

CITY OF POCATELLO REGULAR CITY COUNCIL MEETING

February 1, 2018 · 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 Dave Hunt at dhunt@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 Pastor Brian Griffin, Pocatello Baptist Church.

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

(b) **AIRPORT COMMISSION APPOINTMENT:** Council may wish to confirm the Mayor's appointment of Larry Bell to serve as a member of the Airport Commission, replacing Dawn Sparrow-Clark whose term expired. Mr. Bell's term will begin February 6, 2018 and will expire February 6, 2020.

(c) **ANIMAL SHELTER ADVISORY BOARD REAPPOINTMENTS:** Council may wish to confirm the Mayor's reappointment of Mary Johnson and Daniel Lenihan to continue their service as members of the Animal Shelter Advisory Board. Ms. Johnson's term will begin February 8, 2018 and will expire February 8, 2020 and Mr. Lenihan's term will begin February 2, 2018 and will expire February 2, 2020.

(d) **POCATELLO DEVELOPMENT AUTHORITY APPOINTMENT:** Council may wish to confirm the Mayor's appointment of Terrel Tovey to serve as the Bannock County representative on the Pocatello Development Authority, replacing Evan Frasure. Mr. Tovey's term will begin February 2, 2018 and will expire May 1, 2019.

(e) **COUNCIL DECISION – ANNEXATION OF LAND EAST OF INTERSTATE 15 AND NORTH OF EAST CHUBBUCK ROAD:** Council may wish to adopt its decision to approve the annexation of a parcel of land comprised of approximately 296.82 acres owned by Town Center, JV; Portneuf Development, LLC; and Millennial Development Partners, Robert Hart and Portneuf Health Trust, Inc. The parcel is located east of Interstate 15 and north of East Chubbuck Road and will be zoned as follows: 1) Commercial-General (CG) covering 145.00 acres; 2) Residential Commercial Professional (RCP) covering 108.52 acres, which includes 21.04 acres of Open Space; 3) Residential Medium Density Single Family (RMS) covering 32.40 acres; 4) Residential Estate (RE) covering 2.00 acres; and 5) Olympus Road with roundabout covering 8.90 acres.

(f) **COUNCIL DECISION – DENIAL OF PLANNING AND ZONING DIRECTOR'S INTERPRETATION APPEAL – PACKER:** Council may wish to adopt its decision denying Dave Packer's appeal of the Planning and Zoning Director's interpretation of the zoning ordinance under Pocatello Municipal Code Section 17.03.240.

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 – ANNEXATION

This time has been set aside for the Council to hear comments from the public regarding a request by Billy Satterfield on behalf of Juniper Land Corp. (mailing address: 2980 Clearwater Street, Pocatello, ID 83201), represented by Rocky Mountain Engineering and Surveying (mailing address: 600 East Oak Street, Pocatello, ID 83201), to annex and zone 13.91 acres (more or less) of land located east of Juniper Reserve Division 1 and south of Partridge Ridge Subdivision, 5. The proposed zoning for the property is Residential Low Density. A Comprehensive Plan Land Use Map designation is proposed to accommodate the requested zoning.

The Planning & Zoning Commission recommended approval of the request at their meeting on January 10, 2018.

Documents:

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

7. PUBLIC HEARING – CONTRACT REZONE

This time has been set aside for the Council to hear comments from the public regarding a request by Virgil Jahnke on behalf of North Star Supply, LLC (mailing address: PO Box 722, Pocatello, ID 83204), represented by Rocky Mountain Engineering and Surveying (mailing address: 600 East Oak Street, Pocatello, ID 83201), to rezone by contract 3.99 acres (more or less) of land located on South 5th Avenue, south of Hildreth Road. The property is located in a Residential Commercial Professional (RCP) zoning district. The request is to rezone it from RCP to Light Industrial to be utilized for wholesale sales.

The Planning & Zoning Commission recommended approval of the request at their meeting on January 10, 2018.

Documents:

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

8. FINAL PLAT – CRESTVIEW ESTATES, DIVISION 2

Ryan Satterfield of Satterfield Realty and Development (mailing address: 3141 Trevor Street, Pocatello, ID 83201), represented by Rocky Mountain

Engineering and Surveying (mailing address: 600 East Oak Street, Pocatello, ID 83201), has submitted a request to subdivide approximately 28.73 acres (more or less) into 33 residential lots. The subdivision, Crestview Estates, Division 2, is located north of Crestview Estates, Division 1 and east of Satterfield Drive.

The Planning and Zoning Commission reviewed the preliminary plat at their meeting on November 15, 2017 and recommended approval with conditions.

Documents:

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

9. FINAL PLAT RECONFIGURATION – MOUNTAIN WEST DIVISION #1

Cal Kunkel (mailing address: 6238 Golden Eagle Way, Billings, MT 59106), represented by Cornerstone Geomatics, LLC (mailing address: 1592 N. 775 E., Shelley, ID 83274), requests to amend the subdivision plat for Mountain West Division 1 from 93 lots to 28 lots but keep the original number of livable units. The final plat received approval at the City Council meeting held on November 16, 2017. The applicant is also requesting the option for early building permits and constructing the structures at the same time as the subdivision infrastructure.

Planning and Public Works staff recommends approval.

Documents:

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

10. SHORT PLAT – NET PROPHET SUBDIVISION

Net Prophet, LLC (mailing address: 146 E. Chubbuck Road, Chubbuck, ID 83202) and Mark Hokanson of Dioptra (mailing address: 4737 Afton Place, Chubbuck, ID 83202) have submitted an application to subdivide 0.47 acres (more or less) into 2 lots located at 651 McKinley Avenue and 634 Poole Avenue. The subdivision is to be known as Net Prophet Subdivision.

Staff recommends approval with conditions outlined in the staff report.

Documents:

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

11. RESOLUTION – STREET NAME CHANGE

Council may wish to consider a request by Ryan Satterfield, representing Satterfield Realty and Development, Inc. (mailing address: 3141 Trevor Street, Pocatello, ID 83201), and adopt a resolution that Ray Street, in the

existing Crestview Park 2nd Addition subdivision be changed to Monson Street, which will continue within the Crestview Estates Division 1 subdivision. There are no addresses assigned to Ray Street.

Documents:

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

12. PROFESSIONAL SERVICES AGREEMENT – CITY HALL REMODEL

Council may wish to authorize the Mayor to sign a Professional Services Agreement between the City of Pocatello and Booth Architecture PLLC for architectural design, bidding and construction services of the Engineering, Planning and Building Departments remodel in City Hall, subject to Legal Department review in the amount of \$28,800.00. Funding is available in the Engineering Department Fiscal Year 2017 budget and payments will be made from Fund 78.

Documents:

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

13. IDAHO STEM ACTION CENTER GRANT – MARSHALL PUBLIC LIBRARY

Council may wish to approve the submission of the following grant application from the Marshall Public Library to the Idaho Science, Technology, Engineering and Math (STEM) Action Center. The \$500.00 grant will be used to purchase supplies for hands-on activities for summer 2018 Library programs for local children and teens.

(a) Idaho Science, Technology, Engineering and Math (STEM) Action Center grant in the amount of \$500.00 and, if awarded;

(b) Authorize the Mayor's signature on documents related to the grant, subject to Legal Department review, to purchase supplies for summer 2018 Library programs.

Documents:

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

14. 2018 ASSISTANCE TO FIREFIGHTERS GRANT APPLICATION – FIRE DEPARTMENT

Council may wish to approve the submission of a grant application for the 2018 Assistance to Firefighters Grant (AFG). The grant would be used to replace 87 portable radios that qualify for replacement and will no longer be supported after 2019. There is a 10% funding match (approximately \$60.00 per radio).

Documents:

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

15. 2018 KENWORTH DUMP TRUCK PIGGYBACK PURCHASE – STREET OPERATIONS

Council may wish to accept Street Operations staff's recommendation and accept the NJPA piggyback bids from Kenworth Sales Company and Viking-Cives for a new 2018 Kenworth dump truck with hydraulics and mounting hardware for a plow, wing and sander in the amount of \$188,973.00 and authorize the Mayor's signature on contract documents.

Funds are available in the Street Operations Department budget.

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.)**

PUBLIC HEARING PROCEDURE

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. 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.

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.

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.

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.