

CITY OF POCA TELLO, IDAHO  
CITY COUNCIL AGENDA  
CLARIFICATION MEETING AND  
REGULAR CITY COUNCIL MEETING  
MARCH 17, 2016

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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 Roger Bray, Steve Brown, Craig Cooper, Jim Johnston, Gary Moore and Michael L. Orr. 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 6:00 p.m. ROLL CALL AND by Mayor Brian Blad. Council members present were Roger Bray, PLEDGE OF Steve Brown, Craig Cooper, Jim Johnston, Gary Moore and Michael ALLEGIANCE L. Orr.

Mayor Blad led the audience in the pledge of allegiance.

AGENDA ITEM NO. 2: The invocation was offered by Pastor Jaqueline Thomas, Praise INVOCATION Temple of God.

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 the February 25 and March 3, 2016 Budget Development meetings; and the March 3, 2016 Clarification and Regular Council meetings.

-TREASURER'S (b) Consider the Treasurer's Report for March, showing cash and REPORT investments as of February 29, 2016 in the amount of \$51,216,865.72.

-CHILD CARE (c) Confirm the Mayor's appointment of Robert Croker to serve as a ADVISORY member of the Child Care Advisory Committee, replacing Hanna COMMITTEE Geshelin who resigned. Dr. Croker's term will begin March 18, APPOINTMENT 2016 and will expire March 18, 2020.

-HUMAN RELATIONS (d) Confirm the Mayor's reappointment of Terry Brooks to continue his ADVISORY service as a member of the Human Relations Advisory Committee. COMMITTEE Mr. Brooks' term will begin March 22, 2016 and will expire March REAPPOINTMENT 22, 2020.

-AIRPORT USE (e) Approve and authorize the Mayor to sign a Use Agreement between AGREEMENT the City and Rick C. Morrison, dba Pocatello Motocross Park, for -POCA TELLO the use of City property adjacent to the Motocross Park's leased MOTOCROSS PARK property for a one-day enduro cross country event on April 2, 2016. The use fee will be \$110.31. This is an annual event.

-COUNCIL DECISION (f) Adopt the Council's decision approving the Final Plat for  
-COUNTRYSIDE 7<sup>TH</sup> Countryside 7<sup>th</sup> Addition which divides 4.28 acres into seven (7)  
ADDITION residential lots, subject to conditions. The property is southwest of  
Mountain Shadow Drive on an extension of Foxmore Street.  
Majority of the property is zoned Residential Low Density (RL) with the rear of Lots 2-4 Block 2 being  
zoned Residential Estate (RE).

A motion was made by Mr. Moore, seconded by Mr. Johnston, to approve the items on the consent  
agenda. Upon roll call, those voting in favor were Moore, Johnston, Bray, Brown, Cooper and Orr.

AGENDA ITEM NO. 4: Mayor Blad recognized Boy Scouts from Troop No. 353 in  
COMMUNICATIONS attendance.  
AND PROCLAMATIONS

Mr. Johnston, on behalf of Mayor Blad, declared March 2016 to be "March for Meals Month" and urged  
citizens to honor the Meals on Wheels programs.

Andrea DeMartinis, representative of SEICAA, accepted the proclamation and thanked the Mayor and  
Council for the recognition.

Members of the Council made personal donations to SEICAA at this time.

AGENDA ITEM NO. 5: Mayor Blad reminded the Council of the April 7<sup>th</sup> Budget  
CALENDAR REVIEW Development Meeting at 9:00 a.m. and Regular City Council  
meeting at 6:00 p.m.; and the April 14<sup>th</sup> Study Session at 9:00 a.m.

Mayor Blad announced the Chrome in the Dome car show will be held at Holt Arena on March 18<sup>th</sup> and  
19<sup>th</sup>; Marshall Public Library and the Pocatello Police Department will be teaming up to "Fight Scams"  
on March 22<sup>nd</sup> at 6:30 p.m. Residents will learn how to protect themselves from scams; the Police  
Department Citizens Academy begins April 4<sup>th</sup>. Contact the Police Department to apply; April 4<sup>th</sup>  
begins the annual spring cleanup at City cemeteries. Crews will be removing and discarding all flowers  
and decorations. Lot owners are asked to remove these items before the cleanup begins. The cleanup is  
expected to last about one month; and the annual street clean-up to remove sand and gravel distributed  
over the winter months has started. Residents are asked to remove vehicles from the street so sweepers  
can run more efficiently. Tentative sweeping schedule is listed on the Street Operations Department  
Facebook page or by calling the Street Operations Department.

AGENDA ITEM NO. 6: Emily Blom Merkley was present to appeal the decision of Police  
CHILD CARE LICENSE Department staff which denied Ms. Merkley a Child Care license.  
DENIAL APPEAL  
-MERKLEY

Jené Cardenas, Licensing Officer, stated Ms. Merkley's license was suspended after admitting to a crime  
in violation of City Code. She stated Ms. Merkley has been ordered by the court to meet several  
conditions as part of her sentence.

A motion was made by Mr. Moore, seconded by Mr. Orr, to overturn the decision of the Police  
Department and approve a Child Care license for Emily Blom Merkley with conditions as defined by the  
court. Upon roll call, those voting in favor were Moore, Orr, Bray, Brown, Cooper and Johnston.

AGENDA ITEM NO. 7: Kenneth Curzon was present to appeal the decision of Police TAXI LICENSE Department staff which denied Mr. Curzon a Taxi license. DENIAL APPEAL -CURZON

A motion was made by Mr. Moore, seconded by Mr. Johnston, to overturn the decision of the Police Department and approve a Taxi license for Kenneth Curzon. Upon roll call, those voting in favor were Moore, Johnston, Bray, Brown, Cooper and Orr.

AGENDA ITEM NO. 8: This time was set aside for the Council to hear comments from the PUBLIC HEARING public concerning changes to Municipal Code 15.20, Sign Code. -MODIFICATIONS TO THE SIGN CODE The proposed changes are removing “government agency” and “government facility” from Municipal Code 15.20.030, Definitions and 15.20.240, Off Premises/Billboard Signs, and to add “Residential Commercial Professional zoning district” to 15.20.240(B)(7)(b).

At their hearing on February 24, 2016, the Planning and Zoning Commission recommended approval of the changes except for the changes to noticing purposes for off-premises signs.

Mayor Blad opened the public hearing

Terri Neu, Associate Planner, gave an overview of the proposed changes. She stated the modifications are being proposed to clarify the current Sign Code. Ms. Neu explained the difference between on premise and off premise signs. She noted the government facility restriction is proposed to be removed from the sign code

Mayor Blad announced that no correspondence had been received.

Niki Taysom, 4963 Yellowstone Avenue, Chubbuck, spoke in opposition to the proposed changes. She feels businesses should be allowed to advertise on any sign if it is located on their own property. Ms. Taysom added that she is concerned with advertising related to items she feels are inappropriate in content.

Ms. Neu stated that businesses with an off premise sign on their property are restricted from advertising their own business on the off premise sign. This allows the business to comply with existing sign guidelines.

A motion was made by Mr. Brown, seconded by Mr. Cooper, to approve changes to Municipal Code 15.20, Sign Code, removing “government agency” and “government facility” from Municipal Code 15.20.030, Definitions and 15.20.240, Off Premises/Billboard Signs, and to add “Residential Commercial Professional zoning district” to 15.20.240(B)(7)(b) and that staff prepare an ordinance for Council’s consideration. Upon roll call, those voting in favor were Brown, Cooper, Bray, Johnston, Moore and Orr.

AGENDA ITEM NO. 9: Council was asked to accept the recommendation of staff regarding CDBG 2017-2021 the Community Development Block Grant (CDBG) 2017-2021 CONSOLIDATED PLAN Consolidated Plan, subject to Legal Department review, as follows:

BID (a) Accept the lowest cost, most qualified proposal received from BBC -BBC RESEARCH Research and Consulting in the amount of \$26,170.00 and, if the bid

AND CONSULTING is accepted;  
CONTRACT (b) Authorize the Mayor's execution of a contract between the City of  
-BBC RESEARCH Pocatello and BBC Research and Consulting in the amount of AND  
CONSULTING \$26,170.00.

The project includes completion of the plan and a housing market analysis and homeless needs assessment. The plan is a requirement for receipt of Department of Housing and Urban Development Community Development Block Grant funds. Funding for the plan was previously approved in CDBG Action Plan administrative allocations for Program Year 2016.

A motion was made by Mr. Bray, seconded by Mr. Johnston, to accept the recommendation of staff regarding the Community Development Block Grant 2017-2021 Consolidated Plan, as outlined in Agenda Item No. 9(a) and 9(b), subject to Legal Department review. Upon roll call, those voting in favor were Bray, Johnston, Brown, Cooper, Moore and Orr.

AGENDA ITEM NO. 10: Council was asked to authorize the Mayor's signature on a Water  
WATER RIGHTS Rights Lease Agreement with Blair Dance to lease 10,000 acre feet  
LEASE AGREEMENT of Palisades storage water from the City for \$20.00 per acre foot,  
-DANCE plus administration fees and 50% of any impact fees assessed for the  
2016 water season, subject to conditions. The lease is renewable in  
one year increments for an additional four (4) years.

A motion was made by Mr. Orr, seconded by Mr. Moore, to authorize the Mayor's signature on a Water Rights Lease Agreement with Blair Dance to lease 10,000 acre feet of Palisades storage water from the City for \$20.00 per acre foot, plus administration fees and 50% of any impact fees assessed for the 2016 water season, subject to conditions, and that the lease is renewable in one year increments for an additional four (4) years. Upon roll call, those voting in favor were Orr, Moore, Bray, Brown, Cooper and Johnston.

AGENDA ITEM NO. 11: Council was asked to accept the recommendations of Street  
PIGGY-BACK BID Department staff and award a State of Idaho piggy-back bid from  
-ANNUAL PAVEMENT Ennis-Flint in the amount of \$44,074.75 for the purchase of  
MARKING PROGRAM pavement marking paint and, if the bid is awarded, authorize the  
Mayor's signature on necessary documents. The paint will be used  
for the summer 2016 pavement marking program and funds are available in the Street Department's  
Fiscal Year 2016 budget.

A motion was made by Mr. Bray, seconded by Mr. Johnston, to accept the recommendations of Street Department staff and award a State of Idaho piggy-back bid from Ennis-Flint in the amount of \$44,074.75 for the purchase of pavement marking paint and, if the bid is awarded, authorize the Mayor's signature on necessary documents for the summer 2016 pavement marking program. Upon roll call, those voting in favor were Bray, Johnston, Brown, Cooper, Moore and Orr.

AGENDA ITEM NO. 12: Council was asked to authorize the Mayor's signature on a Letter of  
MERCER Intent to Mercer Marketplace for private insurance exchange  
MARKETPLACE services.  
INSURANCE-LETTER  
OF INTENT

A motion was made by Mr. Orr, seconded by Mr. Cooper, to deny the request to authorize the Mayor's signature on a Letter of Intent to Mercer Marketplace for private insurance exchange services.

Mr. Bray stated he feels approving the request is necessary to move forward.

Mr. Johnston urged the Council to vote the motion down, as he feels approval of the letter is a necessary step.

Mr. Orr's motion was voted upon at this time. Those voting in favor were Orr, Cooper, Brown and Moore. Bray and Johnston voted in opposition to the motion. The motion passed.

AGENDA ITEM NO. 13: Council was asked to consider a contract with Bannock County in the amount of \$375.00 to rent the Wellness Complex on July 2, 2016 for a Pocatello Triathlon as part of scheduled Independence Day activities, and if approved, authorize the Mayor's signature on the contract documents. Outdoor Recreation staff anticipates 400 individuals to participate in the event. Funds are available in the Outdoor Recreation's Fiscal Year 2016 budget.

RENTAL OF WELLNESS  
COMPLEX-OUTDOOR  
RECREATION  
DEPARTMENT

A motion was made by Mr. Brown, seconded by Mr. Moore, to approve a contract with Bannock County in the amount of \$375.00 to rent the Wellness Complex on July 2, 2016 for a Pocatello Triathlon as part of scheduled Independence Day activities and authorize the Mayor's signature on the contract documents, subject to Legal Department approval. Upon roll call, those voting in favor were Brown, Moore, Bray, Cooper, Johnston and Orr.

AGENDA ITEM NO. 14: Council was asked to approve a Use Agreement with Pocatello Lacrosse Club to use O.K. Ward Park for their high school and youth lacrosse programs, subject to Legal Department review. The agreement allows use of the park for scheduled games during the months of March, April, May and June 2016. Pocatello Lacrosse Club will be responsible for any damages incurred by their use, pay applicable fees, and provide liability insurance naming the City as an additional insured.

USE AGREEMENT  
-POCATELLO  
LACROSSE CLUB

A motion was made by Mr. Cooper, seconded by Mr. Brown, to approve a Use Agreement with Pocatello Lacrosse Club to use O.K. Ward Park for their high school and youth lacrosse programs, subject to Legal Department review, and that the agreement will allow use of the park for scheduled games during the months of March, April, May and June 2016 and the Pocatello Lacrosse Club will be responsible for any damages incurred by their use, pay applicable fees, and provide liability insurance naming the City as an additional insured. Upon roll call, those voting in favor were Cooper, Brown, Bray, Johnston, Moore and Orr.

AGENDA ITEM NO. 15: Council was asked to accept the recommendations of Police Department staff to purchase the following vehicles, subject to Legal Department review, from Teton Toyota who submitted the lowest responsive bid for two used vehicles in the amount of \$36,748.00. The recommendations are:

POLICE DEPARTMENT  
VEHICLES TRADE IN  
AND PURCHASE-BID

- GMC TRUCK a) One-2012 GMC truck in the amount of \$21,943.00; and
- HONDA CRV b) One-2011 Honda CRV in the amount of \$14,805.00.

If approved, staff proposes to trade-in two (2) older vehicles from the Detective Division and seven (7) drug seizure vehicles to Teton Toyota for a total trade-in allowance of \$14,250.00 to help off-set the

purchase price. The final purchase price bid offer is \$21,000.00 and is within the budgeted amount. A motion was made by Mr. Moore, seconded by Mr. Orr, to accept the recommendations of Police Department staff to purchase the following vehicles, subject to Legal Department review, from Teton Toyota who submitted the lowest responsive bid for two used vehicles in the amount of \$36,748.00: a) One-2012 GMC truck in the amount of \$21,943.00; and b) one-2011 Honda CRV in the amount of \$14,805.00 and allow the trade-in of two (2) older vehicles from the Detective Division and seven (7) drug seizure vehicles to Teton Toyota for a total trade-in allowance of \$14,250.00 to help off-set the purchase price and that the final purchase price bid offer is \$21,000.00. Upon roll call, those voting in favor were Moore, Orr, Bray, Brown, Cooper and Johnston.

AGENDA ITEM NO. 16: Council was asked to award the bid and authorize the Water  
BID ACCEPTANCE Pollution Control (WPC) Department to purchase one 2016 Sanitary  
AND VEHICLE Sewer Jet Truck from MetroQuip, Inc. at a cost of \$287,850.00, less  
TRADE-IN an \$8,000.00 trade-in allowance for a model year 2000 Vector jet  
-WATER POLLUTION truck. After trade-in, the total purchase price will be \$279,850.00.  
CONTROL Funds are available in the WPC Fiscal Year 2016 budget.

A motion was made by Mr. Johnston, seconded by Mr. Cooper, to award the bid and authorize the Water Pollution Control (WPC) Department to purchase one 2016 Sanitary Sewer Jet Truck from MetroQuip, Inc. at a cost of \$287,850.00, less an \$8,000.00 trade-in allowance for a model year 2000 Vector jet truck, and that the total purchase price will be \$279,850.00. Upon roll call, those voting in favor were Johnston, Cooper, Bray, Brown, Moore and Orr.

AGENDA ITEM NO. 17: Council was asked to consider the following ordinances:

PROPERTY a) An Ordinance affecting the conveyance of 0.94 acres owned by the  
CONVEYANCE City to the adjacent property owner, Mr. Barry W. Lewis. A Public  
-LEWIS Hearing on this matter was held on March 3, 2016, after which  
Council directed the preparation of this Ordinance. The Ordinance  
authorizes the Mayor to execute a deed to convey the City's property to Mr. Barry W. Lewis.

A motion was made by Mr. Moore, seconded by Mr. Johnston, that the ordinance, Agenda Item No. 17(a), be read only by title and placed on final passage for publication, and that only the ordinance summary sheet be submitted for publication. Upon roll call, those voting in favor were Moore, Johnston, Bray, Brown, Cooper and Orr.

Dean Tranmer, City Attorney, read the ordinance by title.

Mayor Blad declared the final reading of the ordinance affecting the conveyance of 0.94 acres owned by the City to the adjacent property owner, Mr. Barry W. Lewis. Mayor Blad asked "Shall the ordinance pass?" Upon roll call, those voting in favor were Bray, Brown, Cooper, Johnston, Moore and Orr. Mayor Blad declared the ordinance and summary sheet passed, that it be numbered 2965 and be submitted to the Idaho State Journal for publication.

PROPERTY b) An Ordinance affecting the conveyance of 0.27 acres owned by the  
CONVEYANCE City to the adjacent property owners, Mr. and Mrs. James and Jessica  
-HIGGINS Higgins. A Public Hearing on this matter was held on March 3,  
2016, after which Council directed the preparation of this  
Ordinance. The Ordinance authorizes the Mayor to execute a deed to convey the City's property to Mr.  
and Mrs. James and Jessica Higgins.

A motion was made by Mr. Johnston, seconded by Mr. Bray, that the ordinance, Agenda Item No. 17(b), be read only by title and placed on final passage for publication, and that only the ordinance summary sheet be submitted for publication. Upon roll call, those voting in favor were Johnston, Bray, Brown, Cooper and Moore. Mr. Orr voted in opposition to the motion. The motion passed.

Dean Tranmer, City Attorney, read the ordinance by title.

Mayor Blad declared the final reading of the ordinance affecting the conveyance of 0.27 acres owned by the City to the adjacent property owners, Mr. and Mrs. James and Jessica Higgins. Mayor Blad asked "Shall the ordinance pass?" Upon roll call, those voting in favor were Bray, Brown, Cooper, Johnston, Moore and Orr. Mayor Blad declared the ordinance and summary sheet passed, that it be numbered 2966 and be submitted to the Idaho State Journal for publication.

AGENDA ITEM NO. 18: Idaho Lorax, Pocatello resident, suggested the use of visual aids when reading property descriptions. He expressed his support for local news sources and cleanup efforts in conjunction with Earth Day.

Niki Taysom, 4963 Yellowstone Avenue, Chubbuck, shared her support of Easter celebrations. She expressed her disapproval of recent public events at Idaho State University.

Mayor Blad reminded Mr. Lorax of his obligation to leave after addressing the Council.

Morgan Pitcock, 927 South 8<sup>th</sup> Avenue, representative of the International Affairs Council at Idaho State University (ISU), thanked the Mayor and Council for support of the recent Frank Church Symposium at ISU. He presented an appreciation plaque to the Mayor and a plaque to Bill Collins, Police Department, for their participation in the successful symposium.

Ms. Taysom was asked to leave the Council Chambers at this time due to her disruptive behavior.

Kelly Benningfield, 624 West Cedar Street, shared his concerns regarding water supply, the water treatment plant upgrade costs and services provided by Idaho Power. He presented a written list of questions to Mayor Blad.

There being no further business, Mayor Blad adjourned the meeting at 7:18 p.m.

APPROVED BY:

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BRIAN C. BLAD, MAYOR

ATTEST:

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RUTH E. WHITWORTH, CMC, CITY CLERK

PREPARED BY:

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KONNI R. KENDELL, DEPUTY CLERK