

CITY OF POCATELLO REGULAR CITY COUNCIL MEETING

September 6, 2018 · 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 Karl Pettit, First Baptist 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 Work Session of August 9, 2018; Special meeting with Pocatello Development Authority of August 15, 2018; the City Council Liaison/Work Session Clarification meeting of August 16, 2018; and the Clarification and Regular Council meetings of August 2 and 16, 2018.

(b) PAYROLL AND MATERIAL CLAIMS: Council may wish to consider payroll and material claims for the month of August 2018.

(c) ADA GRIEVANCE COMMITTEE REAPPOINTMENT: Council may wish to confirm the Mayor's reappointment of Dr. Roger Boe to continue his service as a member of the ADA Grievance Committee. Dr. Boe's term will begin September 16, 2018 and will expire September 16, 2020.

(d) AIRPORT COMMISSION REAPPOINTMENT: Council may wish to confirm the Mayor's reappointment of Rhonda Naftz to continue her service as a member of the Airport Commission. Ms. Naftz's term will begin August 17, 2018 and will expire August 17, 2020.

(e) PARKS AND RECREATION ADVISORY BOARD APPOINTMENT: Council may wish to confirm the Mayor's appointment of Rachael Levay to serve as a member of the Parks and Recreation Advisory Board, replacing Daniel Parrish whose term expired. Ms. Levay's term will begin September 7, 2018 and will expire September 7, 2020.

(f) POCATELLO ARTS COUNCIL REAPPOINTMENT: Council may wish to confirm the Mayor's reappointment of Kathy Brower to continue her service as a member of the Pocatello Arts Council. Ms. Brower's term will begin September 8, 2018 and will expire September 8, 2021.

(g) SISTER CITIES COMMITTEE APPOINTMENT: Council may wish to confirm the Mayor's appointment of Katie Cooper to serve as a member of the Japanese Sister Cities Subcommittee, replacing Diana Loveland who resigned. Ms. Cooper's term will begin September 7, 2018 and will expire February 17, 2021.

(h) COUNCIL DECISION—FARMHOUSE ESTATE SHORT PLAT APPROVAL: Council may wish to adopt its decision approving the Short Plat for Farmhouse Estate, which re-plats approximately 1.72 acres of land into one (1) large residential lot, subject to conditions. The property is located off of Monte Vista 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. PUBLIC HEARING—PROPOSED FISCAL YEAR 2018 BUDGET AMENDMENTS

This time has been set aside for the Council to receive comments from the public on proposed amendments to the Fiscal Year 2018 budget. (An ordinance has been prepared for Council's consideration under Agenda Item No. 17.b) **(ACTION ITEM)**

Documents:

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

7. PUBLIC HEARING—REZONE BY CONTRACT 9100 BLOCK OF ANDERSON LANE

This time has been set aside for the Council to hear comments from the public concerning a request by Kenneth Horsley, represented by Rocky Mountain Engineering and Surveying (mailing address: 600 East Oak Street, Pocatello, ID 83201), to rezone by contract property located in the 9100 block of Anderson Lane, south of Pocatello Creek Road from Residential Medium Density Single Family to Light Industrial for self-service storage and an outdoor storage area for recreation vehicles and boats.

At their meeting on August 8, 2018 the Planning and Zoning Commission recommended approval of the request with conditions. **(ACTION ITEM)**

Documents:

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

8. SHORT PLAT—ELM STREET SUBDIVISION

Carol Klingberg c/o Jim Price, represented by Rocky Mountain Engineering and Surveying (mailing address: 600 East Oak Street, Pocatello, ID 83201), has submitted a short plat application to subdivide 0.30 acres (more or less) into two (2) residential lots. The proposed subdivision is located at the intersection of West Elm Street and Taft Avenue and is to be called Elm Street Subdivision. The property is located within a Residential Medium Density Multi-family zoning district. **(ACTION ITEM)**

Documents:

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

9. FINAL PLAT—TRAIL CREEK ESTATES DIVISION 2

McCormick Ranch, LLC (mailing address: 547 Partridge Lane, Rexburg, ID 83440), represented by Rocky Mountain Engineering and Surveying (mailing address: 600 East Oak Street, Pocatello, ID 83201), has submitted a final plat application to subdivide 13.34 acres (more or less) into 34 residential lots. The proposed subdivision is located on Champlain Place and Magellan Loop and is to be called Trail Creek Estates Division 2. The property is located within a Residential Low Density zoning district. **(ACTION ITEM)**

Documents:

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

10. RESOLUTION—FISCAL YEAR 2019 SALARY ADMINISTRATION POLICY

Council may wish to adopt a resolution for the Fiscal Year 2019 Salary Administrative Policy dictating employee wage increases and moves through the appropriate pay plan. **(ACTION ITEM)**

Documents:

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

11. AGREEMENT/CONTRACT—EMPLOYEE INSURANCE BENEFITS

Council may wish to approve and authorize the Mayor's signature, subject to Legal Department review, the following agreements/contracts for City employee insurance benefits during Fiscal Year 2019. **(ACTION ITEM)**

(a) Blue Cross of Idaho – medical insurance. New agreement reflects an 11.97% increase in premiums;

(b) Delta Dental – dental insurance renewal (0% increase);

(c) VSP – vision insurance renewal (0% increase);

(d) WageWorks – flex spending account (\$25.00 monthly fee and \$4.00 PEPM fee); and

(e) Symetra – life insurance change of carrier will decrease the cost to the City by 30% (\$1.62 PEPM + \$.33 PEPM fee) and increase basic life insurance coverage to the employee from \$11,000.00 to \$15,000.00;

All costs for insurance contracts have been itemized in the Fiscal Year 2019 budget.

Documents:

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

12. CONSTRUCTION SERVICES, INC. CONTRACT AMENDMENT—2405 GARRETT WAY PROJECT

Council may wish to consider a request from Street Operations staff to approve a Guaranteed Maximum Price (GMP) amendment to the City's contract with Construction Services, Inc. for partial remodel of the 2405 Garrett Way Project. The GMP was listed in the original contract approved by Council on April 19, 2018 as EXHIBIT "A" which was not available at that time. The Construction Manager has submitted a completed GMP in the amount of \$1,531,588.00 for Council's review and approval, subject to Legal Department review. **(ACTION ITEM)**

Documents:

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

13. BID/AGREEMENT—PUBLIC TRANSIT DIGITAL RADIO COMMUNICATION SYSTEM PROJECT

Council may wish to consider the recommendations of staff for the following requests regarding the Public Transit Digital Radio Communication System Project. **(ACTION ITEM)**

(a) Accept the bid received from Teton Communications, Inc. for fifty (50) digital mobile radios, five (5) digital portable radios, and six (6) digital base radios in the amount of \$39,137.00 plus installation costs in the amount of \$2,232.00 for a total of \$41,369.00 and, if the bid is accepted;

(b) Authorize the execution of an agreement between the City of Pocatello and Teton Communication, Inc. in the amount of \$41,369.00, subject to Legal Department review.

Funds for this project are available in Public Transit Rural Budget 008 and does not require any City match.

Documents:

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

14. BID—SNOW PLOW/BLOWER FOR AIRPORT

Council may wish to accept the recommendations of staff for the following requests regarding the purchase of a snow plow/blower for the Pocatello Regional Airport. **(ACTION ITEM)**

(a) Declare the bid from Kodiak America, LLC as non-responsive for not meeting specifications as outlined in the bid documents.

(b) Accept the lowest responsive bid from Oshkosh Airport Products, LLC in the amount of \$649,267.00.

The purchase will be funded 93.75% by FAA grant funds and 6.25% by airport passenger facility charge (PFC) funds. The purchase is contingent upon the award of grant funds and FAA approval.

Documents:

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

15. RE-APPROPRIATION OF FAA FUNDS REQUEST— AIRPORT

Council may wish to accept the recommendations of staff for the following requests regarding the re-appropriation of FAA grant funds between Boise Airport and Pocatello Regional Airport. **(ACTION ITEM)**

(a) Approve and authorize the Mayor to sign all documents pertinent to the re-appropriation of grant funds in the amount of \$287,080.00 from Boise's Fiscal Year 2018 annual FAA entitlement grant funds to Pocatello Regional Airport; and, if approved

(b) Approve and authorize the Mayor to sign all documents pertinent to the re-appropriation of Pocatello Regional Airport Fiscal Year 2019 annual FAA entitlement grant funds in the amount of \$287,080.00 to Boise Airport.

Each re-appropriation will be subject to Legal Department review. The re-appropriation will be used to complete airport improvement projects under the Airport's previously approved grant No. 41 that have increased in cost due to higher than estimated bids and scope increases. The re-appropriation is contingent upon award of FAA grant funds; FAA and City of Boise approval.

Documents:

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

16. WPC PRIMARY PIPE REPLACEMENT PROJECT REQUESTS

Council may wish to consider the recommendations of staff for the following requests regarding the Water Pollution Control (WPC) Primary Pipe Replacement Project. **(ACTION ITEM)**

(a) Accept the bid received on August 29, 2018, from Starr Corporation, who submitted the only bid in the amount of \$180,306.00 and, if the bid is

accepted;

(b) Authorize the execution of documents related to the bid between the City of Pocatello and Starr Corporation in the amount of \$180,306.00; and

(c) Approve the quote from Rain-for-Rent in the amount of \$59,496.42 to provide bypass pumping services to the project area.

Funding for the project is available in the WPC Reserve Fund and documents related to the project are subject to Legal Department review. Given the importance of this project to WPC and current state of the bidding and construction environment, it is the recommendation of Engineering and WPC staff to approve the request.

Documents:

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

17. 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.)**

18. ORDINANCES

17(a) An ordinance establishing a Capital Improvement Fund under the provisions of Idaho Code §50-236. (This Ordinance is prepared for reading under the rules of suspension.) **(ACTION ITEM)**

17(b) An ordinance approving an amendment to the Fiscal Year 2018 Appropriations Ordinance increasing the total Fiscal Year expenditures by \$1,139,205.00 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. (This Ordinance is prepared for reading under the rules of suspension. Whole ordinance will need to be published.) **(ACTION ITEM)**

Documents:

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

19. 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.

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.

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.

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.