

CITY OF POCA TELLO REGULAR CITY COUNCIL MEETING

January 18, 2018 · 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 Dave Hunt at dhunt@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 Tim Bridges, Calvary Chapel.

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 Agenda Clarification meetings and Regular Council meetings of December 7 and 21, 2017; the December 21, 2017 Study Session Clarification Working Lunch; the January 4, 2018 City Council Liaison Working Lunch; and the Agenda Clarification meeting and Regular Council meeting of January 4, 2018.

(b) TREASURER'S REPORT: Council may wish to consider the Treasurer's Report for December showing cash and investments as of December 31, 2017.

(c) POCATELLO DEVELOPMENT AUTHORITY APPOINTMENT: Council may wish to confirm the Mayor's appointment of Jim Johnston to serve as the City's representative on the Pocatello Development Authority, replacing Steve Brown. Mr. Johnston's term will begin January 19, 2018 and will expire May 1, 2020.

(d) DONATION ACCEPTANCE—DARE VEHICLE: Council may wish to accept the donation of a 2014 Jeep Wrangler Sahara JK 4-Door from Bannock County DARE for use in the Pocatello Police DARE Program and authorize the Mayor's signature on documents related to the donation, subject to Legal Department review. All modifications made to the vehicle were paid for by donations from the community at zero cost to the City.

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. APPEAL OF DIRECTOR'S INTERPRETATION—PACKER

Dave Packer (mailing address: 150 North Main Street, Pocatello, ID 83204), represented by Rocky Mountain Engineering and Surveying (mailing address: 600 East Oak Street, Pocatello, ID 83201), has appealed the Planning and Development Services Director's interpretation of the Zoning Ordinance. Specifically, the determination was made that duplexes must meet minimum lot size requirements, rather than square foot per unit minimums as is used for multi-family developments. This

means they must be on individual lots of 8,000 square feet each in Residential Medium Density Single Family (RMS) zoning districts, as required in Pocatello Municipal Code 17.03.240.

Duplexes are allowed in RMS zoning districts, however, multi-family developments are not. The applicant has submitted a subdivision short plat to allow a duplex development east of Hawthorne Road and south of Quinn Road, within a Residential Medium Density Single Family zoning district. The applicant proposes having several duplexes on one lot.

Documents:

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

7. B.I.D. MANAGEMENT AGREEMENT—OLD TOWN POCATELLO

Council may wish to approve 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.

Documents:

[AGENDA-ITEM-7.PDF](#)

8. FIRE ENGINES PURCHASE/AGREEMENTS

Council may wish to consider a request from Pocatello Fire Department staff to authorize the purchase of three (3) Fire Engines as presented during the December 14, 2017 Study Session and authorize the Mayor's signature on all contractual agreements associated with the purchase, subject to the following: 1) All purchase documents will be submitted to the Legal Department for review and 2) the City Finance Department securing acceptable financing terms.

9. ADDENDUM TO PORTNEUF RIVER VISIONING PROJECT AGREEMENT WITH UTAH STATE UNIVERSITY

Council may wish to approve, and authorize the Mayor to sign, subject to Legal Department review, an addendum to the City's existing agreement with Utah State University for the Portneuf River Visioning Project. The addendum, not to exceed \$10,000.00, will be for generating a schematic design, including budgeting and phasing options for Centennial Park.

Funds are available in the Science and Environment Department reserves.

Documents:

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

10. IDAHO DEPARTMENT OF PARKS AND RECREATION GRANT—CUSICK CREEK TRAIL

Council may wish to approve the submission of the following grant application for improvements to the Cusick Creek Trail to reduce erosion and improve water quality.

a) Idaho Department of Parks and Recreation Grant in an amount not to exceed \$15,000.00 and, if awarded;

b) Authorize the Mayor's signature on documents related to the grant, subject to Legal Department review, for improvements to Cusick Creek Trail. Grant funds will be used to reduce erosion from the trail.

Matching funds (20%) will come from Science and Environment Division (cash and in-kind) as well as the United States Forest Service.

Documents:

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

11. IDAHO DEPARTMENT OF PARKS AND RECREATION GRANT—MINK CREEK NORDIC CENTER

Council may wish to approve the submission of the following grant application for a snow groomer to maintain East Mink Creek Nordic Center Trails.

a) Idaho Department of Parks and Recreation (IDPR) Grant in an amount not to exceed \$150,000.00 and, if awarded;

b) Authorize the Mayor's signature on documents related to the grant, subject to Legal Department review, to purchase a snow groomer to be used at the East Mink Creek Nordic Center.

There is an 80/20 match required for the IDPR Grant, or approximately \$30,000.00. The Nordic ski club has committed \$4,500.00 cash as a token of their commitment to the trail system. The remaining matching funds would come from trading in or sale of existing machine.

Documents:

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

12. INTERGOVERNMENTAL AGREEMENT—BANNOCK AREA DRUG GROUP ENFORCEMENT SQUAD (BADGES)

Council may wish to accept staff's recommendation that the City of Pocatello Police Department enter into an Intergovernmental Agreement to jointly administer the performance of functions and activities related to drug

trafficking enforcement throughout Bannock County and authorize the Mayor to sign said agreement, subject to Legal Department review. This is a no cost agreement that outlines the level of service and terms of the agreement.

This agreement will increase the availability of federal funds, resources, and manpower for the Police Department.

Documents:

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

13. AIRPORT LAND LEASE AGREEMENT—JENSEN

Council may wish to approve and authorize the Mayor to sign a lease agreement between the City and Dennis Jensen for land at the Pocatello Airport upon which Mr. Jensen will build an aircraft hangar. The proposed leased premise is approximately 7,200 square feet of bare ground. The proposed lease term is 20 years with an annual rental rate of \$1,068.00.

Documents:

[AGENDA-ITEM-13.PDF](#)

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.

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.

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.