

CITY OF POCA TELLO, IDAHO  
CITY COUNCIL AGENDA  
CLARIFICATION MEETING AND  
REGULAR CITY COUNCIL MEETING  
SEPTEMBER 3, 2009

---

CLARIFICATION MEETING                    The City Council Agenda Clarification Meeting was called to order at 5:40 PM by Mayor Roger Chase. Council members present were Roger Bray, Ron Frasure, Gary Moore, Eva Johnson Nye, Robert Richway, and Brian Underwood. 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 Major Sam Southard of the Salvation Army. INVOCATION

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 City Council Study Session of August 13, 2009, and the Executive Session of August 20, 2009.

-PAYROLL AND MATERIAL CLAIMS            (b)    Payroll and Material claims for the month of August in the amount of \$5,774,923.87.

-POCA TELLO ARTS COUNCIL REAPPOINTMENT            (c)    Confirm the Mayor's reappointment of Chuck Wegner to continue his service as a member of the Pocatello Arts Council. Mr. Wegner's term will begin September 8, 2009, and will expire September 8, 2012.

-VOLUNTEER INTERN CONTRACT            (d)    Approve a Volunteer Intern Contract with Natalee D. Phillips. Ms. Phillips will serve as a research analyst for the Planning and Development Services Department. The contract will extend from September 4, 2009, through December 17, 2009.

-RATIFICATION COUNCIL ACTION MEMORANDUMS OF UNDERSTANDING            (e)    Ratify Council's action approving Memorandums of Understanding with the International Association of Fire Fighters, Pocatello Fire Fighters Machinists and

Aerospace Workers Gate City Mechanics Lodge No. 1922, AFL-CIO. The memorandums amend the collective Bargaining Agreements with the Fire and Police Unions to allow for changes in the health insurance plan.

-COUNCIL DECISION (f) Adopt the Council's Decision of August 20, 2009, granting Greyeye Enterprises, Inc.'s, REZONE EXTENSION 2009, granting Greyeye Enterprises, Inc.'s, -GREYEYE ENTERPRISES represented by Craig Smith (mailing address: PO Box 383, Mendon UT 84325), request for a one year extension on the deadline within which it must begin construction under its contract rezone agreement. The one year extension will require Greyeye to begin construction no later than July 24, 2010, on a 2.41 acre parcel of land situated north of East Center Street and adjacent to Vista Drive.

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

AGENDA ITEM NO. 4: Mayor Chase proclaimed September 22, 2009, COMMUNUNICATIONS AND to be American Business Women's (ABWA) PROCLAMATIONS Day in Pocatello and urged citizens to recognize the organization for its efforts to help women advance in the professional arena.

Representatives from ABWA received the proclamation and thanked the Council for their support.

Mayor Chase proclaimed September 2009 to be Alcohol and Drug Addiction Recovery Month in Pocatello and called upon citizens to observe the month by participating in Recovery Month programs and activities.

Tracy Beeton, Health and Welfare representative, received the proclamation and informed citizens and the Council of the many programs available in our community to help individuals who are addicted to drugs or alcohol.

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

Mayor Chase announced that City offices would be closed September 7th for the Labor Day holiday; however, garbage and recycle pickups would continue on schedule; that it was the last weekend of the season at Ross Park Aquatic Complex; Zoo hours are changing for the season; and the Census Committee will have a booth at the Eastern Idaho State Fair and individuals were encouraged to drop by to

discover how important and easy it is to send in information that will be requested by the Census Bureau.

Mayor Chase noted that Mr. Bray is serving on the Census Committee and expressed how important the US Census is to our community.

Mayor Chase also wished Idaho State University Bengals and area High Schools and Middle Schools good luck with their upcoming football games. He also reminded motorists that school is back in session and to slow down in school zones.

AGENDA ITEM NO. 6: Lela Liggins, representative from Praise  
DISCUSSION ITEMS Temple of God Church, thanked the Council  
for their financial support regarding a  
recent project at their church. Ms. Liggins presented a  
Certificate of Excellence to Justin Hirschi who helped the church  
as part of an Eagle Scout project.

AGENDA ITEM NO. 7: Council was asked to confirm the Mayor's  
APPOINTMENT appointment of Randy Ghezzi as Street and  
CONFIRMATION-GHEZZI Traffic Superintendent. Mr. Ghezzi's first  
day of work will be September 8, 2009.

Greg Lanning, Public Works Director, reviewed the goals of the Street Department; how their processes have changed; and Council's commitment to fund the streets. Mr. Lanning stated that the Street Department Superintendent position was deferred for six months and 50 applications were received regarding the position. In August a Selection Committee met with 2 candidates for the Street Superintendent position. Following the meeting an offer was made to Randi Ghezzi. He noted that Mr. Ghezzi was on paid administrative leave at the time of the interview and denied any allegations made against him. Mr. Lanning explained that the first 15 minutes of Mr. Ghezzi's interview related to the allegations which were later completely cleared. City staff required a letter from the employer of Mr. Ghezzi showing that Mr. Ghezzi was cleared of all allegations. Mr. Lanning reviewed Mr. Ghezzi's experience and feels he is the most qualified candidate and will bring the Street Department into the future. He recommended that the City confirm Mr. Ghezzi as Street and Traffic Superintendent.

In response to questions from Council, Mr. Lanning stated that at no time during the interview process did the applicant appear to withhold any information about the allegations. He added that Mr. Ghezzi actually offered information at length and feels he was completely forthright. Mr. Lanning noted that a disgruntled employee accused Mr. Ghezzi, and other co-workers as well, with wrong doing. He shared that Mr. Ghezzi's became interested in Idaho when there was a lack of funding at his employer in California, and after taking a five percent reduction in pay over a

two year period. Mr. Ghezzi is also interested in moving to Idaho as he owns property in Georgetown.

A motion was made by Mr. Moore, seconded by Mr. Bray, to confirm the Mayor's appointment of Randy Ghezzi as Street and Traffic Superintendent.

Mr. Underwood stated when he became aware of the fact that Mr. Ghezzi was on administrative leave it did not concern him. He added that he would like Council to have a unified front to support the confirmation.

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.

AGENDA ITEM NO. 8: Council was asked to award, subject to Legal BID-WATER POLLUTION Department approval, the bid for the 2009 CONTROL-INSITUFORM Sanitary Sewer Rehabilitation Cured-In-TECHNOLOGIES Place-Pipe(CIPP) Project to the lowest responsive bidder, Insituform Technologies, in the amount of \$482,607.70. This project involves CIPP lining of various sanitary sewer pipes located primarily in the Alameda Road area. If approved, work will begin immediately and will be completed by December of 2009. Funds for this project are budgeted and available in the Water Pollution Control capital account.

Mr. Bray stated that it is a pipe lining project and not an excavation project so Alameda Road will not be torn up.

Mayor Chase noted that the pipe has deteriorated and collapsed two or three times over the last few months. He explained that less water is flowing through the pipe causing it to corrode more quickly.

A motion was made by Mr. Underwood, seconded by Mr. Frasure, to award the bid, subject to Legal Department approval, to Insituform Technologies in the amount of \$482,607.70 for lining of various sanitary sewer pipes located primarily in the Alameda Road area. Upon roll call, those voting in favor were Underwood, Frasure, Bray, Moore, Nye, and Richway.

AGENDA ITEM NO. 9: Council was asked to consider a request from SERVICE CONNECTION Staker & Parson Companies represented by REQUEST-10200 NORTH Chad Spendlove (mailing address: 10200 North BATISTE ROAD Batiste Road, Pocatello ID 83202), to connect a parcel of land commonly known as 10200 North Batiste Road to City water to allow construction of a new concrete plant facility on Philbin Road. The Utility Connection Annexation Covenant has been completed and if the

connection is approved it should be subject to the applicant paying all associated connection fees and costs as well as paying outside City limits utility rates until the property is annexed.

In response to a question from Council, Chad Spendlove stated that he understands that his utility rates will be higher because the property is not located within City limits and he has signed an Annexation Agreement with the City.

A motion was made by Mr. Frasure, seconded by Mrs. Nye, to approve a request from Staker & Parson Companies to connect a parcel of land commonly known as 10200 North Batiste Road to City water subject to the applicant paying all associated connection fees and costs as well as paying outside City limits utility rates until the property is annexed. Upon roll call, those voting in favor were Frasure, Nye, Bray, Moore, Richway, and Underwood.

AGENDA ITEM NO. 10: Council was asked to approve the following  
AIRPORT LEASE Lease Agreements for property at the  
AGREEMENTS Pocatello Regional Airport:

-SKYWEST (a) 3,181 square feet of terminal space for  
airline operations, two-year term, \$2,353.25  
per month with landing fees of \$1.23/1,000 pounds for aircraft over  
12,500 Gross Landing Weight (GLW) and \$11.18 per landing for  
aircraft with a GLW of 12,500 pounds or less;

-THOMAS JOHANSEN (b) 5,600 square feet of warehouse space for  
restaurant equipment storage, one-year term  
with a single one-year renewal option, \$267.50 per month;

-MCNABB GRAIN (c) 5.9 acres of property for the operation of a  
BLENDING FACILITY fertilizer blending facility, machinery  
storage shop and vehicle parking, one-year  
term with nine one-year renewal options, \$564.31 per month;

-JOHN BAKKEN (d) 2,000 square foot hangar for aircraft  
storage and maintenance, one-year term with  
nine one-year renewal options, \$77.72 per month;

-BRIAN GOATES (e) 1,760 square foot hangar for aircraft  
storage and maintenance, one-year term with  
four one-year renewal options, \$190.00 per month;

-WEBBCO (f) approximately one acre of property for the  
display of used construction equipment for  
sale, one-year term with four one-year renewal options, \$800.00 per  
year.

All rates, except Skywest, will be reviewed annually and increased at least by the amount of the CPI increase for the previous year. Skywest's rate will be reviewed at the end of the two-year term before a new lease is signed.

A motion was made by Mr. Bray, seconded by Mr. Richway, to approve Airport Lease Agreements as outlined in Agenda Items 10(a) through 10(f).

Mr. Bray clarified the difference in the amounts charged for some of the leases. He stated that leases for land only were charged lower monthly rates than leases which included land and a hangar.

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

AGENDA ITEM NO. 11: Council was asked to consider an Use  
USE AGREEMENT Agreement with the ISU Baseball Club for use  
-ISU BASEBALL CLUB of Halliwell Field September through October  
2009 and March through May 2010 for  
scheduled baseball games and practices. This agreement, which is  
similar to the previous agreement, requires the Club to pay the  
applicable rental fees and provide liability insurance, naming the  
City and School District as an additional insured. The Club will  
be responsible for field maintenance, cleaning the facility, and  
any damage resulting from their use.

A motion was made by Mr. Moore, seconded by Mr. Frasure, to approve an Use Agreement, subject to Legal Department approval, with the ISU Baseball Club for use of Halliwell Field September through October 2009 and March through May 2010. 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 from  
ACCEPTANCE OF Valley Pride for the City to accept the  
OWNERSHIP-CHIEF ownership of the Chief Pocatello statue and  
POCATELLO STATUE accompanied amenities, including contributor  
recognition and interpretive signage. If  
approved by the Council, any necessary transfer documents would be  
prepared by the Legal Department.

Arlo Luke and Sam Nettinga, Valley Pride representatives, stated that many contractors assisted in making the statue possible and a full community wide project raised funds to "Bring the Chief Home." Mr. Nettinga suggested that artwork relating to the statue be used on letterhead for City of Pocatello communications from this point forward.

Mr. Luke had members of the Valley Pride Board of Directors stand

to be recognized and thanked them for their work with the Chief Pocatello project.

Discussion followed describing how the statue was constructed with a time capsule placed in the base of the statue. It was suggested that the sprinkler system at the Visitors Center be modified to keep water off of the statue because of hard water deposits. In addition, various topics to help keep graffiti off the statue were discussed.

Mayor Chase stated that the Council has often commented on the good things that Valley Pride has done in our community.

A motion was made by Mr. Richway, seconded by Mrs. Nye, to accept, subject to Legal Department approval, transfer of ownership of the Chief Pocatello statue and accompanied amenities, including contributor recognition and interpretive signage. Upon roll call, those voting in favor were Richway, Nye, Bray, Frasure, Moore, and Underwood.

AGENDA ITEM NO. 13: Council was asked to approve an Agreement to INDEMNITY AGREEMENT Indemnify the City of Pocatello with Idaho -THE POCATELLO PUMP State University (ISU) and the ISU Outdoor Program for the activity known as "The Pocatello Pump" which will be held September 12 and 13, 2009, at Ross Park.

A motion was made by Mr. Underwood, seconded by Mr. Moore, to approve, subject to Legal Department approval, an Agreement to Indemnify the City of Pocatello with ISU and the ISU Outdoor Program for "The Pocatello Pump" event on September 12 and 13, 2009. Upon roll call, those voting in favor were Underwood, Moore, Bray, Frasure, Nye, and Richway.

AGENDA ITEM NO. 14: Council was asked to consider a Lease LEASE AGREEMENT Agreement between the City and Intermountain -INTERMOUNTAIN GAS Gas Company for approximately 3,200 square feet of land situated southeast of and adjacent to, North Grant Avenue. Intermountain Gas previously leased a portion of this land for a measuring and regulating station, and now wishes to renew the lease for the original parcel and lease an additional area in order to relocate the station. The lease is for a ten year term, with one renewable term of ten years.

A motion was made by Mrs. Nye, seconded by Mr. Richway, to approve, subject to Legal Department approval, a Lease Agreement with Intermountain Gas Company for approximately 3,200 square feet of land situated southeast of and adjacent to, North Grant Avenue. Upon roll call, those voting in favor were Nye, Richway, Bray, Frasure, Moore, and Underwood.

AGENDA ITEM NO. 15: Council was asked to consider renewal of a LEASE-POLICE MOTORCYCLE two year Lease with Eagle Rock Harley Davidson in the amount of \$150.00 per month for a motorcycle for police usage.

A motion was made by Mr. Bray, seconded by Mrs. Nye, to renew a two year Lease, subject to Legal Department approval, with Eagle Rock Harley Davidson. Upon roll call, those voting in favor were Bray, Nye, Frasure, Moore, Richway, and Underwood.

AGENDA ITEM NO. 16: Council was asked to consider a Memorandum MOU-STATE OF IDAHO MILITARY DIVISION of Understanding (MOU) with the State of Idaho Military Division. The MOU would allow the Police Department to use the Orchard Training Area's Small Arms Ranges for small arms training and qualifications.

A motion was made by Mr. Moore, seconded by Mr. Frasure, to approve, subject to Legal Department approval, a MOU with the State of Idaho Military Division to use the Orchard Training Area's Small Arms Ranges. Upon roll call, those voting in favor were Moore, Frasure, Bray, Nye, Richway, and Underwood.

AGENDA ITEM NO. 17: Council was asked to consider a renewal of PROFESSIONAL SERVICES AGREEMENT -GROSSMAN GROUP, LLC the Professional Services Agreement between the City and Grossman Group, LLC, for services provided by Grossman to pursue government affairs objectives on a national level. The term of the Agreement is one year, at a cost of \$5,000.00 per month.

A motion was made by Mr. Underwood, seconded by Mrs. Nye, to approve, subject to Legal Department approval, the renewal of a Professional Services Agreement, with Grossman Group, LLC, at a cost of \$5,000.00 per month.

Mr. Underwood stated that he supports the Agreement because Mr. Grossman works hard for the City of Pocatello. Unfortunately, it is difficult to determine the amount of success he is having at the Federal Level.

Mayor Chase stated that the City has had great success with Mr. Grossman except for the previous year when no funding was secured. Looking over the past few years, Mr. Grossman has assisted in securing millions of dollars for Pocatello.

Mr. Frasure expressed his concerns with paying for a lobbyist and feels the money could be better used in other areas. He also is

not persuaded that the City would not have received Federal funds without Mr. Grossman's representation.

Mayor Chase agreed that the Congressional Delegation secures funding on behalf of our community and is thankful for their assistance. He added that Mr. Grossman helps in other ways to represent Pocatello on various issues.

Council discussion continued regarding the impact a lobbyist may have in Washington D.C. since Idaho only has four delegates to represent the State.

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

There being no further business, Mayor Chase adjourned the meeting at 6:58 PM.

APPROVED BY:

\_\_\_\_\_  
ROGER W. CHASE, MAYOR

ATTEST:

\_\_\_\_\_  
RHONDA L. JOHNSON, MMC, CITY CLERK

PREPARED BY:

\_\_\_\_\_  
RUTH E. WHITWORTH, CMC, DEPUTY CLERK