CITY OF ST. ANTHONY
REGULAR COUNCIL MEETING MINUTES
January 14, 2016, 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, Rodnie Nichols, Russ Rubert and Rod Willmore.

ALSO PRESENT: Clerk/Treasurer Patty Parkinson, City Attorney Bill Forsberg, Public Works Superintendent Scott Butigan, Police Chief Terry Harris and 21 others in the audience.

CALL TO ORDER AT 7:00 P.M.

Mayor Thueson called the meeting to order at 7:00 p.m.

PRAYER was offered by Councilmember 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 Police Officer Distelhorst.

MINUTES - Regular Council Meeting Minutes of December 10, 2015 were presented to council. A motion to accept the Regular Council Meeting Minutes December 10, 2015 was made by Councilmember Willmore and seconded by Councilmember Bagley. All council members present were in favor. Motion passed 6-0.

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

ELECTED OFFICIALS SWEARING IN & PRESENTATION OF CERTIFICATES OF ELECTION – Mayor Thueson swore in the newly elected Councilmembers Tom Erickson, Rick Hill and Russ Rubert. Each council member was presented with a Certificate of Election.

ELECT PRESIDENT OF THE COUNCIL - Councilmember Bagley nominated Councilmember Rod Willmore to be Council President. This was seconded by Councilmember Rubert. Councilmember Nichols moved to cease nominations. This was seconded by Councilmember Erickson. All council members present approved. Motion passed 6-0.

PUBLIC HEARING

Mayor Thueson opened the floor to hear from the public on three different public hearings. Thueson invited anyone to speak about any concerns on each scheduled hearing.

Disposition of city property East 7th South Street west of South 1st East and east of the Rail Road / Trost – Clerk Parkinson reported all notices were scheduled and sent. There were no written comments received. One person signed in to speak, but then reported they didn't have anything to say. There was no one else wishing to speak.

Petition for Vacation of Alley Block 7 South St Anthony / Maverik - Clerk Parkinson reported all notices were scheduled and sent. There were no written comments received. One person signed in to speak, Maverik representative, Jim Child, Construction Manager. Child said the St. Anthony community has been wonderful to the store. This is one of the older "cowboy stores" built by Maverik and has been here a long time. Child said he wanted to honor the officers of the police department. He said he had an opportunity to be pulled over today and has nothing but respect for what these officers do, especially in today's world. Child provided copies to council of how the new store will look and said the vacation of the alley is important to the development of the store. He described how the store will look, saying it will look really nice. He said Fremont County has requested use of the old buildings, to do one day's worth of training, before it is torn down. This will be the first store built with this new design and will be the first of its kind. Child expects it will be a month to a month and half before ground work begins. There was no one else wishing to speak.

Petition for Vacation of a portion of S 3rd W / Bennie Parker / Old A&W - Clerk Parkinson reported all notices were scheduled and sent. There were no written comments received. Rick Welker said he was speaking as a representative of the property. Welker said when the building was built it was built 10 feet over the property line into the city right of way. This is the portion they are asking for so they can remodel the building and make it into a restaurant. Clerk Parkinson reported one person, Teresa Garrett, was signed up to be heard. Garrett said she manages the trailer court on the west side of the street and she wanted to make sure she understood what was happening to the street. There was no one else wishing to speak.

Mayor Thueson then asked again if there was anyone else present wishing to speak on any of the three public hearings. There being no one else wishing to speak Thueson closed the floor reminding the public they could no longer speak when council deliberates later in the meeting.

GENERAL BUSINESS

Confirmation of Appointment of Lyndon Rinehart to the Parks and Recreation Committee – Mayor Thueson reported to council he would like to have them confirm the appointment of Lyndon Rinehart to the Parks and Recreation Committee. Rinehart made a request to serve the city and Thueson found an opening in the Parks and Recreation Committee, believing this would be a good fit. A motion to confirm the appointment of Lyndon Rinehart to the Parks and Recreation Committee was made by Councilmember Erickson and seconded by Councilmember Rubert. All council members present were in favor. Motion passed 6-0.

Discuss Disposition of city property East 7th South Street – Mayor Thueson asked council what they would like to do with the property, East 7th South Street. Councilmember Rubert said he thought it is a good idea to proceed in the sale of the property. This property has been surplused and will be put up for public auction sometime in the future. Councilmembers Bagley, Erickson, Hill and Willmore all agreed with Rubert. Councilmember Nichols said he understands a potential buyer, Wade Trost, is interested in purchasing the property as soon as he can. Trost has an interest in placing a grain bin on the property and the prices of bins fluctuate. Nichols recommended selling the property as quickly as they can. The entire street is a total of 16,095 square feet. A motion to sell the property at a public auction at the next city council meeting, January 28, 2016 starting at the minimum bid of $.44 per square foot or $7,082 and for the buyer to pay all additional costs of appraising the property, selling the property or closing fees was made by Bagley and seconded by Rubert. All council members were in favor. Motion passed 6-0.

Discuss Vacation of Alley Block 7 South St Anthony / Maverik – The recommendation by Planning and Zoning regarding the vacation of the alley in block 7 of South St. Anthony, where Maverik will be building their new store, was unanimous to vacate the alley. The recommendation was included in council's packets for their full review. Councilmember Nichols asked the difference between vacating and surplussing the property for sale. Attorney Forsberg said a vacation relinquishes any interest in the property to the adjoining property owners, each getting a half. In this case, Maverik owns both halves. A surplus allows for a sale to any interested buyers. Nichols asked why this is being treated differently than what is next to Wade Trost's property. Forsberg said Maverik owns all the property surrounding their request for vacation and they applied through the vacation process asking the city to vacate the alley. Forsberg said the city doesn't have to vacate the alley if they don't want to. Councilmember Willmore said council should go with what the Planning and Zoning Commission recommends. This is why we have them. Councilmember Hill said he feels the same way. A motion to vacate the alley in between 3rd South and Highway 20 in back of the old Jill's Place, or Block 7 of South St. Anthony where the new Maverik store will be built was made by Willmore and seconded by Hill. All council members were in favor. Motion passed 6-0.

Discuss Vacation of a portion of S 3rd W / Bennie Parker / Old A&W – The recommendation from the Planning and Zoning Commission, voting 5 to 3, is to deny the petition to vacate. Councilmember Rubert read the recommendation out loud. Councilmember Bagley said we should accept the recommendation made by Planning and Zoning (P&Z). Councilmember Rubert agreed. Councilmember Erickson also agreed. Councilmember Nichols asked if it was their plan to increase the foot print of the existing building or were they asking for just the property the building is already sitting on. Attorney Forsberg said they are asking for a vacation of about 8 feet for the present building. Councilmember Willmore said he knows the P&Z worked hard on this request and we should listen to what they recommend. Mayor Thueson said he would like to make a statement about the idea that it's not going to grow any more. Thueson said he sat on council 40 or 50 years ago and decided West Main was too wide and we

didn't need that much. The city then gave away part of the street to the adjoining property owners, narrowing it. Now, the city finds, with the reconstruction of Main Street, how nice it could have been had the city kept the street as wide as it was originally. Thueson said one really has to look in to the future. A motion to accept P&Z's recommendation to deny the request for vacating the East 20 feet of South 3rd West located in Block 7 of the Bartlett Addition of the City of St. Anthony (behind the old A&W) was made by Willmore and seconded by Erickson. All council members were in favor. Motion passed 6-0.

Review and Discuss Value of Undeveloped City Street S 4th W / Hull encroachments – Councilmember Erickson said he has visited with Brett and Kasey Hull regarding their encroachments on to the city street on South 4th West. In the past, the Hull's have leased the city property for $100 per year. The Hull's have not paid this lease and instead have shared their desire to purchase the property. This is a street which dead ends to the river. Erickson said he wished there was a representative from Hull's to talk to council about it tonight. Mayor Thueson said the city can surplus the property, giving half to each adjacent property owner or continue to own the property and lease it to them. Thueson said this is being done to many other properties in town for $100 a year. Council needs to think about the precedent which might get established should the city start giving away or selling property where individuals have encroached upon. With the property Trost wants, it will be a commercial property benefiting the farmers and city by bringing in trucks and people who will spend their money in the city. This property would be used to only benefit one property owner's desire to place a shed and fence upon it. This is a street 125 feet deep and 80 feet wide, which is big enough to build a house on. It's also different with Maverik. Maverik is developing the block, which will benefit the city. Thueson asked if anyone else had any ideas about this property. The other option is, if he doesn't want to pay the lease, he can remove the structure and fence. Nichols asked how far behind is he on the lease. Clerk Parkinson said it's about a year or a year and a half. There is no lease and it has expired. Nichols asked Erickson if there was a reason he didn't pay his lease. Erickson said Hull told him he had an agreement with PWS Butigan. Erickson told him there wasn't any agreement with the city. Butigan said the city was invoiced for his services and the invoice was paid in full to Hull, nothing was held back. Erickson said he doesn't think the city should abandon that property or just give it away, setting that sort of precedence. The best scenario in this case is for him to continue with the lease and clean the property up. Thueson said it really is Hull's decision. Nichols asked if this street is used by anyone. Erickson said there is a house on the west side which uses the street to access their property. Thueson said people could use the street as a access to the river. Councilmember Rubert said the lease should be enforced. Councilmember Bagley agreed. Nichols thought a new lease should be signed and the city should collect current and next year's as well. Nichols said it sounds like he's not too concerned about the building on the property, where he hasn't been paying. Thueson said the city can remove the building. Nichols said he doesn't want to do that, but he should bring things current and pay a year ahead. Councilmember Hill said we should tell him the city plans on cleaning it up and give him a chance, first, weather permitting. Butigan said a letter to clean up has never been sent to him.

Councilmember Willmore said the issue is the building and fence encroaching on the roadway. Hill said he should be notified to either lease or remove the property, giving him a chance to do that. Willmore said if he is having trouble paying the lease, why can't he make monthly payments. It would be something like $9 per month. If he doesn't want to lease it he should move his fence and take the building off. A motion to send the Hull's a letter explaining he's behind on the lease, needing to catch it up, and needs to clean the property up by City Clean Up time in the spring or if he doesn't the city will clean it up and charge him was made by Erickson and seconded by Rubert. All council members were in favor. Motion passed 6-0.

Discussion of offer to purchase lots in Industrial Park – Attorney Forsberg said this came up as a topic at the Planning and Zoning meeting to schedule for a hearing to change the zoning. Matt Froehlich wants to purchase three lots in the Industrial Park to be zoned appropriately for a slaughter house and meat packing plant. At their meeting last night P&Z voted to go forward with holding a public hearing on a request to rezone the properties. However, just before tonight's meeting, Judy Hobbs, who is the city's listing agent as well as the buyer's agent, asked Clerk Parkinson to hold off on the hearing. Mayor Thueson said the original offer would require the city to build a bridge over the canal. Froehlich wants the bridge constructed in time for him to have access to the properties so he can have a plant built by August. This means the city would have to have a bridge built before water is turned into the canal. Thueson said this would have to happen rather quickly. This pushes the city really hard and fast and so he asked Hobbs to propose to Froehlich lots where a bridge doesn't have to be built. We are now waiting to hear back. Thueson said no matter what, the city will need to one day build a bridge to access those three lots. The money we get out of selling any lots could enable the city to withhold some to build a bridge. A motion to table this item until Hobbs gets back to the City was made by Councilmember Willmore and seconded by Councilmember Rubert. All council members were in favor. Motion passed 6-0.

Discuss flower wells along Bridge Street – Mayor Thueson said council has talked about getting rid of the dirt on the sidewalks on Bridge Street by cementing in the old flower wells and placing flower pots over the top. The city could then remove them during winter, allowing for snow removal, and then place them back, filled with flowers in the spring. PWS Butigan said some of the sidewalk on the west side of the street needs to be replaced as a tree growing there has lifted the sidewalk up. This might be a good time for the city to hook up to a water line there to each one of the pots. Butigan said there are two places on Bridge Street where a water valve needs replacing next to Bank of Idaho and a sidewalk needs repaired next to Second Glance. There are currently ¾ inch water lines running under there with the idea of eventually hooking them up one day. Each box will have a sprinkler valve box with a quick disconnect in them to be able to water pots. The other side of Bridge Street could also be done, as there is pipe already in the ground. The council members all felt it would be a good idea and it should be done. Mayor Thueson asked Butigan to get some quotes on what it might cost. Butigan said about $3,000. The biggest expense will be the water meters, as the water needs to be metered. Three water meters will be required and about a yard or a yard and a half of concrete. Butigan thought it could all be done within the Parks

Budget. Thueson authorized Butigan to proceed with the project.

ICRMP Training – Harassment Policy / Parkinson – Clerk Parkinson said an updated copy of the Personnel Policy has been given to each council member. Parkinson said the city's Harassment Policy begins on page 32. The city does not tolerate harassment of any kind. Parkinson went through the different kinds of harassment and discussed the city's policy in detail. After the discussion she reminded council that going through these trainings are part of the Idaho Counties Risk Management Program discount program, saving the city over $2000 per year on their insurance premiums.

Update and approval of Regular Bill List (per diem changes)/Parkinson - Clerk Parkinson said the Regular Bill List is being updated to follow the Internal Revenue Service's guidelines on per diem rates. Rates for mileage have gone down to .54 per mile. The meal per diem follows Idaho State's guideline for meals to reflect $51 per day with Breakfast at $10.20, Lunch at $15.30 and Dinner at $25.50. A motion to approve the Regular Bill List for Approval updated January 8, 2016 was made by Councilmember Hill and seconded by Councilmember Nichols. All council members were in favor. Motion passed 6-0.

PUBLIC COMMENT

Mayor Thueson opened the floor for public comment.

There being no comments Mayor Thueson closed the public comment period.

DEPARTMENT REPORTS

Chief Harris said he wants to honor Wendy Sykes. Sykes has worked with the police department for the last couple of years. Last year, any impounded dogs which were not claimed, Sykes has found a home for and adopted out. The city did not euthanize a single animal in 2015. Harries introduced the additional officer hired, Greg Belew. Belew comes from the Preston area and worked in law enforcement for eight years. He will need to go to P.O.S.T. since he's been out of law enforcement long enough that he must recertify. Harris said beginning this year he will be honoring one officer each year for going above and beyond. This year Officer Allen Neff has been chosen as Officer of the Year for 2015. Neff said we are all part of a big team and work together. We couldn't accomplish what we do without each other. He thanked his other officers for the support they provide and the leadership from Harris and the City Council. Harris said he wanted to point out on the bills the Shop With A Cop has been coming out of the Police Department Budget and would like a line item for this amount each year should council wish to continue. Council said this could be done.

Public Works Superintendent Butigan reported crews have been working on the garbage can containers for the city parks. There will be 10 total. Each will hold 3 garbage cans. The new electronic sign has arrived and will be placed weather permitting. It looks pretty good. Hopefully, it can be installed Wednesday next week.

Attorney Forsberg had nothing to report.

Clerk Parkinson reported council packets include the October 14th and November 4th 2015 Planning and Zoning Meeting Minutes and the Fund Summary ending November 30, 2015. Parkinson said she has been working with iWorQs on new code enforcement software. This software would allow the city a valuable tool in issuing zoning permits and completing code enforcement issues. Parkinson described the software and its capabilities and how it would benefit the city. iWorQs is the same company which the city uses to manage their pavements and signs. This software is web based and available to anyone with login credentials on any computer, tablet or smart phone. Parkinson explained how it would work and the cost for getting it up and running. The first year's cost is $4000 and each year after it would cost $2450. This will include all kinds of permits, parking permits, zoning permits and code enforcement. Mayor Thueson said it's been suggested the city hire a code enforcement officer and this would be a lot less than hiring another officer. Chief Harris said this would be something the city police officers could just look up on their computers and see the violations associated with each property. It would become part of their regular beat. Thueson asked if this would be something taken out of the Office Budget. Parkinson said she could make it come out of her budget this year. Thueson thought it was a good idea.

COUNCIL & MAYOR REPORTS

Councilmember Rubert had nothing to report.

Councilmember Bagley reported the Mayor's Youth Council was able to take care of this year's Free Thanksgiving Dinner. They were given their assignments and followed through. They were also able to do Christmas for some families this year, as well as Shop With A Cop. Most of the kids are Honor Students as well and they help with the Feed America Program, preparing the boxes which go out. As soon as semester finals are over, two of them will be attending a council meeting so council can meet who they are awarding their annual scholarships to. The Eagle Scout Project is nearing completion with Boy Scout James Bagley. He is within $900 of paying for the project. This includes the cost of the rocks, the cement work done to set them in place and the cost of the engraving. We are grateful for the community which has stepped up and helped. We also appreciate Kathy Lehmann and Clerk Parkinson in the Front Office who have helped so much in taking the monies and being accountable. There have been many compliments and all positive things about how nice the Welcome to St. Anthony Rocks look.

Councilmember Willmore reported the city has another Eagle Scout Project with Austin Galloway at the city airport. Galloway completed a grass taxiway. They raised enough money to purchase drought resistant grass seed and planted it. It's been smoothed out and they hauled out 90 dump truck loads of rocks, garbage, steel stakes, and dirt. Mayor Thueson said these are three really good Eagle Scout Projects, the playground equipment installed at Boyd Yancey Memorial Park, the Welcome to St.

Anthony Rocks and the new grass taxiway at the airport. Thueson said he hopes citizens in St. Anthony help these kids out when they do their projects as they all have benefitted the entire community.

Councilmember Hill said he had a citizen ask him a question about what would happen if the power was out for an extended period of time, would there still be water pumping. PWS Butigan said the city could supply water for about 72 hours. All the pumps have generators which would start in the event of a power outage. There are two lift stations, the main ones, which have generators and then the city has a portable generator which would be used for the others, if needed. The city is prepared for such an event. The city has a total of 6 lift stations. Water and sewer would continue to work. Chief Harris said he attends the emergency meetings the county puts on and said we are one of the most prepared cities in the county.

Councilmember Nichols had nothing to report.

Councilmember Erickson had nothing to report.

Mayor Thueson had nothing to report.

There being no further business to come before the Council the meeting was adjourned at approximately 8:45 p.m. by Mayor Thueson.

Neils Thueson, Mayor

Attest:

Patty Unruh Parkinson, City Clerk-Treasurer

City of St. Anthony Idaho