

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

July 7, 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 President David Penrod, The Church of Jesus Christ of Latter-day Saints.

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 June 2 and 9, 2016; the Study Session of June 9, 2016; and the Executive Session of June 16, 2016.

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

(c) PARKS AND RECREATION ADVISORY BOARD APPOINTMENT: Council may wish to confirm the Mayor's appointment of Frederick Belzer to serve as a member of the Parks and Recreation Advisory Board, replacing S. Harold Smith whose term expired. Mr. Belzer's term will begin July 8, 2016 and will expire July 8, 2018.

(d) PLANNING AND ZONING COMMISSION REAPPOINTMENT: Council may wish to confirm the Mayor's reappointment of Jack Brennan to continue his service as a member of the Planning and Zoning Commission. Mr. Brennan's term will begin July 20, 2016 and will expire July 20, 2020.

(e) 2016 BYRNE JUSTICE ASSISTANCE GRANT: Council may wish to enter into a Memorandum of Understanding between the Pocatello Police Department (PPD) and the Bannock County Sheriff's Office regarding the 2016 Edward Byrne Memorial Justice Assistance Grant. This is an annual allocation which Bannock County will administer. The PPD has been allocated \$18,475.00 which will be used for equipment to enhance the department's emergency response and preparedness programs. There are no matching fund requirements.

(f) COUNCIL DECISION—CRESTVIEW ESTATES, DIVISION ONE FINAL PLAT: Council may wish to adopt its decision approving the Final Plat for the Crestview Estates, Division One Subdivision which divides 15.75 acres into a 23 residential lot subdivision, zoned Residential-Low (RL) Density, subject to conditions. Access will be provided via Lois Lane, which will be extended north and eastward intersecting with a new proposed street named Mariah Way.

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. TEMPORARY STREET CLOSURE REQUEST—PORTNEUF VALLEY FARMERS MARKET

Council may wish to consider a request from Ellen Loomis-Roberts (mailing address: 420 North Main, Pocatello, ID 83204) representing Portneuf Valley Farmers Market (PVFM), to temporarily close street sections in the Old Town area every Saturday—July 16 through October 29, 2016 from 7:00 a.m. to 2:00 p.m. for additional vendor space for PVFM events. Proposed street sections are the 100 Block of West Fremont and North Union Pacific Avenue from West Lander to West Wyeth.

City staff recommends approval of the street closure request subject to conditions outlined on the application.

(Pertinent information attached.)

Documents:

[AGENDA-ITEM6.PDF](#)

7. TEMPORARY STREET CLOSURE REQUEST—UNCORKED WINE FESTIVAL

Council may wish to consider a request from Jennifer Jackman, representing Pasta Vino's (mailing address: 138 North Main, Pocatello ID 83204) to close the 100 block of North Union Pacific Avenue on August 20, 2016 - 10:00 a.m. to 10:00 p.m. for an Uncorked Wine Festival.

City Staff has reviewed the request and recommends approval of the temporary road closure subject to conditions outlined on the application.

(Pertinent Information Attached)

Documents:

[AGENDA-ITEM7-8.PDF](#)

8. OPEN CONTAINER WAIVER REQUEST—PASTA VINO'S

The Council may wish to consider a request from Jennifer Jackman, representing Pasta Vino's (mailing address: 138 North Main, Pocatello ID 83204) for a waiver of the open container ordinance to allow alcohol to be consumed in the 100 block of North Union Pacific Avenue during the Uncorked Wine Festival on August 20, 2016 from 2:00 p.m. to 6:00 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-ITEM7-8.PDF](#)

9. EXCEPTION REQUEST FOR BEER/WINE PERMIT—GELINSKER

Council may wish to consider granting a beer/wine permit to JoBeth Gelinsker (mailing address: 370 Donna Drive, Idaho Falls, ID 83402) for a Family Reunion at Alameda Park on July 30, 2016 from 10:00 a.m. to 10:00 p.m. Ms. Gelinsker has submitted an application to the City to allow the consumption of beer and wine at the event. Approval by 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-ITEM9.PDF](#)

10. EXCEPTION REQUEST FOR BEER/WINE PERMIT—GIARMAN

Council may wish to consider granting a beer/wine permit to Amaiza Giarman (mailing address: P.O. Box 4470, Pocatello, ID 83205) for a Wedding Reception at Sister City Park on September 23, 2016 from 5:00 p.m. to 10:00 p.m. Mr. Giarman has submitted an application to the City to allow the consumption of beer and wine at the event.

Approval by 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-ITEM10.PDF](#)

11. EXCEPTION REQUEST FOR BEER/WINE PERMIT—FLORES

Council may wish to consider granting a beer/wine permit to Francisco Flores (mailing address: 1102 West Linden, Caldwell, ID 83605) for a Birthday Party at Centennial Park on August 20, 2016 from 2:00 p.m. to 10:00 p.m. Mr. Flores has submitted an application to the City to allow the consumption of beer and wine at the event. Approval by 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-ITEM11.PDF](#)

12. "COUNCIL SELECT" FUNDING REQUEST—BLUEGRASS FESTIVAL

Bannock County Bluegrass Festival, represented by Ken Elder (mailing address: 5707 Moses, Chubbuck ID 83202) is requesting that "Council Select" funds in the amount of \$200.00 be used to assist with posters, programs and flyers in connection with an Annual Bluegrass Festival to be held August 26 through 28, 2016. (As of July 1, 2016, \$3,450.00 remains in the "Council Select" line item.)

(Pertinent information attached.)

Documents:

[AGENDA-ITEM12.PDF](#)

13. "COUNCIL SELECT" FUNDING REQUEST—PORTNEUF GREENWAY FOUNDATION

Portneuf Greenway Foundation, represented by Dan Harelson (mailing address: P.O. Box 71, Pocatello ID 83201) is requesting that "Council Select" funds in the amount of \$250.00 be used for sanitation costs in connection to a fundraising event in Lower Ross Park on August 20, 2016. Funds raised from the event will be used toward building trails in the community. (As of July 1, 2016, \$3,450.00 remains in the "Council Select" line item.)

(Pertinent information attached.)

Documents:

[AGENDA-ITEM13.PDF](#)

14. RESTRICTED PARK HOURS EXCEPTION REQUEST—PORTNEUF GREENWAY FOUNDATION

Council may wish to approve a request from Portneuf Greenway Foundation, represented by Dan Harelson (mailing address: P.O. Box 71, Pocatello ID 83201) for an exception to City Code 12.36.020 for their annual Riverfest event on August 20, 2016 in Lower Ross Park. The Foundation seeks permission to allow a live band to perform until 10:00 p.m. and then allow staff to remain in the park until 11:00 p.m. for clean-up. City Ordinance 12.36.20 states that City parks close one hour after sunset.

15. "COUNCIL SELECT" FUNDING REQUEST—POCATELLO SPORTS COMMITTEE

The Pocatello Sports Committee, represented by Mike Calley (mailing address: 1410 Kelsea Place, Pocatello ID 83201) is requesting that "Council Select" funds in the amount of \$315.00 be used to pay for sanitation and recycle fees in association with the Pocatello Marathon on Saturday, September 3, 2016 at Lower Ross Park. (As of July 1, 2016, \$3,450.00 remains in the "Council Select" line item.)

(Pertinent information attached.)

Documents:

[AGENDA-ITEM15.PDF](#)

16. EXCEPTION REQUEST FOR VENDOR SALES/BEER PERMIT—POCATELLO SPORTS COMMITTEE

Council may wish to consider an exception request from the Pocatello Sports Committee, represented by Mike Calley (mailing address: 1410 Kelsea Place, Pocatello ID 83201) to allow vendor sales and the consumption of beer and wine for the Pocatello Marathon on September 3, 2016, 9:00 a.m. through 3:00 p.m. in Lower Ross Park, near the event finish line. The applicant will be required to meet all applicable City and State laws, submit the required applications, pay the applicable fees and provide liability insurance, naming the City as an additional insured.

(Pertinent information attached.)

Documents:

[AGENDA-ITEM16.PDF](#)

17. BID/AGREEMENT—2016 CITY HALL ROOF REPLACEMENT PROJECT

Council may wish to consider the recommendations of staff for the following requests regarding the 2016 City Hall Roof Replacement Project.

(a) Declare the bids received from Wilson Roofing, Inc. and Thomas D. Robison Roofing, Inc. nonresponsive;

(b) Accept the bid received on June 7, 2016 from Cano Roofing, Inc., who submitted the lowest responsive bid in the amount of \$164,900.00 and, if the bid is accepted;

(c) Authorize the execution of a contract between the City of Pocatello and Cano Roofing, Inc. in the amount of \$164,900.00 for the 2016 City Hall Roof Replacement Project, subject to Legal Department review.

This project involves replacement of the single-ply membrane roof at Pocatello City Hall. If approved, the work will begin in July 2016 and will be completed by the end of this

summer. Funds for the project are available in Fund 076 - Building Renovation.

(Pertinent information attached.)

Documents:

[AGENDA-ITEM17.PDF](#)

18. BID/CONTRACT—WPC LABORATORY OFFICE EXPANSION PROJECT

Council may wish to consider the recommendations of staff for the following requests regarding the Water Pollution Control (WPC) Laboratory Office Expansion Project.

(a) Accept the bid received on June 16, 2016 from Ready Service Jobber, Inc., who submitted the lowest responsive bid in the amount of \$109,900.00 and, if the bid is accepted;

(b) Authorize the execution of a contract between the City of Pocatello and Ready Service Jobber, Inc. in the amount of \$109,900.00 for the WPC Laboratory Office Expansion Project, subject to Legal Department review.

Funds for the project are available in the WPC Department's Fiscal Year 2016 budget.

(Pertinent information attached.)

Documents:

[AGENDA-ITEM18.PDF](#)

19. BID/AGREEMENT—HIGHLAND BOULEVARD SEWER IMPROVEMENT PROJECT

Council may wish to consider the recommendations of staff for the following requests regarding the Highland Boulevard Sewer Improvement Project.

(a) Accept the bid received on June 28, 2016 from Pro Builders, Inc., who submitted the lowest responsive bid in the amount of \$131,998.74 and, if the bid is accepted;

(b) Authorize the execution of a Notice of Award and Agreement between the City of Pocatello and Pro Builders, Inc. in the amount of \$131,998.74 for the Highland Boulevard Sewer improvement Project, subject to Legal Department review.

Funds for the project are available in Fund 032.

(Pertinent information attached.)

Documents:

[AGENDA-ITEM19.PDF](#)

20. OPTIX MEDIA FIBER OPTIC INSTALLATION/PROFESSIONAL SERVICES AGREEMENT—WPC

Council may wish to consider the recommendations of staff for the following requests regarding fiber optic access at the Water Pollution Control (WPC) facility.

(a) Approve a quote from Optix Media to install fiber optic service to WPC facility. The installation cost is \$44,000.00; and

(b) Approve a Professional Services Agreement with Optix Media for fiber optic services in the amount of \$300.00 per month for 60 months, subject to Legal Department review.

This Professional Services Agreement will replace two wireless based connections providing computer access, internet/intranet and SCADA Services. Funds are available in WPC's 2016 budget.

(Pertinent information attached.)

Documents:

[AGENDA-ITEM20.PDF](#)

21. UTAH HELICOPTER LEASE AGREEMENT—AIRPORT

Council may wish to approve and authorize the Mayor to sign a Lease Agreement between the City and Utah Helicopter for property at the Pocatello Regional Airport, subject to Legal Department review. The leased premise is approximately 1,722 square feet of building space and adjacent parking spots for the purpose of operating a helicopter flight training business. The proposed rental rate is \$500.00 per month, to be reviewed and increased annually at least by the Consumer Price Index for the previous year. The term is three years with a two-year renewal option.

(Pertinent information attached.)

Documents:

[AGENDA-ITEM21.PDF](#)

22. ENGAGEMENT AGREEMENT WITH KAPLAN KIRSCH ROCKWELL, LLP—AIRPORT

Council may wish to authorize the Mayor to execute an Engagement Agreement with the law firm of Kaplan Kirsch Rockwell, LLP for legal services related to federal regulation of land use and regulatory compliance at the Pocatello Regional Airport.

(Pertinent information attached.)

Documents:

[AGENDA-ITEM22.PDF](#)

23. BANNOCK COUNTY INTERAGENCY AGREEMENT—PUBLIC WORKS PROJECTS

Council may wish to authorize the Mayor's signature on a renewal Interagency Agreement with Bannock County, specifically the Public Works Department. The agreement provides for the use of work, equipment and/or goods and services between the entities' Public Works divisions. The agreement also grants authority to the Public Works Director and the Mayor to authorize and monitor work requests/exchanges as needed. The term of this agreement is July 1 to September 30, 2016 to complete the 2016 fiscal year.

(Pertinent information attached.)

Documents:

[AGENDA-ITEM23.PDF](#)

24. 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.