

CITY OF POCATELLO
CITY COUNCIL MEETING AGENDA

March 3, 2016 · 6:00 PM
Council Chambers | 911 N 7th Avenue

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

2. INVOCATION

The invocation will be offered by Tony Seikel representing Portneuf Sangha.

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 the minutes from the Study Session and Budget Restructuring meetings of February 11, 2016; and the Clarification and Regular Council meetings of February 18, 2016.

(b) PAYROLL AND MATERIAL CLAIMS: Council may wish to consider payroll and material claims for the month of February 2016.

(c) BOY SCOUT SERVICE PROJECT—EXCEPTION REQUEST: Council may wish to consider the request from Cameron Shepherd, Troop 312 Committee Chairman, to allow members of Boy Scout Troop 312 to camp overnight on the grounds outside Fort Hall Replica on March 25-26, 2016. The Scouts will conduct a service project to include construction of doors and windows for the cabin/shed located at the Replica. This will require an exception to City Ordinance 12.39.020: Restricted Hours in Parks. This is an annual event.

(d) RESOLUTION—NAME CHANGE TO ZOO IDAHO: Council may wish to adopt a resolution granting the Parks and Recreation Department and Zoo staff permission to change the name of the Pocatello Zoo to “Zoo Idaho,” as presented at the February 11, 2016 Study Session. If adopted, the “Zoo Idaho” name change will take effect during the Zoo’s opening day on April 1, 2016.

(e) AMENDED COUNCIL DECISION: On February 4, 2016, the Council approved the Vista Villages Subdivision Replat which consisted of four (4) residential lots on approximately 1.03 acres. However, after the Decision was adopted, City Staff received a request from the owner to replat only 2 of the approved 4 lots. Therefore, Council may wish to adopt an Amended Council Decision to grant Steve Ernst’s request for approval of the final plat for the Vista Villages Subdivision Replat, for the replat of Lot 1 Block 1 into two (2) residential lots to be zoned Residential Medium Density, Single Family with access from Vista Drive, subject to conditions.

Documents: [AGENDA-ITEM3.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—CONVEYANCE OF CITY PROPERTY TO LEWIS

This time has been set aside for the Council to receive comments regarding the City’s declared intention to convey parcels of property previously acquired for the South Valley Road Project to Barry W. Lewis. If approved, the City would convey 0.94 acres of

underutilized land to Mr. Lewis in exchange for the completion of the acquisition of 1.357 acres of land owned by Mr. Lewis and required for the South Valley Connector/Cheyenne overpass Project, the possession of said property was granted by Mr. Lewis to the City of Pocatello for said Project, together and including 0.136 acres of land determined to be an uneconomical remainder of said project.

Following the public hearing, Council may wish to direct the Legal Department to prepare the appropriate documents for the land conveyance if they choose to proceed.

(Pertinent information attached.)

Documents: [AGENDA-ITEM6.PDF](#)

7. PUBLIC HEARING—INTENT TO CONVEY CITY PROPERTY—HIGGINS

This time has been set aside for the Council to receive comments regarding the City's declared intention to convey parcels of property previously acquired for the South Valley Road Project to James and Jessica Higgins. If approved, the City would convey 0.27 acres of underutilized land to Mr. and Mrs. Higgins in exchange for an easement, rights of ownership of trees, continued watering of trees by Mr. and Mrs. Higgins, and completion of the acquisition of 0.004 acres of land owned by Mr. and Mrs. Higgins who granted possession of said property to the City of Pocatello for the South Valley Connector/Cheyenne Overpass Project.

Following the public hearing, Council may wish to direct the Legal Department to prepare the appropriate documents for the land conveyance if they choose to proceed.

(Pertinent information attached.)

Documents: [AGENDA-ITEM7.PDF](#)

8. FINAL PLAT—COUNTRYSIDE SUBDIVISION 7TH ADDITION

Kelly Marie Swisher and Ken Swisher (mailing address: 812 East Clark Street, Pocatello, ID 83201), represented by Rocky Mountain Engineering and Surveying (mailing address: 600 East Oak Street, Pocatello, ID 83201), has submitted a final plat application. The property is located southwest of Mountain Shadow Drive on an extension of Foxmore Street and consists of 4.28 acres to be subdivided into seven residential lots. The subdivision is to be known as Countryside Subdivision 7th Addition.

The Planning and Zoning Commission, at their hearing on December 9, 2015 recommended approval of the preliminary plat.

(Pertinent information attached.)

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

9. APPEAL OF HISTORIC PRESERVATION COMMISSION'S DECISION—226 NORTH ARTHUR AVENUE

Stan Gates, represented by Stephanie Palagi of Old Town Pocatello (mailing address: PO Box 222, Pocatello ID 83204), is appealing a decision by the Historic Preservation Commission denying a certificate of appropriateness for a mural that has been painted on the north side of the old Fire Station No. One building located at 226 North Arthur Avenue.

(Pertinent information attached.)

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

10. ANNEXATION AGREEMENT—POCATELLO CREEK DEVELOPMENT COMPANY AND SATTERFIELD REALTY AND DEVELOPMENT, INC.

Council may wish to approve and authorize the Mayor to execute the Real Covenant and

Annexation Agreement between the City and Pocatello Creek Development Company, owner, and Satterfield Realty and Development, Inc., developer, which delineates the terms and conditions for the annexation of approximately 14.44 acres of land extending the City limits east on an extension of Lois Lane, east of Crestview Park 1st Addition.

The terms and conditions include, but are not limited to the following: 1) the Developer receiving a "wet water" credit for the number of residential lots in this subdivision pursuant to the Council's Decision dated February 5, 2015; and 2) the Developer will be required to pay the costs of water delivery infrastructure and waste water disposal infrastructure for this development and other normal costs associated with subdivision development. If the agreement is approved, an ordinance (No. 2964) has been prepared under Agenda Item No. 19 for Council's consideration to annex the land.

(Pertinent information attached.)

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

11. COLLECTIVE BARGAINING AGREEMENT—FIRE UNION LOCAL NO. 187

Council may wish to approve the adoption of the Fiscal Year 2015-2016 Collective Bargaining Agreement (CBA) for the Pocatello Firefighters Local No. 187 subject to Legal Department review. The CBA is the new contract following the completion of Fact Finding.

(Pertinent information attached.)

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

12. MEMORANDUM OF UNDERSTANDING FOR RSVP PROGRAM—LIBRARY

Council may wish to approve a Memorandum of Understanding (MOU) between the City and Southeastern Idaho Community Action Agency, Inc. (SEICAA). The MOU will allow SEICAA's Retired Senior Volunteer Program (RSVP) to establish a volunteer workstation at Marshall Public Library for the purpose of volunteer placement. There is no cost to the City.

(Pertinent information attached.)

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

13. GRANT APPLICATION—ZOO STRATEGIC MASTER PLAN

Council may wish to approve the submission of a grant application to Idaho Community Foundation in the amount of \$5,000.00, and if awarded, authorize the Mayor's signature, subject to Legal Department review, on documents related to the grant. The grant will be used to develop an updated strategic Master Plan for the Zoo. Matching funds in the amount of \$2,500.00 are available in the Zoo's Fiscal Year 2016 budget.

(Pertinent information attached.)

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

14. VIBRATORY SOIL COMPACTOR BID—WATER

Council may wish to accept the recommendation of staff to award the bid received for a vibratory soil compactor on February 16, 2016 to Western States Equipment, and if awarded, authorize the Mayor's signature on the lease agreement, subject to Legal Department review. Western States submitted the low responsive bid for the equipment with an annual payment of \$11,947.68 for a 5-year term. The lease offers an annual interest rate of 2.5% for a total 5-year cost to the City in the amount of \$59,738.40.

Funds for this equipment are available within the Water Department's Fiscal Year 2016 budget.

(Pertinent information attached.)

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

15. MWI ANIMAL HEALTH APPLICATION/AGREEMENT—ANIMAL SERVICES

Council may wish to approve an application/agreement with MWI Animal Health allowing the City to purchase controlled substances for veterinary purposes at the Animal Shelter and if approved, authorize Richard Stewart, Animal Services Director, to the sign necessary documents, subject to Legal Department review. Although the Animal Shelter utilizes a number of veterinary clinics in the City for prescribed medications and animal care, buying controlled substances are less expensive when purchased directly from a distributor.

Funds are available in the Animal Services' Fiscal Year 2016 budget.

(Pertinent information attached.)

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

16. AGREEMENT—HOME AGAIN MICROCHIP PROGRAM

Council may wish to approve a Home Again Shelter Agreement to provide animal microchips, and if approved, authorize the Mayor's signature, subject to Legal Department review. The agreement provides for a minimum purchase of 800 microchips per year at the cost of \$9.99 each. The Animal Shelter implanted more than 1,400 microchips in animals adopted or brought by their owners to the shelter in 2015.

Funds are available in the Animal Services' Fiscal Year 2016 budget.

(Pertinent information attached.)

Documents: [AGENDA-ITEM16.PDF](#)

17. LICENSE AGREEMENT—SHELTER MANAGEMENT PTY LTD.

Council may wish to approve a License Agreement with Shelter Management Pty Ltd. for a software system which will replace the existing software at the Animal Shelter, and if approved, authorize the Mayor's signature, subject to Legal Department review.

“Shelterbuddy” software is provided free of charge when used in conjunction with the HOME AGAIN microchip program. The package includes basic software and department modules. Additional modules may be purchased if the necessity arises.

Funds to purchase additional modules (if necessary) are available in the Animal Services' Fiscal Year 2016 budget.

(Pertinent information attached.)

Documents: [AGENDA-ITEM17.PDF](#)

18. VANGUARD CLEANING SYSTEMS CONTRACT—ROSS PARK AQUATIC COMPLEX

Council may wish to approve a cleaning contract with Vanguard Cleaning Systems in the amount of \$10,995.00 to clean the Ross Park Aquatic Complex (RPAC) for the 2016 Summer Season. This three-month fee covers both cleaning services and cleaning supplies. The Community Recreation Center will continue to provide all toiletries, liners and paper supplies.

Funds are available in the RPAC's Fiscal Year 2016 budget.

(Pertinent information attached.)

Documents: [AGENDA-ITEM18.PDF](#)

19. ORDINANCES

The Council has the following options for reading ordinances. If the Council makes no motion, the ordinance will be read by title on two occasions and at length on the third occasion and placed on final passage for publication.

EXAMPLE MOTIONS:

FOR THREE SEPARATE READINGS: "I move the ordinance, Agenda Item # , be read only by title on three separate occasions and placed on final passage and ordered for publication, and that only the ordinance summary sheet be submitted for publication."

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."

Before the ordinance can be read under Option 1 or 2, the Council, by a vote of one-half plus one (4) of the full Council, must vote to direct how the ordinance is to be read.

An ordinance ready for reading.

19. An ordinance which annexes a parcel of land comprised of approximately 14.44 acres owned by Pocatello Creek Development, Inc., extending the City limits east on an extension of Lois Lane, east of Crestview Park 1st Addition. It will be zoned Residential-Low Density (RL) with a Comprehensive Plan designation of "Residential". (The ordinance has been prepared for reading under the rules of suspension.)

Documents: [AGENDA-ITEM19.PDF](#)

20. 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.)

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.