

CITY OF POCA TELLO, IDAHO  
CITY COUNCIL AGENDA  
CLARIFICATION MEETING AND  
REGULAR CITY COUNCIL MEETING  
AUGUST 4, 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, 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 6:01 p.m. ROLL CALL AND by Mayor Brian Blad. Council members present were Roger Bray, PLEDGE OF Steve Brown, Jim Johnston, Gary Moore and Michael L. Orr. ALLEGIANCE

Mayor Blad led the audience in the pledge of allegiance.

ITEM NO. 2: The invocation was offered by Merriann Forrest, Executive INVOCATION Director, H.S. Jeshua Ministries.

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 meetings; the July 7, 2016 Executive Session; and the July 14, 2016 Study Session.

-PAYROLL AND (b) Payroll and material claims for the month of July 2016 in the amount MATERIAL CLAIMS of \$8,096,964.41.

-AIRPORT (c) Confirm the Mayor's reappointment of Rhonda Naftz to continue COMMISSION her service as a member of the Airport Commission. Ms. Naftz's REAPPOINTMENT term will begin August 17, 2016 and will expire August 17, 2018.

-HOUSING (d) Confirm the Mayor's reappointment of Jared Marchand to continue AUTHORITY BOARD his service as a member of the Housing Authority Board. Mr. REAPPOINTMENT Marchand's term will begin August 17, 2016 and will expire August 17, 2021.

-PARKS AND (e) Confirm the Mayor's reappointment of Bart Reed to continue his RECREATION service as a member of the Parks and Recreation Advisory Board, ADVISORY BOARD representing School District No. 25. Mr. Reed's term will begin REAPPOINTMENT August 18, 2016 and will expire August 18, 2018.

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

AGENDA ITEM NO. 4: Mayor Blad announced there were no proclamations.  
COMMUNICATIONS  
AND PROCLAMATIONS

AGENDA ITEM NO. 5: Mayor Blad reminded the Council of the August 11<sup>th</sup> Study  
CALENDAR REVIEW Session at 9:00 a.m.; the August 18<sup>th</sup> Special Council Training  
Session at 1:30 p.m.; and the August 18<sup>th</sup> Regular Council meeting at  
6:00 p.m.

Mayor Blad announced the Element Outfitters Fun Run will be held August 13<sup>th</sup>, contact Parks and Recreation for more information; the Fire Department Open House will be held August 13<sup>th</sup> at Station No. 3, 1100 Pocatello Creek Road from noon to 5:00 p.m.; the annual ZooFari ice cream event will be held August 20<sup>th</sup> from noon to 4:00 p.m. at Zoo Idaho; and the Community Recreation Center will be closed from August 22, 2016 through September 6, 2016 for annual maintenance. However, business offices will remain open from 8:00 a.m. to 5:00 p.m., Monday through Friday.

AGENDA ITEM NO. 6: Council was asked to confirm the Mayor's appointment of Heidi  
CONFIRMATION OF Adamson to serve as a City Council member fulfilling the unexpired  
COUNCIL MEMBER term of Craig Cooper, City Council member Seat No. 4.  
APPOINTEE  
-HEIDI ADAMSON

A motion was made by Mr. Johnston, seconded by Mr. Orr, to confirm the Mayor's appointment of Heidi Adamson to serve as a City Council member fulfilling the unexpired term of Craig Cooper's Seat No. 4. Upon roll call, those voting in favor were Johnston, Orr, Bray, Brown and Moore.

Council member Heidi Adamson was sworn in and assumed the dias as she completed her oath.

AGENDA ITEM NO. 7: Council was asked to confirm the appointment of Heather  
CONFIRMATION OF Buchanan as the City's Human Resources Director to be effective  
HUMAN RESOURCES August 5, 2016.  
DIRECTOR  
-HEATHER BUCHANAN

A motion was made by Mr. Johnston, seconded by Mr. Brown, to confirm the Mayor's appointment of Heather Buchanan as the City's Human Resources Director to be effective August 5, 2016. Upon roll call, those voting in favor were Johnston, Brown, Adamson, Bray, Moore and Orr.

Ms. Buchanan thanked the Mayor and Council for the opportunity to serve City of Pocatello employees and the community.

AGENDA ITEM NO. 8: Tawnie Wigington was present to appeal the decision of Police  
TAXI LICENSE Department staff which denied Ms. Wigington a Taxi Cab license.  
DENIAL APPEAL  
-WIGINGTON

Jené Purman, Licensing Officer, stated Ms. Wigington's Taxi Cab license application was denied due to convictions regarding controlled substance charges in 2004.

Tawnie Wigington, 204 Randolph, shared her experiences regarding mistakes she had made in the past which led to the application denial. She shared that she feels she has grown and changed and is now a valuable asset to her family and community. Ms. Wigington asked that the Council overturn the decision of the Police Department so she may be a productive member of the community.

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

AGENDA ITEM NO. 9: Hunter Nelson was present to appeal the decision of Police  
CHILD CARE LICENSE Department staff which denied Mr. Nelson a child care license.  
DENIAL APPEAL  
-NELSON

Mr. Bray announced his place of employment, Central Christian Church, operates a child care facility. It was the consensus of the Council that Mr. Bray did not have a conflict of interest and be allowed to vote on Agenda Item No. 9.

Jene Purman, Licensing Officer, stated the Police Department denied Mr. Nelson's child care license application due to violations which could not be disclosed, as Mr. Nelson is a minor.

A motion was made by Mr. Moore, seconded by Mr. Orr, to uphold the decision of Police Department staff to deny a child care license for Hunter Nelson. Upon roll call, those voting in favor were Moore, Orr, Adamson, Bray, Brown and Johnston.

AGENDA ITEM NO. 10: This time was set aside for the Council to receive public comments  
PUBLIC HEARING on the proposed Fiscal Year 2017 City Budget which includes use of  
-PROPOSED FISCAL \$222,262.00 of the available \$1,460,725.00 in foregone property tax.  
YEAR 2017 BUDGET

Mayor Blad opened the public hearing.

Joyce Stroschein, Chief Financial Officer/Treasurer, gave a few introductory comments noting that multiple meetings have been held to inform the Council and citizens of the proposed Fiscal Year 2017 Budget. Ms. Stroschein thanked City staff for assistance during the process. Mayor Blad announced written correspondence had been received and distributed to Council members.

Mike Seibert, 1665 Pocatello Creek Road, spoke uncommitted to the proposal. He shared his concerns regarding the mill levy rate, which had previously been lower and is now increasing. Mr. Seibert suggested that funds from water bonds only be used for water rights acquisition and not for infrastructure.

Idaho Lorax, Pocatello resident, spoke uncommitted to the proposal. He stated he is concerned for the safety of citizens and suggested that safety masks and Geiger counters be provided to residents.

Niki Taysom, 4963 Yellowstone Avenue, Chubbuck, spoke in opposition to the proposal. She shared quotes from the U.S. Constitution and stated she feels many services could be provided by private companies and not by government entities.

Ms. Stroschein stated that the City had previously depended upon funds collected through a Payment in Lieu of Taxes (PILOT) program. She added that after the PILOT was discontinued, service costs continued to increase and property taxes were increased in order to maintain services to residents. Ms. Stroschein clarified that water bond funds are set aside in a separate line item specifically for water right acquisition.

Mr. Brown clarified that the Portneuf Wellness Center is the financial responsibility of Bannock County, and not the responsibility of the City of Pocatello.

Mayor Blad closed the public hearing and announced an ordinance would be considered at the August 18, 2016 Regular City Council meeting.

AGENDA ITEM NO. 11: This time was set aside for the Council to receive public comments on proposed fee changes proposed for Fiscal Year 2017.  
PUBLIC HEARING  
-PROPOSED FISCAL  
YEAR 2017 FEE  
CHANGES

Mayor Blad opened the public hearing.

Joyce Stroschein, Chief Financial Officer/Treasurer, gave an overview of the proposed fee changes for Fiscal Year 2017. She reviewed Idaho Code statutes that must be met in order for cities to increase fees. Ms. Stroschein reported that fees are determined to off-set the actual costs for providing services. In addition, if fee users do not pay the cost, it will be passed along to the tax payer in the form of property taxes.

Mayor Blad announced written correspondence had been received and distributed to Council members.

Mike Seibert, 1665 Pocatello Creek Road, spoke in support of the proposal. He feels it is only fair that citizens should pay for additional City-sponsored activities. He asked for a copy of the published water rates.

Mayor Blad stated a copy is available for Mr. Seibert's review, as requested.

Niki Taysom, 4963 Yellowstone Avenue, Chubbuck, spoke in opposition to the proposal. She feels fees charged should be the same for residents and non-residents. Ms. Taysom spoke in opposition to City-organized sports, interagency agreements, urban transit fees and developer fees.

Mr. Orr stated he feels an increase in construction fees should be consistent with the Consumer Price Index (CPI) increase.

Ms. Stroschein clarified that fees for residents and non-residents differ because some services and activities are partially tax-supported by residents.

Mayor Blad closed the oral portion of the public hearing and announced written comments would be accepted until 5:00 p.m. on August 10, 2016 and that a resolution would be considered at the August 18, 2016 Regular City Council meeting.

AGENDA ITEM NO. 12: This time was set aside for the Council to hear comments from the public regarding the comprehensive re-write of Title 16, Subdivision Ordinance as presented at the July 14, 2016 Study Session. This re-write is to update and clarify ordinance provisions in compliance with current Idaho subdivision and survey statutes, zoning ordinance provisions and development practices.

PUBLIC HEARING  
-TITLE 16 SUBDIVISION  
ORDINANCE  
AMENDMENTS

At their public hearings held on April 13, May 11, May 25 and June 8, 2016, the Planning and Zoning Commission recommended approval of the proposed amendments.

Mayor Blad opened the public hearing.

Dave Foster, Senior Planner, gave an overview of the process regarding the comprehensive re-write of Title 16, Subdivision Ordinance and clarified proposed ordinance provisions. He clarified the difference between a record of survey and a plat and stated that recording fees are set by Bannock County.

Mayor Blad announced no written correspondence had been received regarding the proposal.

Niki Taysom, 4963 Yellowstone Avenue, Chubbuck, spoke in opposition to the proposal. She shared her opposition to zoning laws, water rights, development and exceptions to zoning laws.

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

A motion was made by Mr. Orr, seconded by Mr. Brown, to approve the comprehensive re-write of Title 16, Subdivision Ordinance as presented at the July 14, 2016 Study Session to update and clarify ordinance provisions in compliance with current Idaho subdivision and survey statutes, zoning ordinance provisions and development practices and instruct the Legal Department to prepare an ordinance for Council approval. Upon roll call, those voting in favor were Orr, Brown, Adamson, Bray, Johnston and Moore.

AGENDA ITEM NO. 13: Scott Briscoe of Hallmark Development (mailing address: 558 West 75 South, Blackfoot, ID 83221), represented by Rocky Mountain Engineering and Surveying (mailing address: 600 East Oak Street, Pocatello, ID 83201), has submitted a request to subdivide approximately 3.67 acres into 14 lots. The subdivision, Eastpointe Hills, Division No. 7, is located north of Daybreak Drive, east of Eastpointe Drive, on an extension of Hallmark Drive.

FINAL PLAT  
-EASTPOINTE HILLS,  
DIVISION NO. 7

The Planning and Zoning Commission reviewed the preliminary plat at their meeting on May 11, 2016 and recommended approval with conditions.

A motion was made by Mr. Brown, seconded by Mr. Orr, to approve the request by Scott Briscoe of Hallmark Development, represented by Rocky Mountain Engineering and Surveying, to subdivide approximately 3.67 acres into 14 lots and that the subdivision, East pointe Hills, Division No. 7, will be

located north of Daybreak Drive, east of Eastpointe Drive on an extension of Hallmark Drive, subject to the following conditions: 1) all conditions set out in the Public Works Department Memorandum from Merrill Quayle, P.E. dated, July 26, 2016, shall be met; 2) Subdivision Covenants, Conditions and Restrictions (CCR's) shall be submitted to the City for review and approval by the Legal Department prior to recording; 3) all corrections to the preliminary plat which were noted by City staff shall be made prior to submittal of the final plat; and 4) all other standards and conditions of Municipal Code not herein discussed but applicable to residential development shall apply and that the decision be set out in appropriate Council Decision format. Upon roll call, those voting in favor were Brown, Orr, Adamson, Bray, Johnston and Moore.

AGENDA ITEM NO. 14: Sagebrush Arts Festival, represented by Sallee Gasser (mailing address: 56 Cedar Hills Drive, Pocatello, ID 83204) is requesting "COUNCIL SELECT" that "Council Select" funds in the amount of \$192.00 be used for FUNDING REQUEST table transportation and rental fees for the Arts Festival that will be -SAGEBRUSH ARTS held September 10 and 11, 2016. (As of July 29, 2016 \$2,750.00 FESTIVAL remained in the "Council Select" fund.

Carolyn Purnell, representative for Pocatello Arts Center, stated the "Council Select" funds would be used to pay for moving picnic tables for the Arts Festival. She stated the free event is open to the community and encouraged residents to attend. Ms. Purnell gave an overview of the history of the Sagebrush Arts Festival and a description of the activities planned for the 2016 event. She emphasized that the event draws artists and patrons from many surrounding areas.

A motion was made by Mr. Bray, seconded by Mr. Brown, to approve a request from Sagebrush Arts Festival, for "Council Select" funds in the amount of \$192.00 to be used for table transportation and rental fees for the Arts Festival to be held September 10 and 11, 2016. Upon roll call, those voting in favor were Bray, Brown, Adamson, Johnston and Moore. Mr. Orr voted in opposition to the motion.

The motion passed.

AGENDA ITEM NO. 15: First Baptist Church (mailing address: 408 North Arthur, Pocatello, TEMPORARY ROAD ID 83204) represented by Katie Monroe, Charles Monroe and Karl CLOSURE-FIRST Pettit, is requesting to temporarily close the 400 block of North BAPTIST CHURCH Union Pacific Avenue from West Wyeth to West Fremont and the 200 block of West Fremont from North Main to North Union Pacific Avenue for a youth community event on Friday, August 26, 2016 from 4:00 p.m. to 10:30 p.m.

A certificate of liability insurance has been received and the application has been approved by Police, Fire and Street/Traffic divisions.

Karl Pettit announced the proposed event is designed for middle school and high school age students and will feature groups performing skate tricks and a concert.

A motion was made by Mr. Johnston, seconded by Mr. Moore, to approve a request by First Baptist Church represented by Katie Monroe, Charles Monroe and Karl Pettit, to temporarily close the 400 block of North Union Pacific Avenue from West Wyeth to West Fremont and the 200 block of West Fremont from North Main to North Union Pacific Avenue for a youth community event on Friday,

August 26, 2016 from 4:00 p.m. to 10:30 p.m. Upon roll call, those voting in favor were Johnston, Moore, Adamson, Bray, Brown and Orr.

AGENDA ITEM NO. 16: Alma Jam (mailing address: 125 Randolph, Pocatello, ID 83201) is requesting to temporarily close the 100 block of North Union Pacific Avenue for a fundraising event on Saturday, August 6, 2016 from 3:00 p.m. to 11:00 p.m.  
TEMPORARY ROAD  
CLOSURE-FUNDRAISING  
EVENT AT  
LEADERSHIP PARK

A certificate of liability insurance has been received and the application has been approved by Police, Fire and Street/Traffic divisions subject to conditions.

Mayor Blad announced the date of the event had been changed to September 24, 2016.

A motion was made by Mr. Moore, seconded by Mr. Brown, to approve a request by Alma Jam to temporarily close the 100 block of North Union Pacific Avenue for a fundraising event on Saturday, August 24, 2016 from 3:00 p.m. to 11:00 p.m. and that the application must be approved by Police, Fire and Street/Traffic divisions. Upon roll call, those voting in favor were Moore, Brown, Adamson, Bray, Johnston and Orr.

\*It was later learned that the event date had been changed to September 30, 2016.

AGENDA ITEM NO. 17: Council was asked to consider granting a beer/wine permit to Alma Jam (mailing address: 125 Randolph, Pocatello, ID 83201) for a fundraising event at Leadership Park on August 6, 2016 from 6:30 p.m. to 9:00 p.m. 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.  
EXCEPTION REQUEST  
TO ALLOW BEER/WINE  
-LEADERSHIP PARK

Mayor Blad clarified the date of the event had been changed to September 24, 2016.

A motion was made by Mr. Moore, seconded by Mr. Bray, to grant a beer/wine permit to Alma Jam for a fundraising event at Leadership Park on September 24, 2016 from 6:30 p.m. to 9:00 p.m. and allow an exception to City Code 12.36.060 allowing the consumption of such beverages. Upon roll call, those voting in favor were Moore, Bray, Adamson, Brown, Johnston and Orr.

\*It was later learned that the event date had been changed to September 30, 2016.

AGENDA ITEM NO. 18: Council was asked to adopt a resolution adopting an Affirmative Action Plan for the Pocatello Transit Department during the time period of October 1, 2016 through September 30, 2019. This is an updated version of prior plans and is a requirement of the Urban Mass Transportation Act of 1964.  
RESOLUTION  
-AFFIRMATIVE ACTION  
PLAN-TRANSIT

A motion was made by Mr. Moore, seconded by Mr. Brown, to approve a Resolution (2016-10) to adopt an Affirmative Action Plan for the Pocatello Transit Department during the time period of October 1, 2016 through September 30, 2019 as an updated version of prior plans as required by the Urban Mass

Transportation Act of 1964. Upon roll call, those voting in favor were Moore, Brown, Adamson, Bray, Johnston and Orr.

AGENDA ITEM NO. 19: Niki Taysom, 4963 Yellowstone Avenue, Chubbuck, shared her  
DISCUSSION ITEMS opposition to unions, alcohol and violence. She encouraged peace for the benefit of children.

C.W. Cullen, Pocatello resident, asked for clarification regarding the Affirmative Action Plan for PRT. He shared his concern regarding the need for transit busses with a ramp entrance to better serve transit customers who require the use of crutches or wheelchairs. Mr. Cullen stated utilizing a bus with a ramp is also safer for transit drivers.

Carta Sierra, aka "Idaho Lorax," Pocatello resident, welcomed Ms. Adamson as the newest Council member. He shared his concern for safety of the elderly in the community.

There being no further business, Mayor Blad adjourned the meeting at 7:25 p.m.

APPROVED:

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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