

CITY OF POCATELLO
CITY COUNCIL MEETING AGENDA

April 6, 2017 · 6:00 PM

Council Chambers | 911 N 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 while some agenda items allow for public comment during discussion/consideration not every item does.** If the matter the citizen wishes to discuss is not listed on the formal agenda, an opportunity to be heard by the Council is the agenda item described as "DISCUSSION ITEMS." Total time allotted for this item is fifteen (15) minutes, with a maximum of three (3) minutes per speaker. You must sign in at the start of the meeting.

AGENDA CLARIFICATION MEETING: A meeting will be held at 5:30 p.m. in the Paradise Conference Room at City Hall, prior to the regular meeting for clarification of the agenda.

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 Pastor Jonathan Dinger, Grace Lutheran 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 following meetings held on March 9, 2017: Study Session, Executive Session and Budget meeting.

(b) PAYROLL AND MATERIAL CLAIMS: Council may wish to consider payroll and material claims for the month of March 2017.

(c) IDAHO TRANSPORTATION DEPARTMENT CHILD SAFETY SEAT GRANT—POLICE: Council may wish to approve an application to the Idaho Transportation Department in the amount of \$11,300.00 for the purpose of purchasing and distributing child passenger safety seats by Police staff and if the grant is approved, authorize the Mayor to accept and sign documents related to the grant. This is an annual grant and there is no City match of funds associated with this request.

(d) VETERANS OF FOREIGN WARS ANIMAL LICENSING CAMPAIGN: Council may wish to authorize the Veterans of Foreign Wars Post No. 735 of the United States of America to conduct the May 2017 half-price licensing campaign in the City of Chubbuck by selling Pocatello license tags at Smith's, PetCo and Walmart stores which are located in Chubbuck.

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. TAXI DRIVER LICENSE DENIAL APPEAL—BAYS

Yvette Bays will be present to appeal the decision of Police Department staff which denied Ms. Bays a taxi driver license.

7. REQUEST TO USE ABATEMENT FUNDS FOR STRUCTURE LOCATED AT 2055 SATTERFIELD DRIVE

Council may wish to consider authorizing the City Building Official to contract for service to cleanup and secure the structure located at 2055 Satterfield Drive. The home has been vacant for some time and recently suffered a fire that severely damaged portions of the building.

The property owner has been unresponsive to any contact and the building is a hazard to the surrounding neighborhood. Funds for abatement proceedings are located in Fund 964 Property Abatement Fund.

Documents:

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

8. TEMPORARY STREET CLOSURE REQUEST—OLD TOWN POCATELLO

Council may wish to consider a request from Old Town Pocatello (mailing address: PO Box 222, Pocatello ID 83204) to close the 200 block of West Fremont and a portion of the 300 and 400 blocks of Union Pacific Avenue for the following 2017 events:

a) Revive @ 5 - Wednesdays May 24th to September 6th 2:00 p.m. to 10:00 p.m.;

b) Portneuf Valley Farmers Market - Saturdays May 6th to October 28th (includes parking lot closure 6:00 a.m. to 2:00 p.m.);

c) Pocatello Pride-Saturday June 24th 2:00 p.m. to 10:00 p.m.

d) Recovery Fest-Friday September 15th 2:00 p.m. to 10:00 p.m.

City Staff has reviewed the request.

Documents:

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

9. OPEN CONTAINER WAIVER REQUEST—OLD TOWN POCATELLO

The Council may wish to consider a request from Old Town Pocatello (mailing address: PO Box 222, Pocatello ID 83204) for a waiver of the open container ordinance to allow alcohol to be consumed in the 200 block of West Fremont and a portion of the 400 block of Union Pacific Avenue for Revive @ 5 events-Wednesdays May 24 to September 6, 2017.

If the open container ordinance is waived it should be contingent upon the applicant meeting Police Department requirements and purchasing appropriate permits.

Documents:

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

10. SEATBELT ENFORCEMENT GRANT—POLICE

Council may wish to approve a grant from the Preusser Research Group, Inc. through National Highway Traffic Safety Administration (NHTSA) in the amount of \$50,000.00 for seat belt enforcement and research. Police Department staff will use \$25,000.00 to purchase equipment and \$25,000.00 will go toward overtime compensation for seat belt enforcement. The grant requires no matching funds.

Documents:

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

11. SOLE SOURCE DECLARATION OF LATEX EMULSION PURCHASE—STREET OPERATIONS

Council may wish to accept the recommendations of Street Operations staff and approve the purchase of GSB-88 2:1 + Latex Emulsion from Asphalt Systems, Inc. to be a valid sole source expenditure for the City's 2017 Summer Paving Program and authorize the Mayor to sign documents related to the purchase. The product is a trademarked material that no other company makes and therefore, it is impractical/impossible to obtain three bids. The amount requested is 96 tons for a total purchase price of \$70,150.00 (F.O.B. Salt Lake City, Utah).

Documents:

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

12. PIGGY BACK BIDS—STREET OPERATIONS

Council may wish to consider the following piggy-back bids and if they are accepted, authorize the Mayor to sign the necessary documents, subject to Legal Department review. The piggy-back bids are:

(a) IDAHO ASPHALT SUPPLY, INC.: Sealing oil for the 2017 paving program. 249 tons CRS-2 or CRS-2P sealing oil at \$398.00 per ton (\$411.75 FOB jobsite); 20 tons CSS-1H-DIL 50/50 \$312.00 per ton (\$325.75 FOB job site); and 83 tons Quickseal 50 at \$372.00 per ton (\$385.75 FOB job site). Total price is approximately \$136,218.00;

(b) VALLEY SLURRY SEAL: For approximately 300,000 square yards of in-place Slurry Surface product. Total estimated price is \$408,000.00.

(c) MICKELSEN CONSTRUCTION COMPANY: Hot Mix Asphalt - 1000 tons at \$54.00 per ton for a total price of \$54,000.00.

These vendors have agreed to honor piggy-back prices as outlined in their bid documents. Funds are available in the Street Department's Fiscal Year 2017 budget.

Documents:

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

13. COOPERATIVE AGREEMENT AND RESOLUTION—US HIGHWAY 30/PHILBIN ROAD INTERSECTION PROJECT

Council may wish to adopt a resolution and authorize execution of an agreement between the State of Idaho and City of Pocatello for the following project: A City project for placement of fiber optics and conduit in the public right-of-way will encompass the State's US Highway 30/Philbin Road signalization project. The City has agreed, subject to Legal Department review, to install additional conduit and required junction boxes for the State's signalization project. Costs for the additional installation work in the amount of \$31,325.00 will be paid by the State of Idaho.

Documents:

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

14. COUNCIL RECONSIDERATION OF ANNEXATION

Council may wish to reconsider their motion to remit the annexation of approximately 74.69 acres of land extending the City limits east of Butte Street, Clearwater Street, Satterfield Drive and Legacy Drive to the Planning and Zoning Commission as so moved at the March 16, 2017 Council meeting. The City received written consent from the property owners, David Lowry and Michele Russell, stating that they no longer oppose the annexation of the above property. Given this consent, the annexation request may move forward.

Documents:

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

15. 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 Michele 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 East North Temple Street, 10th Floor, Salt Lake City, UT 84150), represented by Rocky Mountain Engineering and Surveying (mailing address: 600 East Oak Street, Pocatello, ID 83201). The request is to annex and zone approximately 74.69 acres of land extending the City limits east of Butte Street, Clearwater Street, Satterfield Drive and Legacy Drive.

At their meeting on February 22, 2017, the Planning and Zoning Commission recommended approval of the request.

Documents:

[AGENDA-ITEM-15.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.)

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.