CITY OF ST. ANTHONY
REGULAR COUNCIL MEETING MINUTES
JUNE 13, 2013, 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 and Russ Rubert.

ABSENT: Council Members Lisa Haeberle and Rod Willmore.

ALSO PRESENT: Public Work Superintendent Scott Butigan, City Attorney Bill Forsberg, City Clerk-Treasurer Patty Parkinson, Police Officer Terry Harris and one citizen.

Mayor Neils Thueson called the meeting to order.

PLEDGE OF ALLEGIENCE was led by Attorney Forsberg.

GENERAL BUSINESS

Fireworks Permit/TNT/Broulim's Parking Lot & Broulim's – Clerk Parkinson presented council with two permits for selling fireworks, one for Broulim's inside the store and one for the Broulim's parking lot. A motion to accept the two permits was made by Councilmember Rubert and second by Councilmember Hill. All council members present were in favor. Motion passed 4-0.

Recommendation/Decision on Conditional Use Permit/Joanne Williams/Bed & Breakfast – Joanne Williams explained her request in wanting a Conditional Use Permit to show potential buyers it can be approved for a Bed and Breakfast. The home is located in an R1 (Residential 1) zone and needs to have this Conditional Use Permit in order to operate a Bed and Breakfast from it. Clerk Parkinson provided council with a packet of information of the findings, conclusions and recommendation of the Planning and Zoning Commission (P&Z). A public hearing was held June 5th and the recommendation of the P&Z is for approval of the Conditional Use Permit for the use of the home as a Bed & Breakfast with a limitation of guests to a maximum of no more than six (6) and further, the premises must comply with the applicable building and life safety codes applicable to such use. A motion to approve the Conditional Use Permit based on the Findings, Conclusions and Recommendation of the P&Z Commission of the City of St. Anthony was made by Councilmember Erickson and seconded by Councilmember Bagley. Williams said her first husband, Lowell Williams, was at one time a council member and it is such an honor to work with the city's council members. Williams then exited the council chambers.

Draft of Bench Regulations/Second Reading – Mayor Thueson said this is the second reading of the Bench Ordinance. Clerk Parkinson reminded council the next council meeting will have the public hearing for the fees associated with this draft ordinance. A motion to suspend the rules and to read Ordinance Number 2013-01 by title only was made by Councilmember Hill and seconded by Councilmember Rubert. All council members present

were in favor. Motion passed 4-0. Mayor Thueson read the Ordinance by title only.

Discussion/action on properties listed for clean-up – Clerk Parkinson provided a list of properties for cleanup. A first letter was sent to these property owners on April 10, 2013 advising them to cleanup. A seconded letter dated June 3, 2013 was sent to invite the owners to tonight's council meeting for the owner's to show cause why they should not have to correct the violation. None of the owners were present at tonight's meeting. The owners are, Matt Blanchard, property at S 5th W; Terry Lewis, property at 327 E 3rd N; Todd Lewis, property at 426 W 1st N; and Brady Wheeler, property at 1018 W Main. Council members reviewed the before and after photos of the properties through a projector. Council discussed the number of vehicles located at Terry Lewis' property and Officer Harris said Terry salvages vehicles and recently witnessed the salvage of a camper which was parked on city streets. Attorney Forsberg advised council they have the option to site the home owner and/or clean up the property and then charge the cleaning to the homeowner, or council may do nothing. The citation issued would be a misdemeanor of up to a $1,000 fine and up to six months in jail. Each day could be considered a new violation until the problem is remediated. This is not something Forsberg recommends doing each day. Possibly one citation may motivate action on the owner's part. Butigan said there is currently one unlicensed vehicle and an old parking lot sweeper sitting behind the pickup. Parkinson said there can only be one unregistered vehicle on a property. Forsberg said what is going on is they have a business in an R1 (Residential) zone. They have a business where they buy junk or distressed cars and salvage them. Forsberg said the citation should be for a zoning violation or condition of the property. Harris said this is nothing new and has been ongoing. Each year a letter is sent to him and he cleans up and by next year another letter needs to be sent. Councilmember Erickson said something needs to be done, but he just doesn't know what. He would like to see a minor citation issued and help given to the property owner. Harris believes a citation for a zoning violation would be the best thing to do, since this seems to be the biggest offense. Councilmember Hill thinks he should be cited. Councilmember Rubert said he agrees with Hill and a citation be issued and to offer help. Councilmember Bagley agrees saying council needs to stick with it, as the neighbors are concerned and it isn't fair to neighbors. Mayor Thueson said this affects the value of anyone's property. Thueson said a citation should be issued tomorrow. Hill said an offer of help should be made. Forsberg said it's a salvage yard. It's not that Terry can't clean it up, he does, but he continues to salvage. All council members agreed a citation for a zoning violation should be issued. Todd Lewis' property was discussed, 426 W 1st N. Erickson said there was some progress made, based on the before and after photos. Butigan said there is currently four vehicles in the back and about three on the side. The front yard showed improvement. Butigan said the issue is the number of unregistered vehicles. Forsberg said they are buying vehicles bringing them in and then storing them on the property and then turning them over. It is a commercial situation. Council agreed a citation for a zoning violation should be issued to Terry Lewis. Brady Wheeler, 1018 W Main, was reviewed next. Thueson said the city should find out if there is anyone living there. If no one is living there to contact the tax payer of record and get them to clean it up. If the police department can make contact, then to provide a warning to the people living there. Thueson said the city doesn't have additional personnel available to clean up someone's property. He said it shouldn't be the tax payer's responsibility to pay to clean up someone else's property. Butigan said it costs about $200 an hour to take out loaders and crew to clean up. Butigan

said there were others. Parkinson said a second letter wasn't sent to the others. Council requested letters to be mailed and an invitation to the other property owners be made for the next council meeting. Parkinson will send letters to Karen Henderson, 44 S 8th W; David Knowles, 510 W Main; Randy Otteson, 205 W 6th S; Vicki Garner, 846 S Bridge; and Chris Riebsomer, 30 E 9th S.

PUBLIC COMMENT

Mayor Thueson opened the floor for public comment.

There being no one to comment from the audience Mayor Thueson closed the floor.

INVOICES & CLAIMS - Payment Approval Reports were presented to Council. Following some questions from council which were satisfactorily answered by staff, a motion to pay the invoices and claims was made by Councilmember Rubert and seconded by Councilmember Erickson. All council members present were in favor. Motion passed 4-0.

MINUTES – Regular Council Meeting Minutes of May 23, 2013 were presented to council. A motion to accept the Regular Council Meeting Minutes of May 23, 2013 was made by Councilmember Erickson and seconded by Councilmember Bagley. All council members present were in favor. Motion passed 4-0.

DEPARTMENT REPORTS

Police Officer Harris reported he ordered more ammunition for the department's handguns. It's been fairly quiet since school has been out. There has been some graffiti on the south side of town. The juvenile center said they would work on the cleanup. The city may have to provide for the supplies to clean it up. The Police Summary Report was provided to council for their review.

PWS Butigan reported ordering new product for the sewer ponds. They are called "socks" and should be here by the 24th. Then they'll come in and install them the following week. The total cost is $78,231. Butigan said he spoke to the county and they will be another week working on the North Parker Road. Depatco will begin work on 12th Street next Thursday by shutting the road down and start their saw cuts. The road will be opened again on Friday, Saturday and Sunday. Then on Monday the road will be closed down again and they will start tearing up the road. The pathway to the foot bridge which will go across the Egin Canal is just about completed. Mayor Thueson said it looks really nice and crews did a good job getting it built. Councilmember Erickson said it looks pretty good. The pathway will be paved and Butigan said he will put some sterilant on it right before it gets paved. Thueson said he is still waiting to hear back from the Corp of Engineers for the approval of placing the foot bridge. Butigan said they are working on the roads and are using the crushed roto-mill. This is working out really well.

Attorney Forsberg reported on making a personal contact with Benjamin Clark, partner of Pottersville, Inc., in reference to the last city council meeting to see if they are interested in obtaining a lease for the alley behind the Roxy property. Neither Clark nor Josh Norman had

returned to the city with any request. At the last meeting they said they would be getting back to the city in writing within a day. Forsberg said in the course of the conversation Clark caused Forsberg to believe they did indeed wish to have a lease for the alley-way behind the theater. Forsberg went back to his office to prepare the lease and in researching the county records learned Pottersville, Inc. is no longer the owner of the Roxy Theater property. The owners of record are now Josh and Andrea Norman. Forsberg then prepared a lease and provided it to Clerk Parkinson who mailed it out to the Norman's for their signatures.

Clerk Parkinson reported receiving a letter from the Local Highway Technical Assistance Council informing the city the S. 2nd West Street Bridge 2013 application has been submitted for approval by Idaho Transportation Board and is to be placed in the 2014-2016 Idaho Transportation Investment Program (ITIP). In addition, the design funding request for $118,000 was too low and so they awarded the city up $200,000 for design. Parkinson also provided council with a framed article from the "Bond Buyer". This nice display was given to the city by Cameron Ariel of Zion's Bank. Ariel was the financial advisor who assisted the city in the refinance of the city's water and sewer bonds. It is the first time, since the publication, any Idaho bond made the front page. Parkinson will find an appropriate place to display it. Parkinson said the city will begin this year's Risk Management Program. Everyone is required to complete their classes on line. Last year the completion of the program saved the city $2,171. Parkinson provided council with the Finance Committee Meeting Minutes from Monday May 20, 2013 where the final draft of the 2013/2014 budget was completed. In addition the draft budget in detail was provided to each council member. Parkinson requested council to review it in detail prior to the public hearing to be held Thursday, August 8th. Should anyone have any questions or concerns to please let Parkinson know prior to the meeting in case there are any corrections which might need to be made. Parkinson said once each year she puts together the Consumer Confidence Report on the city's water quality. Parkinson provided council with the report which goes out to the public. The city did experience one violation where coliform was high. Our drinking water is good and the violation was cleared up by the next testing. The city is meeting all its requirements in notifying the public of this report on water quality. Council received an invitation from Mayor Tammy de Weerd of the City of Meridian to attend the Northwest Community development Institute should any council member be interested. Parkinson also provided council with the Community Trees Newsletter and a listing of all the zoning and fence permits from May 07, 2013 to June 07, 2013. Parkinson reminded council there will be a public hearing at the next council meeting on the proposed bench fees. Parkinson asked council if they were interested in participating in the Pioneer Day Parade. Council members discussed it and Mayor Thueson said if nothing else, council should participate and hand out taffy.

COUNCIL & MAYOR REPORTS

Councilmember Rubert had nothing to report.

Councilmember Bagley had nothing to report.

Councilmember Erickson had nothing to report.

Councilmember Hill had nothing to report.

Mayor Thueson asked staff about spraying mosquitos. PWS Butigan said the city will spray as long as there is no wind. Thueson said he has received a request from a citizen not to spray as they are concerned it will kill honey bees which pollinate their garden. Thueson said the city will spray as late in the evening as they can to try and protect the honey bees. However, the city will continue to spray to try and control any potential for West Nile Virus which is transmitted by infected mosquitos. Thueson said he attended the Teton Transportation Meeting where Idaho Transportation Department (ITD) provided their plan for this area. Thueson said it is very important for the city to update their Capital Improvement Plan and provide a copy to ITD to show there is a continued need for their assistance in our city. Our plan greatly increases any awards we might receive on grants and in some cases will place needed projects on ITD's plan, such as the new on and off ramp lights ITD just installed and the painting of the bridge on Bridge Street. The city needs to add to our plan the curb and gutter along Yellowstone Road or the Business Loop of Highway 20. Thueson said he will get everyone together to update the Capital Improvement Plan. ITD also said the speed limit signs should be up shortly.

There being no further business to come before the Council the meeting was adjourned at approximately 8:30 p.m. by Mayor Thueson.

Neils Thueson, Mayor

Attest:

Patty Unruh Parkinson, City Clerk-Treasurer