

# CITY OF POCATELLO REGULAR CITY COUNCIL MEETING

March 7, 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.

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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](mailto:sbeebe@pocatello.us); 208.234.6248 or 5815 South 5th Avenue, Pocatello, Idaho.

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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.*

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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.

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## 1. ROLL CALL AND PLEDGE OF ALLEGIANCE

## 2. INVOCATION

The invocation will be offered by Tamilyn Carson, Buddhist representative.

### 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 February 14, 2019 Work Session; February 14, 2019 Executive Session; and February 21, 2019 City Council Liaison /Work Session Clarification meeting.

(b) PAYROLL AND MATERIAL CLAIMS: Council may wish to consider payroll and material claims for the month of February 2019.

(c) HUMAN RELATIONS ADVISORY COMMITTEE APPOINTMENT: Council may wish to confirm the Mayor

(d) AFRICAN SISTER CITIES SUBCOMMITTEE APPOINTMENT: Council may wish to confirm the Mayor's appointment of Jesse Kiboko to serve as a member of the African Sister Cities Subcommittee, filling a long-term vacancy. Mr. Kiboko's term will begin March 8, 2019 and will expire March 8, 2023.

(e) AFRICAN SISTER CITIES SUBCOMMITTEE REAPPOINTMENT: Council may wish to confirm the Mayor's reappointment of Martin Jam to continue his service as a member of the African Sister Cities Subcommittee. Mr. Jam's term will begin August 22, 2018 and will expire August 22, 2022.

(f) COUNCIL DECISION—POLE LINE ROAD COMMERCIAL CONDOMINIUM SHORT PLAT APPROVAL: Council may wish to adopt its decision approving a Short Plat for Pole Line Road Commercial Condominium, which subdivides approximately .25 acres of land into two (2) condominium units, subject to conditions. The property is located at 2830 Pole Line Road.

(g) COUNCIL DECISION—VACATION OF THE PUBLIC'S INTEREST IN A RIGHT-OF-WAY BETWEEN RUBY STREET AND POCATELLO CREEK ROAD: Council may wish to adopt its decision vacating the public's interest in a right-of-way between Ruby Street and Pocatello Creek Road.

(h) DONATION ACCEPTANCE—2014 JEEP WRANGLER RUBICON: Council may wish to accept the donation of a 2014 Jeep Wrangler Rubicon from Idaho Central Credit Union. Council may also wish to accept cash and sponsorship donations from Phil Meador Toyota and Sound Source in an amount up to \$12,000.00 for parts and labor to customize the vehicle. The vehicle will be used in the Pocatello Fire Department Fire Prevention Program. All modifications made to the vehicle will be paid for by donations and sponsorships from the community at no cost to the City.

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. REQUEST FOR RECONSIDERATION OF COUNCIL DECISION**

Council may wish to consider a Motion for Reconsideration, filed by Gypsy Holdings, LLC and Hanson Janitorial Supply, Inc., represented by Racine Olson, PLLP regarding the Council Decision of February 7, 2019 on the appeal of the Hearing Examiner's approval of a Conditional Use Permit for transitional housing at 209 East Lewis Street. The original request was from Idaho Housing and Finance Association, represented by BJ Stensland of Aid For Friends. **(ACTION ITEM)**

Documents:

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

#### **7. FINAL PLAT—STRATTEN ESTATES**

Derek Leslie of Homes West (mailing address: PO Box 5691, Chubbuck, ID 83202), represented by Rocky Mountain Engineering and Surveying (mailing address: 500 East Oak Street, Pocatello, ID 83201), has submitted a final plat for approval. The property is located on an extension of the east end of Troy Lane. It encompasses 3.06 acres (more or less) and is 16 lots. It is located within a Residential Medium Density Single Family zoning district and is to be known as Stratten Estates. **(ACTION ITEM)**

At their meeting on September 26, 2018, the Planning and Zoning Commission recommended approval with conditions.

Documents:

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

#### **8. REQUEST FOR WAIVER OF SANITATION FEES**

Council may wish to consider a request from Pocatello Free Clinic (mailing address: 429 Washington, Pocatello, ID 83201) to waive Sanitation fees in the amount of \$152.50. The Pocatello Free Clinic is moving to a new facility and would like to have a dumpster available to dispose of supplies which will not be moved to the new facility. **(ACTION ITEM)**

Documents:

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

## 9. HUMAN RESOURCES POLICY CHANGES

Council may wish to adopt policy changes impacting the following:  
**(ACTION ITEM)**

- a) Cap Vacation Payout at 400 hours, effective September 1, 2019;
- b) Pay Out Retirees Sick Leave into HRA VEBA effective September 1, 2019;
- c) Mandatory Case/Disease Management for participants in the health benefits program effective October 1, 2019; and
- d) Separate Active Employees and Retirees in Health Care Experience effective October 1, 2019.

Documents:

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

## 10. GRIFFITH ROAD SANITARY SEWER IMPROVEMENTS

Council may wish to consider the recommendations of staff for the following requests regarding the Griffith Road Sanitary Sewer Improvements: **(ACTION ITEM)**

- a) Accept the low responsive bid received on February 5, 2019 from A-Plus Contractors in the amount of \$318,747.00 for the total bid; and, if the bid is accepted
- b) Authorize the Mayor's execution of the Agreement between the City of Pocatello and A-Plus Contractors, in the amount of \$318,747.00 for the Griffith Road Sanitary Sewer Improvements Project, subject to Legal Department approval.

The project includes the installation of new 18" sewer line, manholes, service reconnections, bypass sewer pumping and surface repairs. If approved, the work will begin mid-March and will be completed within or before 60 days from the start date. Funds for this project are budgeted and available in the Water Pollution Control (WPC) Fiscal Year 2019 capital account.

Documents:

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

## 11. COOPERATIVE AGREEMENTS—MUNICIPAL

## **WATERSHED FENCE**

Council may wish to authorize the execution of two Cooperative Agreements in support of improvements to the Municipal Watershed Fence. **(ACTION ITEM)**

- a) An agreement between the City of Pocatello and the United States Forest Service, subject to Legal Department Review; and
- b) An agreement between the City of Pocatello and the Idaho Department of Fish and Game, subject to Legal Department review. There will be no cost to the City.

Documents:

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

## **12. DECLARATION OF SURPLUS PROPERTY—WATER POLLUTION CONTROL (WPC)**

Council may wish to accept the recommendation of WPC staff and declare the following equipment as surplus:

- a) Pierpoint Camera and tractor P420—This collection system line inspection camera was purchased in 2000 is beyond its serviceable life.
- b) SP-815 Mud Cat Dredge—This specialty equipment was purchased in 1987 and is beyond its serviceable life.

If approved, WPC staff is requesting Council's authorization to dispose of the items in whatever way is the most advantageous to the City. Council may also wish to authorize the Mayor's signature on documents related to the equipment sales, subject to Legal Department review. **(ACTION ITEM)**

Documents:

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

## **13. FACILITIES USE AND RECREATION PROGRAMS POLICY—PARKS AND RECREATION DEPARTMENT**

Council may wish to adopt a Facilities Use and Recreation Programs Policy for the Parks and Recreation Department, as presented to the City Council at the December 13, 2018 Work Session. The policy includes revisions to Pocatello Municipal Code 5.06 "Commercial Activities in Parks and Other Public Places" and 12.36 "Public Parks", as approved by City Council at the February 21, 2019 Regular Council meeting.

The Policy document provides guidelines and regulations regarding use of City facilities and recreation program participation.

Documents:

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

## 14. BID ACCEPTANCE AND PROCUREMENT AGREEMENT FOR A SNOW PLOW/BLOWER—AIRPORT

Council may wish to affirm its prior determination regarding the bids for a snow plow/blower for the Pocatello Regional Airport as voted upon at the Regular Council meeting held September 6, 2018 declaring Oshkosh Products, LLC to be the lowest responsive bidder. **(ACTION ITEM)**

a) Accept the lowest responsive bid from Oshkosh Airport Products, LLC in the amount of \$649,267.00. A bid from Kodiak America, LLC was submitted in the amount of \$561,278.00 and was deemed unresponsive as it did not meet the technical requirements of the specifications. A protest from Kodiak was received and reviewed by staff. After a thorough review, awarding the bid to Oshkosh is still recommended. If the bid is accepted;

b) Authorize the execution of a procurement agreement and notice of award between the City of Pocatello and Oshkosh Airport Products, LLC in the amount of \$649,267.00, subject to Legal Department review.

The purchase will be funded 93.75% by FAA grant funds and 6.25% by airport Passenger Facility Charge (PFC) funds. The purchase is contingent upon FAA approval.

Documents:

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

## 15. ORDINANCES

### 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.

ORDINANCES: 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. **(ACTION ITEM)**

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.

Ordinances ready for reading.

15(a) An ordinance vacating the public's interest in a right-of-way in the 400 Block of Poole Avenue. Said vacation was approved by Council Decision dated February 21, 2019 and all conditions contained therein have been met. **(ACTION ITEM)**

15(b) An ordinance Rezoning two parcels of land totaling approximately 38.35 acres located in the recent Northgate annexation north of Chubbuck Road and west of Olympus Drive from Residential Medium Density Single Family (RMS) and Commercial General (CG) to Residential Commercial Professional (RCP); Amending the Comprehensive Plan Land Use designation for those same parcels to Mixed Use; and Amending the Comprehensive Plan Land Use designation for an additional 21.04 acres to Mixed Use. **(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

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.