

CITY OF POCA TELLO REGULAR CITY COUNCIL MEETING

May 21, 2020 · 6:00 PM
Council Chambers | 911 North 7th Avenue

Due to the COVID-19 pandemic guidelines, no on-site public access is permitted for this meeting.

**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.

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.**

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 a moment of silence.

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 Clarification and Regular Council meetings of April 16 and May 7, 2020; and the Executive Session of May 6, 2020.

(b) TREASURER'S REPORT: Council may wish to consider the Treasurer's Report for April showing cash and investments as of April 30, 2020.

(c) ANIMAL SHELTER ADVISORY BOARD REAPPOINTMENT: Council may wish to confirm the Mayor's reappointment of Brandie Jacobia to continue her service as a member of the Animal Shelter Advisory Board. Ms. Jacobia's term will begin June 6, 2020 and will expire June 6, 2022.

(d) COUNCIL DECISION – CREEKSIDE DISTRICT SUBDIVISION SHORT PLAT APPROVAL: Council may wish to adopt its decision approving the short plat for Creekside District Subdivision, which subdivides approximately 3.57 acres of land into two (2) commercial lots, subject to conditions. The property is located west of Edahow Elementary on Pocatello Creek Road.

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. SHORT PLAT – TIERRA VISTA SUBDIVISION 1ST AMENDED

Helena Holdings 208 (mailing address: 1108 South Main Street, Pocatello, ID 83201) and Jeffery and Heidi DaBell of Heidi's Holdings, LLC (mailing address: 177 Vista Drive, Pocatello, ID 83201) represented by Creek Hollow and Associates, Inc. (mailing address: 611 Wilson Avenue, Suite 1A, Pocatello, ID 83201) has submitted a short plat application to re-plat 1.51 acres (more or less) into 2 commercial lots. The general location of the property is 177 Vista Drive. (ACTION ITEM)

Staff reviewed the Short Plat Subdivision application and their findings include conditions.

Documents:

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

7. FINAL PLAT – BREEZY APARTMENTS

Jonathan Vincent of Gate City Builders (mailing address: 973 Wingate Street, Pocatello, ID 83201) represented by Rocky Mountain Engineering and Surveying (mailing address: 600 East Oak Street, Pocatello, ID 83201) has submitted an application for a final plat to subdivide 3.72 acres (more or less) into 23 lots. The proposed name for this subdivision is Breezy Apartments. **(ACTION ITEM)**

Planning and Zoning Commission reviewed the Preliminary Plat and recommended approval with conditions on March 11, 2020 and City Council approved the Planned Unit Development associated with the subdivision on April 16, 2020.

Documents:

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

8. BILL PRESENTMENT AND PAYMENT PLATFORM CONTRACT – PAYMENTUS

Council may wish to approve a contract with Paymentus, subject to Legal Department review, to provide an electronic bill presentment and payment platform for the City. The contract will replace the current on-line system, Click-2-Gov, and the City's current merchant service provider, Heartland. **(ACTION ITEM)**

There are no implementation costs associated with this project and fees will be collected directly from the card users by Paymentus. Overall fees will be the 3% authorized by City Council. Minimal fees may be levied on the City for services beyond the contract scope as needed.

Documents:

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

9. AGREEMENT – HAWKS JANITORIAL FOR RPAC

Council may wish to consider approving a cleaning agreement for the Ross Park Aquatic Complex (RPAC) with Hawks Janitorial in the amount of \$12,000.00 for a three (3) month period. The agreement includes both cleaning services and cleaning supplies. **(ACTION ITEM)**

RPAC will continue to provide all toiletries, liners and paper supplies. Funds for the agreement are available in RPAC Fiscal Year 2020 budget.

Documents:

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

10. SUPERPAVE ASPHALT MIXTURE AND RELATED

MATERIALS BID – STREET OPERATIONS

Council may wish to accept the recommendations of staff and award the procurement bid for Superpave Asphalt Mixture and Related Materials to Mickelsen Construction in the amount of \$416,700.00 for Street Operations and Water Department 2020 construction season, pending Legal Department review. **(ACTION ITEM)**

The procurement of these goods has been budgeted for in Street Operations and Water Department Fiscal Year 2020 budgets.

Documents:

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

11. PIGGY BACK BID FOR ROUTEWARE SOFTWARE – SANITATION

Council may wish to accept the recommendations of staff and award a piggy-back bid for routing software to Routeware, Inc. through the cooperative purchasing organization, HGAC-Buy in the one-time sum of \$138,590.00 with monthly costs of \$8,227.25, pending Legal review. **(ACTION ITEM)**

The procurement of these goods has been budgeted for in the Fiscal Year 2020 Sanitation Department budget. Council may also wish to authorize the Mayor to execute the contracts necessary to facilitate this procurement.

Documents:

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

12. AIRPORT CARES ACT GRANT ACCEPTANCE AND RENT/FEE ABATEMENT REQUESTS

Council may wish to approve the following requests related to the airport: **(ACTION ITEM)**

- a. Accept a CARES Act grant in the amount of \$1,190,517.00, authorize the Mayor to sign the grant agreement and any other pertinent documents, subject to Legal Department review. The grant is 100% federally funded with no local match required. The Airport will have three (3) years to expend funds and the funds can be used for any purpose for which airport revenues can lawfully be used; and, if accepted
- b. Approve \$31,120.43 in rent/fee abatements for the following airport tenants:
 - 1) Skywest Airlines – \$20,789.94 for terminal rents for May, June and July 2020;

2) Skywest Airlines – Approximately \$5,005.32 for landing fees for April, May and June 2020 (April is known to be \$2,2029.40, May and June are estimated at \$1,487.96 each based on current schedule.); and

3) AvCenter – \$5,325.17 for March, April and May 2020 rents.

- c. Abatements are being requested due to an estimated 96% drop in activity from the COVID-19 pandemic. The Airport budget will not be negatively impacted by the abatements due to CARES Act funding.

Documents:

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

13. CITY PROPERTY AUCTION RESULTS AND REQUESTS TO SELL

Council may wish to accept the recommendation of Public Works staff and consider the following high bids received during the April 29, 2020 City Property Auction. The minimum bid reserves were not met and in accordance with Idaho Code (Conveyance of Property) §50-1403(1) the City Council shall have the authority to sell such property as it deems in the best interest of the city. **(ACTION ITEM)**

- a) 1080 South 1st Avenue (former Street Building) \$510,000.00;
- b) 1121 South 2nd Avenue (former Sanitation Building) \$580,000.00; and
- c) 1428 North 3rd Avenue (former Survey Annex) \$75,000.00.

Documents:

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

14. 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.

14(a). An ordinance vacating and abandoning the public's interest in approximately 5,663 square feet of a right-of-way on Apex Road located near the east corner of Center Street and Apex Road. Said vacation was approved by Council Decision dated May 7, 2020, and all conditions contained therein have been met. **(ACTION ITEM)**

14(b). An ordinance annexing approximately .51 acres of land. The two small parcels will extend Pocatello City limits west of the Future Trail Creek Estates Division 4 and will be zoned Residential Low (RL) density with the Comprehensive Plan designation being Residential. **(ACTION ITEM)**

Documents:

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

15. 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.