

CITY OF POCA TELLO, IDAHO
CITY COUNCIL AGENDA
CLARIFICATION MEETING AND
REGULAR CITY COUNCIL MEETING
AUGUST 18, 2016

CLARIFICATION
MEETING

The City Council Agenda Clarification Meeting was called to order at 5:37 p.m. by Mayor Brian Blad. Council members present were Heidi Adamson, 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 6:06 p.m. by Mayor Brian Blad. Council members present were Heidi Adamson, Roger Bray, Steve Brown, 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 offered by Pastor Scott Sampson, Rocky Mountain Ministries.

Mayor Blad announced that Agenda Item No. 9 and Agenda Item No. 15 had been pulled from the agenda.

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

-MINUTES (a) Waive the oral reading of the minutes and approve the minutes from the July 28, 2016 Budget Development meeting and the July 28, 2016 Executive Session.

-TREASURER'S REPORT (b) Treasurer's Report for July, showing cash and investments as of July 31, 2016 in the amount of \$46,357,169.57.

-HUMAN RELATIONS ADVISORY COMMITTEE APPOINTMENT (c) Confirm the Mayor's appointment of Mohammad Safdar to serve as a member of the Human Relations Advisory Committee, replacing Debodeep Choudhury who resigned. Mr. Safdar's term will begin August 19, 2016 and will expire November 19, 2016.

-EXCEPTION REQUEST-"FILL THE BOOT" FUNDRAISER (d) Consider a request from Pocatello Firefighters Local 187 for an exception to ordinances or laws that would prevent the group from gathering funds, for the Muscular Dystrophy Association "Fill the Boot" Fundraiser, on the public right-of-way at the intersection of Oak and Jefferson from 10:00 a.m. to 6:00 p.m. on September 9, 2016.

-EXCEPTION REQUEST-RUN WITH THE BIG DOGS FUNDRAISING EVENT (e) Grant an exception to City Code 12.36.030 to allow dogs in Ross Park on Saturday, October 1, 2016 for the Animal Shelter's 19th Run With The Big Dogs Annual Fundraising Event. Dogs, under the control of their owners, will be attending the event.

-AMERICAN ACADEMY OF PEDIATRICS GRANT -POLICE (f) Approve an application to the Idaho Chapter of the American Academy of Pediatrics in the amount of \$11,500.00 for the purpose of purchasing and distributing child passenger safety seats by Police staff and if the grant is approved, authorize the Mayor to accept and sign documents related to the grant. This is an annual grant and there is no City match of funds associated with this request.

-ANNUAL WORK AGREEMENT -ISU (g) Approve a College Work Study Agreement with Idaho State University (ISU) providing for work study positions at the City in the amount of \$26,325.00 for the period of July 1, 2016 through June 30, 2017. The City is responsible for paying forty percent of said allocation (\$10,530.00). This is an annual agreement and funding for work study positions is included in the budgets of those departments utilizing work study positions.

-COUNCIL DECISION -EASTPOINTE HILLS DIVISION NO. 7 FINAL PLAT (h) Adopt the Council's decision approving the Final Plat for the Eastpointe Hills Division No. 7 Subdivision which divides 3.67 acres into a 14 residential lot subdivision, zoned Residential Medium Density Single Family (RMS) density, subject to conditions. The proposed subdivision is located north of Daybreak Drive, east of Eastpointe Drive, on an extension of Hallmark Drive and will connect the two ends of Hallmark Drive.

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, Adamson, Brown, Moore and Orr.

AGENDA ITEM NO. 4: Mayor Blad announced there were no communications or COMMUNICATIONS AND PROCLAMATIONS proclamations. He welcomed a Boy Scout from Troop No. 342 and Girl Scouts from Troop No. 38.

AGENDA ITEM NO. 5: Mayor Blad reminded the Council of the September 1st Regular Council meeting at 6:00 p.m.; and the September 8th Study Session at 9:00 a.m.

Mayor Blad announced the Ice Cream Zoofari event will take place Saturday, August 20th from 11:00 a.m. to 4:00 p.m. at Zoo Idaho with a "Mayor vs. Bear" pie eating contest at 2:00 p.m.; a Welcome Back Orange & Black event would be held on August 22nd at Old Town Pocatello; the Community Recreation Center will be closed for annual maintenance beginning August 22 through September 6, 2016. However, business offices will remain open from 8:00 a.m. to 5:00 p.m., Monday through Friday; Ross Park Aquatic Complex hours will change to coincide with the start of area schools and the Complex's last day of the season will be September 5th; and Mayor Blad reminded citizens that school will be starting again soon and asked motorists to slow down in school zones.

AGENDA ITEM NO. 6: Mayor Blad announced that the Public Hearing to receive comments PUBLIC HEARING -WIRELESS COMMUNICATION FACILITY ORDINANCE regarding the comprehensive re-write of Title 15.42, Wireless Telecommunications Towers and Facilities Ordinance, had been postponed until the regular City Council meeting on September 15, 2016.

AGENDA ITEM NO. 7: Council was asked to consider a request by BBAD Investments, LLC (mailing address: 2227 East Center Street, Pocatello, ID 83201) for a right of way use license to allow retaining walls to be constructed directly behind the sidewalk on Lots 24-28 Block 1 of Hidden Valley Subdivision 3rd Addition (Via Valdarno) within the City's right of way.

Engineering/Public Works staff recommended approval of the request subject to conditions and Legal Department review.

A motion was made by Mr. Moore, seconded by Mr. Johnston, to approve a request by BBAD Investments, LLC for a right of way use license to allow retaining walls to be constructed directly behind the sidewalk on Lots 24-28 Block 1 of Hidden Valley Subdivision 3rd Addition (Via Valdarno) within the City's right of way subject to the following conditions: 1) the Grantee shall provide public liability insurance coverage in the amount of Idaho Tort Liability Limits (currently \$500,000.00) to indemnify the City from any claims which might arise out of the Grantee's use of the City's property. Proof of such coverage must be provided annually; failure to do so will result in termination of this License. Grantee agrees to hold the City harmless from any and all claims or damages arising from the use of the City's property; 2) the right of way use license can be recorded with the land as long as the wall is allowed to remain in place. BBAD agrees that at the time of sale of any lot subject to this right-of-way use license agreement, the new property owner shall obtain and maintain the same insurance as set forth in item number 1 above; 3) grantee agrees and understands that the use under this License is limited to retaining wall improvements and that no other improvements will be made without prior written permission by the City; 4) this license is revocable and shall be terminated upon sixty (60) days written notice if it is determined by the Grantor that the City requires the use of the right-of-way being encroached upon and it is in the City's best interests that said License should be revoked. Grantee may terminate this License upon sixty (60) days written notice to the City. Any such removal and restoration cost should be at the owner's expense; and 5) subject to Legal Department approval. Upon roll call, those voting in favor were Moore, Johnston, Adamson, Bray, Brown and Orr.

AGENDA ITEM NO. 8: Council was asked to adopt a Resolution establishing a process for the vacation of public rights-of-way consistent with Idaho Code and repealing Resolutions 1998-26 and 1999-34 as they are no longer being applied to the vacation process. The Resolution will become effective after its passage and will sunset upon the adoption of a revised Pocatello Municipal Code Title 17 "Zoning Regulation" which will incorporate the process presented in the proposed Resolution.

A motion was made by Mr. Moore, seconded by Mr. Johnston, to adopt a Resolution (2016-11), establishing a process for the vacation of public rights-of-way consistent with Idaho Code and repealing Resolutions 1998-26 and 1999-34 as they are no longer being applied to the vacation process. The Resolution will become effective after its passage and will sunset upon the adoption of a revised Pocatello Municipal Code Title 17 "Zoning Regulation" which will incorporate the process presented in the proposed Resolution. Upon roll call, those voting in favor were Moore, Johnston, Adamson, Bray, Brown and Orr.

AGENDA ITEM NO. 9: As announced earlier, the request to approve and authorize the Mayor to execute the Amended Real Covenant and Annexation Agreement between the City and Century Heights, LLC, owner and developer, for 372.15 +/- acres of the formerly known "Southern Hills" development had been pulled from the agenda at the request of the applicant.

AMENDED REAL COVENANT AND ANNEXATION AGREEMENT-CENTURY HEIGHTS, LLC

AGENDA ITEM NO. 10: South East Idaho Homeless Stand Down, represented by Susan Thurm (mailing address: 1044 North Harrison, Pocatello, ID 83204), is requesting that "Council Select" funds in the amount of \$250.00 be used for operational costs for their annual event at Idaho State University Reed Gym on October 29, 2016. Funds raised from the event will be used to provide items that help homeless individuals/families in the community stabilize. (As of August 12, 2016, \$2,558.00 remained in the "Council Select" line item).

"COUNCIL SELECT" FUNDING REQUEST -SOUTH EAST IDAHO HOMELESS STAND DOWN

A motion was made by Mr. Brown, seconded by Mr. Johnston, to approve a request by South East Idaho Homeless Stand Down, represented by Susan Thurm, for "Council Select" funds in the amount of \$250.00 to be used for operational costs for their annual event at Idaho State University Reed Gym on October 29, 2016. Upon roll call, those voting in favor were Brown, Johnston, Adamson, Bray, Moore and Orr.

AGENDA ITEM NO. 11: Pocatello Flag Design Ad-hoc Committee, represented by Logan McDougall (mailing address: PO Box 4169, Pocatello, ID 83205), is requesting that "Council Select" funds in the amount of \$250.00 be used to cover expenses such as banners, materials, and entry fees related to the Committee's participation in the Idaho State University Homecoming Parade on September 24, 2016. The parade venue will be used to educate and inform the public of the Committee's efforts to solicit designs for a new flag for Pocatello. (As of August 12, 2016, \$2,558.00 remained in the "Council Select" line item).

"COUNCIL SELECT" FUNDING REQUEST -POCATELLO FLAG DESIGN COMMITTEE

A motion was made by Mr. Johnston, seconded by Mr. Moore, to approve a request by Pocatello Flag Design Ad-hoc Committee, represented by Logan McDougall, for "Council Select" funds in the amount of \$250.00 to be used to cover expenses such as banners, materials, and entry fees related to the Committee's participation in the Idaho State University Homecoming Parade on September 24, 2016 to be used to educate and inform the public of the Committee's efforts to solicit designs for a new flag for Pocatello. Upon roll call, those voting in favor were Johnston, Moore, Adamson and Brown. Bray and Orr voted in opposition to the motion. The motion passed.

AGENDA ITEM NO. 12: Council was asked to consider granting a beer/wine permit to Wendy Spidell (mailing address: 214 Franklin, Pocatello, ID 83201) for a 40-year High School Reunion at Sister City Park on August 19, 2016 from 6:00 p.m. to 10:00 p.m. Ms. Spidell has submitted an application to the City to allow the consumption of beer and wine at the event.

EXCEPTION REQUEST FOR BEER/WINE PERMIT -SPIDELL

Approval by Council is necessary since this area 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 Wendy

Spidell for a 40-year High School Reunion at Sister City Park on August 19, 2016 from 6:00 p.m. to 10:00 p.m. and grant a waiver to City Code 12.36.060 and allow the consumption of beer and wine at the event. Upon roll call, those voting in favor were Moore, Brown, Adamson, Bray, Johnston and Orr.

AGENDA ITEM NO. 13: Council was asked to consider granting a beer/wine permit to Kyle
EXCEPTION REQUEST Bluemel (mailing address: 862 Marinus Lane, Pocatello, ID 83201)
FOR BEER/WINE PERMIT for a Company Picnic/Customer Appreciation event at Fort Hall
-BLUEMEL Replica (Stage Area) on August 27, 2016 from 9:00 a.m. to 10:00
p.m. Mr. Bluemel 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 area 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. Bray, to grant a beer/wine permit to Kyle Bluemel for a Company Picnic/Customer Appreciation event at Fort Hall Replica (Stage Area) on August 27, 2016 from 9:00 a.m. to 10:00 p.m. and grant a waiver to City Code 12.36.060 and allow the consumption of beer and wine at the event. Upon roll call, those voting in favor were Moore, Bray, Adamson, Brown, Johnston and Orr.

AGENDA ITEM NO. 14: Kind Community (mailing address: 315 West Center, Suite 104,
TEMPORARY ROAD Pocatello, ID 83204) represented by Courtney Fisher and Idaho
CLOSURE REQUEST State University (ISU) (mailing address: 921 South 8th Avenue,
-KIND COMMUNITY/ Pocatello, ID 83209) represented by Stuart Summers, are requesting
ISU HOMECOMING to close Martin Luther King Jr. Memorial Drive with closure points
KICK OFF CELEBRATION at 8th, 9th and 15th Avenues for a Kind Community/ISU
Homecoming Event on Monday, September 19, 2016.

Representatives are requesting that the street be closed 7:00 a.m. to 11:30 p.m. for the event.

City staff has recommended approval of the request with conditions.

Stuart Summers and Courtney Fisher, representatives of ISU and Kind Community, stated “Kind Week” activities have been planned to coincide with planned ISU Homecoming week activities. Mr. Summers outlined activities planned and encouraged the community to participate. Ms. Fisher gave an overview of the activities being planned to help alleviate bullying in the community.

A motion was made by Mr. Johnston, seconded by Mr. Orr, to approve a request by Kind Community, represented by Courtney Fisher and Idaho State University (ISU), represented by Stuart Summers, to close Martin Luther King Jr. Memorial Drive (MLK Dr.) with closure points at 8th, 9th and 15th Avenues for a Kind Community/ISU Homecoming Events on Monday, September 19, 2016 from 7:00 a.m. to 11:30 p.m. for the event with the following conditions: 1) one lane (minimum 20’ wide) will need to be maintained on MLK Dr. between 8th Avenue and Cesar Chavez Avenue and approximately 10th Avenue to provide access if necessary to building No. 50 (library) and building No. 38 (Rendezvous Center). Cars for the car show can be parked on either side of the street in order to maintain an access lane; 2) access to south sides of building No. 49 and No. 51 will need to be maintained. Any displays, tables, etc. will need to be readily movable should access to that area be needed; 3) the one-way lane on the west side of building No. 50 (library) will need to be maintained accessible from the north; 4) access to the parking lot at the south end of 10th Avenue between buildings No. 50 and No. 51 will need to be maintained; and 5) Red Hill Road behind the Rendezvous Center must be maintained passable with at least 20’ clearance and may not be blocked. Upon roll call, those voting in favor were Johnston, Orr,

Adamson, Bray, Brown and Moore.

AGENDA ITEM NO. 15: As announced earlier, the request from Valley Pride, represented by FEE WAIVER David Maguire, to waive the City's \$6,200.00 water system capacity REQUEST-HIGHWAY 30 fee for the 2016 Highway 30 Berm (Garrett Way) project, had been BERM PROJECT pulled from the agenda.

AGENDA ITEM NO. 16: Council was asked to approve a Memorandum of Agreement (MOA) with Just Strays Animal Foundation, Inc., dba Simply Cats SIMPLY CATS Adoption Center, a non-profit organization located in Boise, Idaho. ADOPTION CENTER MOA The MOA would create a coalition between the City of Pocatello -ANIMAL SERVICES and the Foundation with a goal to increase the live release rate for cats.

A motion was made by Mr. Orr, seconded by Mr. Brown, to approve a Memorandum of Agreement with Just Strays Animal Foundation, Inc., dba Simply Cats Adoption Center, a non-profit organization located in Boise, Idaho to create a coalition between the City of Pocatello and the Foundation with a goal to increase the live release rate for cats. Upon roll call, those voting in favor were Orr, Brown, Adamson, Bray, Johnston and Moore.

AGENDA ITEM NO. 17: Council was asked to consider the following requests related to the 3RD ANNUAL SPLASH 3rd Annual Splash Dance For Dogs fundraiser for the Pocatello DANCE FOR DOGS AT Animal Shelter. The event will be held in the Ross Park Aquatic ROSS PARK AQUATIC Complex (RPAC) on Saturday, September 17, 2016. COMPLEX REQUESTS -ANIMAL SERVICES

WAIVE RENTAL FEE a) Waive the pool rental fee of \$350.00 per hour and entry fee of \$1.50; and

ALLOW DOGS IN b) Exception to City Codes in order to allow dogs in the RPAC and RPAC/ROSS PARK Ross Park during the event.

A motion was made by Mr. Orr, seconded by Mr. Johnston, to approve Agenda Item No. 17(a) and 17(b) for requests related to the 3rd Annual Splash Dance For dogs fundraiser for the Pocatello Animal Shelter to be held in the Ross Park Aquatic Complex (RPAC) on Saturday, September 17, 2016.. Upon roll call, those voting in favor were Orr, Johnston, Adamson, Bray, Brown and Moore.

AGENDA ITEM NO. 18: Council was asked to adopt a resolution with exhibits (a) through FISCAL YEAR 2017 (z) setting fees for Fiscal Year 2017 (October 1, 2016 through DEPARTMENTAL FEE September 30, 2017). The exhibits are: RESOLUTION

- a) POCATELLO REGIONAL AIRPORT FEES
- b) ALCOHOLIC BEVERAGE LICENSES FEES
- c) ANIMAL SERVICES FEES
- d) BUSINESS LICENSURE FEES

- e) CEMETERY FEES
- f) CHILDREN'S GROUP TREATMENT CENTER FEES
- g) COMMERCIAL ACTIVITIES IN PARKS AND OTHER PUBLIC PLACES FEES
- h) CONSTRUCTION TRADE FEES
- i) CHILD CARE LICENSE FEES
- j) DEVELOPMENT REIMBURSEMENT FEES
- k) ENGINEERING SERVICES FEES
- l) FIRE DEPARTMENT FEES
- m) GEOGRAPHIC INFORMATION SERVICE FEE
- n) PARKS AND RECREATION ACTIVITIES PROGRAM, RENTAL, AND ADMISSION FEES
- o) PARKS AND RECREATION FACILITY USE FEES
- p) PLANNING AND DEVELOPMENT SERVICES FEES
- q) POLICE DEPARTMENT FEES
- r) PUBLIC RECORD FEES
- s) SANITATION DEPARTMENT FEES
- t) CONSTRUCTION SITE SEDIMENT AND EROSION CONTROL FEES
- u) POCATELLO REGIONAL TRANSIT SYSTEM FEES
- v) UTILITY BILLING DEPARTMENT FEES
- w) VIDEO SERVICES FEES
- x) WATER DEPARTMENT FEES
- y) WATER POLLUTION CONTROL DEPARTMENT FEES
- z) ZOO PROGRAM, RENTAL AND ADMISSION FEES

In response to a question from Council, Mayor Blad stated that it is likely that the City of Pocatello will continue to charge for City services through user fees. This places the cost of the service on actual users and not the taxpayers.

A motion was made by Mr. Johnston, seconded by Mr. Moore, to adopt a resolution (2016-12) as

outlined in Agenda Item No. 18(a) through 18(z) setting fees for Fiscal Year 2017 (October 1, 2016 through September 30, 2017). Upon roll call, those voting in favor were Johnston, Moore, Adamson, Bray, Brown and Orr.

AGENDA ITEM NO. 19: Council was asked to adopt a resolution establishing the City's intent to levy \$18,807.00 in Foregone Property Tax for the purpose of supplementing other revenues in Fiscal Year 2017 to complete the purchase of public safety equipment for the Fire and Police Departments. Said resolution is prepared in accordance with Idaho Code §63-802.

RESOLUTION-INTENT TO LEVY FOREGONE PROPERTY TAX FOR FISCAL YEAR 2017 BUDGET

In response to a question from Council, Joyce Stroschein, Chief Financial Officer/Treasurer, explained that cities are allowed to levy tax revenue increases, up to 3%, each fiscal year. She added that if the Council chooses not to receive the funds, the amount is withheld and can be requested by the City at a later date. Ms. Stroschein stated that the proposed levy amount is a result of those tax dollars that the Council has not taken in prior years. She explained that it was determined an additional \$18,807.00 was necessary to take care of critical needs in the Fire Department and Police Department. Ms. Stroschein added that the Council has nearly \$1.4 million in levied funds available, but have been very frugal and conservative by only asking for the proposed \$18,807.00 at this time.

A motion was made by Mr. Moore, seconded by Mr. Johnston, to adopt a resolution (2016-13) establishing the City's intent to levy \$18,807.00 in Foregone Property Tax for the purpose of supplementing other revenues in Fiscal Year 2017. Upon roll call, those voting in favor were Moore, Johnston, Adamson, Bray, Brown and Orr.

AGENDA ITEM NO. 20: Council was asked to consider the following ordinances:
ORDINANCES

APPROPRIATIONS a) The Annual Appropriations ordinance for Budget Year 2017.
ORDINANCE

A motion was made by Mr. Johnston, seconded by Mr. Brown, that the ordinance, Agenda Item No. 20(a), be read only by title and placed on final passage for publication, and that the full ordinance be submitted for publication. Upon roll call, those voting in favor were Johnston, Brown, Adamson, Bray, Moore and Orr.

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

Mr. Bray stated he feels the Council has not done due diligence to attain a satisfactory budget. He stated 41% of the community struggles to make ends meet and an alternate City budget could help alleviate that. Mr. Bray feels employee compensation is still behind in market valuation and that a reduction in workforce could assist in reducing the budget.

Mr. Orr stated he feels Mr. Bray's comments are a contradiction, since he feels the proposed budget is quite conservative and increasing employee salaries would have further increased the levy rate.

Mr. Brown stated he feels the Council and staff members have worked more on the current budget through the budgeting process than in any other year. He stated that mistakes made by the Bannock County Assessor and other events have resulted in revenue losses to the City.

Mr. Bray stated that the overall valuation for property owners has not kept pace with inflation. He

estimates a 3% inflation increase would equal a \$20 million growth rate. He added that according to his calculations, property tax values would increase between approximately \$197 million and \$274 million.

Mr. Johnston stated he feels the Council has made great progress with the current budget. He stated he understands that the City has to spend money to keep up with necessary equipment and staffing needs and that cutting out key positions is not a suitable option. Mr. Johnston emphasized that he feels Mayor Blad has kept the Council well-informed regarding the replacement of employee positions before approving the hiring of employees, when necessary. He reiterated that it is essential to continue to provide good services to Pocatello citizens.

Mayor Blad stated that he is frustrated with the negative comments being offered by Mr. Bray. He feels the Council and department heads have worked hard to construct a good, solid, reasonable and sustainable budget. Mayor Blad expressed his appreciation to Council members for working so hard during the budget process.

It was noted that Mr. Bray had further comments. However, Mayor Blad moved forward with the agenda item.

Mayor Blad declared the final reading of the Annual Appropriations Ordinance for Budget Year 2017. Mayor Blad asked "Shall the ordinance pass?" Upon roll call, those voting in favor were Adamson, Brown, Johnston, Moore and Orr. Mr. Bray voted in opposition to the motion. The motion passed. Mayor Blad declared the ordinance and summary sheet passed, that it be numbered 2970 and be submitted to the Idaho State Journal for publication.

REPEAL/ADOPT "SUBDIVISION REGULATION"	b)	Repeal Title 16 "Subdivision Regulations" and adopt an entirely new Ordinance for Title 16 "Subdivision Regulations" as presented to the Council at the July 14, 2016 Study Session and August 4, 2016 Public Hearing.
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A motion was made by Mr. Moore, seconded by Mr. Orr, that the ordinance, Agenda Item No. 20(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 Moore, Orr, Adamson, Bray, Brown and Johnston.

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

Mayor Blad declared the final reading of the ordinance, repealing Title 16 "Subdivision Regulations" and adopting an entirely new Ordinance for Title 16 "Subdivision Regulations" as presented to the Council at the July 14, 2016 Study Session and August 4, 2016 Public Hearing. Mayor Blad asked "Shall the ordinance pass?" Upon roll call, those voting in favor were Adamson, Bray, Brown, Johnston, Moore and Orr. Mayor Blad declared the ordinance and summary sheet passed, that it be numbered 2971 and be submitted to the Idaho State Journal for publication.

AMEND "VEHICLES AND TRAFFIC" ORDINANCE	c)	Amending Title 10 "Vehicles and Traffic" to update portions of the current code and to implement a new section regarding speed limits within a construction zone as presented to the Council at the August 11, 2016 Study Session.
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A motion was made by Mr. Moore, seconded by Mr. Johnston, that the ordinance, Agenda Item

No. 20(c), 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, Adamson, Bray, Brown and Orr.

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

Mayor Blad declared the final reading of the ordinance amending Title 10 "Vehicles and Traffic" to update portions of the current code and to implement a new section regarding speed limits within a construction zone as presented to the Council at the August 11, 2016 Study Session. Mayor Blad asked "Shall the ordinance pass?" Upon roll call, those voting in favor were Adamson, Bray, Brown, Johnston, Moore and Orr. Mayor Blad declared the ordinance and summary sheet passed, that it be numbered 2972 and be submitted to the Idaho State Journal for publication.

CHANGE ZONING d) Changing the designated zone of 7.26 acres of property located at
DESIGNATION 1800 Garrett Way, Pocatello, Idaho from Commercial General (CG)
-1800 GARRETT WAY to Residential/Commercial/Professional (RCP). The Council
Decision for this designation was adopted July 16, 2015.

A motion was made by Mr. Orr, seconded by Mr. Bray, that the ordinance, Agenda Item No. 20(d), 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 Orr, Bray, Adamson, Brown, Johnston and Moore.

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

Mayor Blad declared the final reading of the ordinance changing the designated zone of 7.26 acres of property located at 1800 Garrett Way, Pocatello Idaho from Commercial General (CG) to Residential/Commercial/Professional (RCP) as was adopted by Council Decision on July 16, 2015. Mayor Blad asked "Shall the ordinance pass?" Upon roll call, those voting in favor were Adamson, Bray, Brown, Johnston, Moore and Orr. Mayor Blad declared the ordinance and summary sheet passed, that it be numbered 2973 and be submitted to the Idaho State Journal for publication.

AGENDA ITEM NO. 21: Niki Taysom, 4963 Yellowstone Avenue, Chubbuck, read passages
DISCUSSION ITEMS from a publication.

Mayor Blad informed Ms. Taysom that she was out of order by reading from a publication without prior permission from the Council.

Dean Tranmer, City Attorney, read an excerpt of *Roberts Rules of Order*, stating the speaker must have permission from the members of the Council to read from a publication prior to speaking.

Mayor Blad reminded Ms. Taysom that she was out of order and asked her to sit down.

There being no further business, Mayor Blad adjourned the meeting at 7:11 p.m.

APPROVED:

BRIAN C. BLAD, MAYOR

ATTEST:

RUTH E. WHITWORTH, CMC, CITY CLERK

PREPARED BY:

KONNI R. KENDELL, DEPUTY CLERK