

A G E N D A

CITY OF POCA TELLO

REGULAR CITY COUNCIL MEETING

FEBRUARY 4, 2010 - 6:00 PM

COUNCIL CHAMBERS  
911 NORTH 7<sup>TH</sup> 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.

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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: 208-234-6248; TDD: 208-232-5071; Fax: 208-233-5149; E-mail: [dhunt@pocatello.us](mailto:dhunt@pocatello.us); Mailing Address: P.O. Box 4169, Pocatello, Idaho 83205-4169; Physical Address: 215 West Bonneville, Pocatello, Idaho.

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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.

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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.

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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.

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

AGENDA ITEM NO.            2:    INVOCATION:    The invocation will be offered by Reverend Jacqueline Theresa Thomas, Praise Temple of God.

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 City Council Study Session of January 14, 2010; the Executive Session of January 21, 2010; and the Agenda Clarification meeting and Regular City Council meeting of January 21, 2010.
- (b) PAYROLL AND MATERIAL CLAIMS: Council may wish to consider payroll and material claims for the month of January.
- (c) ADA GRIEVANCE COMMITTEE REAPPOINTMENT: Council may wish to confirm the Mayor's reappointment of Jim Birdsong to continue his service as a member of the ADA Grievance Committee. Mr. Birdsong's term will begin February 17, 2010, and will expire February 17, 2012.
- (d) AIRPORT COMMISSION REAPPOINTMENTS: Council may wish to confirm the Mayor's reappointments of Dawn Clark and Tim Magagna to continue their service as members of the Airport Commission. Ms. Clark's term will begin February 5, 2010, and will expire February 5, 2012. Mr. Magagna's term will begin February 22, 2010, and will expire February 22, 2012.
- (e) DISABLED CITIZENS ADA/504 COORDINATING COMMITTEE REAPPOINTMENT: Council may wish to confirm the Mayor's reappointment of James Steed to continue his service as a member of the Disabled Citizens ADA/504 Coordinating Committee. Mr. Steed's term will begin February 17, 2010, and will expire February 17, 2014.
- (f) FRIENDS OF THE CEMETERY COMMITTEE REAPPOINTMENTS: Council may wish to confirm the Mayor's reappointments of Craig Barnes and Stefani Herridge to continue their service as members of the Friends of the Cemetery Committee. Both terms begin February 4, 2010, and will expire February 4, 2012.
- (g) HISTORIC PRESERVATION COMMISSION REAPPOINTMENT: Council may wish to confirm the Mayor's reappointment of Skip Taft to continue his service as a member of the Historic Preservation Commission. Mr. Taft's term will begin February 5, 2010, and will expire February 5, 2013.

- (h) POCATELLO DEVELOPMENT AUTHORITY APPOINTMENT: Council may wish to confirm the Mayor's appointment of Eva Johnson Nye to serve as a member of the Pocatello Development Authority, replacing Gary Moore. Ms. Nye's term will begin February 5, 2010, and will expire May 1, 2012.
- (i) VOLUNTEER INTERN AGREEMENT: Council may wish to approve a Volunteer Intern Agreement with Krystal Firebaugh. Ms. Firebaugh will assist with development of data information for the City's stormwater management program and other related matters. The Agreement will extend from February 5, 2010, through September 1, 2010.
- (j) COUNCIL DECISION-PARTRIDGE RIDGE SUBDIVISION 7<sup>TH</sup> ADDITION PLAT TIME LIMIT EXTENSION: Council may wish to adopt its decision of January 21, 2010, to extend the time limit for plat development of the Partridge Ridge Subdivision 7<sup>th</sup> addition for one year until March 20, 2011.

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.)

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

AGENDA ITEM NO. 7: PUBLIC HEARING-INTENT TO EXCHANGE REAL PROPERTY: This time has been set aside for Council to receive comments on the City's publicized Notice of Intent to Exchange Real Property. If approved, the City would exchange 71.48 acres of bare

ground in the vicinity of Tank Farm Road for 71.48 acres of bare ground owned by Bingham Investments. The property is also in the vicinity of Tank Farm Road. Following the public hearing if Council wishes to proceed they will need to direct the Legal Department to prepare the appropriate documents for the exchange.

AGENDA ITEM NO. 8: "COUNCIL SELECT" FUNDING REQUEST-1016<sup>TH</sup> QUARTERMASTER COMPANY ARMY RESERVES: The local Army Reserves, represented by SFC Ty Buras (mailing address: 611 West Quinn Road, Pocatello ID 83201-1954), is requesting that "Council Select" funds in an amount not to exceed \$175.00 be used to pay for admittance fees to the Community Recreation Center swimming pool. The reservists will be conducting Army Water Survival Training at the pool on March 6, 2010. As of January 29, 2010, there is \$5,000.00 in the "Council Select" line item.

AGENDA ITEM NO. 9: LEASE AGREEMENT-GREATER POCATELLO SENIOR CITIZEN'S INC.: Council may wish to approve a Lease Agreement between the City and the Greater Pocatello Senior Citizen's Inc., for the use of the Bonneville Community Center, located at 427 North 6<sup>th</sup> Avenue. The term of the Lease Agreement is for ten years and the rate is \$1.00 per year. The prior lease expired in 2009 and the parties desire to renew the Lease Agreement to memorialize the shared use of the facility by the Greater Pocatello Senior Citizen's Inc. and the Bonneville Neighborhood Association.

AGENDA ITEM NO. 10: LEASE AGREEMENT-BONNEVILLE NEIGHBORHOOD ASSOCIATION: Council may wish to approve a Lease Agreement between the City and the Bonneville Neighborhood Association, for the use of the Bonneville Community Center, located at 427 North 6<sup>th</sup> Avenue. The term of the Lease Agreement is for ten years and the rate is \$1.00 per year. The parties desire to renew the Lease Agreement to memorialize the shared use of the facility by the Greater Pocatello

Senior Citizen's Inc. and the Bonneville Neighborhood Association.

AGENDA ITEM NO. 11: CONTRACT-RATE STUDY-RED OAK CONSULTING: Council may wish to approve, subject to Legal Department approval, a Contract with Red Oak Consulting for the development of a rate study for an amount not to exceed \$97,500.00. The services provided will be a five-year rate study to revise and update the outdated study and will include rates for Water, Water Pollution Control, and Sanitation. Payments for the study will be equally shared among the three departments.

AGENDA ITEM NO. 12: AUTHORIZATION TO SUBMIT COMMENTS: Council may wish to authorize the City Legal Department to submit comments to the Bureau of Indian Affairs, the Shoshone Bannock Tribes, and any appropriate state or federal agencies on behalf of the City of Pocatello regarding any proposed ordinances of the Shoshone Bannock Tribes which may affect the City of Pocatello and/or the Pocatello Regional Airport property and its surrounding environs. The City Council may also wish to authorize the City Legal Department to have the City of Pocatello added to comments regarding said ordinances which are being prepared on behalf of a group of interested parties by the Summitt Law Group.

AGENDA ITEM NO. 13: RESOLUTION-SUPPORTING F-35 FIGHTER PROGRAM LOCATION IN IDAHO: Council may wish to adopt a resolution in support of the selection of Mountain Home Air Force Base and Gowen Field in Boise, Idaho as the home base for training and operations of the F-35 Lightning II Jet Fighter Program, which decision is currently being considered by the U.S. Air Force.

AGENDA ITEM NO. 14: ORDINANCE: The Council has the following options for reading ordinances. If the Council makes no motion, the ordinance will be read by title on two occasions and at length on the third occasion and placed on final passage for publication.

EXAMPLE MOTIONS:

**FOR THREE SEPARATE READINGS:** "I move the ordinance, Agenda Item # \_\_\_, be read only by title on three separate occasions and placed on final passage and ordered for publication, and that only the ordinance summary sheet be submitted for publication."

**FOR ONE READING UNDER RULES SUSPENSION:** "I move the ordinance, Agenda Item # \_\_\_, be read only by title and placed on final passage for publication, and that only the ordinance summary sheet be submitted for publication."

Before the ordinance can be read under Option 1 or 2, the Council, by a vote of one-half plus one (4) of the full Council, must vote to direct how the ordinance is to be read.

Ordinance ready for reading.

14. An ordinance authorizing the City's acquisition of a parcel of real property commonly known as 752 Birch as part of the Neighborhood Stabilization Program, which acquisition shall be paid through the Neighborhood Stabilization Program. The property shall be rehabilitated and sold to a qualifying household through said program, as provided for under Idaho Code Section 50-1403(3). (Prepared for reading under rules suspension.)

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.