

*CITY OF ST. ANTHONY  
REGULAR COUNCIL MEETING MINUTES  
July 8, 2010 – 7:00 P.M.*

*420 NORTH BRIDGE, SUITE A, ST. ANTHONY, ID, CITY COUNCIL CHAMBERS*

**PRESENT:** Mayor Neils Thueson, Councilmembers Rod Willmore, Bryan Stoddard (by phone), Suzanne Bagley and Bryant Biorn.

**ABSENT:** Councilmembers Elva Powell and Woody Andersen.

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

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

**PLEDGE OF ALLEGIANCE** was led by Public Works Superintendent Scott Butigan.

### **GENERAL BUSINESS**

**East Main Parking Ordinance Amendment (Butigan)** – Mayor Thueson explained this was not an ordinance but a resolution to the East Main Parking Ordinance to permit over night parking on the north side of the first block of East Main Street. Mayor Thueson read the resolution out loud in its entirety. There was no discussion. A motion to accept the East Main Parking Resolution was made by Councilmember Biorn and seconded by Councilmember Bagley. All Councilmembers present were in favor. Motion passed 4-0.

**Cable One Franchise Ordinance (Parkinson)** – Clerk Parkinson reported the Cable One Franchise Ordinance has been published for the appropriate amount of days and is ready for a motion to accept if council so wishes. A motion to suspend the rules of reading on three different days Ordinance 2010-3 Cable One Franchise Fee was made by Councilmember Stoddard and seconded by Councilmember Bagley. A role call vote followed with Councilmembers Bagley, yes; Biorn, yes; Stoddard, yes and Willmore, yes. Motion passed 4-0. Parkinson read by title only. A motion to adopt Ordinance 2010-3 was made by Councilmember Willmore and seconded by Bagley. A role call vote followed with Councilmembers Bagley, yes; Biorn, yes; Stoddard, yes and Willmore, yes. Motion passed 4-0.

**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 Biorn and seconded by Councilmember Willmore. All council members present were in favor. Motion passed 4-0.

**MINUTES** –Regular Council Meeting Minutes of June 24, 2010 were presented to Council. A motion to accept the Regular Council Meeting Minutes of June 24, 2010 was made by Councilmember Willmore and seconded by Councilmember Bagley. All council members present were in favor. Motion passed 4-0.

**Access Idaho Agreement to offer Debit/Credit Cards (Parkinson)** - Clerk Parkinson explained the agreements presented with Access Idaho. This would allow the city to accept

credit and/or debit cards as an additional form of payment. It also allows the city, if they were to so choose, the ability to set up a feature online for people to make payments to the city. This feature will not be set up at this point in time. All fees associated with making payments this way will be passed on to the customer. The fees are 3% of the total payment plus \$1.00.

For example if the payment is \$100, the customer is charged \$104 and the city gets \$100 and Access Idaho gets \$4. There is a card reader available for the purchase price of \$85. All other fees are passed on to the consumer. This is the same service Fremont County uses. After some questions from council, which were satisfactorily answered by staff, a motion to sign the Service Level Agreement for Electronic Transaction and Access was made by Councilmember Stoddard and seconded by Councilmember Willmore. All council members present were in favor. Motion passed 4-0.

## **MAYOR, COUNCIL & DEPARTMENT REPORTS**

**Police Chief Jim Smith** reported the DUI grant is on going until the 12<sup>th</sup> and then through the 15<sup>th</sup> to the 26<sup>th</sup> they will be working the Aggressive Driving Grant. The Search and Rescue building is near completion. The roof is on. Two new radars have been purchased using grant money. The radar trailer was out on East Yellowstone today. The Spurs and Spokes had an incident where the Chief was keeping the peace. The Silver Horseshoe indicates the one manager says they will not have alcohol except at banquets. Crime statistics are out from the state. There hasn't been a significant change in the city. Offenses and arrests have been up a bit. The city is looking good overall. The school signs have been ordered. A fireworks permit for shooting fireworks in the city limits was issued by the South Fremont Fire District and signed by their fire chief. This sort of action can only be done by the city council. Attorney Forsberg said he thought there was a larger issue at hand. Forsberg said there is an ordinance permitting individuals to come before the council and get permits to shoot fireworks within the city limits. Forsberg asked if members of a family can purchase fireworks from Wyoming and shoot or display them for their family members. Councilmember Biorn asked if fireworks of the unsafe and not sane type are legal to shoot in the county or state. The state and county do regulate these types of fireworks. The state has a process for the displaying of these types of fireworks. The 24<sup>th</sup> is an example of such a display. The question council needs to address is does the city want to permit private display. Mayor Thueson asked Forsberg to check into what the city's liability would be for this. This will be added to the 22<sup>nd</sup> agenda. Smith said the water heater in the pound doesn't work. Smith asked to which budget it should come out of. Parkinson said it could come out of Animal Control like other improvements or repairs in the past. Councilmember Biorn asked who is responsible for cleaning up the bits and pieces of a car after an accident. Chief said the tow truck driver should be cleaning it up. Otherwise public works should be doing it. Butigan said it should be cleaned up by the individual who had the accident.

**PWS Butigan** reported crack sealing is done on Fourth and on the school road. Third is also done and will be swept to begin the chip sealing. The airport will be done after the Fly In, since it's been so busy with the spray planes. Mayor Thueson asked if Butigan will check with county to see if they will spray the weeds. Butigan said he will contact Bryce Fowler (county employee). There is a concern with some of the weeds growing in the cracks. The striping is taken care of on East Main. Mayor Thueson said he talked to ICRMP about Bob Bauer's cement. The cement was put in and Bauer didn't like it, so the city took it out and Bauer now wants to pour a sidewalk that doesn't meet the current requirements. The city is not going to allow him to do this. It needs to go in according to the requirements. HK Contractors has the appropriate slope and grade. Mayor Thueson has also called ITD (Idaho

Transportation Department) to talk to them about it. Butigan thought the city should send him a letter so he understands he needs to put the sidewalk in properly and per code. Mayor Thueson asked Forsberg to write the letter to Bauer.

**Attorney Forsberg** checked on extending the taxiway at the Industrial Park and what might need to be done. There is nothing in the CCR's addressing this. It would require a plat amendment to be signed by the city and any other lot owners (about 3) affected by the change in the plat. Forsberg also checked on those people that had not built on those lots nor made improvements. There is a two year time period after which the city can either take back the lots, giving back the sales price, or not provide the discount. The sales agreement indicates if they do build on it in two years they are given a discount. Any money would go towards the loan owed to The Development Company to reduce the city's debt. Mayor Thueson said he spoke to Paul Scoresby of Schiess & Associates and his recommendation is to send the information to the Department of Aeronautics for their approval on the extension of the taxiway. Mayor Thueson asked Forsberg to work on a letter to the Department of Aeronautics.

**Clerk Parkinson** reported receiving a check from Wal-mart for \$500 towards Henry's Fork Greenway. They had a certain number of employees help with the annual clean up and so the check was written to the city. A recommendation to purchase a trailer for using behind a four wheeler, so to save on carrying everything needed into the Greenway, was suggested by Kyle Babbitt, Greenway Consultant. Butigan said he would look for a trailer to purchase using Wal-mart's donation. Parkinson also reminded council of Monday night's Finance Committee meeting scheduled for 5:30 p.m.

**Councilmember Bagley** reported on the Chamber meeting last week. They would like permission to use the parking lot on Friday the 23<sup>rd</sup> for their Farmer's Market. After some discussion, city council approved as long as the July 24<sup>th</sup> Committee approves. They then agreed to allow it, since it isn't on the 24th. Chamber also wants to know if the city will be putting the flowers back into the budget. Councilmember Biorn said flowers have not been discussed and at this point will not be placed back into the budget. Bagley thought they may come to council and visit regarding the flowers. They have had volunteers from the juvenile detention center and a few chamber members and citizens helping with the flowers. The flowers are looking nice. Biorn said the Chamber should know council thinks they are doing a good job. Bagley said the Art Council may be asking for some information from city. Bagley reported the patrol meeting was moved, so she missed that.

**Councilmember Biorn** encourages everyone to volunteer where they can.

**Councilmember Willmore** reported a grant has been awarded for the airport in the total amount of \$44,000. This will be for a security fence. The City's portion is \$11,000. It can be "in kind" work to meet that match. Willmore described the type of fence. Willmore thinks the city can split this with the county and do the work in kind.

**Councilmember Stoddard** had nothing to report.

**Mayor Thueson** has invited Paul Scoresby of Schiess & Associates and Ted Hendricks from The Development Company to provide a time table on the Wastewater Phase III Project to the next council meeting. He also talked to Scoresby about the easement at Wadsworth's

and that looks okay. The city received the Environmental Concurrence letter from the Community Development Specialists indicating they have completed their review and concur that the activities described for the Wastewater Improvement Project will meet the definitions of 24 CFR Section 58.34a, 12., Exempt Activities, allowing the city to proceed with the Wastewater Phase III project. Mayor Thueson said he has talked to Gary Parker of the School District about the tennis court property. Parker said he would like to see the city become the owners of that property. If the city would allow the school to put some playground equipment on a piece of property by the ball diamonds, next to the skate park, then a trade for the tennis courts in exchange for the property with the playgrounds on can be made. This would be a block of commercial property. Councilmember Bagley asked why they want to do this now. Mayor Thueson thought because they must maintain it and no longer wish to do so. We do not have property to transfer the tennis courts to. It is zoned as a PSD (Public Service District), not an R-1 zone. Thueson asked if council would like him to pursue this. Council agreed for Mayor Thueson to continue to pursue this.

**PUBLIC COMMENT** – Mayor Thueson opened the floor for any public comment. One citizen asked what the greenway was and where it was. Mayor answered his question. The same citizen asked if there were any updates on the Roxy Theater. Mayor said it is on the next agenda for sale.

There being no further business to come before the Council the meeting was adjourned at 8:06 p.m. by Mayor Thueson.

  
Neils Thueson, Mayor

Attest:

  
Patty Unruh Parkinson, City Clerk-Treasurer

