

*CITY OF ST. ANTHONY  
REGULAR COUNCIL MEETING MINUTES  
September 23, 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, Elva Powell, Bryan Stoddard and Suzanne Bagley.

**ALSO PRESENT:** Police Chief Jim Smith and City Clerk/Treasurer Patty Parkinson and approximately 18 interested citizens.

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

**PLEDGE OF ALLEGIANCE** was led by Councilmember Andersen.

Mayor Thueson thanked everyone for coming and then turned the meeting over to Councilmember Bagley. Bagley said she wanted to take this time to recognize Officer Manhart who has taken a new job outside the city in North Dakota. Bagley said Officer Manhart has been wonderful to work with and on behalf of the City of St. Anthony she thanked him and provided him with a gift certificate for dinner. Manhart got up and spoke saying thank you, but wanted everyone to know they need to be thankful for the guys staying here, as they work equally as hard. He said he hopes the council uses this as an opportunity to grow and progress and not take a step backwards. Manhart said the department needs the council's help. Chief Smith said Manhart has done the D.A.R.E. program in the past and has done an excellent job there as well as all of his patrol duties. Mayor Thueson said we appreciate him a lot and wished him good luck.

## **PUBLIC HEARING**

**2010 Budget Amendment Public Hearing** – Mayor Thueson opened the floor for the public hearing. Councilmember Biorn explained the reason for the public hearing, in order to amend the 2010 budget to accept additional monies into the city so they may be spent. There being no public comment for, against or neutral, Mayor Thueson closed the public hearing.

## **GENERAL BUSINESS**

**2010 Budget Amendment Ordinance** – A motion to suspend reading of the ordinance on three different days and that the ordinance be read by title only once was made by Councilmember Biorn and seconded by Councilmember Bagley. A role call vote followed: Councilmembers Bagley, yes; Powell, yes; Andersen, yes; Biorn, yes; Stoddard, yes; and Willmore yes. Motion passed 6-0. Councilmember Bagley read the ordinance by title only. A motion to adopt the ordinance was made by Andersen and seconded by Powell. A role call vote followed: Councilmembers Bagley, yes; Powell, yes; Andersen, yes; Biorn, yes; Stoddard, yes; and Willmore yes. Motion passed 6-0.

**Approval of the 2011 Retail Alcoholic Beverage Licenses** – Councilmember Bagley asked if the police department has had any problems with any of the establishments requesting licensing. Chief Smith said there haven't been any problems or violations. There were three businesses that had licenses in the past, but for one reason or another they didn't

or were unable to apply. Council discussed having a special meeting for September 30, 2010 at 6 p.m. if Broulim's or any of the other two businesses come in no later than Tuesday next week with their application. A motion to approve the Retail Alcohol Licenses for BJ's Corner, Bottlestop, Bridge Street Station, El Jaliciense, Maverik, RJ's Shell and Star Bar was made by Councilmember Stoddard and seconded by Councilmember Powell. All council members were in favor. Motion passed 6-0.

**Resolution 2010-9 New Sewer Rate** – Mayor Thueson began by reviewing all the resolutions. Councilmember Willmore said he is concerned about raising any rates at this time. He said Fremont County still has a 10.7% unemployment rate and council raised them last year. Councilmember Andersen said the city needs to fund depreciation and reserves in order to replace pumps and motors, tanks and supplies. Andersen said if the city were to fund depreciation as it should the utilities would run in the red. There is money set aside in reserves and so the city is not hurting for money. There is a certain amount that should be set aside and collected each month to build up the reserve fund, which should be used to replace existing capital. Andersen said a slow gradual increase will better serve the residents than large jumps, as large jumps take public hearings and the city incurs additional expenses for publication of public hearings and holding public hearings. After further discussion, Mayor Thueson read the resolution. A motion to accept Resolution 2010-9 as read was made by Councilmember Biorn and seconded by Andersen. A role call vote followed with Councilmembers Bagley, no; Powell, no; Andersen, yes; Biorn, yes; Stoddard, yes; and Willmore, no. Motion tied 3-3. Mayor Thueson voted against the resolution, breaking the tie. The resolution failed 3-4.

**Resolution 2010-10 New Sanitation/Garbage Rate** – Mayor Thueson read the resolution adopting a new sanitation/garbage rate for sanitation/garbage services. A motion to accept Resolution 2010-1 as read was made by Councilmember Andersen and seconded by Councilmember Stoddard. All council members were in favor. Motion passed 6-0.

**Resolution 2010-11 New Water Rate** – Mayor Thueson read the resolution adopting a new water rate for water services. Councilmember Willmore asked how the reserve was in the water fund. Clerk Parkinson said there is reserve set aside and reminded council there are expenses associated with the water pumps this year and the budget will have to be altered as revenues will not meet the approved budget expenses if rates are not increased. Mayor Thueson talked about the study done by staff in regards to the water being pumped versus what is being treated and there is a huge difference. A study has already been done and leaks have already been identified and it seems to make good sense to fix what we already know is leaking. That will take several years to make those repairs and it will take money. Councilmember Stoddard reminded council the West Main Street Project is coming up and there will be water lines that should be worked on before the new street goes down, so the city won't be taking up a new street to repair water lines. Fire hydrants will need to be changed out and there is always something that will need repair as there are water lines on both sides of that street and it would be prudent to do those repairs while the street is being replaced. A motion to accept Resolution 2010-11 as read was made by Councilmember Andersen and seconded by Councilmember Biorn. All council members were in favor. Motion passed 6-0.

**Resolution 2010-12 New Late Fee** – Mayor Thueson read the resolution adopting a new late fee. Councilmember Willmore asked about how many of the city's customers are past due. Clerk Parkinson reported there is about a third who pay late. Parkinson said our late

fee is not sufficient to cover the costs to administer such a large number customers paying late each month. The late fee is only one dollar. Councilmember Biorn said there are some people who purposely don't pay their bill as the one dollar late fee is no big deal, as there is no penalty for being late for three months. A motion to accept Resolution 2010-12 as read was made by Councilmember Stoddard and seconded by Councilmember Bagley. All council members were in favor. Motion passed 6-0.

**Resolution 2010-13 Base Amounts for Utilities Unoccupied Properties** – Mayor Thueson read the resolution adopting a lowered base charge for unoccupied residential property. Councilmember Biorn asked about the first sentence in the second paragraph reading “and the water service remains on” should be taken out. The correction to strike that wording was made to the resolution. Mayor Thueson explained the reasoning for why council should consider doing this. There are bonds on the sewer and water services the city is obligated to pay and during the winter there are many residents that leave for the winter. In the past the city didn't charge them for anything. This only places the burden of those bond payments to those residents that remain here for the winter. A motion to accept Resolution 2010-13 as read and corrected was made by Councilmember Willmore and seconded by Councilmember Powell. All council members were in favor. Motion passed 6-0.

**Resolution 2010-14 Authorization for the Mayor to sign documents for the Roxy Sale** – Mayor Thueson read the resolution giving authorization for him to sign documents to complete the sale of the Roxy Theater. A motion to accept Resolution 2010-14 as read was made by Councilmember Biorn and seconded by Councilmember Bagley. All council members were in favor. Motion passed 6-0.

**Report on Roxy Theater** – Mayor Thueson reported talking to Josh Norman, purchaser, in regards to the sale and purchase of the Roxy Theater. Mayor Thueson said Norman requested he be able to repair the back doors by putting in some retainers and a lean-to to prevent water from entering in through the back doors. Mayor Thueson said he approved this work as long as he doesn't go past the current distance of the old coal shoot. Mayor Thueson said he and Clerk Parkinson did an inventory of the personal property, which was provided to the title company for closing. Councilmember Powell asked if the money earned on the Roxy would be used for repairs on other city buildings. Mayor Thueson said the money will be placed into the General Fund and council can allocate the funds at a later time. Clerk Parkinson reported sending a letter to vacate to the renter and reported the Mayor spoke to the renter when they were making the inventory. Mayor Thueson will be attending the closing, scheduled for tomorrow.

**Business Licensing discussion (Bagley)** - Councilmember Bagley said the purpose of business licensing came about through some concerned residents, starting with the ice cream truck. Bagley completed some research and proposed a \$25 first time fee and a \$10 yearly renewal. Business Licensing would provide additional protection to the citizens and visitors of the City of St. Anthony from fraud and misrepresentation; to ensure that sales tax revenues are reported equitably; and to provide a data base of the commercial activities within the community. Bagley asked about home occupations, such as child cares. The city has many peddlers and we need to know who they are. Bagley asked if it is fair to our local businesses that are established, who have paid their taxes and overhead, to allow unknown peddlers to peddle products and be in and out of town with no contact. Bagley handed out a three page proposal and outline of business licensing. Bagley would like council to consider

and to come back at a later council meeting with any questions or additions. She said she visited with several different cities that charge much higher fees and feels the charge is fair and equitable. Mayor Thueson said the business owner will only pass this cost on to the consumer. Councilmember Andersen said this program should pay for itself and the fees should be high enough to pay for the Caselle software add-on and other costs, such as postage and administration fees. Council discussed enforcement issues and possible penalties. This item will be tabled until a later meeting. Bagley said she would meet with the City Attorney for further follow up and advice.

**No Tobacco Use in Parks Ordinance recommendation (Stoddard)** – Councilmember Stoddard said the last Parks and Recreation meeting was held and they reviewed the sample ordinances regarding no tobacco use in parks. The committee was hesitant from banning tobacco use completely. They preferred an ordinance that designated areas where they can and can't have tobacco use, or similar to the ordinance from Rexburg. Councilmember Bagley asked if there had been any feed back from people. Mayor Thueson said there have been concerns from citizens who think it's inappropriate to be using tobacco in places where children are present, such as the Sandbar, the Skate Park and the ball fields. Chief Smith said some citations have been issued to juveniles for smoking and/or tobacco use. Melissa Hinckley, Parks and Recreation Chair, reported the committee liked the 50 foot rule. Councilmember Andersen would like to see the committee pursue a draft ordinance. Mayor Thueson instructed the committee to continue their research and to prepare a draft ordinance for council to review.

**Surplus Police Intrepid (Smith)** – Mayor Thueson reported a police car has been in storage for over a year and suggested it be surplused and sold. Chief Smith said they will take all the police equipment off the vehicle and prepare it for sale. He believed it has a value of about \$500. The tires are still real good. A motion to surplus the Intrepid police vehicle was made by Councilmember Willmore and seconded by Councilmember Bagley. All council members were in favor. Motion passed 6-0.

**INVOICES & CLAIMS** - Payment Approval Reports were presented to Mayor and Council. A motion to pay the invoices and claims was made by Councilmember Bagley and seconded by Councilmember Andersen. All council members were in favor. Motion passed 6-0.

**MINUTES** – Special and Regular Council Meeting Minutes of September 9, 2010 were presented to Council. A motion to accept the Special and Regular Council Meeting Minutes of September 9, 2010 was made by Councilmember Stoddard and seconded by Councilmember Powell. All council members were in favor. Motion passed 6-0.

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

**Police Chief Jim Smith** – Signs are being put up in the parks to indicate the closing times. Council discussed and would like the opening times added to the current signs as well. The street by Broulim's was looked at for adding additional cross walks and Chief Smith said there was a count of 25 children walking along the Broulim's side of the street and three children in one hour crossed the street. Thueson said he had a request from about three citizens to have a cross walk from the dentist's office to Broulim's. The State Highway Department discourages a crosswalk saying it gives pedestrians a false sense of security. Chief Smith said three officers attended the training on abandoned vehicles in Rigby. Smith

also reported officers went to the Fly-in and said there was a small crowd in attendance. The E-ticketing program with Madison County is still underway.

**Clerk Parkinson** reported she and front office staff attended the annual Idaho City Clerks Treasurers and Financial Officers Association (ICCTFOA) meeting. Parkinson thanked council and mayor for allowing her and office staff to attend as there is always changing legislation and continued networking that assists in helping them to do their jobs better for the city. Parkinson also thanked Shannon Chelson for working in the front office while everyone was gone. Parkinson also reported on sending a vacate letter to the tenant in the Roxy Theater. Parkinson also provided council with the Chamber's news. Parkinson also reported on working with Billing Documents Specialists to start working on the city's bills to try and make a better bill.

**Councilmember Willmore** reported on the Fly-in, saying it wasn't very well attended, but they did give 60 free rides in airplanes. In that sense it was quite successful. The Airport Board is continuing to work on the fence grant. Willmore said Mayor Thueson has been working with Schiess & Associates for the work needed on the necessary easements.

**Councilmember Stoddard** had nothing to report.

**Councilmember Biorn** said he will be absent from the October 14<sup>th</sup> meeting. Biorn asked about the title to the fire truck. Clerk Parkinson said it is missing and staff will proceed with obtaining a replacement title for the truck.

**Councilmember Andersen** had nothing to report.

**Councilmember Powell** had nothing to report.

**Executive Session** – A motion to enter executive session pursuant to provisions of Idaho Code 67-2345, subsection 1(b) was made by Councilmember Bagley and seconded by Councilmember Powell. A role call vote followed with Councilmembers Bagley, yes; Powell, yes; Andersen, yes; Biorn, yes; Stoddard, yes; and Willmore, yes. Motion passed 6-0. Council went into executive session at 8:51 p.m. At 9:15 p.m. a motion to exit executive session was made by Councilmember Biorn and seconded by Councilmember Andersen. A role call vote followed with Councilmembers Bagley, yes; Powell, yes; Andersen, yes; Biorn, yes; Stoddard, yes; and Willmore, yes. Motion passed 6-0.

**Councilmember Bagley** had nothing to report.

**Mayor Thueson** reported working with Paul Scoresby on the easement necessary at the airport in order to build the fence. A survey will be needed. Mayor Thueson also talked to him about 12<sup>th</sup> West and bringing the approach of the street up to the bridge. Some of that is on private property and if it is, the city will need to purchase the property. A survey will be required for that as well. Mayor Thueson said he authorized Scoresby to go to the court house and do the research on the 12<sup>th</sup> Street project to get that done. Mayor Thueson said the city needs to look at 7<sup>th</sup> South and change the status of that street to a collector street so it can be part of the Local Highway Technical Assistance Council (LHTAC) grant request for a grant. It would also qualify for a federal project if the city wanted to do a large project, curb to curb and gutter. Mayor Thueson said Scoresby told him he would make application for

12<sup>th</sup> and Mayor thinks it's a good idea to make application for 7<sup>th</sup> as well. If that is done, then some surveying will need to be done. Mayor asked council if he could continue to pursue. Council agreed and said he should continue.

There being no further business to come before the Council the meeting was adjourned at 9:22 p.m. by Mayor Thueson.

  
Neils Thueson, Mayor

Attest:

  
Patty Unruh Parkinson, City Clerk-Treasurer

