

CITY OF POCA TELLO, IDAHO  
CITY COUNCIL AGENDA  
CLARIFICATION MEETING AND  
REGULAR CITY COUNCIL MEETING  
APRIL 15, 2010

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CLARIFICATION MEETING                    The City Council Agenda Clarification Meeting was called to order at 5:34 PM by Mayor Brian Blad. Council members present were Roger Bray, Craig Cooper, Ron Frasure, Gary Moore, Eva Johnson Nye, 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 6:02 PM by Mayor Brian Blad. Council members present were Roger Bray, Craig Cooper, Ron Frasure, Gary Moore, Eva Johnson Nye, and Brian Underwood.

Mayor Blad led the audience in the pledge of allegiance.

AGENDA ITEM NO.            2:    The invocation was given by Reverend Jim Jones of Blazing Grace Church.

AGENDA ITEM NO.            3:    Council was asked to consider the following business items:

-MINUTES                    (a)    Waive the oral reading of the minutes and approve the minutes from the Agenda Clarification and Regular City Council meeting of March 18, 2010; the Service Level Reports Council meeting of April 1, 2010; and the Executive Session of April 1, 2010.

-TREASURER'S REPORT            (b)    Treasurer's Report for March showing cash and investments as of March 31, 2010, in the amount of \$21,711,212.93.

-FAIR HOUSING COMMITTEE APPOINTMENT            (c)    Confirm the appointment of November Merzlock to serve as a member of the Fair Housing Committee, filling a vacancy. Ms. Merzlock's term will begin April 16, 2010, and will expire April 16, 2013.

-HOUSING AUTHORITY OF POCA TELLO REAPPOINTMENT            (d)    Confirm the Mayor's reappointment of Dave Packer to continue his service as a member of the Housing Authority of Pocatello Board of Directors. Mr. Packer's term will begin April 22, 2010, and will expire April 22, 2015.

-POCATELLO (e) Confirm the Mayor's reappointment of Karl  
DEVELOPMENT AUTHORITY Anderson and Brian Blad to continue their  
REAPPOINTMENT service as members of the Pocatello  
Development Authority Board of Directors.  
Both terms will begin May 1, 2010, and will expire May 1, 2014.

-COUNCIL DECISION (f) Adopt the Council's Decision approving the  
AMENDED PLAT amendment of the Final Plat for Fieldstone  
-FIELDSTONE HEIGHTS Heights Subdivision, Division #1, to allow  
SUBDIVISION development of the subdivision in two  
DIVISION #1 phases, to be named Division #1 and Division  
#2. The conditions placed on the original  
plat approval remain in place. The parcel is situated east of  
Hawkweed Drive and at the end of Shale Drive.

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, Frasure, and Underwood.

Mayor Blad welcomed members of Boy Scout Troop 350.

AGENDA ITEM NO. 4: Mrs. Nye, on behalf of Mayor Blad,  
COMMUNICATIONS AND proclaimed Saturday, April 24, 2010, to be  
PROCLAMATIONS Portneuf Valley Community Environmental Fair  
Day in Pocatello as part of Earth Day Every  
Day celebrations being held around the world.

Hannah Sanger, Environmental Educator, received the proclamation from Mayor Blad. Ms. Sanger invited the public to the Environmental Fair and outlined the events planned.

Mr. Underwood, on behalf of Mayor Blad, proclaimed April 19 through April 24, 2010, to be Disability Awareness Week in Pocatello.

Mr. Frasure, on behalf of Mayor Blad, proclaimed April 11 through April 17, 2010, to be the Week Of The Young Child in Pocatello.

Judy Boren, Child Care Advisory Board member, received the proclamation from Mayor Blad and thanked the Council for their support.

Mr. Cooper, on behalf of Mayor Blad, proclaimed April 2010 to be Financial Literacy Month in Pocatello.

Hailey Lacey, Neighborhood and Community Services Program Assistant, received the proclamation from Mayor Blad and outlined the goals of educating individuals about their financial responsibilities.

Mr. Bray, on behalf of Mayor Blad, proclaimed May 21, 2010, as Bike to Work Day, May 17 through May 21, 2010, as Bike to Work Week, and May 2010 as Bike to Work Month in Pocatello.

Hannah Sanger, Bike To Work representative, accepted the proclamation from Mayor Blad, and highlighted the events planned for May 2010.

AGENDA ITEM NO. 5: Mayor Blad reminded the Council of the May  
CALENDAR REVIEW 6<sup>th</sup> Budget meeting at 9:00 AM; the May 6<sup>th</sup>  
Regular City Council meeting at 6:00 PM; and  
the May 13<sup>th</sup> Study Session at 9:00 AM which will be followed by a  
Budget meeting.

Mayor Blad announced that the Custer Street Bridge will be closed starting April 26<sup>th</sup> for repairs and that the closure will last through the summer; the April 24<sup>th</sup> Environmental Fair at Optimist Park from 11:00 AM to 3:00 PM; the Zoo opens April 17<sup>th</sup> for weekends only and will be open seven days a week beginning May 1<sup>st</sup>; and that the Fun Run Series starts May 1<sup>st</sup>.

Mayor Blad reminded citizens of the importance of the 2010 Census to the future of our community. He encouraged citizens to call his office if they need to know where to pick up a form or how to complete the form over the phone.

AGENDA ITEM NO. 6: Mayor Blad announced that there were no  
DISCUSSION ITEMS discussion items from the audience.

AGENDA ITEM NO. 7: Council was asked to confirm the Mayor's  
APPOINTMENT appointment of Dave Hunt as Director of  
CONFIRMATION Transportation/ADA Coordinator. Mr. Hunt is  
-DAVE HUNT currently Interim Director of Transportation  
and has been acting in that capacity since  
December 18, 2009. The appointment would be effective April 24,  
2010.

A motion was made by Mr. Moore, seconded by Mr. Frasure, to approve the Mayor's appointment of Dave Hunt as Director of Transportation/ADA Coordinator effective April 24, 2010. Upon roll call, those voting in favor were Moore, Frasure, Bray, Cooper, Nye, and Underwood.

AGENDA ITEM NO. 8: Council was asked to award, subject to Legal  
BID-POCATELLO ZOO Department approval, the bid for  
GRIZZLY BEAR EXHIBIT constructing the Pocatello Zoo's Grizzly  
Bear Exhibit buildings to the low bidder  
Harris, Inc., who submitted a bid in the amount of \$352,800.00.

A motion was made by Mrs. Nye, seconded by Mr. Cooper, to approve the low bid from Harris, Inc., subject to Legal Department

approval, for construction of the Pocatello Zoo's Grizzly Bear Exhibit buildings in the amount of \$352,800.00.

Mr. Underwood disclosed that his cousin's spouse is part-owner of Harris, Inc. He added that he will not receive any economic benefit from the construction of the exhibit.

Mr. Bray noted that the bid received from Harris Inc. was the lowest of five bids received for the project.

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

AGENDA ITEM NO. 9: Council was asked to consider a request from  
VENDOR PERMIT Derek Stephens, dba BCS, Inc. (mailing  
-BCS, INC. address: 815 Tanager Drive, Pocatello ID  
83201), to sell hot dogs and other  
concession items on City streets in the downtown area. Specifically, he would like to use his mobile concession cart at 6<sup>th</sup> and Center, 4<sup>th</sup> and Center, the Visitor Information Center, and at other possible events where there are no established concessionaires. He has completed the required insurance, and received approval from the District Health Department. Since the proposed areas for vendor sales are not specified in the City Code, approval from the City Council is required.

It was clarified that Mr. Stephens cannot conduct his vending business on 4<sup>th</sup> Avenue because it is not allowed by Idaho State Code.

A motion was made by Mr. Moore, seconded by Mr. Bray, to approve a request from Derek Stephens, dba BCS, Inc. to sell hot dogs and other concession items on City streets in the downtown area specifically on 6<sup>th</sup> Avenue and Center Street, the Visitor Information Center, and at other possible events where there are no established concessionaires. Upon roll call, those voting in favor were Moore, Bray, Cooper, Frasure, Nye, and Underwood.

In response to a question from Council, Derek Stevens clarified that he would not vend on 4<sup>th</sup> Avenue but more near 3<sup>rd</sup> Avenue and that he has everything set up according to his application including recycling.

Mr. Underwood stated that most concessionaires set up to do sporting events and suggested that Mr. Stevens contact Old Town Pocatello Inc., and the Chamber of Commerce so they are aware of his business.

AGENDA ITEM NO. 10: Council was asked to consider a request from "COUNCIL SELECT" the Kiwanis Club of Pocatello, represented by Ed Bowman (mailing address: PO Box 2381, Pocatello ID 83205), that "Council Select" funds in the amount of \$428.00 be used to pay for rental and moving of 20 tables for the 43<sup>rd</sup> Annual Bing Hong Kiwanis Pancake Breakfast planned for June 26<sup>th</sup> and 27<sup>th</sup>. As of April 9, 2010, \$4,750.00 remained in the "Council Select" line item. Additionally, the Kiwanis are requesting a waiver of the shelter rental fee as they built the shelter.

A motion was made by Mr. Underwood, seconded by Mrs. Nye, to approve the request from the Kiwanis Club of Pocatello to waive the shelter rental fee and use "Council Select" funds in the amount of \$250.00 for moving tables for the 43<sup>rd</sup> Annual Bing Hong Kiwanis Pancake Breakfast on June 26<sup>th</sup> and June 27<sup>th</sup>. Upon roll call, those voting in favor were Underwood, Nye, Bray, Cooper, Frasure, and Moore.

Ed Bowman, Kiwanis Club of Pocatello representative, outlined the many services that the Kiwanis Club offers in the community.

AGENDA ITEM NO. 11: Council was asked to consider a request from TEMPORARY STREET CLOSURE REQUEST Old Town Pocatello (mailing address: PO Box 222, Pocatello ID 83204), to close the 200 -OLD TOWN POCATELLO block of West Fremont and the 300 and 400 block of Union Pacific Avenue for the following events:

-BIKE TO WORK (a) Bike to Work Bike Parade on Friday, May 21<sup>st</sup> BIKE PARADE from 2:00 PM to 8:00 PM;

-REVIVE @ FIVE (b) Revive @ 5 on Wednesdays May 26<sup>th</sup> through September 8<sup>th</sup> from 2:00 PM to 10:00 PM;

-FINALLY FRIDAY (c) Finally Friday Family Concerts, June 25<sup>th</sup>, FAMILY CONCERTS July 30<sup>th</sup>, and August 27<sup>th</sup> from 2:00 PM to 10:00 PM.

-FARMERS MARKET (d) Farmer's Market on Saturdays May 1, 2010, to October 30, 2010, 6:00 AM to 3:00 PM.

A motion was made by Mr. Bray, seconded by Mr. Cooper, to approve the street closures as requested in Agenda items 11(a) through 11(d). Upon roll call, those voting in favor were Bray, Cooper, Frasure, Moore, Nye, and Underwood.

AGENDA ITEM NO. 12: The Council was asked to consider a request  
OPEN CONTAINER WAIVER from Old Town Pocatello (mailing address: PO  
REQUEST-OLD TOWN Box 222, Pocatello ID 83204), for a waiver  
POCATELLO of the open container ordinance to allow  
alcohol to be consumed in the 200 block of  
West Fremont and a portion of the 400 block of Union Pacific Avenue  
for the following events:

- REVIVE @ FIVE (a) Revive @ 5 - Wednesdays May 26<sup>th</sup> to  
September 8<sup>th</sup> from 5:00 PM to 9:00 PM; and
- FINALLY FRIDAY (b) Finally Friday Family Concerts - June 25<sup>th</sup>,  
FAMILY CONCERTS July 30<sup>th</sup>, and August 27<sup>th</sup> from 5:00 PM to  
9:00 PM.

If the open container ordinance is waived, it should be contingent upon the applicant meeting Police Department requirements and purchasing appropriate permits.

A motion was made by Mr. Moore, seconded by Mrs. Nye, to approve the request from Old Town Pocatello for a waiver of the open container ordinance to allow alcohol to be consumed in the 200 block of West Fremont and a portion of the 400 block of Union Pacific Avenue for the events as stated, contingent upon the applicant meeting Police Department requirements and purchasing appropriate permits.

Mr. Underwood stated that several weeks ago the Council voted to deny a beer permit because it was at a permanent location and doing business near a school while school was in session. However, because this permit is for after hours and during the summer while school is not in session, he felt comfortable approving the request.

Mr. Bray added that the area has been well monitored and no problems have been reported as a result of having alcohol served at the event. He feels the group has done a great job meeting the Police Department's expectations.

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

AGENDA ITEM NO. 13: Council was asked to declare certain City of  
AGREEMENT Pocatello property as surplus and approve,  
-PRIME TIME AUCTION subject to Legal Department approval, an  
Agreement with Prime Time Auctions, Inc., to  
auction said property on May 8, 2010.

A motion was made by Mr. Bray, seconded by Mr. Moore, to approve a request to declare certain City of Pocatello property as surplus

and approve, subject to Legal Department approval, an Agreement with Prime Time Auctions, Inc., to auction said property. Upon roll call, those voting in favor were Bray, Moore, Cooper, Frasure, Nye, and Underwood.

AGENDA ITEM NO. 14: Council was asked to approve, subject to PROFESSIONAL SERVICES Legal Department approval, two Professional AGREEMENTS Service Agreements with Keller Associates, Inc., (mailing address: 131 SW 5<sup>th</sup> Avenue, Suite A, Meridian ID 83542). Under the Agreements, Keller Associates will perform construction engineering, inspection and sampling services for the Custer Street Bridge Project and the Gould Street Bridge Project. These are federal aid stimulus projects and no City match is required.

A motion was made by Mr. Underwood, seconded by Mrs. Nye, to approve two Professional Agreements, subject to Legal Department approval, with Keller Associates, Inc. for the Custer Street Bridge and Gould Street Bridge projects. Upon roll call, those voting in favor were Underwood, Nye, Bray, Cooper, Frasure, and Moore.

AGENDA ITEM NO. 15: Council was asked to approve, subject to MOU-THREE RIVERS RC&D Legal Department approval, a Memorandum of Understanding (MOU) with Three Rivers RC&D to reduce hazardous fire fuels on the east bench of Pocatello. The location is in the vicinity of Satterfield and Summit Drive on City-owned property. All aspects of the project will be coordinated with the Pocatello Fire Department, Bureau of Land Management, and Idaho Department of Lands. Costs to the City are related to in-kind services provided by the Fire Department.

A motion was made by Mr. Bray, seconded by Mr. Moore, to approve, subject to Legal Department approval, a MOU with Three Rivers RC&D to reduce hazardous fire fuels on the east bench of Pocatello. Upon roll call, those voting in favor were Bray, Moore, Cooper, Frasure, Nye, and Underwood.

There being no further business, Mayor Blad adjourned the meeting at 6:48 PM.

APPROVED BY:

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BRIAN C. BLAD, MAYOR

REGULAR CITY COUNCIL MEETING  
APRIL 15, 2010

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ATTEST:

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RHONDA L. JOHNSON, MMC, CITY CLERK

PREPARED BY:

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RUTH E. WHITWORTH, CMC, DEPUTY CLERK