

*CITY OF ST. ANTHONY
REGUALR COUNCIL MEETING MINUTES
February 25, 2010 – 7:00 P.M.
420 NORTH BRIDGE, SUITE A, ST. ANTHONY, ID, CITY COUNCIL CHAMBERS*

PRESENT: Mayor Neils Thueson, Councilmembers Woody Andersen, Rod Willmore, Suzanne Bagley, Bryant Biorn, Elva Powell and Bryan Stoddard.

ALSO PRESENT: City Attorney Bill Forsberg, Police Chief Jim Smith, City Clerk/Treasurer Patty Parkinson, Public Works Superintendent (PWS) Scott Butigan and approximately 11 interested citizens.

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

THE PLEDGE OF ALLEGIANCE was led by Councilmember Bryant Biorn.

GENERAL BUSINESS

Idaho Transportation Department, Rigby Office, Update on Bridge Street and East Main Stimulus (Blake Rindlisbacher) – District Engineer Blake Rindlisbacher of District 6 Idaho Transportation Department came to the meeting to update council on two projects ITD is undertaking in the city. He also introduced two members of his department, Assistant District Engineer Karen Hiatt and Construction Engineer Wade Allen. Allen will be overseeing the work on the East Main Stimulus Project and the Bridge Street Project. Rindlisbacher reported these are the two projects that ITD will be involved with. Contractor Knife River has been awarded the contract for Bridge Street and ITD will be administrating that project from start to finish. Todd Bartletmay will be the Local Highway Technical Assistance Council (LHTAC) contact for the East Main Street Stimulus Project. The East Main contract for construction has been awarded to HK Contractors. The bids came in higher than the engineers estimate. However, this doesn't mean that the city will have to come up with any match, it's all 100% federally funded. One thing that has been talked about with the city is coordinating the sewer project needs on East Main. PWS Butigan reported that the city is expecting the bid proposals for the sewer project by the first of the month. As soon as the proposals are in the city can choose to start at any time. Butigan also reported that after viewing the preliminary design of the Wastewater Phase III project it has been determined that there is one section that goes under Bridge Street from Jill's Place to RJ's Exxon that needs to be replaced. ITD expects to do Bridge Street mid April, depending on weather. City council hasn't considered the sewer project under Bridge Street, since this is something that just has been recognized as a possible issue. Mayor Thueson said that the city needs to do some research and review and will then contact Rindlisbacher with additional information. Allen reviewed the Bridge Street Project using some displays, describing the length of the project and the time frame of 45 days for completion. Allen asked if there were any weekends that may be an issue with the city. Mayor Thueson said that the Fisherman's Breakfast is the Friday before Memorial Day. Allen said they would coordinate that with the contractor.

Henry's Fork Greenway Discussion and Clean Up (Kyle Babbitt & Stoddard) – Kyle Babbitt introduced herself and reported she has been working on the Henry's Fork Greenway trail since 2002. She reviewed the history of the greenway over the last eight years. She helped design the trail, overseeing construction of the trail and writing grants

to the Forest Service, Idaho Parks and Recreation and CHC Foundation. Babbitt is currently coordinating the cleanup day in the spring. She said the city often has 80 or more people that help on that day. The city has assisted with gravel to edge the trail. Arden Stoddard in the past has overseen the youth board that helps with the clean up the highway for that day. Tom Erikson will now be overseeing the youth board. The day set aside is May 15, 2010. Deon Davenport from the Rotary's Club is also expecting to get a group of adults to assist. Last year they cleaned up more than just the greenway and the highway, they also cleaned up all the city parks. The highway clean up goes for two miles on both sides of the highway. On March 8th at 2:30 in the afternoon a meeting has been set up with the Greenway Committee for a work meeting here at the city to bring everyone up to speed on the greenway and multiple ownerships as well as possible new developments involving Deon Davenport and the Rotary Club with a bronze statue. At this point the committee is out of funding for any additions to the greenway. Funding will be their next focus as well as where the greenway should continue to.

PUBLIC COMMENT

Citizen Matt Blanchard, 251 East 3rd North, came to council and talked about building a field house for the Upper Valley Youth Association (UVYA). Blanchard is the president of the UVYA. He said their organization met last night and baseball is underway and basketball has just finished, involving over 200 youth. UVYA is interested in building a field house with an indoor gymnasium. Blanchard spoke about the need UVYA sees for such a building. They would like to build a 100' x 75' building that would include a full court gymnasium and two smaller courts with a kitchen and rest room facilities. This building could be used for meetings of all types. Blanchard said that he has spoken to a number of different contractors who are willing to donate time and/or materials. He reported that in the past UVYA has put up the dug outs and chain link fence at the ball diamonds. They would like to put it in the North West corner of the ball diamonds. PWS Butigan said sewer lines are only available on one side of that property. UVYA's plan would be, in the end, to turn it over to the city. Councilmember Andersen said that access and parking needs to be considered, as well as placement of the building. Andersen would like a project or proposed design. Mayor Thueson said once the building was turned over to the city, then the city would have to maintain it and that would have to be considered by council if that is something the city would want to do. Mayor Thueson said Blanchard needs to keep council updated and to stay in contact with Councilmember Stoddard, the liaison for Parks and Recreation.

Discussion of South Fremont Fire District Proposal (Forsberg, Biorn & Fausett) -

Bart Quayle and Thom Morris introduced themselves as volunteers of the Fire Department. Quayle reported that Fire Chief Dave Fausett was unable to attend due to illness. Councilmember Biorn said that he wanted to talk about city code, 2.28, regarding the Fire Chief and his duties. Biorn said the second part he wanted to discuss regards the volunteers and their request for funding. Biorn said the code indicates the Fire Chief is to enforce the fire code and the current Fire Chief told Biorn that the city has no fire code. The Chief said that if he was to make an inspection of a home's chimney and later the home burned down, he was concerned about personal liability. Biorn wanted to know if this is something that can wait or if council needs to consider appealing that section of our code. Attorney Forsberg said the Fire Chief duties are outlined in the code and then read that code to council, explaining the broad range of duties. Biorn said the Fire Chief had problems with the inspection part and being appointed by the Mayor and the possibility of

being removed at any time. Biorn said it has been the custom of the fire department to appoint the Fire Chief through some fashion of an election among the volunteers. Forsberg said that this practice currently violates the city's ordinance. Forsberg continued by saying the city funds the fire department, pays their work comp, and contributes money. They have also invoiced us as The St. Anthony Fire Department. Biorn said the volunteer fire department is not tied to the city or the fire district. Thom Morris said the fire department is a non profit organization, standing on their own as a corporation. Biorn said with that being the case it seems unreasonable for the city to direct the fire department. Biorn then wondered if the conflict between our ordinance and their organization can be resolved in another fashion. Forsberg said that the city would first have to repeal their ordinance and then decide if the city wants to enter into any kind of contractual agreement with the fire department as a private organization to provide services for the city. Biorn asked to suspend the discussion until the city and the fire district can come to a decision about annexing the city into the district or not. Forsberg said whether or not the city is annexed into the district isn't relative to this third party corporation. The city needs to decide if they have a fire department or if they need to contract with a third party for fire protection services. Mayor Thueson said it really depends on whether or not the city is annexed into the fire district. This will determine if the city needs to amend the code or not. Mayor Thueson said we have to enforce the code, if we have it, or we have to change the code. Forsberg asked the volunteers if they have a contract with the district. Quayle wasn't sure, not knowing if they had an oral or written agreement. Morris said he isn't aware of any agreement other than they will fight fires for the district and the city, as well as supporting Bureau of Land Management (BLM) and the Forest Service. Quayle and Morris said the volunteers are willing to fight fires no matter where they are at. Biorn indicated to council the amount of money budgeted and spent on the volunteers over the last ten years. Biorn recommends setting aside the same amount of money and call it a donation to the fire department. Forsberg said right now it is a budget item for services and if the council wanted to open the budget and reallocate the funds as a donation, they could do that. Biorn asked Quayle and Morris what those funds are currently being spent on. Morris said the billing is put together so much per person at each fire call for the city and the same goes for the district. The money comes in and is used for computer service, coffee, once a month a dinner for each fire fighter, donations to the high school, flowers for funerals and donations to UVYA for baseball. They also receive money from the fire district. Forsberg said the city has potential liability if this volunteer fire department isn't the city's. The department may not be covered and this is an issue Forsberg will address with the city's insurer. Forsberg asked if their organization carries any liability insurance. Quayle said they assumed they had an agreement with the city. Forsberg said the reason for the ordinance is it provides the required structure for a city sponsored entity (the fire department) that is covered under the city's umbrella for many purposes. Quayle believed they were first incorporated in 1936. Mayor Thueson said that more research needs to be completed and followed up on with the city's attorney and insurer. Mayor Thueson said he appreciates the volunteers and the work they do. The city will pursue the question of insurance and will then get back to the volunteers.

Discussion and Fees for the Licensing of Dogs (Smith & Bagley) – Chief Smith would like to see an annual fee for the licensing of dogs. Smith reviewed other cities' fees and reported the city of Teton is charging \$10 per year and Sugar City is \$12 per year per dog. Our fee is a lifetime fee. Smith recommends a \$10 fee per year per dog. This would assist in paying for heat, lights, food and continued enforcement and possibly a new facility. There are many needs for animal control and this would assist. Councilmember

Willmore said that in the past if people have to pay for licenses they will then not obtain licenses. Willmore sees it as backfiring on them, as there will just be more dogs running around without licenses. Councilmember Biorn wanted to know how many dogs are currently licensed in the city. Clerk Parkinson thought less than 100, but was unsure. Discussion continued on the pros and cons of annual licensing fees. There was no motion made to change the licensing fee. Councilmember Andersen said some cities license dogs for free. This would be one way to track a dog. Councilmembers generally agreed on increasing the fines for captured dogs and changing the misdemeanor to an infraction. A motion to change the misdemeanor to an infraction was made by Biorn and seconded by Councilmember Bagley. All councilmembers approved 6-0. Attorney Forsberg will prepare an ordinance amending the current animal control ordinance reflecting the changes and then at that time council can go through the formal passage of that ordinance. This item will be placed on council's next agenda. Councilmember Bagley requested suggestions from the other council members about what they would like to see in the animal ordinance. Some suggestions were made. Bagley will review again with the police department and provide some numbers of actual costs of licensing dogs and picking up dogs.

INVOICES & CLAIMS - Payment Approval Reports were presented to Mayor and Council. After several questions, which were satisfactorily answered by staff, a motion to pay the invoices and claims was made by Councilmember Bagley and seconded by Councilmember Powell. All council members were in favor. Motion passed 6-0.

MINUTES - Regular Council Meeting Minutes of February 11, 2010 were presented to Mayor and Council. A motion to accept the Regular Council Meeting Minutes of February 11, 2010, was made by Councilmember Andersen and seconded by Councilmember Willmore. All council members were in favor. Motion passed 6-0.

MAYOR, COUNCIL & DEPARTMENT REPORTS

PWS Butigan reported the grader had a stuck valve and will only cost about \$100 to repair. Bob Bauer will be retiring April 28th this year. The city will need to hire a person in the \$12- \$15 range depending on experience. If the city doesn't hire a full time person then it'll place too much of a burden on the remaining crew. Butigan said that when he first started working for the city, there were eight crew members in Public Works. When Bob retires that leaves four remaining people. There was some discussion and council will think about this and review again later. The preliminary draft plan for the Wastewater Phase III Sewer Project has been finished and Butigan just reviewed it. Mayor Thueson and Butigan will be meeting later with Paul Scoresby (Schiess & Associates) to review their notes. They will also talk about the sewer line that will go under the street on Bridge Street between Jill's Place and RJ's Exxon. Butigan is still waiting for prices on the East Main sewer line. One bid has come in around \$21,000.

Chief Smith reported there were a few things that hit the media today, regarding a statutory rape investigation. Smith said he met with the Sheriff on the use of deputies to fill spots in the city as needed at \$15 per hour. They would use our patrol cars, but use their own uniforms. Smith also reported meeting with the county prosecutor to coordinate cases.

Attorney Forsberg reported that Fairpoint Communications is in bankruptcy and have

scheduled to pay a dept to the city of \$18,940. The Mayor received a letter from a third party to collect on the \$18,940. They would like to pay the city \$12,311 in lieu of the city waiting to find out if Fairpoint Communications will pay the city the \$18,940. If the city were to wait for Fairpoint to pay it could be received as late as this fall. The bankruptcy plan has been filed and that would indicate that there is a reasonable chance the plan will be approved. Council decided to do nothing and expect to wait for the \$18,940 from the scheduled plan.

Clerk Parkinson reported on the delivery of Census material. They are available for anyone that would like to have them. Census packets will be delivered to each person beginning March 15, 2010. Parkinson also reported on a visit from Bill Hayes from the Idaho Rural Water Association. Hayes came to the city to do a sewer study in conjunction with additional items required for the Idaho Block Grant in relation to the Wastewater Phase III Project. Hayes assisted staff with breaking down the sewer rates. Mayor Thueson thought it beneficial to have Hayes return to a work meeting to show council how the sewer rates are determined. Parkinson also reported on investigating the costs to the city of taking credit cards and / or "check 21". After reviewing the associated costs (it would cost about \$600 more per year) Parkinson decided that it wasn't worth the additional costs.

Councilmember Bagley reported the chamber meeting is next month.

Councilmember Powell had nothing to report.

Councilmember Andersen reported being pleased that Deon Davenport has contacted Kyle Babbitt and feels like Parks and Recreation should be involved in things related to the greenway. The next RC&D meeting is March 25, 2010. Andersen said he will not be available for the next council meeting, as he will be on vacation. One of the water pumps is in need of a variable speed drive and this is being placed on hold until later in the fiscal year.

Councilmember Biorn thanked Joyce Edlefsen for the article in the newspaper about the Fire District. Biorn reported being cautiously optimistic that things will go well with the Fire District. Biorn will be meeting with them the Wednesday prior to council's first meeting in March.

Councilmember Stoddard reported the Parks and Recreation meeting is next week. Stoddard also reported meeting with the chair of Planning and Zoning and right now things are a bit slow.

Councilmember Willmore said that the airport light bill was \$15.83. So the new lighting system is already paying for itself and should be paid for in four to five months. Keith Ritchey is working on a grant for a security fence for the airport. It does require a 25% match. This match can be "in-kind". If the city is awarded the grant, council can decide to accept it or not.

Mayor Thueson had nothing to report.

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


Neils Thueson, Mayor

Attest:


Patty Unruh Parkinson, City Clerk-Treasurer

