

CITY OF POCA TELLO, IDAHO
CITY COUNCIL AGENDA
CLARIFICATION MEETING AND
REGULAR CITY COUNCIL MEETING
NOVEMBER 19, 2009

CLARIFICATION MEETING The City Council Agenda Clarification Meeting was called to order at 5:30 PM by Mayor Roger Chase. Council members present were Roger Bray, Gary Moore, Eva Johnson Nye, Robert Richway, and Brian Underwood. Council member Ron Frasure arrived at 5:33 PM. 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 PM by Mayor Roger Chase. ROLL CALL AND PLEDGE OF ALLEGIANCE Council members present were Roger Bray, Ron Frasure, Gary Moore, Eva Johnson Nye, Robert Richway, and Brian Underwood.

Mayor Chase led the audience in the pledge of allegiance.

AGENDA ITEM NO. 2: The invocation was given by Mike Jablonski of Blazing Grace Church.

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

-MINUTES (a) Waive the oral reading of the minutes and approve the minutes from the Board of Canvassers meeting of November 5, 2009, and the Agenda Clarification and Regular City Council meeting of November 5, 2009.

-TREASURER'S REPORT (b) Treasurer's Report for October showing cash and investments as of November 1, 2009, in the amount of \$19,620,565.86.

-AIRPORT COMMISSION REAPPOINTMENT (c) Confirm the Mayor's appointments of Roland Smith and Dwayne Sudweeks to serve as members of the Airport Commission, replacing Robert McLaughlin and John Brokens respectively whose terms expired. Both terms will begin November 20, 2009, and will expire November 20, 2013.

-FORT HALL REPLICA COMMISSION REAPPOINTMENT (d) Confirm the Mayor's reappointment of Jacquie Alvord to continue her service as a member of the Fort Hall Replica Commission. Ms. Alvord's term will begin November 21, 2009, and will expire November 21, 2013.

-POCATELLO YOUTH FORUM APPOINTMENT (e) Confirm the Mayor's appointment of Kaylee Judy to serve as a member of the Pocatello Youth Forum. Her term will begin November 20, 2009, and will expire in June of the year she graduates from high school.

-SISTER CITIES COMMITTEE APPOINTMENT (f) Confirm the Mayor's reappointment of Sanae Wood to continue her service as a member of the Japanese Sister Cities Subcommittee. Ms. Wood's term will begin November 18, 2009, and will expire November 18, 2013.

-GRANT APPROVAL POCATELLO ARTS COUNCIL (g) Approve the Pocatello Arts Council acceptance of a \$10,000.00 Ifft Foundation Fund in the Idaho Community Foundation grant to complete the construction of an artistic fountain with an animal theme at the Pocatello Zoo, along with adjacent artistic benches designed to compliment the entryway for the new bear exhibit.

-TAXICAB LICENSE DENIAL-DELEZENE (h) Accept the recommendation of the Police Chief and deny the Taxicab License of Denny L. Delezene.

A motion was made by Mr. Moore, seconded by Mr. Richway, to approve consent agenda items 3(a) through 3(g). Upon roll call, those voting in favor were Moore, Richway, Bray, Frasure, Nye, and Underwood.

Agenda Item 3(h) asking Council to accept the recommendation of the Police Chief and deny the Taxicab License of Denny L. Delezene was considered at this time.

Roger Schei, Police Sergeant, stated that the Taxicab License application for Mr. Delezene was denied because he was convicted of trafficking methamphetamine in 1992. Mr. Schei noted that no other incidents are on record since that time and Mr. Delezene now educates students about the dangers of methamphetamine use.

Mr. Delenzene distributed a letter from Lieutenant Steven Davis, Idaho State Police, supporting his Taxicab License application. Mr. Delezene shared the steps he has taken to reestablish himself in the community. He noted that while driving a semi-trailer he was injured and can no longer drive a large truck. As a result, Mr. Delezene has purchased a vehicle to run his own taxi service.

In response to a question from Mayor Chase, Mr. Delezene stated that he would submit to a drug test if the Council directs him to do so.

A motion was made by Mr. Moore, seconded by Mr. Bray, to approve a taxi cab license for Denny L. Delezene.

Mr. Underwood asked staff to review the Ordinance and see if changes could be made which would allow individuals to receive licenses if an offense is older than 15 years. If a person has stayed out of trouble for 15 years they most likely are a good candidate for a license.

Mr. Moore's motion was voted upon at this time. Upon roll call, +those voting in favor were Moore, Bray, Frasure, Nye, Richway, and Underwood.

Mayor Chase acknowledged that Mayor-elect Brian Blad, Council member-elect Craig Cooper and students from Idaho State University were in the audience.

AGENDA ITEM NO. 4: Mayor Chase proclaimed December 1, 2009, as COMMUNICATIONS AND PROCLAMATIONS World AIDS Day and urged all citizens to join the global effort to prevent the further spread of HIV/AIDS.

Larry Farrell and representatives supporting HIV/AIDS research accepted the proclamation and invited the Council to attend an event on December 1, 2009, at the First Congregational United Church of Christ to recognize World AIDS Day.

Mayor Chase proclaimed the week of November 15 through 21, 2009, to be American Education Week in Pocatello and Chubbuck and encouraged citizens to be involved in visiting public schools to support the mission of maximizing student learning in both communities.

AGENDA ITEM NO. 5: Mayor Chase reminded the Council of the CALENDAR REVIEW December 3rd Regular Council meeting at 6:00 PM; the December 10th Study Session at 9:00 AM; and the December 17th Regular Council meeting at 6:00 PM.

Mayor Chase announced that City offices will be closed November 26th and 27th to observe the Thanksgiving Holiday; that Transit will run their Saturday hours on Friday, November 27th; the Christmas Light Parade and Cottage and Cranberries Festival will be held on November 27th; the Christmas in the Night Time Skies event will be held at Bannock County Fairgrounds on November 28th; and the special leaf pick-up program continues through November 28th.

AGENDA ITEM NO. 6: Ralph Huntington, 676 Aspen Lane, shared his DISCUSSION ITEMS concerns about a pipe that extends out into the street near his home. Mr. Huntington would like the City to correct the problem and feels that it is a danger for citizens. He feels that individuals who

designed the mobile home park near where he lives did it incorrectly and residents cannot park on the side of the road because it is too narrow.

Mayor Chase announced that the City would like to recognize Intermountain Gas Company and Williams Northwest Pipeline for their contributions to help maintain the City Creek Recreation area. Therefore, Mayor Chase presented Intermountain Gas Company and Williams Northwest Pipeline Certificates of Appreciation for their commitment to support the City Creek Recreation Area.

A representative from Williams Northwest Pipeline received both certificates and thanked the Mayor and Council for the recognition.

AGENDA ITEM NO. 7: Council was asked to adopt a resolution
RESOLUTION-CITY providing for the adoption of the City Creek
CREEK MANAGEMENT AREA Management Area Plan. A public hearing was
held on this matter on October 15, 2009.

A motion was made by Mr. Richway, seconded by Mrs. Nye, to adopt a Resolution (#2009-38) providing for the adoption of the City Creek Management Area Plan. Upon roll call, those voting in favor were Richway, Nye, Bray, Frasure, Moore, and Underwood.

AGENDA ITEM NO. 8: Council was asked to consider authorizing
PIGGY-BACK BIDS piggy-backing on the State of Idaho bid for
-POLICE DEPARTMENT the following vehicles:

-THREE CROWN (a) Three 2010 model year Ford Crown Victoria,
VICTORIA POLICE Police Interceptor patrol vehicles, to be
INTERCEPTORS purchased from Dan Wiebold Ford, Nampa ID.
PATROL VEHICLES Bid amount is \$23,470.68 each for a total
amount of \$70,412.04. The funds for these
vehicles will come from Federal Stimulus Grant Funds.

-ADDITIONAL FORD (b) Three 2010 model year Ford Crown Victoria
CROWN VICTORIA Police Interceptor patrol vehicles to be
POLICE INTERCEPTORS purchased from Dan Wiebold Ford, Nampa ID.
Bid amount is \$23,470.68 each for a total
amount of \$70,412.04. Funds are available in the 2010 Police
Budget which was prepared before the City knew they would receive
the Federal Stimulus Grant Funds.

-JEEP GRAND (c) One 2010 model year Jeep Grand Cherokee
CHEROKEE four-wheel drive SUV to be purchased from
Bonanza Motors, Burley ID. Bid amount is
\$20,926.00. Funds are available in the 2010 Police budget.
Mayor Chase noted that the vehicles are being purchased from Nampa
and Burley because local dealers have not shown an interest in
bidding on the vehicles. In addition, Mayor Chase clarified that

the funds in Agenda Item 8(c) will also come from Federal Stimulus Grant Funds.

A motion was made by Mr. Frasure, seconded by Mr. Bray, to approve piggy-backing on the State bid to allow the purchases as outlined in Agenda items 8(a) through 8(c). Upon roll call, those voting in favor were Frasure, Bray, Moore, Nye, Richway, and Underwood.

AGENDA ITEM NO. 9: This time was set aside for the Council to
PUBLIC HEARING accept oral comments regarding proposed
-CDBG ACTION PLANS reallocations within the 2008-2009 (program
AMENDMENTS year April 1, 2008 through March 31, 2009)
and 2009/2010 (program year April 1, 2009
through March 31, 2010) Community Development Block Grant (CDBG)
Action Plans. The amendments were reviewed and recommended for
approval by the CDBG Advisory Committee at their November 4, 2009,
meeting. A 30 day written comment period began November 16, 2009,
and will continue through December 16, 2009. Final consideration
on endorsing the proposed reallocations will occur at the December
17, 2009, Regular City Council meeting.

Mayor Chase opened the public hearing.

LeeAnn Dutton, Neighborhood and Community Services Division Manager, reviewed the mid-year amendments for the Action Plans. Mrs. Dutton stated that because of Stimulus Dollars funds that previously were used for staff costs have been moved to capital for both the City and Infill Rehab Programs. The CDBG Advisory Committee has recommended approval of the amendments.

Mayor Chase announced that no written comments were received regarding the amendments.

There being no further comments, Mayor Chase closed the oral portion of the public hearing and announced that written comments would be received until December 16, 2009.

AGENDA ITEM NO. 10: This time was set aside for the Council to
PUBLIC HEARING receive public comments on the proposed
-PROPOSED 2010/2011 Community Development Block Grant (CDBG)
CDBG ACTION PLAN 2010/2011 (program year April 1, 2010
through March 31, 2011) Action Plan. The
CDBG Advisory Committee recently concluded its annual grant
application process and recommended approval of the submitted plan.
Funding requests totaled \$822,998.00 and the City anticipates
receiving approximately \$648,925.00 which includes income generated
by existing programs. Therefore, \$174,073.00 in requests cannot be
funded. Following the public hearing, the Council may wish to
endorse or modify the Advisory Committee's recommendations and then
continue the 30 day written comment period that began on November
16, 2009, and continues through December 16, 2009. Final

consideration on endorsing and forwarding of the Action Plan to the Department of Housing and Urban Development will occur at the December 17, 2009, City Council meeting.

Mayor Chase opened the public hearing.

LeeAnn Dutton, Neighborhood and Community Services Division Manger, stated that it was a very difficult review process for the CDBG Advisory Committee and she thanked the Committee for their hard work. Mrs. Dutton reviewed the effect of the Stimulus dollars on past staffing expenses and anticipated staffing expenses for the future. She outlined the cuts determined by the Committee noting that the largest cut will be the elimination of the City Rescue, Restore, Resell Program. The Committee also asked staff to look at service delivery costs over the next year.

Mayor Chase announced that no written comments were received regarding the proposed Action Plan.

Mark Dahlquist, Pocatello Neighborhood Housing Services (PNHS) Executive Director, and Sarah Jackson, PNHS Board President, displayed a map showing the targeted neighborhoods and where infill houses have been built by PNHS over the past 13 years. Mr. Dahlquist feels PNHS has made a positive difference in the community and the working relationship with City staff has been a great asset. He explained how PNHS programs work and that the Infill and Rehab programs really do complement each other. Mr. Dahlquist stated that these programs are available for homeowners with low to moderate income. He noted that by improving existing homes it also increases the tax base.

In response to a question from Council, Mr. Dahlquist requested the reduction of \$4,220.00 be added back into the recommended funding amount for the PNHS Infill Program.

Mr. Frasure noted that he drove by a couple of the projects that PNHS has been working on and was impressed with the structures. He commented especially about the Infill home that is located on 9th Avenue.

There being no further comments, Mayor Chase closed the oral portion of the public hearing and announced that written comments will be received until December 16, 2009.

A motion was made by Mr. Frasure, seconded by Mr. Richway, to endorse the CDBG Advisory Committee recommendations for the CDBG 2010/2011 Action Plan and would like staff to research if the reduction of \$4,220.00 could be included in the funding amount for the PNHS Infill Program.

In response to a question from Council, Mrs. Dutton stated that CDBG funding could absorb the \$4,220.00 for the service delivery on the home located on 9th Avenue. She noted that the funding was reduced because of an anticipated lot shortfall.

Mayor Chase clarified that the proper place to request a change to the CDBG Advisory Board's recommendation would be at the December 17, 2009 meeting.

In response to a question from Council, Mrs. Dutton stated that the Habitat for Humanity part-time Executive Director position is a new position and the Board recommended partial funding for the position.

Rhonda Johnson, City Clerk, asked if the motion was to endorse the CDBG Advisory Committee recommendations for the CDBG 2010/2011 Action Plan. Mr. Frasure stated it was.

Mr. Frasure's motion was voted upon at this time. Upon roll call, those voting in favor were Frasure, Richway, Bray, Moore, Nye, and Underwood.

AGENDA ITEM NO. 11: This time was set aside for Council to receive public comment on the Fiscal Year 2010 Urbanized Formula FTA Grant Application and Execution and Program of Projects (POP). The funding request consists of operating, preventative maintenance, land lease, ADA support and security. Total Federal funds requested per the POP are \$1,015,000.00. At the conclusion of the public hearing the Council may wish to authorize the submittal of the Application and Execution and Certifications and Assurances, subject to Legal Department approval. Additionally, Council may wish to authorize the Public Transit Director, subject to Legal Department approval, to make budgetary and amendment modifications as required and accept additional funding.

Mayor Chase opened the public hearing.

Mayor Chase noted that the Formula FTA Grant Application is a standard grant that is applied for annually.

Mayor Chase announced that no written correspondence had been received regarding the application.

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

A motion was made by Mr. Moore, seconded by Mr. Frasure, to authorize the submittal of necessary paperwork for the Fiscal Year 2010 Urbanized Formula FTA Grant Application ID90X0103 and authorize the Public Transit Director to make budgetary and amendment modifications as required and accept additional funding, and that all actions are subject to Legal Department approval. Upon roll call, those voting in favor were Moore, Frasure, Bray, Nye, Richway, and Underwood.

AGENDA ITEM NO. 12: Council was asked to consider a request by
RIGHT OF WAY Dell's Electric (mailing address: 355 East
USE LICENSE Center, Pocatello ID 83201), represented by
-355 EAST CENTER Lytle Signs (mailing address: PO Box 305,
Twin Falls ID 83303), for a right of way use
license for an electric sign to over-hang the right of way at 355
East Center.

Terri Neu, Assistant Planner, clarified that the applicant's name is Dell's Mattress and Appliance Center. Mrs. Neu reviewed the application for the over-hang sign and reminded Council that the building is located in a Historic District. She noted that the sign would fit in with similar signs already in that area. Staff recommended approval with the condition that the applicant provide proof of insurance. Mrs. Neu noted that the condition was met earlier in the week.

In response to a question from Council, Mrs. Neu stated that the sign would be on 24 hours a day.

A motion was made by Mr. Underwood, seconded by Mr. Moore, to approve a right of way use license for an electric sign to over-hang the right of way at 355 East Center, with the condition recommended by staff, and that the decision be set out in appropriate Council Decision format. Upon roll call, those voting in favor were Underwood, Moore, Bray, Frasure, Nye, and Richway.

AGENDA ITEM NO. 13: Council was asked to approve, subject to
B.I.D. MANAGEMENT Legal Department approval, a renewal of the
AGREEMENT management agreement with Old Town Pocatello
to administer and manage the operations of
the Business Improvement District (B.I.D.). Council may also wish
to acknowledge that they have reviewed the employment agreement of
Stephanie Palagi with Old Town Pocatello as provided for in the
management agreement.

A motion was made by Mr. Bray, seconded by Mrs. Nye, to approve, subject to Legal Department approval, a renewal of the Management Agreement with Old Town Pocatello to administer and manage the operations of the B.I.D. and acknowledged that the Council has reviewed the employment agreement of Stephanie Palagi with Old Town

Pocatello as provided for in the management agreement. Upon roll call, those voting in favor were Bray, Nye, Frasure, Moore, Richway, and Underwood.

AGENDA ITEM NO. 14: Council was asked to direct Legal staff to SYRINGA SCHOOL prepare and authorize the Mayor to sign the CROSSING GUARD necessary documents to allow for a crossing guard at Syringa Elementary School subject to School District No. 25 providing 50% of the costs to provide such services. This item was discussed at the November 12, 2009, Study Session.

A motion was made by Mr. Bray, seconded by Mr. Richway, to authorize Legal staff to prepare and the Mayor to sign the necessary documents to allow a crossing guard at Syringa Elementary school subject to School District No. 25 providing 50% of the costs to provide such services. Upon roll call, those voting in favor were Bray, Richway, Frasure, Moore, Nye, and Underwood.

AGENDA ITEM NO. 15: Council was asked to approve the revisions PERSONNEL POLICY to the Introduction and General Policies HANDBOOK SECTIONS Statements sections of the Personnel Policy CHANGES Handbook as discussed at the November 12, 2009, Study Session. A decision on the revisions was necessary in order to continue with updates to subsequent sections.

A motion was made by Mr. Frasure, seconded by Mrs. Nye, to approve revisions to the Introduction and General Policies Statements sections of the City's Personnel Policy Handbook as discussed at the November 12, 2009, Study Session. Upon roll call, those voting in favor were Frasure, Nye, Bray, Moore, Richway, and Underwood.

There being no further business, Mayor Chase adjourned the meeting at 7:00 PM.

APPROVED BY:

ROGER W. CHASE, MAYOR

ATTEST:

RHONDA L. JOHNSON, MMC, CITY CLERK

REGULAR CITY COUNCIL MEETING
NOVEMBER 19, 2009

10

PREPARED BY:

RUTH E. WHITWORTH, CMC, DEPUTY CLERK