

**CITY OF POCATELLO**  
**CITY COUNCIL MEETING AGENDA**

March 16, 2017 · 6:00 PM  
Council Chambers | 911 N 7th Avenue

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

2. INVOCATION

The invocation will be offered by Pastor John Robinson, representing Gate City Christian 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 the minutes from the Clarification and Regular City Council Meetings of February 16, 2017; and the Budget Development Meeting and Special City Council Police Union Quarterly Update meetings of March 2, 2017.

(b) TREASURER'S REPORT: Council may wish to consider the Treasurer's Report for February showing cash and investments as of February 28, 2017.

(c) PLANNING AND ZONING COMMISSION APPOINTMENT: Council may wish to confirm the Mayor's appointment of Sara K. O'Connor to serve as a member of the Planning and Zoning Commission, replacing Matthew Tovey who resigned. Ms. O'Connor's term will begin March 17, 2017 and will expire May 21, 2019.

(d) 2017 PORTNEUF VALLEY ENVIRONMENTAL FAIR REQUESTS: Portneuf Valley Environmental Fair Committee is requesting Council approval of the following temporary street closures: 7th Avenue from Center Street to Lewis Street and Lewis Street from 7th Avenue to 8th Avenue for the 2017 Portneuf Valley Environmental Fair from 5:00 p.m. on April 14, 2017 to 5:00 p.m. on April 15, 2017. Additionally, they are seeking permission to allow Committee members to stay at Caldwell Park overnight on April 14, 2017 to prevent any possible vandalism. This is an annual event.

(e) COUNCIL DECISION—HOPE SUBDIVISION PLAT APPROVAL: Council may wish to adopt its decision approving the Final Short Plat for the Hope Subdivision which subdivides the property located at 5510 Nez Perce Drive into two (2) lots; the larger lot shall include the residence and the smaller lot (Lot 1 Block 1) is to be dedicated to the City of Pocatello for the public use of a bike stop, subject to conditions. Said property is zoned Residential Low Density. However, since Lot 1 Block 1 does not meet the minimum square-footage requirements for development under this zoning designation, an "R" restriction shall be placed on the Lot prohibiting any non-public use. Both lots shall have access via Bannock Highway.

(f) COUNCIL DECISION—CONDITIONAL USE PERMIT APPEAL BY THE BONNEVILLE NEIGHBORHOOD ASSOCIATION: Council may wish to adopt its decision approving the appeal and overturning the Hearing Examiner's approval of Jacqueline Thomas of Praise Temple of God's request for a Conditional Use Permit to operate a Group Living/Supervised facility in the existing building located at 916 East Sublette Street, Pocatello, Idaho under Pocatello Municipal Code Section 17.03.230.

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. CONFIRMATION OF ANIMAL SERVICES DIRECTOR—RHETT NICKS  
Council may wish to confirm the appointment of Rhett Nicks as the City's Animal Services Director to be effective March 27, 2017.
7. PUBLIC HEARING—ANNEXATION OF LAND EAST OF BUTTE STREET, CLEARWATER STREET, SATTERFIELD DRIVE AND LEGACY DRIVE  
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), Ted S. and Janice M. Crandall (mailing address: 2130 Satterfield Drive, Pocatello, ID 83201), David Lowry and Michelle Russell (mailing address: 3041 Trevor Street, Pocatello, ID 83201), and Michael J. Thomson of the Presiding Bishop of The Church of Jesus Christ of Latter-Day Saints (mailing address: 50 E. North Temple Street, 10th Floor, Salt Lake City, UT), represented by Rocky Mountain Engineering and Surveying (mailing address: 600 E. Oak Street, Pocatello, ID 83201). The request is to annex and zone an approximately 74.69-acre area of land extending the City limits east of Butte Street, Clearwater Street, Satterfield Drive and Legacy Drive.

Following the public hearing, Council may wish to consider the following requests:

- (a) The property shall be annexed into the corporate boundaries of the City of Pocatello;
- (b) The Comprehensive Plan Map designation shall be "Residential";
- (c) The subject property shall have a zoning designation of "Residential Low Density" (RL).

Documents:

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

8. EXCEPTION REQUEST—FORT HALL REPLICA  
Boy Scout Troop 312, represented by John Carlson, is asking Council to grant an exception to City Code 12.39.020: Restricted Hours in Parks, and allow Troop members to camp overnight on the grounds of the Fort Hall Replica on March 24, 2017 to complete an Eagle Scout project March 25, 2017.

Documents:

[AGENDA-ITEM-8.PDF](#)

9. GRANT SUBMISSION—LEAD-BASED PAINT HAZARD CONTROL GRANT  
Council may wish to approve submission of a grant application to the U.S. Department of Housing and Urban Development (HUD) for a Lead Based Paint Hazard Control Grant. If awarded, the grant would be for \$1,500,000.00 over three years' time. The grant requires a 10% match, which can be in-kind support by existing staff. The Council may also wish to authorize the Mayor's signature on all requisite contract documents, subject to Legal Department review, with HUD and any contractors or subcontractors, if the grant is awarded.

Documents:

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

10. GRANT SUBMISSION—IDAHO TRANSPORTATION DEPARTMENT REIMBURSEMENT GRANT FOR BREATH ALCOHOL MEASURING INSTRUMENT

Council may wish to allow the Police Department to seek a reimbursement grant in the amount of \$10,375.00 from Idaho Transportation Department (ITD) for a Dräger Alcotest 9510 Breath Alcohol Measuring Instrument. This countertop instrument will be housed in the Patrol division of the Police Department and will be available for use by surrounding law enforcement agencies including Chubbuck Police Department, Bannock County Sheriff's Office and Idaho State Police.

Documents:

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

11. BID/PURCHASE OF POLICE CONSOLE DESKS—POLICE DEPARTMENT

Council may wish to consider the recommendations of staff for the following requests regarding the purchase of five (5) commercial grade Emergency Communication Console desks from Evans Consoles:

(a) Accept the low responsive bid received from Evans Consoles in the amount of \$96,286.64, and if the bid is accepted,

(b) Authorize the purchase of the five (5) console desks in the amount of \$96,286.64 and authorize the Mayor to sign the necessary documents, subject to Legal Department review.

Funds for the Emergency Communications Console Desks are available in the Capital Acquisition Fund.

Documents:

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

12. BID/PURCHASE OF REPLACEMENT TRANSIT BUSES—TRANSIT DEPARTMENT

Council may wish to consider the recommendations of staff for the following requests regarding replacement Transit buses to be used by the Transit Department.

(a) Accept the low bid from Creative Bus Sales, Inc., for \$71,673.50 per unit for StarCraft Allstar, medium duty 26-foot transit buses; and

(b) Authorize the purchase of up to six (6) StarCraft Allstar, medium duty 26-foot transit buses, subject to Legal Department review.

These replacement vehicles are funded 80% by FTA Section 5339 grants and 20% by PRT program revenues. No City general funds are used for the purchase.

Documents:

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

13. DECLARATION OF SURPLUS PROPERTY AND SALE—MARSHALL PUBLIC LIBRARY BOOKMOBILE

Council may wish to declare the Marshall Public Library's 2003 Winnebago Adventurer 31V (aka "the Bookmobile") surplus as the Bookmobile has not been consistently utilized

by the Library in over four years. Council may wish to also sell the Bookmobile to the Fremont County Library District of Ashton, Idaho for the sum of \$5,000.00 in "as is" condition and authorize the Mayor to sign the Bill of Sale reflecting the same.

Documents:

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

14. RAILROAD CONSTRUCTION AND MAINTENANCE AGREEMENT—BENTON STREET BRIDGE REHABILITATION PROJECT

Council may wish to authorize the Mayor to execute an agreement between Union Pacific Railroad and the City of Pocatello for reimbursement of expenses associated with the Benton Street Bridge Rehabilitation Project. The amount of this agreement is \$497,000.00. The City's share is in the amount of approximately \$36,500. Funds are available in Fund 70 to cover this commitment.

Documents:

[AGENDA-ITEM-14.PDF](#)

15. PHASE 1 ENERGY EFFICIENCY AUDIT TASK ORDER NO. 4—WATER POLLUTION CONTROL:

Council may wish to authorize the Mayor to sign Task Order No. 4 with HDR Engineering to prepare a detailed audit for an Idaho Power energy efficiency program. The audit will include the following: a) Evaluate the Phase 1 design to the Energy Efficiency Modification template; b) Identify the Phase 1 project impact to the EEM recommended approach; and c) Evaluate energy savings and capital costs for each EEM using the Idaho Power outlined method. The cost of Task Order No. 4 is not to exceed \$10,754.80 and will be 75% reimbursed by Idaho Power. The City of Pocatello WPC Department will pay HDR and be reimbursed by Idaho Power after all rebates are calculated.

Documents:

[AGENDA-ITEM-15.PDF](#)

16. BID/PROFESSIONAL SERVICES CONTRACT—AIRPORT

Council may wish to consider the recommendations of staff for the following requests regarding the repairs to the Airport HVAC system.

(a) Accept the low bid from Lewis Corporation in the amount of \$61,250.00, and if the bid is accepted;

(b) Authorize the Mayor to sign all pertinent documents related to a Professional Services Contract with Lewis Corporation in the amount of \$61,250.00.

The project will include replacement of a condensing unit and blower bearings and install system on the terminal lobby's HVAC unit. The project will be funded using Airport reserve funds.

Documents:

[AGENDA-ITEM-16.PDF](#)

17. AIRPORT LEASE AGREEMENTS

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

(a) VERIZON WIRELESS: 25 square feet of indoor space and 25 square feet of outdoor

space at the Airport terminal for the purpose of installation, operation and maintenance of communications equipment related to their cellular service at the Airport. Proposed term is five (5) years with four (4) five-year renewal options. Rental Rate will be \$450.00 per month for the initial five-year term, increasing to \$500.00 per month in year six and increasing by 2% per year thereafter, subject to Legal Department review.

(b) DRISCOLL TOP HAY, LLC – Approximately 22.09 acres of property, including approximately 22,600 square feet of building space, for the operation of a high-compression hay baling export container business. Proposed term is five (5) years with two (2) five-year renewal options. Rental rate is \$53,670.00 per year to be increased annually by at least the amount of the CPI for the preceding year. The lease allows for rent abatement for necessary facility repairs as approved by the Airport Manager, subject to Legal Department review.

Documents:

[AGENDA-ITEM-17.PDF](#)

#### 18. ORDINANCE

An Ordinance amending Pocatello Municipal Code Title 12, Chapter 36, "Public Parks", by enacting a new section (12.36.025) titled "Reserved Use of Park Facilities" to define a policy for the reservation of park facilities which incorporates the uses permitted at said facilities as well as the frequency of said use, as presented to the Council at the March 9, 2017 Study Session. (Ordinance has been prepared for reading under the rules of suspension.)

Documents:

[AGENDA-ITEM-18.PDF](#)

#### 19. 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.)

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### 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 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.