

*CITY OF ST. ANTHONY
REGULAR COUNCIL MEETING MINUTES
February 24, 2011, 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, Suzanne Bagley, Bryant Biorn, Bryan Stoddard and Elva Powell.

ALSO PRESENT: City Attorney William Forsberg, Public Works Superintendent (PWS) Scott Butigan, City Clerk-Treasurer Patty Parkinson, Police Chief Jim Smith 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 Councilmember Willmore.

PUBLIC COMMENT – There was no public to make comment.

GENERAL BUSINESS

Discussion of Tobacco Use in Parks and proposed Ordinances – Councilmember Andersen started the discussion with concerns of the clarity of what is and isn't part of the park and where someone could or couldn't smoke. Councilmember Powell thought the city should only do the three identified parks, the Baseball Diamonds, Skate Park and Sand Bar. Powell acknowledged there is a problem at the Skate Park. Councilmember Bagley thought there should only be the three parks identified. Bagley didn't think the city needed to do all the parks. Councilmember Biorn agreed. Councilmember Stoddard said he has spoken to UVYA (Upper Valley Youth Association) about it saying it's mostly out of town folks that might have a problem with it. Stoddard said he spoke to a councilmember in Rexburg about their ordinance they passed and he said it is difficult to enforce. The best thing is just making people aware of it and Stoddard thought it should be done in all parks. Councilmember Willmore said he spoke to smokers about it and explained the reasons the city wanted to do it for the idea of not smoking around children. Willmore said he is leaning towards just the three identified parks. Attorney Forsberg said he thought the council was doing a great thing by just addressing this issue. Forsberg continued by saying minors don't need to be subjected to second hand smoke in the areas in which they play. Andersen said the passing of ordinances is time consuming and expensive. He asked if the choice of parks can be selected by resolution to add or delete parks. Forsberg thought this could be done. Willmore said most of us here are non-smokers and his fear is this will look like they are just making laws against smokers. He said his concern is the children. Willmore thought there should be more public comment. Mayor Thueson said this was brought up six months ago by concerned citizens and he didn't think the city is moving very fast on this, but it's time to do something. A motion to read the ordinance for prohibiting smoking at the Baseball Diamonds, the Sand Bar and the Skate Park for the first time was made by Andersen and seconded by Willmore. All council members were in favor. Motion passed 6-0. Andersen read the ordinance in full. Forsberg will provide an ordinance that will determine by resolution the parks effected. A second reading of the ordinance will be on council's next agenda.

Finance Committee Report (Biorn) – Councilmember Biorn reported on the Finance

Committee meeting held Monday, February 21, 2011. The committee discussed and reviewed the funding options necessary for the proposal presented to council from Joshua Chase regarding the update of the Comprehensive Plan and Development Code. The committee recommends to council funding could be available for one third, or up to \$7,000, in this fiscal year and the remaining to be budgeted for in the next fiscal year. They will also recommend the Planning & Zoning Committee provide a plan documenting completed steps and payments for the entire proposal. Mayor Thueson asked Attorney Forsberg to work with Planning & Zoning to come up with a payment schedule, working with Joshua Chase, and to bring that back for council to approve. All councilmembers agreed to this recommendation. Biorn also reported the committee discussed the deficit in the Police Grants Fund as reported by the auditors in the annual audit. It was discovered many of the grants authorized for hours also included benefits. However, the city charged a portion of all benefits, instead of just those increased by the hours, thus over expensing benefits to the grants. This has been going on for a number of years and has slowly increased the deficit in the Police Grants Fund. It was also determined the amount being requested for reimbursement was less than the actual amount incurred for those overtime hours. Going forward, Parkinson will prepare separate checks for grant hours to the officers completing those grant hours. This will eliminate any miscalculation of benefits and separate the benefits correctly among funds. The police department will also begin requesting the correct amount for reimbursement of hours and benefits associated with those hours. The committee recommends to council the estimated \$5451.00 deficit should be transferred from the Police Grants Fund to the Police department's employee benefits line item in the General Fund, the place it originally should have come from. All council members agreed and asked Clerk Parkinson to make the necessary changes. Staff will watch the budget to ensure if there are any expenses in excess of the budget this will be brought back to council for their review and authorization prior.

INVOICES & CLAIMS - Payment Approval Reports were presented to 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 Bagley. All council members present were in favor. Motion passed 6-0.

MINUTES – Regular Council Meeting Minutes of February 10, 2011 were presented to Council. A motion to accept the Regular Council Meeting Minutes of February 10, 2011 was made by Councilmember Bagley and seconded by Councilmember Stoddard. All council members present were in favor. Motion passed 6-0.

DEPARTMENT, COUNCIL & MAYOR REPORTS

Police Chief Jim Smith reported there has been a complaint regarding chickens. Chickens are not allowed outside the home according to our zoning laws. Smith reported the hiring of a new officer, Joe Manley. He will start the 1st of March. Officer Brokens will be leaving the 3rd of March. Smith said the department is live on the new E Ticketing program.

PWS Butigan reported ordering street lights for those broken. This will run about \$10,000 for four street lights. Three of the poles are covered by the insurances of the other parties damaging the poles. There are 17 poles cracked and Butigan is checking into the warranty on those poles to see what will be covered. Councilmember Andersen said the last time the poles were replaced they were covered under warranty. The new garage door was placed in the shop yesterday. Crews plan on plowing snow tonight.

Attorney Forsberg reported about three years ago it was determined there were some errors in the plat on the Fort Henry Industrial Park. Schiess & Associates completed a survey and corrected the plat getting all the owners to sign off on it. The plat was ready to record and the county courthouse wouldn't give them a certificate from the county treasurer. So the plat is yet to be recorded. Forsberg has spoken to the county treasurer, the county planning/building department head and the county attorney. The reason they wouldn't record the plat is it's the county treasurer's belief there needs to be a certificate from the county treasurer indicating there are no taxes that are unpaid or due. There is currently some past due tax amounts. Forsberg said the city is simply trying to correct an existing plat, not record an entirely new plat. Forsberg will continue to pursue this and report back. There is currently a controversy over the placement of private signs on private property, which seem to regulate parking on city streets. There is no law in city code prohibiting the placing of a private sign on a private building in a commercial zone. Councilmember Powell said she has had a couple people ask her if there isn't a two hour parking limit in the down town business area. Police Chief Smith said this is only being enforced on a complaint basis. Powell said she has had businesses complaining to her about it. Smith said he will instruct his department to begin patrolling the business area for vehicles parked over the time limit. Mayor Thueson said it wasn't very long ago council went through this problem with the tenants at Holiday apartments. Thueson asked Forsberg how any one can create a sign, place it on private property, and reserve for themselves their own private parking space on a public street. Forsberg replied they are not enforceable and are not being enforced. If they look like regulatory signs then he thinks there is a clearer case of an intent to "spoof" the public. Forsberg suggested council review a sign ordinance that covers not just this sort of thing but permitting and fees for signs. Councilmember Biorn said he is being addressed by 15 to 20 people in the store asking him about this sign. Biorn continued by saying it was advised it is just a novelty sign and nobody cares. But it seems obvious to him it isn't just this one sign, it's more and more each day and the complaints from citizens are numerous. Forsberg said it is getting to the point it is confusing to the public and beginning to interfere with the ordinances of the city. There should be some uniform way of approaching new signage. Thueson said the city should first begin by enforcing the law in the downtown area by ensuring no one is parking longer than two hours in one spot.

Clerk Parkinson reported ICRMP is coming to town at the request of the county to do some Planning & Zoning training on March 29, 2011 at 6:30 p.m. It is free and recommended our planning and zoning members attend. Parkinson provided council with the cloud seeding reports from High Country RC&D and updates from the Chamber of Commerce. Arbor Day is close approaching and scheduled to be celebrated by the city April 29, 2011. Clerk Parkinson reported Mark Korsen approached the city with a proposal of asking the city if they might be interested in a piece of property by the river. The property is a lot like Boys Town Park before it was cleaned up. Council discussed this. A motion to have the Mayor approach them asking if they would be willing to donate the property to the city was made by Councilmember Andersen and seconded by Councilmember Bagley. All council members were in favor. Motion passed 6-0. Attorney Forsberg said he will prepare a draft letter for the Mayor.

Councilmember Bagley reported on the last Chamber meeting. They wanted to know if the city would be willing to donate \$2000 like they did last year. Councilmember Biorn asked if it would be matching. Councilmember Stoddard said it should be matching just like last year.

All councilmembers agreed. Bagley reported Bruce Hill, who worked for the county's assessor's office, was in an accident and a fundraiser is planned. She reminded everyone to attend if they could. They will be auctioning items off and if there is something anyone can donate to please do so. Rhonda Dunn at the assessor's office is the contact person.

Councilmember Powell reported the furnace in library is waiting for a part. As soon as the part comes in, it should be fixed.

Councilmember Andersen reported on the possibility High Country RC&D funding being dropped nationally. RC&D is asking for support letters. Andersen said they do invasive species, weed control, bug fighting and he is in favor of a letter being sent to our legislatures from the Mayor and signed by the council. A motion to add this item to the agenda was made by Councilmember Stoddard and seconded by Councilmember Andersen. All council members approved. Motion passed 6-0. Council discussed the pros and cons of sending a letter to state legislature. A motion to authorize the mayor to draft a letter signed by mayor and council asking the legislature to save funding for High Country RC&D was made by Andersen and seconded by Bagley. All council members were in favor. Motion passed 6-0.

Councilmember Biorn reported the AIC (Association of Idaho Cities) conference is June 23, a council meeting date, and suggested moving the date as that approaches. Biorn referred to the Water Study chart placed in council's packets prepared for council by the Mayor and staff. Biorn would like to meet with staff and review further. Mayor Thueson said meters have been calibrated last year to begin to try and study this to see if we have water loss. Thueson is confident the numbers provided in the chart are accurate. Thueson said he doesn't necessarily have an answer for this problem, but it is a problem that should be addressed.

Councilmember Stoddard had nothing to report.

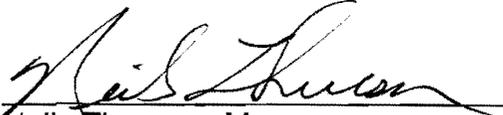
Councilmember Willmore reported still no word back on the Airport Fence Grant funding difference. Easements on the fence are still under way. Willmore asked if there is a cost to the city to provide a blanket easement for Intermountain Gas to provide services to the hangars. Forsberg said there may be costs of rerouting the pipe, but no out of pocket costs. Forsberg didn't like the idea of a "blanket" easement for anyone. Forsberg said he would be happy to draft an easement. There would be a cost of a survey for the easement. Willmore asked if the city could use volunteer labor to install the gas lines. Forsberg thought it needed to be done by a licensed professional. Forsberg said he would need to check on this and will contact ICRMP.

Mayor Thueson reported there will be a meeting with Depatco on March 9, 2011 to prepare for spring in regards to the Phase III Wastewater Project.

Idaho Art Lab - Mayor Thueson wanted to know if anyone has been to the Idaho Art Lab on the corner of Main and Bridge. Thueson said he went through the building and looked at the art and said that "Dirty Jobs" through the Discovery Channel is planning a trip to the area in relation to how they are making paper out of buffalo chips. Dirty Jobs is expected to be here in April.

There being no further business to come before the Council the meeting was adjourned at

approximately 8:40 p.m. by Mayor Thueson.



Neils Thueson, Mayor

Attest:



Patty Unruh Parkinson, City Clerk-Treasurer

