

CITY OF POCA TELLO, IDAHO  
CITY COUNCIL AGENDA  
CLARIFICATION MEETING AND  
REGULAR CITY COUNCIL MEETING  
OCTOBER 6, 2016

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CLARIFICATION  
MEETING

The City Council Agenda Clarification was called to order by Mayor Brian Blad at 5:32 p.m. Council members present were Heidi Adamson, Steve Brown, Gary Moore and Michael L. Orr.

Council members Roger Bray and Jim Johnston were excused. No motions, resolutions, orders, or ordinances were proposed. No vote was taken.

REGULAR CITY COUNCIL MEETING

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| AGENDA ITEM NO.<br>ROLL CALL AND<br>PLEDGE OF<br>ALLEGIANCE | 1:  | The Regular City Council meeting was called to order at 6:01 p.m. by Mayor Brian Blad. Council members present were Heidi Adamson, Steve Brown, Gary Moore and Michael L. Orr. Council members Roger Bray and Jim Johnston were excused. |
| AGENDA ITEM NO.<br>INVOCATION                               | 2:  | The invocation was offered by Tony Seikel, Portneuf Sangha.  |
| AGENDA ITEM NO.<br>CONSENT AGENDA                           | 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 September 8, 2016 Study Session and the September 27, 2016 Executive Session.   |
| -PAYROLL AND<br>MATERIAL CLAIMS                             | (b) | Payroll and material claims for the month of September 2016 in the amount of \$7,217,446.83.   |
| -AIRPORT<br>COMMISSION<br>REAPPOINTMENT                     | (c) | Confirm the Mayor's reappointment of Cesar Salgado to continue his service as a member of the Airport Commission. Mr. Salgado's term will begin October 9, 2016 and will expire October 9, 2018.   |
| -GOLF ADVISORY<br>COMMITTEE<br>REAPPOINTMENT                | (d) | Confirm the Mayor's reappointment of Roger Musser to continue his service as a member of the Golf Advisory Committee. Mr. Musser's term will begin October 20, 2016 and will expire October 20, 2019.                                    |
| -HISTORIC<br>PRESERVATION<br>COMMISSION<br>APPOINTMENT      | (e) | Confirm the Mayor's appointment of Paul Sivitz to serve as a member of the Historic Preservation Commission, replacing Jeffrey Jimenez who resigned. Dr. Sivitz's term will begin October 7, 2016 and will expire August 22, 2017.       |
| -SISTER CITIES<br>COMMITTEE<br>REAPPOINTMENT                | (f) | Confirm the Mayor's reappointment of Peggy Johnson to continue her service as a member of the African Sister Cities Subcommittee. Ms. Johnson's term will begin October 21, 2016 and will expire October 21, 2020.                       |

-RESOLUTION (g) Approve a resolution (2016-15) consolidating two resolutions into  
-AMENDING one and amending the references to local high schools, list of  
POCATELLO/CHUBBUCK officers, membership number and election process.  
MAYORS' YOUTH  
ADVISORY COUNCIL  
PROVISIONS

-COUNCIL DECISION (h) Adopt the Council's decision approving the Final Short Plat  
-TUSCAN VIEW for the Tuscan View Subdivision, which divides 3.09 acres into 2  
SUBDIVISION residential lots, zoned Residential Estate (RE) density, subject to  
conditions. The proposed subdivision is a replat of Lot 12 Block 1  
of the Tuscany Hills Subdivision 2<sup>nd</sup> Addition and both lots will have frontage on and be accessed via  
Siena Drive.

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

AGENDA ITEM NO. 4: Mr. Moore, on behalf of Mayor Blad, proclaimed  
COMMUNICATIONS October 9 through October 15, 2016 to be Fire Prevention Week  
AND PROCLAMATIONS in Pocatello and encouraged residents to understand the vital  
importance of having working smoke detectors in their homes.

David Gates, Fire Chief, accepted the proclamation and thanked the Mayor and Council members for the proclamation and recognition of Fire Prevention Week.

AGENDA ITEM NO. 5: Mayor Blad reminded the Council of the October 13<sup>th</sup> Study Session  
CALENDAR REVIEW Study Session at 9:00 a.m. immediately followed by an Executive  
Session and the October 20<sup>th</sup> Regular Council meeting at 6:00 p.m.

Mayor Blad announced a Cyber Security class would be held at Marshall Public Library on Tuesdays at 7:00 p.m. during the month of October; Sanitation Department collection trucks will continue on schedule on Columbus Day, October 10<sup>th</sup>; City offices will also remain open on this holiday; the final open house for the draft of the Portneuf River Vision Study will be held October 12<sup>th</sup> from 4:00 p.m. to 7:00 p.m. at Pocatello Community Charter School; submissions for the City's new flag design will be accepted until December 2<sup>nd</sup>. Visit the website at [flag.pocatello.us](http://flag.pocatello.us) for more information; and early in-person voting began September 26<sup>th</sup> at the new Bannock County Elections Office, 141 North 6<sup>th</sup> Avenue (Old Jail). Voting hours are Monday through Friday 9:00 a.m. to 4:30 p.m. The last day to vote early is November 4<sup>th</sup>.

Mr. Orr announced that the Historic Preservation Commission will be hosting a scavenger hunt Friday, October 14<sup>th</sup> at 5:30 p.m. at Mountain View Cemetery. Participants are asked to meet at Brady Chapel.

AGENDA ITEM NO. 6: Amy Lloyd was present to appeal the decision of Police Department  
DAY CARE LICENSE staff which denied Ms. Lloyd a Day Care License.  
DENIAL APPEAL  
-LLOYD

Jene Purman, Licensing Officer, stated Ms. Lloyd's Day Care License application was denied based upon Ms. Lloyd's admission of guilt regarding a domestic assault case. She stated no charges were filed in the case.

Ms. Lloyd shared her statement regarding her arrest which took place in July 2015 when she physically restrained an intoxicated individual to prohibit him from driving while under the influence. She stated that charges were later dropped.

A motion was made by Mr. Moore, seconded by Mr. Orr, to overturn the decision of Police Department staff and approve a Day Care License for Amy Lloyd. Upon roll call, those voting in favor were Moore, Orr, Adamson and Brown.

AGENDA ITEM NO. 7: This time was set aside for the Council to accept testimony from  
PUBLIC HEARING citizens and organizations on any housing or non-housing  
-2017 COMMUNITY development needs they have identified. The Council  
DEVELOPMENT BLOCK will also review written statements of Intent to Apply for Program  
GRANT IDENTIFIED Year 2017 Community Development Block Grant funding and  
NEEDS organizations may present their proposals for funding.

Mayor Blad opened the public hearing.

Melanie Gygli, Neighborhood and Community Services (NCS) Division Manager, reviewed the process used by applicants to apply for Community Development Block Grant (CDBG) funds. She explained that a federal Fiscal Year 2017 budget had not been adopted at that time. Ms. Gygli stated for purposes of planning, NCS staff has estimated the City's allocation to be \$375,419.00, which is approximately the amount awarded in Program Year 2016. She added that statements of intent to apply for funding requests totaled over \$600,000.00. Ms. Gygli noted that requests are being evaluated for eligibility under HUD's guidelines.

In response to questions from Council, Ms. Gygli explained the funding request from Westwood Village is allowed even though they are a for-profit entity. The development is affordable housing that will benefit low to moderate income families.

Mayor Blad announced that other than Statements of Intent, no other written comments were received regarding the applications for CDBG funds.

BJ Stensland, Executive Director of Aid For Friends, PO Box 4233, spoke in favor of the proposal and stated requested funds would be used for bus tickets to provide transportation for clients. Ms. Stensland added that requested funds would also be used to provide necessary upgrades at the emergency homeless shelter.

Terry Frederickson, Executive Director of New Day Products, 1704 North Main Street, spoke in support of the application and gave an overview of the organization's purpose and proposed upgrades to the facility's sidewalks and ramps. He added that sidewalk upgrades are necessary in addition to drainage to avoid flooding in the area.

Bill Davis, Westwood Village, 1800 Garrett Way, spoke in support of the application and outlined plans for 48 affordable housing units planned for the area. He stated requested funds would be used for sidewalk infrastructure surrounding the complex.

Mark Dahlquist, Executive Director of NeighborWorks Pocatello, 206 North Arthur, spoke in support of the application. He shared that NeighborWorks has requested funding to provide owner-occupied rehabilitation and rental rehabilitation programs.

Sarah O'Banian, Executive Director of Family Services Alliance, 355 South Arthur, spoke in support of the application and gave an overview of the organization's purpose and proposed upcoming projects. She stated requested funds would be used for replacement of aging single-pane windows and safety upgrades at the facility.

Tom Sanford, Assistant City of Pocatello Fire Chief, spoke in support of the application and stated requested funds would be used to repair blighted sidewalks and bring sidewalks into ADA compliance near Fire Station #1, 408 East Whitman.

Paul Bauer and Caroline Fulton, representing the Pocatello Senior Center, spoke in support of the application and gave an overview of proposed upgrades at the Center. Mr. Bauer outlined the need for a new "combi unit" commercial oven for healthy meal preparation.

Mindy Hong, Executive Director of Pocatello Free Clinic, spoke in support of the application and gave an overview of the organization's purpose and proposed upcoming projects. She stated requested funds would be used to replace aging carpet at the Clinic.

Dave Hunt, Pocatello Regional Transit Director, spoke in support of the application and gave an overview of proposed ADA compliant upgrades at 7<sup>th</sup> Avenue and Sherman Streets, near Pocatello City Hall. He stated the upgrades are necessary in order to provide safe transportation for citizens.

Idaho Lorax, Pocatello resident, spoke uncommitted to the proposal and stated he is concerned about possible environmental issues related to the properties proposed for rehabilitation.

There being no further public comments, Mayor Blad closed the public hearing and announced that Council would consider further action at a later date.

AGENDA ITEM NO. 8: Martin Martinez (mailing address: 725 Aspen Lane, Pocatello, ID 83204) and Matt Baker of Summit Land Surveying (mailing address: 366 Washington Avenue, Pocatello, ID 83201) have submitted an application for a short plat to subdivide 725 Aspen Lane into two (2) residential lots. This subdivision is to be called Martinez Estates.

Staff recommended approval, subject to the following conditions: 1) all conditions set out in the Public Works Department Memorandum from Merril Quayle, P.E. dated September 22, 2016, shall be met; 2) any proposed 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.

A motion was made by Mr. Moore, seconded by Mr. Brown, to approve the request by Martin Martinez and Matt Baker for a short plat to subdivide 725 Aspen Lane into two (2) residential lots with conditions recommended by staff, that the subdivision be called Martinez Estates and that the decision be set out in

appropriate Council Decision format. Upon roll call, those voting in favor were Moore, Brown, Adamson and Orr.

AGENDA ITEM NO. 9: Council was asked to consider a threshold exception request by NeighborWorks Pocatello in the infill housing program, allowing them to apply for Program Year 2017 funds although 50 percent of Program Year 2016 funds are not anticipated to be expended by October 1, 2016. Neighborhood and Community Services staff recommended approval of the request.

-THRESHOLD  
EXCEPTION REQUEST  
FOR NEIGHBORWORKS  
POCATELLO

A motion was made by Mr. Moore, seconded by Ms. Adamson, to approve a threshold exception request by NeighborWorks Pocatello in the infill housing program, allowing them to apply for Program Year 2017 funds although 50 percent of Program Year 2016 funds were not expended by October 1, 2016. Upon roll call, those voting in favor were Moore, Adamson, Brown and Orr.

AGENDA ITEM NO. 10: Council was asked to accept the recommendation of staff and declare the purchase of a 2003 Mack TMT 507P Airless Paint Truck from Traffic Markings, Inc. to be a valid sole source expenditure. The purchase price of approximately \$83,000.00 will include delivery. Council may also wish to authorize the Mayor to sign any contractual documents related to the purchase, subject to Legal Department review.

PAINT STRIPING  
MACHINE SOLE  
SOURCE EXPENDITURE  
AND DECLARATION  
-STREET OPERATIONS

Funding for the purchase is available in the Street Operations Department Fiscal Year 2016 budget.

A motion was made by Mr. Orr, seconded by Mr. Brown, to accept the recommendation of staff and declare the purchase of a 2003 Mack TMT 507P Airless Paint Truck from Traffic Markings, Inc. to be a valid sole source expenditure and that the purchase price of approximately \$83,000.00 will include delivery and authorize the Mayor to sign any contractual documents related to the purchase, subject to Legal Department review.

Mayor Blad clarified that the expenditure of Fiscal Year 2016 will be included in a budget amendment at a later date, since the purchase of the equipment will take place during Fiscal Year 2017.

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

AGENDA ITEM NO. 11: Council was asked to consider the following requests regarding the construction of a Reflection Garden at Caldwell Park:

REFLECTION GARDEN  
PROJECT  
-CALDWELL PARK

a) Approve an agreement with Project Developers, represented by Janet Schubert, (3578 Wild Mountain Road, Pocatello, ID 83204) for construction of a Reflection Garden amenity at Caldwell Park, per outlined agreement terms and conditions; and

APPROVE  
AGREEMENT  
-PROJECT  
DEVELOPERS

b) Per Project Developer request, direct Parks and Recreation Department staff to perform needed tree removal and park irrigation retrofits in support of the project, and absorb related costs into

-PARKS AND  
RECREATION  
LABOR/COSTS

general operations; and

- AUTHORIZE AGREEMENT c) Authorize the Mayor's execution of the Agreement between the City of Pocatello and Project Developers for the Reflection Garden Project.

This project request was presented at the September 8, 2016 Study Session. Council was supportive of the request pending agreement on additional project related items noted in the Study Session Staff report, and preparation of an agreement document outlining terms and conditions for the project. Both items have been addressed and completed.

A motion was made by Mr. Brown, seconded by Mr. Orr, to approve Agenda Item No. 11(a) through No. 11(c) regarding the construction of a Reflection Garden at Caldwell Park. Upon roll call, those voting in favor were Brown, Orr, Adamson and Moore.

- AGENDA ITEM NO. 12: Council was asked to consider a request from Angie Dangerfield d/b/a Jazzercise Pocatello (mailing address: 6191 Indian Tree Lane, Pocatello, ID 83204) to use the Community Recreation Center (CRC) facility to conduct a contractual fitness program. The agreement outlines compensation to the City for participants utilizing the program and CRC lease guidelines to allow Pocatello Jazzercise to use the facility.
- PROFESSIONAL SERVICE AGREEMENT -JAZZERCISE POCATELLO

A motion was made by Mr. Moore, seconded by Mr. Brown, to approve a request from Angie Dangerfield d/b/a Jazzercise Pocatello to use the Community Recreation Center (CRC) facility to conduct a contractual fitness program and approve an agreement outlining compensation to the City participants utilizing the program and CRC lease guidelines to allow Pocatello Jazzercise to use the facility. Upon roll call, those voting in favor were Moore, Brown, Adamson and Orr.

- AGENDA ITEM NO. 13: Council was asked to approve the adoption of the Fiscal Year 2017-2020 Collective Bargaining Agreement (CBA) for the Pocatello Firefighters Local No. 187, subject to Legal Department review. This CBA is the new multi-year contract reached during mediation.
- COLLECTIVE BARGAINING AGREEMENT FOR POCATELLO FIRE UNION LOCAL NO. 187

A motion was made by Mr. Moore, seconded by Mr. Orr, to approve the adoption of the Fiscal Year 2017-2020 Collective Bargaining Agreement (CBA) for the Pocatello Firefighters Local No. 187, subject to Legal Department review.

Mr. Brown thanked those who were involved in the difficult and lengthy negotiation process.

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

- AGENDA ITEM NO. 14: Council was asked to consider the following ordinances:  
ORDINANCES

- CIVIL SERVICE a) An Ordinance amending Pocatello Municipal Code Title 2, Chapter

COMMISSION  
AMENDMENTS

14, "Civil Service Commission for Police and Fire Departments", removing all references to the Pocatello Police Department as this Department has elected to provide its own Personnel Administrative

Rules that were prepared by a joint committee of City and Union representatives. Said Rules were adopted by the City Council as an attachment to the Collective Bargaining Agreement (effective from October 1, 2016 – September 30, 2017) at the Regular City Council meeting held September 15, 2016.

A motion was made by Mr. Moore, seconded by Mr. Brown, that the ordinance, Agenda Item No. 14(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, Brown, Adamson and Orr.

Kirk Bybee, Chief Civil Deputy Attorney, read the ordinance by title.

Mayor Blad declared the final reading of the ordinance amending Pocatello Municipal Code Title 2, Chapter 14, "Civil Service Commission for Police and Fire Departments," removing all references to the Pocatello Police Department as adopted by the City Council as an attachment to the Collective Bargaining Agreement effective October 1, 2106 through September 30, 2017. Mayor Blad asked, "Shall the ordinance pass?" Upon roll call, those voting in favor were Adamson, Brown, Moore and Orr. Mayor Blad declared the ordinance and summary sheet passed, that it be numbered 2978 and be submitted to the Idaho State Journal for publication.

WIRELESS  
COMMUNICATIONS  
TOWERS AND  
FACILITIES  
AMENDMENTS

b) An Ordinance amending Pocatello Municipal Code Title 15, Chapter 42, "Wireless Communications Towers and Facilities" (WCF). The proposed ordinance places the City in compliance with Federal legislation known as the *Spectrum Act* and contains changes pertaining to the siting and permitting of wireless communication facilities. Said code modifications were presented to the Council at

the May 12, 2016 Study Session and a Public Hearing before the City Council was held on September 15, 2016.

A motion was made by Mr. Moore, seconded by Ms. Adamson, that the ordinance, Agenda Item No. 14(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, Adamson, Brown and Orr.

Kirk Bybee, Chief Civil Deputy Attorney, read the ordinance by title.

Mayor Blad declared the final reading of the ordinance amending Pocatello Municipal Code Title 15, Chapter 42, "Wireless Communications Towers and Facilities" (WCF), placing the City in compliance with Federal legislation known as the *Spectrum Act* and contains changes pertaining to the siting and permitting of wireless communication facilities. Mayor Blad asked, "Shall the ordinance pass?" Upon roll call, those voting in favor were Adamson, Brown, Moore and Orr. Mayor Blad declared the ordinance and summary sheet passed, that it be numbered 2979 and be submitted to the Idaho State Journal for publication.

AGENDA ITEM NO.  
DISCUSSION ITEMS

15: Idaho Lorax, Pocatello resident, shared his concerns regarding safety issues, Sister City affiliations and protection of national forests.

There being no further business, Mayor Blad adjourned the meeting at 7:00 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