

# CITY OF POCATELLO REGULAR CITY COUNCIL MEETING

August 15, 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.

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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](mailto:sbeebe@pocatello.us); 208.234.6248 or 5815 South 5th Avenue, Pocatello, Idaho.

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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.*

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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.

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## 1. ROLL CALL AND PLEDGE OF ALLEGIANCE

## 2. INVOCATION

The invocation will be offered by Karen Peace representing Baha'i Faith.

### **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 Clarification and Regular Council meetings of July 11 and 18, 2019.

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

(c) COMMUNITY DEVELOPMENT BLOCK GRANT ADVISORY COMMITTEE APPOINTMENT: Council may wish to confirm the Mayor's appointment of Matthias Edrich to serve as a member of the Community Development Block Grant Advisory Committee, filling a long-term vacancy. Mr. Edrich's term will begin August 16, 2019 and will expire January 1, 2023.

(d) COLLECTIVE BARGAINING AGREEMENT—FRATERNAL ORDER OF POLICE: Council may wish to approve adoption of the Fiscal Year 2020 Collective Bargaining Agreement for the Portneuf Valley Fraternal Order of Police Local Lodge No. 13.

(e) RESOLUTION—AFFIRMATIVE ACTION PLAN FOR TRANSIT DEPARTMENT: Council may wish to adopt a resolution adopting an Affirmative Action Plan for the Pocatello Transit Department during the time period of October 1, 2019 through September 30, 2022. This is an updated version of prior plans and is a requirement of the Urban Mass Transportation Act of 1964.

(f) COUNCIL DECISION—SCHOOL DISTRICT NO. 25, APPEAL OF HISTORIC PRESERVATION COMMISSION'S DENIAL OF REQUEST FOR CERTIFICATE OF APPROPRIATENESS: Council may wish to adopt its decision approving the appeal from Applicant, School District No. 25, and overturning the Historic Preservation Commission's denial of Applicant's request for a Certificate of Appropriateness for an addition to Pocatello High School.

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 DENIAL APPEAL—BURDICK**

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

## **7. SHORT PLAT—MATHER SUBDIVISION**

Sandy Mather (mailing address: 5089 Sunset Lane, South Ogden, UT 84403), represented by Matt Baker of Summit Land Surveyor (mailing address: 366 Washington Avenue, Pocatello ID 83201), has submitted a short plat application to subdivide 4189.54 square feet of land into two residential lots. The proposed subdivision is located at 526 and 528 East Hayden Street and is to be known as Mather Subdivision. **(ACTION ITEM)**

Documents:

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

## **8. SHORT PLAT—NEW BOUNDS SUBDIVISION**

Jamshid Roomiany, represented by Rocky Mountain Engineering and Surveying (mailing address: 600 East Oak Street, Pocatello, ID 83201), has submitted a short plat application to subdivide 1.82 acres (more or less) into 6 residential lots. The subdivision is located at 3095-3145 D'Artagnan Drive and is to be known as New Bounds Subdivision. **(ACTION ITEM)**

Documents:

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

## **9. POLICE VEHICLES—SOLE SOURCE EXPENDITURE AND DECLARATION REQUEST**

Council may wish to accept the recommendation of Police Department staff and authorize the Mayor's signature on documents related to a request for the following items: **(ACTION ITEM)**

a) Declare the purchase of nine (9) 2020 Ford Explorer Hybrid; one (1) 2020 Ford Explorer Hybrid (replacement); two (2) 2020 Dodge Charger AWD; equipment to up-fit the vehicles for Police use; and one (1) 2017 Dodge Durango (used) from Bancorp to be a valid sole source expenditure. Bancorp quoted a lower cost than the "State Bid" price on the vehicles and will up-fit the vehicles with all of the necessary equipment and deliver the vehicles ready to use; and

b) Approve the purchase from Bancorp in the amount of \$735,161.00.

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

Documents:

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

## 10. BID ACCEPTANCE/AGREEMENT—SLEEPY HOLLOW LIFT STATION IMPROVEMENTS PROJECT

Council may wish to consider the recommendations of staff for the following requests regarding the Sleepy Hollow Lift Station Improvements Project: **(ACTION ITEM)**

a) Accept the low responsive bid received on August 6, 2019, from A-Plus Contractors in the amount of \$181,772.50; and

b) Authorize the Mayor's execution of an Agreement between the City of Pocatello and A-Plus Contractors in the amount of \$181,772.50 for the Sleepy Hollow Lift Station Improvements Project, subject to Legal Department review.

If approved, work will start near the end of August and is scheduled for completion within 45 days of the start date. Funds for this project are available in the Water Pollution Control capital account.

Documents:

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

## 11. PIGGYBACK BID FOR TASER UNITS—POLICE DEPARTMENT

Council may wish to accept the recommendations of Police staff and approve the following piggy-back bid. **(ACTION ITEM)**

Purchase of 87 Taser 7 units and receive 3 free units (total of 90 units/purchase price \$299,280.00) from Axon Enterprise, Inc. on a piggyback bid through NPPGov. Purchase price includes everything necessary to transition from the Police Department's current taser units to the new models. If approved, Council may also wish to authorize the Mayor's signature on documents related to the bid.

Funds for the purchase are available through Capital Contingency as discussed at the August 8, 2019 Work Session.

Documents:

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

## 12. FISCAL YEAR 2020 DEPARTMENTAL FEE RESOLUTION

Council may wish to adopt a resolution with exhibits (a) through (y) setting fees for Fiscal Year 2020 (October 1, 2019 through September 30, 2020).

**(ACTION ITEM)** The exhibits are:

- a) POCA TELLO REGIONAL AIRPORT FEES
- b) ALCOHOLIC BEVERAGE LICENSES FEES
- c) ANIMAL SERVICES FEES
- d) BUSINESS LICENSURE FEES
- e) CEMETERY FEES
- f) CHILDREN'S GROUP TREATMENT CENTER FEES
- g) COMMERCIAL ACTIVITIES IN PARKS AND OTHER PUBLIC PLACES FEES
- h) CONSTRUCTION TRADE FEES
- i) CHILD CARE LICENSE FEES
- j) DEVELOPMENT REIMBURSEMENT FEES
- k) ENGINEERING SERVICES FEES
- l) FIRE DEPARTMENT FEES
- m) GEOGRAPHIC INFORMATION SERVICE FEE
- n) PARKS AND RECREATION ACTIVITIES PROGRAM, RENTAL, AND ADMISSION FEES
- o) PARKS AND RECREATION FACILITY USE FEES
- p) PLANNING AND DEVELOPMENT SERVICES FEES
- q) POLICE DEPARTMENT FEES
- r) PUBLIC RECORD FEES
- s) SANITATION DEPARTMENT FEES
- t) CONSTRUCTION SITE SEDIMENT AND EROSION CONTROL FEES
- u) POCA TELLO REGIONAL TRANSIT SYSTEM FEES
- v) UTILITY BILLING DEPARTMENT FEES
- w) WATER DEPARTMENT FEES
- x) WATER POLLUTION CONTROL DEPARTMENT FEES

y) ZOO PROGRAM, RENTAL AND ADMISSION FEES

Documents:

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

### 13. 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 amending Section 2.06.050 of the Pocatello Municipal Code providing the Council's annual salary be increased to thirteen thousand one hundred forty-eight dollars and ninety-eight cents (\$13,148.98) beginning January 1, 2020 from the amount last set January 1, 2018 and providing that the Mayor's annual salary be increased to eighty-six thousand fifty-six dollars and eighty-eight cents (\$86,056.88) beginning January 1, 2020 from the amount last set January 1, 2018. **(ACTION ITEM)**

13(b). An ordinance approving the Fiscal Year 2020 Appropriation Ordinance. (The whole ordinance needs to be published.) **(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

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### 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.