

CITY OF POCATELLO REGULAR CITY COUNCIL MEETING

May 16, 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 Tim Bridges, representing Calvary Chapel.

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 Budget Development meeting of April 25, 2019.

(b) TREASURER'S REPORT: Council may wish to consider the Treasurer's Report for April showing cash and investments as of April 30, 2019.

(c) ANIMAL SHELTER ADVISORY BOARD REAPPOINTMENT: Council may wish to confirm the Mayor's reappointment of Sharon Sieber to continue her service as a member of the Animal Shelter Advisory Board. Ms. Sieber's term will begin June 2, 2019 and will expire June 2, 2021.

(d) PARKS AND RECREATION ADVISORY BOARD REAPPOINTMENT: Council may wish to confirm the Mayor's reappointment of Darrin Black to continue his service as a member of the Parks and Recreation Advisory Board. Mr. Black's term will begin June 7, 2019 and will expire June 7, 2021.

(e) SISTER CITIES COMMITTEE REAPPOINTMENT: Council may wish to confirm the Mayor's reappointment of Dana Olson to continue her service as a member of the African Sister Cities Subcommittee. Ms. Olson's term will begin June 8, 2019 and will expire June 8, 2023.

(f) COUNCIL DECISION—HAYDEN/HAYES SUBDIVISION SHORT PLAT: Council may wish to adopt its decision approving the short plat for Hayden/Hayes Subdivision, which subdivides approximately .29 acres of land into two (2) lots, subject to conditions. The property is located at the intersection of Hayden Street and Hayes Avenue.

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. CHILD CARE LICENSE DENIAL APPEAL—MAHAN

Kylee Mahan will be present to appeal the decision of Police Department staff which denied Ms. Mahan a child care license. **(ACTION ITEM)**

7. PUBLIC HEARING—RECONSIDERATION REQUEST OF HEARING EXAMINER’S DECISION TO DENY A BILLBOARD SIGN AT 507 EAST CENTER STREET

This time has been set aside for the Council to hear comments from the public regarding a reconsideration request of the Hearing Examiner’s decision to deny an electronic off-premises (billboard) sign at 507 East Center Street. The applicant is Performance Outdoor (mailing address: P.O. Box 4983, Pocatello, ID 83205), represented by Blaze Sign Company (mailing address: 7175 South 5th Avenue, Pocatello ID 83204). **(ACTION ITEM)** (Quasi-Judicial Public Hearing)

Documents:

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

8. LOVE 2 BID SUBDIVISION—FINAL PLAT

Tanner Hernandez of Prime Time Auctions (mailing address: 3400 South 5th Avenue, Pocatello, ID 83204), represented by Rocky Mountain Engineering and Surveying (mailing address: 600 East Oak Street, Pocatello, ID 83201), has submitted a final plat application to subdivide 11.05 acres (more or less) into ten (10) lots. The proposed subdivision is located at South 5th Avenue, Interstate 15 and Velton Road and is to be known as Love 2 Bid Subdivision. **(ACTION ITEM)**

At their meeting on March 14, 2018 the Planning and Zoning Commission recommended approval of the preliminary plat with conditions recommended by staff.

Documents:

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

9. LOVE 2 BID SUBDIVISION—EXEMPTION FROM CODE REQUIREMENTS, FINAL PLAT

Tanner Hernandez of Prime Time Auctions (mailing address: (3400 South 5th Avenue, Pocatello, ID 83204), has submitted a request to exempt the Love 2 Bid Subdivision from Pocatello Municipal Code Sections 16.24.080-110, specifically the requirement for a “subdivision surety bond”. Authorization to record a final plat prior to development and acceptance of required public infrastructure and improvements requires the subdivider to submit a duly executed “subdivision surety bond” pursuant to section 16.24.110 prior to obtaining all required approval signatures from the City. **(ACTION ITEM)**

Documents:

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

10. ACCESS TO MENTAL HEALTH RESOURCES GRANT APPLICATION/ACCEPTANCE REQUEST—POLICE

Council may wish to approve submission of a U.S. Department of Justice, Office of Community Oriented Policing Services - Awareness and Access to Mental Health Resources grant, in the amount of \$60,785.60 and if awarded, authorize the Mayor's signature on documents related to the grant, subject to Legal Department review. **(ACTION ITEM)**

Grant funds will be used to develop a peer support group and critical incident debrief group for Police staff. There are no matching funds, but the grant requires a two-year commitment if awarded.

Documents:

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

11. SUPERPAVE ASPHALT MIXTURE BID/ACCEPTANCE—STREET OPERATIONS

Council may wish to accept the recommendations of staff and award the procurement bid for Superpave Asphalt Mixture to Mickelsen Construction in the amount of \$473,850.00, subject to Legal Department review for the Street Operations 2019 Pavement Maintenance Program. **(ACTION ITEM)**

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

Documents:

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

12. SOURCE WATER PROTECTION GRANT APPLICATION—SCIENCE AND ENVIRONMENT

Council may wish to approve a grant application and authorize the Mayor to sign documents related to a grant from the Idaho Department of Environmental Quality in the amount of \$10,000, subject to Legal Department review. If approved, grant funds will be used to conduct research to better analyze threats to the Lower Portneuf Valley Aquifer. **(ACTION ITEM)**

There is no required match. Staff time will be committed to the project.

Documents:

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

13. IDAHO STATE UNIVERSITY MOA FOR STORMWATER MONITORING—SCIENCE AND ENVIRONMENT

Council may wish to authorize the execution of a Memorandum of Agreement (MOA) between the City of Pocatello and Idaho State University (ISU), subject to Legal Department review. **(ACTION ITEM)**

ISU will be supporting the City's stormwater monitoring efforts by analyzing the nutrient inputs from street trees. Funds for execution (\$6,000.00) are available within the Science and Environment Division's 2019 Fiscal Year budget.

Documents:

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

14. PROFESSIONAL SERVICES AGREEMENT WITH JUB ENGINEERS FOR THE HAWTHORNE QUINN TRAFFIC SIGNAL PROJECT—RIGHT-OF-WAY PHASE

Council may wish to approve a Professional Services Agreement with JUB Engineers in the amount of \$62,647.00 for services to include Right-of-Way support, Utility Relocation Phase Support, Environmental Document Preparation, and Engineering Design Plan review support for the Hawthorne Quinn Traffic Signal project. **(ACTION ITEM)**

Local match of 7.34% (\$4,598.29) is available in Fund 70. Please note this is a joint project with the City of Chubbuck. The City of Pocatello's fiscal impact will be \$3,448.72 once reimbursement from the City of Chubbuck in the amount of \$1,149.57.00 is received

Documents:

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

15. DECLARATION OF SURPLUS PROPERTY REQUEST—ENGINEERING

Council may wish to accept the recommendation of Engineering staff and declare the following equipment as surplus: **(ACTION ITEM)**

a) Leica Viva GPS Type GS14 smart antenna – This Leica smart antenna was purchased in May 2014 and is not usable by other City Departments.

If approved, Engineering staff is requesting Council's authorization to dispose of the item 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.

Documents:

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

16. DECLARATION OF SURPLUS PROPERTY—SANITATION DEPARTMENT

Council may wish to accept the recommendation of Sanitation staff and declare the following equipment as surplus: **(ACTION ITEM)**

a) Two (2) 2010 Side Load Auto Car Xpeditor – Sanitation has purchased two (2) new vehicles to replace these older assets, as previously approved by Council. The purchases are based on the capital improvement plan as stated in the current rate study. If approved, staff

If approved, Sanitation 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.

Documents:

[AGENDA-ITEM-16.PDF](#)

17. ACCEPTANCE OF LOCAL HIGHWAY SAFETY IMPROVEMENT GRANT—SOUTH 5TH AVENUE SAFETY IMPROVEMENT PROJECT

Council authorized City Staff to apply for a Local Highway Safety Improvement (LHSIP) grant the amount of \$176,00.00 at the January 10, 2019 Work Session with the following conditions: if the grant was awarded, staff will ask permission to accept the grant; seek authorization for the Mayor to sign documents related to the grant, subject to Legal Department review. **(ACTION ITEM)**

The grant was awarded in the amount of \$205,000.00 and staff received notification on April 24, 2019. Funding will be utilized in Fiscal Year 2021 and requires a 7.34% local match (approximately \$15,047.00). The project is located along South 5th Avenue from Interstate 15 northbound off-ramp to Jason Avenue.

Documents:

[AGENDA-ITEM-17.PDF](#)

18. BID ACCEPTANCE FOR LEAN-TO STRUCTURE AT 2405 GARRETT WAY

Council may wish to accept the recommendations of staff and award the procurement bid for a lean-to structure at 2405 Garrett Way to West Wind Construction in the amount of \$102,000.00, and if accepted, authorize the Mayor to sign the necessary documents related to the purchase. The structure will house vehicles and equipment, providing protection from

inclement weather, vandalism and increased levels of service during winter operations. Funds are available in the Sanitation Department's Fiscal Year 2019 budget. **(ACTION ITEM)**

Documents:

[AGENDA-ITEM-18.PDF](#)

19. 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.)**

20. 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.