

CITY OF POCA TELLO, IDAHO  
CITY COUNCIL AGENDA  
CLARIFICATION MEETING AND  
REGULAR CITY COUNCIL MEETING  
FEBRUARY 4, 2010

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CLARIFICATION MEETING                      The City Council Agenda Clarification Meeting was called to order at 5:30 PM by Mayor Brian Blad. Council members present were Roger Bray, Craig Cooper, Gary Moore, Eva Johnson Nye, and Brian Underwood. Council member Ron Frasure was excused. 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 Brian Blad. ROLL CALL AND PLEDGE OF ALLEGIANCE                      Council members present were Roger Bray, Craig Cooper, Gary Moore, Eva Johnson Nye, and Brian Underwood. Council member Ron Frasure was excused.

Mayor Blad led the audience in the pledge of allegiance.

AGENDA ITEM NO.            2:    The invocation was given by Reverend INVOCATION                      Jacqueline Theresa Thomas, Praise Temple of God.

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 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.

-PAYROLL AND MATERIAL CLAIMS            (b)    Payroll and material claims for the month of January 2010 in the amount of \$5,653,435.79.

-ADA GRIEVANCE COMMITTEE REAPPOINTMENT            (c)    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.

-AIRPORT COMMISSION REAPPOINTMENTS            (d)    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.

-DISABLED (e) Council may wish to confirm the Mayor's  
CITIZENS ADA/504 reappointment of James Steed to continue his  
COORDINATING COMMITTEE service as a member of the Disabled Citizens  
REAPPOINTMENT ADA/504 Coordinating Committee. Mr. Steed's  
term will begin February 17, 2010, and will  
expire February 17, 2014.

-FRIENDS OF THE (f) Confirm the Mayor's reappointments of Craig  
CEMETERY COMMITTEE Barnes and Stefani Herridge to continue  
REAPPOINTMENTS their service as members of the Friends of  
the Cemetery Committee. Both terms begin  
February 4, 2010, and will expire February 4, 2012.

-HISTORIC (g) Confirm the Mayor's reappointment of Skip  
PRESERVATION Taft to continue his service as a member of  
COMMISSION the Historic Preservation Commission. Mr.  
REAPPOINTMENT Taft's term will begin February 5, 2010, and  
will expire February 5, 2013.

-POCATELLO (h) Confirm the Mayor's appointment of Eva  
DEVELOPMENT AUTHORITY Johnson Nye to serve as a member of the  
APPOINTMENT Pocatello Development Authority, replacing  
Gary Moore. Ms. Nye's term will begin  
February 5, 2010, and will expire May 1, 2012.

-VOLUNTEER INTERN (i) Approve a Volunteer Intern Agreement with  
AGREEMENT-FIREBAUGH Krystal Firebaugh. Ms. Firebaugh will  
assist in the 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.

-COUNCIL DECISION (j) Council was asked to adopt their Decision of  
PARTRIDGE RIDGE January 21, 2010, to extend the time limit  
SUBDIVISION 7<sup>TH</sup> for plat development of the Partridge Ridge  
ADDITION PLAT TIME Subdivision 7<sup>th</sup> Addition for one year until  
LIMIT EXTENSION March 20, 2011.

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, Cooper, and Underwood.

Mayor Blad recognized members from multiple Boy Scout troops that were in the audience.

AGENDA ITEM NO. 4: Mayor Blad announced that Mr. Underwood  
COMMUNICATIONS AND would read a proclamation declaring January  
PROCLAMATIONS 31 through February 6, 2010, as Clergy  
Appreciation week in Pocatello.

Mr. Underwood read the proclamation and encouraged citizens to take time to show their appreciation and support of the clergy whose efforts make this community a better place in which to live.

Barbara Smith, President of Bannock Civitan Club, and James Steed, President of Friends Civitan Club, accepted the proclamation.

AGENDA ITEM NO. 5: Mayor Blad reminded the Council of the  
CALENDAR REVIEW February 11<sup>th</sup> Study Session at 9:00 AM and  
the February 18<sup>th</sup> Regular Council meeting at  
6:00 PM.

Mayor Blad announced that an Open House to meet the new Animal Shelter Volunteer Coordinator will be held at the shelter on February 6<sup>th</sup> from 2:00 to 3:00 PM and that City Offices will be closed February 15<sup>th</sup> for President's Day. However, garbage and recycling pick-ups will be on schedule.

AGENDA ITEM NO. 6: Mike Seibert, 1665 Pocatello Creek Road,  
DISCUSSION ITEMS stated that he feels the best way to  
FROM THE AUDIENCE determine the effectiveness of government  
can be based upon their utility rates. Mr.  
Seibert shared his concerns that another rate study is being planned and he anticipates an increase in rates. He also expressed his concerns with rate studies having a negative affect on commercial development.

AGENDA ITEM NO. 7: This time was set aside for the Council to  
PUBLIC HEARING receive comments on the City's publicized  
-INTENT TO EXCHANGE Notice of Intent to Exchange Real Property.  
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, Council will need to direct  
the Legal Department to prepare the appropriate documents for the  
exchange should they choose to proceed.

Mayor Blad opened the public hearing.

John Herrick, Water Pollution Control Director, gave a brief overview of the request. Mr. Herrick noted that the land exchange would meet the long-term needs for processing bio-solids at the Water Pollution Control Plant.

In response to a question from Council, Mr. Herrick explained the land application process of bio-solids. He also discussed how the process helps keep materials out of the landfill and provides cleaner air as bio-solids do not need having to be incinerated.

Mayor Blad announced that no written correspondence was received regarding the property exchange.

There being no further public comments, Mayor Blad closed the public hearing.

A motion was made by Mr. Underwood, seconded by Mrs. Nye, to exchange, subject to Legal Department approval, 71.48 acres of bare ground in the vicinity of Tank Farm Road for 71.48 acres of bare ground owned by Bingham Investments. Upon roll call, those voting in favor were Underwood, Nye, Bray, Cooper, and Moore.

AGENDA ITEM NO. 8: Council was asked to consider a request from "COUNCIL SELECT" the local Army Reserves, represented by SFC FUNDING REQUEST Ty Buras (mailing address: 611 West Quinn -1016<sup>TH</sup> QUARTERMASTER Road, Pocatello ID 83201-1954), to use COMPANY ARMY RESERVES "Council Select" funds in an amount not to exceed \$175.00 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 was \$5,000.00 in the "Council Select" line item.

SFC Ty Buras outlined the request for Council Select funds. He stated that the reservists had to personally pay for the survival training in 2009. As a result, they would like help from the City to cover the expense.

In response to questions from Council, Mr. Buras stated that they have researched other funding avenues including ROTC at Idaho State University and have not been successful.

Mr. Underwood stated that he has great respect for what the reservists do. He expressed concerns regarding the Federal Government asking the City to pay for the reservists required training. Mr. Underwood explained that the intent of "Council Select" funds is to provide assistance for disabled and non-profit groups.

A motion was made by Mr. Underwood, seconded by Mr. Cooper, to deny the local Army Reserves' request to use "Council Select" funds in an amount not to exceed \$175.00 to pay for admittance fees to the Community Recreation Center swimming pool.

More dialogue regarding other possible funding resources was held.

Discussion also included recommending that other facilities that allow the military to use the pools at no charge be considered for the training.

Mr. Moore stated that if the reservists are not able to find funding for the training, he would help raise the funds to cover the costs for training at the Community Recreation Center.

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

AGENDA ITEM NO. 9: Mayor Blad announced that Agenda Item No. 9 LEASE AGREEMENT asking Council to approve a Lease Agreement -GREATER POCATELLO between the City and the Greater Pocatello SENIOR CITIZEN'S INC. Senior Citizen's Inc., for the use of the Bonneville Community Center, located at 427 North 6<sup>th</sup> Avenue had been pulled from the agenda at the request of the applicant

AGENDA ITEM NO. 10: Mayor Blad announced that Agenda Item No. 10 LEASE AGREEMENT asking Council to approve a Lease Agreement -BONNEVILLE between the City and the Bonneville NEIGHBORHOOD Neighborhood Association, for the use of the ASSOCIATION Bonneville Community Center, located at 427 North 6<sup>th</sup> Avenue had been pulled from the agenda at the request of the applicant

AGENDA ITEM NO. 11: Council was asked to approve, subject to CONTRACT-RATE STUDY Legal Department approval, a Contract with -RED OAK CONSULTING 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.

Greg Lanning, Public Works Director, gave a brief introduction of the rate study and how the study is used for creating a long range financial plan. Mr. Lanning noted that the cost for providing the rate study is paid equally by each of the three departments. Moreover, by having a professional rate study, if the rates are challenged in court, Red Oak Consulting will stand behind the report.

In response to a question from Council, Mr. Lanning stated that by having the rate study done it does not always result in an automatic increase in rates. However, if rates do increase, it will be over a five year span resulting in small increases annually instead of one large increase to consumers. Mr. Lanning explained that the study is done by talking to citizens and business as well

as collecting other data. He added that Council will give staff guidance once the information is gathered.

Dean Tranmer, City Attorney, clarified the process of adopting the information as a result of the rate study. Mr. Tranmer stated that the Council could ask for a noticed public hearing to discuss the rate study. However, he also noted that Council agendas are made available to the community so individuals know what will be considered at a meeting.

A motion was made by Mr. Nye, seconded by Mr. Moore, 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 to revise and update the outdated study and will include rates for Water, Water Pollution Control, and Sanitation.

Mr. Bray stated that the rate study and cost analysis is a comparative study with other cities in Idaho and the surrounding northwest. He added that the study helps City staff know where Pocatello's rates fit in with other municipalities of similar size.

Mr. Lanning clarified that Red Oak Consulting has access to national reports and regional reports which allows a better overview of the rate class criteria.

Mr. Underwood recalled that previous rate studies outlined the costs of the materials, the services, and the staff necessary to provide services. The rate study helps determine the rates to be charged in order to cover these operating expenses. He added that is does not make good sense to under charge for services.

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

AGENDA ITEM NO. 12: Council was asked to authorize the City AUTHORIZATION TO SUBMIT COMMENTS -AIRPORT PROPERTY 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 Summit Law Group.

A motion was made by Mr. Moore, seconded by Mrs. Nye, to authorize the 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 and authorize the 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 Summit Law Group.

Mr. Bray disclosed his that his father owns property located on the Fort Hall reservation.

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

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

A motion was made by Mr. Bray, seconded by Mr. Cooper, to adopt a resolution (#2010-01) supporting 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 Lighting II Jet Fighter Program. Upon roll call, those voting in favor were Bray, Cooper, Moore, Nye, and Underwood.

AGENDA ITEM NO. 14: Council was asked to consider an ordinance ORDINANCE authorizing the City's acquisition of a -ACQUISITION OF parcel of real property commonly known as 752 BIRCH 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).

A motion was made by Mr. Bray, seconded by Mr. Underwood, that the ordinance, Agenda Item 14, be read only by title 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 Bray, Underwood, Cooper, Moore, and Nye.

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

Mayor Blad declared the final reading of the 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. Mayor Blad asked "Shall the ordinance

pass?" Upon roll call, those voting in favor were Bray, Cooper, Moore, Nye, and Underwood. Mayor Blad declared the ordinance and summary sheet passed, that it be numbered 2878 and be submitted to the Idaho State Journal for publication.

There being no further business, Mayor Blad adjourned the meeting at 6:46 PM.

APPROVED BY:

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BRIAN C. BLAD, MAYOR

ATTEST:

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RHONDA L. JOHNSON, MMC, CITY CLERK

PREPARED BY:

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RUTH E. WHITWORTH, CMC, DEPUTY CLERK