

AGENDA

CITY OF POCATELLO REGULAR CITY COUNCIL MEETING

May 6, 2021 • 6:00 PM
Council Chambers | 911 North 7th Avenue

Limited in-person attendance is allowed, but due to COVID-19 guidelines, strict social distancing measures are in place.

MASKS/FACE COVERINGS ARE REQUIRED.

**The full Council meeting will be live-streamed at:
<http://streaming.pocatello.us/> and available on Sparklight
Cable channel 56**

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 "ITEMS FROM THE AUDIENCE." 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 Merriann Forrest, representing H.S. Jeshua Ministries.

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 following meetings: February 4, 2021 Special City Council meeting for Budget Process Preparation; February 11, 2021 City Council Work Session; February 18, 2021 City Council Liaison/Work Session Clarification; and Clarification and Regular City Council meetings of March 18, 2021 and April 1, 2021.

(b) MATERIAL CLAIMS: Council may wish to consider Material Claims for the month of April 2021.

(c) CIVIL SERVICE COMMISSION APPOINTMENT: Council may wish to confirm the Mayor's appointment of Michael Larson to serve as a member of the Civil Service Commission, filling a long-term vacancy. Michael's term will begin May 7, 2021 and will expire May 7, 2027.

(d) HUMAN RELATIONS ADVISORY COMMITTEE APPOINTMENTS: Council may wish to confirm the Mayor's appointments of Josie Castaneda-Salas and Dr. Neelam Sharma to serve as members of the Human Relations Advisory Committee, replacing Ailinh Harris and Rituraj Yadav respectively. Josie's term will begin May 7, 2021 and will expire August 18, 2021. Dr. Sharma's term will begin May 7, 2021 and will expire November 2, 2022.

(e) PLANNING AND ZONING COMMISSION APPOINTMENT: Council may wish to confirm the Mayor's appointment of Jeremy Marley to serve as a member of the Planning and Zoning Commission, replacing Jack Moore whose term expired. Jeremy's term will begin May 10, 2021 and will expire May 10, 2025.

(f) POCATELLO ARTS COUNCIL APPOINTMENT: Council may wish to

confirm the Mayor's appointment of Chidiebere Emmanuel to serve as a member of the Pocatello Arts Council, replacing Mark Neiwirth whose term expired. Chidiebere's term will begin May 7, 2021 and will expire May 7, 2024.

(g) POCATELLO DEVELOPMENT AUTHORITY APPOINTMENT: Council may wish to confirm the Mayor's appointment of Greg Gunter to serve as a member of the Pocatello Development Authority Board of Directors, replacing Thomas Ottaway who resigned. Greg's term will begin May 7, 2021 and will expire May 1, 2023.

(h) RESOLUTION – DESTRUCTION OF CITY RECORDS: Council may wish to adopt a Resolution providing for the destruction of temporary records pursuant to Idaho Code §50-907 and the City's Record Policy.

Documents:

[AGENDA-ITEM-3.PDF](#)

4. PROCLAMATION

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 – RIGHT OF WAY VACATION – WOODLAWN STREET

PUBLIC HEARINGS: The procedure that will be used for conducting the public hearings is at the end of the agenda.

This time has been set aside for the Council to hear comments from the public regarding a request by William Steele of Royce Flamingo (mailing address 80 South Lake Avenue, Suite 719, Pasadena, CA 91101), for the vacation of Woodlawn Street right-of-way. Woodlawn Street is located within the Dolbeer Tracts plat between Stockman Road and Opal Avenue. **(ACTION ITEM)**

Documents:

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

7. RECONSIDERATION REQUEST – SOUTH POINT VISTAS

This time has been set aside for the Council to consider a reconsideration request submitted by Paul and Jane Vitale, appealing a prior decision made by the Planning and Zoning Commission to approve the preliminary plat application for the South Point Vistas subdivision. **(ACTION ITEM)**

Documents:

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

8. SUGA TRAINING AWARD GRANT RATIFICATION AND AWARD ACCEPTANCE – IT DEPARTMENT

Council may wish to consider ratification of a grant application, approve acceptance and authorize the Mayor's signature on all pertinent documents, subject to Legal Department review to Sungard Users Group Association (SUGA), (Central Square). This is for a one-time lump sum training award in the amount of \$20,000.00 to be utilized for IT training in Naviline and Cognos analytics. There is no City match associated with the award. **(ACTION ITEM)**

Documents:

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

9. BID ACCEPTANCE/PURCHASE AGREEMENT – GILLIG, LLC – TRANSIT DEPARTMENT

Council may wish to consider the recommendations of staff regarding the following requests regarding the purchase of one (1) Heavy Duty Transit Coach: **(ACTION ITEM)**

- a) Accept the Low responsive bid received on April 16, 2021 from GILLIG, LLC for the total bid amount of \$410,625.00; and if the bid is accepted
- b) Authorize the purchase and approve the Mayor's signature on all applicable documents, subject to Legal Department review.

Funding is available in the Public Transit Department budget.

Documents:

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

10. MEMORANDUM OF UNDERSTANDING TO AMEND SCHEDULE A AND E OF THE IAFF LOCAL 187 COLLECTIVE BARGAINING AGREEMENT

Council may wish to consider approval of a Memorandum of Understanding (MOU) between the City of Pocatello and Firefighters Local Union #187 for the following amendments to Schedule A and Schedule E of the Collective Bargaining Agreement, dated October 6, 2016: **(ACTION ITEM)**

- a) Amend the job title of the current Emergency Medical Administrative Assistant to Medical Billing Specialist; and
- b) Allow for the hiring of a full-time Billing and Coding Clerk.

The change to Medical Billing Specialist is consistent with industry standards and reflects the specialization of knowledge and related job functions. There is no change in pay. Transition of a part-time Billing Clerk to a full-time Billing and Coding Clerk is approved within the Bannock County Ambulance District Fiscal Year 2021 budget and the position's wages and benefits are fully funded by the ambulance district.

Documents:

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

11. PARKING ENFORCEMENT CONTRACT WITH IPS GROUP, INC. – POLICE DEPARTMENT

Council may wish to consider the recommendations of staff and approve a contract with IPS Group, Inc. for the implementation and ongoing maintenance of a Parking Enforcement Management System. The parking technology and related services will collect ticket data, send reminder letters, record messages, and serve as an online payment and application portal for residents. Implementation of the program will provide greater efficiency within the Records Division, increase revenue and decrease physical interactions with the public by offering online services.

Initial startup fees in the amount of \$9,831.90 and monthly maintenance fees in the amount of \$1,000.00 per month are available in the Police Department Fiscal Year 2021 budget. **(ACTION ITEM)**

Documents:

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

12. FUEL TANK EXCEPTION REQUEST – 3602 PHILBIN ROAD

Council may wish to approve a request from Savage, represented by Steve Morrey (mailing address: 901 West Legacy Center Way, Midvale, UT 84047) for an exception to Pocatello Municipal Code (PMC) 15.12.080 that restricts the capacity of an above-ground fuel tank. City Code limits tank capacity to 1,000 gallons and Savage would like to install one (1) 6,000-gallon diesel fuel tank at their terminal and transload facility located at 3602 Philbin Road, which exceeds the allowed capacity.

Engineering and Fire Department staff recommends granting an exception to PMC 15.12.080 and allow Savage to install a 6,000-gallon above-ground fuel tank for the operation of a terminal and transload facility, subject to the applicant meeting construction standards, obtaining the proper permits and inspection approval. **(ACTION ITEM)**

Documents:

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

13. RESOLUTION – STREET NAME CHANGE – WAYFARER WAY AND PARADIGM LANE TO WAYFARER STREET

Council may wish to consider a request and adopt a resolution to change the name of Wayfarer Way and Paradigm Lane to Wayfarer Street. The proposed change will provide continuity to the street names through the center of The Crossings Division 1 Amended plat. There is one physical address assigned to Wayfarer Way and no physical addresses assigned to Paradigm Lane. The owner of the property assigned to Wayfarer Way has expressed support for the name change. **(ACTION ITEM)**

Documents:

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

14. BID/CONTRACT – OLD TOWN CONNECTION TRAIL

Council may wish to consider the recommendation of staff or the following requests regarding the Old Town Connection Trail: **(ACTION ITEM)**

- a) Accept the low responsive bid received on April 13, 2021, from Johnson Contracting and Engineering, Inc. in the amount of \$65,259.00; and if accepted
- b) Authorize the Mayor’s execution of the Agreement between the City of Pocatello and Johnson Contracting and Engineering, Inc., in the amount of \$65,259.00, for the Old Town Connection Trail, subject to Legal Department review.

Funding for this project will be provided by Idaho State Parks and Recreation, the Ifft Foundation, Federal funding, a \$5,000.00 City match and \$5,000 in-kind match.

Documents:

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

15. ORDINANCE

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.

ORDINANCE: 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.

15: An ordinance rezoning property located in the 4300 Block of South 5th Avenue from Commercial General (CG) to Light Industrial *LI), with a concurrent amendment to the Comprehensive map Plan designation from Mixed-Use (MU) to Employment(E). **(ACTION ITEM)**

Documents:

[AGENDA-ITEM-15.PDF](#)

16. ITEMS FROM THE AUDIENCE

This time has been set aside to hear items from the audience not listed on the agenda. Items which appeared somewhere else on the agenda will not be heard 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 may 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

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.

- 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.