

A M E N D E D

CITY OF POCA TELLO
REGULAR CITY COUNCIL MEETING

February 15, 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 Tony Seikel, Portneuf Sangha.

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) MINUTES: Council may wish to waive the oral reading of the minutes and approve the minutes from the Study Session of January 11, 2018; the January 18, 2018 Study Session Clarification Working Lunch; the January 18, 2018 Agenda Clarification meeting; January 18, 2018 Regular Council meeting; Council Liaison Working Lunch of February 1, 2018; and Special City Council Meeting Fire Union Quarterly Update meeting of February 1, 2018.

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

(c) ANIMAL SHELTER ADVISORY BOARD APPOINTMENT: Council may wish to confirm the Mayor's appointment of Cheryle Loiselle to serve as the Bannock Humane Society's representative on the Animal Shelter Advisory Board, replacing Eileen Jackson whose term expired. Ms. Loiselle's term will begin February 16, 2018 and will expire February 16, 2020.

(d) COUNCIL DECISION – ANNEXATION OF LAND EAST OF JUNIPER RESERVE DIVISION 1: Council may wish to adopt its decision to approve the annexation of a parcel of land comprised of approximately 13.91 acres owned by Juniper Land Corporation. The parcel is located east of Juniper Reserve Division 1 and south of Partridge Ridge Subdivision – Fifth Division and will be zoned Residential Low Density (RL).

(e) COUNCIL DECISION – AMENDED CITY COUNCIL DECISION FOR MOUNTAIN WEST SUBDIVISION – DIVISION 1: Council may wish to adopt its decision amending the final plat for Mountain West Subdivision – Division 1, subdividing the approximately 9.889 acres of land from ninety-three (93) lots to twenty-eight (28) lots; twenty-four (24) buildable lots, two (2) lots dedicated for future right-of-way for Hawthorne Road and two (2) lots for stormwater and open space, subject to conditions.

(f) COUNCIL DECISION – REZONE BY CONTRACT – NORTH STAR SUPPLY, LLC: Council may wish to adopt its decision granting a request by North Star Supply, LLC to rezone by contract approximately 2.99 acres of undeveloped land located south of the intersection between South 5th Avenue and Hildreth Drive, from Residential Commercial Professional (RCP) to Light Industrial (LI) for the sole use of wholesale sales, pursuant to Pocatello Municipal Code 17.02.180(B)(I), subject to conditions.

(g) COUNCIL DECISION – CRESTVIEW ESTATES DIVISION 2 FINAL PLAT APPROVAL: Council may wish to adopt its decision approving the Final Plat for Crestview Estates – Division 2, which subdivides approximately 28.73 acres of land into thirty-three (33) lots, subject to conditions. The property is located north of Crestview Estates – Division 1 and east of Satterfield Drive and is zoned Residential Low Density (RL). Andrew Street and Legacy Drive provide access to the site from the north and will extend southward. Iron Bend Drive, a new street, will provide access from the east.

(h) COUNCIL DECISION – NET PROPHET SUBDIVISION FINAL SHORT PLAT APPROVAL: Council may wish to adopt its decision approving the Final Short Plat for Net Prophet Subdivision, which subdivides approximately .50 acres of land into two (2) residential lots, subject to conditions. The property is located at the South 72 ½' of Lot 2 (Less West 10.71' on the North and 25' on the South), Block 1, Richland Townsite, Bannock County, Idaho and is zoned Residential Medium Density Single Family (RMS). Lot 1 will have direct access from Poole Avenue and Lot 2 from McKinley Avenue.

(i) EXCEPTION REQUEST – 21st ANNUAL RUN WITH THE BIG DOGS EVENT: Council may wish to grant an exception to City Ordinance 12.36.030 “Dog and Animals in Ross Park” for the day of Saturday, April 21, 2018 so the Animal Shelter can hold their 21st Annual Fundraiser event. Dogs, under control of their owners, will be attending the event. The Pocatello Animal Shelter seeks continued approval for annual events and associated exceptions to City Ordinances 12.36.20 and 5.06.010 in future years, subject to the Parks and Recreation Director’s review, and barring any significant change or changes to events.

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 – CORNER OF POLE LINE AND ELDREDGE ROADS

This time has been set aside for the Council to hear comments from the public regarding a request by Jeff Maffuccio on behalf of Idaho Power Company (mailing address: PO Box 70, Boise, ID 83707) to rezone by contract a parcel of vacant land at the northwest corner of Pole Line and Eldredge Roads and east of Faith Lutheran Church from Residential Commercial Professional and Residential Medium Density Single Family to Light Industrial to be utilized for the sole use of a power substation.

At their meeting on January 24, 2018, the Planning and Zoning Commission recommended approval of the request.

Documents:

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

7. EXCEPTION AND PROPOSAL REQUEST – ELSTON

Council is asked to consider a request and a proposal from Art Elson (mailing address: 4424 Chukar Drive, Chubbuck, Idaho, 83202) for the following at the northwest intersection of Highland Boulevard and Gwen Drive on a parcel of land approximately four (4) acres:

a) An exception to City Code 12.02.040 and 12.04.030 requiring Mr. Elson to install curb, gutter and sidewalk and/or signing a real covenant obligating said improvements in the future; and

b) Proposal for a City-funded fire hydrant line under; Highland Boulevard.

Staff recommends upholding the City Ordinance and Standards for private development within the City Limits.

Documents:

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

8. GRANT APPLICATION – AIRPORT

Council may wish to approve the submission of the following grant application for a photography exhibit at the Airport terminal.

a) Ifft Foundation grant in the amount of \$4,500.00 to be used to help fund a new photography exhibit in the Airport terminal; and

b) Authorize the Mayor's signature on documents related to the grant, subject to Legal Department review, to help fund a new photography exhibit in the Airport terminal. The grant requires no matching funds.

Documents:

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

9. GRANT APPLICATION – FIRST AVENUE/TERRY LIVABILITY IMPROVEMENT PROJECT

Council may wish to approve the submission of the following grant application for the First Avenue/Terry Street Livability Improvement Project and overlay district.

a) A grant application to Community Builders in an amount not to exceed \$40,000.00 for direct technical assistance to develop a vision for the First

Avenue/Terry Street Livability Improvement Project ; and overlay district, for the area bounded by East Lovejoy Street to the north; East Putnam Street to the south; South 5th Avenue on the east and South 1st Avenue on the west; and

b) Authorize the Mayor's signature on all related contract documents, subject to Legal Department review. Funds for the \$5,000.00 suggested match are available in Fund 955.

Documents:

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

10. NON-EMERGENCY MEDICAL TRANSPORTATION BROKER AGREEMENT – TRANSIT

Council may wish to approve an agreement with Medical Transportation Management, Inc., the Idaho Medicaid-contracted broker of non-emergency medical transportation. The agreement is necessary to allow Pocatello Regional Transit (PRT) to continue service to eligible individuals and to receive Medicaid reimbursement for costs. The revenues are an important source of local match for PRT's urban and rural programs.

Documents:

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

11. 2018 MATERIALS BID – WATER DEPARTMENT

Council may wish to consider bids received on January 23, 2018 for materials to be used by the Water Department for capital improvement projects and to replenishing materials inventory. The bid was separated into twelve (12) separate lots in an effort to guarantee the lowest price for the City. The recommendations are as follows:

a) FERGUSON WATERWORKS-Lot Ten (\$44,763.00);

b) CORE & MAIN LP-Lot One (\$113,976.60), Lot Three (\$31,232.00), Lot Five (\$8,560.00), Lot Six (\$7,514.00), Lot Seven (\$5,110.50), Lot Eight (\$4,289.60), Lot Nine (\$5,658.50), and Lot Twelve (\$267,254.21) for a total of \$443,595.41; and

c) HD FOWLER CO-Lot Two (\$28,732.88); Lot Four (\$74,543.95); and Lot Eleven (\$12,375.00) for a total of \$115,651.83.

All vendors submitted the low responsive bid for each of the lots indicated. The total cost of the materials bid is \$604,010.24. Funds are available in the Water Department Fiscal Year 2018 budget to cover the expense.

Documents:

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

12. RESOLUTION CHANGING THE NAME OF HOUSING AUTHORITY OF THE CITY OF POCATELLO TO “HOUSING ALLIANCE AND COMMUNITY PARTNERSHIPS

Council may wish to adopt a Resolution changing the name of the Housing Authority of the City of Pocatello to “Housing Alliance and Community Partnerships” and providing an effective date of February 15, 2018.

Documents:

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

13. RESOLUTION ADOPTING NORTHGATE ELIGIBILITY REPORT AND DIRECTING PREPARATION OF AN URBAN RENEWAL PLAN

Council may wish to adopt a resolution determining that the Northgate area described in the Eligibility Report is a deteriorated area or a deteriorating area, or a combination thereof, and that such area is designated as appropriate for an urban renewal project. Further, the Council may wish to direct the Pocatello Development Authority (PDA) to commence preparation of an Urban Renewal Plan for consideration by the PDA Board and, if acceptable, final consideration by the City Council in compliance with Chapters 20 and 29, Title 50, Idaho Code, as amended.

Documents:

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

14. ORDINANCE

An ordinance which annexes a parcel of land comprised of approximately 296.82 acres owned by Town Center JV; Portneuf Development, LLC; Millennial Development Partners, LLC; 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: Commercial-General (CG) covering 145.00 acres; Residential Commercial Professional (RCP) covering 108.52 acres, which includes 21.04 acres of Open Space; Residential Medium Density Single Family (RMS) covering 32.40 acres; Residential Estate (RE) covering 2.00 acres; and Olympus Road with roundabout covering 8.90 acres. (The Ordinance has been prepared for Council consideration to be read under the rules of suspension.)

Documents:

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

15. REAL COVENANT AND ANNEXATION AGREEMENT FOR NORTHGATE DEVELOPMENT

Council may wish to approve and authorize the Mayor to execute a Real Covenant and Annexation Agreement between the City of Pocatello and Town Center JV; Portneuf Development, LLC; Millennial Development Partners, LLC; Robert Hart; and Portneuf Health Trust, Inc., which delineates the terms and conditions for the annexation of approximately 296.82 acres of land located east of Interstate-15 and north of East Chubbuck Road.

The conditions include the payment of water acquisition by the Developer in an amount to be determined. This land is scheduled to be annexed by City Ordinance on February 15, 2018.

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.