

CITY OF POCATELLO REGULAR CITY COUNCIL MEETING

March 5, 2020 · 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 President Stephen Southward, 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 Clarification and Regular City Council meetings of January 16, 2020 and February 6, 2020; the Work Session of February 13, 2020, Town Hall meeting of February 18, 2020 and the City Council Liaison/Work Session Clarification meeting of February 20, 2020.

(b) PAYROLL AND MATERIAL CLAIMS: Council may wish to consider payroll and materials claims for the month of February, 2020.

(c) POCATELLO ARTS COUNCIL APPOINTMENT: Council may wish to confirm the Mayor's appointment of Josh Pohlman to serve as a member of the Pocatello Arts Council, replacing Kathy Brower who resigned. Mr. Pohlman's term will begin March 6, 2020 and will expire September 8, 2021.

(d) PARKS AND RECREATION ADVISORY BOARD APPOINTMENT: Council may wish to confirm the Mayor's appointment of Douglas Milder to serve as a member of the Parks and Recreation Advisory Board, replacing Jeffry Angelo who resigned. Mr. Milder's term will begin March 6, 2020 and will expire July 6, 2020.

(e) COUNCIL DECISION – REZONE BY CONTRACT FOR 2909 POLE LINE ROAD: Council may wish to adopt its decision granting a request by Clint Martin, through his representative, Dean Funk, to rezone by contract approximately 2.57 acres of land located at 2909 Pole Line Road, from Commercial General(CG) to Light Industrial (LI) for industrial storage and sales, pursuant to Pocatello Municipal Code 17.02.180(B(l), subject to conditions.

(f) COUNCIL DECISION – HAMMES SUBDIVISION SHORT PLAT: Council may wish to adopt its decision approving the short plat for Hammes Subdivision, which subdivides approximately 3.1 acres of land into two (2) single family residential lots, subject to conditions. The property is located at 3790 Johnny Creek Road, Pocatello.

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. 2020 COPS HIRING PROGRAM GRANT APPLICATION AND MOU REQUESTS – POLICE DEPARTMENT

Council may wish to approve submittal of an application for the 2020 COPS Hiring Program Grant as discussed at the February 13, 2020 Work Session and the following Memorandum of Understandings (MOU) related to the grant. **(ACTION ITEM)**

- a) Bannock County Prosecutor's Office;
- b) Southeast Idaho Behavioral Crisis Center; and
- c) Fort Hall Police Department

If the grant is awarded, Police Department staff will submit an agenda request asking Council to accept the grant.

Documents:

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

7. BUSTER BROWN SIGN PROJECT REQUESTS

Relight The Night (RTN) a committee under Old Town Pocatello Foundation, Inc. (mailing address: PO Box 222, Pocatello, ID 83204) is requesting the following items related to a Buster Brown Sign Project as discussed at the February 13, 2020 Work Session: **(ACTION ITEM)**

- a) Accept a Quit Claim Deed for a 10 x 12-foot parcel of land located on the southwesterly corner of West Center Street and Union Pacific Avenue;
- b) Allow RTN to place a refurbished Historical Buster Brown sign on the parcel at no expense to the City. This includes all ongoing costs associated with the sign including power; and
- c) Acceptance of the sign when RTN-Old Town Pocatello Foundation gifts the sign to the City of Pocatello.

If approved, authorize the Mayor to sign an MOU for the sign project, subject to Legal Department review.

8. ROSS PARK AQUATIC COMPLEX REPLACEMENT POOL HEATERS REQUESTS

Council may wish to consider the recommendations of staff for the following requests regarding replacement of the Ross Park Aquatic Complex Pool Heaters as discussed at the February 13, 2020 Work Session. **(ACTION ITEM)**

a) Accept the low responsive bid received on February 24, 2020 from MasterCraft Pool and Spa in the amount of \$84,081.96; and if the bid is accepted

b) Authorize the Mayor's signature on an agreement to proceed with MasterCraft Pool and Spa in the amount of \$84,081.96, subject to Legal Department review.

The project includes replacement of four (4) large area pool heaters which have reached the end of their useful life. Funds are available in Fund No. 78 – Capital Improvement Fund.

Documents:

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

9. SFY2022 ITD GRANT FOR CURB RAMPS ALONG STATE HIGHWAY SYSTEM REQUESTS

Council may wish to consider the following requests regarding a State Fiscal Year (SFY) 2022 Idaho Transportation Department (ITD) Curb Ramp Grant: **(ACTION ITEM)**

a) Grant Application to ITD in the amount of \$60,000.00; and if awarded

b) Acceptance of the grant and authorize the Mayor to sign the Program Agreement for outlining the program.

The Idaho Americans with Disabilities Act (ADA) Curb Ramp Program is a state-administered program that provides funding for projects to address curb ramps along the state highway system. The goal of the program is to provide accessible facilities for pedestrians with disabilities while allowing local jurisdiction flexibility in meeting the required standards.

There is no local match requirement. However, the design will be done in-house. Staff anticipates the grant will be awarded in the fall of 2020 and funds will be available after July 1, 2021.

Documents:

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

10. IFFT FOUNDATION GRANT TO ENHANCE OLD TOWN AREA CONNECTION TRAIL REQUESTS

Council may wish to consider the following requests regarding an Ifft Foundation Grant: **(ACTION ITEM)**

a) Grant Application in the amount of \$10,000.00; and if awarded

b) Acceptance of the grant and authorize the Mayor to sign the Program

Agreement for outlining the program, subject to Legal Department review.

This Ifft grant is for community beautification and public recreation projects in southeastern Idaho. The Old Town Connection Trail is supported by the Terry First planning project done in 2018 as well as a connecting link in the Greenway Trail System Master Plan. The City was awarded Idaho Department of Parks and Recreation funding to construct a 300-foot-long asphalt trail between 1st and 2nd Avenues along the Benton Street Bridge and the Ifft grant will help enhance the trail with colorful painted designs and other features.

There is no local match requirement. However, staff time will be used to manage the project. Staff anticipates the grant will be awarded in May 2020 and the City has 1 year to implement the construction project.

Documents:

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

11. BID – DONRICH STORMWATER PUMP STATION PROJECT

Council may wish to consider the recommendation of staff for the following requests regarding the Donrich Stormwater Pump Station: **(ACTION ITEM)**

a) Accept the low responsive bid received on February 7, 2020 from JAG Enterprises in the amount of \$60,710.00 (total bid); and if the bid is accepted

b) Authorize the Mayor's execution of an Agreement between the City of Pocatello and JAG Enterprises in the amount of \$60,710.00 for the Donrich Stormwater Pump Station Project, subject to Legal Department review.

The services provided will be for the installation of stormwater pumps, discharge line, associated electrical equipment, and concrete work. If approved, the work will begin at the end of March 2020 and will be completed within or before 30 days from the start date. Funds for this project are available in the Street Department Fiscal Year 2020 budget.

Documents:

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

12. BID – 2020 SANITARY SEWER REHABILITATION CIPP PROJECT

Council may wish to consider the recommendations of staff for the following requests regarding the 2020 Sanitary Sewer Rehabilitation Cured In Place Pipe (CIPP) Project: **(ACTION ITEM)**

a) Accept the low responsive bid received on February 4, 2020, from Planned and Engineered Construction for the total bid amount of \$298,850.00; and if the bid is accepted

b) Authorize the Mayor's execution of an Agreement between the City of Pocatello and Planned and Engineered Construction in the amount of \$298,850.00 for the 2020 Sanitary Sewer Rehabilitation CIPP Project, subject to Legal Department review.

The project includes rehabilitating 29 degraded sanitary sewer main lines with a CIPP system. If approved, the work will begin in July 2020 and will be completed by the end of September 2020. Funds for this project are available in the Water Pollution Control Department Fiscal Year 2020 budget.

Documents:

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

13. PROFESSIONAL SERVICES AGREEMENT FOR WASTEWATER FACILITY PLANNING STUDY

Council may wish to consider the recommendation of staff and approve a Professional Services Agreement with Keller Associates, Inc. in the amount of \$250,000.00. Keller Associates, Inc. will prepare a Wastewater Facility Planning Study for the Water Pollution Control Facility. **(ACTION ITEM)**

Funds are available in the Water Pollution Control Fiscal Year 2020 budget.

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.

An ordinance ready for reading.

14. An ordinance annexing approximately 22.256 acres owned by Town Center JV. The parcel extends from the eastern extent of the Northgate Interchange to the northeastern extent of the Pocatello City limits and will be zoned Commercial General (CG) with the Comprehensive Plan designation being amended from "Mixed-Use" to "Commercial". **(ACTION ITEM)**

Documents:

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

15. 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.)**

16. 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.

- 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.