

CITY COUNCIL MEETING

CITY OF POCA TELLO, IDAHO

MARCH 18, 2010 - 9:00 AM

CITY COUNCIL CHAMBERS
911 NORTH 7TH AVENUE

Notice is hereby given that the City Council will hold a meeting on Thursday, March 18, 2010, at 9:00 AM in the Council Chambers at City Hall, 911 North 7th Avenue. The purpose of the meeting is to review Service Level Reports.

City Hall and the Council Chambers are accessible to persons with disabilities. Interpreters for persons with hearing impairments and/or taped information for persons with visual impairments can be provided upon three (3) days notice. For accessibility arrangements, please contact Dave Hunt, Interim ADA Coordinator, at Voice Phone: 208-232-5057; TTY: 208-232-5071; Fax: 208-233-5149; E-mail: dhunt@pocatello.us; Mailing Address: P.O. Box 4169, Pocatello, Idaho 83205-4169; Physical Address: 215 West Bonneville, Pocatello.

A G E N D A

CITY OF POCA TELLO

REGULAR CITY COUNCIL MEETING

MARCH 18, 2010 - 6:00 PM

COUNCIL CHAMBERS
911 NORTH 7TH AVENUE

Any citizen who wishes to address the Council shall first be recognized by the Mayor, and shall then give his/her name and address for the record. If a citizen wishes to read documentation of any sort to the Council, he/she shall first seek permission from the Mayor. A three (3) minute time limitation is requested for Council presentations.

City Hall and the City Council Chambers are accessible to persons with disabilities. Interpreters for persons with hearing impairments and/or taped information for persons with visual impairments can be provided upon three day notice. For accessibility arrangements, please contact Dave Hunt, Interim ADA Coordinator, at Voice Phone: 208-232-5057; TTY: 208-232-5071; Fax:

208-233-5149; E-mail: dhunt@pocatello.us; Mailing Address: P.O. Box 4169, Pocatello, Idaho 83205-4169; Physical Address: 215 West Bonneville, Pocatello, Idaho.

The purpose of the agenda is to assist the Council and interested citizens in the conduct of this public meeting. Citizens should examine the agenda for the item of their interest. If the matter the citizen wishes to discuss is not listed on the formal agenda, an opportunity to be heard by the Council is the agenda item described as "DISCUSSION ITEMS." Total time allotted for this item is fifteen (15) minutes, with a maximum of three (3) minutes per speaker. You must sign in at the start of the meeting.

AGENDA CLARIFICATION MEETING: A meeting will be held at 5:30 PM in the Paradise Conference Room at City Hall, prior to the regular meeting for clarification of the agenda.

RECESS: In the event the meeting is still in progress at 7:30 PM, the Mayor may call a ten-minute recess to allow Council members and participants a brief rest period.

AGENDA ITEM NO. 1: ROLL CALL AND PLEDGE OF ALLEGIANCE.

AGENDA ITEM NO. 2: INVOCATION: The invocation will be offered by Carl Levenson, representing Temple Emanuel.

AGENDA ITEM NO. 3: CONSENT AGENDA: The following business items may be approved by one motion and a vote. If any one member of the Council so desires, any matter listed can be moved to a separate agenda item.

(a) MINUTES: Council may wish to waive the oral reading of the minutes and approve the minutes from the Council Meeting of March 4, 2010.

(b) TREASURER'S REPORT: Council may wish to consider the Treasurer's Report for February, showing cash and investments as of February 28, 2010.

(c) NCOA ANIMAL LICENSING CAMPAIGN: Council may wish to authorize the Non Commissioned Officers Association (NCOA) of the United States of America to conduct the May 2010 1/2 price pet licensing campaign by selling license tags in supermarkets and other venues as they have done since 1977.

AGENDA ITEM NO. 4: COMMUNICATIONS AND PROCLAMATIONS:

AGENDA ITEM NO. 5: CALENDAR REVIEW: Council may wish to take this opportunity to inform other Council members of upcoming meetings and events that should be called to their attention.

AGENDA ITEM NO. 6: DISCUSSION ITEMS: This time has been set aside to hear discussion items not listed on the agenda. Items which appear somewhere else on the agenda will not be discussed at this time. The Council is not allowed to take any official action at this meeting on matters brought forward under this agenda item. Items will either be referred to the appropriate staff or scheduled on a subsequent agenda. You must sign in at the start of the meeting in order to be recognized. (Note: Total time allotted for this item is fifteen (15) minutes, with a maximum of three (3) minutes per speaker.)

AGENDA ITEM NO. 7: BID: Council may wish to accept staff recommendations and award the bid from Hughes Fire for a 75' Heavy Duty Aerial Apparatus from Pierce Manufacturing for a total cost of \$766,178.00. The apparatus will need to be assembled and has a November 2010 delivery date.

PUBLIC HEARINGS: The procedure that will be used for conducting the public hearings is at the end of the agenda.

AGENDA ITEM NO. 8: PUBLIC HEARING-VACATION OF RIGHT OF WAY: This time has been set aside for the Council to hear comments from the public concerning a City-initiated vacation of right of way. The right of way is located in Lot 2, Block 4 of Pocatello Square Subdivision and is approximately 5,130 square feet.

AGENDA ITEM NO. 9: COMMUNITY ENVIRONMENTAL FAIR REQUEST: The Community Environmental Fair Committee is requesting Council approval of temporary street closures for the Community Environmental Fair from 8:00 AM to 5:00 PM on April 24, 2010. Additionally, they are seeking permission to allow Committee members to stay at Optimist and Tydeman Parks overnight on April 23, 2010, to prevent any possible vandalism.

AGENDA ITEM NO. 10: ORDINANCE WAIVER: Council may wish to consider a request from Daniel Lane for a waiver from City ordinances to allow for the discharge of airsoft weapons at an event that will be held on March 27, 2010, on Bureau of Land Management property located on East Terry Street.

AGENDA ITEM NO. 11: ORDINANCE WAIVER: Council may wish to consider a request from the Pocatello/Chubbuck Auditorium District for a waiver from City ordinances to allow alcohol to be served at a Greater Pocatello Chamber of Commerce After Hours on July 22, 2010, on the property they are leasing on the Upper Level of Ross Park.

AGENDA ITEM NO. 12: USE AGREEMENTS: Council may wish to consider the following use agreements:

- a) Eastern Idaho Sports Car Club - A Use Agreement with Eastern Idaho Sports Car Club for three rallies to be held in May, August, and September on Airport property. The rental rate for all three events is \$600.00.
- b) Pocatello Motocross Park - A Use Agreement with Rick C. Morrison, d/b/a Pocatello Motocross Park, for use of City property adjacent to the Motocross Park, at the Airport, for a one day enduro cross country event on March 28, 2010. The use fee will be \$100.00.
- c) Southwick Black Belt Academy - A Use Agreement with Southwick Black Belt Academy for use of facilities at the Community Recreation Center for their martial arts program. The Agreement, similar to the previous year, would be for one year, beginning on March 15, 2010. The Academy will be required to provide liability insurance, naming the City as an additional insured and pay the facility rental of \$565.00 per month.
- d) 50 Mile Endurance Race - A Use Agreement, subject to Legal Department approval, with Ryan McDermott, d/b/a as the Pocatello 50 Mile Endurance Race, for use of a small portion of the City Creek recreation area on May 19, 2010. The fee for use is \$100.00 and Mr. McDermott is required to provide liability insurance, naming the City as an additional insured, clean-up the area and repair damages which were a result of the event.
- e) Endurance Festival - A Use Agreement, subject to Legal Department approval, with Mike Welch, d/b/a as the Endurance Festival, to use the City

Creek recreation area for a trail run/mountain bike duathlon event on September 11, 2010. The fee for use is \$100.00 and Mr. Welch is required to provide liability insurance, naming the City as an additional insured, clean-up the area and repair damages which were a result of the event.

AGENDA ITEM NO. 13: STATIC DISPLAY AT AIRPORT: Council may wish to sign the 2010 Annual Loan Agreement with the National Museum of U.S. Air Force for its Static Display Program. This is the same Agreement Council has approved in the past that allows the Airport to display a jet on the Airport premises.

AGENDA ITEM NO. 14: RESOLUTION-GRANT ACCEPTANCE: Council may wish to approve a resolution accepting a grant from the State of Idaho Division of Aeronautics. The grant is for \$20,000.00 and will be used for the terminal remodel project. The grant is based on 100% match funds which are already budgeted for by using airport passenger facility charges.

AGENDA ITEM NO. 15: ARBOR DAY GRANT APPLICATION: Council may wish to authorize submission of a grant application to Idaho Nursery & Landscape Association for \$300.00 to purchase trees to give away at the Environmental Fair. A match of \$75.00 is required, which will be paid for by the Tree Commission. The Council may wish to authorize the Mayor's signature on the grant contract, if awarded, and any related subcontracts or documents, subject to Legal Department approval.

AGENDA ITEM NO. 16: FIREARMS TRANSFER: Council may wish to consider allowing the Police Department to trade five MP-5 submachine guns for five AR-15 Rifles for a total of \$10.00 in transfer fees. The submachine guns are over 20 years old and would be traded for new rifles. The rifles would be assigned to the Department's Immediate Response Unit and are better suited to the Unit's responsibilities. The use of rifles is also more in line with current SWAT training and practices.

AGENDA ITEM NO. 17: AGREEMENT-BANNOCK COUNTY PROSECUTOR:
Council may wish to consider a Civil
Forfeiture Procedures and Agreement with
the Bannock County Prosecutor's Office.
The Agreement outlines the procedures for
filing Civil Forfeiture paperwork.

PUBLIC HEARING PROCEDURE{PRIVATE }

1. Explanation of hearing procedures by Mayor or staff.
 - Ten (10) minute time limit on applicant presentation.
 - Three (3) minute time limit on public testimony.
 - Names and addresses are required from those presenting/testifying.
 - Questions/comments should be addressed to the Mayor and Council.
 - Council members must make their decision regarding the application on facts already in the record and information presented at the public hearing.
 - Protocol requires that Council and audience be recognized by the Mayor prior to speaking.
2. Mayor opens hearing.
3. Presentation by applicant.
Note: Remember, applicant bears the responsibility for making his/her case. This is also the time for Council members to ask their questions of the applicant.
4. Presentation by staff.
5. Written correspondence submitted for the record.
6. Testimony by those supporting the application.
7. Testimony by those uncommitted on the application.
8. Testimony by opponents to the application.
9. Rebuttal by the applicant.
10. Mayor closes the hearing and initiates motion/deliberations.
Note: The Mayor may choose to require a motion prior to the discussion in order to focus deliberations, or, the Mayor may choose to allow deliberations prior to the motion in order to facilitate wording of the motion.
11. Develop a written and reasoned statement supporting the decision.