

CITY OF POCA TELLO, IDAHO
CITY COUNCIL AGENDA
CLARIFICATION MEETING AND
REGULAR CITY COUNCIL MEETING
JULY 16, 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 5:34 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 6:02 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 Dawn Bowman INVOCATION of the Bahai Faith.

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 July 2, 2009, Executive Session.

-TREASURER'S REPORT (b) Treasurer's Report for June, showing cash and investments as of July 1, 2009, in the amount of \$19,741,595.87.

-HISTORIC PRESERVATION COMMISSION REAPPOINTMENT (c) Confirm the Mayor's reappointment of John Christofferson to continue his service as a member of the Historic Preservation Commission. Mr. Christofferson's term will begin July 2, 2009, and will expire July 2, 2012.

-HUMAN RELATIONS ADVISORY COMMITTEE REAPPOINTMENT (d) Confirm the Mayor's reappointment of Judy Drennen to continue her service as a member of the Human Relations Advisory Committee. Ms. Drennen's term will begin July 22, 2009, and will expire July 22, 2013.

-PARKS AND RECREATION ADVISORY BOARD APPOINTMENT (e) Confirm the Mayor's appointment of Glen Lattin to serve as a member of the Parks and Recreation Advisory Board, representing the Golf Advisory Committee. Mr. Lattin's term will begin July 17, 2009, and will expire July 17, 2010.

-POCATELLO ARTS COUNCIL APPOINTMENT (f) Confirm the Mayor's appointment of Josephine Garibaldi to serve as a member of the Pocatello Arts Council, replacing Raymond Carter, who resigned. Ms. Garibaldi's term will begin July 17, 2009, and will expire January 16, 2010.

-TAXICAB LICENSE DENIAL GARTEN (g) Accept the recommendation of the Chief of Police and deny the Taxicab License for Donald Robert Garten.

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

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

AGENDA ITEM NO. 5: Mayor Chase reminded the Council of the CALENDAR REVIEW August 6th Regular Council meeting which includes a public hearing on the Fiscal Year 2010 budget and proposed fee increases; and the August 13th Study Session at 9:00 AM.

Mayor Chase announced that the July 18th Fun Run Series would start at Bonneville Park; that Pioneer Day Celebrations would be held throughout the community on July 18th; the Walk and Roll for Inclusion ADA 19th Anniversary Celebration will be held on July 20th; an Animal Shelter Volunteer Orientation will be held on July 25th; the POW/MIA Awareness Rally and Motorcycle Rodeo will be held July 24th through July 26th; Pocatello's Night Out Against Crime will be held July 28th; the Pocatello Triathlon will be held on August 1st; and the Southeast Idaho Senior Games will take place August 1st through August 8th.

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 accept, subject to BIDS-TRANSIT Legal Department review, the low bids from Intermountain Coach, of Colorado Springs, for the following pieces of equipment: 1) Rural-one 23 foot narrow body cutaway with lift, bid amount \$61,779.00; 2) Urban Demand-five cutaway buses with advanced ramp features, bid amount \$122,700.00 total \$613,500.00; and 3) Urban Fixed Route-one 30 foot optional

medium duty cutaway bus with advanced ramp features, bid amount \$173,649.00. Funds are available for the purchase as follows: 1) Rural (Section 5310/VIPs) grant \$56,836.00, 8% match of \$4,943.00; and 2) Federal Transit Administration American Recovery and Reinvestment Act (ID-96X003) Funds \$787,149.00 no match required.

A motion was made by Mr. Bray, seconded by Mr. Richway, to approve the low bids, subject to Legal Department approval, from Intermountain Coach of Colorado Springs for the equipment as stated. Upon roll call, those voting in favor were Bray, Richway, Frasure, Moore, Nye, and Underwood.

AGENDA ITEM NO. 8: Council was asked to consider a request from
CONDITIONAL USE Jedd Thomas (mailing address: 2049 Sunrise
PERMIT EXTENSION Way, Pocatello ID 83201), for an 18-month
-BIRDIE THOMPSON extension to his Conditional Use Permit
(CUP). The original CUP was granted in 2006
for the construction of two medical office buildings on
residentially zoned property located on Birdie Thompson Drive. The
applicant has already received a one-year extension that runs to
December 7, 2009. Staff recommended approval of the request.

Michelle Pak, Associate Planner, gave a brief history of the CUP and the request for an 18 month extension. Mrs. Pak stated that Mr. Thomas has been given a letter of interest for purchase of the property. Staff feels the applicant has a unique opportunity to sell the property and have the project move forward. Therefore, staff recommended approval of the request.

In response to questions from Council, Mrs. Pak stated that there has been limited development in the proposed area and the same individuals reside in the area that were residents when the CUP was originally issued.

Council discussion continued regarding the length of the extension and how many months may be necessary to accommodate the building process.

A motion was made by Mr. Richway, seconded by Mr. Moore, to approve an 18 month extension on the CUP for construction of medical office buildings on residentially zoned property located on Birdie Thompson Drive to June 7, 2011, subject to Legal Department approval, and that the Decision be set out in appropriate Council Decision format. Upon roll call, those voting in favor were Richway, Moore, Bray, Frasure, Nye, and Underwood.

AGENDA ITEM NO. 9: Council was asked to consider a request from
SHORT PLAT Jason Lyle with Pheasant Ridge Development,
-BOULDERS SUBDIVISION Inc. (mailing address: 1400 Camelback,
Pocatello ID 83201), represented by Chris

Adams, Creek Hollow and Associates (mailing address: 922 Homerun Street, Chubbuck ID 83202), for an amendment to the Boulders Subdivision 1st Addition. The proposal calls for plating of 1.10 acres into 3 additional lots located south of Interstate 86 and east of Hiline Road. Staff recommended approval of the request.

Michelle Pak, Associate Planner, gave a brief outline of the request and noted that the amendment is for Boulder Subdivision only and not the First Addition. Mrs. Pak stated that the proposed changes included three additional lots shown as Lots 27 and 28 in Block 3 and Lot 17 in Block 2. She added that another proposed change is the addition of land on either side of the main entrance drive into the subdivision which will be maintained by the homeowner's association. Staff recommended approval with the following conditions: 1) all engineering comments contained in a Memorandum dated July 1, 2009, from Merrill Quayle, Development Services Engineering Manager, shall apply; 2) fire hydrants are required in compliance with the standards of the International Fire Code; 3) any costs associated with moving private utilities as a result of the amendments to the plat shall be the developer's responsibility; and 4) all other standards or conditions required by Municipal Code not herein stated but applicable to residential development shall apply.

A motion was made by Mr. Moore, seconded by Mr. Frasure, to approve the final plat, subject to staff's conditions, and that the Decision be set out in appropriate Council Decision format.

Mr. Moore amended his motion to include an additional condition that no building permits shall be issued until the City engineering department has verified with City staff that the subdivision is in compliance with staff's conditions and that all sediment and erosion control requirements have been met. Mr. Frasure did not accept the amendment and withdrew his second to the motion.

A motion was made by Mr. Moore, seconded by Mr. Richway, to approve the final plat, subject to staff's conditions, to include an additional condition that no building permits shall be issued until the City engineering department has verified with City staff that the subdivision is in compliance with staff's conditions and that all sediment and erosion control requirements have been met, and that the Decision be set out in appropriate Council Decision format.

Mr. Frasure stated that he did not feel that the additional condition was fair or necessary. He felt that requiring one developer to meet the sediment and erosion standard was not right and planned to vote in opposition to the motion.

Mayor Chase stated that storm water issues are becoming more of an issue in the City. Therefore, individuals need to comply and

developers must start working with City staff to meet the sediment and erosion guidelines. He added that the amended plat request is not being denied but that a stronger emphasis is being placed on developers to meet the sediment and erosion guidelines that have been established.

Council discussion continued regarding recent storm events and the need to have erosion control measures in place.

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

AGENDA ITEM NO. 10: Council was asked to approve the application and execution of 2009 Congressional Earmark Grants (Federal Transit Administration Section 5309) in the amount of \$905,743.00 and authorize an amendment to the letter of intent so the funds can be used to acquire land and construct a transit administrative/shop facility. The amendment is being requested as 47% of the funds were planned for buses which can now be purchased with other grant funds. The funds require a 20% local match.

A motion was made by Mr. Moore, seconded by Mrs. Nye, to approve the application and execution of 2009 Congressional Earmark Grants (Federal Transit Administration Section 5309) in the amount of \$905,743.00 and authorize an amendment to the letter of intent so the funds can be used to acquire and construct a transit administrative/shop facility; and authorizing the Public Transit Director to sign any necessary documents to accomplish the amendment. Upon roll call, those voting in favor were Moore, Nye, Bray, Frasure, Richway, and Underwood.

AGENDA ITEM NO. 11: Council was asked to approve a contract, subject to Legal Department approval, with Kelly Martinez for the Pocatello Zoo's Annual Fundraiser, Ice Cream Zoofari on August 8, 2009.

A motion was made by Mr. Frasure, seconded by Mrs. Nye, to approve a contract, subject to Legal Department approval, with Kelly Martinez for the Pocatello Zoo's Annual Fundraiser. Upon roll call, those voting in favor were Frasure, Nye, Bray, Moore, Richway, and Underwood.

AGENDA ITEM NO. 12: Council was asked to adopt a resolution revising the boundaries of the voting precincts for the City, providing for 39

precincts, the absentee voting polling place, and including a map depicting precinct boundaries.

A motion was made by Mr. Bray, seconded by Mr. Richway, to adopt a resolution (#2009-09) revising the boundaries of the voting precincts, the absentee voting polling place, and including a map depicting precinct boundaries. Upon roll call, those voting in favor were Bray, Richway, Frasure, Moore, Nye, and Underwood.

There being no further business, Mayor Chase adjourned the meeting at 6:26 PM.

APPROVED BY:

ROGER W. CHASE, MAYOR

ATTEST:

RHONDA L. JOHNSON, MMC, CITY CLERK

PREPARED BY:

RUTH E. WHITWORTH, CMC, DEPUTY CLERK