

*CITY OF ST. ANTHONY
REGULAR COUNCIL MEETING MINUTES
MAY 22, 2014, 7:00 p.m.
420 NORTH BRIDGE, SUITE A, ST. ANTHONY, ID, CITY COUNCIL CHAMBERS*

PRESENT: Council Members Suzanne Bagley, Tom Erickson, Lisa Haeberle, Rick Hill, Russ Rubert and Rod Willmore.

ABSENT: Mayor Neils Thueson.

ALSO PRESENT: City Attorney Bill Forsberg, City Clerk/Treasurer Patty Parkinson, Police Chief Terry Harris, Public Works Superintendent Scott Butigan and four others in the audience.

Council President Rod Willmore called the meeting to order.

PRAYER was offered by Council President Willmore. (This is a non-denominational offering and anyone who would like to offer prayer may do so by request.)

PLEDGE OF ALLEGIENCE was led by Councilmember Haeberle.

GENERAL BUSINESS

Ordinance General Penalty Provision Designated – Attorney Forsberg said this ordinance proposes to change the way the City of St. Anthony fixes penalties for most of the city's code. Currently, practically all violations of city code are misdemeanors. Misdemeanors are considered a crime and punishable under state law by up to a year in jail and up to a \$1000 fine. The record remains with the person for their entire life and can in some circumstances effect employment or other opportunities a person may have. This seems rather harsh for many ordinance violations. An example would be a dog running out into the street. More often, these misdemeanors are being challenged with jury trials. This takes a lot of time and resources in our courts creating problems. State law now allows cities to designate city code violations as infractions. This ordinance identifies every place there is a penalty provision and amends it from a misdemeanor to an infraction violation. The default of the city's code violation is an infraction. An infraction is a civil matter for which there is a state penalty. This penalty is not criminal. You do not serve jail time and a fee is charged. If the infraction fee is not paid, then your driver's license can be suspended. Forsberg said in the nuisance ordinance it makes the first violation an infraction and later violations misdemeanors. This is the same in the animal ordinance. Councilmember Bagley asked for some clarification on the firearms penalty. Forsberg said this is not about firing firearms it is about including such things as sling shots, arrows, BB guns, air soft guns and the equivalent. This does prohibit the discharge of firearms in the city limits. Target practice is allowed with BB guns and arrows and shooting galleries are allowed. Councilmember Rubert said he would like to see the city lean more towards infractions instead of misdemeanors. Chief Harris said as an enforcement officer a good example

is the dog ordinance. Now there is an infraction, making it a bit easier to write a ticket. More infraction tickets are being written, thus providing better compliance within the city. When it was a misdemeanor violation it was harder to justify making a criminal out of a person whose dog was running at large. A motion for Council to suspend the reading of Ordinance No. 2014-01 Amending Misdemeanors to Infractions was made by Councilmember Erickson and seconded by Rubert. All council members were in favor. Motion passed 6-0. Councilmember Haeberle read the ordinance by title only. A motion to suspend the rules of reading the ordinance on three different days was made by Erickson and seconded by Bagley. All council members were in favor. Motion passed 6-0. A motion to adopt Ordinance No. 2014-01 Amending Misdemeanors to Infractions was made by Councilmember Hill and seconded by Rubert. A roll call vote was taken with Councilmembers Rubert, yes; Bagley, yes; Erickson, yes; Haeberle, yes; Hill, yes; and Willmore, yes. Motion passed 6-0.

Letter of support to Fremont County for Resolution No. 2014-10 regarding potential National Monument – The Fremont County Commissioners passed Resolution No. 2014-10 in which Fremont County strongly urges the President to refrain from using his powers under the Antiquities Act to establish a National Monument in the Island Park area, or anywhere else that would overturn the provisions of the Idaho Roadless Rule. The commissioners have requested the city support this resolution by a vote from council and authorizing a letter from the Mayor indicating this support. A motion to support Fremont County Resolution No. 2014-10 was made by Councilmember Erickson and seconded by Councilmember Rubert. All council members were in favor. Motion passed 6-0.

INVOICES & CLAIMS - Payment Approval Reports were presented to Council. Following some questions by council which were satisfactorily answered by staff, a motion to pay the invoices and claims was made by Councilmember Bagley and seconded by Councilmember Hill. All council members present were in favor. Motion passed 6-0.

MINUTES - Regular Council Meeting Minutes of May 8, 2014 were presented to council. A motion to accept the Regular Council Meeting Minutes of May 8, 2014 with the correction of Officer Neff's name was made by Councilmember Rubert and seconded by Councilmember Bagley. All council members present were in favor. Motion passed 6-0.

PUBLIC COMMENT

Council President Willmore opened the floor for public comment. Willmore thanked everyone for coming and requested those present to stand up and introduce themselves and the reason they are attending tonight's meeting.

Spencer Murri, Boy Scout, said he was attending to earn a Citizenship in Community Badge. Some council members encouraged him to continue with scouting.

There being no other comment, Willmore closed the floor.

DEPARTMENT REPORTS

Chief Harris reported the new patrol car has arrived. It will be taken to Pocatello to get it equipped and back by Monday.

PWS Butigan reported crews are working on closing the airport next week Wednesday and Thursday from 10 a.m. to 4 p.m. to crack seal the runway. The seal coat will be placed after the crack sealing is finished.

Attorney Forsberg said he attendrd last night's Planning & Zoning Meeting. This was a last look at the ordinance before Planner Joshua Chase puts it together for attorney review. Once it is reviewed, Planning and Zoning plans on having an open house to introduce it to the public, prior to a formal public hearing. Once the public hearing is finished a final product will be presented to council for their review and acceptance. Councilmember Hill asked about how much longer it will be. Forsberg thought around 60 days.

Clerk/Treasurer Parkinson reported packets included the Fund Summary ending April 20, 2014. The Annual Henry's Fork Greenway Clean-Up was Saturday. Parkinson said according Mayor Thueson there was a good turn out and a lot was accomplished. Parkinson requested any photos be forwarded to her.

COUNCIL & MAYOR REPORTS

Councilmember Rubert reported the Free Fisherman's Breakfast will be tomorrow. Councilmember Hill asked how everything is going. Rubert said he understands this year's breakfast is going forward; however, Monday morning it will be "a whole new ball game". Rubert is guessing they will be looking for new help and new blood. Rubert said he will wait until the next Chamber Meeting and report back to council.

Councilmember Bagley reported she and Mayor Thueson attended the South Fremont School Assembly and gave out two scholarships to the leaders of the Mayor's Youth Council. Bagley said she also was given a book donated to the city by Dorothy Craig's family. Dorothy Craig recently passed away and in her belonging was this book entitled "Idaho Industrial Training School St Anthony Idaho 1912". They have requested the book be held in the St. Anthony Library as a book which can be looked at but not checked out due to the fragileness of the book. Bagley would like a thank you letter sent for the donation from the city and the council members. They asked for Mayor Thueson to contact the library regarding this request. Parkinson said a thank you will be sent.

Councilmember Erickson reported the city may be able to move the West Main Street Project up a year, assuming the Idaho Transportation Department (ITD) has available funding. The only thing left to do is for the city to move the one water line under West Main Street. This will be worked on this summer. Once this is done the city will be

ready to go.

Councilmember Haeberle had nothing to report.

Councilmember Hill reported the Finance Committee Meeting was held Monday, May 12th. A preliminary budget was reviewed by the committee, Mayor and staff. Clerk Parkinson will be making some adjustments and the next meeting is scheduled for Thursday, May 29, at 6 p.m.

Council President Willmore reported there were a lot of people out at the airport during the Greenway Clean-Up and they did a really good job. It really made a difference.

There being no further business to come before the Council the meeting was adjourned at approximately 7:30 p.m. by Council President Willmore.


Neils Thueson, Mayor

Attest:


Patty Unruh Parkinson, City Clerk-Treasurer

