

*CITY OF ST. ANTHONY
REGULAR COUNCIL MEETING MINUTES
JANUARY 26, 2012, 7:00 p.m.
420 NORTH BRIDGE, SUITE A, ST. ANTHONY, ID, CITY COUNCIL CHAMBERS*

PRESENT: Mayor Neils Thueson, Council Members Suzanne Bagley, Tom Erickson, Rick Hill, Russ Rubert, and Rod Willmore.

ABSENT: Council Member Bryant Biorn.

ALSO PRESENT: Public Works Superintendent Scott Butigan, City Attorney Bill Forsberg, Police Chief Jim Smith, City Clerk-Treasurer Patty Parkinson and approximately 15 citizens.

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

PLEDGE OF ALLEGIANCE was led by Councilmember Willmore.

GENERAL BUSINESS

Stephen Loosli reports on HUD Grant awarded to Fremont County – Stephen Loosli, Planning and Building Administrator at Fremont County, said Fremont County is the lead applicant in a grant from the US Department of Housing and Urban Development (HUD) to prepare a regional plan for sustainable development. There are four county partners, Fremont, Madison, Teton and Teton, WY and six cities, Island Park, Ashton, St. Anthony, Rexburg, Driggs and Victor. It is a 1.5 million dollar grant to cover a three year period. Loosli described it as a “super comprehensive plan”. The goal is to get counties and cities and neighboring counties and cities talking to each other and to make our communities more livable for our citizens and our businesses. The grant is made up of many components, including analysis of transportation resources, renewable energy resources, housing, and economic resources for jobs in the new renewable energy push. All of these things together will result in a plan to show the state of affairs as they are in each participant’s community and it will outline what could be accomplished. The bulk of the financial match will be put up by Fremont County and the city will have no financial responsibility. Loosli said he will be interacting with the city; the city’s planning & zoning commission and staff. Planning will be outsourced to consultants and some studies will be done by BYU Idaho students. A kickoff event is scheduled for the 15th of February and everyone is invited to attend; citizens, vendors.

TRPTA Update/Lynn Seymour & Amanda Ely – Lynn Seymour, Director of Targhee Regional Public Transportation Authority (TRPTA), introduced herself and other representatives; Amanda Ely, Assistant Director; Burke Webster, Chair of the Board of Directors; Jonalee McDonald, Vice Chair; Rance Bare, Secretary/Treasurer; and Jeff Osgood, local Mobility Manager for Region 6. Seymour said this year they want to emphasize some new approaches and are putting together a plan to connect Rexburg and St. Anthony. TRPTA provides door to door service from St. Anthony to Rexburg, providing for many Medicaid clients and college students. Cost of each trip is \$4 each way. Historically, Medicaid revenue use to provide for all the operating costs. There has been a reduction in Medicaid programs and the need for transportation has dropped. The Medicaid

Broker has absolute control over who is assigned which ride. So, it doesn't matter what kind of service is provided as long as the Medicaid Broker wants to keep his network in place as he assigns the Medicaid trips. TRPTA uses the Medicaid revenue for match for rural grants from ITD (Idaho Transportation Department). Service is open to every body. Seymour said they are losing Medicaid revenue and so there is a need to ask for a contribution from cities, to try and make up the revenue they are no longer receiving. TRPTA operates under a pure demand response system, going door to door. It may be they change to some kind of a route system in the future. This will be part of the overall planning process to most represent the needs of their citizens. \$600,000 of Idaho Falls Urban Renewal money was transferred into the rural program and it paid for buses. Councilmember Erickson asked about prices and wondered if the \$4 price will go up. Seymour said at this time they don't anticipate raising the cost, but it may up to \$5 per ride. Seymour says they are trying to accommodate the working poor, seniors and ADA folks. The biggest open capacity is from 9 a.m. to 2 p.m. Dispatch is centralized in Idaho Falls and there is now a web based dispatch, which a person can call prior day for scheduling a trip. Mayor Thueson said there needs to be more advertising and the city could assist by placing information in the water bills via the monthly newsletter. Thueson thanked Seymour and TRPTA associates for attending and explaining what they do.

Renew Contract with Judy Hobbs for Industrial Park Sales – Judy Hobbs is the agent working with the lots at the St. Anthony Business and Industrial Park. Two have been sold. Hobbs explained commercial ventures have been very tough. The good news is Hobbs said she is starting to see more interest and more phone calls for places to lease. Housing is taking a strong active up turn; up 30% from 2010. However, prices are really low, about a 30% decrease since 2007. Until that inventory is purchased, prices will not increase. There is a demand for newer quality housing in St. Anthony that they are unable to meet. There is a large amount of small older homes, but the market is not demanding that. There is not much happening in the way of building permits for new construction. It is important to keep the lots advertised and on web sites and available. The lots are advertised on the signs and on a number of web sites. Hobbs would like the opportunity to continue to work for the city. There are 27 lots left. The majority are one acre lots priced at \$40,000 each. A motion to sign the Exclusive Seller Representation Agreement with Judy Hobbs Broker of Realty Quest for the Industrial Park lots 1 thru 30 was made by Councilmember Willmore and seconded by Councilmember Bagley. All council members present approved. Motion passed 5-0.

City Insurance Review/Rod Chandler of Chandler Insurance – Rod Chandler updated the city council on its insurance. Last year the city paid \$43,140 and this year the premium was \$44,722. The city is insured with ICRMP (Idaho Counties Risk Management Program). ICRMP started insuring with counties and now includes cities. 465 public entities are insuring with ICRMP. Chandler reviewed the policy and what it covers. The city wants to make sure all items are listed. Chandler also provided a copy of the insurance policy. Attorney Forsberg asked Chandler if there is any coverage for environmental items, such as spills or accidents. Chandler thought there might be something, however he will have to go back to ICRMP and clarify items that may be determined a deliberate or accidental act, as there is a difference in coverage.

Van Witbeck/239 N Bridge – Thomas Van Witbeck, owner of property located at 239 N Bridge Street, provided council an overview of the property he owns, which he said they (he

and his wife) have owned for a considerable amount of time. Van Witbeck said when they bought the units they had 12, then went down to four, then created eight, all preceding the adoption of the current billing system for sewage. Van Witbeck provided council with a letter and list of calculated EDU's (Equivalent Dwelling Units) showing how he calculated EDU's and is asking for a reimbursement for the overage of four EDU's over the years. Van Witbeck said based on his calculations he is out \$7800 and the offer from the city was for \$3800 and he is now asking to split the difference and would accept \$5800 as a credit towards his bill. Van Witbeck said in the past the clerk would ask him what his records showed compared to theirs and credits were given based on those conversations with the clerk. He said errors back in the 1990s were corrected when his wife sat down with the clerk to tell her how many EDU's they had and that it never had to be done in a written manner.

EXECUTIVE SESSION PURSUANT TO PROVISIONS OF IDAHO CODE 67-2345, SUBSECTION 1(F) To communicate with legal counsel - A motion to move into an executive session pursuant to provisions of Idaho code 67-2345, subsection 1(f) to communicate with legal counsel was made by Councilmember Willmore and seconded by Councilmember Erickson. A role call vote followed with Councilmembers Willmore, yes; Hill, yes; Bagley, yes; Erickson, yes; and Rubert yes. Motion passed 5-0.

Mayor Thueson requested the council chambers be cleared of everyone except for the City Attorney and Clerk Parkinson.

A motion to adjourn the executive session was made by Councilmember Willmore and seconded by Councilmember Bagley. A role call vote followed with Councilmembers Willmore, yes; Hill, yes; Bagley, yes; Erickson, yes; and Rubert yes. Motion passed 5-0

Mayor Thueson called the meeting back to order saying no decisions were made in the executive session.

Mayor Thueson asked Thomas Van Witbeck to approach council again. Thueson asked each council member how they would like to proceed with Van Witbeck's request for a credit to his utility account. Councilmember Rubert said he believed the first offer provided by the city was fair and he would stand by the previous offer given. Councilmember Bagley said she also felt the offer was fair and hoped Van Witbeck accepts it. Councilmember Erickson said he agrees. Council Members Hill and Willmore also agreed. Willmore also addressed Van Witbeck saying he felt he had some responsibility towards this by watching his bill and sending the city something in writing. Willmore said he thought this was a very good will offering and will stand by that decision. Thueson said after looking over the city's records and everyone has to live by the same rules and the first offer is fair. A motion to offer Van Witbeck a total of \$3,718.24 to be given as a credit of four EDU's per month towards his account until consumed contingent upon the Van Witbeck's signing a release provided by the city's attorney for a full settlement, was made by Erickson and seconded by Willmore. A role call vote followed with Councilmembers Willmore, yes; Hill, yes; Bagley, yes; Erickson, yes; and Rubert yes. Motion passed 5-0. Thueson instructed Attorney Forsberg to prepare the necessary documents to conclude this matter. As Van Witbeck was leaving Thueson said he hoped Van Witbeck was happy. Van Witbeck said not particularly.

Discussion regarding the keeping of chickens in city limits – Joshua Potter, of 122 West

5th South, requested the ability to keep chickens within the city limits. Potter explained the many benefits from having chickens and the ability to have the right to have the choice to have chickens. Chief Smith said there is a prohibition from having chickens in the zoning ordinance. The city has received about four or five complaints in the last year regarding chickens. Mayor Thueson said there has to be a way to come up with some public input and get some feedback. Councilmember Willmore said he would really like to see what the public has to say. Councilmember Rubert asked if any investigation has been done in regards to chickens. Smith said other than the four or five complaints in the last year there hasn't been. Former Mayor Bill Beck, 650 East 4th North, said it is a matter that needs to go through the Planning and Zoning Commission, as what occurs on a person's property is a zoning matter. Steven Loosli, Fremont County Planning and Zoning Administrator, said a host of cities are currently dealing with this issue and there are models the city can look at. Sherri Jackson, Chamber of Commerce President, said there are a number of matters that need to be addressed, such as the kind and type of chickens and the possibility of opening this up to other types of fowl, such as peacocks. Thueson asked Clerk Parkinson to refer this item to the Planning & Zoning Commission to let them look at the issue and provide a recommendation to council.

Approve Liquor Catering Permit for Star Bar & Mule Deer Foundation – Chief Smith said this is an annual application and there have been no problems in past years with this catering permit. A motion to approve the liquor catering permit for the Star Bar to serve at the Annual Mule Deer Foundation Banquet March 10, 2012 was made by Councilmember Willmore and seconded by Councilmember Rubert. All council members present approved. Motion passed 5-0.

Council Assignments/Mayor Thueson – Mayor Thueson handed out council assignments to each council member. Thueson asked for any comment from council. There was no additional comment from the council members present.

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 Willmore. All council members present were in favor. Motion passed 5-0.

MINUTES – Regular Council Meeting Minutes of January 12, 2012 were presented to council. A motion to accept the Regular Council Meeting Minutes of January 12, 2012, was made by Councilmember Willmore and seconded by Councilmember Bagley. All council members present were in favor. Motion passed 5-0.

DEPARTMENT, COUNCIL & MAYOR REPORTS

Police Chief Smith reported there are changes in the state law regarding open burning. The county's concern is permitting burn barrels, which the city currently permits. Two paragraphs in the city's ordinances read the same with different titles. DEQ (Department of Environmental Quality) requirements are not in our ordinance. Smith recommends fixing the city's ordinance and updating it to DEQ requirements. There have been some complaints in the past regarding open burning which couldn't be addressed due to the city ordinance being defective. Mayor Thueson asked Attorney Forsberg to look into this and work with Smith in

making the necessary corrections. Smith also reported the seat belt grant is coming up the 9th through the 20th of February. Smith reported to council how the grant works.

PWS Butigan reported work continues on the dog pound. The posts have been set and the floor drain is in place. City crews plan on plowing snow tonight.

City Attorney Forsberg explained and reviewed with council the approval of a catering permit and liquor licensing within the city. The city actually approves all beer, wine and liquor license once per year. A catering permit is for a one time event. The most important approval comes from the state level, then the county, and then the city council issues a permit. The city council's review is to ensure the proper permissions and permits have been issued by the state and the county and there are no issues with how the local operations are run. A catering permit requires the vendor already have a license, have an appropriate location for the event and the city police department be satisfied the event won't lend itself to illegal activities. The city council doesn't have the right to overrule the state or county and council can not make up new or unusual rules about to who or when permits are issued. Catering permits can be seen through out the year.

Clerk Parkinson provided council with copies of Planning and Zoning Commission minutes and the proposed Comprehensive Plan with summary. Planning and Zoning will be having a public meeting Wednesday, February 15, at 7:00 p.m. to hear comment on the proposed plan. After their public hearing the plan will be presented to council, depending on how the public hearing goes. Parkinson also reported the continued work on the ICRMP Online University. When enough employees and council members enroll in the classes and pass, the city will receive a five percent discount on the annual insurance premiums. This could amount to a savings of approximately \$2200. Parkinson encouraged everyone to complete the classes by February 20, 2012. Regence Blue Shield is offering the city a program for preventative health screenings and vaccinations. If there is enough interest from our city employees a date will be set aside for these screenings. Parkinson also provided council with news from the Chamber of Commerce, the Eastern Idaho Entrepreneurial Center and the High Country Resource Conservation and Development Area. Parkinson also reported Deon Davenport from the Rotary said the Rotary is interested in placing flag poles and lights out by the new Mountain Man Statue, now named Henry Two Feathers. Parkinson said she reminded Davenport to attend a council meeting to request permission to install the flag pole and lights as anything proposed to go on the trail must be approved by city council and the Greenway Committee. The city's newsletter is getting out to the citizens and Parkinson has received a couple of calls from businesses wanting to know why their name wasn't on the back of the newsletter as a city business. Parkinson reported the business licensing ordinance has been very successful and almost all comments received have been positive. Parkinson said she is also working with a company called "Ahead of the Kurve" and they will be completing any background checks on solicitors.

Councilmember Rubert reported the nurse manger of the MBU (Mother Baby Maternity Center) is writing a grant for car seats to be distributed in our community. Rubert wanted to know if our city would be willing to participate. Chief Smith said yes. Rubert said he would get with Smith to provide him with the contact information.

Councilmember Bagley said she was contacted by Bonnie Moon for an After School

Program Grant. Mayor Thueson said a letter has already been written and sent to Moon with the city's support. This grant would award \$10,000 per year for three years for an After School Program in our community.

Councilmember Erickson reported the city tour was very good and very informative. Erickson said at the last council meeting he discussed a report on the city's bridges and said Butigan is getting some things done on those and he appreciates everything the city crew does.

Councilmember Hill also thanked the city crew for the tour of the city. Parks and Recreation had a meeting just prior to this meeting and they are excited there is snow as the Winter Festival is Saturday, February 11, 2012. They would like to see more city council members attending the Winter Festival from 10:00 a.m. to 4:00 p.m. Also, there was a snag with the grant for the After School Program. Hill said the Chairman of the School Board told the Superintendent not to sign and send it in. Hill asked everyone to let your school board members know and request they allow the grant to be signed and sent in.

Councilmember Willmore also reported appreciating the city tour, saying it was great and he learned a lot. Willmore said he received a phone call from Wanda Adams who is working on the pavement rehabilitation grant out at the airport and the city has been awarded the grant per Bill Statham from the Department of Aeronautics in Boise. Willmore will keep trying to contact him regarding the grant on the development study at the airport. Willmore said there is at least one person wanting to build a hangar and the electrical system is depleted and there is no way to hook him up. He may be at a council meeting requesting electricity to his hangar. One bid was \$19,000 from Rocky Mountain Power. Willmore said they will continue to pursue this option and to see if electricity can be somehow added.

PUBLIC COMMENT Mayor Thueson then opened the floor for any other comment from the public. **Sherrie Jackson**, President of the Chamber of Commerce, said when checking on the grant for After School funds to contact the Idaho Art Lab, as they provide many after school activities for children.

Mayor Thueson said he had nothing to report.

There being no further business to come before the Council the meeting was adjourned at approximately 9:30 p.m. by Mayor Thueson.


Neils Thueson, Mayor

Attest:


Patty Unruh Parkinson, City Clerk-Treasurer

