

CITY OF POCATELLO REGULAR CITY COUNCIL MEETING

January 17, 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 Karen Peace representing the Baha'i Faith.

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 Special City Council meeting; December 6, 2018 Clarification and Regular City Council meetings; and the December 20, 2018 City Council Liaison/Work Session Clarification meeting.

(b) TREASURER'S REPORT: Council may wish to consider the Treasurer's Report for December showing cash and investments as of December 31, 2018.

(c) HISTORIC PRESERVATION COMMISSION REAPPOINTMENT: Council may wish to confirm the Mayor's reappointment of Stephanie Cristelow to continue her service as a member of the Historic Preservation Commission. Dr. Christelow's term will begin February 5, 2019 and will expire February 5, 2022.

(d) POCATELLO REGIONAL AIRPORT COMMISSION APPOINTMENT: Council may wish to confirm the Mayor's appointment of Molly Swallow to serve as a member of the Pocatello Regional Airport Commission, replacing Bryce Church whose term expired. Ms. Swallow's term will begin January 18, 2019 and will expire January 18, 2021.

(e) B.I.D. MANAGEMENT AGREEMENT-OLD TOWN POCATELLO: Council may wish to approve a renewal of the Management Agreement with Old Town Pocatello, subject to Legal Department review, to administer and manage the operations of the Business Improvement District (B.I.D.). Council may also wish to acknowledge that they have reviewed the employment agreement of Stephanie Palagi with Old Town Pocatello as provided for in the management agreement.

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. PUBLIC HEARING—VACATION OF EASEMENT AT 2771

BANNOCK HIGHWAY

This time has been set aside to the Council to hear comment from the public concerning a request by Harold and Roger Armstrong (mailing address: Harold Armstrong - 2771 Bannock Highway, Pocatello ID 83204; and Roger Armstrong – 1638 East Wyeth Street, Pocatello ID 83201) to vacate and remove an access and utility easement at 2771 Bannock Highway. (Quasi-Judicial Public Hearing) **(ACTION ITEM)**

Documents:

[AGENDA-ITEM-6.PDF](#)

7. PUBLIC HEARING—RECONSIDERATION REQUEST OF HEARING EXAMINER’S DECISION NEL’S BI-LO SIGN

This time has been set aside for the Council to hear comments from the public regarding a request by Barry Dutton of Nel’s Bi-Lo (mailing address: 333 North 15th Avenue, Pocatello ID 83201), represented by Rick Millward of R&P Quality Lighting (mailing address: 470 West Oak Street, Pocatello ID 83201), for a reconsideration request of the Hearing Examiner’s decision from December 13, 2018 where the Hearing Examiner denied Mr. Dutton’s request for an electronic message display on an existing legal non-conforming sign. (Quasi-Judicial Public Hearing) **(ACTION ITEM)**

Documents:

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

8. SHORT PLAT—KNOBLICH TOWNHOUSE SUBDIVISION

Ramona Knoblich, represented by Krystal Chanda of A&E Engineering (mailing address: P.O. Box 1327, Pocatello ID 83204), has submitted a short plat application to subdivide 0.25 acres (more or less) into two (2) townhouse lots. The subdivision is to be known as Knoblich Townhouse Subdivision and is a replat of Lot 3, Block 1, Division of Lot 9, Block 1, East Cedar Park Subdivision. **(ACTION ITEM)**

Documents:

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

9. COPPER CREEK SUBDIVISION—REQUEST FOR CITY TO ACCEPT IMPROVEMENTS FOR PUBLIC OWNERSHIP AND MAINTENANCE

Kilgore Properties, Inc., represented by Rocky Mountain Engineering and Surveying (mailing address: 600 East Oak Street, Pocatello ID 83201), has submitted a request for the City of Pocatello to accept the Copper Creek Subdivision improvements for public ownership and maintenance. **(ACTION ITEM)**

Documents:

[AGENDA-ITEM-9.PDF](#)

10. FUEL TANK EXCEPTION REQUEST—455 WEST LEWIS STREET

Council may wish to approve a request from CenturyLink represented by Brad Kauffman (mailing address: 524 First Avenue South, Great Falls, MT 59401) for an exception to City Code 15.12.080 that restricts the capacity of above ground fuel tanks. City Code limits tank capacity to 1,000 gallons and CenturyLink would like to install one (1) 1,700 diesel fuel tank at their facility located at 455 West Lewis Street that exceeds the allowed capacity.

Fire Department staff has reviewed the application and supports the request subject to the applicant meeting City Code requirements.
(ACTION ITEM)

Documents:

[AGENDA-ITEM-10.PDF](#)

11. IDAHO PARKS AND RECREATION DEPARTMENT GRANT APPLICATIONS

Council may wish to approve the following grant applications to the Idaho Parks and Recreation Department, subject to Legal Department review, and authorize the Mayor to sign documents related to the grants if awarded. **(ACTION ITEM)**

- a) Canoe Trail - Projects include a trail with installation of canoe/kayak/tubing put-ins along the Portneuf River in an amount up to \$25,000.00 with a 20% City match. In addition to in-kind services, funds are available in Science and Environment Division's Fiscal Year 2019 budget.
- b) Old Town Connection Trail – This will be a 300 foot connection between 1st and 2nd Avenue along the Benton Bridge and will cost approximately \$50,000.000. Local match is 20% which would primarily consist of staff time and any remaining funds will be taken from Fund 70.
- c) East Mink Creek Nordic Ski Area Groomer – Purchase a new Sno-Cat groomer in the amount of \$229,128.00 for the Nordic Center. City funds in the amount of \$60,000.00 and Ski Foundation donations in the amount of \$4,500.00 are available for the purchase. Part of the City's commitment can come from trading in the existing machine.

Documents:

[AGENDA-ITEM-11.PDF](#)

12. PROFESSIONAL SERVICES AGREEMENT—BIOTA RESEARCH AND CONSULTING, INC.

Council may wish to authorize the execution of a Professional Services Agreement between the City of Pocatello and Biota Research and Consulting, Inc., subject to Legal Department review. The services provided will be stream restoration design on a 300 foot section of Pocatello Creek located near Fire Station No. 3 on Pocatello Creek Road.

Funds for execution of stream restoration design in the amount of \$9,210.00 are available within the Science and Environment Division's 2019 Fiscal Year Budget. **(ACTION ITEM)**

Documents:

[**AGENDA-ITEM-12.PDF**](#)

13. PIGGY BACK LEASE/PURCHASE—STREET DEPARTMENT

Council may wish to consider the recommendations of Street Department staff for the following requests regarding the purchase of equipment from Western States Equipment. **(ACTION ITEM)**

a) Piggy-back on a City of McCall bid for the purchase of a 2018 Caterpillar Road Grader in the amount of \$299,209.00, and if approved;

b) Approve a five-year lease agreement of annual payments in the amount of \$33,363.00 and authorize the Mayor's signature on documents related to the purchase, subject to Legal Department review. The agreement includes a guaranteed buy-back in the amount of \$185,000.00.

Funds are available in the Street Department's 2019 Fiscal Year Budget.

Documents:

[**AGENDA-ITEM-13.PDF**](#)

14. HYDRAULIC DREDGING SYSTEM BID—WPC DEPARTMENT

Council may wish to accept the recommendations of Water Pollution Control (WPC) staff and award the bid for a new and unused Hydraulic Dredging System (15 foot depth) to Liquid Waste Technology DBA Ellicott Dredge Technologies in the amount of \$280,706.00. If approved, Council may wish to authorize the Mayor's signature on documents related to the bid, subject to Legal Department review. **(ACTION ITEM)**

Funds are available in WPC's Fiscal Year 2019 budget.

Documents:

[AGENDA-ITEM-14.PDF](#)

15. REQUEST FOR COUNCIL SUPPORT REGARDING CONSTRUCTION OF A MULTI-USE PATHWAY

The Portneuf Greenway Foundation is seeking Council support to submit a grant application to the Idaho Department of Parks and Recreation in the amount of \$250,000.00, and if awarded, authorize the Mayor's signature, subject to Legal Department review, on documents related to the grant for construction of a multi-use pathway traveling north from Fort Hall Mine Road to Pocatello Creek Road. Grant funds will be used to grade, gravel, and pave the path.

Matching funds will come from the Portneuf Greenway Foundation and in-kind donations from private organizations. The City of Pocatello will have full ownership of the path upon completion. **(ACTION ITEM)**

Documents:

[AGENDA-ITEM-15.PDF](#)

16. 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.)**

17. 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.

- 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.