

CITY OF POCA TELLO, IDAHO
CITY COUNCIL AGENDA
CLARIFICATION MEETING AND
REGULAR CITY COUNCIL MEETING
FEBRUARY 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 5:44 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 6:03 PM by Mayor Roger Chase. ROLL CALL AND to order at 6:03 PM by Mayor Roger Chase. PLEDGE OF Council members present were Roger Bray, Ron ALLEGIANCE 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 Karl Petit of INVOCATION First Baptist 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 Executive Session of February 5, 2009.

-TREASURER'S (b) Treasurer's Report for January, showing cash REPORT and investments as of February 1, 2009, in the amount of \$32,748,220.77.

-FRIENDS OF THE (c) Confirm the Mayor's appointments of Sheila CEMETERY COMMITTEE Griffiths and Jeanne Wheelock to serve as APPOINTMENTS members of the Friends of the Cemetery Committee. Both terms will begin February 20, 2009, and will expire February 20, 2011.

-PARKS AND (d) Confirm the Mayor's appointment of Mike RECREATION ADVISORY Standley to serve as a member of the Parks BOARD APPOINTMENT and Recreation Advisory Board, replacing Mohammed Zaidi whose term expired. Mr. Standley's term will begin February 20, 2009, and will expire February 20, 2011.

-POCATELLO DEVELOPMENT AUTHORITY APPOINTMENT (e) Confirm the Mayor's appointment of Karl E. Anderson to serve as a member of the Pocatello Development Authority, replacing Larry Ghan. Mr. Anderson's term will begin January 19, 2009, and will expire May 1, 2010.

-RATIFICATION OF GRANT SUBMITTAL GRIZZLY BEAR EXHIBIT (f) Ratify the Council's actions authorizing the submittal of a Heinz Common Grant Application. If the grant is received, the funds will assist with the construction of the natural grizzly bear exhibit at the Pocatello Zoo.

-COUNCIL DECISION WHITMAN CONDOMINIUMS SHORT PLAT (g) Adopt the Council's Decision of February 5, 2009, approving the short plat of Whitman Condominiums, which subdivides the Whitman Hotel building located at 122 South Main Street into six condominium units. The property is located in a Central Commercial zoning district with a Historic Preservation overlay.

A motion was made by Mr. Bray, and seconded by Mr. Frasure, to approve the items on the consent agenda. Upon roll call, those voting in favor were Bray, Frasure, Moore, Nye, Richway, and Underwood.

AGENDA ITEM NO. 4: Mayor Chase announced that there were no COMMUNICATIONS AND PROCLAMATIONS communications or proclamations.

Mayor Chase welcomed members from various Boy Scout Troops.

AGENDA ITEM NO. 5: Mayor Chase reminded the Council of the CALENDAR REVIEW March 5th Service Level Reports at 9:00 AM; the March 5th Executive Session at 4:30 PM; the March 5th Regular City Council meeting at 6:00 PM; and the March 12th Study Session at 9:00 AM which will be immediately followed by Service Level Reports.

Mayor Chase explained that Service Level Reports are reports submitted by City departments and are utilized as a part of the budget process. The reports outline department accomplishments and helps establish operating perimeters for the following year.

Mayor Chase announced that the Simplot Games were being held at Holt Arena over the weekend and encouraged citizens to attend.

Mayor Chase wished Century High School and Highland High School girl's basketball teams luck at the State tournaments.

AGENDA ITEM NO. 6: Mayor Chase announced that there were no

DISCUSSION ITEMS discussion items from the audience.

AGENDA ITEM NO. 7: Council was asked to consider accepting the
BIDS recommendation of staff on the following
bids that were opened on February 10, 2009:

-SANITATION (a) The autocarts with labels will be used
AUTOCARTS for the curb-side recycling program. Staff
AND LABELS recommended awarding the bid for 2,430
autocarts for a price of \$105,948.00 to
Rehrig-Pacific. Funds are available in the Sanitation Department
budget for the purchase.

WATER (b) The materials are used for replenishing
-MATERIALS Water Department inventory and capital
improvement projects. Staff recommended
awarding each lot to the lowest responsive bidder. Funds are
available in the Water Department budget for the purchases.

A motion was made by Mr. Richway, seconded by Mr. Moore, to award the bid, subject to Legal Department approval, to Rehrig-Pacific in the amount of \$105,948.00 for 2,430 autocarts. Upon roll call, those voting in favor were Richway, Moore, Bray, Frasure, Nye, and Underwood.

A motion was made by Mr. Moore, seconded by Mr. Richway, to award the bid to the low responsive bidder, subject to Legal Department approval, for the following lots: Lot 1) United Pipe in the amount of \$127,765.00; Lot 2) Western Supply in the amount of \$20,070.00; Lot 3) HD Supply in the amount of \$68,954.55; Lot 4) United Pipe in the amount of \$57,914.70; Lot 5) Ferguson Waterworks in the amount of \$9,126.00; Lot 6) HD Supply in the amount of \$8,100.00; Lot 7) United Pipe in the amount of \$4,354.50; Lot 8) Western Supply in the amount of \$5,280.00; Lot 9) Western Supply in the amount of \$5,280.00; and Lot 10) HD Supply in the amount of \$31,933.99. Upon roll call, those voting in favor were Moore, Richway, Bray, Frasure, Nye, and Underwood.

AGENDA ITEM NO. 8: Mayor Chase announced that the request by
COUNCIL DECISION Gary Shatto appealing the Council's
RECONSIDERATION decision to deny him a Taxicab Driver's
-TAXICAB LICENSE License had been pulled from the agenda at
the request of the applicant.

AGENDA ITEM NO. 9: Mayor Chase announced that the request from
APPEAL OF WASTEWATER Larson and Associates, Inc., (mailing
DISCHARGE PERMIT address: PO Box 1101, Pocatello ID 83204),
TERMINIATION-LARSON represented by John C. Souza (mailing
AND ASSOCIATES address: PO Box 6359, Pocatello ID 83205),
appealing the City of Pocatello's Decision to terminate Larson and

Associates, Inc.'s Wastewater Discharge Permit had been pulled from the agenda at the request of the applicant.

AGENDA ITEM NO. 10: Council was asked to approve an Amended and AGREEMENT-WILDHORSE Restated Agreement between the City and RIDGE WATER AND Wildhorse Ridge Water and Homeowners HOMEOWNERS Association clarifying and restating the ASSOCIATION previous Agreement entered into by the parties in 1998. The Legal and Water Departments have reviewed the proposed agreement.

A motion was made by Mr. Moore, seconded by Mrs. Nye, to approve an Amended and Restated Agreement, subject to Legal Department approval, with Wildhorse Ridge Water and Homeowners Association.

Mr. Frasure stated that he is not in favor of the Agreement. He is frustrated that the City committed to a 60 year contract in 1998 and therefore cannot negotiate further.

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

AGENDA ITEM NO. 11: Council was asked to approve the Public PUBLIC TRANSIT Transit Department's Title VI Civil Rights -TITLE VI UPDATE Update for submittal to the Federal Transit Administration (FTA) Office of Civil Rights. The Update is required of FTA Grant applicants.

A motion was made by Mr. Bray, seconded by Mr. Moore, to approve the Public Transit Department's Title VI Civil Rights Update for submittal to the FTA Office of Civil Rights. Upon roll call, those voting in favor were Bray, Moore, Frasure, Nye, Richway, and Underwood.

AGENDA ITEM NO. 12: Council was asked to adopt the City of PUBLIC TRANSIT Pocatello Public Transit Department, -AFFIRMATIVE Affirmative Action Plan as approved by the ACTION PLAN Federal Department of Transportation for Fiscal Year 2009.

A motion was made by Mr. Bray, seconded by Mr. Richway, to adopt the City of Pocatello Public Transit Department Affirmative Action Plan for Fiscal Year 2009. Upon roll call, those voting in favor were Bray, Richway, Frasure, Moore, Nye, and Underwood.

AGENDA ITEM NO. 13: Council was asked to authorize the purchase

PROPERTY PURCHASE of property, from H & H Dive, and certain
-H & H DIVE work to be performed in the amount of
\$20,280.00. If the purchase and work are
approved, it will allow the construction of the Hoku Materials rail
spur to move forward as planned.

A motion was made by Mr. Frasure, seconded by Mr. Underwood, to
authorize the purchase of property from H & H Dive and certain work
to be performed in the amount of \$20,280.00, subject to Legal
Department approval. Upon roll call, those voting in favor were
Frasure, Underwood, Bray, Moore, Nye, and Richway.

AGENDA ITEM NO. 14: Council was asked to authorize submitting an
APPLICATION application to the Idaho Housing and Finance
-NEIGHBORHOOD Association for Neighborhood Stabilization
STABILIZATION Program funds to assist with property
PROGRAM acquisition, rehab, and resale of foreclosed
homes. Neighborhood and Community Services
staff will administer the program, no local match is required.
Additionally, Council may wish to authorize acceptance of the funds
if awarded and authorize the Mayor's signature on all required
documents and contracts, subject to Legal Department approval.
This item was discussed at the February 12, 2009, Study Session.

A motion was made by Mr. Richway, seconded by Mrs. Nye, to
authorize, staff to submit an application to the Idaho Housing and
Finance Association for Neighborhood Stabilization Program funds;
authorize acceptance of the funds if awarded; and authorize the
Mayor's signature, subject to Legal Department approval, on all
required documents and contracts. Upon roll call, those voting in
favor were Richway, Nye, Bray, Frasure, Moore, and Underwood.

AGENDA ITEM NO. 15: Council was asked to authorize, subject to
APPLICATION Legal Department approval, submittal of an
-IFFT GRANT application for an IFFT Foundation Fund
GRIZZLY BEAR EXHIBIT Grant in the amount of \$10,000.00 to assist
in the construction of the Grizzly Bear
Exhibit and zoo restrooms, no local match is required.
Additionally, Council may wish to authorize acceptance of the grant
if awarded.

A motion was made by Mr. Frasure, seconded by Mr. Underwood, to
authorize, subject to Legal Department approval, submittal of an
application for an IFFT Foundation Fund Grant in the amount of
\$10,000.00 to assist in the construction of the Grizzly Bear
Exhibit and zoo restrooms and authorize acceptance of the grant if
awarded.

In response to a question from Council, Mayor Chase stated that the

Zoo is still in the process of raising funds for an overall Zoo project and reviewed the fund raising efforts. He stated that fundraising efforts have been directed toward large contributors and feels the opportunity for the general public to give to the Zoo will open up soon.

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

AGENDA ITEM NO. 16: Council was asked to accept, subject to APPLICATION Legal Department approval, a FAA Airport -FEDERAL GRANT Improvement Project (AIP) Grant Agreement in AIRPORT TERMINAL the amount of \$553,818.00. The grant funds will be used for AIP 28, the Terminal Expansion and Renovation Project. Local matching funds in the amount of \$29,148.00 will be provided from the Airport Passenger Facility Charge account. The grant amount consists of \$453,818.00 of our one million dollar Fiscal Year 2009 annual entitlement and \$100,000.00 in discretionary funding for Federal Aviation Regulation Part 1542 security enhancements. The remaining \$546,182.00 of the Fiscal Year 2009 annual entitlement will be dispersed at a later date.

A motion was made by Mr. Bray, seconded by Mr. Moore, to accept, subject to Legal Department approval, a FAA AIP Grant Agreement in the amount of \$553,818.00. Upon roll call, those voting in favor were Bray, Frasure, Moore, Nye, Richway, and Underwood.

AGENDA ITEM NO. 17: Mayor Chase announced that the request to STIMULUS PACKAGE apply for and execute the appropriate FUNDING paperwork for Stimulus Package projects would be pulled from the agenda to allow for more discussion and clarification.

Mayor Chase did not feel that delaying the process would jeopardize the projects being approved as long as they were submitted by the March 5, 2009, deadline.

Mr. Frasure stated that he appreciated the opportunity to have more time to review the projects before voting on the projects.

AGENDA ITEM NO. 18: Council was asked to consider an ordinance ORDINANCE amending International Building Code, -AMENDING Residential Code provisions, duties and INTERNATIONAL responsibilities of contractors and permits. BUILDING CODE These provisions are of a housekeeping nature and have been reviewed by the Local Builders Association.

A motion was made by Mr. Frasure, seconded by Mr. Moore, that the

ordinance, Agenda Item 18, be read only by title on three separate occasions 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 Frasure, Moore, Bray, Nye, Richway, and Underwood.

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

Mayor Chase declared the first reading of the ordinance amending International Building Code Residential Code provisions, duties and responsibilities of contractors and permits.

There being no further business, Mayor Chase adjourned the meeting at 6:28 PM.

APPROVED BY:

ROGER W. CHASE, MAYOR

ATTEST:

RHONDA L. JOHNSON, MMC, CITY CLERK

PREPARED BY:

RUTH E. WHITWORTH, CMC, DEPUTY CLERK