

*CITY OF ST. ANTHONY  
REGULAR COUNCIL MEETING MINUTES*

*March 10, 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 and Bryan Stoddard.

**ABSENT:** Councilmember 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 six interested citizens.

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

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

**PUBLIC COMMENT** – Mayor Thueson opened the floor for public comment.

**Herb Hayworth**, 1005 S 1<sup>st</sup> E, asked if the Airport Board has reported back on the 100 Foot Drag Races. Councilmember Willmore said the Airport Board has no problem with the 100 Foot Drag Races as long as they follow the rules. Willmore said they are a well behaved group and they have had no problems with them. Hayworth said he thought the FCC would not allow planes to leave from the airport. Willmore said the Drag Races do not interfere with the airplane traffic and the FAA has no jurisdiction over this airport, the Idaho Transportation Department governs this airport. Mayor Thueson said the folks that run the 100 Foot Drag Races are also tax payers. Wendell Greenhalgh, 844 S 1<sup>st</sup> E, asked when those races were going to be so he could leave town. Thueson said Don Powell was here to talk about the 100 Foot Drag Races and so he asked Powell to come forward to answer questions.

**GENERAL BUSINESS**

**100 Foot Drag Races at Airport, Don Powell** – Don Powell, representative of the Midnight Muscle Car Club, said they are planning the 100 Foot Drag Races at the airport for May 7<sup>th</sup> and August 27<sup>th</sup>. Powell asked council for permission to have the drag races on those dates. They begin at about 10:00 a.m. with time trials, and then race from 1:00 p.m. to 5:00 p.m. Powell said it's hard to estimate, as it depends on how many cars and classes there will be. Powell said they average about 60 cars and it brings in about 200 to 400 people to come and watch. Anyone can enter. He said many people come in to town and hamburgers are sold out at the airport. There are people that spend the night at the motel and there has been people from Montana come down. Powell said it is one of the best places to race. Herb Hayworth asked if there are plans for more events or less. Powell said there are two a year. Councilmember Stoddard said in the past they have always done two a year and have been doing it for five or six years. Herb Hayworth said he went to the motel on one of those races in the spring and didn't see how it had impacted the motel business. Emma Hayworth, 1005 S 1<sup>st</sup> E, said she didn't see a lot of people attending or much additional traffic. Herb said it is clearly a health hazard and it is loud, disturbing the peace. Herb said he has signatures on a petition asking the city to disapprove the races and said in conclusion it looks like he'll have to seek legal council. Powell said he had a person come with a decibel meter and they never

went over the limits. In the residential areas there wasn't anything approaching the maximum. Willmore said he didn't think the noise level is any worse than the rodeo or the demolition derby. Herb Hayworth suggested closing down the rodeo. Herb suggested Willmore come out for not just 10 or 30 minutes but for the full eight hours and enjoy it. Councilmember Stoddard asked what suggestions Herb had. Herb said he has presented his case and has his documentation and he'll have "legal council jump all over this." Herb then said "to do what you want." Herb continued by saying he thought by taking signatures and documentation there would be some action. Mayor Thueson said council would take all comments under advisement. Powell said if they need signatures, he could bring those in.

There being no other comment Mayor Thueson moved to the next item on the agenda.

**Confirm newest member to Planning & Zoning / Jim Hunter** – Mayor Thueson has asked Jim Hunter to serve on the City's Planning & Zoning Committee. He asked for council's approval of his appointment. A motion to confirm Mayor Thueson's appointment of Jim Hunter to the Planning & Zoning Committee was made by Councilmember Biorn and seconded by Councilmember Willmore. All council members present were in favor. Motion passed 5-0.

**Planning & Zoning Report / Evan Tibbitts** – Evan Tibbitts was not present so Attorney Forsberg reported on the last Planning & Zoning Meeting. Forsberg said the last Planning & Zoning meeting was packed with participants. David Taylor of St. Anthony Motors expressed their intent to build on some property south of town. They would like from the city an extension of utilities to that property and to approve the use of the existing bridge as access into the property and finally to be annexed into the city's boundary. The Planning & Zoning Commission will make a recommendation on zoning. Zoning in this case is not for certain because they are making a request to be annexed and they are currently not contiguous to the city. They are a quarter to half mile from the city limits. There would have to be annexation of properties down to the St. Anthony Motor's property. This is possible as those owners up to the St. Anthony Motor's property are in the Impact Area and users of city utilities. Those owners are considered accepting annexation just due to the fact they use city services. Those property owners not using city services need to give their consent of annexation prior to being annexed by the city. Forsberg said he is exploring, on behalf of the city, the possibilities of annexing these properties and to determine the differences in all the different properties. The next step is someone is going to have to talk to the owners outside the area of impact not using city utilities to see if they are interested in annexation. The Mayor has expressed the city would provide services at the cost of the developer. Taylor said he understands this and would be willing to pay for these costs.

The other topic Planning & Zoning looked at was the upgrade of the city comprehensive plan and code. The committee met with the Planner, Joshua Chase, and came up with a plan splitting the work into quarters. The first milestone is working on the amendments to the comprehensive plan and the last being an ordinance updating the development code and zoning portion of the ordinance. It was explained to the planner the city has tentatively approved for spending \$7000 this fiscal year and the rest in the following fiscal year. The proposed schedule was doable and appropriate and properly reflected the work and what should be paid for those portions of work. The Planning & Zoning Committee was enthusiastic and agreed to hold two meetings a month in order to accomplish this project, having already scheduled a meeting for next week. Councilmember Andersen asked if St. Anthony Motor's new property is outside the area of impact does the city need to extend the

area of impact. Forsberg said the area of impact does not need to be extended as long as the property owner is requesting annexation. Once it becomes annexed the city will rezone it. The process will start by doing a feasibility study and Forsberg said he will study it as the city's attorney and report back to council more details on the properties involved. Andersen said he is excited about the business. However, he is reserved about extending them water and sewer without them paying property taxes to the city. Mayor Thueson said in talking with Taylor, his concern is services whether he's annexed or not, so he can plan. PWS Butigan said any water lines going out there will need to be engineered and approved by DEQ. The lift station should be the same as the other lift stations in town. A motion to move forward with assisting St. Anthony Motors in obtaining services pending a final agreement with them and to start the research involved with annexing them was made by Andersen and seconded by Councilmember Biorn. All council members present were in favor. Motion passed 5-0.

**FOP request regarding old Search & Rescue Building, Benny K.** – Benny K. was not present. Blain Reed, representative of the Fraternal Order of Police (FOP), asked if the FOP could begin using the meeting room in the old Search & Rescue Building for their monthly meetings. Reed said the members would install a new roof if the city would purchase materials in exchange for letting them use the building. The building is currently vacant. FOP has just been restructured and they are going to try and have monthly or every other month meetings. PWS Butigan said the sprinkler system is used in the summer. Since Search & Rescue left, the heat has been turned off. Councilmember Andersen said the sewer freezes and water would have to run during the winter to keep it from freezing. Mayor Thueson said they should be able to pay for the heat themselves. A motion to hold the building for FOP until they have done further research to see if they can afford the utilities was made by Andersen and seconded by Councilmember Bagley. Andersen then withdrew the motion. Councilmember Biorn said as long as they can cover the gas the city will pay for water and sewer. Andersen asked for Forsberg for a written contract to be drafted for FOP and the city to sign. A motion to allow FOP use of the building for their meetings once the contract is signed asking them to cover the cost of heat and the city to pay for water and sewer was made by Biorn and seconded by Councilmember Willmore. All council members present were in favor. Motion passed 5-0.

**DRAG RACES** – Mayor Thueson continued the meeting by starting a discussion on the 100 Foot Drag Races. Councilmember Andersen said he has been in his home since 1978 and has always been here for what ever was going on at the fairgrounds. Whether it was rodeo, demolition derby, or 100 Foot Drags. Mostly he has listened to the crop dusters starting out at 5:30 in the morning. Andersen said he didn't think there was any change in the way it was being used and the sound being generated there. He thinks the 100 Foot Drag Races falls right in the realm of what the airport is designed for and used for. Councilmember Biorn said the city doesn't have a noise ordinance. This is an organized event and the noise there is completely different than a loud radio or an outrageous party or barking dogs. This is an organized event twice a year, where people know about it and people come to town for it. Biorn said he feels for the people who don't like it, but we all live together and concessions need to be made for neighbors. Chief Smith said from a police stand point a permit is given and it is not illegal and not against disturbing the peace statutes. Attorney Forsberg said if there is a serious possibility of them hiring an attorney and suing the city over this then before council approves the races, he would like an opportunity to do a little research. Thueson asked Forsberg to review and council will place this item on the next agenda for consideration.

Mayor Thueson adjourned the meeting for a five minute break.

**Second reading of Ordinance Prohibiting Smoking in Designated Public Parks** – A motion to suspend the rules and read the ordinance for the second time, skipping the first reading was made by Councilmember Biorn and seconded by Councilmember Willmore. All council members present were in favor. Motion passed 5-0. Councilmember Bagley read the ordinance. Councilmember Andersen said this ordinance, if approved, would apply to the FOP as well if they utilize the Search and Rescue Building.

**2011 Arbor Day Proclamation** – Mayor Thueson read and then signed the 2011 Arbor Day Proclamation. Thueson also said the city had been named a Tree City USA City for the eighth year in a row.

**Hull Property Discussion – unable to attend/requests next meeting** – Clerk Parkinson will place this item on the next agenda.

**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 Bagley and seconded by Councilmember Stoddard. All council members present were in favor. Motion passed 5-0.

**MINUTES** – Regular Council Meeting Minutes of February 24, 2011 were presented to Council. A motion to accept the Regular Council Meeting Minutes of February 24, 2011 was made by Councilmember Willmore and seconded by Councilmember Andersen. All council members present were in favor. Motion passed 5-0.

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

**Police Chief Jim Smith** reported the new officer is working out well. The new E Ticketing program is working pretty well. He has instructed officers on the two hour parking limit in the downtown area and told them to begin to issue tickets to offenders. As of today, there have been no tickets issued. Smith also provided council with the police incidents summary. There have been some gas leaks due to snow falling off of roofs. Smith said they are trying to tag abandoned vehicles and notify people to move those vehicles off the streets.

**PWS Butigan** reported the manufacturer of the street lights are looking at the street lights to see if the lights are still under warranty. Butigan believed there are warranted until November of this year. The new heater has been installed in the library. Crews are waiting for spring.

**Attorney Forsberg** reported the plat being recorded at the county failed to be recorded due to there not being a signature from the County Treasurer. Mayor Thueson said it couldn't be done until the taxes are paid. Thueson said Crapo said he will finalize the sale agreement and pay the taxes. The city received a response on the claim for the Fairpoint bankruptcy with a letter and a check for \$2.60 which was to fully pay the claim. Forsberg is trying to track it down and will report on it at the next meeting. Once Crapo's close on the property at the airport Forsberg will get the airport easement signed. Thueson said there were some concerns with Crapo over the addressing at the Industrial Park and that has since been settled.

**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 6:00 p.m. It is free and it is recommended our planning and zoning members as well as our council members attend. Parkinson handed out the 2011 Eastern Idaho Residential Water and Sewer User Rates and Connection Fees Survey provided by Schiess & Associates for council's review. Arbor Day is close approaching and scheduled to be celebrated by the city April 29, 2011.

**Councilmember Biorn** reported on reading the report from EPA on water loss. He said there was a lot of valuable information and will be meeting with PWS Butigan and crew to formulate a plan for checking out our water loss problem.

**Councilmember Stoddard** had nothing to report.

**Councilmember Willmore** reported meeting with Depatco and Schiess & Associates to try and work out their concerns. Depatco has committed to begin work on April 1<sup>st</sup>, weather permitting.

**Councilmember Andersen** reported the crews have been doing some road patches to pot holes and that is appreciated.

**Councilmember Bagley** reported the Chief of Police has submitted a bid for the purchase of a computer they would like to buy. Chief Smith said these are part of the E Ticketing program and could be moved from one car to another, but officers are using old computers from 2005 and they would like to replace the old computers with compatible ones that work. It is budgeted for in this year. Bagley said she checked into those computers to see if they were sufficient. Bagley suggests Smith get together with Cameron Stanford, from Madison County, and check on pricing to see if better pricing can be obtained and to make sure the city is getting the right kind of computer. Bagley would like to hold off until a little later in the fiscal year before purchasing. Councilmember Biorn reminded council about the money moved from the Police Grants to the Police Benefits and how it may impact their budget. Bagley would like to see the door checks on the police summary. Smith said door checks are being done, just not added to the report. He will begin adding door checks to the report. Bagley said she didn't see St. Anthony on the DUI grants, which is starting tomorrow. Smith said he thought the city should be there and will check on it to confirm.

**Mayor Thueson** reported sending a letter to Mark Korsen about the river front property asking for its donation. Korsen had been in earlier to see if the city might be interested in the property. Also, the letter for support of RC&D is also done and anyone wanting to sign may do so. Clerk Parkinson has the letters. Thueson also wanted to remind everyone to try and attend the Bruce Hill fund raiser. Thueson said he did talk to the Idaho Transportation Department (ITD) on the progress of the West Main project. There is a meeting scheduled for Monday on the selection of the engineer. Thueson also asked if money was dedicated towards this and ITD said it is ear marked and set aside.

There being no further business to come before the Council the meeting was adjourned at approximately 9:00 p.m. by Mayor Thueson.



Neils Thueson, Mayor

Attest:

*P. Unruh Parkinson*

Patty Unruh Parkinson, City Clerk-Treasurer

