

CITY OF POCATELLO REGULAR CITY COUNCIL MEETING

March 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 Jacqueline Thomas, Praise Temple of God.

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 Agenda Clarification Meeting and the Regular Council Meeting of February 1, 2018.

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

(c) CHILD CARE ADVISORY COMMITTEE APPOINTMENT: Council may wish to confirm the Mayor's appointment of Kari Giesbrecht to serve as a member of the Child Care Advisory Committee, replacing Terri Rash whose term expired. Ms. Giesbrecht's term will begin March 2, 2018 and will expire March 2, 2022.

(d) RESOLUTION—FIRE TRUCKS LEASE PURCHASE: Council may wish to adopt a resolution authorizing the Mayor and/or Chief Financial Officer to sign documents related to the lease purchase agreement with PNC Equipment Finance, LLC for the purchase of three fire trucks. The lease purchase was approved by Council on January 18, 2018 and this resolution is an administrative matter in order to process the lease documents.

(e) COUNCIL DECISION—ANNEXATION OF LAND LOCATED AT 5096 SOUTH 5TH AVENUE: Council may wish to adopt its decision to approve the annexation of a parcel of land comprised of approximately 11.87 acres owned by Brush Meadows, LLC. The parcel is located at 5096 South 5th Avenue and will be zoned Residential Commercial Professional (RCP) with a Comprehensive Plan designation of "Mixed Use".

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. APPOINTMENT OF ANIMAL SERVICES DIRECTOR— GARCIA

Council may wish to confirm the Mayor's appointment of Danielle Garcia

as the Animal Services Director. Ms. Garcia will start her position on March 1, 2018.

7. PUBLIC HEARING—CONTRACT REZONE REQUEST HAWTHORNE ROAD/QUINN ROAD

This time has been set aside for the Council to hear comments from the public regarding a request by Dave Packer (mailing address: 150 North Main Street, Pocatello, ID 83204), represented by Rocky Mountain Engineering and Surveying (mailing address: 600 East Oak Street, Pocatello, ID 83201), to rezone by contract a parcel of vacant land on the east side of Hawthorne Road approximately 430 feet south of Quinn Road from Residential Medium Density single Family to Residential High Density to allow the construction of 16 duplexes.

At their meeting on August 23, 2017, the Planning and Zoning Commission recommended denial of the request. The applicant has revised his proposal by reducing the number of dwelling units by eight.

Documents:

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

8. SHORT PLAT—CENTURY BUSINESS CENTER SUBDIVISION

North Star Supply, LLC (mailing address: P.O. Box 722, Pocatello, ID 83204) and Rocky Mountain Engineering and Surveying (600 East Oak Street, Pocatello, ID 83201), have submitted an application to subdivide 4.01 acres (more or less) into four light industrial lots located at the southwest corner of South 5th Avenue and Hildreth Road. The subdivision is to be known as Century Business Center Subdivision.

Staff recommends approval of the request with conditions outlined in the staff report.

Documents:

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

9. ITC SERVICES, INC. BUILDING AND LAND LEASE AGREEMENT—AIRPORT

Council may wish to approve and authorize the Mayor to sign a lease agreement between the City and ITC Services, Inc. for property at the Pocatello Regional Airport. The proposed leased premises is approximately 7,750 square feet of building space and approximately 15,000 square feet of accompanying outdoor storage for the purpose of operating a hay tarping business.

The proposed term is two years with a two-year renewal at a rental rate of

\$1,200.00 per month, increasing by 6% after the initial two-year term. The Lessee will be responsible for all utility, repair and maintenance costs as outlined in the lease.

Documents:

AGENDA-ITEM-9.PDF

10. GRANT APPLICATION/ACCEPTANCE FOR ADA CURB RAMP PROGRAM

Council may wish to consider the following requests regarding an Idaho Transportation Department Grant.

- a) Application for an ADA Curb Ramp grant in the amount of \$60,000; and if awarded
- b) Authorize the Mayor to sign the Agreement form outlining the program.

The Idaho Americans 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 grant will be used to remove and replace 10 to 12 non-compliant curb ramps along 4th and 5th Avenues (depending on construction costs).

This application will be approved late fall of 2018 with 75% of the money available spring of 2019. There is a two-year construction window and the remaining 25% will be distributed after the project has passed inspection. Grant funding can only be used for construction, the City of Pocatello Engineering Department will do the design. No city funds are required for this project.

Documents:

AGENDA-ITEM-10.PDF

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

Council may wish to accept the recommendation of Utility Billing staff and declare the purchase of 88 boxes of Electronic Radio Transmitters (ERT) from Hydro Specialties Company, the designated distributor for ITRON Water Products, to be a valid sole source expenditure. This equipment purchase in the amount of \$169,296.00 will complete year four of the City's 5-year plan to become 100% radio read. Council may also wish to authorize the Mayor to sign documents related to the purchase, subject to Legal Department review.

Funds for this request have been allocated in the Water Department's Fiscal Year 2018 budget.

Documents:

AGENDA-ITEM-11.PDF

12. SOLE SOURCE DECLARATION OF LATEX EMULSION PURCHASE—STREET OPERATIONS

Council may wish to accept the recommendations of Street Operations staff and approve the purchase of GSB-88 2:1 + Latex Emulsion from Asphalt Systems, Inc. to be a valid sole source expenditure for the City's 2018 Summer Paving Program and authorize the Mayor to sign documents related to the purchase. The product is a trademarked material that no other company makes and therefore, it is impractical/impossible to obtain three bids. The amount requested is 137 tons for a total purchase price of \$103,635.00 (F.O.B. Salt Lake City, Utah).

Documents:

AGENDA-ITEM-12.PDF

13. PIGGY BACK BIDS—STREET OPERATIONS

Council may wish to consider the following piggy-back bids and if they are accepted, authorize the Mayor to sign the necessary documents, subject to Legal Department review. The piggy-back bids are:

(a) VALLEY SLURRY SEAL: For approximately 255,000 square yards of in-place Slurry Surface product. Total estimated price is \$346,800.00.

(b) MICKELSEN CONSTRUCTION COMPANY: Hot Mix Asphalt at \$54.00 per ton.

These vendors have agreed to honor piggy-back prices as outlined in their bid documents. Funds are available in the Street Department's Fiscal Year 2018 budget.

Documents:

AGENDA-ITEM-13.PDF

14. PROFESSIONAL SERVICES CONTRACT—REMODEL DESIGNS FOR 2405 GARRETT WAY

Council may wish to approve the recommendation of Street Operations Staff to enter into a Professional Services Contract with Booth Architecture, PLLC in the amount of \$49,000.00 to design the partial remodel of City property located at 2405 Garrett Way. Council may also wish to authorize the Mayor's signature on documents related to the contract, subject to Legal Department review.

Costs for the remodel will be split 50/50 with capital contingency dollars in the General Fund and the Sanitation Fund.

Documents:

AGENDA-ITEM-14.PDF

15. NON-EMERGENCY MEDICAL TRANSPORTATION BROKER AGREEMENT—TRANSIT

Council may wish to approve an agreement at the rate schedule provided with Medical Transportation Management, Inc., the Idaho Medicaid-contracted broker of non-emergency medical transportation, subject to Legal Department review. 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-15.PDF

16. ORDINANCES

16(a). An ordinance which annexes a parcel of land comprised of approximately 13.91 acres owned by Juniper Land Corporation. The parcel is located east of Juniper Reserve Division One and south of Partridge Ridge Subdivision – Fifth Division and will be zoned Residential Low Density (RL) with a Comprehensive Plan designation of "Residential". (This ordinance has been prepared for Council consideration to be read under the rules of suspension.)

16(b). An ordinance to rezone by contract approximately 3.99 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)(l), subject to conditions. ". (This ordinance has been prepared for Council consideration to be read under the rules of suspension.)

Documents:

AGENDA-ITEM-16.PDF

17. 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.