

CITY OF ST. ANTHONY
REGULAR COUNCIL MEETING MINUTES
August 12, 2010 – 7:00 P.M.
420 NORTH BRIDGE, SUITE A, ST. ANTHONY, ID, CITY COUNCIL CHAMBERS

PRESENT: Mayor Neils Thueson, Council Members Rod Willmore, Woody Andersen, Bryant Biorn and Suzanne Bagley.

ABSENT: Council Members Elva Powell and Bryan Stoddard.

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

The meeting was called to order by Mayor Thueson at 7:03 p.m.

PLEDGE OF ALLEGIANCE was led by Councilmember Bryant Biorn.

Annexation of the city into South Fremont Fire District – A motion to add to the agenda a discussion of annexation of the city into the South Fremont Fire District, as it may otherwise delay business that needs to take place tonight, was made by Councilmember Biorn and seconded by Councilmember Willmore. All council members were in favor. Motion passed 4-0.

GENERAL BUSINESS

Annexation of the city into South Fremont Fire District – Councilmember Biorn reported on attending the South Fremont Fire District meeting and said the fire commissioners added the annexation item to their agenda, voted on it and it passed unanimously. Biorn recommended city council doing the same by passing a resolution annexing the city into the fire district. Councilmember Andersen asked how the equipment will be handled. Biorn said they will come up with an agreement, over the next 30 days, and eventually turn all city assets over to the district. Once the city is annexed all fiscal responsibility will be turned over to the district. The district has requested the city continue to run the payroll for them with compensation to the city of \$150 per month. Council discussed with Attorney Forsberg if that could be done. There still needs to be some research completed. Forsberg said a new payroll account would have to be set up and he thought there was some expectation that they would perhaps be able to continue on the city's group health care policy. This would need to be checked into. Biorn said regardless of whether or not the city can provide payroll services has nothing to do with the annexation. Mayor Thueson said if the city can assist them we will try. The city is back on the Fire District's agenda next month as well. Biorn said the city would propose to continue to provide to them the budgeted amount of about \$63000 for the upcoming fiscal year. The Fire District was agreeable to this contribution from the city. Attorney Forsberg said the earliest a citizen in the city would make a payment to the district would be December 2011. Mayor Thueson said at the time this starts the city will reduce the General Fund Budget by the same amount to the city residents what they will be paying to the district. This way the city resident will not be paying any more than anyone else currently in the district. Everyone will be paying the same amount. Biorn read the resolution.

A motion to accept a resolution of the Mayor and council of the City of St. Anthony, Idaho, consenting to annexation of the area within the St. Anthony city limits into the South Fremont Fire Protection District was made by Councilmember Willmore and seconded by Councilmember Andersen. All council members present approved. Motion passed 4-0.

PUBLIC HEARING 7:00 p.m.

2011 Budget Hearing

PUBLIC COMMENT

Mayor Thueson opened the floor for the public hearing. No one wished to comment. Mayor Thueson closed the floor.

GENERAL BUSINESS continued

2011 Budget Discussion & Approval – Council began discussion with changing the General Fund Budget by decreasing the revenue from the fire district and changing the Fire Departments total expenses to one line item, the city's contribution of \$63,000. Clerk Parkinson also reported the total tax revenue amount has been reduced from \$670,052 to \$641,386. Council further reviewed the budget and finding no other changes a motion to approve the proposed budget with the reductions in tax revenue and fire district revenue as discussed early was made by Councilmember Biorn and seconded by Councilmember Bagley. All council members approved. Motion passed 4-0. In addition, a public notice for increasing the late fee was discussed and a motion to increase the late fee from \$1 to \$6 was made by Councilmember Willmore and seconded by Councilmember Andersen. All council members present approved. Motion passed 4-0.

High Country Glass Parking Discussion – Mayor Thueson said High Country Glass had some concerns about the limited parking in front of their store since the new road has been completed. They are having trouble with the new striping as it has eliminated two parking spaces. Bridge Street, 1st East and 1st West are the only streets with two hour parking. Council discussed the pros and cons of the two hour limit, believing this would not help the business by having a two hour limit as some customers may need to park there longer. Mayor Thueson suggested changing the angle of the parking to increase the number of parking spaces. If this was done it would give them maybe two more spaces. A motion to black out the stripes and have PWS Butigan attempt to relieve their parking problem was made by Councilmember Willmore and seconded by Councilmember Biorn. All council members present were in favor. Motion passed 4-0.

Fence request Right-of-Way Kim Campbell (Butigan) – Clerk Parkinson reported receiving a call from Campbell saying he could not be in attendance and requested this item be tabled for the next meeting.

Roxy Theater – opening of sealed bids and other discussion – Mayor Thueson read the bid from Colt Angell. Councilmember Andersen said he didn't like to see the building sit, but also didn't think the \$10,000 was a viable bid. Councilmember Willmore and Councilmember Bagley agreed. Councilmember Biorn suggested listing the property with a realtor. PWS Butigan had concerns about the costs of gas and electric payments. Clerk Parkinson also

had concerns in regards to the management of the rental. The city has already received the last rent check back for insufficient funds. Willmore would like to see last years bills before making any decisions regarding the renter and the building. Biorn said they could still list the property. A member of the audience, Lorraine Crocket, said they would still like to use the building for the Art Council, St. Anthony Alive, Cowboy Poetry and other events in the city. Council wasn't sure about taking on this additional task, as it would require active management from the city. Attorney Forsberg suggested a committee be established to look into at seeing about a realtor to list the property. A motion to list the property with a local realtor was made by Biorn and seconded by Willmore. All council members present were in favor. Motion passed 4-0. Attorney Forsberg advised the city, should they have additional problems with the renter, there is relief through a 30 day notice, unless there is a special situation such as non-payment, then a two day notice is sufficient, and if paid then okay, if not then the city may evict. Mayor Thueson asked Clerk Parkinson to contact Evan Tibbitts, Debi Kunz and Bob Reiley, all local realtors, to see if they have any interest in listing the Roxy Theater. The upstairs apartment has its own meter for electricity. PWS Butigan said as long as the water is on, the entire building needs to be heated to prevent pipes from freezing.

Lisa Haeberle, Richard Law and Linda Law – appointment to Parks & Rec – Mayor Thueson appointed Lisa Haeberle, Richard Law and Linda Law to the Parks and Recreation Committee as new members. Mayor Thueson thanked them for volunteering and welcomed their assistance.

Business License Discussion (Bagley) – Councilmember Bagley reported business licensing came up in the last patrol meeting. Patrol has been finding open doors on businesses and has no way of contacting the owner. If there was a licensing process then they could find out who owned the business. Also, many people call and want to know who the business owners are or to find out what businesses are in town. Bagley also had concerns about door to door sales people. Bagley asked for any discussion or ideas from council. Attorney Forsberg said that Bagley makes some good points. There is currently no city ordinance requiring licensing of businesses, as long as it is properly zoned, and as long as they don't violate any other city ordinances or state laws, any one can open and operate any type of business. The city has no program or system in place to learn about a business, what the business is, or where it is. Many communities regulate businesses. There are home occupations, multiple housings, and child cares. The home occupations are a subset of the zoning organization however, the city has no requirements to register home occupations. Licensing could also dove tail into what the Chamber does, assisting them. Councilmember Biorn said there will be a cost associated to this and we need to be aware of the costs. Forsberg said in respect to door to door sales the Supreme Court has struck down an ordinance from the community of Green River and our ordinance is not enforceable. This has been replaced with a regulation for peddlers. Homeowners have the right to ask peddlers to leave. If peddlers do not leave, homeowners can then call the police and it could be criminal trespass. The city can create a regulation to do background checks and create a fee associated with doing business or going door to door for sales. Bagley said she would like to work on this project and will come back to council with some type of a proposal for business licensing. Councilmember Andersen would also like to involve the Chamber to see if they may be interested in this. Biorn said he would like to hear from businesses and have some public comment on it.

Chamber Request to close E 1st N (Bagley & Butigan) – Councilmember Bagley reported

at the last Chamber meeting they discussed St. Anthony Motor's car show during Summerfest and the limited number of available booth spaces. The chamber is almost sold out for spaces and wants some additional area. They are requesting the city add East 1st North to the closed roads for the purpose of putting up additional booth spaces. This will open up another 15 more spaces. It will not conflict with the detour plan with ITD (Idaho Transportation Department). Mayor Thueson asked Butigan to barricade the road.

Limited English Proficiency Plan (Parkinson) – Clerk Parkinson reported on working with the state transportation department and their Title VI coordinator on the requirements necessary for receiving federal money. A Limited English Proficiency (LEP) Plan is required. Parkinson has completed the plan and has had it reviewed by the Title VI coordinator from the state and now requests council's acceptance of the plan for the City of St. Anthony. Parkinson briefly described the plan and the ongoing policies the city will adhere to now and in the future to assist people with limited English. A motion to accept the LEP Plan was made by Councilmember Biorn and seconded by Councilmember Bagley. All council members present were in favor. Motion passed 4-0.

Consideration to Cancel August 26th Regular Council Meeting same night as Summerfest - A motion to cancel the next regular council meeting was made by Councilmember Bagley and seconded by Councilmember Willmore. All council members present were in favor. 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 Willmore and seconded by Councilmember Biorn. All council members present were in favor. Motion passed 4-0.

MINUTES – Special and Regular Council Meeting Minutes of July 22, 2010 were presented to Council. A motion to accept the Special and Regular Council Meeting Minutes of July 22, 2010 was made by Councilmember Willmore and seconded by Councilmember Bagley. All council members present were in favor. Motion passed 4-0.

DEPARTMENT, COUNCIL & MAYOR REPORTS

Police Chief Jim Smith reported there is a growing problem associated with graffiti and requested an ordinance requiring property owners to clean up the graffiti. Much is gang related and includes offensive language. Councilmember Biorn said the city of Idaho Falls has such an ordinance. Councilmember Bagley said the ordinance does two things; it makes people angry enough to try and catch the perpetrators and it also makes neighbors upset enough to also keep an eye out in their neighborhoods. Biorn asked if the problem is more serious than it was five or ten years ago. Smith said it really isn't much worse; however it is becoming an accumulation, especially in some areas of town. Biorn asked if it is something that needs to be addressed now or if it could wait. Council discussed at length different ways in which to try and get people to clean up the graffiti. Bagley asked if this is something the city can put in the newsletter. Council instructed Chief Smith to prepare a statement for the newsletter. Smith also reported patrol stopping youth on "pocket bikes". These small motorized vehicles can not be registered for street use. School will begin Tuesday, August 17th, and the bus superintendent Karen Daw has requested some additional signs. PWS Butigan said the signs have been ordered and will be placed as soon as they arrive.

PWS Butigan reported both sides of the High School Road has been chipped and sealed as well as the Teton Highway and Third Street. A double coat was done on the one end of the High School Road. Butigan reported doing more than they expected, a little over three miles of roads. Next year they will look at doing more roads. The bills haven't come in yet from the county for the costs of the gravel or chips. The sewer department is experiencing a lot of infiltration from ground water. There are two houses identified in Cedar View that are pumping ground water in a constant stream into our sewer system. JCC is really putting too much infiltration into the system as well. Because of these problems with infiltration the city can no longer meet the required standards and are out of compliance for suspended solids. JCC is still trying to identifying the flows. The Sewer Superintendent is currently working with JCC. Attorney Forsberg said the city has sent them a letter already saying their infiltration is high. The concern now is it is placing the city out of compliance and maybe a private meeting with them is necessary to explain the problem to them. Mayor Thueson directed PWS Butigan to set up a meeting with them.

Attorney Forsberg reported he is working on the Fireworks permit.

Clerk Parkinson reported Zion's Bank was unable to provide a lower interest rate for the bonds. Parkinson also reported on working with Access Idaho and the city is now able to accept credit and debit cards. A fee of three percent plus one dollar is added to every transaction, which is passed on to the person using their debit or credit card. Mayor Thueson directed Parkinson to put this information on the water bill and the next newsletter.

Councilmember Bagley has asked the police department to work with the citizens around the school zones in regards to the new pick up and drop off routes and one-ways newly established. The Chamber wants to know if they can still have the same spot for their sign. Council agreed to allow them to place the sign making sure PWS Butigan can assist them, so they don't place it too close to the sprinklers. The Art council will be asking for some gratuity things for the Alive at Five and After Five in the park. If the city is interested in a booth at one of these events, there will be a charge. Bagley just wanted council to be aware of this if they decided they wanted a booth to give away free dog licenses. Bagley said it's unlikely there will be a booth because of the charge; however we will continue to give dog licenses away free at the city office.

Councilmember Andersen had nothing to report.

Councilmember Biorn had nothing to report.

Councilmember Willmore reported the next Airport Board meeting is scheduled for tomorrow night.

Mayor Thueson reported on receiving a request from a citizen to eliminate smoking in the parks. Mayor Thueson would like Attorney Forsberg to prepare a draft ordinance. On West 4th North a resident would like the double line extended all the way out of the city. Council agreed to have Butigan double line the road

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