

CITY OF POCA TELLO, IDAHO
CITY COUNCIL
REGULAR CITY COUNCIL MEETING
MARCH 7, 2019

AGENDA ITEM NO. 1: The Regular City Council meeting was called to order at 6:01 p.m.
ROLL CALL AND by Mayor Brian Blad. Council members present were Heidi
PLEDGE OF Adamson, Roger Bray, Rick Cheatum, Jim Johnston, Linda
ALLEGIANCE Leeuwrik and Beena Mannan.

Mayor Blad led the audience in the pledge of allegiance.

AGENDA ITEM NO. 2: The invocation was offered by Tamilyn Carson, Buddhist
INVOCATION representative.

AGENDA ITEM NO. 3: Council was asked to consider the following business items:
CONSENT AGENDA

-MINUTES (a) Waive the oral reading of the minutes and approve the minutes
from the February 14, 2019 Work Session; February 14, 2019
Executive Session; and the February 21, 2019 City Council
Liaison/Work Session Clarification meeting.

-PAYROLL AND (b) Consider the payroll and material claims for the month of
MATERIAL CLAIMS February 2019 in the amount of \$6,632,583.63.

-HUMAN RELATIONS (c) Confirm the Mayor's appointment of Sean Fay to serve as a
ADVISORY member of the Human Relations Advisory Committee,
COMMITTEE replacing Tamra Bassett who resigned. Mr. Fay's term will begin
APPOINTMENT March 8, 2019 and will expire August 18, 2021.

-AFRICAN SISTER (d) Confirm the Mayor's appointment of Jesse Kiboko to serve as
CITIES a member of the African Sister Cities Subcommittee, filling a
SUBCOMMITTEE long-term vacancy. Mr. Kiboko's term will begin
APPOINTMENT March 8, 2019 and will expire March 8, 2023.

-AFRICAN SISTER (e) Confirm the Mayor's reappointment of Martin Jam to continue
CITIES his service as a member of the African Sister Cities Subcommittee.
SUBCOMMITTEE Mr. Jam's term will begin August 22, 2018 and will expire
REAPPOINTMENT August 22, 2022.

-COUNCIL DECISION (f) Adopt the Council's decision to approve a Short Plat for Pole Line
-POLE LINE ROAD Road Commercial Condominium, which subdivides approximately
COMMERCIAL .25 acres of land into two (2) condominium units, subject to
CONDOMINIUM conditions. The property is located at 2830 Pole Line Road.
SHORT PLAT
APPROVAL

-COUNCIL DECISION (g) Adopt the Council's decision vacating the public's interest in a utility
-VACATION OF THE easement between Ruby Street and Pocatello Creek Road.
PUBLIC'S INTEREST
IN A UTILITY EASEMENT
BETWEEN RUBY STREET
AND POCATELLO CREEK
ROAD

-DONATION (h) Accept the donation of a 2014 Jeep Wrangler Rubicon from Idaho
ACCEPTANCE Central Credit Union. Accept cash and sponsorship donations from
-2014 JEEP WRANGLER Phil Meador Toyota and Sound Source in an amount up to
RUBICON \$12,000.00 for parts and labor to customize the vehicle. The vehicle
will be used in the Pocatello Fire Department Fire Prevention
Program. All modifications made to the vehicle will be paid for by donations and sponsorships from
the community at no cost to the City.

A motion was made by Mr. Johnston, seconded by Mr. Cheatum, to approve the items on the consent agenda. Upon roll call, those voting in favor were Johnston, Cheatum, Adamson, Bray, Leeuwrik and Mannan. The motion passed.

AGENDA ITEM NO. 4: Mayor Blad welcomed Boy Scouts from Troop No. 360 in the
COMMUNICATIONS audience.
AND PROCLAMATIONS

AGENDA ITEM NO. 5: Mayor Blad reminded the Council of the March 14 Work Session
CALENDAR REVIEW at 9:00 a.m. immediately followed by a Budget Development
meeting; and the following meetings on March 21: Council Liaison/Work
Session Clarification Meeting at 3:00 p.m.; Clarification meeting at 5:30 p.m.; and Regular City Council
meeting at 6:00 p.m.

Mayor Blad reminded citizens of the Annual Spring Clean Up at City Cemeteries that begins April 1. Crews will remove and discard all flowers and decorations. Citizens are asked to remove decorations or other adornments from the cemetery space if they wish to avoid disposal of the item by staff. Clean up is expected to continue through the end of April. Mayor Blad announced that the Historic Preservation public hearing originally scheduled for this evening had been postponed to April 4, 2019.

AGENDA ITEM NO. 6: The Council was asked to approve a motion for reconsideration,
REQUEST FOR filed by Gypsy Holdings, LLC and Hanson Janitorial Supply, Inc.,
RECONSIDERATION represented by Racine Olson, PLLP regarding the Council Decision
OF COUNCIL of February 7, 2019 on the appeal of the Hearing Examiner's
DECISION approval of a Conditional Use Permit for transitional housing at 209
East Lewis Street. The original request was from Idaho Housing
and Finance Association, represented by BJ Stensland of Aid For Friends.

A motion was made by Mr. Johnston, seconded by Ms. Mannan, to deny a request for reconsideration filed by Gypsy Holdings, LLC and Hanson Janitorial Supply, Inc., represented by Racine Olson, PLLP regarding the Council Decision of February 7, 2019 and uphold the Hearing Examiner's approval of a Conditional Use Permit for transitional housing at 209 East Lewis Street. Upon roll call, those voting in favor were Johnston, Mannan, Adamson, Bray, Cheatum and Leeuwrik.

AGENDA ITEM NO. 7: Derek Leslie of Homes West (mailing address: PO Box 5691,

-FINAL PLAT
-STRATTEN ESTATES

Chubbuck, ID 83202), represented by Rocky Mountain Engineering and Surveying (mailing address: 500 East Oak Street, Pocatello, ID 83201), has submitted a final plat application for approval. The property is located on an extension of the east end of Troy Lane. It encompasses 3.06 acres (more or less) and is 16 lots. It is located within a Residential Medium Density Single Family zoning district and is to be known as Stratten Estates.

At their September 26, 2018 meeting, the Planning and Zoning Commission recommended approval with conditions.

A motion was made by Mr. Bray, seconded by Ms. Adamson, to approve a request by Derek Leslie of Homes West, represented by Rocky Mountain Engineering and Surveying, to approve a final plat application with the following conditions: 1) All the conditions of the Final Plat Subdivision Application Staff Report dated March 7, 2019 shall be met; 2) All conditions set out in the Public Works Department Memorandum from Merrill Quayle, P.E. dated February 22, 2019 shall be met; 3) All other standards and conditions of Municipal Code not herein stated but applicable to residential development shall apply; and 4) A building permit may not be issued unless all applicable standards of City Code Section 16.24.100 are adhered to or a subdivision surety bond and warranty bond is obtained as outlined in City Code 16.24.110, prior to recording and that the subdivision is to be known as Stratten Estates and that the decision be set out in appropriate Council decision format. Upon roll call, those voting in favor were Bray, Adamson, Cheatum, Johnston, Leeuwrik and Mannan.

AGENDA ITEM NO. 8: Council was asked to approve a request from Pocatello Free Clinic REQUEST FOR (mailing address: 429 Washington, Pocatello, ID 83201) to waive WAIVER OF Sanitation fees in the amount of \$152.50. The Pocatello Free Clinic SANITATION FEES is moving to a new facility and would like to have a dumpster available to dispose of supplies which will not be moved to the new facility.

A motion was made by Mr. Johnston, seconded by Ms. Adamson, to deny a request from Pocatello Free Clinic to waive Sanitation fees in the amount of \$152.50 for the use of a dumpster. Upon roll call, those voting in favor were Johnston, Adamson, Bray, Cheatum, Leeuwrik and Mannan.

AGENDA ITEM NO. 9: Council was asked to adopt policy changes impacting the following: HUMAN RESOURCES POLICY CHANGES

-VACATION PAYOUT (a) Cap Vacation Payout at 400 hours, effective September 1, 2019;

-RETIRES SICK (b) Pay Out Retirees Sick Leave into HRA VEBA effective LEAVE PAYOUT September 1, 2019;

-MANDATORY (c) Mandatory Case/Disease Management for participants in the health CASE/DISEASE benefits program effective October 1, 2019; and MANAGEMENT

-SEPARATE ACTIVE (d) Separate Active Employees and Retirees in Health Care Experience

EMPLOYEES AND
RETIREES

effective October 1, 2019.

A motion was made by Mr. Johnston, seconded by Ms. Adamson, to approve the adoption of policy changes as outlined in Agenda Item No. 9(a) through 9(d).

An amended motion was made by Ms. Leeuwrik, seconded by Ms. Mannan, to consider the approval of policy changes outlined in Agenda Item No. 9(a), 9(c) and 9(d) separately from Agenda Item No. 9(b).

In response to questions from Council regarding Agenda Item No. 9(b) Pay Out Retirees Sick Leave into HRA VEBA effective September 1, 2019, Heather Buchanan, Human Resources Director, stated that funds in the HRA VEBA account would be available as medical dollars for the use of any IRS Code 213(d) item. She added that there would be limitations on expenditures for individuals who are working and on Medicare, but not for individuals who are retired and on Medicare. Ms. Buchanan clarified that Medicare would automatically pay medical costs without the requirement of VEBA funds being used first or designated for dental or vision. She emphasized that neither the grandfathering of the previous policy nor a partial implementation of these changes would be possible due to constraints by the IRS. In regards to Agenda Item No. 9(c) Mandatory Case/Disease Management for participants in the health benefits program effective October 1, 2019, Ms. Buchanan explained that if employees were to refuse case management as referred by Blue Cross, they would become ineligible for VEBA funds. She added that most cases last three to four months. Upon closing a case, the employee would be moved out of case management. There is no additional cost to the employee for participation in the program. Case management is only for employees and not for dependents on the plan. Human Resources would not know which employees are in case management unless an employee declines to participate. Regarding Agenda Item No. 9(d) Separate Active Employees and Retirees in Health Care Experience effective October 1, 2019, Ms. Buchanan stated that rates for the retirees could increase because they would be moving to a small group plan from a large group plan and have a high usage rate. She added that they have the option to search on the open market for alternative healthcare plans.

Mr. Johnston stated that these matters must be addressed, and he believes that although it is a difficult decision, action should be taken now.

Ms. Leeuwrik's amended motion was voted upon at this time. Upon roll call, those voting in favor were Leeuwrik, Mannan, Adamson and Cheatum. Bray and Johnston voted in opposition to the motion. The motion passed.

A motion was made by Ms. Leeuwrik, seconded by Ms. Mannan, to delay the implementation of Agenda Item 9(b) Pay Out Retirees Sick Leave into HRA VEBA effective September 1, 2019 for one year, changing the effective date to September 1, 2020.

Mr. Bray stated that this decision has been among the most difficult in his 12 years of service to the City in terms of the effect upon employees' pay, benefits and raises; however, because of increasing medical costs, he recognizes that costs must be managed.

In response to a question from Council, Heather Buchanan clarified that there is a negligible difference to the City between payout in sick leave versus payout in VEBA dollars, with the difference centering on FICA and Worker's Compensation costs totaling less than \$5,000 per year.

Ms. Leeuwrik's motion was voted upon at this time. Upon roll call, those voting in favor were Leeuwrik

and Mannan. Adamson, Bray, Cheatum and Johnston voted in opposition to the motion. The motion failed.

A motion was made by Mr. Johnston, seconded by Mr. Bray, to approve the adoption of policy changes as outlined in Agenda Item No. 9(a) through 9(d). Upon roll call, those voting in favor were Johnston, Bray and Adamson. Those voting in opposition were Cheatum, Leeuwrik and Mannan.

Due to a tie in voting, Mayor Blad was required to cast the deciding vote. Mayor Blad voted in favor of the motion. The motion passed.

AGENDA ITEM NO. 10: Council was asked to approve the recommendations of staff for the following requests regarding the Griffith Road Sanitary Sewer Improvements:

-ACCEPT BID (a) Accept the low responsive bid received on February 5, 2019
A-PLUS from A-Plus Contractors in the amount of \$318,747.00 for the total
CONTRACTORS bid; and, if the bid is accepted

-AUTHORIZE (b) Authorize the Mayor's execution of the Agreement between the
AGREEMENT City of Pocatello and A-Plus Contractors, in the amount of
A-PLUS \$318,747.00 for the Griffith Road Sanitary Sewer Improvements
CONTRACTORS Project, subject to Legal Department review.

The project includes the installation of new 18" sewer line, manholes, service reconnections, bypass sewer pumping and surface repairs. If approved, the work will begin mid-March and will be completed within or before 60 days from the start date. Funds for this project are budgeted and available in the Water Pollution Control (WPC) Fiscal Year 2019 capital account.

A motion was made by Ms. Mannan, seconded by Mr. Cheatum, to approve the recommendations of staff for the requests regarding the Griffith Road Sanitary Sewer Improvements as outlined in Agenda Item No. 10(a) and 10(b), subject to Legal Department review. Upon roll call, those voting in favor were Mannan, Cheatum, Adamson, Bray, Johnston and Leeuwrik.

AGENDA ITEM NO. 11: Council was asked to authorize the execution of two Cooperative
COOPERATIVE Agreements in support of improvements to the Municipal
AGREEMENTS Watershed Fence.
-MUNICIPAL
WATERSHED FENCE

-AGREEMENT (a) An agreement between the City of Pocatello and the United
UNITED STATES States Forest Service, subject to Legal Department review; and
FOREST SERVICE

-AGREEMENT (b) An agreement between the City of Pocatello and the Idaho
IDAHO DEPARTMENT Department of Fish and Game, subject to Legal Department review.
OF FISH AND GAME

There will be no cost to the City.

A motion was made by Mr. Bray, seconded by Mr. Johnston, to authorize the execution of two

Cooperative Agreements in support of improvements to the Municipal Watershed Fence as outlined in Agenda Item No.11(a) and 11(b), subject to Legal Department review. Upon roll call, those voting in favor were Bray, Johnston, Adamson, Cheatum, Leeuwrik and Mannan.

AGENDA ITEM NO. 12: Council was asked to accept the recommendation of WPC staff
DECLARATION OF to declare the following equipment as surplus:
SURPLUS PROPERTY
-WATER POLLUTION
CONTROL (WPC)

-PIERPOINT CAMERA (a) Pierpoint Camera and tractor P420—This collection system line
inspection camera was purchased in 2000 and is beyond its
serviceable life.

-SP-815 MUD CAT (b) SP-815 Mud Cat Dredge—This specialty equipment was
DREDGE purchased in 1987 and is beyond its serviceable life.

If approved, WPC staff requested that the Council authorize the disposal of the items in whatever way is most advantageous to the City. Council was also asked to authorize the Mayor's signature on documents related to the equipment sales, subject to Legal Department review.

In response to a question from Council, Jared Johnson, City Attorney, clarified that disposal of surplus items through sale of equipment to a City employee would not be appropriate.

A motion was made by Mr. Johnston, seconded by Mr. Cheatum, to declare the items outlined in Agenda Item No. 12(a) and (b) as surplus and authorize disposal of items in whatever way is most advantageous to the City and authorize the Mayor's signature on documents related to the equipment sales, subject to Legal Department review. Upon roll call, those voting in favor were Johnston, Cheatum, Adamson, Bray, Leeuwrik and Mannan.

AGENDA ITEM NO. 13: Council was asked to adopt a Facilities Use and Recreation
FACILITIES USE AND Programs Policy for the Parks and Recreation Department, as
RECREATION presented to the City Council at the December 13, 2018 Work
PROGRAMS POLICY Session. The policy includes revisions to Pocatello Municipal Code
-PARKS AND 5.06 "Commercial Activities in Parks and Other Public Places" and
RECREATION 12.36 "Public Parks", as approved by the City Council at the
DEPARTMENT February 21, 2019 Regular City Council meeting.

The Policy document provides guidelines and regulations regarding use of City facilities and recreation program participation.

A motion was made by Ms. Mannan, seconded by Ms. Adamson, to adopt the Facilities Use and Recreation Programs Policy for the Parks and Recreation Department, as presented to the City Council at the December 13, 2018 Work Session. Upon roll call, those voting in favor were Mannan, Adamson, Bray, Johnston and Leeuwrik. Cheatum voted in opposition to the motion. The motion passed.

AGENDA ITEM NO. 14: Council was asked to affirm its prior determination regarding the

BID ACCEPTANCE
AND PROCUREMENT
AGREEMENT FOR A
SNOW PLOW/BLOWER
-AIRPORT

bids for a snow plow/blower for the Pocatello Regional Airport as voted upon at the Regular Council meeting held September 6, 2018 declaring Oshkosh Products, LLC to be the lowest responsive bidder.

-BID ACCEPTANCE
OSHKOSH AIRPORT
PRODUCTS, LLC

(a) Accept the lowest responsive bid from Oshkosh Airport Products, LLC in the amount of \$649,267.00. A bid from Kodiak America, LLC was submitted in the amount of \$561,278.00 and was deemed unresponsive as it did not meet the technical requirements of the specifications. A protest from Kodiak was received and reviewed by staff. After a thorough review, awarding the bid to Oshkosh is still recommended. If the bid is accepted,

-AGREEMENT
AUTHORIZATION
OSHKOSH AIRPORT
PRODUCTS, LLC

(b) Authorize the execution of a procurement agreement and notice of award between the City of Pocatello and Oshkosh Airport Products, LLC in the amount of \$649,267.00, subject to Legal Department review.

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 FAA approval.

A motion was made by Mr. Bray, seconded by Ms. Leeuwrik, to affirm the City Council's prior determination regarding the bids for a snow plow/blower for the Pocatello Regional Airport as voted upon at the Regular Council meeting held September 6, 2018 declaring Oshkosh Products, LLC to be the lowest responsive bidder as outlined in Agenda Item 14(a) and 14(b), subject to Legal Department review. Upon roll call, those voting in favor were Bray, Leeuwrik, Adamson, Cheatum and Mannan. Johnston voted in opposition to the motion. The motion passed.

AGENDA ITEM NO. 15: Council was asked to consider the following ordinances:
ORDINANCES

VACATION OF
RIGHT-OF-WAY
IN 400 BLOCK OF
POOLE AVENUE

(a) An ordinance vacating the public's interest in a right-of-way in the 400 Block of Poole Avenue. Said vacation was approved by Council Decision dated February 21, 2019 and all conditions contained therein have been met.

A motion was made by Mr. Bray, seconded by Mr. Johnston, that the ordinance, Agenda Item No. 15(a), be read only by title and placed on final passage for publication, and that only the ordinance summary sheet be submitted for publication. Upon roll call, those voting in favor were Bray, Johnston, Adamson, Cheatum, Leeuwrik and Mannan.

Jared Johnson, City Attorney, read the ordinance by title.

Mayor Blad declared the final reading of the ordinance vacating the public's interest in a right-of-way in the 400 Block of Poole Avenue, as approved by Council Decision dated February 21, 2019 with all conditions contained therein having been met. Mayor Blad asked, "Shall the ordinance pass?" Upon roll call, those voting in favor were Adamson, Bray, Cheatum, Johnston, Leeuwrik and Mannan.

REZONE OF

(b) An ordinance Rezoning two parcels of land totaling approximately

38.35 ACRES IN
NORTHGATE
ANNEXATION

38.35 acres located in the recent Northgate annexation north of Chubbuck Road and west of Olympus Drive from Residential Medium Density Single Family (RMS) and Commercial General (CG) to Residential Commercial Professional (RCP); amending the Comprehensive Plan Land Use designation for an additional 21.04 acres to Mixed Use.

Mr. Johnston recused himself from voting and participating in discussion related to Agenda Item No. 15(b).

A motion was made by Mr. Cheatum, seconded by Ms. Adamson, that the ordinance, Agenda Item No. 15(b), be read only by title and placed on final passage for publication, and that only the ordinance summary sheet be submitted for publication. Upon roll call, those voting in favor were Cheatum, Adamson, Bray, Leeuwrik and Mannan.

Jared Johnson, City Attorney, read the ordinance by title.

Mayor Blad declared the final reading of the ordinance rezoning two parcels of land totaling approximately 38.35 acres located in the recent Northgate annexation north of Chubbuck Road and west of Olympus Drive from Residential Medium Density Single Family (RMS) and Commercial General (CG) to Residential Commercial Professional (RCP); amending the Comprehensive Plan Land Use designation for an additional 21.04 acres to Mixed Use. Mayor Blad asked, "Shall the ordinance pass?" Upon roll call, those voting in favor were Adamson, Bray, Cheatum, Leeuwrik and Mannan.

AGENDA ITEM NO. 16: Mayor Blad announced that no individuals had signed up to speak about this agenda item.

AGENDA ITEM NO. 17: There being no further business, Mayor Blad thanked the City Council for their long day of hard work and adjourned the meeting at 6:42 p.m.

APPROVED BY:

BRIAN C. BLAD, MAYOR

ATTEST:

KONNI R. KENDELL, DEPUTY CITY CLERK

PREPARED BY:

SHAWNIE SATTERFIELD FERRIN, DEPARTMENT SPECIALIST