

CITY OF POCATELLO CITY COUNCIL MEETING AGENDA

January 7, 2015 · 6:00 PM
Council Chambers | 911 N 7th Avenue

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

2. INVOCATION

The invocation will be offered by Reverend Jim Jones, Blazing Grace 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.

(a) MINUTES: Council may wish to waive the oral reading of the minutes and approve minutes from the following meetings held December 17, 2015: Budget Restructuring Meeting; Executive Session; and a Clarification meeting and Regular City Council meeting.

(b) PAYROLL AND MATERIAL CLAIMS: Council may wish to consider payroll and material claims for the month of December 2015.

(c) CONSTRUCTION BOARD OF APPEALS AND REVIEW REAPPOINTMENTS: Council may wish to confirm the Mayor's reappointments of Michael Bright and Terry Swallow to continue their service as members of the Construction Board of Appeals and Review. Both terms will begin December 31, 2015 and will expire December 31, 2017.

(d) EISENSTEIN MALANCHUK, LLP—LETTER OF ENGAGEMENT: Council may wish to authorize the Mayor's signature on a letter of engagement with Eisenstein Malanchuk LLP (EM). EM will attempt to recover environmental insurance costs spent by the City of Pocatello.

(e) COUNCIL DECISION—GREENFIELD MEADOWS DIVISION NO. 4: Council may wish to adopt its decision to grant Satterfield Realty and Development's request for approval of a final plat for Greenfield Meadows Subdivision, Division 4, subject to conditions. The proposed subdivision will consist of twenty-four (24) residential lots on approximately 11.54 acres located on extensions of Owyhee Street and Trevor Street and is zoned Residential Low Density.

Documents: [AGENDA-ITEM3.PDF](#)

4. INSTALLATION OF NEWLY-ELECTED COUNCIL MEMBERS

Ruth Whitworth, City Clerk, will administer the oath of office to the newly-elected City Council members.

5. ELECTION OF PRESIDENT OF THE COUNCIL

This time has been set aside for Council to elect a President of the Council in conformance with Idaho Code Section 50 702.

6. COMMUNICATIONS AND PROCLAMATIONS

7. 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.

8. PUBLIC HEARING—EXTENSION OF LOIS LANE ANNEXATION

This time has been set aside for the Council to hear comments from the public concerning a request by Ryan Satterfield of Pocatello Creek Development Corp. (mailing address: 2432 Andrew Street, Pocatello ID 83201), represented by Rocky Mountain Engineering and Surveying (mailing address: 600 East Oak Street, Pocatello, ID 83201).

The request is for approximately 14.44-acre area of land extending the City limits east on an extension of Lois Lane, east of Crestview Park 1st Addition that is currently located within the Area of City Impact. Specifically, the request includes the following: 1) that the property be annexed into the corporate boundaries of the City of Pocatello; 2) that the Comprehensive Plan Map designation be "Residential"; and 3) that the subject property shall have a zoning designation of "Residential Low Density (RL)."

(Pertinent information attached.)

Documents: [AGENDA-ITEM8.PDF](#)

9. B.I.D. MANAGEMENT AGREEMENT

Council may wish to approve, subject to Legal Department review, a renewal of the management agreement with Old Town Pocatello to administer and manage the operations of the Business Improvement District (B.I.D.). Council may also wish to acknowledge that they have reviewed the employment agreement of Stephanie Palagi with Old Town Pocatello as provided for in the management agreement.

(Pertinent information attached.)

Documents: [AGENDA-ITEM9.PDF](#)

10. EXCEPTION REQUEST—WESTERN STATES EQUIPMENT COMPANY

Council may wish to approve a request from Dave McKinnon representing Western States Equipment Company (mailing address: 8403 South 5th Avenue, Pocatello, ID 83204) for an exception to City Code 15.12.080 that restricts the capacity of above ground fuel tanks. City Code limits tank capacity to 1,000 gallons and Western States would like to install multiple tanks that exceed the allowed capacity.

Building and Fire Department staff recommends approval of the request.

(Pertinent information attached.)

Documents: [AGENDA-ITEM10.PDF](#)

11. FEDERAL GRANT REIMBURSEMENT FOR TRANSIT FACILITY/RURAL SECTION 5339

Council may wish to accept the Rural Capital Section 5339 Grant, subject to Legal Department review, and authorize the Transit Director to execute the grant and any amendments that may apply. Idaho Transportation Department (ITD) awarded \$525,000.00 for Capital Improvements and equipment for Pocatello Regional Transit's (PRT) new Operations and Maintenance Facility. Funds were delayed until the approval of ITD's State Management Plan. Two installments will be made, one for Fiscal Year 2014 in the amount of \$399,000.00 and one for Fiscal Year 2015 in the amount of \$126,000.00.

The first installment is available upon Council approval, and the second is expected to be available in the spring of 2016. Federal and State rules apply. The local share is from PRT Rural Program revenues and no City funds will be used.

(Pertinent information attached.)

Documents: [AGENDA-ITEM11.PDF](#)

12. RESOLUTION—SUPPORT OF EFFORT TO CREATE A NEW CLASS OF IDAHO LIQUOR LICENSES

Council may wish to adopt a Resolution supporting the legislative efforts of creating a new

class of liquor licenses which will allow full service restaurants ~~in Pocatello~~ to serve up to 3 mixed drinks, per person, with meals for their customers while minimizing impacts to existing license holders in an effort to benefit the local and state tourist economy in Idaho.

(Pertinent information attached.)

Documents: [AGENDA-ITEM12.PDF](#)

13. DEQ COMPLIANCE AGREEMENT—PUBLIC WORKS

Council may wish to authorize the Mayor's signature on a Compliance Agreement Schedule (CAS) with the Department of Environmental Quality (DEQ) for the City's public drinking water system. The CAS is necessary to protect the health and welfare of the citizens utilizing the water system and includes the requirements for submission of a Facility Planning Study and revised request for waiver distribution pressure requirements.

Funds for this study are allocated within the Fiscal Year 2016 Water Department budget.

(Pertinent information attached.)

Documents: [AGENDA-ITEM13.PDF](#)

14. SUPPLEMENTAL NO. 3/PROFESSIONAL SERVICES AGREEMENT—LEWIS STREET BRIDGE PROJECT

Council may wish to authorize the Mayor to sign Supplemental Agreement No. 3 to the Local Professional Services Agreement between Keller Associates, Inc. and the City of Pocatello for foundation redesign at Idaho Transportation Department's request. The cost of this supplemental agreement is \$24,600.00 which brings the total amount of the agreement to \$269,000.00. The project requires a 7.34% match, which is budgeted in Fund 70 through transfers from the Street Department.

(Pertinent information attached.)

Documents: [AGENDA-ITEM14.PDF](#)

15. LEASE AGREEMENTS—AIRPORT

Council may wish to approve and authorize the Mayor to sign the following agreements for property at the airport:

(a) Bruce Beard – 1,760 square feet of hangar space, one-year term with four one-year renewal options, \$219.59 per month;

(b) Bill Ehrstrom – 1,760 square feet of hangar space, one-year term with four one-year renewal options, \$219.59 per month; and

(c) Mark Edwards/Elmer Smith – 1,760 square feet of hangar space, one-year term with four one-year renewal options, \$219.59 per month.

All rental rates will be reviewed annually and increased at least by the amount of the Consumer Price Index for the previous year. All leases are subject to Legal Department review.

(Pertinent information attached.)

Documents: [AGENDA-ITEM15.PDF](#)

16. 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.)

17. STATE OF THE CITY REPORT

The State of the City Report will be presented at this time.

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.