

*CITY OF ST. ANTHONY  
COUNCIL MEETING MINUTES – June 24, 2009 – 7:00 P.M.  
420 NORTH BRIDGE, SUITE A, ST. ANTHONY, ID, CITY COUNCIL CHAMBERS*

**PRESENT:** Mayor Garth Rose, Councilmembers Bryant Biorn, Bryan Fullmer, Elva Powell and Rod Willmore.

**ABSENT:** Councilmembers Woody Andersen and Bryan Stoddard.

**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 Don Orem.

### **GENERAL BUSINESS**

**Central School One Ways – Tom Jacobson homeowner affected by proposed change.** – Mayor Rose introduced Tom Jacobson, 249 W 4<sup>th</sup> N, explaining what the school district’s plan is in regards to a one way street in front of his residence. Jacobson expressed concerns with who will be doing the maintenance, such as snow removal. Mayor said the city will. Public Works Superintendent Butigan said that for his driveway it will be Jacobson’s responsibility. Jacobson said it is a huge expense for them to maintain half of the street. Councilmember Biorn said there were two different proposals and he said that one created a new driveway and the other to extend his existing driveway out to the street. Butigan described both options. Councilmember Fullmer said that one proposal would be giving property away. After some discussion with council, Jacobson said he is not opposed to going around the block if it was made into a one way. Jacobson said that when he purchased the home he understood that going around the block would be something he would have to do. Butigan said that instead of curb and gutter, striping could be done with diagonal parking. Fullmer asked Jacobson if he would have enough parking with diagonal parking. Jacobson said he has room to park. Fullmer wanted to know why the school district was making this a one way and if they could just make it a one way on a temporary basis. Other members agreed. Fullmer suggested that someone get back to the school district to further discuss doing something temporary during school hours. Mayor asked the Clerk to contact Val Hammond and place this on the next agenda.

**Parks & Rec. Committee Report – Melissa Hinckley** – Hinckley was not present. This item tabled.

**Nolan Vanderlinden – request for reduction in sewer rate** – Clerk Parkinson explained the two options that staff and Councilmember Andersen came up with for the Vanderlinden account. One option, since Vanderlinden’s do not use water in the spring and summer to irrigate, was to average the account’s annual usage less the winter drip

amount to come up with a sewer rate. The other option was to replace the old meter with a new radio meter so that the meter could be read every month and use the same reading for water and sewer each month. Council discussed the options. With either of these options it doesn't affect any other user, as it's a unique situation for this customer. A motion to replace the old meter with a radio read meter at the Vanderlinden residence and to reduce the sewer rate at the next read for the actual water read with a credit adjustment to the last few month's sewer rate for the prior months if needed was made by Councilmember Biorn and seconded by Councilmember Willmore. All councilmembers present approved.

**Road Closure of 1<sup>st</sup> W, Courthouse Grounds, for Courthouse Car Show Celebrations**

– Councilmember Powell thought the council already approved this item. Councilmember Fullmer reminded council that the Chief of Police can authorize the street closure. Councilmember Biorn thought this was still an issue due to requesting permission from the Pioneer Days Parade Committee. Mayor Rose asked that Biorn contact the committee to see if they will allow the car show and report back in two weeks.

**Firework Permit Approvals** – Broulim's has a request to sell fireworks from today until July 25, 2009. Council discussed. A motion to allow Broulim's to sell fireworks from July 1 through July 25, 2009 was made by Councilmember Powell and seconded by Councilmember Biorn. All council members present were in favor. Mayor Rose asked the Clerk to contact them with their approved permit.

**Resolution to Establish a Drip List Policy** – Councilmember Fullmer wanted to know if the adjustment to Vanderlinden's account would affect the policy in any way. Public Works Superintendent Butigan said it would not. Mayor Rose asked if everyone had read the resolution and if there were any other questions. Attorney Forsberg read the resolution in full with corrections. A motion to adopt the resolution as read with corrections by Forsberg was made by Councilmember Biorn and seconded by Councilmember Powell. All council members present were in favor.

**Sidewalk Ordinance** – Mayor Rose asked if everyone had a chance to read the ordinance. Mayor asked for discussion. Councilmember Fullmer commented that it is impossible to write the perfect ordinance that will address every issue. Chief Smith asked how this ordinance will allow St. Anthony Motors to keep their vehicles on the sidewalk at night. Fullmer said that this would fall into the Chief's discretion. All the other councilmember's agreed with Fullmer. Attorney Forsberg said the intent of this ordinance is for prevention of pilferage of small items left outside during the night after a store has closed. Moving a car from the sidewalk back ten feet to the parking lot doesn't make the same sense, as cars are normally stored outside. Things normally stored outside will continue to be stored outside. Fullmer asked PWS Butigan if the stated costs were in the budget and if there is money there to pay for it. Clerk Parkinson said that it is in the budget for publishing. Mayor Rose entertained a motion to suspend the rule. A motion to suspend the rules and read the ordinance by title only for the first reading was made by Councilmember Biorn and seconded by Councilmember Fullmer. All council members present were in favor. Biorn read by title only. A motion to adopt the ordinance was made by Fullmer and seconded by Councilmember Powell. A role call vote followed:

Councilmembers Fullmer, yes, Powell, yes, Biorn, yes, and Willmore yes. Motion passed 4-0.

**Parking Ordinance** – Mayor Rose introduced the ordinance by reading the purpose and cost statement. Mayor asked for discussion. Councilmember Fullmer asked that whoever is in charge of that budget needs to let council know if there are available funds. PWS Butigan said that most of the equipment and labor can be done this year and that some of the signage can be ordered and finished in next year’s budget. A motion to table this item until next fiscal year was made by Fullmer and seconded by Councilmember Willmore. Councilmember Biorn asked if the ordinance couldn’t be passed and then made effective in the next fiscal year. Fullmer said that since the budget wasn’t yet set for next year we would be obligating that amount of money. Chief Smith said that the signage can’t be put up until council approves their placement by resolution. All council members were in favor. The Parking Ordinance will be tabled until next fiscal year. Motion passed.

**Property Clean Up – Garrett’s Trailer Court – report and status** – Joel Young, the owner of the trailer house in Garrett’s Trailer Court has been notified and contacted by the clerk. Clerk Parkinson reported that when she contacted Young by phone he told her that he sold the trailer and was unable to remember or give a contact name of who he sold it to and that he was no longer the owner of the trailer. Attorney Forsberg counseled the city to try and determine if there is anything of value on the abandoned property and then have it abated. Mayor Rose instructed Forsberg to go forward with an abatement letter.

**INVOICES & CLAIMS** - Payment Approval Reports were presented to Mayor and Council. A motion to pay the bills was made by Councilmember Willmore and seconded by Councilmember Powell. All council members present were in favor.

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

## **MAYOR & COUNCIL REPORTS**

Councilmember Willmore reported that the weeds are down at the airport. There is an Airport Board meeting next Thursday, July 2, 2009. If the weather stays good, the grass will be cut, baled and removed.

Councilmember Biorn asked about adding to the agenda adopting a resolution for placing items on the agenda and possible rules of order for meetings. Mayor asked the clerk to put it on the last July meeting agenda. Biorn also reported that FEAC is defunct.

## **DEPARTMENT REPORTS**

Clerk Parkinson reported on the drowning that occurred June 23<sup>rd</sup>. Rocky Mountain Power and the City are working together to create more signage to ensure that people stay off the diversion dam. Buoys will be ordered and paid for by the power company and will be installed and maintained by the city. The Sandbar Park has been closed until further notice. Staff would like to add to the agenda a resolution addressing closing the park when water levels are at a certain point.

Clerk Parkinson also talked about how the laws have changed in regards to public meetings. The major change is that the agenda requirements for posting must be done 48 hours prior to a regular meeting and 24 hours prior to a special meeting. Any changes to the agenda that occurs less than 48 hours prior to a regular meeting and 24 hours prior to a special meeting require a motion and two thirds vote. This applies to all committee and board meetings.

Attorney Forsberg also reported on the changes in the law regarding open meetings. The new law sets out a procedure to fix any mistakes that might get made.

Attorney Forsberg reported on working with Chief Smith on getting a clearer description of the Swim Monitor's duties with policy and procedures that they can bring to the council. Forsberg said that it is very important that the Swim Monitor knows his limits and doesn't try to exceed them. Forsberg said that the Swim Monitor wasn't hired to go into the water. He was hired to monitor the swim area. Forsberg invites any input.

PWS Butigan said that the Safe Route to School is staked out and there will be a meeting with Paul Scorseby and DePatCo to go over expectations. Butigan also went to a meeting with the Idaho Transportation Department in Driggs and reported that the Bridge Street project has been bumped back to August or September. They may come back in late spring or next summer and chip seal the road. They'll rotor mill and put back the same day.

Mayor Rose reported that the stimulus project will probably start next spring.

PWS Butigan said that crews are painting curbs and striping and will be working on cross walks later on in the summer. There has been some complaints of the cross walks not being visible, but painting them now and then having the road ripped up just means we need to paint them again. Councilmember Fullmer said it didn't make sense to spend \$500 or \$1000 on painting just to have the road ripped up. Council agreed to go ahead and wait to paint the cross walks after the road has been completed.

PWS Butigan said that the opening up of Third Street has been put on hold until the second half of our tax revenues have arrived. Butigan also reported that the sprinklers are buried and the water meter needs to be hooked up and the lines flushed for the lot next door to be ready.

Chief Smith reported that the Pioneer Day Parade route will be the same as last year. Smith also reported that the Riverside Hotel is being dismantled and the yellow house is being made habitable again. He also reported that he and the clerk met with the swim monitor and explained the closure of the swimming area.

There being no further business to come before the Council the meeting was adjourned at 8:30 p.m. by Mayor Rose.

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Garth Rose, Mayor

Attest:

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Patty Unruh Parkinson, City Clerk-Treasurer