

CITY OF POCATELLO
CITY COUNCIL MEETING AGENDA

May 5, 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 Mike Popovich, First Baptist Church.

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 Budget Development meetings of April 7, 14 and 21, 2016; April 14, 2016 Study Session; April 14, 2016 Executive Session and the Clarification and Regular Council meetings of April 21, 2016.

(b) PAYROLL AND MATERIAL CLAIMS: Council may wish to consider payroll and material claims for the month of April 2016.

(c) ANIMAL SHELTER ADVISORY BOARD APPOINTMENT: Council may wish to confirm the Mayor's appointment of Brandie Jacobia to serve as a member of the Animal Shelter Advisory Board, replacing Glenda Bellanca who resigned. Ms. Jacobia's term will begin May 5, 2016 and will expire June 6, 2018.

(d) CHILD CARE ADVISORY COMMITTEE APPOINTMENT: Council may wish to confirm the Mayor's appointment of Cheli Brubaker to serve as a member of the Child Care Advisory Committee, replacing Jeanette Hunt who resigned. Ms. Brubaker's term will begin May 5, 2016 and will expire October 21, 2017.

(e) VETERANS OF FOREIGN WARS ANIMAL LICENSING CAMPAIGN: Council may wish to authorize the Veterans of Foreign Wars Post No. 735 of the United States of America to conduct the May 2016 half-price licensing campaign in the City of Chubbuck by selling Pocatello license tags at Smith's, PetCo and Walmart stores which are located in Chubbuck.

(f) RATIFICATION—SHELTER ANIMAL NUMBERS PROGRAM GRANT: Council may wish to ratify a Shelter Animals Count (SAC) Program grant application. The \$1,000.00 grant was made available for organizations who applied by April 30, 2016. The Shelter will submit data into the SAC database each month as part of a national database. There are no matching funds.

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—BLACK

Tegan Black will be present to appeal the decision of Police Department staff which denied Ms. Black a child care license.

7. FINAL PLAT—CRESTVIEW ESTATES, DIVISION 1

Satterfield Realty and Development (mailing address: 2432 Andrew Street, Pocatello, ID 83201) has submitted an application to subdivide approximately 15.85 acres into 23 residential lots located east of Satterfield Drive, on an extension of Lois Lane to be known as Crestview Estates, Division 1.

The Planning and Zoning Commission, at their meeting on December 19, 2015 recommended approval of the plat with staff conditions.

(Pertinent information attached.)

Documents: [AGENDA-ITEM7.PDF](#)

8. EXCEPTION REQUEST FOR BEER/WINE PERMIT—HAWKINS

Council may wish to consider granting a beer/wine permit to Karoline Hawkins (mailing address: 5910 Ruth, Chubbuck, ID 83202) for a graduation party at Ammon Park on May 7, 2016 from 12:00 noon to 5:00 p.m. Ms. Hawkins has submitted an application to the City to allow the consumption of beer and wine at the event. Approval by the Council is necessary since this park is not specifically identified in City Code 12.36.060 where the consumption of such beverages is allowed.

(Pertinent information attached.)

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

9. EXCEPTION REQUEST—MOTORCYCLE RALLY AT POCATELLO RACEWAY

Council may wish to consider a request from Pocatello Raceway, LLC represented by Jerry Bailey (mailing address: 5392 West Skiview Drive, Pocatello, ID 83204) for an exception to their lease with the City of Pocatello to allow a Motorcycle Rally event July 29, 30 and 31, 2016. Approval of an exception by Council is necessary since pursuant to Section III of the lease provides as follows: "Lessee may use the leased premises for automobile racing events, concerts and/or carnivals and for no other purposes without the expressed authorization of the Lessor."

If Council approves the exception, Legal Department staff has recommended the following conditions: 1) all responsibilities of Section XXL Miscellaneous under subsection J. 2 - 7 which outlines additional responsibilities including providing for staffing coverage by the Pocatello Police Department and the payment obligations associated therewith; 2) Police Department approval of the Security Plan for the event; and 3) no overnight camping allowed.

(Pertinent information attached.)

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

10. USE AGREEMENT FOR DOUGLASS LANE PROPERTY—BOY SCOUTS OF AMERICA, INC.

Council may wish to consider a Use Agreement, subject to Legal Department review, with Grand Teton Council of the Boy Scouts of America, Inc. (mailing address: 3901 South Yellowstone Highway, Idaho Falls, ID 83402) to use City property known as the Douglass Lane Property to hold multiple Day Camps and Scout Camps, May 27, 2016 through June 18, 2016. The City agrees to waive usage fees in consideration of the improvements completed by various Eagle Scout and additional improvements to be completed by Cub and Boy Scouts on the property. Terms of the agreement will be May 1, 2016 through July 31, 2016.

Boy Scouts of America will be responsible for any damages and costs as outlined in the agreement and will be required to provide liability insurance naming the City as an additional insured.

(Pertinent information attached.)

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

11. PIGGY BACK BID—MICKELSON CONSTRUCTION CO., INC.

Council may wish to accept the recommendation of Street Operations staff and approve a piggy-back bid from an Idaho Transportation Department bid that was received from Mickelson Construction Co., Inc. for hot mix asphalt in the amount of \$54.00 per ton. Funds for the asphalt purchase are available in the Street Operation's Fiscal Year 2016 budget.

(Pertinent information attached.)

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

12. ISU AFFILIATION AGREEMENT—FIRE

Council may wish to approve an Affiliation Agreement with Idaho State University (ISU) as recommended by Fire Department staff. This agreement enables ISU medical program students to complete a portion of their internship with the Pocatello Fire Department. This no cost agreement has been reviewed by the Legal Department and establishes expectations and requirements of all parties.

(Pertinent information attached.)

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

13. POCATELLO SOLAR ONE, LLC "REVISED" AGREEMENT—AIRPORT

Council may wish to authorize the Mayor to sign a revised lease agreement, subject to Legal Department approval, between the City and Pocatello Solar One, LLC. This airport leased premise is approximately 197.5 acres of bare ground, for the purpose of installation, repair, maintenance and operation of a photovoltaic power system and related equipment and improvements. The term will be for 20 years after an initial construction phase of up to two years, with a 15-year renewal option. The rental rate will be \$4,069.00 per year for the construction phase and \$60,000.00 for the first operational year, increasing annually by the greater of 2.5% or the annual CPI increase for the remainder of the operating period.

(Pertinent information attached.)

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

14. 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.)

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.