

CITY OF POCATELLO CITY COUNCIL MEETING AGENDA

June 16, 2016 · 6:00 PM
Council Chambers | 911 N 7th Avenue

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

2. INVOCATION

A moment of silence will be observed.

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 Clarification and Regular Council meetings of June 2, 2016.

(b) TREASURER'S REPORT: Council may wish to consider the Treasurer's Report for May showing cash and investments as of May 31, 2016.

(c) CONSTRUCTION BOARD OF APPEALS AND REVIEW APPOINTMENT: Council may wish to confirm the Mayor's appointment of Richard Layman to serve as a member of the Construction Board of Appeals and Review filling a long-term vacancy. Mr. Layman's term will begin June 17, 2016 and will expire December 31, 2018.

(d) PARKS AND RECREATION ADVISORY BOARD REAPPOINTMENTS: Council may wish to confirm the Mayor's reappointments of Doug Milder and Daniel Parrish to continue their service as members of the Parks and Recreation Advisory Board. Mr. Milder's term will begin June 20, 2016 and will expire June 20, 2018. Mr. Parrish's term will begin July 4, 2016 and will expire July 4, 2018.

(e) POCATELLO ARTS COUNCIL REAPPOINTMENT: Council may wish to confirm the Mayor's reappointment of Frank Hartlieb to continue his service as a member of the Pocatello Arts Council. Mr. Hartlieb's term will begin July 2, 2016 and will expire July 2, 2019.

(f) COUNCIL DECISION—4175 HAWTHORNE ROAD ZONING DESIGNATION AMENDMENT: Council may wish to adopt its decision to approve the amendment of the zoning designation requested by RNR Properties, LLC, for 37,190 square feet identified as 4175 Hawthorne Road to be rezoned from Residential-Medium Density single-Family (RMS) Residential-Commercial-Professional (RCP).

(g) COUNCIL DECISION—FIELD SUBDIVISION FINAL SHORT PLAT: Council may wish to adopt its decision approving the Final Short Plat for Field Subdivision which divides 5.49 acres into a two (2) lot subdivision, subject to conditions. Said property is located on and will have access to Field Drive. The property is located within a Residential Estate (RE) zoning district.

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—WIRELESS COMMUNICATION FACILITY/ALAMEDA PARK

This time has been set aside for the Council to hear comments from the public concerning a request by Brandon Kiser of Verizon Wireless (mailing address: 9656 South Prosperity Drive, West Jordan, UT 84088), represented by Kevin Howell of Digital Skylines, Inc. (mailing address: 11340 North 105th Place, Scottsdale, AZ 85259) to place a wireless communication facility (cell tower) in Alameda Park.

(Pertinent information attached.)

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

7. PUBLIC HEARING—CDBG PROGRAM YEAR 2014 ANNUAL REPORT

As required by the U.S. Department of Housing and Urban Development (HUD), this time has been set aside for the Council to consider any comments from the public concerning the 2015 Community Development Block Grant (CDBG) Consolidated Annual Performance and Evaluation Report (CAPER). The report was available for public review from May 26 to June 16, 2016 after review and recommendation of approval by the CDBG Advisory Committee. Following the public hearing, Council may wish to approve the report and authorize its submittal, including a summary of any public input, to HUD on or before June 29, 2016.

(Pertinent information attached.)

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

8. PUBLIC HEARING—PROPOSED FISCAL YEAR 2016 JUNE BUDGET AMENDMENTS

This time has been set aside to receive public comments on proposed amendments to the Fiscal Year 2016 Budget.

(Pertinent information attached.)

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

9. FINAL PLAT—CRESTVIEW ESTATES, DIVISION NO. ONE

Satterfield Realty and Development (mailing address: 2432 Andrew Street, Pocatello, ID 83201) and Rocky Mountain Engineering and Surveying (mailing address: 600 E. Oak Street, Pocatello, ID 83201) has submitted an application to subdivide approximately 15.85 acres into 23 residential lots located east of Satterfield Drive, on an extension of Lois Lane. This subdivision is to be called Crestview Estates, Division One.

The Planning and Zoning Commission, at their meeting on December 9, 2015 recommended approval of the request subject to staff conditions.

(Pertinent information attached.)

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

10. EXCEPTION REQUEST FOR BEER/WINE PERMIT—ESTES

Council may wish to consider granting a beer/wine permit to Jessica Estes (mailing address: 1615 Ammon Street, Pocatello, ID 83201) for a birthday party at Ammon Park on August 27, 2016 from 2:00 p.m. to 10:00 p.m. Ms. Estes has submitted an application to the City to allow the consumption of beer and wine at the event. Approval by Council is necessary since this park is not specifically identified in City Code 12.36.060 where the consumption of such beverages is allowed.

(Pertinent information attached.)

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

11. TEMPORARY STREET CLOSURE REQUEST—IDAHO LORAX

Council may wish to consider a request from Idaho Lorax, General Coordinator (mailing address: No. 13 Apple Beaver Lane, Pocatello, ID) to temporarily close street sections in the Old Town area on June 18, July 1, August 5, and September 2, 2016 from 4:00 p.m. to 9:00 p.m. for multiple summer events. The proposed sections of streets are: Option 1 - Intersection of Main and Center; Option 2 – Both Center Street sections between Main and Union Pacific Way, and Main and Arthur Streets; and Option 3 – Center Street between Union Pacific Way and Main Street.

City staff (with the exception of Fire) recommends denial of the street closures request based upon the information submitted with the application. This is a major intersection that services an average of 12,700 vehicles per day.

(Pertinent information attached.)

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

12. RESOLUTION—CITY FUND RESERVE POLICY

Council may wish to adopt a Resolution establishing a policy for reserves within the City's funds in order to provide financial strength, flexibility and cash flow management within the City of Pocatello. Said Resolution was reviewed by the Council at the June 9, 2016 Study Session.

(Pertinent information attached.)

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

13. 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.

13. An ordinance approving an amendment to the Fiscal Year 2016 Appropriations Ordinance increasing the total Fiscal Year expenditures by \$1,703,370.00 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 hereby prepared for reading under the rules of suspension. Whole ordinance will need to be published.)

14. 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.