

*CITY OF ST. ANTHONY  
REGULAR COUNCIL MEETING MINUTES  
September 8, 2016, 6:00 p.m.  
420 NORTH BRIDGE, SUITE A, ST. ANTHONY, ID, CITY COUNCIL CHAMBERS*

**PRESENT:** Mayor Neils Thueson, Council Members Tom Erickson, Rick Hill (arrived at 6:57), Russ Rubert, Rodnie Nichols (arrived at 6:54) and Rod Willmore.

**ABSENT:** Council Member Suzanne Bagley.

**ALSO PRESENT:** Clerk/Treasurer Patty Parkinson, Attorney Bill Forsberg, Public Works Superintendent Scott Butigan, Chief of Police Terry Harris and 15 others in the audience.

**CALL TO ORDER AT 6:00 P.M.**

Mayor Thueson called the meeting to order at 6:00 p.m.

**FLEET LEASING PRESENTATION at 6:00 p.m.**

**Bob Hugo from Bancorp Bank** – Bob Hugo introduced himself and discussed with the council members present, leasing police vehicles. Hugo went into detail regarding how his program works. Councilmembers Erickson, Rubert and Willmore along with Mayor Thueson were present and they asked a number of questions. There wasn't a quorum present and so Mayor Thueson requested Hugo, Chief Harris and Councilmember Rubert to get together to put some actual numbers together for council to review. This item will be tabled until a presentation of comparison can be prepared for council.

Mayor Thueson then requested Clerk Parkinson to move up the ICRMP Training and to provide that training now.

**ICRMP Risk Management Training / Space Cushion / Parkinson** - Clerk Parkinson presented a training session on driving with a Space Cushion. Members of council and staff discussed the effects of creating a space cushion between your vehicle and others. Safety tips were discussed. Parkinson said this training is part of the ICRMP (Idaho Counties Risk Management Program) University which, if everyone completes, gives the city a five percent discount on their insurance rate. The city employees and council have successfully completed the program the last three years, saving the city an estimated \$10,000.

Mayor Thueson then adjourned the meeting until 7:00 p.m.

A recess followed for about 20 minutes.

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

**PRAYER** was offered by Attorney Forsberg. (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 PWS Butigan.

## **PUBLIC HEARING**

**2015/2016 Budget Amendments** – Mayor Thueson opened the floor for the public hearing. Clerk Parkinson briefly described the additional revenue received by the city in the different funds and how the budget was being amended so the city can receive and spend those increases. The biggest increase was in streets as the Street Fund recently received payment on the loader. In addition, the city did a little more chip and sealing on the streets which required an increase in the budget to pay for what was done. Streets had retained the money from last year, but the budget needed to be increased to spend it this year. That total was about \$54,000. This closes out the LHRIP grant for chip and sealing. There was also a number of Police Grants awarded to the city. The city also finished completing the asphalt out at the airport and the budget will need to be increased to pay for the work. No transfer is necessary, since the Airport has contingency to pay for it. The city also received funds in the amount of \$1500 while Erik Estrada was here. These funds were deposited into the Drug Enforcement Fund. There was no one else wishing to speak. No written comment was received. Thueson then closed the public hearing.

## **GENERAL BUSINESS**

**Report on West Main Street Project / Horrock** – Mayor Thueson said there was to be a report on the West Main Street Project. However, the engineer from Horrock was not present. Thueson asked if PWS Butigan would like to make a report. Butigan said it is expected they will finish up the last water loop. All the storm drain is completed up to 3<sup>rd</sup> Street. They are laying the conduit and bases for the light poles up to 5<sup>th</sup> Street. Curb and gutter is completed from the Ball Diamonds to 8<sup>th</sup> Street on both sides. They are expected to start blading the road from 8<sup>th</sup> to 3<sup>rd</sup> tomorrow. They believe they may be paving the road by the 28<sup>th</sup> of September. They are currently on schedule. They are leaving the business area for the tail end of the project. They plan on taking it apart and putting it together all at once.

**Gaylene Blair request to change Code Chapter 5.08 Liquor by the Drink** – Gaylene Blair, owner of the Star Bar, said she is in the process of selling her bar to Valerie Luras. Blair said the State has requested she get her State License because they do not have enough time to do what they need to do for Luras to get hers. She said once Luras gets her license then the state will transfer Blair's license to Luras. Blair said the County will do the same for a five dollar fee. She said the city doesn't have anything like this, no transfer for liquor licenses. That means she would have to pay \$812.50 and then Luras, 30 days later, would have to pay \$812.50. Blair is requesting council to change the law so the license can be transferred. Attorney Forsberg read code 5.08.060 regarding the non-transferability of liquor licenses. In part, it reads, "Every license issued under the provisions of this chapter is separate and distinct... The

license shall be signed by the licensee and shall be non-transferable.” Forsberg said the state legislature has allowed each jurisdiction the ability to decide what the rules are or even if they want to remain dry, such as the City as Rexburg has done. These are the terms the City of St. Anthony has created. This law has been on the books for at least 30 years. The policy consideration of the city council which enacted this has decided bars are kind of a special business in town. If you were to ask the Chief, a great deal of our law enforcement efforts center on our bars and what begins in the bars. As a result, they often time end up costing the city sometimes more than the other businesses. The city council which enacted this ordinance felt it important to ensure each license was individually crafted and purchased and the licensee couldn't simply be passed on to others and require the full fee on each individual licensee. Mayor Thueson asked Blair if Luras couldn't simply operate under Blair's license until she received her own. Blair said she will operate on her license until Luras receives her own, for about 30 days. Blair said she would prefer she didn't operate forever on her license. Thueson said it could be until next year. Blair said she has some concerns about that and would prefer she have her own. Councilmember Hill asked what the pros and cons would be should the city make the change to allow the license to be transferable. Forsberg said it would cost Blair and Luras less money. The cons would be the city would forfeit their right to review. A new ordinance would need to be written, approved and published, then updated to the city's code. All of this would have a cost, estimated at more than the \$800 for the licensing request. This would take a minimum of six weeks to complete. Forsberg asked Blair if Luras has submitted her application to the state. Blair said she has not. She said they send everything in to them and they sent it back and told her to get her license. It has been submitted twice and sent back twice because the State has their own way of doing things. Luras will submit her application in to the State on the 19<sup>th</sup>. At that time, the State will do a background check which could take up to 30 days. Thueson said council doesn't like to change laws, especially when the law works well. Blair asked how many times this ever happened. Thueson replied it never has and so why change the law for one transfer. Councilmember Willmore said he didn't think, even if the law was changed, it would help them. Blair said the county is going to pre-approve Luras' application at the same time everyone else's applications are approved so there is no down time. She wants to know if the city will do the same. Forsberg said the way the law reads the applicant brings in the State and County License and then the city does a background check. Chief Harris said if they provide the city with an application they can begin the background check and have it ready for when the State and County Licenses are received. The council agreed they would call a special meeting, if necessary, for the approval to issue the license.

**Council Confirmation of Chad Quayle to Planning & Zoning Commission –** Mayor Thueson said he spoke to Chad Quayle and asked if he would be willing to serve as a member of the Planning and Zoning Commission. Quayle said he would. Thueson is requesting council to confirm his appointment. A motion to confirm the appointment of Chad Quayle to the Planning and Zoning Commission was made by Councilmember Willmore and seconded by Councilmember Rubert. All members present were in favor. Motion passed 5-0. Thueson thanked Quayle for helping out.

**2016-06 2015/2016 Budget Amendment Ordinance** – A motion to suspend the rules and read the ordinance by title only one time was made by Councilmember Nichols and seconded by Councilmember Willmore. A roll call vote followed with Council Members Rubert, yes; Erickson, yes; Nichols, yes; Hill, yes; and Willmore, yes. Motion passed 5-0. Ordinance 2016-06 2015/2016 Budget Amendment Ordinance was read by title only by Nichols. A motion to adopt Ordinance 2016-06 2015/2016 Budget Amendment was made by Willmore and seconded by Erickson. A roll call vote followed with Council Members Rubert, yes; Erickson, yes; Nichols, yes; Hill, yes; and Willmore, yes. Motion passed 5-0.

**Planning & Zoning Recommendation on Rezone and Special Use Permit for Chiz's located at St Anthony Block 27** – Clerk Parkinson said the Planning and Zoning Commission (P&Z) met last night to hear from the public on a request for a Rezone and Special Use Permit for the expansion of Chiz's. Chiz's was requesting to build a shop type building on an adjoining property behind the current business. During the presentation of the application the applicant withdrew their application. Mayor Thueson said this item is over and done with and no action is needed by council.

**Discuss / Decide on Banking Services for the City / Parkinson** – Clerk Parkinson reported Wells Fargo began charging for their banking services to the city. This came as a surprise to Parkinson as no one notified her the account would be losing the "fee waiver" designation. The city has banked with Wells Fargo for 51 years. Parkinson contacted Wells Fargo believing this was an error. She was told it was not and this "Analysis Charge" would be part of what the city will be paying for banking services. Parkinson then contacted Idaho Central Credit Union, Bank of Idaho and Wells Fargo to let them review the city's accounts to see what would be the lowest in pricing and still provide for the city all the banking services necessary. Council was provided these proposals in their packets. Parkinson said her first recommendation would be to change to Idaho Central Credit Union (ICCU) because not only did they waive all the fees for an "Analyzed Account" but they will also provide an increase in revenue in the amount of approximately \$22,000 per year. This is due to the introductory Certificates of Deposit which the city could hold for up to five years with no penalty to withdraw. The other banks, Bank of Idaho and Wells Fargo, both had charges in excess of \$590 per year with no additional revenue coming to the City. Parkinson said the difference is essentially nearly \$25,000 per year to the city should council decide to begin doing their banking business with ICCU. Parkinson described the different kinds of services the city utilizes. Councilmember Erickson asked about banking in Rexburg as ICCU doesn't have a local branch in the city. Parkinson said there is some cash the city will need to take to Rexburg and a trip or two a week may be necessary depending on the time of month. However, there is usually someone, either from the Police Department or Public Works, having to go to Rexburg for one reason or another, so deposits can be made. Councilmember Nichols said he's read through everything and he thinks the change to ICCU should be done, as this is a very good offer. ICCU will even provide new check stock to the city as well as deposit slips and an endorsement stamp. Mayor Thueson said he had to go to ICCU to sign signature cards for the city when the city did a smaller

investment into some Certificates of Deposits (CDs). He said he was very impressed with their service. Councilmember Erickson said it sounds like they want our business and are willing to work for it. Nichols said many Clerks and Treasurers keep track of the books and at the end of the day, they go home. However, Parkinson has put in a lot of extra effort and paid attention to the detail. What's \$300 a month to a city? Nichols said he would like to complement Parkinson as it was a lot to do and because she was paying attention, the city gains about \$25,000 per year. She is doing an excellent job. Attorney Forsberg said he will prepare the necessary documents for council to approve for their next meeting.

**Recommendation of Harris Minor Subdivision / Parkinson** – Clerk Parkinson reported a request for a Minor Subdivision was received July 24, 2016 from Lorin Harris to subdivide St. Anthony Lots 5-10 into two parcels. It is her recommendation, as the Planning and Zoning Administrator; City Council should approve the application as set forth in Exhibits A and B as presented to council from one parcel into two parcels. Mayor Thueson asked PWS Butigan if it looked okay to him. Butigan said it did. They plan on building another home on it. Harris has been good to keep the weeds down on the property. Councilmember Hill had some questions about the map indicating an abandoned street. Butigan said 20 feet of the street went to Bret Sadorus some years ago. A motion to accept the recommendation of the Harris Minor Subdivision by Lorin Harris was made by Councilmember Erickson and seconded by Councilmember Nichols. All council members present agreed. Motion passed 5-0.

Mayor Thueson turned the meeting over to Clerk Parkinson for Code Enforcement cases. For each case, Clerk Parkinson provided council with a printed copy of the case details and history. Photos of the property were projected on the wall. She reviewed with council the steps taken prior to this meeting.

**Code Enforcement 160101 / 629 s 2<sup>nd</sup> W** – Property is owned by Shirley Larson. Larson is deceased and so everything is being mailed to Dianne Larson Stucki. There are tall weeds. Parkinson reviewed the steps taken on the property up to this point. It is a property council has reviewed before and requested Parkinson send the owner a letter by certified mail. The letter was sent and received. There has been no change. Attorney Forsberg said where Shirley Larson is deceased the better way to go about this would be to direct Public Works to cut down the weeds and then add the cost to the utility bill to the property. There is no person to cite. Council directed Public Works to cut down the weeds on the property and bill the utility account.

**Code Enforcement 160104 / 315 W 8<sup>th</sup> S** – Property is owned by Tyler Schwendiman. There are tall weeds. Clerk Parkinson said she had been in contact with Schwendiman on August 1 and he told her he would mow down the weeds. It appears as if some of it has been mowed down but not all of it. PWS Butigan said there are spots waist high. Council directed Chief Harris to use his discretion and if it hasn't been done, then try to get it done, but if they are not making any efforts to let us know what is going on, then there is no other choice but to issue a citation.

**Code Enforcement 160120 / 325 W 1<sup>st</sup> N** – Property is owned by James Wisner, deceased. There are tall weeds. Attorney Forsberg said this is another one Public Works should mow down and add to the utility bill. Council directed Public Works to cut down the weeds on the property and bill the utility account.

**Discussion/Decision Regarding Dogs on the Greenway / Harris** – Chief Harris said he is still interested in changing the city's ordinance to require people walking their dogs to have bags for picking up dog poo. Harris continued by saying this is something he would like to have done for next spring, including filling the dispensers with the bags. Councilmember Nichols asked if the city needed to supply the bags. Harris said the city wouldn't need to, but for the expense it would be worthwhile. PWS Butigan said he thought he already had some bags in his office. Mayor Thueson asked Butigan to check and fill the dispenser. Butigan said there is currently signage requesting people to please pick up after their dog. Thueson said if you are going to be a dog owner you need to be responsible for your dog. Attorney Forsberg suggested city staff review this a bit more before bringing a new ordinance back to council.

**Discuss lot for sale by city shop** – PWS Butigan said the lot is for sale and believes it would be a good addition to the city. Councilmember Hill said he spoke to the Realtor who has it for sale and believes it has already sold to someone. Hill thought it sold to the person who owns the hotel. Council members thought if it had, then good. Butigan said he would check on it and get back to council if it hasn't sold.

## **PUBLIC COMMENT**

Mayor Thueson opened the floor for public comment.

**Janet Keefer regarding Banning Dogs from Certain Parks** – Janet Keefer introduced herself saying she is the granddaughter of Clyde Keefer. She wanted to thank council for approving the new park sign in Clyde Keefer Park. She said it will be a nice addition to the park and city and thanked them. She does not live in the city, but owns property in the city. Keefer said she would like council to reconsider their resolution banning dogs from Keefer Park. She said perhaps instead of leaping to a total ban of dogs to instead it might be more appropriate to consider education, specifically telling dog owners how to be responsible for their dogs. Like the Greenway, she noticed the bag dispenser was empty and also located off the side of the trail. She said it should be moved to a better location, so when you take the first step on the trail, it is right there. Also, signage should be there. Keefer said she understands council approved for the entire amount for the new sign at Clyde Keefer Park and she has pledged a donation for that sign. However, she wanted to know if her money could be spent for signage at Keefer Park to dog owners regarding education and information regarding the responsibilities to dog owners. There is currently nothing there indicating dogs need to be leashed or have to be picked up after. As usual, it is a few people who have inappropriate behavior that limit the uses for the majority of people. Keefer said on a side note, if council wanted to do something really nice for the city, they should look at how they can bring the old Maverik property back into the ownership of the city. Mayor

Thueson said it would really be nice if it was city property. It would be a nice place for people to park and walk the Greenway or go to Keefer Park. Thueson said he would take her request to reconsider the resolution banning dogs from Keefer Park under advisement. Councilmember Willmore said there wasn't one individual who said they were against banning dogs in Keefer Park. This has been an ongoing problem for several years. Keefer said the city is excluding people and their animals and maybe education is a better way to go.

Thueson then closed the floor to public comment.

**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 Nichols and seconded by Councilmember Rubert. All council members were in favor. Motion passed 5-0.

**MINUTES** - Regular Council Meeting Minutes of August 11, 2016 were presented to council. A motion to accept the Regular Council Meeting Minutes of August 11, 2016 was made by Councilmember Hill and seconded by Councilmember Willmore. All council members were in favor. Motion passed 5-0.

## **DEPARTMENT REPORTS**

**Chief Harris** reported their calls for service have gone up 12% over last year. A call for service is when an officer is dispatched and a report is filed. On Saturday, the 10<sup>th</sup>, officers will be pumping gas at Maverik for tips. The tips will then go towards Special Olympics. Harris also said an email was received from an individual who was pulled over on Highway 20. He read the letter in full and it was complimentary towards Officer Belew. Harris said Erik Estrada will also try and make it to the Shop With A Cop event this winter.

**Public Works Superintendent Butigan** said crews are re-seeding the parks. The grass in some areas is getting a little thin. First the area is aerated, seeded, then they go back over it and drag it.

**Attorney Forsberg** had nothing to report.

**Clerk Parkinson** provided council with minutes from the last Finance Committee Meeting and Planning and Zoning Meetings. Parkinson also gave council the Fund Summary reconciled through July 31, 2016.

## **COUNCIL & MAYOR REPORTS**

**Councilmember Rubert** had nothing to report.

**Councilmember Erickson** had nothing to report.

**Councilmember Hill** had nothing to report.

**Councilmember Nichols** had nothing to report.

**Councilmember Willmore** reminded everyone the Annual Fly-In is scheduled for September 17<sup>th</sup>.

**Mayor Thueson** had nothing to report.

There being no further business to come before the Council the meeting was adjourned at approximately 8:25 p.m. by Mayor Theuson.

  
Neils Thueson, Mayor

Attest:

  
Patty Unruh Parkinson, City Clerk-Treasurer

