

CITY OF POCA TELLO, IDAHO
CITY COUNCIL AGENDA
CLARIFICATION MEETING AND
REGULAR CITY COUNCIL MEETING
MAY 5, 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 Roger Bray, Steve Brown, Craig Cooper, Jim Johnston, Gary Moore and Michael L. Orr.

REGULAR CITY COUNCIL MEETING

AGENDA ITEM NO. 1: The Regular City Council meeting was called to order at 6:00 p.m. by Mayor Brian Blad. Council members present were Roger Bray, Steve Brown, Craig Cooper, Jim Johnston, Gary Moore and Michael L. Orr.

Mayor Blad led the audience in the pledge of allegiance.

AGENDA ITEM NO. 2: The invocation was given by Pastor Mike Popovich, representing First Baptist Church.

Mayor Blad announced that Agenda Item No. 7 and No. 13 had been pulled from the agenda.

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 Budget Development meetings of April 7, 14 and 21, 2016; April 14, 2016 Study Session; April 14, 2016 Executive Session and the Clarification and Regular Council meetings of April 21, 2016.

-PAYROLL AND MATERIAL CLAIMS (b) Consider payroll and material claims for the month of April 2016 in the amount of \$7,331,554.04.

-ANIMAL SHELTER ADVISORY BOARD APPOINTMENT (c) Confirm the Mayor's appointment of Brandi Jacobia to serve as a member of the Animal Shelter Advisory Board, replacing Glenda Bellanca who resigned. Ms. Jacobia's term will begin May 5, 2016 and will expire June 6, 2018.

-CHILD CARE ADVISORY COMMITTEE APPOINTMENT (d) Confirm the Mayor's appointment of Cheli Brubaker to serve as a member of the Child Care Advisory Committee, replacing Jeanette Hunt who resigned. Ms. Brubaker's term will begin May 5, 2016 and will expire October 21, 2017.

-VETERANS OF FOREIGN WARS ANIMAL LICENSING CAMPAIGN (e) Authorize the Veterans of Foreign Wars Post No. 735 of the United States of America to conduct the May 2016 half-price licensing campaign in the City of Chubbuck by selling Pocatello license tags at Smith's, PetCo and Walmart stores which are located in Chubbuck.

- RATIFICATION (f) Ratify a Shelter Animals Count (SAC) Program grant application.
-SHELTER ANIMAL The \$1,000.00 was made available for organizations that signed up
NUMBERS PROGRAM by April 30, 2016. The Shelter will submit data into the SAC
GRANT database each month as part of a national database. There are no
matching funds.

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

- AGENDA ITEM NO. 4: Mr. Brown expressed his appreciation to Council member Cooper
COMMUNICATIONS and congratulated Mr. Cooper on his appointment to the office
AND PROCLAMATIONS of Bannock County Commissioner.

Mr. Cooper read a proclamation on behalf of Mayor Blad declaring May 1 through May 7, 2016 as Municipal Clerks Week.

Mayor Blad presented the proclamation to Ruth Whitworth, City Clerk.

Ms. Whitworth thanked the Mayor and Council for the proclamation.

Mr. Orr, on behalf of Mayor Blad, read a proclamation declaring the month of May 2016 as Bike to Work Month in Pocatello.

Nicki Richards, representative of Bannock Transportation Planning Organization, accepted the proclamation and thanked the Mayor and Council for the proclamation and announced upcoming "Bike to Work" activities in the community.

Mr. Moore, on behalf of Mayor Blad, read a proclamation declaring May 5, 2016 to be Day of Prayer and encouraged citizens to participate in the day's activities.

Mayor Blad presented the proclamation to Reverend Jim Jones, representing Blazing Grace Church.

- AGENDA ITEM NO. 5: Mayor Blad reminded the Council of the May 12th Study
CALENDAR REVIEW Session at 9:00 a.m. followed by a Budget meeting; and the May 19th
Regular City Council meeting at 6:00 p.m.

Mayor Blad announced the Portneuf Valley Fun Run Series starts with the Law Day Run on May 7th. Contact Parks and Recreation for more information; May 7th will be the Animal Services Rabies and Microchip Clinic at the Bannock County Fairgrounds from 9:00 a.m. to 1:00 p.m.; Chamber of Commerce City Wide Cleanup Day will be held May 7th with a breakfast beginning at 8:30 a.m. at Caldwell Park; May 10th and 11th the Animal Shelter office will be closed; however, Animal Control officers will still be available to respond to calls; City surplus auction will be held on May 14th at Prime Time Auctions; the Field of Heroes Event will be held at Century High School May 27th through May 30th; dog licenses are on sale for half-price throughout the month of May; Mother's Day is Sunday, May 8th; and May is Historic Preservation Month.

Mayor Blad welcomed a Boy Scout from Troop No. 347 in attendance.

AGENDA ITEM NO. 6: Tegan Black was present to appeal the decision of Police Department
CHILD CARE LICENSE staff which denied Ms. Black a child care license.
DENIAL APPEAL-BLACK

Jené Cardenas, License Enforcement Officer, stated Ms. Black's child care license was denied due to Ms. Black's admitted use of a controlled substance and a misdemeanor assault violation in 2006. Ms. Cardenas added that Ms. Black has had no further violations and fulfilled all of her probation requirements.

Tegan Black stated that she has applied for a child care license so she can be a substitute child care provider at her sister's daycare. She added that it has been nearly ten years since she made poor life choices and she has worked daily to improve her life. Ms. Black stated she has a very strong support system and family members who help her make positive progress in her life.

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

AGENDA ITEM NO. 7: As announced earlier, the request from Satterfield Realty and
FINAL PLAT Development to subdivide approximately 15.85 acres into 23
-CRESTVIEW ESTATES, residential lots located east of Satterfield Drive, on an extension of
DIVISION 1 Lois Lane, had been pulled from the Agenda at the request of the
applicant.

AGENDA ITEM NO. 8: Council was asked to consider granting a beer/wine permit to
EXCEPTION REQUEST Karoline Hawkins (mailing address: 5910 Ruth, Chubbuck, ID
FOR BEER/WINE PERMIT 83202) for a graduation party at Ammon Park on May 7, 2016 from
-HAWKINS 12:00 noon to 5:00 p.m. Ms. Hawkins has submitted an application
to the City to allow the consumption of beer and wine at the event.

Approval by the Council is necessary since this park is not specifically identified in City Code 12.36.060 where the consumption of such beverages is allowed.

A motion was made by Mr. Moore, seconded by Mr. Brown, to grant a beer/wine permit to Karoline Hawkins for a graduation party at Ammon Park on May 7, 2016 from 12:00 noon to 5:00 p.m. and allow an exception to City Code 12.36.060 to allow the consumption of beer and wine. Upon roll call, those voting in favor were Moore, Brown, Bray, Cooper, Johnston and Orr.

AGENDA ITEM NO. 9: Council was asked to consider a request from Pocatello Raceway,
EXCEPTION REQUEST LLC represented by Jerry Bailey for an exception to their lease with
-MOTORCYCLE RALLY the City of Pocatello to allow a Motorcycle Rally event July 29, 30
AT POCATELLO and 31, 2016. Approval of an exception by Council is necessary
RACEWAY since pursuant to Section III of the lease provides as follows:
"Lessee may use the leased premises for automobile racing events,
concerts and/or carnivals and for no other purposes without the expressed authorization of the Lessor."

If Council approves the exception, Legal Department staff has recommended the following conditions: 1) all responsibilities of Section XXI Miscellaneous under subsection J. 2 – 7 which outlines additional responsibilities including providing for staffing coverage by the Pocatello Police Department and the payment obligations associated therewith; 2) Police Department approval of the Security Plan for the event; and 3) no overnight camping allowed.

A motion was made by Mr. Brown, seconded by Mr. Orr, to approve a request from Pocatello Raceway, LLC for an exception to their lease with the City of Pocatello to allow a Motorcycle Rally event July 29, 30 and 31, 2016 with the following conditions: 1) No overnight camping is permitted; 2) lessee must abide by the provisions in Section XXI Miscellaneous under Subsection J. 2-7 which outlines additional responsibilities which include providing staff coverage by the Pocatello Police Department and the payment obligations associated therewith; 3) purchase a \$50,000.00 Security Bond to cover the activities planned during the event; 4) the proposed Security Plan must be approved by the Pocatello Police Chief. If Chief Marchand does not approve of the proposed Security Plan by 5:00 p.m. on or before July 1, 2016, then the exception request granted by the City Council will be revoked; and 5) if an incident occurs during the event Chief Marchand has discretionary authority from the City Council to revoke the exception and terminate the use of the premises for the POW*MIA event. Upon roll call, those voting in favor were Brown, Orr, Bray, Cooper, Johnston and Moore.

AGENDA ITEM NO. 10: Council was asked to consider a Use Agreement, subject to Legal USE AGREEMENT Department review, with Grand Teton Council of the Boy Scouts of FOR DOUGLASS LANE America, Inc. (mailing address: 3901 South Yellowstone Highway, PROPERTY-BOY SCOUTS Idaho Falls, ID 83402) to use City property known as the Douglass OF AMERICA, INC. Lane Property to hold multiple Day Camps and Scout Camps, May 27, 2016 through June 18, 2016. The City agrees to waive usage fees in consideration of the improvements completed by various Eagle Scouts and additional improvements to be completed by Cub and Boy Scouts on the property. Terms of the agreement will be May 1, 2016 through July 31, 2016.

Boy Scouts of America will be responsible for any damages and costs as outlined in the agreement and will be required to provide liability insurance naming the City as an additional insured.

A motion was made by Mr. Bray, seconded by Mr. Johnston, to approve a Use Agreement, subject to Legal Department review, with Grand Teton Council of the Boy Scouts of America, Inc. to use City property known as the Douglass Lane Property to hold multiple Day Camps and Scout Camps, May 27, 2016 through June 18, 2016 and that the City agrees to waive usage fees in consideration of the improvements completed by various Eagle Scouts and addition improvements to be completed by Cub and Boy Scouts on the property and that the term of the agreement will be May 1, 2016 through July 31, 2016 and that the Boy Scouts of America will be responsible for any damages and costs as outlined in the agreement and will be required to provide liability insurance naming the City as an additional insured. Upon roll call, those voting in favor were Bray, Johnston, Brown, Cooper, Moore and Orr.

AGENDA ITEM NO. 11: Council was asked to accept the recommendation of Street PIGGY BACK BID Operations staff and approve a piggy-back bid from an Idaho -MICKELSON Transportation Department bid that was received from Mickelson CONSTRUCTION Construction Co., Inc. for hot mix asphalt in the amount of \$54.00 CO., INC. per ton. Funds for the asphalt purchase are available in the Street Operation's Fiscal Year 2016 budget.

A motion was made by Mr. Cooper, seconded by Mr. Moore, to accept the recommendation of Street Operations staff and approve a piggy-back bid from an Idaho Transportation Department bid that was received from Mickelson Construction Co., Inc. for hot mix asphalt in the amount of \$54.00 per ton. Upon roll call, those voting in favor were Cooper, Moore, Bray, Brown, Johnston and Orr.

AGENDA ITEM NO. 12: Council was asked to approve an Affiliation Agreement with Idaho State University (ISU) as recommended by Fire Department staff. ISU AFFILIATION AGREEMENT-FIRE This agreement enables ISU medical program students to complete a portion of their internship with the Pocatello Fire Department. This no cost agreement has been reviewed by the Legal Department and establishes expectations and requirements of all parties.

A motion was made by Mr. Moore, seconded by Mr. Cooper, to approve an Affiliation Agreement with Idaho State University (ISU) as recommended by Fire Department staff to enable ISU medical program students to complete a portion of their internship with the Pocatello Fire Department and that there will be no costs associated with the agreement. Upon roll call, those voting in favor were Moore, Cooper, Bray, Brown, Johnston and Orr.

AGENDA ITEM NO. 13: As announced earlier, the request to approve a revised lease agreement between the City and Pocatello and Solar One, LLC for 197.5 acres of bare ground property located at the Airport, had been POCATELLO SOLAR ONE, LLC "REVISED" AGREEMENT-AIRPORT pulled from the agenda.

AGENDA ITEM NO. 14: Mayor Blad called on Idaho Lorax, who signed up to speak, but Mr. DISCUSSION ITEMS Lorax was not in attendance when called upon.

Niki Taysom, 4963 Yellowstone Avenue, Chubbuck, shared her support for child safety and the Constitution.

Kelly Benningfield, 624 West Cedar Street, shared his concerns regarding water quality, costs associated with water treatment upgrades and HOKU. He gave a copy of his questions to City Attorney, Dean Tranmer.

Mr. Tranmer stated he is in the process of responding to Mr. Benningfield's previous request for information.

Cindy Moore, 1415 North Harrison Street, stated she is concerned about a fence that her neighbor has installed along the length of their shared driveway. She stated the Building Department issued the building permit and she feels her rights as a property owner have been violated. Ms. Moore presented pictures to the City Council to illustrate the property.

Mr. Cooper shared his appreciation to the Mayor and Council and expressed his gratitude for the opportunity to serve as a City Council member. He thanked the citizens of Pocatello and stated he is looking forward to serving as a Bannock County Commissioner.

It was noted that this would be Mr. Cooper's last meeting as a council member. He will begin his term as a Bannock County Commissioner on May 9, 2016.

There being no further business, Mayor Blad adjourned the meeting at 6:44 p.m.

APPROVED BY:

BRIAN C. BLAD, MAYOR

ATTEST:

RUTH E. WHITWORTH, CMC, CITY CLERK

PREPARED BY:

KONNI R. KENDELL, DEPUTY CITY CLERK