

CITY OF POCA TELLO, IDAHO  
CITY COUNCIL AGENDA  
CLARIFICATION MEETING AND  
REGULAR CITY COUNCIL MEETING  
JANUARY 7, 2016

---

CLARIFICATION  
MEETING

The City Council Agenda Clarification Meeting was called to order at 5:32 p.m. by Mayor Brian Blad. Council members present were Steve Brown, Craig Cooper, Jim Johnston, Gary Moore and Michael

L. Orr. Council member Eva Johnson Nye arrived at 5:36 p.m. No motions, resolutions, orders, or ordinances were proposed. No vote was taken.

REGULAR CITY COUNCIL MEETING

AGENDA ITEM NO. 1: The Regular City Council meeting was called to order at 6:02 p.m. ROLL CALL AND by Mayor Brian Blad. Council members present were Steve Brown, PLEDGE OF CRAIG COOPER, JIM JOHNSTON, GARY MOORE, EVA JOHNSON NYE AND ALLEGIANCE MICHAEL L. ORR.

The pledge of allegiance was led by a member of Boy Scout Troop No. 777.

AGENDA ITEM NO. 2: The invocation was given by Reverend Jim Jones, representing INVOCATION Blazing Grace Church.

AGENDA ITEM NO. 3: Council was asked to consider the following business items: CONSENT AGENDA

-MINUTES (a) Waive the oral reading of the minutes and approve the minutes from Restructuring Meeting; Executive Session; and a Clarification meeting and Regular City Council meeting.

-PAYROLL AND (b) Consider payroll and material claims for the month of December MATERIAL CLAIMS 2015 in the amount of \$6,836,236.75.

-CONSTRUCTION (c) Confirm the Mayor's reappointments of Michael Bright and Terry BOARD OF APPEALS AND REVIEW Swallow to continue their service as members of the Construction REAPPOINTMENTS Board of Appeals and Review. Both terms will begin December 31, 2015 and will expire December 31, 2017.

-EISENSTEIN (d) Authorize the Mayor's signature on a letter of engagement with MALANCHUK, LLP Eisenstein Malanchuk LLP (EM). EM will attempt to recover -LETTER OF environmental insurance costs spent by the City of Pocatello. ENGAGEMENT

-COUNCIL DECISION (e) Adopt the Council's decision to grant Satterfield Realty and -GREENFIELD Development's request for approval of a final plat for Greenfield MEADOWS Subdivision, Division 4, subject to conditions. The DIVISION NO. 4 proposed subdivision will consist of twenty-four (24) residential lots on approximately 11.54 acres located on extensions of Owyhee Street and Trevor Street and is zoned Residential Low Density.

A motion was made by Mr. Moore, seconded by Mr. Cooper, to approve the items on the consent

agenda. Upon roll call, those voting in favor were Moore, Cooper, Brown, Johnston, Nye and Orr.

Mrs. Nye was excused from the meeting at this time.

AGENDA ITEM NO. 4: Ruth Whitworth, City Clerk, administered the oath of office to the  
INSTALLATION OF newly-elected City Council members. Council member Jim  
NEWLY-ELECTED Johnston was sworn in, followed by Steve Brown and Roger Bray.  
COUNCIL MEMBERS Each person assumed the dais as they completed their oath.

AGENDA ITEM NO. 5: Council took this opportunity to elect a President of the Council in  
ELECTION OF conformance with Idaho Code Section 50-702.  
COUNCIL PRESIDENT

A motion was made by Mr. Moore, seconded by Mr. Johnston, to elect Council member Steve Brown as Council President. Upon roll call, those voting in favor were Moore, Johnston, Bray, Brown, Cooper and Orr.

AGENDA ITEM NO. 6: Mayor Blad announced there were no communications or  
COMMUNICATIONS proclamations. He welcomed boy scouts from Troop No. 777 AND  
PROCLAMATIONS and Troop No. 315 to the meeting.

AGENDA ITEM NO. 7: Mayor Blad reminded the Council of the January 14<sup>th</sup> Study Session  
CALENDAR REVIEW at 9:00 a.m. followed immediately by a Fire Union meeting  
immediately followed by a Pocatello Police Union meeting; the  
January 21<sup>st</sup> Budget Restructuring meeting at 9:00 a.m.; and Regular Council meeting on at 6:00 p.m.

Mayor Blad reminded citizens that Christmas tree drop-off sites will be available through January 12<sup>th</sup>. Boxes are located at City Hall parking lot; Rainey Park on South Arthur; and Sister City Park entrance on Pocatello Creek Road; winter programs are happening at the Zoo. Contact the Zoo office for more information; City offices will be closed January 18<sup>th</sup> for Martin Luther King, Jr. Day. However, garbage and recycling pick-ups will be on schedule.

Mayor Blad reminded citizens when clearing snow from sidewalks, residents are asked to refrain from throwing snow into the streets as it can become a driving hazard.

AGENDA ITEM NO. 8: This time was set aside for the Council to hear comments from the  
PUBLIC HEARING public concerning a request by Ryan Satterfield of Pocatello Creek  
-EXTENSION OF Development Corp. (mailing address: 2432 Andrew Street,  
LOIS LANE ANNEXATION Pocatello, ID 83201), represented by Rocky Mountain Engineering  
and Surveying (mailing address: 600 East Oak Street, Pocatello, ID  
83201). The request is for approximately 14.44-acre area of land extending the City limits east on an extension of Lois Lane, east of Crestview Park 1<sup>st</sup> Addition that is currently located within the Area of City Impact. Specifically, the request includes the following: 1) that the property be annexed into the corporate boundaries of the City of Pocatello; 2) that the Comprehensive Plan Map designation be "Residential"; and 3) that the subject property shall have a zoning designation of "Residential Low Density (RL)."

Mayor Blad opened the public hearing.

Mayor Blad announced there had been no ex parte communication.

Ryan Satterfield, 2432 Andrew Street, gave an overview of the 14.44 acre proposal.

Matthew Lewis, Planning Manager, gave a summary of the annexation and zoning designation request. In response to questions from Council, he clarified that in order for an area to be designated "Residential Low Density," individual lots must be at least 9,000 square feet. Mr. Lewis added that according to the preliminary plat for the development, each single-family home would be greater than 9,000 square feet.

Mayor Blad announced no written correspondence had been received.

Tom Pederson, 2009 Sunrise Way, spoke uncommitted to the proposal. He stated he lives at the corner of Satterfield Drive and Sunrise Way and is concerned about the traffic increase caused by construction and land development in his neighborhood.

Niki Taysom, 4963 Yellowstone Avenue, Chubbuck, spoke in opposition to the proposal and shared her concerns regarding possible tax increases and the potential strain on City water services.

Idaho Lorax, Pocatello resident, spoke in opposition to the proposal and shared his concerns regarding possible necessary environmental assessments.

Mr. Satterfield responded to the concern regarding additional construction traffic in the area. He stated that when there are construction projects anywhere in the city, there is a potential impact on surrounding residents. Mr. Satterfield added that there are three different routes available to reach the proposed development and law enforcement should be contacted if motorists do not abide by city codes.

In response to a question from Council, Mr. Satterfield stated since his family began developing properties in the 1930's, water concerns have been a high priority in all projects. He feels that working together with the City of Pocatello on future developments on water issues will bring about positive results.

There being no further public comments, Mayor Blad closed the public hearing.

A motion was made by Mr. Orr, seconded by Mr. Johnston, to approve a request by Ryan Satterfield of Pocatello Creek Development Corp, represented by Rocky Mountain Engineering and Surveying, for approximately 14.44-acre area of land extending the City limits east on an extension of Lois Lane, east of Crestview Park 1<sup>st</sup> Addition that is currently located within the Area of City Impact for the following: 1) that the property be annexed into the corporate boundaries of the City of Pocatello; 2) that the Comprehensive Plan Map designation be "Residential", and 3) that the subject property shall have a zoning designation of "Residential Low Density (RL)" and that the decision be set out in appropriate Council Decision format. Upon roll call, those voting in favor were Orr, Johnston, Bray, Brown, Cooper and Moore.

AGENDA ITEM NO. 9: Council was asked to approve, subject to Legal Department review, -B.I.D. MANAGEMENT AGREEMENT a renewal of the management agreement with Old Town Pocatello to administer and manage the operations of the Business Improvement District (B.I.D.). Council may also wish to acknowledge that they have reviewed the employment agreement of Stephanie Palagi with Old Town Pocatello as provided for in the management agreement.

A motion was made by Mr. Bray, seconded by Mr. Orr, to approve, subject to Legal Department review, a renewal of the management agreement with Old Town Pocatello to administer and manage the

operations of the Business Improvement District (B.I.D.) and acknowledge that they have reviewed the employment agreement of Stephanie Palagi with Old Town Pocatello as provided for in the management agreement. Upon roll call, those voting in favor were Bray, Orr, Brown, Cooper, Johnston and Moore.

AGENDA ITEM NO. 10: Council was asked to approve a request from Dave McKinnon representing Western States Equipment Company (mailing address: 8403 South 5<sup>th</sup> Avenue, Pocatello, ID 83204) for an exception to City Code 15.12.080 that restricts the capacity of above ground fuel tanks. City Code limits tank capacity to 1,000 gallons and Western States would like to install multiple tanks that exceed the allowed capacity.

Building and Fire Department staff recommended approval of the request.

A motion was made by Mr. Moore, seconded by Mr. Cooper, to approve a request from Dave McKinnon, representing Western States Equipment Company, for an exception to City Code 15.12.080 that restricts the capacity of above ground fuel tanks and allow multiple tanks that exceed the allowed capacity of 1,000 gallons at the facility located at 8403 South 5<sup>th</sup> Avenue. Upon roll call, those voting in favor were Moore, Cooper, Bray, Brown, Johnston and Orr.

AGENDA ITEM NO. 11: Council was asked to accept the Rural Capital Section 5339 Grant, subject to Legal Department review, and authorize the Transit Director to execute the grant and any amendments that may apply. Idaho Transportation Department (ITD) awarded \$525,000.00 for Capital Improvements and equipment for Pocatello Regional Transit's (PRT) new Operations and Maintenance Facility. Funds were delayed until the approval of ITD's State Management Plan. Two installments will be made, one for Fiscal Year 2014 in the amount of \$399,000.00 and one for Fiscal Year 2015 in the amount of \$126,000.00.

The first installment is available upon Council approval, and the second is expected to be available in the spring of 2016. Federal and State rules apply. The local share is from PRT Rural Program revenues and no City funds will be used.

A motion was made by Mr. Johnston, seconded by Mr. Orr, to accept the Rural Capital Section 5339 Grant, subject to Legal Department review, and authorize the Transit Director to execute the grant and any amendments that may apply and that the Idaho Transportation Department award of \$525,000.00 for capital improvements and equipment for Pocatello Regional Transit's (PRT) new Operations and maintenance Facility funding will be received in two installments: 1) for Fiscal Year 2014 in the amount of \$399,000.00 and 2) for Fiscal Year 2015 in the amount of \$126,000.00, expected to be available in the spring of 2016 and that all Federal and State rules shall apply. Upon roll call, those voting in favor were Johnston, Orr, Bray, Brown, Cooper and Moore.

AGENDA ITEM NO. 12: Council was asked to adopt a Resolution supporting the legislative efforts of creating a new class of liquor licenses which will allow full service restaurants in resort cities to serve up to 3 mixed drinks, per person, with meals for their customers while minimizing impacts to existing license holders in an effort to benefit the local and state tourist economy in Idaho.

A motion was made by Mr. Brown, seconded by Mr. Cooper, to adopt a Resolution (2016-01) supporting the legislative efforts of creating a new class of liquor licenses which will allow full service restaurants in Idaho to serve up to 3 mixed drinks, per person, with meals for their customers while

minimizing impacts to existing license holders in an effort to benefit the local and state tourist economy in Idaho. Upon roll call, those voting in favor were Brown, Cooper, Bray, Johnston, Moore and Orr.

Mayor Blad explained that in smaller resort communities, such as Driggs, only a few liquor licenses can be held by businesses. With the proposed legislation, an additional classification could be added to allow full service restaurants to serve limited amounts of alcohol. Mayor Blad clarified that Pocatello is not classified as a resort town, but still supports the state legislation.

AGENDA ITEM NO. 13: Council was asked to authorize the Mayor's signature on a DEQ COMPLIANCE AGREEMENT -PUBLIC WORKS  
Council was asked to authorize the Mayor's signature on a Compliance Agreement Schedule (CAS) with the Department of Environmental Quality (DEQ) for the City's public drinking water system. The CAS is necessary to protect the health and welfare of the citizens utilizing the water system and includes the requirements for submission of a Facility Planning Study and revised request for waiver distribution pressure requirements.

Funds for this study are allocated within the Fiscal Year 2016 Water Department budget.

A motion was made by Mr. Moore, seconded by Mr. Bray, to authorize the Mayor's signature on a Compliance Agreement Schedule (CAS) with the Department of Environmental Quality (DEQ) for the City's public drinking water system and that the CAS will include the requirements for submission of a Facility Planning Study and revised request for waiver distribution pressure requirements. Upon roll call, those voting in favor were Moore, Bray, Brown, Cooper, Johnston and Orr.

AGENDA ITEM NO. 14: Council was asked to authorize the Mayor to sign Supplemental SUPPLEMENTAL NO. 3/ PROFESSIONAL SERVICES AGREEMENT -LEWIS STREET BRIDGE PROJECT  
Council was asked to authorize the Mayor to sign Supplemental Agreement No. 3 to the Local Professional Services Agreement between Keller Associates, Inc. and the City of Pocatello for foundation redesign at Idaho Transportation Department's request. The cost of this supplemental agreement is \$24,600.00 which brings the total amount of the agreement to \$269,000.00. The project requires a 7.34% match, which is budgeted in Fund 70 through transfers from the Street Department.

A motion was made by Mr. Moore, seconded by Mr. Brown, to authorize the Mayor to sign Supplemental Agreement No. 3 to the Local Professional Services Agreement between Keller Associates, Inc. and the City of Pocatello for foundation redesign at Idaho Transportation Department's request and that the cost of this supplemental agreement is \$24,600.00, requiring a 7.34% match, which is budgeted in Fund 70 through transfers from the Street Department. Upon roll call, those voting in favor were Moore, Brown, Bray, Cooper, Johnston and Orr.

AGENDA ITEM NO. 15: Council was asked to approve and authorize the Mayor to sign the LEASE AGREEMENTS -AIRPORT  
following agreements for property at the Airport:

BRUCE BEARD (a) 1,760 square feet of hangar space, one-year term with four one-year renewal options, \$219.59 per month;

BILL EHRSTROM (b) 1,760 square feet of hangar space, one-year term with four one-year renewal options, \$219.59 per month;

MARK EDWARDS/ (c) 1,760 square feet of hangar space, one-year term with four one-year

ELMER SMITH renewal options, \$219.59 per month;

All rental rates will be reviewed annually and increased at least by the amount of the Consumer Price Index for the previous year. All leases are subject to Legal Department review.

A motion was made by Mr. Orr, seconded by Mr. Cooper, to approve and authorize the Mayor to sign lease agreements for property at the Airport as outlined in Agenda Item No. 15(a) through 15(c) and that all rental rates will be reviewed annually and increased at least by the amount of the Consumer Price Index for the previous year, subject to Legal Department review. Upon roll call, those voting in favor were Orr, Cooper, Bray, Brown, Johnston and Moore.

AGENDA ITEM NO. 16: Idaho Lorax, Pocatello resident, shared his concerns regarding proper protocol while meeting with public officials at City facilities. He feels consistency is important when he attends public meetings.  
DISCUSSION ITEMS

Ruth Whitworth, City Clerk, offered to give Mr. Lorax paperwork regarding his City Council candidacy at that time.

Mayor Blad clarified to Mr. Lorax that he is trespassed from City properties but he is allowed to attend public meetings and turn in appropriate candidacy paperwork.

Mr. Lorax refused to accept the paperwork.

Niki Taysom, 4963 Yellowstone Avenue, Chubbuck, shared her concerns regarding alcohol licensing, union benefits, Tax Increment Financing (TIF) Districts and the Constitution.

Kelly Benningfield, 624 West Cedar Street, shared his concerns regarding Idaho State University, the Pocatello Development Authority and City property.

Doug Coffin, 1231 South 3<sup>rd</sup> Avenue, shared his support for the completion of South Valley Road and asked that one of the three bridges be named the "Greg P. Leger Memorial Bridge." Mr. Coffin added that Greg Leger was a Pocatello resident who attended school in Pocatello, fought in the Vietnam War, was an engineer for the Union Pacific Railroad and was killed in an automobile accident in 1981. He feels it would be appropriate to name a bridge in Mr. Leger's honor.

AGENDA ITEM NO. 17: This time was set aside for the annual State of the City Report.  
STATE OF THE CITY A taped report from Mayor Blad and City Department heads  
REPORT highlighting special projects over the past year was viewed. Mayor  
Blad added that 2015 was a great year and City departments have  
accomplished many worthwhile projects. He thanked City staff and the City Council for working hard  
on projects and stated he is looking forward to the developments and improvements which will take  
place in 2016.

Mayor Blad emphasized that Pocatello unemployment rates remain low, job creation is continuing and according to the Idaho Department of Labor, Pocatello continues to lead Idaho out of the recession.

There being no further business, Mayor Blad adjourned the meeting at 7:19 p.m.

APPROVED BY:

---

BRIAN C. BLAD, MAYOR

ATTEST:

---

RUTH E. WHITWORTH, CMC, CITY CLERK

PREPARED BY:

---

KONNI R. KENDELL, DEPUTY CLERK