildings, that if the city wanted them they could work something out. Mayor Rose said that the city would have to tear down the current shop and find something else to have as a shop. Mayor didn't know if this was something the city could afford to do. Council felt that they were not in a position, at this time, to entertain pursuing a convention center.

Councilmember Biorn asked about the buildings downtown and why ECIPDA does not pay taxes on them. Hendricks said ECIPDA has a lease purchase agreement with the city and they manage the facility and obligate those rents to help run the facility. He said the buildings are intended to help the community by providing business opportunities and to help subsidize those businesses that are in them. Attorney Forsberg said it really is an ownership convenience for The Development Company and the city entered into an agreement that as soon as ECIPDA could get ownership they would. Hendricks said that The Development Company contributed about \$200,000 and would want that cash injection back if the city wanted those buildings back. Biorn said that it didn't seem right that the city didn't own any of the buildings nor receive any tax revenue for it, even after putting \$60,000 into overrun costs. Hendricks said if the city wanted ownership they would be more than happy to give it back for the amount they have into it. Hendricks said if anyone had any other questions to please contact him.

Mayor Rose said he would like to adjust the agenda at this time to allow for some public comment. He didn't want the public to wait clear through the meeting to speak. Mayor Rose then opened the floor for public comment.

**PUBLIC COMMENT** - Herb Hayworth, 1005 S 1<sup>st</sup> E, said that he wasn't in favor of the drag races, but because he arrived late he didn't get a chance to speak. Hayworth said he thought that Planning and Zoning had denied the race track. Attorney Forsberg said that the race track is an entirely separate issue. Forsberg said that Don Powell was here for permission to have two drag races and that Powell was not here for the race track which is two separate issues. Forsberg said that the race track issue is now with the county, since the fair grounds are located in the county and not inside the city limits.

There being no further public comment the Mayor closed the floor to public comment and asked for Joaquin Blanco to speak.

**Explorer Program/Police Dept. Joaquin Blanco** – Joaquin Blanco, Area CEO for the Boy Scouts of America, said he was here to represent the Law Enforcement Exploring Post (Explorer) Program. Blanco explained the program is a co-ed program, for ages 16-20, with an emphasis on career opportunity. Blanco continued by saying that law enforcement is in the top four interests of high school age children. This program would give them the opportunity to experience working in law enforcement. It also teaches leadership, character and citizenship. Blanco said the kids would meet here and be under the direction of the Chief of Police. The Rotary Club has agreed to pay for the program, providing the uniforms and registrations. The liability insurance is provided by the Boy Scouts of America. Councilmember Biorn asked if this program is like those we see in other cities. Blanco said that it is. Biorn wanted to know if Chief was on board with this. Chief said he was and has identified an officer to head up the program. Blanco said this is a good investment into the future of the area's youth, as one day they will be the ones sitting here. Mayor asked how many children would be participating. Blanco said about 72 kids were surveyed and from that they will hand pick about 12 from the applications to make sure that they have the right kids in the program. A motion to begin the Explorer Program in conjunction with the Boy Scouts of America and the Rotary Club was made by Councilmember Stoddard and seconded by Councilmember Willmore. All councilmembers approved.

**Census Proclamation** – Councilmember Stoddard is the council liaison with the county for the census committee. Stoddard read the proclamation. A motion to accept the proclamation was made by Councilmember Biorn and seconded by Councilmember Andersen. All councilmembers approved.

**Arbor Day Proclamation** - Councilmember Biorn read the proclamation. A motion to accept the proclamation was made by Councilmember Stoddard and seconded by Councilmember Willmore. All councilmembers approved.

**Fair Housing Month Proclamation** – Councilmember Willmore read the proclamation. Councilmember Andersen read the letter from The Development Company requesting that the proclamation be read to help the city to comply with federal requirements. A motion to accept the proclamation was made by Andersen and seconded by Biorn. All councilmembers approved.

**St. Anthony Motors Request/Letter** – Mayor Rose asked Councilmember Powell to read the letter. Powell read the letter which asked for permission to park their vehicles on the sidewalk in order to showcase their automobiles. Councilmember Biorn said that he gets requests from citizens on why some have to obey some laws while others do not. He copied codes 10.20.010 and 12.16.010 and gave it to the council. Powell said that people park on the sidewalk by the old city hall building as well. Biorn asked if the council had the authority to give people permission to break those laws. Attorney Forsberg advised that they probably do not. Forsberg said that there are many functions that would be prohibited due to certain codes and laws, such as Summer Fest and parades. Forsberg suggested amending the code to allow for this type of activity. Councilmember Fullmer

said that there is the "letter" of the law then the "intent" of the law. Fullmer said the intent of the law is to ensure pedestrian safety. Fullmer said there is no safety issue here. Fullmer continued by saying you will never write a perfect ordinance to cover every incidence. Chief said there is 33 inches between the parked vehicles and the building and 36 inches between the angled parked vehicles and the displayed vehicles. Chief said he talked to Allen Packard and Packard said he would move the vehicles closer to the building to accommodate any pedestrians. Councilmember Andersen remembered that the council asked Sassy Floral to remove their planter from the sidewalk. Fullmer said that that was a different issue, due to the hanger hanging so low that people taller than four foot tall would hit their heads. Forsberg said that the code could be change to allow for unreasonable traffic or pedestrian flow. Andersen said that there is a law and it should be followed. Andersen said that pretty soon everyone will have sandwich boards and will be parking on the sidewalks. Andersen said he is not in favor of allowing this. Fullmer said that we need to support our businesses in town and this is one way. Councilmember Willmore said he thought we are making a mountain out of a mole hill. Fullmer agreed. A motion to amend the sidewalk ordinance for discretion and flexibility was made by Fullmer and seconded by Willmore. Councilmember Stoddard said that if it is restricts pedestrian traffic it shouldn't be allowed. Stoddard suggested asking the parking committee to address this issue. All councilmembers were in favor. Forsberg will amend the Excavations Chapter and will work with the parking committee on their ordinance. In the meantime Fullmer said that we should put a moratorium on enforcing that law until a new ordinance is enacted. Mayor asked for all those in favor of the motion to amend the sidewalk ordinance for discretion and flexibility. All councilmembers were in favor.

**Agreement for Exchange of Services and Facilities** – Councilmember Powell read the agreement. Councilmember Stoddard asked the clerk if there is accountability for the agreement. The clerk said there was. A motion to pass the Agreement for Exchange of Services and Facilities was made by Councilmember Willmore and seconded by Powell. Councilmember Fullmer wanted to know if the city has an out on this if the landfill was filled up before two years. Forsberg said the agreement has a 60 day termination if needed. Councilmember Andersen asked if the county has approved this. Forsberg said they have not, but he worked in conjunction with the county to write the agreement. Andersen wondered about any other waste that is charged, like refrigerators and tires. Forsberg said to allow the county to come back with a counter proposal if it didn't fit their needs. Fullmer wanted to know if this addressed dispatch, jail or court. Forsberg said it did not. Mayor said there is a motion on the floor and for those in favor. All councilmembers were in favor. Stoddard wanted to know what the city was doing to educate the citizens about what goes into their garbage and eventually the landfill. Clerk Parkinson explained that the city workers have started by providing a flyer in regards to Spring Cleanup by going house to house. The same information will be in the monthly newsletter for the next few months, included in the utility bill.

**Proposed Personnel Policy** – Clerk Parkinson reported on the Personnel Committee meeting and highlighted the major changes in vacation and sick to paid time off in the proposed personnel policy. A motion to accept the new proposed personnel policy was made by Councilmember Fullmer and seconded by Councilmember Stoddard. All councilmembers approved.

**INVOICES & CLAIMS** - Payment Approval Reports were presented to Mayor and Council. Councilmember Willmore wanted to know about Zee Medical supplies, saying that they were pretty expensive. Willmore thought this could be a good way to save money by eliminating their services. Councilmember Stoddard wanted to know about the Shell Fleet Plus invoice. Clerk Parkinson reported that has been changed to Exxon. A motion to approve the bills was made by Councilmember Fullmer and seconded by Willmore. All councilmembers were in favor.

**MINUTES** - Regular meeting minutes of February 11, 2009, February 25, 2009 and March 11, 2009 were presented to the Mayor and council. Councilmember Andersen asked about committee meetings being posted. Clerk Parkinson said all meeting were being posted as required. Forsberg said that all committee meetings are considered open meetings. Andersen said he would like to be notified by phone of any upcoming meetings. A motion to approve the regular meeting minutes of February 11, 2009, February 25, 2009 and March 11, 2009 was made by Fullmer and seconded by Councilmember Stoddard. All councilmembers were in favor.

**PUBLIC COMMENT** - Mayor Rose again opened the floor for public comment.

Boyd Clark, Bridge Street, said that he was here to talk about the races at the Fairgrounds. Clark wanted to know where this was going from here, will there be more racing and will this be going to Planning and Zoning. Forsberg said that there is a proposal going to Fremont County who owns the fairgrounds for a drag strip, mud pit and an oval track. The city is not involved with this. The city has been notified of the two days of racing that has been going on for the last ten to 15 years. The rest of this is up to the County Planning and Zoning as they are the ones looking at that proposal.

There being no further public comment Mayor Rose closed the floor.

## **MAYOR & COUNCIL REPORTS**

Willmore reported that the next Airport Board meeting will be next Thursday at 7 p.m. here in the council chambers.. They will be discussing the Fly-In. The Fire Department has no concerns or complaints.

Stoddard reported that he would like to make a correction on some things he said at the last meeting. He reported that the Finance Committee met with Dale Green, advisor with Key Investments and talked about our need for long term and short term investments. Stoddard reported on how our long term investments may be called and their rates of return. The Finance Committee will meet again April 6 and will present the council with recommendations for investing.

Biorn reported that the Chamber of Commerce would like to provide awareness to the City of upcoming events. They want permission to use the park during Pioneer Days. They will not be selling anything. Councilmember Fullmer said they would have to reserve it like anyone else. There was a question about placing a statue on the Henry's Fork Greenway. Biorn said he referred them to the Greenway Committee.

Andersen reporting on the Parking Committee saying that the parking ordinance is ready

to present to the city attorney for his review and then it will be brought to the council for their review.

Powell had nothing to report.

Fullmer thanked Clerk Parkinson for putting up with him in the Personnel Committee. Mayor also thanked the Personnel Committee for everything they have done. He said he is driving truck again and would like the council to consider meeting only once per month. He said that Andersen would be driving truck too. Meeting only once per month would help them as they wouldn't be missing as many meetings. Mayor said they would take this under consideration.

Mayor Rose asked if the council had a chance to review the Fund Summary and if they had any questions. Councilmember Willmore asked for a detail report from the Clerk of airport expenses.

## **DEPARTMENT REPORTS**

Clerk Parkinson reported on the negotiations with PSI garbage services. Stoney Tucker of PSI was contacted by Mayor Rose and Clerk Parkinson to negotiate their request for an increase in charges for garbage services. The proposal was to pay PSI back for the double carts; those being the second carts that residents had that were not being billed to us through PSI. The city agreed to pay back for the three years prior and then go forward with correct billings. After some negotiations this was agreed to by Tucker and a check was sent to them for the past missed billings. Tucker was also reminded that if an increase in fees was requested that he needed to come to the council prior to the budget process, in order for the city to make appropriate budget changes. The city crew also did a cart count of all the households and an audit done against the city billings to ensure that there is an accurate accounting of all the carts being used by city residents. This cart count will be done at least twice per year.

Clerk Parkinson asked about a slide and if it had been declared surplus property. Councilmember Andersen said that it had already been declared as surplus and thought it was suppose to be part of an auction that the Parks & Recreation Committee would be holding. Andersen said to check with that committee.

Councilmember Biorn asked about information on how to word the passing of ordinances and reading by title only. Attorney Forsberg will work on it.

Public Works Superintendent (PWS) Butigan reported that the fencing material from Hadden's Fencing will be traded with Kelly Wasden for four foot fencing for Keefer Park. Councilmember Andersen said the fence was purchased by the sewer department and wanted to know about the accounting for it, since it was going to be benefiting the parks department. Andersen said he was still in favor of the fence being placed into Keefer Park where it was needed.

PWS Butigan reported on opening up 3<sup>rd</sup> Street saying that drainage wouldn't be a problem. He talked to the Idaho Transportation Department saying that the tailings are

dedicated to the county. The county said they would give the city the tailings if the city wanted. Butigan said this could be done as a temporary fix until they have the money to resurface the street. Councilmember Biorn asked if anyone had talked to the property owner. Butigan said the property belongs to the city. Councilmember Andersen thought a temporary surface would be best because if the owner came in later to do anything he wouldn't be ripping up a street.

Butigan said that we are still waiting to get a bid out for the Safe Route To School project. The Mayor signed additional needed forms and those have gone to Schiess & Associates, the engineers.

Schiess & Associates have applied for a LHTAC grant of \$100,000 to do the bridge at the end of West Main and 12<sup>th</sup> West.

Butigan said that all the homeowners have been notified of the items that can be picked up for Spring Cleanup. These requirements are set by the county.

Butigan said the he would be contacting Edstrom's to finish up their projects.

Butigan said the case loader is running rough and it needs to be looked at. Cost is not known, but a service call is expensive. Case out of Idaho Falls will look at it.

Butigan reported that the city has also applied for a number of stimulus projects. There may be a possibility of funds for East Main, W 4<sup>th</sup> N, S 7<sup>th</sup> W, or S 3<sup>rd</sup> E. We don't know if we will get any of these requested funds.

Butigan reported that the State of Idaho will be resurfacing Bridge Street this summer. The bids have not yet gone out, but they should be going out sometime in April. They may start up in June, but they do have a clause for stopping work for the Pioneer Day Parade, during that weekend in July.

Chief reported on the progress of the Parking Committee, saying that the final draft is being reviewed by Attorney Forsberg. Hiring ads have been placed into newspapers in Idaho Falls and Pocatello. Some applications have been received. Chief said that the auction for the surplus vehicles will end April 17<sup>th</sup>.

Chief reported that Big Dog Wireless is interested in putting their equipment on our tower and they want to negotiate with AT&T. Chief is also looking into stimulus money for equipment, deadlines for that are in April.

There being no further business to come before the Council the meeting was adjourned at 9:20 p.m. by Mayor Garth Rose.

  
Garth Rose, Mayor

Attest:

*Patty Unruh Parkinson*  
Patty Unruh Parkinson, City Clerk-Treasurer

