

CITY OF POCA TELLO, IDAHO
CITY COUNCIL AGENDA
CLARIFICATION MEETING AND
REGULAR CITY COUNCIL MEETING
JULY 21, 2016

CLARIFICATION
MEETING

The City Council Agenda Clarification meeting was called to order at 5:30 p.m. by Council President Steve Brown. Council members present were Roger Bray, Jim Johnston, Gary Moore and Michael L.

Orr. Mayor Brian Blad was excused. 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 Council President Steve Brown. Council members present were PLEDGE OF Roger Bray, Jim Johnston, Gary Moore and Michael L. Orr. Mayor ALLEGIANCE Brian Blad was excused.

Council President Brown led the audience in the pledge of allegiance.

AGENDA ITEM NO. 2: The invocation was offered by Pastor Brian Griffin, INVOCATION Pocatello Baptist 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 the June 9, 2016 Special City Council meeting; June 16, 2016 Clarification and Regular Council meeting; and the June 27, 2016 Special City Council meeting.

-TREASURERS (b) Consider the Treasurer's report for June showing cash and REPORT investments as of June 30, 2016 in the amount of \$39,815,176.59.

-FORT HALL (c) Confirm the Mayor's appointment of Sandra Rainey to serve as a REPLICA COMMISSION member of the Fort Hall Replica Commission, filling a long-term APPOINTMENT vacancy. Ms. Rainey's term will begin July 22, 2016 and will expire July 22, 2020.

-RENEWAL (d) Consider an agreement with Delta Dental to provide dental AGREEMENT insurance coverage to City employees for the 2017 Fiscal Year. The -DELTA DENTAL renewal agreement reflects a 5 percent increase in dental insurance premium rates. The new rates have been programmed into the Fiscal Year 2017 budget.

-DIGITIZATION (e) Approve a contract with FamilySearch, a nonprofit organization, to CONTRACT WITH digitize the Library's microfilm records of the Pocatello Tribune and FAMILYSEARCH Idaho State Journal dating January 1875 to current. There is no cost -MARSHALL PUBLIC to the City for this service. LIBRARY

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

Mr. Brown announced Agenda Item No. 10 had been pulled from the agenda at the request of the applicant.

AGENDA ITEM NO. 4: Mr. Brown welcomed a Boy Scout from Troop No. 347.
COMMUNICATIONS
AND PROCLAMATIONS

AGENDA ITEM NO. 5: Mr. Brown reminded the Council of the Budget Development
CALENDAR REVIEW meeting on July 28th at 9:00 a.m.; Regular City Council meeting on
August 4th at 6:00 p.m. and the August 11th Study Session at 9:00
a.m.

Mr. Brown announced Ross Park Aquatic Complex will host a Splash Dance on July 21st from 9:00 p.m. to 11:00 p.m.; the Lewis Street Bridge Project Information meeting will be held July 25th from 4:00 p.m. to 6:00 p.m. at City Hall; the POW*MIA Awareness Rally and Motorcycle Rodeo will be held at the Pocatello Airport July 29th through the 31st; the Pocatello Zoo Concerts and Open Air Art Fair will be held each Saturday at the Ross Park Band Shell from 3:00 p.m. to 7:00 p.m.; and the Ross Park Band Series will be held on Sunday evenings at 7:00 p.m. through August 7th.

Mr. Brown reminded residents that the Pocatello Neighborhood and Community Services Division will be accepting resident input through an online survey through July 31st. The survey is regarding the Community Development Block Grant Funds and paper copies of the survey are available at City Hall.

Mr. Brown announced a "Peace Vigil" would be held July 21st at 7:00 p.m. at Caldwell Park.

Mr. Johnston reminded residents that the International Choral Festival is being held at various locations in Pocatello through July 24th. He encouraged individuals to attend the upcoming performances by the visiting choirs.

AGENDA ITEM NO. 6: Tawnie Wigington has appealed the decision of Police Department
TAXI LICENSE staff which denied Ms. Wigington a taxi cab license.
DENIAL APPEAL
-WIGINGTON

Sergeant Ralph Daniels, Police Department Support Staff, stated Ms. Wigington's application for a taxi cab license was denied as Ms. Wigington had been charged and convicted of crimes relating to possession of a controlled substance.

Ms. Wigington was not in attendance at the meeting and Sergeant Daniels could not verify she was notified of the meeting.

A motion was made by Mr. Johnston, seconded by Mr. Moore, to postpone the vote regarding Ms. Wigington's appeal until she can attend to address the Council. Upon roll call, those voting in favor were Johnston, Moore, Bray, Orr and Brown.

AGENDA ITEM NO. 7: The Council was asked to consider the recommendations of staff for
BID/AGREEMENT the following requests regarding preparation of a Preservation Plan
-HISTORIC (Phase 1).
PRESERVATION PLAN

- BID TAG HISTORICAL RESEARCH a) Accept the bid from TAG Historical Research in the amount of \$3,000.00 for the development of a Historic Preservation Plan, Phase 1; and, if the bid is accepted;
- PROFESSIONAL SERVICE AGREEMENT TAG HISTORICAL RESEARCH b) Authorize the Mayor to sign a Professional Service Agreement with TAG Historical Research in the amount of \$3,000.00, subject to Legal Department review.

Funds for the preparation of the Historic Preservation Plan (Phase 1) are included in the Fiscal Year 2015 Certified Local Government Grant.

A motion was made by Mr. Bray, seconded by Mr. Johnston, to accept the recommendations of staff to a) accept the bid from TAG Historical Research in the amount of \$3,000.00 for the development of a Historic Preservation Plan, Phase 1; and b) authorize the Mayor to sign a Professional Service Agreement with TAG Historical Research in the amount of \$3,000.00, subject to Legal Department review. Upon roll call, those voting in favor were Bray, Johnston, Moore, Orr and Brown.

AGENDA ITEM NO. 8: Council was asked to consider granting a beer/wine permit to EXCEPTION REQUEST FOR BEER/WINE PERMIT-GRAVATT Melissa Gravatt (mailing address: Route 2 North Box 55A, Chubbuck, ID 83202) for a Family Reunion at OK Ward Park on July 22, 2016 from 6:00 p.m. to 10:00 p.m. Ms. Gravatt has submitted an application to the City to allow the consumption of beer and wine at the event. Approval by Council is necessary since this park is not specifically identified in City Code 12.36.060 where the consumption of such beverages is allowed.

Mr. Orr expressed his concern regarding the timeliness of Ms. Gravatt's request in relation to the date of the event. He shared his concern regarding the close proximity of the pavilion at OK Ward Park to Brooklyn's Playground.

Ms. Gravatt stated she chose the location of OK Ward Park for no specific reason and she ensured that extra effort would be given to control any issues which may arise during the event.

Mr. Johnston expressed his concern with the location choice of the event and asked if another location was available.

John Banks, Parks and Recreation Director, stated he was unsure of the availability of other City parks and that Parks and Recreation staff would be able to check the following day, the day of Ms. Gravatt's proposed gathering.

Mr. Orr asked that future beer/wine permit applications be submitted in a more timely fashion. He suggested that when citizens submit an exception request application for a beer/wine permit at a City park, that OK Ward Park would not be considered for any exceptions to City Code 12.36.060.

A motion was made by Mr. Moore, seconded by Mr. Orr, to grant a beer/wine permit to Melissa Gravatt for a family reunion at OK Ward Park on July 22, 2016 from 6:00 p.m. to 10:00 p.m. and grant an exception to City Code 12.36.060. Upon roll call, those voting in favor were Moore, Orr, Bray, Johnston and Brown.

AGENDA ITEM NO. 9: Portneuf Valley Brewing, LLC (mailing address: 615 South First Avenue, Pocatello, ID 83201) represented by Penny Nichols Pink, is requesting to close the 600 block of South 1st Avenue, and is also asking for a waiver of City ordinances regarding open containers to allow the sale of beer and wine at a September 24, 2016 fundraiser for Pebble Creek Ski Patrol. Portneuf Valley Brewing is requesting that the streets be closed from Noon until Midnight for the event.

If the open container ordinance is waived it should be contingent upon the applicant meeting Police Department requirements and the appropriate catering permits being purchased.

A motion was made by Mr. Moore, seconded by Mr. Johnston, to approve a request by Portneuf Valley Brewing, LLC, represented by Penny Nichols Pink, to close the 600 block of South 1st Avenue and waive City ordinances regarding open containers to allow the sale of beer and wine from Noon until Midnight on September 24, 2016 for a fundraiser for Pebble Creek Ski Patrol, contingent upon the applicant meeting Police Department requirements and the appropriate catering permits being purchased.

In response to questions from Council, Penny Nichols Pink stated the proposed event is the 11th annual fundraiser to benefit Pebble Creek Ski Patrol. She added that Amerigo would be providing barricades and signage for the street closure. Ms. Pink stated that concrete barriers have not been used for the street closure in the past, and that the area would be blocked by a semi-truck and other vehicles and moveable street barricades.

Mr. Moore's motion was voted upon at this time. Upon roll call, those voting in favor were Moore, Johnston, Bray, Orr and Brown.

AGENDA ITEM NO. 10: As announced earlier, Agenda Item No. 10 to consider a Temporary Road Closure for an ISU Student Block Party was pulled from the agenda at the request of the applicant.

AGENDA ITEM NO. 11: Council was asked to consider the following requests from Pocatello Raceway, LLC represented by Jerry Bailey (mailing address: 6392 West Skiview Drive, Pocatello, ID) and POW*MIA Awareness Rally, represented by Hiedi Young (mailing address: PO Box 2655, Pocatello, ID) related to the 2016 POW*MIA Awareness Rally.

-BOND EXCEPTION a) Consider a request from Pocatello Raceway, LLC for an exception to the security bond condition set forth by City Council at the May 5, 2016 Regular Council meeting; and
POCATELLO
RACEWAY, LLC

-SPECIAL USE b) Authorize the Mayor's signature on a Special Use Agreement between the City of Pocatello, Pocatello Raceway, LLC, and POW*MIA Awareness Rally Corp. for an event to take place July 29, 30 and 31, 2016 at the Pocatello Raceway wherein all costs associated with providing additional Pocatello Police Personnel

arising from the POW*MIA Awareness Rally will be borne by the POW*MIA Awareness Rally Corp. thereby exempting Pocatello Raceway, LLC from any financial obligation as specified under their Lease Agreement Section XXI Miscellaneous under Subsection J.5-6.

A motion was made by Mr. Moore, seconded by Mr. Johnston, to approve the requests from Pocatello Raceway, LLC, represented by Jerry Bailey and POW*MIA Awareness Rally, represented by Hiedi Young, related to the 2016 POW*MIA Awareness Rally as outlined in Agenda Item No. 11(a) and 11(b), subject to Legal Department review.

Mr. Johnston asked to amend the motion to include the condition that the Mayor send a letter to POW*MIA Awareness Rally Corp. extending appreciation to the group for hosting the POW*MIA Awareness Rally in Pocatello.

Mr. Moore accepted the amended motion.

In response to a question from Council, Kirk Bybee, Chief Civil Deputy Attorney, clarified that the Special Use Agreement as outlined in Agenda Item 11(b) would remove any financial obligation from Pocatello Raceway, LLC regarding liability, as specified under their Lease Agreement, during the time period that the POW*MIA Awareness Rally Corp. is holding their event.

Mr. Moore's amended motion was voted upon at this time. Upon roll call, those voting in favor were Moore, Johnston, Bray, Orr and Brown.

AGENDA ITEM NO. 12: Council was asked to approve and authorize the Mayor to sign an
ADDENDUM TO addendum to the lease agreements between the City and Budget
LEASE AGREEMENT Rent A Car dated October 1, 2015, subject to Legal Department
FOR BUDGET review. The addendum will allow for the rental of commercial
RENT A CAR-AIRPORT trucks from the Budget ticket counter inside the Pocatello Regional
Airport terminal and storage of the trucks in the lessee's vehicle
service area.

Budget will remit 8% of gross revenues from the commercial truck operations to the Airport, which will be kept separate from the auto rental concession fee payments.

A motion was made by Mr. Orr, seconded by Mr. Bray, to approve and authorize the Mayor to sign an addendum to the lease agreements between the City and Budget Rent A Car dated October 1, 2015, subject to Legal Department review, allowing for the rental of commercial trucks from the Budget ticket counter inside the Pocatello Regional Airport terminal and storage of the trucks in the lessee's vehicle service area and that Budget will remit 8% of gross revenues from the commercial truck operations to the Airport, which will be kept separate from the auto rental concession fee payments. Upon roll call, those voting in favor were Orr, Bray, Johnston, Moore and Brown.

AGENDA ITEM NO. 13: Niki Taysom, 4963 Yellowstone Avenue, Chubbuck, shared her
DISCUSSION ITEMS support for the Constitution of the United States.

Mr. Brown called upon Sierra Carta, also known as "Idaho Lorax" and clarified that according to the Secretary of State, his legal name is Sierra Carta and would be addressed as such during the City Council meeting.

Sierra Carta, aka "Idaho Lorax", Pocatello resident, stated he would be running for the office of District 29 State Senator. He stated he submitted an application for the vacant City Council position and that his application was published by the "Pocatello Valley Voice."

There being no further business, Council President Brown adjourned the meeting at 6:39 p.m.

APPROVED:

BRIAN C. BLAD, MAYOR

ATTEST:

RUTH E. WHITWORTH, CMC, CITY CLERK

PREPARED BY:

KONNI R. KENDELL, DEPUTY CLERK