

CITY OF POCATELLO REGULAR CITY COUNCIL MEETING

January 3, 2019 · 6:00 PM
Council Chambers | 911 North 7th 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.

City Hall is accessible to persons with disabilities. Program access accommodations can be provided with three (3) days' advance notice by contacting Skyler Beebe at sbeebe@pocatello.us; 208.234.6248 or 5815 South 5th Avenue, Pocatello, Idaho.

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. However, citizens are advised that only Public Hearings allow for public comment during the discussion/consideration process.**

Citizens have an opportunity to be heard by the Council if the item meets the criteria as described in the agenda item called "DISCUSSION ITEMS." You must sign in at the start of the meeting to be recognized.

RECESS: In the event the meeting is still in progress at 7:30 p.m., the Mayor may call a ten-minute recess to allow Council members and participants a brief rest period.

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

2. INVOCATION

The invocation will be offered by Merrienne Forrest, HS Jeshua Ministries.

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. **(ACTION ITEM)**

(a) MINUTES: Council may wish to waive the oral reading of the minutes and approve the minutes from the December 6, 2018 Police Union Quarterly Update; Executive Session meetings held December 11 and December 20, 2018; and the Work Session of December 13, 2018.

(b) PAYROLL AND MATERIAL CLAIMS: Council may wish to consider payroll and material claims for the month of December 2018.

(c) CONSTRUCTION BOARD OF APPEALS AND REVIEW APPOINTMENT: Council may wish to confirm the Mayor's appointment of Robert Jensen to serve as the gas/mechanical representative on the Construction Board of Appeals and Review, filling a long-term vacancy. Mr. Jensen's term will begin January 4, 2019 and will expire December 31, 2021.

(d) POCATELLO REGIONAL AIRPORT COMMISSION APPOINTMENT: Council may wish to confirm the Mayor's appointment of Kristen Jensen to serve as the Power County representative on the Pocatello Regional Airport Commission filling a long-term vacancy. Ms. Jensen's term will begin January 4, 2019 and will expire January 4, 2021.

(e) COUNCIL DECISION—GRACE LUTHERAN CHURCH REZONE BY CONTRACT DENIAL: Council may wish to adopt its decision denying the request by Grace Lutheran Church to rezone by contract property located in the 1200 block of Pershing Avenue.

(f) RATIFICATION—AMENDED IDAHO STATE HISTORIC PRESERVATION CERTIFIED LOCAL GOVERNMENT GRANT: Council may wish to ratify submission of an amended request of the Fiscal Year 2019 – 2020 Certified Local Government Grant application to the Idaho State Historic Preservation Office. The amended application in the amount of \$15,000.00 will be used to survey the Bonneville Neighborhood to be included in the National Register of Historic Places. Council approved the original Grant application in the amount of \$7,500.00 on December 20, 2018.

Documents:

[AGENDA-ITEM-3.PDF](#)

4. COMMUNICATIONS AND PROCLAMATIONS

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.

6. ALCOHOL LICENSE DENIAL APPEAL—DEL MONTE MEATS

Tony Giesbrecht, Del Monte Meats representative, will be present to appeal the decision of Fire Department and Police Department staff which denied Del Monte Meats an alcohol license. **(ACTION ITEM)**

7. PUBLIC HEARING—PROPOSED FISCAL YEAR 2019 JANUARY BUDGET AMENDMENTS

This time has been set aside for the Council to receive public comments on proposed Fiscal Year 2019 Budget amendments as discussed at the December 13, 2018 Work Session. An ordinance has been prepared for Council's consideration under Agenda Item No. 8 **(ACTION ITEM)** (Legislative Public Hearing)

Documents:

[**AGENDA-ITEM-7.PDF**](#)

8. ORDINANCES

READING OF AN ORDINANCE PROCEDURE

1. Council determines which option below will be used to read the Ordinance by roll call vote.
2. The Ordinance is read by City Staff (usually City Attorney).
3. Mayor will declare the final reading of the ordinance and ask "Shall the Ordinance pass?" After roll call is taken, Mayor will announce whether or not the ordinance passed.

ORDINANCES: The Council has the following options for reading ordinances. If the Council makes no motion, the ordinance will be read on three (3) different days, two (2) readings of which may be by title only and one (1) reading of which shall be in full and placed on final passage for publication. **(ACTION ITEM)**

EXAMPLE MOTIONS:

Option 1: 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."

Option 2: FOR THREE SEPARATE READINGS: "I move the ordinance, Agenda Item # , be read on three separate days. First and second readings will be by title and in full on the third reading. The ordinance shall then be placed on final passage for publication, and only the ordinance summary sheet be submitted for publication."

Before the ordinance can be read under Option 1, the Council must pass said motion by a vote of one-half plus one (4) of the full Council.

An ordinance ready for reading.

8. An ordinance approving an amendment to the Fiscal Year 2019 Appropriations Ordinance increasing the total Fiscal Year expenditures by \$3,563,531.00 to account for additional revenues, including grant funds, received by the City and to use previously unappropriated cash balances for unanticipated expenses incurred by the City. **(Whole ordinance will need to be published.) (ACTION ITEM)**

Documents:

[AGENDA-ITEM-8.PDF](#)

9. DISCUSSION ITEMS

This time has been set aside to hear discussion items not listed on the agenda. Items which appeared 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.)**

10. STATE OF THE CITY

This time has been set aside for the Annual State of the City report.

11. ADJOURN

PUBLIC HEARING PROCEDURE

1. Explanation of hearing procedures by Mayor or staff.
 - o Ten (10) minute time limit on applicant presentation.
 - o Three (3) minute time limit on public testimony.
 - o Names and addresses are required from those presenting/testifying.
 - o Questions/comments should be addressed to the Mayor and Council.
 - o Council members must make their decision regarding the application on facts already in the record and information presented at the public hearing. Conflicts of interest, site visits and ex-parte contacts by Council members will be acknowledged.
 - o 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.