

# CITY OF POCATELLO CITY COUNCIL MEETING AGENDA

May 19, 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 Scott Sampson, Rocky Mountain Ministries.

## 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 May 5, 2016 Budget Development meeting.

(b) TREASURER'S REPORT: Council may wish to consider the Treasurer's Report for April showing cash and investments as of April 30, 2016.

(c) POCATELLO ARTS COUNCIL APPOINTMENT: Council may wish to confirm the Mayor's appointment of Barbara Orr to serve as a member of the Pocatello Arts Council, replacing Winona Heyer-Soma who resigned. Ms. Orr's term will begin May 20, 2016 and will expire February 19, 2019.

(d) POCATELLO DEVELOPMENT AUTHORITY APPOINTMENT: Council may wish to confirm the Mayor's appointment of Scott Turner to serve as a member of the Pocatello Development Authority, replacing Cynthia Hill whose term expired. Mr. Turner's term will begin May 20, 2016 and will expire May 1, 2020.

(e) COUNCIL DECISION—CHEYENNE GATE FINAL SHORT PLAT: Council may wish to adopt its decision approving the Final Short Plat for Cheyenne Gate which divides 2.0 acres into a three (3) lot subdivision, subject to conditions. The property is located on Cheyenne Avenue just west of the Portneuf River. Access to said lots will be from a private drive via Cheyenne Avenue and is located within a Residential Medium Density Single Family (RMS) zoning district.

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. "COUNCIL SELECT" FUNDING AND ADMISSION FEE REDUCTION REQUESTS—IDAHO INTERNATIONAL CHORAL FESTIVAL 2016

Council may wish to consider requests from Julie Hayden (mailing address: PO Box 8489, Pocatello ID 83209) for the following:

(a) Council Select funds in the amount of \$250.00 to assist with expenses related to the 2016 Idaho International Choral Festival (IICF) July 19 through 24, 2016. (As of May 13, 2016 \$4,400.00 remains in the Council Select fund.); and

(b) That the City continue its tradition of reduced admission fees at the Ross Park Aquatic Complex (\$2.50 admission cost), Zoo Idaho (\$2.00 admission cost), and Fort

Hall Replica (\$1.00 admission cost) for IICF choir members visiting Pocatello during the event.

(Pertinent information attached.)

Documents: [AGENDA-ITEM6.PDF](#)

7. "COUNCIL SELECT" FUNDING REQUEST—CW HOG

The Cooperative Wilderness Handicapped Outdoor Group (CW HOG), represented by Bob Ellis (mailing address: 921 South 8th Avenue, MS 8128, Pocatello, ID 83209-8128) is requesting that "Council Select" funds in the amount of \$250.00 be used to help pay for the rental and moving of picnic tables and two recycling bins for the 35th Annual CW HOG "Pig-Out" Event planned for September 17, 2016. (As of May 13, 2016 \$4,400.00 remains in the Council Select fund.)

(Pertinent information attached.)

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

8. FEE WAIVER REQUESTS—MILITARY APPRECIATION DAY AT THE ZOO

Council may wish to consider the following requests by Zoo Idaho staff to continue its tradition of waiving admission fees for military families during Military Family Appreciation Day:

(a) Waive Zoo admission fees for military families on June 4, 2016; and

(b) Waive Zoo admission fees for military families for all future Military Family Appreciation Day events, subject to Zoo Idaho Superintendent's review.

(Pertinent Information Attached)

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

9. TEMPORARY STREET CLOSURE REQUEST—OLD TOWN POCATELLO

Council may wish to consider a request from Old Town Pocatello (mailing address: PO Box 222, Pocatello ID 83204) to close the 200 block of West Fremont and a portion of the 300 and 400 blocks of Union Pacific Avenue for the following 2016 events:

(a) Revive @ 5—Wednesdays May 25th to September 7th and Friday, August 12th 2:00 p.m. to 10:00 p.m.

(b) Pocatello Pride—Saturday June 25th 2:00 p.m. to 10:00 p.m.

(c) Welcome Back Orange & Black—Monday August 22nd Noon to 8:00 p.m. (includes parking lot closure 10:00 a.m. to 8:00 p.m.); and

(d) Recovery Fest—Friday September 16th 2:00 p.m. to 10:00 p.m.

City Staff has reviewed the request.

(Pertinent Information Attached)

Documents: [AGENDA-ITEM9-10.PDF](#)

10. OPEN CONTAINER WAIVER REQUEST—OLD TOWN POCATELLO

The Council may wish to consider a request from Old Town Pocatello (mailing address: PO Box 222, Pocatello ID 83204) for a waiver of the open container ordinance to allow alcohol to be consumed in the 200 block of West Fremont and a portion of the 400 block of Union Pacific Avenue for Revive @ 5 events—Wednesdays May 25 to September 7, 2016, including Friday, August 12 from 4:30 p.m. to 9:00 p.m.

If the open container ordinance is waived it should be contingent upon the applicant meeting Police Department requirements and purchasing appropriate permits.

(Pertinent Information Attached)

Documents: [AGENDA-ITEM9-10.PDF](#)

11. EXPERIENCE WORKS AGREEMENT—ANIMAL SERVICES

Council may wish to approve an agreement between ExperienceWorks, a Senior Community Service Employment Program, and the City of Pocatello to allow a participant of the Program to work at the Animal Shelter. ExperienceWorks is a federally funded organization and will pay the wages of a senior citizen trying to gain training to enter back into the work force in an amount up to 20 hours a week. There is no cost to the City.

(Pertinent Information Attached)

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

12. ZOO TRUMPETER SWAN/MARSHLAND PHASE 2 GRANT APPLICATION—U.S. FISH AND WILDLIFE SERVICE

Council may wish to approve the submission of a grant application to U.S. Fish and Wildlife Service in the amount of \$25,000.00 and, if awarded, authorize acceptance of the grant and authorize the Mayor to sign, subject to Legal Department review, documents related to the grant. The grant will be used to construct Phase 2 of the Marshland Exhibit, Meadow and Crane Breeding Facility at the Zoo. City match will be met with in-kind work by staff and continued maintenance of the exhibit.

(Pertinent Information Attached)

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

13. TRANSPORTATION ALTERNATIVES PROJECT GRANT APPLICATION—CONSTRUCTION OF MULTI-USE PATHWAY

The Trails Working Group and the Portneuf Greenway Foundation request City Council support for submission of a Transportation Alternatives Project (TAP) grant application to the Idaho Transportation Department in the amount of \$400,000.00, and authorize the Mayor's signature, subject to Legal Department review, on documents related to the project.

The TAP would be for construction of a multi-use pathway along the eastern edge of the Interstate 15 right-of-way from the Farm Bureau building to the Monte Vista Overpass.

Grant funds will be used to design, grade, gravel and pave the path. Matching funds in the amount of \$29,360.00 (7.34%) will come from the Portneuf Greenway Foundation.

The City of Pocatello will have full ownership of the path upon completion.

(Pertinent Information Attached)

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

14. INTERSTATE RIGHT OF WAY REQUESTS FOR CONSTRUCTION OF MULTI-USE PATHWAYS

The Trails Working Group and the Portneuf Greenway Foundation request City Council support for periodic application requests to the Idaho Transportation Department and Federal Highway Administration to relinquish several sections of Interstate Right-of-Way for non-motorized, multi-use paths to the City, with the provision that the City of Pocatello will assume responsibility for operating and maintaining the pathway and appurtenances upon completion, and authorize the Mayor's signature, subject to Engineering and Legal Department review, on documents related to the applications.

The sections in question are needed to construct paths in compliance with the

Americans with Disabilities Act, and to insure path continuity from Idaho State University at Terry Street to the Portneuf Healthcare Wellness Complex.

(Pertinent Information Attached)

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

15. BID/CONTRACT—AIRPORT REHABILITATION OF PAVEMENT PROJECT

Council may wish to consider the recommendation of staff for the following requests regarding the rehabilitation and reconfiguring of taxiways and the terminal apron at the Pocatello Airport.

(a) Accept the bid received on March 31, 2016 from Knife River Corporation-Northwest in the amount of \$3,513,387.00 and, if the bid is accepted;

(b) Authorize the execution of a contract agreement and notice of bid award between the City of Pocatello and Knife River Corporation-Northwest in the amount of \$3,513,387.00, subject to Legal Department review.

The rehabilitation project will be funded 93.75% by FAA grant funds and 6.25% by airport passenger facility charge (PFC) funds. This project is contingent upon award of grant funds and FAA approval.

(Pertinent Information Attached)

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

16. PROFESSIONAL SERVICES AGREEMENT WITH T-O ENGINEERS FOR AIRPORT REHABILITATION OF PAVEMENT PROJECT

Council may wish to approve and authorize the Mayor to sign a Professional Services Agreement with T-O Engineers. The contract fee is based on time and materials and is not to exceed \$290,552.50.

Scope of work includes project management of the following projects at the Airport: (a) Rehabilitation of Taxiway A and connecting taxiways; (b) Rehabilitation of terminal apron; (c) Relocation of Taxiway E (A5); and (d) Reconfiguration of Taxiway A (A1) at Runway 21. Funding for the agreement will come from a federal grant (93.75%) and local match monies (6.25%) provided by Airport PFC funds.

(Pertinent Information Attached)

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

17. MCNABB GRAIN AMENDMENT TO LEASE AGREEMENT—AIRPORT

Council may wish to approve and authorize the Mayor to sign an amendment to the lease agreement between the City of Pocatello and McNabb Grain dated July 1, 2010. The amendment will increase the leased premises by an additional 3.38 acres and increase the rental rate to a total of \$512.00 per month. The purpose of the agreement will also be amended to include storage of hay as well as grain.

(Pertinent Information Attached)

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

18. RIVERBEND COMMUNICATIONS, LLC—LEASE AGREEMENT AND EASEMENT

Council may wish to approve the Mayor's signature on a Lease Agreement and Easement with Riverbend Communications, LLC for the use of City property to continue its placement and operation of a communication tower at the Water Department reservoir yard off of Fore Road. The fee for said use is \$200.00 per month, beginning May 1, 2016 through April 30, 2019.

(Pertinent Information Attached)

Documents: [AGENDA-ITEM18.PDF](#)

#### 19. 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.

An ordinance ready for reading.

19. An ordinance vacating the public's interest in an existing abandoned 20 foot wide water line easement running diagonally through Lot 25, Block 2, Farr-Ens Estate Subdivision. Said vacation was approved by Council on June 4, 2015 and all conditions contained therein have been met. (Ordinance has been prepared for reading under the rules of suspension.)

Documents: [AGENDA-ITEM19.PDF](#)

#### 20. 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.
  - o Ten (10) minute time limit on applicant presentation.
  - o Three (3) minute time limit on public testimony.
  - o Names and addresses are required from those presenting/testifying.
  - o Questions/comments should be addressed to the Mayor and Council.
  - o 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.
  - o 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.