

CITY OF POCATELLO REGULAR CITY COUNCIL MEETING

March 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 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. **(ACTION ITEM)**

(a) MINUTES: Council may wish to waive the oral reading of the minutes and approve the minutes from the March 7, 2019 Executive Session.

(b) TREASURER'S REPORT: Council may wish to consider the Treasurer's Report for February showing cash and investments as of February 28, 2019.

(c) SISTER CITIES COMMITTEE APPOINTMENT: Council may wish to confirm the Mayor's appointment of Kent Hobbs to serve as a member of the African Sister Cities Subcommittee, filling a long-term vacancy. Mr. Hobbs' term will begin March 22, 2019 and will expire March 22, 2023.

(d) ANNUAL GRANT APPLICATION—ARBOR DAY TREE PLANTING: Council may wish to approve a grant application and authorize the Mayor to sign documents related to the grant, if awarded, from Idaho Nursery and Landscape Association in the amount of \$300.00. This is an annual grant and will include the purchase and planting of 1 to 2 trees on City property in association with Arbor Day events. Matching funds of (25%) is available in the Parks Department and will be in the form of in-kind services including: a) planning; b) purchase and installation of the trees; and c) celebrating Arbor Day during the Environmental Fair.

(e) APPOINTMENT OF ENVIRONMENTAL REVIEW OFFICER—HUD: Council may wish to designate Janae Mitchell, Community Development Block Grant Program Coordinator, as the City's Environmental Review Officer. This designation is for the purpose of reviewing and approving environmental assessments for projects being funded by the U.S. Department of Housing and Urban Development (HUD) within Pocatello city limits.

(f) COUNCIL DECISION—UPHOLDING THE HEARING EXAMINER'S DECISION REGARDING A CONDITIONAL USE PERMIT FOR 209 EAST LEWIS: Council may wish to adopt its decision denying the Motion for Reconsideration by Gypsy Holdings, LLC and Hanson Janitorial Supply, Inc. regarding Council's approval of its prior decision affirming the Hearing Examiner's approval of a conditional use permit for 209 East Lewis Street. Council voted to uphold its prior decision affirming their decision to allow transitional housing and administrative offices as submitted by Idaho Housing & Finance Association on behalf of Aid for Friends, Inc., in the existing building at 209 East Lewis Street, subject to conditions.

(g) COUNCIL DECISION—STRATTEN ESTATES DIVISION ONE FINAL PLAT: Council may wish to adopt its decision approving the Final Plat for Stratten Estates Division One, which subdivides approximately 3.06 acres

of land into sixteen (16) lots, fourteen (14) to accommodate seven (7) townhouse structures and two (2) dedicated to storm water retention, subject to conditions. The property is located near the easterly extension of Troy Lane.

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. FINAL PLAT—THE CROSSINGS DIVISION 2

Ken Pape of Portneuf Development (mailing address: 4990 Valenty Road, Suite H, Chubbuck, ID 83202), represented by Chris Adams of Creek Hollow and Associates, Inc., (mailing address: 611 Wilson Avenue, Suite 1A, Pocatello, ID 83201), has submitted a final plat application to subdivide 36.44 acres (more or less) into 15 lots. The proposed subdivision is located east of Interstate 15 and north of Chubbuck Road and is to be called The Crossings Division 2. **(ACTION ITEM)**

At their meeting on February 13, 2019, the Planning and Zoning Commission recommended approval with conditions.

Documents:

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

7. SHORT PLAT—SUTHERLAND SUBDIVISION

Victor Sutherland, represented by Peterson Land Surveying (mailing address: 5234 Thunder Drive, Idaho Falls, ID 83406) has submitted a short plat application to subdivide 0.293 acres (more or less) into three (3) lots in a Commercial General zoning district. The proposed subdivision is located at South 5th Avenue and East Sutter Street and is to be called Sutherland Subdivision. **(ACTION ITEM)**

Documents:

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

8. 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 Emulsion sealing oil from Asphalt Systems, Inc. to be a valid sole source expenditure for the City's

2019 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 101 tons for a total purchase price of \$86,880.00 (F.O.B. Salt Lake City, Utah). **(ACTION ITEM)**

Documents:

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

9. MICRO SURFACING BID—STREET OPERATIONS

Council may wish to accept the recommendations of staff and award the procurement bid for Type III Fiberized Micro Surfacing Services to Valley Slurry Seal in the amount of \$610,500.00 for the Street Operation's 2019 Pavement Maintenance Program, subject to Legal Department review. **(ACTION ITEM)**

Funds are available in the Street Operation's Fiscal Year 2019 budget.

Documents:

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

10. SAVAGETRIBE, LLC PROFESSIONAL SERVICE AGREEMENT—PUBLIC WORKS

Council may wish to approve and authorize the Mayor to sign an annual Professional Services Agreement with SavageTribe, LLC, subject to Legal Department review. The agreement will begin April 1, 2019 to provide technical support for the City's GIS system.

The support services will be provided at the off-site rate of \$125.00 per hour, with a \$2,000.00 per year mobilization fee. The cost for services will be split among the Public Works Departments and is available in their Fiscal Year 2019 budgets. **(ACTION ITEM)**

Documents:

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

11. 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.

An ordinance ready for reading.

11. An Ordinance vacating the public utility easement located between Ruby Street and Pocatello Creek Road near Interstate 15. Said vacation was approved by Council Decision dated March 7, 2019 and all conditions contained therein have been met. **(ACTION ITEM)**

Documents:

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

12. 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.)**

13. 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.

- 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.