

CITY OF POCA TELLO, IDAHO
CITY COUNCIL
REGULAR CITY COUNCIL MEETING
AUGUST 16, 2018

AGENDA ITEM NO. 1: The Regular City Council meeting was called to order at 6:02 p.m.
ROLL CALL AND by Mayor Brian Blad. Council members present were Heidi
PLEDGE OF Adamson, Roger Bray, Rick Cheatum, Jim Johnston, Linda Leeuwrik
ALLEGIANCE and Beena Mannan.

Mayor Blad led the audience in the pledge of allegiance.

AGENDA ITEM NO. 2: The invocation was offered by Tamilyn Carson, Buddhist
INVOCATION representative.

Mayor Blad announced that Agenda Item No. 7 had been pulled from the agenda.

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
the June 7, 2018 Budget Development meeting; July 5, 2018
Working Lunch; Clarification meeting and Regular City Council meeting of July 19, 2018; and the
August 2, 2018 Fire Union Quarterly Report.

-TREASURER'S (b) Consider the Treasurer's Report for July showing cash and
REPORT investments as of July 31, 2018 in the amount of
\$54,465,795.43.

-HUMAN RELATIONS (c) Confirm the Mayor's appointment of Merritt Clemons and Bill
ADVISORY Downs to serve as members of the Human Relations Advisory
COMMITTEE Committee. Ms. Clemons' term will begin August 17, 2018 and will
APPOINTMENTS expire August 17, 2022. Mr. Downs' term will begin August 17,
2018 and will expire May 22, 2019.

-PARKS AND (d) 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, 2018 and will expire August 18, 2020.

-PLANNING AND (e) Confirm the Mayor's appointment of Bill Stanton to serve as a
ZONING member of the Planning and Zoning Commission replacing R.
COMMISSION William Hancock, Jr. who resigned. Mr. Stanton's term will begin
APPOINTMENT August 17, 2018 and will expire April 17, 2019.

-POCA TELLO ARTS (f) Confirm the Mayor's appointments of Camille Griggs and Dale
COUNCIL Spencer to serve as members of the Pocatello Arts Council. Both
APPOINTMENTS terms will begin August 17, 2018 and will expire August 17, 2021.

-SISTER CITIES (g) Confirm the Mayor's appointment of Katherine Van Buskirk to
COMMITTEE serve as a member of the Japanese Sister Cities Subcommittee filling
APPOINTMENT a long-term vacancy. Ms. Van Buskirk's term will begin August 17,
2018 and will expire February 17, 2021.

- MOU-2018 DEPARTMENT OF JUSTICE, BYRNE GRANT (h) Approve a Memorandum of Understanding between the Police Department and Bannock County Sheriff's Office regarding the 2018 Edward Byrne Memorial Justice Assistance grant. This is an annual allocation which Bannock County will administer. The Police Department has been allocated \$19,677.60 which will be used to purchase AEDs and thermal imagers.

(Mayor Blad clarified that there was a minor change to the amount of the proposed grant amount and items to be purchased with the grant funding. The original agenda proposed an allocation of \$19,686.60 for the purchase of 10 new radar antenna systems.)

- COLLECTIVE BARGAINING AGREEMENT-FRATERNAL ORDER OF POLICE (i) Approve the adoption of the Fiscal Year 2018-2019 Collective Bargaining Agreement for the Portneuf Valley Fraternal Order of Police Local Lodge No. 13.

A motion was made by Mr. Johnston, seconded by Mr. Cheatum, to approve the items on the consent agenda. Upon roll call, those voting in favor were Johnston, Cheatum, Adamson, Bray, Leeuwrik and Mannan.

- 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 following meetings to be held September 6th: Police Union Update at 5:00 p.m.; Clarification meeting at 5:30 p.m.; and Regular City Council meeting at 6:00 p.m. and the September 13th Work Session at 9:00 a.m.

Mayor Blad announced Ice Cream ZooFari event would be held from noon to 4:00 p.m. at Zoo Idaho on August 18th. See Council member Leeuwrik challenge a grizzly bear in a pie eating contest at 2:00 p.m.; August 20th would be Welcome Back Orange and Black event for ISU Students and would be held at Old Town Pocatello; the Community Recreation Center would be closed for annual maintenance work beginning Monday, August 20th and is scheduled to re-open on September 4th at 6:00 a.m. While the patron facilities will be closed, the business offices will remain open from 8:00 a.m. to 5:00 p.m.; Volunteers are wanted for Terry First Build a Better Block Event to be held August 22nd through the 25th. Volunteers can sign up at TerryFirst.com; the last day of the season at Ross Park Aquatic Complex would be August 26th; September 3rd City offices would be closed for Labor Day. However, garbage and recycle collection will continue on schedule.

Mayor Blad reminded residents that schools would be starting soon and please remember to slow down in school zones.

- AGENDA ITEM NO. 6: Steve Rigby, represented by Matt Baker of Summit Land Surveying (mailing address: 366 Washington Avenue, Pocatello, ID 83201) has submitted a request to subdivide 1.72 acres (more or less) into 1 residential lot. This is a replat of Lots 2, 3, 4, Block 1 and Lots 14 and 15, Block 2, Marcrest Addition No. 1 and is to be known as Farmhouse Estate. The property is located off Monte Vista Drive, east of the intersection with Lucille Avenue.
SHORT PLAT -FARMHOUSE ESTATE

A motion was made by Mr. Johnston, seconded by Ms. Mannan, to approve a request by Steve Rigby,

represented by Matt Baker of Summit Land Surveying and approve a request to subdivide 1.72 acres (more or less) into 1 residential lot and that the replat of Lots 2,3,4, Block 1 and Lots 14 and 15, Block 2, Marcrest Addition No. 1 with the following conditions: 1) All conditions on the Subdivision Application Staff Report shall be met; 2) All conditions set out in the Public Works Department Memorandum from Merrill Quayle, P.E. dated August 3, 2018 shall be met; 3) Subdivision Covenants, Conditions and Restrictions (CCR's), if applicable, shall be submitted to the City; 4) All corrections to the plat which were noted by City Staff shall be made prior to submittal of the final plat; 5) The plat shall conform to all State and local laws and ordinances; and 6) All other standards and conditions of Municipal Code not herein discussed but applicable to residential development shall apply and that the lot, located off Monte Vista Drive, east of the intersection with Lucille Avenue, is to be known as Farmhouse Estate and that the decision be set out in appropriate Council Decision format. Upon roll call, those voting in favor were Johnston, Mannan, Adamson, Bray, Cheatum and Leeuwrik.

AGENDA ITEM NO. 7: As announced earlier, the request from Penny Pink, Portneuf
TEMPORARY STREET Brewing, LLC to temporarily close the 600 block of South 1st
CLOSURE REQUEST Avenue on August 25, 2018 from noon until 9:00 p.m. for a Terry -
TERRY FIRST EVENT First event, was pulled from the agenda.

AGENDA ITEM NO. 8: Council was asked to consider a request from Penny Pink, Portneuf
OPEN CONTAINER Brewing, LLC (mailing address: 615 South 1st Avenue, Pocatello, ID
WAIVER REQUEST 83204) for a waiver of the open container ordinance to allow the sale
-TERRY FIRST EVENT of beer and wine during the August 25, 2018 Terry First Event for a
Pocket Park Demonstration.

If the open container ordinance is waived it should be contingent upon the applicant meeting Police Department requirements and purchasing appropriate permits.

A motion was made by Mr. Cheatum, seconded by Ms. Leeuwrik, to approve a request from Penny Pink, Portneuf Brewing, LLC for a waiver of the open container ordinance to allow the of beer and wine during the August 25, 2018 Terry First Event for a Pocket Park Demonstration, contingent upon the applicant meeting Police Department requirements and purchasing appropriate permits. Upon roll call, those voting in favor were Cheatum, Leeuwrik, Adamson, Bray, Johnston and Mannan.

AGENDA ITEM NO. 9: Council was asked to approve the following requests related to an
IDAHO DEPARTMENT Idaho Department of Water Resources grant application by Science
OF WATER RESOURCES and Environment Division staff for flood damage repairs/stream
GRANT APPLICATION/ restoration to Pocatello Creek near Fire Station No. 3.
ACCEPTANCE
-POCATELLO CREEK
REPAIRS

APPLICATION a) Approve the submittal of an application for an Idaho Department of
SUBMITTAL Water Resources grant in tan amount of no more than \$35,000.00
and; if awarded

AUTHORIZE b) Authorize the Mayor's signature on documents related to the grant,

SIGNATURE subject to Legal Department review.

Matching funds will come from the Science and Environment Division's cash reserves (\$25,000.00) as well as in-kind time and materials (\$10,000.00).

A motion was made by Mr. Bray, seconded by Ms. Adamson, to approve requests related to an Idaho Department of Water Resources grant application by Science and Environment Division staff, as outlined in Agenda Item No. 9(a) and 9(b) for flood damage repairs/stream restoration to Pocatello Creek near Fire Station No. 3, . Upon roll call, those voting in favor were Bray, Adamson, Cheatum, Johnston, Leeuwrik and Mannan.

AGENDA ITEM NO. 10: Council was asked to consider the following agreements with
MCLAUGHLIN YOUNG McLaughlin Young for employee assistance program (EAP) services
-EMPLOYEE ASSISTANCE PROGRAM for City of Pocatello employees:

AGREEMENT a) Approve an agreement for City of Pocatello employees EAP
-CITY OF POCATELLO SERVICES in the amount of \$13,433.76. The agreement reflects a cost
EMPLOYEES of \$2.28 per employee per month; and

AGREEMENT b) Approve an agreement for Portneuf Valley Fraternal Order of Police
-POCATELLO POLICE Local Lodge No. 13. (Pocatello Police Union) EAP services in the
UNION amount of \$14,238.72. The agreement reflects a cost of \$11.52 per
Union Member per month.

A motion was made by Mr. Bray, seconded by Ms. Leeuwrik, to approve the agreements with McLaughlin Young for employee assistance program (EAP) services for City of Pocatello employees and Pocatello Police Union members as outlined in Agenda Item No. 10(a) and 10(b), respectively. Upon roll call, those voting in favor were Bray, Leeuwrik, Adamson, Cheatum, Johnston and Mannan.

AGENDA ITEM NO. 11: Council was asked to approve the Mayor's signature on a Land
VERIZON WIRELESS Lease Agreement and Memorandum of Land Lease Agreement with
LAND LEASE Idaho Clark 6 – Clark Limited Partnership d/b/a Verizon Wireless,
AGREEMENT AND for the use of City property for the installation and operation of a
MEMORANDUM OF cellular tower and accompanying equipment.
LAND LEASE
AGREEMENT-WATER

The rental rate of \$10,000.00 per year shall be paid in equal monthly installments beginning the first day of the month of installation or January 1, 2019 and shall continue for five years with five additional five-year automatic renewals. The Water Department will receive said revenue as the communication tower is located near the water tower adjacent to Interstate 15 and the East Clark off-ramp.

In response to questions from Council, Justin Armstrong, Water Superintendent, stated the rental rate is similar to other communication facility lease amounts.

Jared Johnson, City Attorney, explained that an annual rental rate increase of 2% for the duration of the lease is clarified in the lease documents.

A motion was made by Mr. Cheatum, seconded by Mr. Johnston, to approve the Mayor's signature on a

Land Lease Agreement and Memorandum of Land Lease Agreement with Idaho Clark 6 – Clark Limited Partnership d/b/a Verizon Wireless, for the use of City property for the installation and operation of a cellular tower and accompanying equipment and that the rental rate of \$10,000.00 per year shall be paid in equal monthly installments beginning the first day of the month of installation or January 1, 2019 and shall continue for five years with five additional five-year automatic renewals and that the Water Department will receive said revenue as the communication tower is located near the water tower adjacent to Interstate 15 and the East Clark off-ramp. Upon roll call, those voting in favor were Cheatum, Johnston, Adamson, Bray, Leeuwrik and Mannan.

AGENDA ITEM NO. 12: Council was asked to accept the recommendations of Pocatello DELCARATION OF Police Department staff and declare 3 cars and 1 van as surplus. SURPLUS PROPERTY The vehicles were seized during ongoing drug investigations and -POLICE have been adjudicated and awarded to the Pocatello Police Department by the Bannock County Prosecutors Office in accordance with Asset Forfeiture Laws. If approved, staff would like to dispose of the vehicles by public auction.

A motion was made by Ms. Adamson, seconded by Mr. Johnston, to accept the recommendations of Pocatello Police Department staff and declare 3 cars and 1 van as surplus and to authorize disposal of the vehicles by public auction. Upon roll call, those voting in favor were Adamson, Johnston, Bray, Cheatum, Leeuwrik and Mannan.

AGENDA ITEM NO. 13: Council was asked to accept the recommendation of Street DECLARATION OF Operations staff and declare an industrial grade, large engine SURPLUS PROPERTY dynamometer as surplus. This equipment was included in the -STREET OPERATIONS purchase of property at 2405 Garrett Way and City Departments do not have a use for this type of diagnostic tool.

If approved, Street/Fleet Operations staff is requesting Council's authorization to dispose of this item in whatever way is the most advantageous to the City. Proceeds from the sale of this equipment will be used towards remodeling costs for the new facility at 2405 Garrett Way. Council may also wish to authorize the Mayor's signature on documents related to the equipment sale, subject to Legal Department review.

A motion was made by Mr. Bray, seconded by Ms. Leeuwrik, to accept the recommendation of Street Operations staff and declare an industrial grade, large engine dynamometer as surplus and authorize disposal of the item in whatever way is the most advantageous to the City and authorize the Mayor's signature on documents related to the equipment sale, subject to Legal Department review and that proceeds from the sale of this equipment can be used towards remodeling costs for the new facility at 2405 Garrett Way. Upon roll call, those voting in favor were Bray, Leeuwrik, Adamson, Cheatum, Johnston and Mannan.

AGENDA ITEM NO. 14: Council was asked to adopt a resolution with exhibits (a) through (z) FISCAL YEAR 2019 setting fees for Fiscal Year 2019 (October 1, 2018 through DEPARTMENT FEE September 30, 2019). 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

A motion was made by Mr. Johnston, seconded by Mr. Cheatum, to adopt a resolution (2018-07) with

exhibits (a) through (z) setting fees for Fiscal Year 2019 (October 1, 2018 through September 30, 2019). Upon roll call, those voting in favor were Johnston, Cheatum, Adamson, Leeuwrik and Mannan. Bray voted in opposition to the motion. The motion passed.

AGENDA ITEM NO. 15: Council was asked to consider an ordinance approving the Fiscal
ORDINANCE Year 2019 Appropriation Ordinance.
FISCAL YEAR 2019
APPROPRIATION

A motion was made by Ms. Adamson, seconded by Ms. Leeuwrik, that the ordinance, Agenda Item No. 15, 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 Adamson, Leeuwrik, Cheatum, Johnston and Mannan. Bray voted in opposition to the motion. The motion passed.

Jared Johnson, City Attorney, read the ordinance by title.

Mayor Blad declared the final reading of the ordinance approving the Fiscal Year 2019 Appropriation Ordinance. Mayor Blad asked "Shall the ordinance pass?" Upon roll call, those voting in favor were Adamson, Cheatum, Johnston, Leeuwrik and Mannan. Bray voted in opposition to the motion. The motion passed. Mayor Blad declared the ordinance passed, that it be numbered 3012 and be submitted to the Idaho State Journal for publication.

AGENDA ITEM NO. 16: Mayor Blad announced that there were no individuals signed
DISCUSSION ITEMS up to speak during this agenda item.

AGENDA ITEM NO. 17: There being no further business, Mayor Blad adjourned the meeting
ADJOURN at 6:31 p.m.

APPROVED BY:

BRIAN C. BLAD, MAYOR

ATTEST:

RUTH E. WHITWORTH, CMC, CITY CLERK

PREPARED BY:

KONNI R. KENDELL, DEPUTY CITY CLERK