

CITY OF POCATELLO REGULAR CITY COUNCIL MEETING

February 21, 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 Pastor Karl Pettit, First 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. **(ACTION ITEM)**

(a) MINUTES: Council may wish to waive the oral reading of the minutes and approve the minutes from the Clarification meetings and Regular Council meetings of December 20, 2018 and January 17, 2019; Joint Cities/Bannock County/School District No. 25 meeting and the Special City Council Town Hall meeting held January 29, 2019; and the City Council Special Meeting for development of Mission/Value statements of January 31, 2019.

(b) TREASURER'S REPORT: Council may wish to consider the Treasurer's Report for January showing cash and investments as of January 31, 2019.

(c) ANIMAL SHELTER ADVISORY BOARD REAPPOINTMENT: Council may wish to confirm the Mayor's reappointment of Kathy Reynolds to continue her service as a member of the Animal Shelter Advisory Board. Ms. Reynold's term will begin February 17, 2019 and will expire February 17, 2021.

(d) JAPANESE SISTER CITIES SUBCOMMITTEE APPOINTMENT: Council may wish to confirm the Mayor's appointment of David Hunt to serve as a member of the Japanese Sister Cities Subcommittee, filling a long-term vacancy. Mr. Hunt's term will begin February 21, 2019 and expire January 3, 2022.

(e) POCATELLO ARTS COUNCIL APPOINTMENTS: Council may wish to confirm the Mayor's appointments of Rachelle Cooper, Robin Lindbeck, and Paige Weber to serve as members of the Pocatello Arts Council, filling three vacancies. Ms. Cooper's term will begin February 22, 2019 and expire February 22, 2021. Ms. Lindbeck's term will begin February 22, 2019 and expire August 17, 2021. Ms. Weber's term will begin February 22, 2019 and expire July 2, 2019.

(f) COUNCIL DECISION—VACATION OF RIGHT OF WAY 400 BLOCK OF POOLE AVENUE: Council may wish to adopt its decision vacating the public's interest in a right-of-way located in the 400 Block of Poole Avenue with combining said right-of-way with the larger parcel of Lot 1, Janna Subdivision.

(g) COUNCIL DECISION—NORTHGATE ZONING AND COMPREHENSIVE LAND MAP AMENDMENTS: Council may wish to adopt its decision to: 1) Approve the amendment of a zoning designation request by Portneuf Development, LLC, comprising of two parcels totaling approximately 38.35 acres located in the recent Northgate annexation north of Chubbuck Road and west of Olympus Drive to be rezoned from

Residential Medium Density Single Family (RMS) and Commercial General (CG) to Residential Commercial Professional (RCP); 2) Approve the amendment of the Comprehensive Plan Land Use designation for those same parcels to Mixed Use; and 3) Approve the amendment of the Comprehensive Plan Land Use designation for an additional 21.04 acres to Mixed Use.

(h) COUNCIL DECISION—RECONSIDERATION OF HEARING EXAMINER’S DECISION – CONDITIONAL USE PERMIT FOR 209 EAST LEWIS: Council may wish to adopt its decision denying the appeal by Gypsy Holdings, LLC regarding a conditional use permit for Idaho Housing & Finance Association on behalf of Aid for Friends, Inc. to allow transitional housing and administrative offices in the existing building at 209 East Lewis Street, subject to conditions.

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—REQUEST TO FILE SPECIAL ASSESSMENT FOR ABATEMENT COSTS – 426 EAST SUTTER

This time has been set aside for the Council to hear comments regarding a request from staff to file a special assessment with Bannock County for the recovery of City funds utilized to abate a dangerous building located at 426 East Sutter. Funds expended for the demolition of the building total \$5,500.00. (Legislative Public Hearing) **(ACTION ITEM)**

Documents:

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

7. PUBLIC HEARING—VACATION OF UTILITY EASEMENT BETWEEN RUBY STREET AND POCATELLO CREEK ROAD

This time has been set aside for the Council to hear comments from the public regarding a request from Michael Seibert and Garth Stoddard to vacate and abandon the public’s interest in a utility easement located between Ruby Street and Pocatello Creek Road, more specifically the north 25 feet of Lots 4 and 5, Monte Vista Acres Subdivision. (Quasi-Judicial Public Hearing) **(ACTION ITEM)**

Documents:

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

8. SHORT PLAT—2830 POLE LINE ROAD COMMERCIAL CONDOMINIUM SUBDIVISION

Steve Gallafent (mailing address: 812 East Clark Street, Pocatello, ID 83201), represented by Krystal Chanda of A&E Engineering (mailing address: P.O. Box 1327, Pocatello, ID 83204), has submitted a short plat application to create condominiums separating an 18,000 square foot (more or less) commercial building into two (2) commercial units with a shared common space. The proposed condominium is located at 2830 Pole Line Road. **(ACTION ITEM)**

Documents:

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

9. SOLE SOURCE DECLARATION AND EXPENDITURE—UTILITY BILLING DEPARTMENT EQUIPMENT

Council may wish to accept the recommendation of Utility Billing staff and declare the purchase of 100 boxes of Electronic Radio Transmitters (ERT) from Hydro Specialties Company, the designated distributor for ITRON Water Products, to be a valid sole source expenditure. The equipment purchase, in the amount of \$192,000.00, will complete the 5-year plan to convert meter reading equipment to 100% radio read. Council may also wish to authorize the Mayor to sign documents related to the purchase, subject to Legal Department review. **(ACTION ITEM)**

Funds for this request have been allocated in the Water Department's Fiscal Year 2019 budget.

Documents:

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

10. IDAHO TRANSPORTATION DEPARTMENT GRANT APPLICATION—ADA CURB RAMPS

Council may wish to consider the following requests regarding an Idaho Transportation Department ADA Curb Ramp Grant: **(ACTION ITEM)**

- a) Approve an application in the amount of \$60,000.00; and if awarded
- b) Authorize the Mayor to sign documents related to the grant.

The Idaho American with Disabilities Act (ADA) Curb Ramp Program is a state-administered program that provides funding for projects to address curb ramps on the state highway system. The goal of the program is to

provide accessible facilities for pedestrians with disabilities while allowing local jurisdiction flexibility in meeting the required standards. Staff anticipates the grant will be awarded in the fall of 2019 and funds will be available after July 1, 2020. There is no local match.

Documents:

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

11. 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.)**

12. 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.