

CITY OF POCATELLO
CITY COUNCIL STUDY SESSION AGENDA

September 8, 2016 · 9:00 AM
Council Chambers | 911 N 7th Avenue

1. ROLL CALL
2. POCATELLO ARTS COUNCIL UPDATE
Representatives from the Pocatello Arts Council will discuss the Arts Council's goals and projects, as well as City Council's policies and expectations.
3. PLANNING AND ZONING COMMISSION UPDATE
Representatives from the Planning and Zoning Commission will discuss the Commission's goals and projects, as well as Council's policies and expectations.
4. COLLEGE NEIGHBORHOOD REFLECTION GARDEN PROJECT FOR CALDWELL PARK
College Neighborhood Association representatives and Janet Schubert, representative of Family and Friends of Dr. William W. Schubert, will present information regarding placement of a Reflection Garden in Caldwell Park. The Parks and Recreation Advisory Board has reviewed the proposal and recommends approval. Donations to fund construction of the project have been secured by the resident group. Other associated project costs will also need to be addressed.

(Pertinent information attached.)

Documents:

[AGENDA-ITEM4.PDF](#)

5. FORT HALL INDIAN RESERVATION ECONOMIC DEVELOPMENT STRATEGY PRESENTATION
Representatives from Agnew::Beck Consulting will be present to discuss their involvement with Shoshone-Bannock Tribes on the Fort Hall Indian Reservation with the development of a Comprehensive Economic Development Strategy (CEDs). The CEDs is an Economic Development Administration-funded effort to develop a plan to build stronger, more economically resilient Southeast Idaho communities, tribes and region.

(Pertinent information attached.)

Documents:

[AGENDA-ITEM5.PDF](#)

6. PROPOSED ORDINANCE TO AMEND TITLE 13, CHAPTER 30 UTILITY BILLING SERVICES
Utility Billing staff will be present to suggest changes to Pocatello Municipal Code 13, Chapter 30, "Utility Billing Services", which include the retention of the deposit for any new account through the account's activity; revising the access to the premises section; and adding a new section regarding the unauthorized material and injury to equipment.
An Ordinance has been prepared based on the proposal for Council action at a subsequent meeting. Staff is also seeking Council guidance for establishing a deposit amount.

(Pertinent information attached.)

Documents:

[AGENDA-ITEM6.PDF](#)

7. FISCAL YEAR 2016 SEPTEMBER BUDGET AMENDMENTS

Finance Staff will be present to discuss proposed "September" amendments to the current Fiscal Year 2016 budget.

(Pertinent information attached.)

Documents:

[AGENDA-ITEM7.PDF](#)

8. COUNCIL WORKING LUNCH

Members of the Council may choose to participate in a working lunch in the Paradise Conference Room to discuss general City topics. No formal action will be voted on.

AGENDA

ITEM

NO. 4

Date: September 8, 2016



TO: Mayor Blad and Council Members

From: John Banks, Parks & Recreation Director

**RE: Reflection Garden Request –
Caldwell Park**

Parks & Recreation Department Staff has received a request from a group of local residents represented by Janet Schubert (Shubert family and donors representative), Trissa Cameron & Shannon Ansley (College Neighborhood Association) and Jerry Myers (Mers-Anderson Architects), requesting permission to construct a neighborhood “Reflection Garden” within Caldwell Park.

The proposed Reflection Garden has been designed and would be constructed at no cost to the City of Pocatello, then donated to the City by the family and friends of Dr. William W. Schubert, for the benefit of the community.

The Reflection Garden would be located in the corner area of Caldwell Park adjacent to S. 8th Ave. and E. Lewis St., and would consist of the following amenities:

- ADA accessible/compliant access walkway (tied into existing park perimeter sidewalk)
- A 22’ long by 17’ wide concrete slab (4,000 psi concrete – using a medium broom finish to provide for slip resistance)
- Connected to the concrete slab is a 9’ long by 17’ wide “tumbled cobble” area, surrounded by mosaic tile (tile will also be treated for slip resistance), and including three (3) water bubblers.

Notes: Tumbled cobble would not be a loose surface, but rather would be adhered together/not able to be removed by park patrons, and would include drain joints. Each bubbler would project water approximately 18” in height above the tumbled cobble surface, then drain back down into the tumbled cobble to be gathered and re-circulated. The system is designed to have **no standing water. Per manufacturer recommendations, tumbled cobble will be placed on top of a concrete basin and aggregate base material.*

- Re-circulating pump & filter system (vaulted/underground) and associated sub-grade water supply and drain lines
- Four (4) benches for seating – recycled plastic (or similar) slats and heavy-duty frame for maximum durability
- Six (6) ornamental trees (specific species to be determined)
- Eight (8) button lights – placed at various locations along the reflection garden
- Bronze memorial plaque

Parks & Recreation Advisory Board Recommendation

The Reflection Garden request was presented to the Parks & Recreation Advisory Board on August 4, 2016 for consideration. The Board provided helpful input and suggested plan modifications designed to enhance safety & accessibility, which were incorporated into the design as described above. The Board was supportive of the project request, recommended its approval, and viewed it as a fine example of public/private partnership for the benefit of the community.

Cost Estimate

The project has been designed, and funds to complete construction of the project have been secured. There would be no cost to the City for provision of the Reflection Garden. Cost estimate for the project (provided) is \$25,527.00, and the requesting resident group has secured the services of Dykeman Construction to perform the construction (pending City Council approval).

In addition to the provided cost estimate, the following building permit and anticipated additional project related costs would also need to be incorporated into the project budget:

- Electrical Permit Fee (Building Dept.): \$70 *estimated*
(*\$30 permit + 2% of the electrical portion cost of project: \$2,000 x 2% = \$40*)
- Plumbing Permit Fee (Building Dept.): \$230 *estimated*
(*\$30 permit + 2% of the plumbing portion cost of project: \$10,000 x 2% = \$200*)
- Tree Removals (Parks Dept.): \$1,600 *estimated* (2 trees x \$800/tree)

**Notes: The Reflection Garden plan calls for removal of two (2) existing park trees – one (1) maple tree and one (1) horse chestnut tree. The plan also calls for placement of six (6) new 30-gallon ornamental trees (specific species TBA). Parks Staff would like to discuss the possibility of retaining the horse chestnut tree (located adjacent to the existing park sidewalk), if it can be determined that the trees seed droppings will not negatively impact the reflection garden.*

- Potable Water Supply Connection (Parks Dept.): \$500 *estimated*
- Retrofitting of the existing park irrigation system to accommodate the Reflection Garden (Parks Dept.): \$1,000 - \$1,500 *estimated*

**Notes: The Reflection Garden location is situated on top of existing park irrigation lines & sprinkler heads. Retrofitting of the system would be required to accommodate the project.*

Sewer and Electrical

There is no sewer connection needed. The proposed pump & filter system is self-contained and re-circulating.

Upon preliminary review, there appears to be sufficient electrical capacity on site to accommodate the re-circulating pump/filter and button light systems. If upon further investigation this proves to not be the case, Parks Staff would determine additional capacity needs and a cost estimate to provide the needed additional electrical capacity.

Treatment of Water for Water Feature

With the popularity of Caldwell Park, as well as the proximity of the proposed Reflection Garden to the park playground, it is reasonable to conclude that a large amount of child park patrons will be visiting the Reflection Garden area. As previously mentioned, the system is designed to not have standing water. However, periodic interaction with the “bubbler” water feature by park patrons is likely.

Staff has inquired with Southeast Idaho Public Health representatives regarding water treatment requirements for these types of projects, and has been instructed that there are currently no water treatment requirements imposed by the state of Idaho (as is the case on a much larger scale at the existing Simplot Square Fountain and associated water feature). At the Simplot Square location, water is treated periodically by Parks Dept. Staff with chlorine in an effort to sanitize the water to a degree and mitigate growth of algae & other organisms. However, signs are also posted instructing visitors that the Simplot Square Fountain water is not suitable for swimming or wading, and that those activities are prohibited.

The Legal Dept. has reviewed the water feature portion of the Reflection Garden project request, and in consideration of the absence of State of Idaho water feature treatment regulations, as well as the existing Simplot Square precedent, is comfortable with allowing the water feature request to proceed as proposed, provided that signage is posted informing the public that the water feature water projecting from the bubblers is not suitable for drinking, or splashing/interaction (i.e. similar to signs that are in place at the Simplot Square fountain/water feature).

Staff Recommendations

Parks & Recreation Dept. Staff are also supportive of the project request, and are of the opinion that the Reflection Garden would be a wonderful park amenity that would be very much enjoyed and heavily used. Staff also agrees with the Parks & Recreation Advisory Board that the project would be a great example of public/private partnership for the benefit of the community.

The majority of the Reflection Garden is virtually maintenance free (concrete, benches, button lighting system) or includes maintenance which can be absorbed by the Parks Dept. in the general maintenance efforts for Caldwell Park (tree trimming/care and weekly water feature inspection & chlorination).

Staff does however have concern with the potential for on-going maintenance of the water feature components (water bubblers, re-circulating pump & filtration system, etc.), as well as the possibility for on-going water bubbler issues due to misuse, and the resulting costs associated.

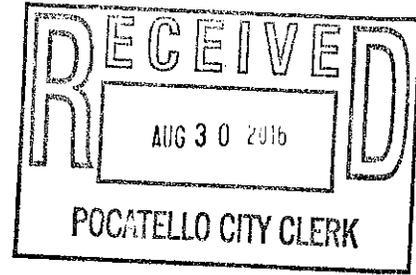
It is therefore recommended that City Council approve the Reflection Garden request, with the following conditions:

- Requesting resident group be financially responsible for on-going care and maintenance/repair of the water feature components portion of the Reflection Garden, to include water bubblers, re-circulating pump & filtration system, and associated tumbled cobble/mosaic tile areas, via establishment of a perpetual care/ contingency fund (or the like).

**Note: City/Parks Dept. would assume on-going maintenance/care responsibilities of water feature system monitoring & chlorination, as well as remaining Reflection Garden features, and associated utility costs.*

- Secure needed Building Dept. permits, and provide all plans/construction drawings/specifications necessary to obtain needed permits.
- Re-imburse City/Parks Dept. for the cost of tree removals associated with the project.
- Re-imburse City/Parks Dept. for the cost of potable water supply connection associated with the project
- Re-imburse City/Parks Dept. for park irrigation system retrofitting needed to accommodate project.
- Consultation with City Arborist Brett Hewatt regarding appropriate tree selections for the project/Caldwell Park.
- Provide signage indicating that the water feature water is not suitable for drinking and/or splashing (final sign wording to be determined).
- Should current park electrical capacity prove to not be sufficient to accommodate project needs, re-imburse City/Parks Dept. for the cost of providing additional needed electrical capacity.

August 29, 2016



Re: City Council Study Session September 8, 2016

Dear Ms. Whitworth,

A group of local neighborhood residents (College Neighborhood Association), a Schubert Family representative and a local architect have designed a fully funded College Neighborhood Reflection Garden for Caldwell Park.

On August 4, 2016, we presented our plan to the Parks and Recreation Board. The Board approved and supported the project with the provision that several items be modified and submitted to John Banks, Director of Parks and Recreation. The design group agreed and the requested modifications were made to the design within that week and submitted to John Banks.

We hope to build the project during the 2016 construction season. To meet that goal, we have completed the following as part of our agreement with the Pocatello Parks and Recreation Board.

- Funds sufficient to complete the project have been secured. No funding is requested or required.
- Dykman Construction has been selected as the construction contractor and has agreed to complete the project within budget during the fall of 2016.
- Design renderings, sketches and construction drawings have been completed and submitted with this application and to John Banks, Director of Parks and Recreation. Designs and drawings were developed by Wade Peterson, landscape architect.
- ADA compliance has been addressed with sidewalk width, slab width and overall design.
- General safety has been addressed with selection of building materials: 4000 psi concrete medium broom finish for the concrete slab and treated tile for slip resistance. Water management and treatment are also included.

We respectfully request placement on the agenda for the City Council study session on September 8, 2016.

Best Regards,

A handwritten signature in cursive script that reads "Trissa Cameron".

Trissa Cameron

College Neighborhood Association

A handwritten signature in cursive script that reads "Janet Schubert".

Janet Schubert

Schubert family and donors' representative

Contact: 208-317-6252

janetieschubert@gmail.com

A handwritten signature in cursive script that reads "Shannon Ansley".

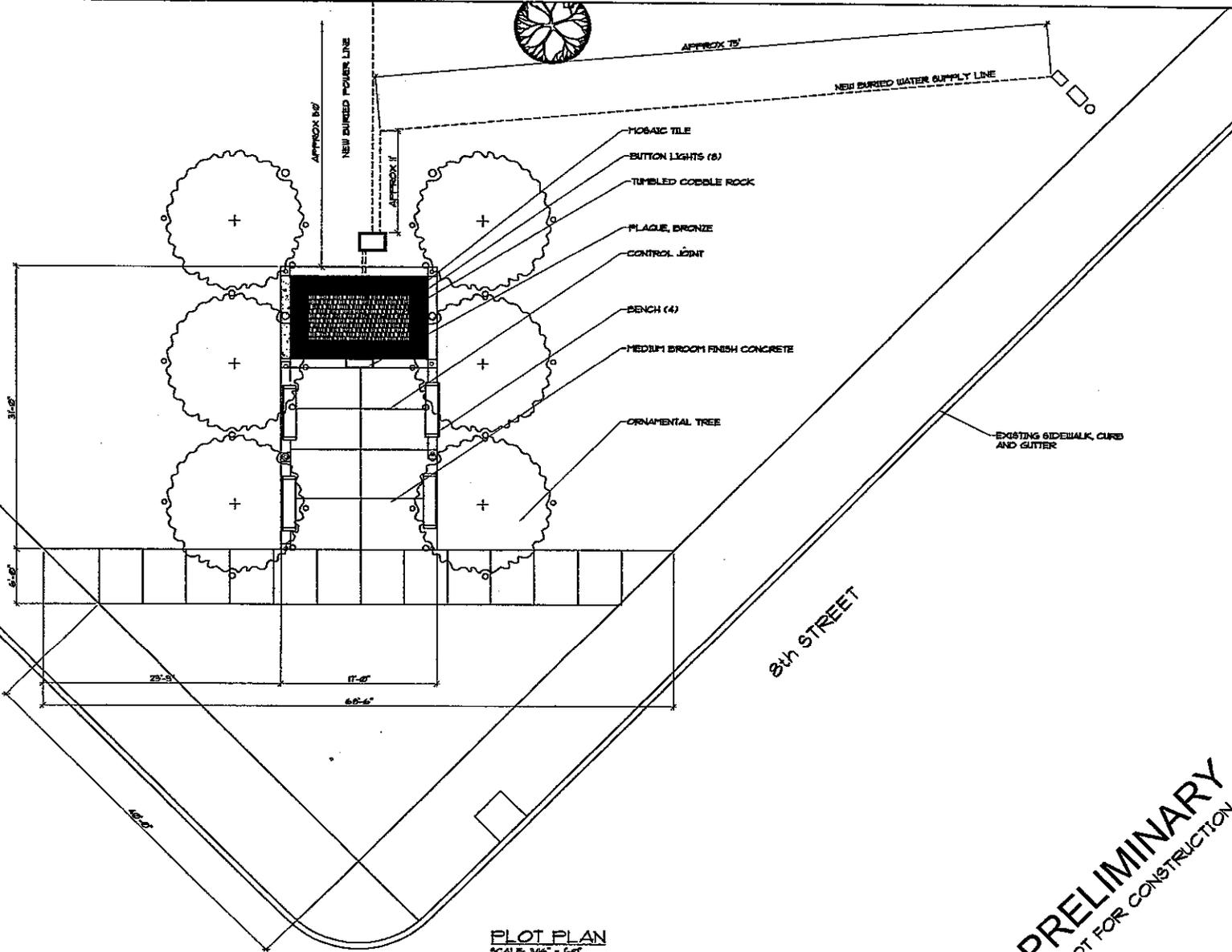
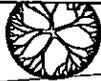
Shannon Ansley

College Neighborhood Association

A handwritten signature in cursive script that reads "Jerry Myers".

Jerry Myers

Myers-Anderson Architects

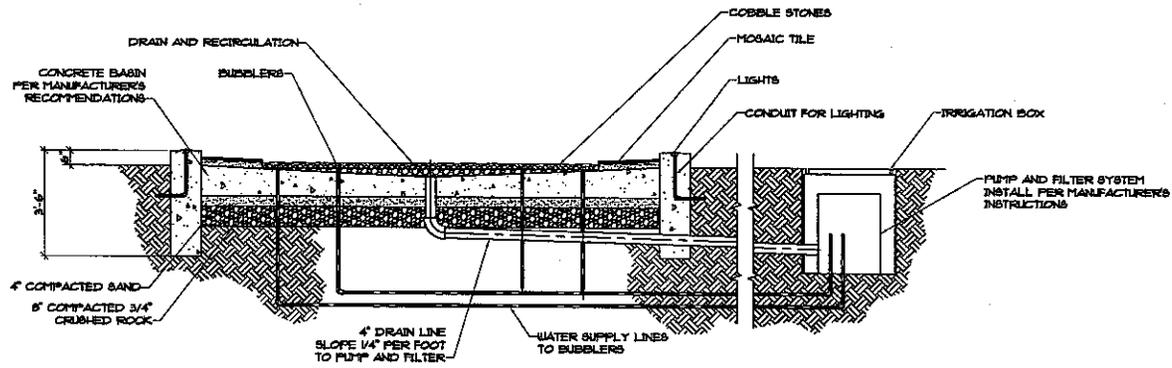


- MOSAIC TILE
- BUTTON LIGHTS (8)
- TUMBLE COBBLE ROCK
- PLAQUE, BRONZE
- CONTROL JOINT
- BENCH (4)
- MEDIUM BROOM FINISH CONCRETE
- ORNAMENTAL TREE

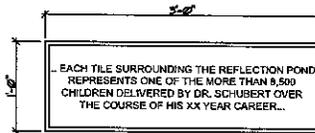
PLOT PLAN
SCALE 3/16" = 1'-0"

PRELIMINARY
NOT FOR CONSTRUCTION

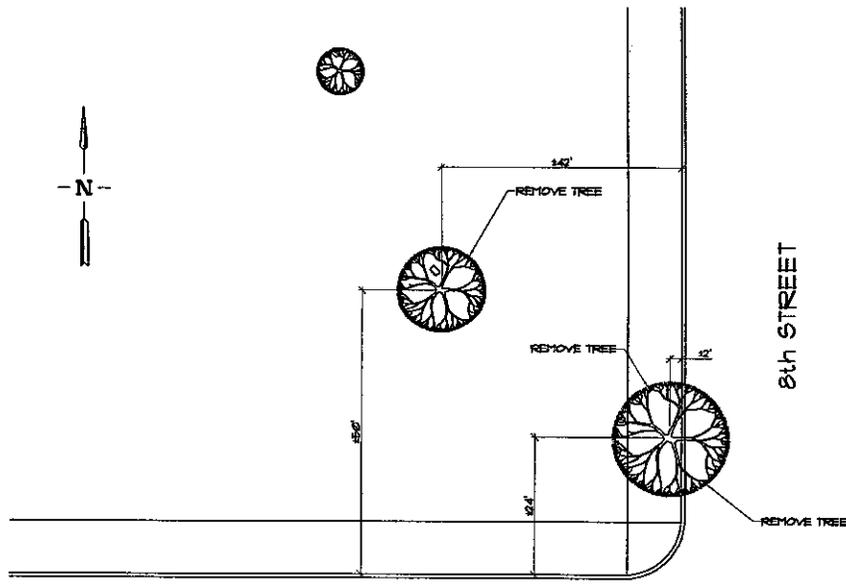
1	PLOT PLAN	DEDICATED TO DR. WILLIAM H. SCHUBERT REFLECTION GARDEN CALDWELL PARK 8TH AND LEWIS COCATELLO - IDAHO	REVISION DESIGN BY: JANET LEE SCHUBERT AND PETERSON & ERICSSON, AUGUST 2016 (780) 237-3395 www.ericssonidaho.com
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SECTION
SCALE: 1/2" = 1'-0"



DETAIL - BRONZE PLAQUE
SCALE: 1/8"



LEWIS AVENUE

8th STREET

RIPOUT PLAN
SCALE: 3/32" = 1'-0"

DESIGN BY
SCHUBERT
AND PETERSON
DRAWN BY
C. ERICSSON AUGUST 2016
gpc@schubertandpeterston.com

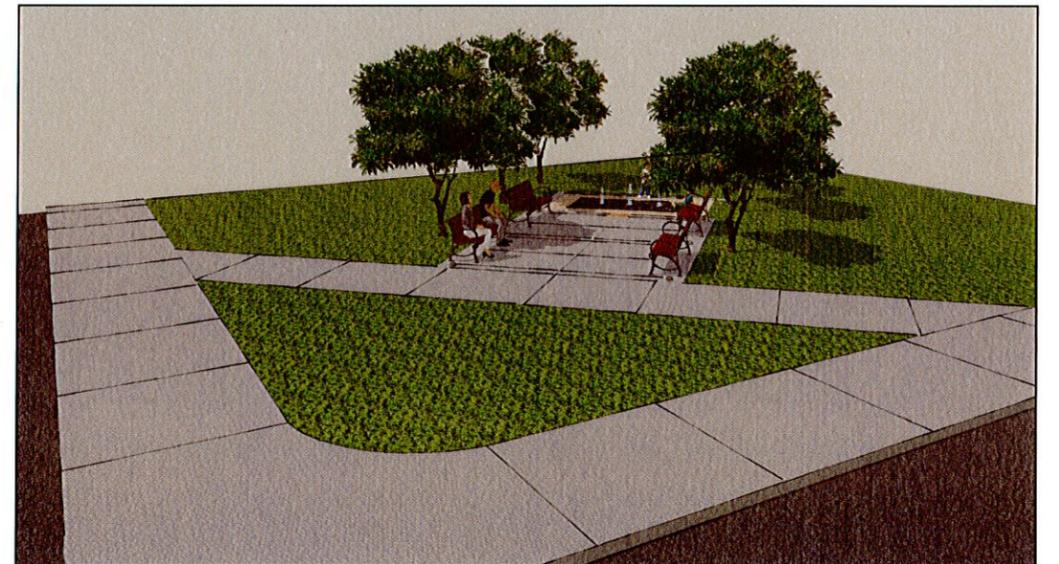
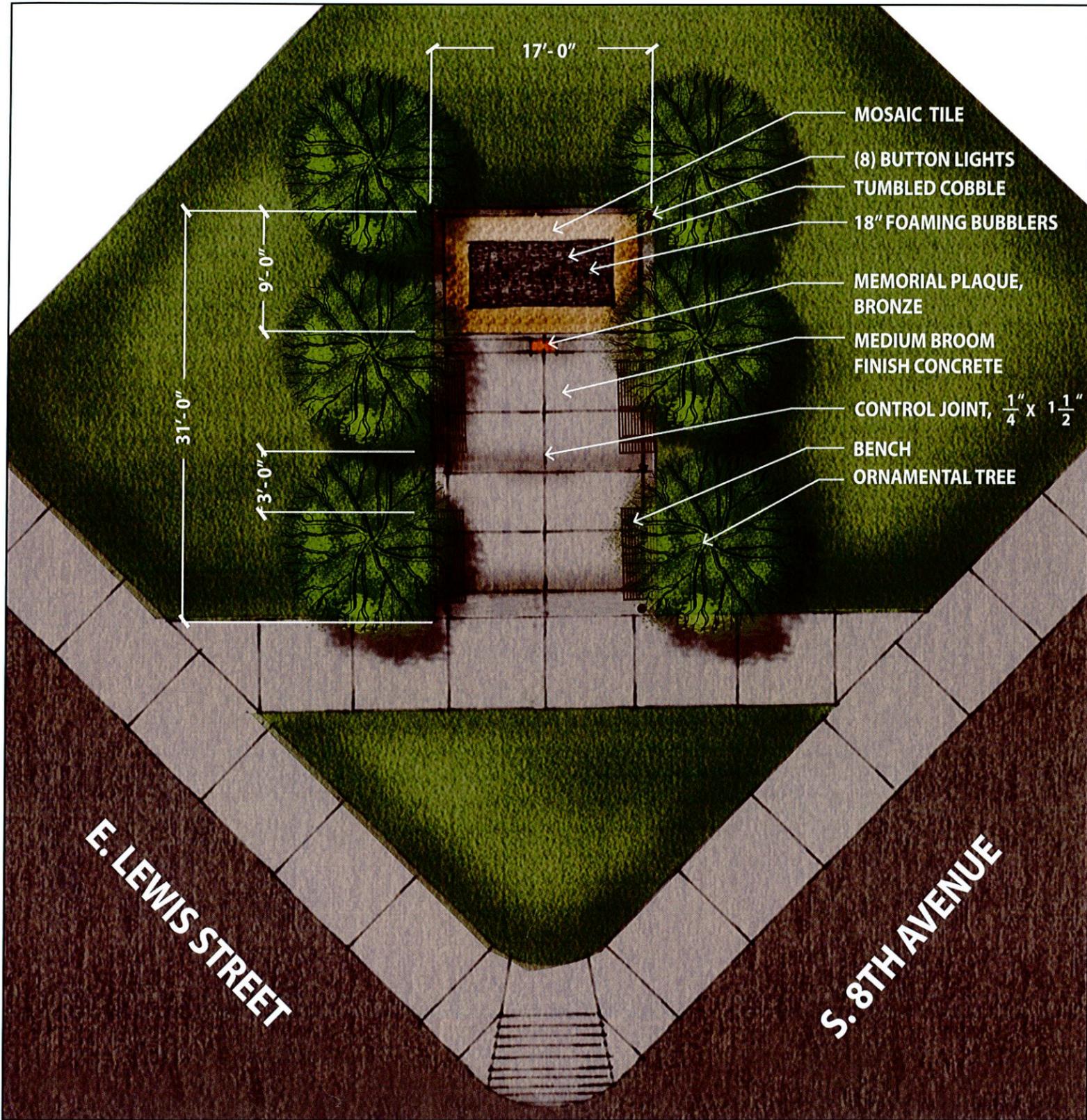
DEDICATED TO DR. WILLIAM W. SCHUBERT
REFLECTION GARDEN
CALDWELL PARK
8TH AND LEWIS
BOCATELLO - IDAHO

RIPOUT PLAN,
SECTION
AND DETAIL

2

PRELIMINARY
NOT FOR CONSTRUCTION

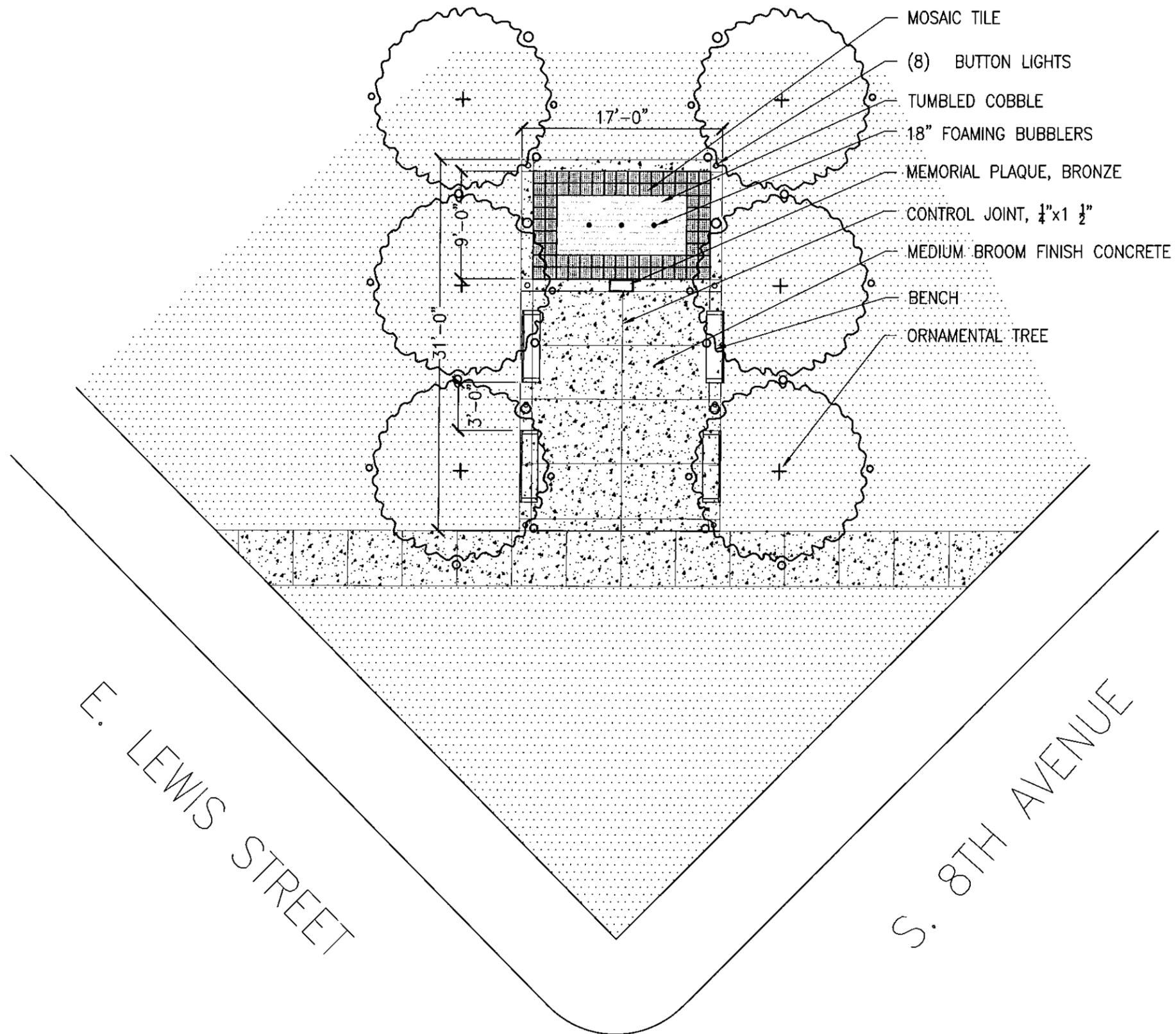
Plan View



Perspective Views

REFLECTION GARDEN - July 27, 2016
 DONATED BY FAMILY AND FRIENDS OF DR. WILLIAM W. SCHUBERT, 1946-2010
 TO THE CHILDREN, WOMEN, AND MEN OF POCATELLO





- MOSAIC TILE
- (8) BUTTON LIGHTS
- TUMBLED COBBLE
- 18" FOAMING BUBBLERS
- MEMORIAL PLAQUE, BRONZE
- CONTROL JOINT, 1/4" x 1 1/2"
- MEDIUM BROOM FINISH CONCRETE
- BENCH
- ORNAMENTAL TREE

E. LEWIS STREET

S. 8TH AVENUE

Line #

	Description	Est. Quant.	Unit	Unit Cost	Total
1	Cost Estimate				
2	6" soil removal, site prep	21	CY	\$ 12.00	\$ 252.00
3	4" concrete (under tile and fountain cobble included)	730	SF	\$ 7.00	\$ 5,110.00
4	Mosaic Tile 12" x 12" pads	80	SF	\$ 20.00	\$ 1,600.00
5	Tumbled square cobble, dry set on concrete base	55	SF	\$ 18.00	\$ 990.00
6	Bronze Plaque	1	EA	\$ 500.00	\$ 500.00
7	Button Lights	8	EA	\$ 250.00	\$ 2,000.00
8	Benches	4	EA	\$ 800.00	\$ 3,200.00
9	Ornamental Trees (30 gal)	6	EA	\$ 250.00	\$ 1,500.00
10	Repair Sod	750	SF	\$ 0.50	\$ 375.00
11	Fountain Pack vault, Nozzles	1	EA	\$ 10,000.00	\$ 10,000.00
12				SUBTOTAL	\$ 25,527.00

AGENDA

ITEM

NO. 5

Dear Mayor Blad and City of Pocatello Council Members –

My name is Shelly Wade. I am an American Planning Association Certified Planner with Agnew::Beck Consulting based in Boise, Idaho and Anchorage, Alaska. Our firm is currently assisting the Shoshone-Bannock Tribes on the Fort Hall Indian Reservation with the development of a Comprehensive Economic Development Strategy (CEDS). The CEDS is an Economic Development Administration-funded effort to develop a plan that will build stronger, more economically resilient Southeast, Idaho communities, tribes and region.

I am writing today to request placement on your Thursday, September 8th, Study Session agenda. We understand Study Session presentations are typically up to 15 minutes long. As a part of our ongoing process to engage and encourage the participation of non-tribal partners, we would very much appreciate the time to share with you the following:

- What is a CEDS? What is the process?
- What is our project timeline and key milestones?
- What is your potential role, as community/regional leaders?
- What role does the CEDS Committee play and who has been involved?
- What have learned so far? We have done a considerable amount of work already and would like to share a few highlights on:
 - The demographic and economic profile of Southeast, Idaho, including trends and projections.
 - Regional strengths, weaknesses, opportunities, and threats (SWOT) that will help or hinder economic development in Southeast, Idaho.
 - Potential economic development projects, including opportunities for community and regional collaboration.
- What are our immediate next steps?

To date, we have had tremendous support and participation from other municipalities including the Cities of Blackfoot and Chubbuck, Bannock, Bingham and Power Counties, and a number of other regional organizations including Bannock Transportation Planning Organization, Pocatello Regional Airport, Southeast Idaho Council of Governments and Idaho State University. We are excited to meet and personally invite the City of Pocatello planning staff and leadership to participate.

For your reference, I have attached a sample presentation we used to guide our June 2016 CEDS Committee meeting. Over 30 tribal and non-tribal partners participated in that meeting.

Please do not hesitate to call or email with any comments, questions, concerns you have with our request. We look forward to hearing from you and the opportunity to present on September 8th.

Sincerely,
Shelly Wade

AGENDA

ITEM

NO. 6

MEMORANDUM FOR: Mayor and Council Members

FROM: Cindy Robbins, Utility Billing Director

SUBJECT: Utility Billing Deposit Changes

DATE: September 1, 2016

1. FOR INFORMATION

2. **Purpose.** Obtain decision for Utility Billing Deposit Changes.

3. **Discussion to reaffirm current deposit or increase amount.**

a. **Current.** \$65.00 for residential customer. This amount does not cover a one month billing.

i. Example FY2016 Rates: \$29.00 Sewer; \$16.94 Garbage (1 autocart); \$8.75 line service fee (3/4") = **\$54.69 without water.**

b. **Shut-Off Practice.** Accounts usually have a 3 to 3 1/2 month balance that is left unpaid.

City Ordinance: Utility charges shall be due and payable monthly in accordance with the billing cycle set out on the payment notices. Failure to pay a previous month's charges by five o'clock (5:00) P.M. of the working day prior to preparation of the subsequent month's billing shall be considered a delinquency and cause for termination of water service...A written notice of the delinquency and pending termination of water service for failure to pay in full shall be posted on the bill. If the delinquent charges are not paid in full by the due date on that bill, the city shall, subject to the conditions below, terminate service to the premises...

c. **Deposit Suggestion based on collection history.**

i. Increase Deposit to cover 3 months

1. Range between low end \$225.00 to high end \$300.00.

ii. Increase Deposit to cover 2 months

1. Range between low end \$150.00 to high end of \$200.00

• Changing the Deposit amount will render an Amended Fee Resolution; a draft has been prepared

d. Discussion for Deposit to Remain on Account.

City Ordinance:All deposits shall be held as guarantee of payment, but may be applied to an account balance after 12 consecutive months without late payment or returned checks for the account. A deposit may be applied to an account earlier at the discretion of the utility billing director or his/her designee.

- i. Existing Problem. If customer has deposit returned at some point and then problems occur and services are terminated, the deposit along with the past due amount must be paid to restore services per Ordinance.
 1. Puts further burden on customer in an already bad situation.
 2. Leaves account without any guarantee of payment when the account is finalized.
 - a. Even the best accounts can have the owner pass away leaving a balance.
- ii. This change would be for all accounts going forward. All previous accounts would still receive their deposit back after 12 months but would be subject to new ordinance if account was shutoff for nonpayment.

If Deposit Remains on Account:

Modify the Section 13.30.040(B) to reflect the deposit remains with the active account until closed. Once closed, the deposit will be applied to any existing balance.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF POCATELLO, A MUNICIPAL CORPORATION OF IDAHO, AMENDING CHAPTER 13.30 "UTILITY BILLING SERVICES" OF THE REVISED AND COMPILED ORDINANCES OF THE CITY OF POCATELLO REVISING SECTION 13.30.040 "ESTABLISHING ACCOUNTS" FOR THE RETENTION OF AN ACCOUNT DEPOSIT THROUGHOUT THE ACCOUNT'S ACTIVITY TO BE APPLIED TO THE LAST BILLING BALANCE; REVISING SECTION 13.30.090 "ACCESS TO THE PREMISES" TO PROVIDE FOR CUSTOMER CONDUCT AND A PENALTY OF A MISDEMEANOR CITATION IN THE EVENT THEFT OF SERVICES OCCURS; AND THE ENACTMENT OF SECTION 13.30.120 ENTITLED "UNAUTHORIZED MATERIAL AND INJURY TO EQUIPMENT"; PROVIDING THAT ALL OTHER SECTIONS OF CHAPTERS 13.30 NOT HEREIN AMENDED SHALL REMAIN IN FULL FORCE AND EFFECT; PROVIDING THAT THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW, THE RULE REQUIRING THAT AN ORDINANCE BE READ ON THREE SEPARATE OCCASIONS HAVING BEEN DISPENSED WITH.

WHEREAS, the Utility Billing Director has reviewed the provisions of Chapter 13.30 "Utility Billing Services" of the revised and compiled ordinances of the City of Pocatello and has recommended several additions to the code to provide for the maintenance and care of the City's metering systems which it administers as well as provisions setting forth customer conduct; and

WHEREAS, the current code provides for the return of the account deposit to the account holder after fifteen (15) consecutive months without late payment or returned checks for the account. It is recommended that the City retain the deposit until the account is closed, with the deposit amount being applied to the last billing balance (if any), to lessen the risk of an overdue delinquent account to the City's detriment; and

WHEREAS, the current code does not allow for the enforcement of repayment from the account holder if he or she breaks, blocks, damages, destroys, uncovers, defaces or tampers with any property, equipment or appliance constituting a part of the water service/connection to the residence/building. The Utility Billing Director recommends enacting language specifically providing for any injury to the City's equipment to be the fiscal

responsibility of the account holder and provide that said account holder may be cited with a misdemeanor citation for said injury to property; and

WHEREAS, on occasion, the shut-off of services may be necessary at a residence/building and in an effort to obstruct access to the meter vault/area, a person may place items such as vehicles, trailers, or other pieces of equipment/material over the area to prolong the shut-off of services. This delaying conduct is inappropriate and wastes valuable resources and staff time; therefore language requiring the resident/property owner to be cooperative is being suggested; and

WHEREAS, sometimes subsequent to the services being turned off, the resident or other party may turn said services back on, without authorization by the City, therefore the Utility Billing Director recommends adding language to the code stating that this constitutes a theft of services and may be punishable by misdemeanor citation; and

WHEREAS, the above modifications were presented to the City Council at the September 8, 2016 Study Session at which time the Council determined that the recommended changes are appropriate and reasonable and further directed preparation of an Ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF POCATELLO, AS FOLLOWS:

Section 1: That Section 13.30.040 "Establishing Accounts" of the Revised and Compiled Ordinances of the City of Pocatello, 1983, be hereby amended to read as follows:

B. Fees And Deposits: The utility billing department shall collect fees for turning water service on and/or off, for transferring accounts, and such other fees and deposits as set from time to time by resolution of the city council. If water service is available to the premises but is not on, a turn on fee shall be charged and due with the first regular billing statement for the premises. In the event water is still on at the premises, a transfer fee shall be charged and due with the first regular billing statement for the premises. ~~Payment of a deposit may be required as determined by the utility billing director, or his/her designee based upon credit reporting information.~~ If service was previously established in the name of a spouse, and an ex-spouse,

widow, or widower desires an account in his/her own name no fee or deposit shall be collected for the transaction, ~~provided the records do not show late payments or returned checks during the twelve (12) months prior to the request.~~ All deposits shall be held as guarantee of payment, ~~but may be applied to an account balance after fifteen (15) consecutive months without late payment or returned checks for the account.~~ A deposit may be applied to an account earlier than fifteen (15) months at the discretion of the utility billing director or his/her designee. Upon termination of utility service, any such deposit ~~not previously so applied~~ may be refunded to the party in whose name the account is listed, less any sum which may be due the city. Provided, however, that if the customer is moving to another service address, the final balance for the former service address, less any deposit, if applicable, may be transferred from the customer's former account and credited and/or charged to the new account. An account holder owing a past due amount may not open a new service account until the past due amount is paid in full. An account which is unpaid and/or sent for collection shall be deemed to be an account which was shut off for nonpayment, and neither a reinstatement of service nor a new service shall be provided until all amounts owed and an applicable deposit have been paid. A reconnect/nonpayment fee shall be charged on any account which was shut off for nonpayment, and said fee shall be due with the first regular billing statement thereafter.

Section 2: That Section 13.30.090 "Access to Premises" of the Revised and Compiled Ordinances of the City of Pocatello, 1983, be hereby amended to read as follows:

13.30.090 Access to Premises and Meter

A. Employees of the utility billing department properly identified shall have unobstructed access from seven o'clock (7:00) A.M. to nine o'clock (9:00) P.M., to all parts of premises as may be necessary to read, conduct maintenance and/or turn the metered services on or off. meters. Employees of the sanitation department shall have similar access for the purpose of placing, maintaining, or removing automated carts, dumpsters, and/or roll-off boxes and for collection of refuse.

B. It is unlawful for any person to interfere with or obstruct the utility billing director or his/her employees during the performance of his/her duties under this Chapter.

C. The utility billing director is authorized to take any measure he/she deems appropriate to abate nuisances relating to the provisions of this Chapter within the City.

D. Any person whom obtains services, who is unauthorized to do so, or turns the water meter on once the system has been turned off by a City employee may be subject to penalty for theft of services, punishable by a misdemeanor citation as per State or Municipal law/regulations.

Section 3: That Section 13.30.120 “Unauthorized Material and Injury to Equipment” of the Revised and Compiled Ordinances of the City of Pocatello, 1983, be hereby enacted to read as follows:

13.30.120 Unauthorized Material and Injury to Equipment

It shall be unlawful for any person to break, block, damage, destroy, uncover, deface or tamper with any property, equipment, or appliance constituting a part of the City’s water meter system. No person shall open, touch or deposit material of any kind or any items in a City water meter vault without permission from the utility billing director and/or his/her designee. No person shall place vehicles, trailers, or any other equipment or structures over a water meter vault. The water meter vault shall be free from obstruction and accessible by a City employee at all times.

Section 4: That all other sections of Chapter 13.30 Utility Billing Services not herein amended shall remain in full force and effect.

BE IT FURTHER ORDAINED that this ordinance shall be in full force and effect from and after its passage, approval, and publication according to law.

PASSED AND APPROVED this ____ day of September, 2016.

CITY OF POCATELLO, a municipal
corporation of Idaho

BRIAN C. BLAD, Mayor

ATTEST:

RUTH E. WHITWORTH, City Clerk

RESOLUTION NO. 2016 - _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POCA TELLO, A MUNICIPAL CORPORATION OF IDAHO, AMENDING FEES PREVIOUSLY SET FORTH IN RESOLUTION NO. 2016-12, EXHIBIT "V" FOR THE UTILITY BILLING DEPARTMENT; PROVIDING THAT THESE FEES SHALL BE EFFECTIVE OCTOBER 1, 2016, THROUGH SEPTEMBER 30, 2017.

WHEREAS, the City of Pocatello City Council regularly sets fees for City provided services, licenses, permits, and programs available to the public, pursuant to Pocatello Municipal Code; and

WHEREAS, the City Council adopted Resolution No. 2016-12 on August 18, 2016 for the fees charged for City Departments and Services for the Fiscal Year of 2017; and

WHEREAS, Exhibit "V" pertains to the Utility Billing Department and the fees associated with said department's operation; and

WHEREAS, at the September 8, 2016 Study Session, the City Council reviewed proposed changes to the Pocatello Municipal Code, Chapter 13.30 "Utility Billing Services" and determined the appropriate deposit fee for new accounts;

WHEREAS, the current Exhibit "V" states that new accounts shall have a deposit fee in an amount up to \$300. Given the direction at the Study Session for the new account deposit fee to be \$_____, said Exhibit "V" necessitates an amendment to clarify this fee;

WHEREAS, the fee of \$_____ is less than \$300 previously noticed and said public hearing associated with this process has been closed; since this is a decrease in fee no additional public hearing process is required; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF POCA TELLO AS FOLLOWS:

1. That fees for City provided for the Utility Billing Department shall be adopted and charged as they are more specifically delineated in Amended Exhibit "V", which is attached

hereto and incorporated herein, and be effective for Fiscal Year 2017, commencing October 1, 2016 through September 30, 2017, or until hereafter amended.

2. That the amendment or repeal of any one of the exhibits attached to and incorporated in this Resolution shall in no way affect the remaining exhibits to this Resolution, which shall remain in full force and affect.

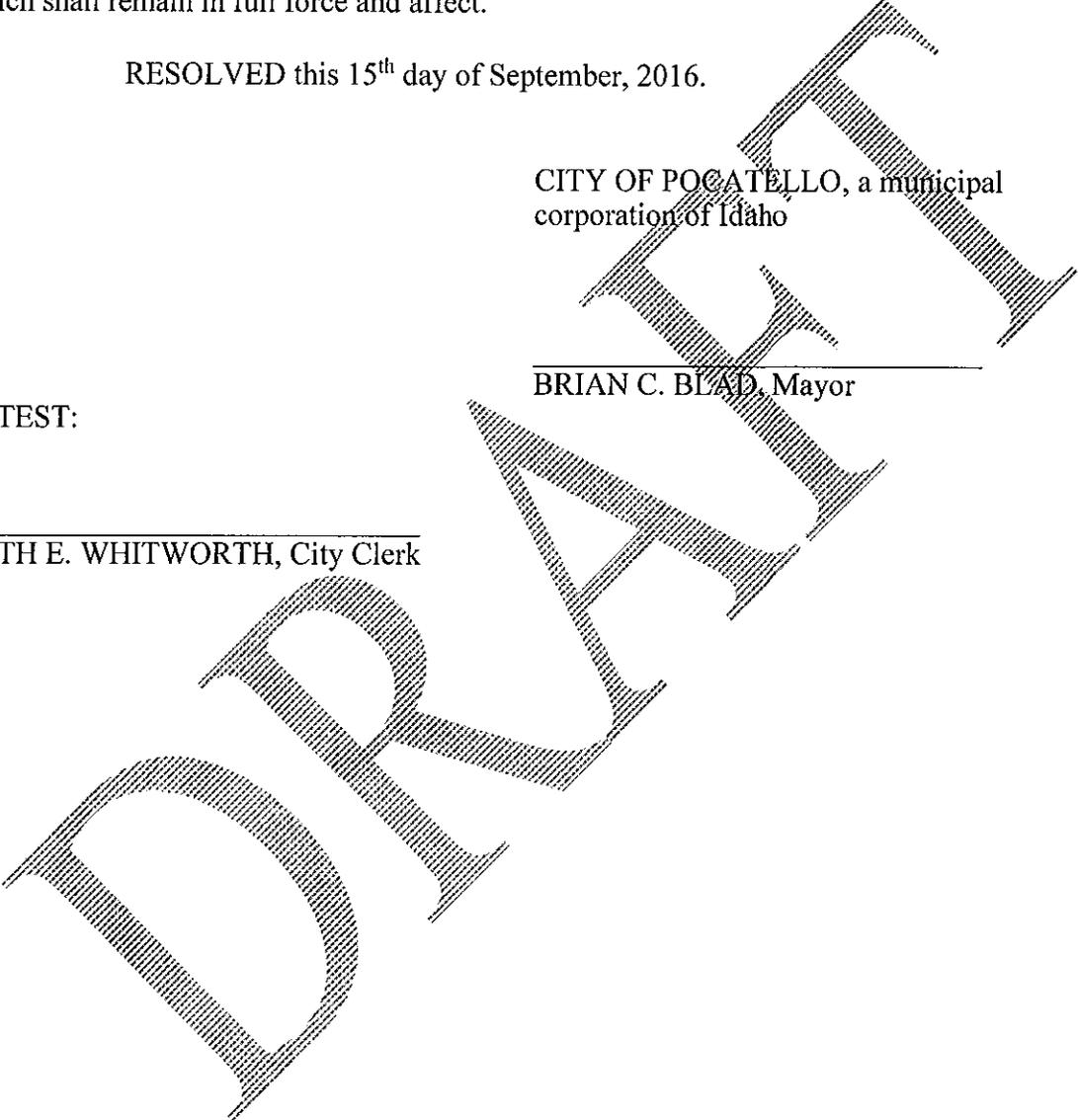
RESOLVED this 15th day of September, 2016.

CITY OF POCAHELLO, a municipal corporation of Idaho

BRIAN C. BLAD, Mayor

ATTEST:

RUTH E. WHITWORTH, City Clerk



**AMENDED EXHIBIT V
UTILITY BILLING DEPARTMENT FEES**

1. Processing and administrative fees for the Utility Billing Department shall be as follows:

Service Initiation	\$25.00
Deposit	\$ _____
Account Name Change/Transfer	\$12.00
Turn Off for Nonpayment/Reconnect	\$40.00
Special Turn Off/Turn On (extended absences, summer lines, seasonal)	\$25.00
Emergency Turn Off/Turn On	No Fee
Returned Check Fee	\$20.00
On-Site Collection to Avoid Shutoff	\$15.00
Late Fees on Account	3% of unpaid balance
Account Turned to Collection Agency	30% of balance
Special Handling Fee	\$50.00
Tow Truck Assistance	Not to exceed \$100.00
Unauthorized Obtainment of Water Fee	
First offense	\$50.00
Second offense	\$100.00
Third offense	issuance of a misdemeanor citation
Replacement Fees for Damaged City Property	
Locks	\$15.00
ERT's	\$80.00
Meters	Not to exceed \$150.00

AGENDA

ITEM

NO. 7

FY2016 Proposed September Budget Amendments

City Council Study Session
September 8, 2016

Amendments

- 8 listed amendments affecting 8 funds
- Public hearing notice 31 August & 7 September
- Study session today
- Amendment public hearing 15 September
- Ordinance consideration 15 September (publish full ordinance)

General Fund Amendments

Total: \$347

- Mayor and Council Department
 - Coffee with the Mayor monthly event sponsored by local businesses - \$347

Other Fund Amendments

Total: \$2,898,337

■ Street

- Transfer monies to Fund 070 for future ITD project for Hawthorne Quinn, \$150,0000

■ Recreation

- Replace hot water system at Community Recreation Center with insurance claim proceeds , \$44,894

■ Transit Urban

- Additional part time wages with grants and additional match monies from City of Chubbuck \$20,000

■ Science & Environment

- Additional match monies required for the completion of MLK ITD project , \$22,938

Other Fund Amendments

Total: \$2,898,337

■ Water

- Transfer monies to Water Construction Fund to represent water bond monies for water rights , \$2,544,208

■ Ambulance

- Unplanned retirements in Ambulance Fund covered by contract, \$68,837

■ Eastern Idaho Development Corporation

- Additional Economic development loans provided by program revenues, \$48,000

Totals By Fund

Fund Amendment Totals	
Fund	Amount
General Fund	\$ 347
Street Fund	\$ 150,000
Recreation Fund	\$ 44,894
Transit Urban Fund	\$ 20,000
Science & Environment Fund	\$ 22,398
Water Fund	\$ 2,544,208
Ambulance Fund	\$ 68,837
Eastern Idaho Development Corporation Fund	\$ 48,000
Total	\$ 2,898,684

Notes

- No action immediately following the hearing on September 15 council meeting
- Action taken same meeting, but at the end of meeting during ordinance section