

*CITY OF ST. ANTHONY
COUNCIL MEETING MINUTES – August 26, 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, Woody Andersen, Bryan Stoddard and Rod Willmore.

ALSO PRESENT: City Attorney Bill Forsberg, Police Chief Jim Smith, Public Works Superintendent Scott Butigan, City Clerk/Treasurer Patty Parkinson, and approximately 16 interested citizens.

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

The PLEDGE OF ALLEGIANCE was led by Scott Butigan.

PUBLIC HEARINGS

Sewer Fee Increase 13% Hearing –

Sanitation/Garbage Fee Increase 7% Hearing –

Utility Payment Late Fee from \$1.00 to \$6.00 Hearing –

Mayor Rose opened the floor for the first public hearing, the increase in the Sewer, Sanitation/Garbage and Utility Late Fees, asking Attorney Forsberg to be the monitor. Forsberg read the notice of public hearing for the utility fee increases. Forsberg asked for anyone that hadn't signed up to speak to do so now. Forsberg asked for Jarrett Widdison to begin, telling him each person had five minutes to speak.

Jarrett Widdison, 817 West 2nd South, spoke in opposition of the increases in the utility bills. He said everyone is having a hard time paying their bills. Attorney Forsberg asked if Widdison was speaking for a group of people or just for himself. Widdison said he is speaking only for himself. Councilmember Stoddard asked Widdison what he would propose. Widdison said he doesn't understand why the rates need to be raised. Mayor Rose asked Councilmember Biorn to explain the increases. Biorn said that by state law the city is required to have the utility funds or enterprise activities, water, sewer and sanitation, pay for themselves. Biorn explained that the rates needed to be raised to pay those activities. Widdison replied that no one will be able to pay the bills. Mayor Rose said that there are currently many other cities in our close proximity whose rates have gone up by as much as 28%. Mayor said that the city of St. Anthony isn't as low as it used to be, but it is still not where many towns are.

Attorney Forsberg asked if there was any more public comment for the proposed fee increases.

There being no further comment on the proposed fee increases Mayor Rose closed the

public hearing.

2010 Budget Hearing – Mayor Rose opened the floor for public comment on the 2010 Budget Hearing.

Attorney Forsberg read the initial paragraph of the public hearing notice for the Proposed Budget for Fiscal Year 2010.

Karen Valenta, 470 East 4th North, employee of the city, said she does the flowers for the town and has been doing so for eight years. Valenta says she has yet to hear a sufficient explanation why this project should be scrubbed. She said she sees many more areas in the city that should be cut. She said there must be some kind of solution. Valenta said if funds were raised she wanted to know if there would be a match from the city. Valenta said that the numbers used to describe the flower program are not accurate. Valenta said she knows what she makes and what the other employee makes and it's not anywhere near the \$24,000 that Clerk Parkinson has given them. Valenta said she cuts their hours if there isn't work to do and she thinks it shouldn't cost any more than \$18,000. She said it certainly doesn't cost \$50,000. Mayor Rose said that the \$50,000 amount had been retracted and he apologized for that comment. Mayor Rose said that the Clerk provided the \$24,000 number and Clerk Parkinson reported that the numbers are accurate. Valenta asked for the council to reconsider funding the program and to maybe find private funding that could be matched. Valenta reported that it's the one thing that tax payer money gets spent on that everyone enjoys. There were no questions from council.

Gaylene Blair, 205 North 7th West, said the flowers are gorgeous and everyone enjoys the flowers. Blair said people that are from outside town always comment on the flowers. Blair supports Valenta saying it makes our town beautiful and special. Blair said she hoped that council could do something. There were no questions from council.

Dick Marler, 745 North 6th West, asked to address the flower issue and respects the work that the council has done on the budget. Marler knows that what he says really won't make a difference but feels an obligation and responsibility to address the following issues that he feels strongly about. At last weeks meeting, Marler said the council referred to some of the cuts as non-essential. He asked are public safety issues non-essential? Kids walking across the busy highways are non-essential? And is the city pride coming directly from the flower project non-essential? Marler explained the pride of ownership in people's residences. Marler said that civic pride is essential. There were no questions from council.

There being no further comment on the 2010 Budget Mayor Rose closed the public hearing.

Mayor Rose requested a five minute recess.

After the five minute recess Mayor Rose called the meeting back to order.

Mayor Rose changed the agenda around by opening the Public Comment section of the

meeting.

PUBLIC COMMENT

Paul Scoresby of Schiess and Associates said he sensed there may still be some confusion in regards to the STAG Grant and how it effects the city's budget. Scoresby wants to make sure the city gets the best deal possible with these grants saying that the city is getting a four to one or a five to one cash match. Scoresby said he's worked for the city since 1996 on a number of city projects, water, sewer and streets and loves working for the city. Scoresby prepared a handout that shows the Waste Water Phase III Project and proposed funding sources. Scoresby said there is nothing that has been done wrong. He reported that about 18 months ago Taci Stoddard was the clerk and she would help as needed. The grant wasn't finalized until after Stoddard went to work for Schiess and Associates. At the time of application, the city felt like there would be about \$300,000 in city match. Kevin McNeil insisted that the soft costs stay out of the grant, simplifying the process. Now that grant agreement is in place, this can't be changed. Scoresby talked to DEQ about engineering on this project. With grant funding dictating the rules, they require that engineering is necessary for the grant. DEQ is mandating it since it's such a large scale project. The Idaho Block Grant is mandating a formal procurement process for the engineer. Scoresby said this project would replace all the sewer collectors that were put in during the early 1900s. Scoresby then reviewed the different funding options shown on his handout. Mayor Rose asked if council wanted to get together for a work meeting after the Finance Committee meeting, August 26th. Scoresby said he urges the council to figure out how to make this work. This is a four to one ratio and is excellent money for sewer and water.

Karen Daw, Bus Supervisor, said she visited with School Superintendent Parker and the construction workers in regards to the one way street from the corner of 5th North and 2nd West. Mayor Rose said this was put on hold by the school district. Daw said Mr. Hammond was also there and the first day of school was a disaster. There are quite a few parents that are coming in, making U turns, and since then lines have been redrawn. Daw said that we all felt that having a one way street would be very advantageous and much safer. Daw said the district would be willing to help with the signs that need to go into place. Daw also said the homeowner, Tom Jacobson, is in agreement to the one way. Daw reported that a crossing guard was hired to be on 4th North and Bridge and they appreciate her. Councilmember Biorn said they agreed that it was a doable thing and said the city could put it on the next agenda and then they could make a pretty quick decision. Mayor Rose said council did a lot of study and is ready to hear them at the next council meeting, if they should choose to come.

Kelsey French, 521 East 4th North, said her neighborhood has become pit bull friendly and there is about six in a two block radius. French reported that she was out walking her dog the other night and one dog came over the fence, taking the fence down and she needs to know what she can do to protect herself and her children. Mayor Rose said she first needs to file a complaint with the police department. French asked if there is law against owning particular breeds and can she get an ordinance that would prohibit particular breeds from being kept by citizens. Attorney Forsberg said there are no laws against

owning particular breeds. There are laws against vicious dogs and Forsberg advised her to dial 911 whenever she needs help with any dog at large. Forsberg said the city has leash laws and the law relies on citizens like her to report these types of incidents when they occur.

There being no further comments from the public, Mayor Rose closed the floor for public comment.

GENERAL BUSINESS

Adoption of Sewer Fee Increase Resolution – Councilmember Powell read the resolution. Councilmember Stoddard had questions about charging the City of Parker and the Juvenile Correction Center the increased fees. Clerk Parkinson said that she has already notified the City of Parker and was working on contacting the Juvenile Correction Center. A motion to adopt the resolution to increase the sewer fees was made by Councilmember Anderson and seconded by Councilmember Biorn. All council members were in favor.

Adoption of Sanitation/Garbage Fee Increase Resolution – Councilmember Andersen read the resolution. Andersen asked about the second cart rate fee if that was the correct amount being billed to the city. Councilmember Biorn said that PSI is billing correctly now for the second additional cart. A motion to adopt the resolution to increase the sanitation/garbage fees was made by Biorn and seconded by Councilmember Fullmer. All council members were in favor.

Adoption of Water Fee Increase Resolution – Councilmember Biorn read the resolution. A motion to adopt the resolution to increase the water fess was made by Councilmember Stoddard and seconded by Councilmember Powell. All council members were in favor.

Adoption of Utility Payment Late Fee Resolution – Councilmember Stoddard read the resolution. Councilmember Fullmer commented that one citizen during the public hearing on increased fees said that people are having a hard time right now and this may be one fee increase that can be forgone to assist those people. There being no motion, the resolution died due to lack of motion.

Adoption of 2010 Budget Ordinance – Councilmember Stoddard said he wanted to address items stated as non-essential items. None of these cuts were easy to make and were never considered as non-essential. Stoddard apologized that it came across that way. Mayor Rose said that the comments are so true and the city has lovely flowers and everyone enjoys them. Mayor Rose said he also heard that it was a good move. Councilmember Fullmer said that he heard that the city was dissatisfied with employee performance, and that is not true. Fullmer explained that the city just doesn't have the funding to pay for everything that we are paying for. All the employees are appreciated. Councilmember Biorn said he was part of the Finance Committee that drafted this budget. Biorn said that as a committee it was a real education for all of them. He said the bottom line is does the city use the tax dollars to fix the streets and sewer or plant flowers and keep on the same way as in the past. Biorn said unless the city goes back to gravel

streets there wasn't any other option and he felt committed to the funding for the grant matches. Biorn continued by saying that this was not fun and he hopes they never have to do it again. Councilmember Stoddard also agreed with what Biorn said saying, since 2000 the city has neglected the streets and that's a problem. This budget gets the city into line to where it needs to be and there is planning in the budget this year and next and this is a step in the right direction. Stoddard said they thought long and hard over each cut and where that money would go. The silver lining is that the city has had a lot of people step up and volunteer to do the flower program with people even wanting to donate money. Stoddard continued saying that the actual costs of the flowers was \$20,000, and felt it was time to improve the streets. Fullmer said that it wasn't just flowers that were cut, two police officers, an animal control officer and office employees were cut. Fullmer said he thanks the Finance Committee for doing the hard thing. Mayor Rose said he sat in at a Mayor's Meeting in Island Park and visited with the Mayor from Driggs and Driggs has resorted to tearing up two city streets and going back to gravel. The city of St. Anthony is getting close to doing just that. Mayor Rose said that we are in hard times and hopefully things will get better. 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 Stoddard. A role call vote followed: Councilmembers Fullmer, yes; Powell, yes; Andersen, yes; Biorn, yes; Stoddard, yes; and Willmore yes. Motion passed 6-0. Biorn read the ordinance by title only. Mayor called for discussion. A motion to adopt the ordinance was made by Biorn and seconded by Fullmer. A role call vote followed: Councilmembers Fullmer, yes; Powell, yes; Andersen, yes; Biorn, yes; Stoddard, yes; and Willmore yes. Motion passed 6-0. Mayor Rose instructed the Clerk to publish the ordinance.

Sign Discussion on Third North at 2nd West and 3rd West and North Bridge and East Yellowstone-Proposed Resolution – Councilmember Willmore read the resolution in full. Council discussed the placement of the signs. Councilmember Fullmer asked if there was funding available to purchase the signs. Public Works Superintendent Butigan said that the city has the signs in stock. A motion to accept the resolution for signs was made by Fullmer and seconded by Councilmember Willmore. All council members were in favor. Resolution passed 6-0. Mayor Rose asked staff to make the changes and the Clerk to contact the local press and the High School Principal, Mr. Bennett, to make an announcement and to allow for the Police Department to remain lenient until everyone learns that a stop sign is there. Councilmember Andersen wanted to know if it wouldn't be better to leave the temporary signs on Third Street until the oil gets put down. Council was in agreement to allow Butigan to get the grade and tailings down then to replace the signs on Third Street.

Parking Ordinance (public hearing held June 10, 2009), tabled from earlier agenda – Mayor Rose said this was tabled due to lack of funds in the budget for striping the diagonal parking. Councilmember Fullmer said that nothing can be done until next budget year. Chief Smith said there is money there to put up the signs and the striping can be done in the following budget year. Councilmember Biorn said he didn't see any where in the ordinance that required new signs to be placed. Councilmember Andersen said that signs would be needed any where that there is diagonal parking. Chief Smith said this is discretionary, since some of the roadway is dirt and can't be striped. Chief Smith said that

signs can go in later or not at all. Andersen said he believes that the parking ordinance needs to be passed to clarify the parking. Andersen said that diagonal parking can be done by signs or paint or both. There are a few areas in town that this would affect. Andersen said that council can wait another month to pass this. A motion to table the Parking Ordinance until the first meeting in October was made by Biorn and seconded by Councilmember Powell. All council members approved. Councilmember Stoddard was opposed. Motion to table the Parking Ordinance passed 5-1.

INVOICES & CLAIMS - Payment Approval Reports were presented to Mayor and Council. A motion to approve the invoices and claims for payment was made by Councilmember Fullmer and seconded by Councilmember Willmore. All council members were in favor.

MINUTES - Regular Meeting Minutes of July 22, 2009 were presented to Mayor and Council. A motion to accept the Regular Meeting Minutes of July 22, 2009 was made by Councilmember Fullmer and seconded by Councilmember Andersen. All council members were in favor.

MAYOR & COUNCIL REPORTS

Councilmember Andersen said there have been a lot of meetings. He reported that he is glad that we finally made it through the budget and appreciates all the hard work that was done and the help. He said he doesn't like budget but felt it was the best we could do.

Councilmember Biorn said the Chamber of Commerce is having their street festival tomorrow night. Biorn said there wasn't a requirement in city code to have a traffic study for the placement of signs. Biorn thought that it was okay to request a traffic study if someone wanted one, but didn't see that it was required. Biorn said that there was, according to code, suppose to be a Traffic Safety Commission designated by the Mayor. Attorney Forsberg said that if there was no committee or commission then council can direct. Chief Smith said that according to code that a study does not need to be done. Smith said that the Federal Manual on Uniform Traffic Control Devices recommends a traffic engineer to review each requested sign. Smith said that he has been trained, although not an engineer, and completed the study himself.

Councilmember Stoddard reported on the last Census meeting. He said the most important thing is that an accurate reporting be done to help bring in additional funding for the city. There will be a booth at the Street Festival to help answer questions. Stoddard would like to put information into our city billings to help notify people of the upcoming census.

Councilmember Willmore reported that the airport has some surplus property, a rotator beacon and some VASI lights. These items need to be on the agenda for council to consider as surplus. The airport will be closed September 1st and 2nd for repairs. The Fly In is scheduled for September 12, 2009.

Councilmember Fullmer was excused at this point in the meeting.

DEPARTMENT REPORTS

Clerk Parkinson reported on a letter from the Local Highway Technical Assistance Council (LHTAC) saying that the city may apply for additional stimulus money should it become available. The letter indicates the cities that would be next in line for unfunded projects. The city of St. Anthony is not on that list and already has four other applications submitted.

PWS Butigan said that the airport will be closed September 1st and 2nd for crack sealing and he is checking to see if a representative will do a crack sealing demonstration with some new equipment. If the city rents a machine it can be completed in one day. Our machine takes four hours to heat up and the new one heats up in one hour. Hopefully, all the work should be done in one day.

Chief Smith reported that the Street Festival is tomorrow night. Amber Alert training is coming up in Idaho Falls. Eastern Idaho State Fair has requested a vehicle to participate in their parade. The Police Department will have a booth at the Fly In. Smith reported watching the vehicles on the first day of school at Henry's Fork Elementary and made recommendations to Mr. Davenport and was told that the painting would be done tonight and so that should help the drivers. He is also reviewing how the new crossing guard the school hired may or may not be under our insurance. Mayor Rose asked about the auction of police items. Smith said that Officer Brokens put that together. Brokens reported making about \$460. There were only about two items that didn't sell. Chief Smith thanked Officer Brokens and Kathy Brokens for all the help on the auction.

Mayor Rose commented that it's been a tough three months working on the budget and it's been the hardest thing he's had to do in the time he's been on the council the last 12 years. Mayor said letting the employees go has been the hardest thing he's ever done.

Executive session pursuant to provisions of Idaho Code 67-2345(1) (c) To conduct deliberations concerning labor negotiations or to acquire an interest in real property which is not owned by a public agency – A motion to move into executive session pursuant to provisions of Idaho Code 67-234(1) (c) to conduct deliberations concerning labor negotiations was made by Councilmember Stoddard and seconded by Councilmember Biorn. A roll call vote was made with Councilmembers Powell, yes; Andersen, yes; Biorn, yes; Stoddard, yes; and Willmore, yes. Motion passed 5-0.

Mayor Rose asked for the room to be cleared.

A motion to conclude the executive session was made by Councilmember Willmore and seconded by Councilmember Powell. A roll call vote was made with Councilmembers Powell, yes; Andersen, yes; Biorn, yes; Stoddard, yes; and Willmore, yes. Motion passed 5-0.

Mayor Rose opened the meeting to the public.

Mayor Rose reported no decisions were made in executive session.

There being no further business to come before the Council the meeting was adjourned at 9.13 p.m. by Mayor Rose.

Garth Rose, Mayor

Attest:

Patty Unruh Parkinson, City Clerk-Treasurer