

**CITY OF POCATELLO**  
**CITY COUNCIL MEETING AGENDA**

March 17, 2016 · 6:00 PM  
Council Chambers | 911 N 7th Avenue

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

2. INVOCATION

The invocation will be offered by Pastor Jacqueline Thomas, Praise Temple of God.

3. CONSENT AGENDA

The following business items may be approved by one motion and a vote. If any one member of the Council so desires, any matter listed can be moved to a separate agenda item.

(a) MINUTES: Council may wish to waive the oral reading of the minutes and approve the minutes from the February 25 and March 3, 2016 Budget Development meetings; and the March 3, 2016 Clarification and Regular Council meeting.

(b) TREASURER'S REPORT: Council may wish to consider the Treasurer's Report for February showing cash and investments as of February 29, 2016.

(c) CHILD CARE ADVISORY COMMITTEE APPOINTMENT: Council may wish to confirm the Mayor's appointment of Robert Croker to serve as a member of the Child Care Advisory Committee, replacing Hanna Geshelin who resigned. Dr. Croker's term will begin March 18, 2016 and will expire March 18, 2020.

(d) HUMAN RELATIONS ADVISORY COMMITTEE REAPPOINTMENT: Council may wish to confirm the Mayor's reappointment of Terry Brooks to continue his service as a member of the Human Relations Advisory Committee. Mr. Brooks' term will begin March 22, 2016 and will expire March 22, 2020.

(e) AIRPORT USE AGREEMENT—POCATELLO MOTOCROSS PARK: Council may wish to approve and authorize the Mayor to sign a Use Agreement between the City and Rick C. Morrison, dba Pocatello Motocross Park, for the use of City property adjacent to the Motocross Park's leased property for a one-day enduro cross country event on April 2, 2016. The use fee will be \$110.31. This is an annual event.

(f) COUNCIL DECISION—COUNTRYSIDE 7TH ADDITION: Council may wish to adopt its decision approving the Final Plat for Countryside 7th Addition which divides 4.28 acres into seven (7) residential lots, subject to conditions. The property is southwest of Mountain Shadow Drive on an extension of Foxmore Street. Majority of the property is zoned Residential Low Density (RL) with the rear of Lots 2-4 Block 2 being zoned Residential Estate (RE).

Documents: [AGENDA-ITEM3.PDF](#)

4. COMMUNICATIONS AND PROCLAMATIONS

5. CALENDAR REVIEW

Council may wish to take this opportunity to inform other Council members of upcoming meetings and events that should be called to their attention.

6. CHILD CARE LICENSE DENIAL APPEAL—MERKLEY

Emily Blom Merkley will be present to appeal the decision of Police Department staff which denied Ms. Merkley a Child Care license.

7. TAXI LICENSE DENIAL APPEAL—CURZON

Kenneth Curzon will be present to appeal the decision of Police Department staff which denied Mr. Curzon a Taxi license.

8. PUBLIC HEARING—MODIFICATIONS TO THE SIGN CODE

This time has been set aside for the Council to hear comments from the public concerning changes to Municipal Code 15.20, Sign Code. The proposed changes are removing “government agency” and “government facility” from Municipal Code 15.20.030, Definitions and 15.20.240, Off Premises/Billboard Signs, and to add “Residential Commercial Professional zoning district” to 15.20.240(B)(7)(b).

At their hearing on February 24, 2016, the Planning and Zoning Commission recommended approval of the changes except for the changes to noticing purposes for off-premises signs.

(Pertinent information attached.)

Documents: [AGENDA-ITEM8.PDF](#)

9. CDBG 2017–2021 CONSOLIDATED PLAN

Council may wish to accept the recommendation of staff regarding the Community Development Block Grant (CDBG) 2017–2021 Consolidated Plan, subject to Legal Department review, as follows:

(a) Accept the lowest cost, most qualified proposal received BBC Research and Consulting in the amount of \$26,170.00 and, if the bid is accepted;

(b) Authorize the Mayor’s execution of a contract between the City of Pocatello and BBC Research and Consulting in the amount of \$26,170.00.

The project includes completion of the plan and a housing market analysis and homeless needs assessment. The plan is a requirement for receipt of Department of Housing and Urban Development Community Development Block Grant funds. Funding for the plan was previously approved in CDBG Action Plan administrative allocations for Program Year 2016.

(Pertinent information attached.)

Documents: [AGENDA-ITEM9.PDF](#)

10. WATER RIGHTS LEASE AGREEMENT—DANCE

Council may wish to authorize the Mayor’s signature on a Water Rights Lease Agreement with Blair Dance to lease 10,000 acre feet of Palisades storage water from the City for \$20.00 per acre foot, plus administration fees and 50% of any impact fees assessed for the 2016 water season, subject to conditions. The lease is renewable in one year increments for an additional four (4) years.

(Pertinent information attached.)

Documents: [AGENDA-ITEM10.PDF](#)

11. PIGGY BACK BID—ANNUAL PAVEMENT MARKING PROGRAM

Council may wish to accept the recommendations of Street Department staff and award a State of Idaho piggyback bid from Ennis-Flint in the amount of \$44,074.75 for the purchase of pavement marking paint and, if the bid is awarded, authorize the Mayor’s signature on necessary documents. The paint will be used for the summer 2016 pavement marking program and funds are available in the Street Department’s Fiscal Year 2016 budget.

(Pertinent information attached.)

Documents: [AGENDA-ITEM11.PDF](#)

12. MERCER MARKETPLACE INSURANCE—LETTER OF INTENT

Council may wish to authorize the Mayor's signature, on a Letter of Intent to Mercer Marketplace, for private insurance exchange services.

(Pertinent information attached.)

Documents: [AGENDA-ITEM12.PDF](#)

13. RENTAL OF WELLNESS COMPLEX—OUTDOOR RECREATION DEPARTMENT

Council may wish to consider a contract with Bannock County in the amount of \$375.00 to rent the Wellness Complex on July 2, 2016 for a Pocatello Triathlon as part of scheduled Independence Day activities, and if approved authorize the Mayor's signature on the contract documents. Outdoor Recreation staff anticipates 400 individuals to participate in the event. Funds are available in the Outdoor Recreation's Fiscal Year 2016 budget.

(Pertinent information attached.)

Documents: [AGENDA-ITEM13.PDF](#)

14. USE AGREEMENT—POCATELLO LACROSSE CLUB

Council may wish to approve a Use Agreement with Pocatello Lacrosse Club to use O.K. Ward Park for their high school and youth lacrosse programs, subject to Legal Department review. The agreement allows use of the park for scheduled games during the months of March, April, May and June 2016. Pocatello Lacrosse Club will be responsible for any damages incurred by their use, pay applicable fees, and provide liability insurance, naming the City as an additional insured.

(Pertinent information attached.)

Documents: [AGENDA-ITEM14.PDF](#)

15. POLICE DEPARTMENT VEHICLES TRADE IN AND PURCHASE—BID

Council may wish to accept the recommendations of Police staff to purchase the following vehicles, subject to Legal Department review, from Teton Toyota who submitted the lowest responsive bid for two used vehicles in the amount of \$ 36,748.00. The recommendations are:

a) One-2012 GMC truck in the amount of \$21,943.00;

b) One-2011 Honda CRV in the amount of \$14,805.000. If approved, staff proposes to trade-in two (2) older vehicles from the Detective Division and seven (7) drug seizure vehicles to Teton Toyota for a total trade-in allowance of \$14,250.00 to help off-set the purchase price. The final purchase price bid offer is \$21,000.00 and is within the budgeted amount.

(Pertinent information attached.)

Documents: [AGENDA-ITEM15.PDF](#)

16. BID ACCEPTANCE AND VEHICLE TRADE IN—WATER POLLUTION CONTROL

Council may wish to award the bid and authorize the Water Pollution Control (WPC) Department to purchase one 2016 Sanitary Sewer Jet Truck from MetroQuip, Inc. at a cost of \$287,850.00, less an \$8,000.00 trade-in allowance for a model year 2000 Vector jet truck. After trade-in, the total purchase price will be \$279,850.00. Funds are available in the WPC Fiscal Year 2016 budget.

(Pertinent information attached.)

Documents: [AGENDA-ITEM16.PDF](#)

## 17. ORDINANCES

The Council has the following options for reading ordinances. If the Council makes no motion, the ordinance will be read by title on two occasions and at length on the third occasion and placed on final passage for publication.

### EXAMPLE MOTIONS:

FOR THREE SEPARATE READINGS: "I move the ordinance, Agenda Item # , be read only by title on three separate occasions and placed on final passage and ordered for publication, and that only the ordinance summary sheet be submitted for publication."

FOR ONE READING UNDER RULES SUSPENSION: "I move the ordinance, Agenda Item # , be read only by title and placed on final passage for publication, and that only the ordinance summary sheet be submitted for publication."

Before the ordinance can be read under Option 1 or 2, the Council, by a vote of one-half plus one (4) of the full Council, must vote to direct how the ordinance is to be read. Ordinances ready for reading.

17(a) An Ordinance affecting the conveyance of 0.94 acres owned by the City to the adjacent property owner, Mr. Barry W. Lewis. A Public Hearing on this matter was held on March 3, 2016, after which Council directed the preparation of this Ordinance. The Ordinance authorizes the Mayor to execute a deed to convey the City's property to Mr. Barry W. Lewis. (This Ordinance has been prepared for reading under the rules of suspension.)

17(b) An Ordinance affecting the conveyance of 0.27 acres owned by the City to the adjacent property owners, Mr. and Mrs. James and Jessica Higgins. A Public Hearing on this matter was held on March 3, 2016, after which Council directed the preparation of this Ordinance. The Ordinance authorizes the Mayor to execute a deed to convey the City's property to Mr. and Mrs. James and Jessica Higgins. (This Ordinance has been prepared for reading under the rules of suspension.)

Documents: [AGENDA-ITEM17.PDF](#)

## 18. DISCUSSION ITEMS

This time has been set aside to hear discussion items not listed on the agenda. Items which appeared somewhere else on the agenda will not be discussed at this time. The Council is not allowed to take any official action at this meeting on matters brought forward under this agenda item. Items will either be referred to the appropriate staff or scheduled on a subsequent agenda. You must sign in at the start of the meeting in order to be recognized. (Note: Total time allotted for this item is fifteen (15) minutes, with a maximum of three (3) minutes per speaker.)

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## PUBLIC HEARING PROCEDURE

1. Explanation of hearing procedures by Mayor or staff.
  - Ten (10) minute time limit on applicant presentation.
  - Three (3) minute time limit on public testimony.
  - Names and addresses are required from those presenting/testifying.
  - Questions/comments should be addressed to the Mayor and Council.
  - Council members must make their decision regarding the application on facts already in the record and information presented at the public hearing. Conflicts of interest, site visits and ex-parte contacts by Council members will be acknowledged.

- Protocol requires that Council and audience be recognized by the Mayor prior to speaking.
- 2. Mayor opens hearing.
- 3. Presentation by applicant.  
Note: Remember, applicant bears the responsibility for making his/her case. This is also the time for Council members to ask their questions of the applicant.
- 4. Presentation by staff.
- 5. Written correspondence submitted for the record.
- 6. Testimony by those supporting the application.
- 7. Testimony by those uncommitted on the application.
- 8. Testimony by opponents to the application.
- 9. Rebuttal by the applicant.
- 10. Mayor closes the hearing and initiates motion/deliberations.  
**Note: The Mayor may choose to require a motion prior to the discussion in order to focus deliberations, or, the Mayor may choose to allow deliberations prior to the motion in order to facilitate wording of the motion.**
- 11. Develop a written and reasoned statement supporting the decision.

#### READING OF AN ORDINANCE PROCEDURE

1. Council determines which option below will be used to read the Ordinance by roll call vote.
2. The Ordinance is read by City Staff (usually City Attorney).
3. Mayor will declare the final reading of the ordinance and ask "Shall the Ordinance pass?"  
After roll call is taken, Mayor will announce whether or not the ordinance passed.