

CITY OF POCATELLO REGULAR CITY COUNCIL MEETING

September 5, 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 Pastor Jonathan Dinger, Grace Lutheran Church.

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 Clarification meeting and Regular Council meeting of August 1, 2019; Special City Council meeting of August 1, 2019; Work Session of August 8, 2019; City Council Liaison/Work Session Clarification meeting and the Clarification meeting and Regular Council meeting of August 15, 2019.

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

(c) HISTORIC PRESERVATION COMMISSION APPOINTMENT: Council may wish to confirm the Mayor's appointment of Donald Elston to serve as a member of the Historic Preservation Commission, replacing Stephanie Christelow who resigned. Mr. Elston's term will begin September 6, 2019 and will expire February 5, 2022.

(d) MOU—2019 DEPARTMENT OF JUSTICE, BYRNE GRANT: Council may wish to approve a Memorandum of Understanding (MOU) between the Police Department and Bannock County Sheriff's Office regarding the 2019 Edward Byrne Memorial Justice Assistance grant. This is an annual allocation which Bannock County will administer. The Police Department has been allocated \$22,200.00 which will be used to purchase 10 Stalker Dual SL (Radar Units) for Patrol vehicles.

(e) RATIFICATION OF IFFT FOUNDATION GRANT APPLICATION—PORTNEUF VALLEY PARTNERS: Council may wish to ratify a \$10,000.00 Ifft grant application as discussed at the August 8, 2019 Council Work Session. Parks and Recreation Department staff submitted the grant as a joint project with Portneuf Valley Partners to improve State of Idaho Property located at the intersection of North Main Extension/Garrett Way/Highway 30/Hawthorne Road, and if the grant is awarded, authorize acceptance of the grant and the Mayor to sign, subject to Legal Department review, documents related to the grant. There is no City match requirement for the grant.

(f) MOU AMENDING COLLECTIVE BARGAINING AGREEMENT—FIREFIGHTERS LOCAL UNION NO. 187: Council may wish to approve a Memorandum of Understanding (MOU) amending the October 6, 2016 Collective Bargaining Agreement for Firefighters Local Union No. 187. The MOU modifies Schedules A, D and F regarding base pay, holiday pay and paramedic pay.

(g) COUNCIL DECISION—MATHER SUBDIVISION SHORT PLAT: Council may wish to adopt its Decision approving the short plat for Mather

Subdivision, which subdivides approximately 4,189.54 feet of land into two (2) lots, subject to conditions. The property is located at 526 and 528 East Hayden.

(h) COUNCIL DECISION—NEW BOUNDS SUBDIVISION SHORT PLAT: Council may wish to adopt its Decision approving the short plat for New Bounds Subdivision, which subdivides approximately 1.82 acres of land into six (6) residential lots, subject to conditions. The property is located at 3095 to 3145 D'Artagnan Drive.

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—ARMSTRONG LEGACY DIVISION TWO

Gordon and Roger Armstrong, represented by Chris Adams of Creek Hollow and Associates, Inc. (mailing address: 611 Wilson Avenue, Suite 1A, Pocatello, ID 83201) have submitted a short plat application to subdivide 2.97 acres (more or less) into three (3) residential lots. The subdivision is located north of South Grant Avenue and west of Bannock Highway and is to be known as Armstrong Legacy Division 2. **(ACTION ITEM)**

Documents:

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

7. AIRPORT HANGAR LEASE AGREEMENT—DRISCOLL

Council may wish to approve and authorize the Mayor to sign a Lease Agreement between the City and Jeff Driscoll, subject to Legal Department review, for land at the Pocatello Airport upon which Mr. Driscoll will build an aircraft hangar. The proposed lease area is approximately 9,025 square feet of bare ground. **(ACTION ITEM)**

The proposed term is 20 years and proposed annual rental rate is \$1,624.50.

Documents:

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

8. PIGGYBACK OF SOURCEWELL CONTRACT FOR NAPA

IBS STORE—FLEET FACILITY

Council may wish to consider the recommendations of staff, to piggy-back a Sourcewell contract with NAPA/Integrated Business Solutions, subject to Legal Department review, for the implementation of a NAPA/IBS store to be located within the Fleet Department facility. **(ACTION ITEM)**

Funds are available in the Fiscal Year 2020 Fleet Department budget.

Documents:

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

9. DECLARATION OF SURPLUS PROPERTY REQUEST— FIRE DEPARTMENT

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

Three (3) 1994 Pierce Dash Fire apparatus as discussed at the June 13, 2019 Work Session.

If approved, Fire 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-9.PDF**](#)

10. RESOLUTION—CITY OF POCATELLO MISSION AND VALUE STATEMENTS

Council may wish to adopt a resolution outlining the Mayor and City Council's Mission and Value Statements that have been identified to help define the goal and vision for City of Pocatello government. **(ACTION ITEM)**

Documents:

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

11. USE AGREEMENT—ISU HAUNTED LAB

Council may wish to authorize the Mayor to execute an agreement between the City of Pocatello and Idaho State University (ISU) for use of the City's building located at 1080 South 1st Avenue from September 15 through November 15, 2019. ISU is requesting use of the building for its annual "Haunted Lab" event, which demonstrates and displays science experiments to students and the public. **(ACTION ITEM)**

Documents:

AGENDA-ITEM-11.PDF

12. 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.

12. (a) An ordinance to rezone by contract approximately 3.55 acres of undeveloped land located at 9177 Anderson Lane from Residential Medium Density Single-Family (RMS) to Light Industrial (LI) for the sole use of constructing self-storage structures, pursuant to Pocatello Municipal Code 17.02.180(B)(I), subject to conditions. **(ACTION ITEM)**

12. (b) An ordinance repealing Ordinance No. 1930 adopted April 20, 1978 which annexed certain property into the City. **(ACTION ITEM)**

12. (c) An ordinance annexing approximately 76.00 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”. **(ACTION ITEM)**

Documents:

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

13. 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.)**

14. 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.