

CITY OF ST. ANTHONY
REGULAR COUNCIL MEETING MINUTES

April 28, 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, Elva Powell, Bryant Biorn, Bryan Stoddard and Suzanne Bagley (arrived at 7:08 p.m.).

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

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

Pledge of Allegiance was led by Councilmember Andersen.

PUBLIC COMMENT Mayor Thueson commented to the members in the audience and said he would allow their comment in an informal manner throughout the meeting.

GENERAL BUSINESS

Liquor/Beer Application for Dusty's Pit Stop (requires motion by city council to add to agenda – A motion to add to the agenda a Liquor/Beer Application for Dusty's Pit Stop to tonight's agenda because waiting would otherwise delay business that needs to be done was made by Councilmember Powell and seconded by Councilmember Willmore. All council members present approved. Motion passed 5-0. Clerk Parkinson explained the licensing procedure and the fees have been paid. The license from the State of Idaho, however, indicates an expiration date of May 6, 2011. A request is being made from Dusty's Pit Stop to approve the license and they will bring in the State License as soon as it is received. Attorney Forsberg said this individual has purchased a business and there is no reason to believe the permanent license isn't forth coming and Fremont County approved a permanent license. Forsberg suggested council could grant the license making it contingent upon receiving the permanent license from the State of Idaho. A motion to approve the Liquor/Beer Application for Dusty's Pit Stop pending receipt of the State of Idaho's license was made by Councilmember Stoddard and seconded by Councilmember Andersen. All council members present were in favor. Motion passed 5-0.

Lease Request from Chris Riebsomer – Riebsomer, 30 East 9th South, requested council's approval to place a fence in the city right-of way and requests a lease to do so. Councilmember Andersen asked if anyone else would like the other half of the street. PWS Butigan said Mitch and Wendy Stephens are maintaining the other half of the easement. A motion to lease half of the right of way to Riebsomer for \$100 per year was made by Councilmember Biorn and seconded by Andersen. All council members were in favor. Motion passed 6-0. Attorney Forsberg will draw up the lease.

Use of City right-of-way from Herb Hayworth – Hayworth of, 1005 South 1st East, explained receiving a letter from the city indicating he is storing hay and has corals on the city right-of-way. Hayworth explained what he has on city right-of-way. He said that PWS Butigan came to his property and went over some of Hayworth's options. Butigan explained the situation and what was in the city right of way. Hayworth said Bridge Street from 10th

South has 48 feet of available street, saying the fence needs to be moved back or leased. Hayworth said looking up Bridge Street it looks like Mr. Johnson's meat plant is on city right-of-way. Butigan said in 1987 the street there had been deeded off to Wendell Orr. Hayworth wanted to know if he could purchase the property. It is a one lane road that has never been maintained. He said there is sagebrush growing on the side. Butigan didn't think there were any utilities going through there. However, he wasn't sure, he'd have to check to confirm. Councilmember Andersen said there is a water line over to the bunk house and a water line to the vacant lot, but nothing on the other side of the canal. Andersen cautioned council about vacating the property until it is determined what water lines will be taken out to the fairgrounds. Thueson said it is not the usual policy of the city to vacate or dispose of any city property, since it is hard to know what will happen in the future. Attorney Forsberg said the city stewardship is not for this year or 10 years, but for the future of the city. Buying it back is usually at a higher dollar and usually not a wise thing to do. Councilmember Biorn asked if Hayworth wanted to move his hay or corals. Hayworth said the hay isn't a problem to move. Hayworth said the corals have been there for 31 years. Hayworth said Union Pacific is the owner of the property and they haven't received any communication. Butigan said if a letter is sent to Union Pacific they will remove the property, as they will probably not lease. Forsberg said it's technically not a lease agreement, it's a use agreement. Hayworth said a year by year lease or use agreement would work for him. Hayworth provided a map to the council members to show them exactly what he is using and what he would like a use agreement for. A motion to create a use agreement between the city and Hayworth for \$100 per year was made by Councilmember Andersen and seconded by Councilmember Willmore. All council members were in favor. Motion passed 6-0.

Discuss cancelling August 25th Meeting due to Summer Fest – And Change Budget Hearing to August 11, 2011 (Parkinson) - Clerk Parkinson asked council if they might be interested in changing the Budget Hearing from August 25th to August 11th due to August 25th being the night of Summer Fest and to also consider canceling the August 25th meeting, since most people would probably want to attend Summer Fest. A motion to change the 2011/2012 Budget Hearing to August 11, 2011 at 7 p.m. and to cancel the August 11, 2011 council meeting was made by Councilmember Bagley and seconded by Councilmember Powell. All council members were in favor. Motion passed 6-0.

Mayor Thueson adjourned the meeting for a five minute recess. After five minutes Thueson brought the meeting back to order.

Discuss Sandbar Improvements (Butigan) – Mayor Thueson said that two years ago Rocky Mountain Power gave the city \$2000 to make the Sandbar Park swim area a safer place. Rocky Mountain Power wanted buoys purchased. The city spent \$500 on signage and they came back and asked if the city spent the rest. PWS Butigan thought to place buoys in the middle of the river and it needs to be anchored somewhere. One option is to lower them from the bridge on a cable with an anchor at the end to swing around back to the sandbar. Another option is to have Search and Rescue anchor the buoys down, but then it would need to be taken out each winter. Ice and high water flow will take them away otherwise. Butigan thought the first option is the best with the current guiding the buoys to where they will go. At the end of the season it can be unhooked and rolled back up. Councilmember Andersen said it is a wild river with debris and asked for a safety measure. Butigan felt the cable would break away if necessary. Thueson said it may be an attractive nuisance, but won't know until it is tried. Thueson directed Butigan to make the purchase of

the buoys and to place them as soon as high water has passed.

Discuss possible Franchise Fee for Fairpoint Communications (Biorn) –

Councilmember Biorn said the city currently charges a franchise fee to Intermountain Gas and Cable One. It was discussed in the Finance Committee to look at the ordinances to charge a franchise fee to Fairpoint Communications. Councilmember Andersen asked if we have a franchise fee with Rocky Mountain Power. Attorney Forsberg didn't know if this might be under a different set of rules, but would check. Andersen said we should treat all the utilities the same. Mayor Thueson asked Forsberg to follow up on it and to draft an ordinance for consideration.

Proposed Sign Ordinance (Forsberg, Butigan) – Attorney Forsberg said if any part of this ordinance is retained it should be to update to the most current sign code. Council worked on items page by page and made many changes to the proposed ordinance.

Councilmember Bagley wanted to know if this ordinance is necessary and if it was only adding fees to businesses who are already struggling. Councilmember Powell thought the city needs the ordinance. Councilmember Andersen agreed saying some signs can be distracting and people need to know what they can and can't do. Councilmember Biorn said there needs to be something in the ordinance about a sign claiming to make public property private. Councilmember Stoddard said from time to time ordinances need to be looked at and updated. There have been several complaints of signs in residential areas that are too bright. There is no clear direction to staff to provide for citizens regarding signs.

Councilmember Willmore said the reason we looked into this is the city doesn't have a copy of the sign code currently referred to in the city's ordinances. Willmore said he is opposed to charging any fees. Biorn said he thought this would only be for new signs. Stoddard said it can only be grandfather for two years. Forsberg said the council can grandfather longer if they want. Forsberg explained what city staff is currently doing for new signs. A zoning permit is first issued by the city and then that permit is taken to the Fremont County building department to ensure the sign is properly built. After some continued discussion, Forsberg will revise this draft and provide another draft for next council meeting to review.

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 Powell. All council members present were in favor. Motion passed 6-0.

MINUTES –Regular Council Meeting Minutes of April 14, 2011 were presented to Council. A motion to accept the Regular Council Meeting Minutes of April 14, 2011 was made by Councilmember Powell and seconded by Councilmember Andersen. All council members present were in favor. Motion passed 6-0.

DEPARTMENT, COUNCIL & MAYOR REPORTS

Police Chief Smith reported the traffic safety grant is completed and the next one is the seat belt grant. There has been an outbreak of parvo in the pound. A rigorous cleaning program is underway. A noise meter has been ordered. The COPS grant is open next month and closes the end of next month. The department will be applying for one additional officer through the COPS grant.

PWS Butigan reported spring clean up begins next week. The airport fence is stripped down

and Fremont Fence will be putting up the mesh next week. The sewer project is going along pretty good and they are making good headway. Their tentative date to finish is July 20th, but it may be as soon as the 4th of July. If they continue like they are they may very well be finished by the Fourth. Thueson said he spoke to David Schiess of Schiess & Associates and there may be a possibility not all of the funds will be used up. The city should start thinking of additional projects to prioritize for Schiess & Associates to look at to see if engineering needs to be done. Thueson would like to use up as much of the grant money as we can to keep getting pipe into the ground anywhere it's needed. Butigan said they will patch streets as soon as they get more man power to start doing it.

Attorney Forsberg had nothing to report.

Clerk Parkinson reported tomorrow is Arbor Day. It will be celebrated at Henry's Fork Elementary where a tree will be planted. Each first grader will be given a seedling of their own to take home and plant and a presentation will be given. Everyone is invited to attend. Parkinson provided council with a letter from a visitor from Canada saying the Mayor should be very proud of the town and its citizens. Council was also provided with an invitation from the Idaho Transportation Department to attend a board meeting and tour to be held September 21st through 22nd at District 6 in Rigby. Saturday, May 14th is the Henry's Fork Greenway Clean Up Day starting at 9:00 a.m. Council was provided with an invitation to the E Center Project Showcase on May 12, 6:30 p.m. Keith Richey also sent to the city a Water Report showing water levels on the Henry's Fork at St. Anthony and the Teton River. Parkinson will forward this report on to council members whenever it is received. Cathy Koon, Chamber President, sent out an email indicating there will be a fundraiser for Fisherman's Breakfast and the flowers. The Fish and Flower Fund-raiser will be Saturday, May 7, beginning at 10:30 a.m. Koon also sent an email indicating the flowers have been purchased and they would be billing the city for the expense of \$2,000. The Master Gardener program at the Extension Office will be overseeing the flowers according to Koon. Parkinson sent an email to Koon requesting someone from the Master Gardener Program be available May 14th for them to oversee the cleaning out of the flower beds. Parkinson also provided council with a list of residents who received a letter indicating their property needed attention during the city wide clean up. PWS Butigan said photos have been taken of each of these properties to compare to after spring clean up is finished. Parkinson reported on attending the FEMA Upper and Lower Henry's Fork Watershed Discovery meeting and learned the discovery process is a long one and the city may see new flood maps in approximately four years. Mayor Thueson reported how detailed and interactive the new flood maps will be. Parkinson also reported on the new paint, recommended by Councilmember Powell, in the council chambers and the offices. Vinyl lettering was added to the back wall of the council chambers, "City of St. Anthony, Est. 1899." Painting will continue through out the year as time permits. Councilmember Biorn reminded council that when the Chamber presents their invoice for the flowers, it needs to be remembered, the city's donation is dependent on the total amount of private donations collected towards the flowers by the Chamber of Commerce.

Councilmember Willmore reported speaking to Bill Statham, Department of Aeronautics, about the airport development study. Statham said the study is coming together and the city should see something by next month. They will not be funding any utilities out to the airport, so the grant applied for utilities was denied. Other options are still being looked at. The city may qualify for pavement rehabilitation at the airport and this is also being looked in to.

Councilmember Stoddard had nothing to report.

Councilmember Biorn reported on the preliminary budget meeting with the Finance Committee. The next meeting will be held May 16th at 5:30 p.m. Councilmember Bagley requested copies of the budget. Mayor Thueson said everyone should be looking at the budget, line item by line item.

Councilmember Andersen had nothing to report.

Councilmember Powell reported she asked PWS Butigan how much it is costing for utilities in the city building. The city is currently renting space to Dr. Cheyne (\$500 per month), the Library (\$500 per month), the Visitor's Center (\$450 per quarter) and the Senior Center (\$10 per year). The cost per square foot in just electric and gas is \$1.07 per square foot. Based on square footage the cost of electric and gas to the doctor's office is \$337 per month, the library is \$278 per month, the Visitor's Center is \$73.25 per month, the Senior Center is \$274 per month and the city offices is \$702 per month. Powell suggested raising the rents or having each pay their fair share of the electric and gas costs. These prices do not include water, sewer or sanitation. Councilmember Andersen said council needs to look at the current agreements and then determine what can be done from there. Andersen asked if there were separate meters. Butigan said there are no separate meters. Mayor Thueson asked Clerk Parkinson to find the current agreements.

Executive session – A motion to enter into executive session pursuant to provisions of Idaho Code 67-2345, subsection 1 (b) was made by Councilmember Bagley and seconded by Councilmember Biorn. A role call vote followed with Council Members Bagley, yes; Powell, yes; Andersen, yes; Biorn, yes; Stoddard, yes and Willmore yes. Motion passed 6-0. Mayor Thueson adjourned the meeting at 8:43 p.m. and the room was cleared except for the Council Members and the City Attorney. A motion to exit the executive session was made by Councilmember Biorn and seconded by Councilmember Stoddard. A role call vote followed with Council Members Bagley, yes; Powell, yes; Andersen, yes; Biorn, yes; Stoddard, yes and Willmore yes. Motion passed 6-0. The executive session adjourned at 9:49 p.m.

Mayor Thueson brought the regular meeting back to order at 9:49 p.m. No decisions were made during the executive session.

There being no further business to come before the Council the meeting was adjourned at 9:50 p.m. by Mayor Thueson.


Neil Thueson, Mayor

Attest:


Patty Unruh Parkinson, City Clerk-Treasurer

