

A M E N D E D

CITY OF POCA TELLO
REGULAR CITY COUNCIL MEETING

July 11, 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

An invocation will be offered by Art Beery, a representative from The Church of Jesus Christ of Latter-day Saints.

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 City Council Liaison Meeting; May 16, 2019 Clarification meeting and Regular Council meeting; June 5, 2019 Joint Cities/Bannock County/School District No. 25 meeting; June 6, 2019 Budget Development meeting, Executive Session, Clarification meeting and Regular Council meeting; June 13, 2019 Work Session and Budget Development meeting; and the June 25, 2019 Special City Council meeting.

(b) TREASURER'S REPORT: Council may wish to consider the Treasurer's Report for May showing cash and investments as of May 31, 2019.

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

(c) HUMAN RELATIONS ADVISORY COMMITTEE APPOINTMENT: Council may wish to confirm the Mayor's appointment of Bill Downs to serve as a member of the Human Relations Advisory Committee. Mr. Downs' term will begin July 12, 2019 and will expire July 12, 2023.

(d) PARKS AND RECREATION ADVISORY BOARD REAPPOINTMENT: Council may wish to confirm the Mayor's reappointment of Judy Taylor to continue her service as a member of the Parks and Recreation Advisory Board, representing the Fort Hall Replica Commission. Ms. Taylor's term will begin June 8, 2019 and will expire June 8, 2021.

(e) RATIFICATION OF RESOLUTION—ITD CURB RAMPS PROJECT: Council may wish to ratify Resolution No. 2019-05 which was necessary to update an Idaho Transportation Department (ITD) Agreement. The deadline to update curb locations as part of the project with ITD was due prior to the July 11, 2019 Council meeting. No other changes were made to the agreement. City Council approved the curb project on March 1, 2018.

(f) COUNCIL DECISION—ANNEXING LAND SOUTH OF NEVA ROAD AND WEST OF GATHE DRIVE: Council may wish to adopt its decision to approve the annexation of a parcel of land comprised of approximately 75.32 acres owned by McCormick Ranch, LLC. The parcel is located south of Neva Road and west of Gathe Drive and will be zoned Residential Low Density (RL) with a Comprehensive Plan designation of "Residential".

(g) COUNCIL DECISION—LYNDA’S LOTS SUBDIVISION SHORT PLAT: Council may wish to adopt its decision approving the short plat for Lynda’s Lots Subdivision, which subdivides approximately .92 acres of land into three (3) lots, subject to conditions. The property is located at 1940 Bench 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. EXCEPTION TO CITY CODE PROHIBITING THE DISCHARGE OF FIREARMS IN CITY LIMITS—PEST SOLUTIONS

Council may wish to consider a request from Todd Blatner representing Pest Solutions (mailing address: PO Box 2796, Pocatello, ID 83206) for an exception to City Code 9.32.020; Discharge of Firearms Prohibited within city limits to exterminate marmots on certain properties identified by Pest Solutions. Mr. Blatner has performed this service for School District No. 25 in the past and is seeking approval for continued control of these pests. Approval is subject to Police Department and Legal Department requirements and review. **(ACTION ITEM)**

Documents:

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

7. REQUEST TO SURPLUS AND TRADE IN USED FIREARMS FOR NEW SAFETY EQUIPMENT—POLICE DEPARTMENT

Council may wish to declare 74 used firearms that have reached their service life and no longer safe for duty use as surplus. If declared as surplus, staff recommends trading the firearms (trade-in value approximately \$8,000.00) and purchasing the following safety equipment: Twenty (20) .223 suppressors and One (1) .308 suppressor from Hux Customs a local vendor in the amount of \$8,050.00. **(ACTION ITEM)**

Funds for the purchase are available in the Police Department’s Fiscal Year 2019 budget.

Documents:

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

8. SURPLUS AND SALE OF SEIZED ASSETS REQUEST— POLICE DEPARTMENT

Council may wish to approve the following requests from the Pocatello Police Department: **(ACTION ITEM)**

- a) surplus eight (8) vehicles seized during on-going drug investigations, and if approved;
- b) authorize sale of the vehicles through auction.

The vehicles have been awarded to the City of Pocatello by the courts through the Bannock County Prosecutors office via Asset Forfeiture Laws.

Documents:

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

9. ACCEPTANCE OF PROPERTY APPRAISAL REPORT AND AUTHORIZE LETTERS OF COMPENSATION FOR HAWTHORNE/QUINN PROJECT

Council may wish to consider the following items related to the Hawthorne/Quinn Project: **(ACTION ITEM)**

- a) accept the property appraisal reports for owners on the right-of-way and permanent easement acquisitions as discussed at the June 13, 2019 Work Session and, if accepted;
- b) authorize the Mayor's signature on letters establishing the just compensation for property owners as outlined in the report. (Please note: The letters are not an offer to purchase.)

Documents:

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

10. LIFE SAFETY SYSTEM DATA VAULT AGREEMENT—FIRE DEPARTMENT

Council may wish to approve a request from Fire Department staff to implement Life Safety Inspection Vault (LIV), subject to Legal Department review. This is a web-based reporting company which stores inspections from third party vendors in a centralized database. **(ACTION ITEM)**

There is no cost to the City and staff feels it will be beneficial to all parties involved.

Documents:

AGENDA-ITEM-10.PDF

11. TIME CLOCK PLUS—SOLE SOURCE EXPENDITURE AND DECLARATION REQUEST

Council may wish to accept the recommendation of Human Resource and Information Technologies staff, and authorize the Mayor's signature on documents related to the request, for the following items: **(ACTION ITEM)**

a) Declare the purchase of Time Clock Plus software to be a valid sole source expenditure as this program is compatible with the City's current payroll system through Central Square. Time Clock Plus is Central Square's preferred provider and is the only vendor available that allows a seamless integration now and in future upgrades; and

b) Approve the Time Clock Plus software purchase in the amount of \$70,081.98.

Funds for the purchase are available in the City's Fiscal Year 2019 budget.

Documents:

AGENDA-ITEM-11.PDF

12. PUBLIC HEARING—PROPOSED FISCAL YEAR 2019 JUNE/JULY BUDGET AMENDMENTS

This time has been set aside for the Council to receive public comments on Proposed Fiscal Year 2019 Budget amendments as discussed at the June 13, 2019 Work Session. An ordinance has been prepared for Council's consideration under Agenda Item No. 13.

Documents:

AGENDA-ITEM-12.PDF

13. 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.

13(a) An ordinance approving an amendment to the Fiscal Year 2019 Appropriations Ordinance increasing the total Fiscal Year expenditures by \$4,037,012.00 to account for additional revenues, including grant funds received by the City and to use previously unappropriated cash balances for unanticipated expenses incurred by the City. **(Whole ordinance will need to be published.) (ACTION ITEM)**

13(b) An ordinance amending Pocatello Municipal Code Title 13.20 Pretreatment Regulations as suggested by the Department of Environmental Quality. The suggestions are from a 2018 audit of the City's pretreatment program. **(ACTION ITEM)**

Documents:

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

14. 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.)**

15. ADJOURN

PUBLIC HEARING PROCEDURE

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.