

CITY OF POCATELLO REGULAR CITY COUNCIL MEETING

January 16, 2020 · 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 Skyler Beebe at sbeebe@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 Pastor Scott Sampson representing Rocky Mountain Ministries.

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. **(ACTION ITEM)**

(a) MINUTES: Council may wish to waive the oral reading of the minutes and approve the minutes from the following meetings: November 7, 2019 Clarification and Regular Council meetings; December 19, 2019 Clarification and Regular Council meetings; and January 2, 2020 Clarification and Regular Council meetings.

(b) TREASURER'S REPORT: Council may wish to consider the Treasurer's Report for December showing cash and investments as of December 31, 2019.

(c) ANIMAL SHELTER ADVISORY BOARD REAPPOINTMENT: Council may wish to confirm the Mayor's reappointment of Daniel Lenihan to serve as a member of the Animal Shelter Advisory Board. Mr. Lenihan's term will begin February 2, 2020 and will expire February 2, 2022.

(d) POCATELLO DEVELOPMENT AUTHORITY APPOINTMENT: Council may wish to confirm the Mayor's appointment of Heidi Adamson as a member of the Pocatello Development Authority Board, representing the City of Pocatello, replacing Jim Johnston. Ms. Adamson's term will begin January 17, 2020 and will expire May 1, 2020.

(e) POCATELLO REGIONAL AIRPORT COMMISSION REAPPOINTMENT: Council may wish to confirm the Mayor's reappointment of Larry Bell to continue his service as a member of the Pocatello Regional Airport Commission. Mr. Bell's term will begin February 5, 2020 and will expire February 5, 2022.

(f) IDAHO TRANSPORTATION DEPARTMENT CHILD SAFETY SEAT GRANT – POLICE: Council may wish to approve an application to the Idaho Transportation Department in the amount of \$21,599.00 for the purpose of purchasing and distributing child passenger safety seats by Police staff and certification training and education for 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 local match in the amount of \$1,100.00 is required which will be covered through donations to the safety seat program.

(g) COUNCIL DECISION—EXCEPTION TO DAYCARE FACILITY REQUIREMENT: Council may wish to adopt its decision granting April Clayson dba Step Ahead Preschool an exception to Pocatello Municipal Code 5.28.110(L) which requires daycare facilities to have an outdoor play area adjoining to or easily accessible to the proposed business location at 185 Jefferson Street, Pocatello.

(h) COUNCIL DECISION—CREEKSIDE DISTRICT DIVISION ONE EXTENSION: Council may wish to adopt its decision granting the request from Scott and Nicole Seibert, Mike and Kathy Seibert and Iron Eagle, LLC for an extension on the preliminary plat approval for Creekside District Division One. The extension shall expire on March 27, 2020.

(i) COUNCIL DECISION—JUNIPER RESERVE DIVISION 3 FINAL PLAT APPROVAL: Council may wish to adopt its decision approving the final plat for Juniper Reserve Division 3, which subdivides approximately 8.18 acres of land into thirteen (13) residential lots, subject to conditions. The property is located north of Juniper Reserve Division 2.

(j) COUNCIL DECISION—LACKEY’S LOTS SHORT PLAT APPROVAL: Council may wish to adopt its decision approving the short plat for Lackey’s Lots, which subdivides approximately 1.12 acres of land into three (3) residential lots and an additional Lot 4, which shall be dedicated to the City as a right-of-way, subject to conditions. The property is located at 2651 South Grant Avenue.

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. ALCOHOL LICENSE DENIAL – CLIJSTERS (ITEM PULLED)

~~Denis Clijsters will be present to appeal the decision of the Pocatello Fire Department staff which denied Mr. Clijsters an Alcohol License. **(ACTION ITEM)**~~

Documents:

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

7. PUBLIC HEARING – SUBDIVISION ORDINANCE MODIFICATIONS

This time has been set aside for the Council to hear comments from the public regarding proposed changes to the Subdivision Ordinance, Municipal Code Title 16. **(ACTION ITEM)** (Legislative Public Hearing)

Following a public hearing on November 13, 2019, the Planning and Zoning Commission recommended approval of the proposed changes.

Documents:

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

8. PUBLIC HEARING – ZONING ORDINANCE MODIFICATIONS

This time has been set aside for the Council to hear comments from the public regarding proposed changes to the Zoning Ordinance, Municipal Code Title 17. **(ACTION ITEM)** (Legislative Public Hearing)

Following a public hearing on November 13, 2019, the Planning and Zoning Commission recommended approval of the proposed changes.

Documents:

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

9. PUBLIC HEARING – AUCTION OF FOUR CITY OWNED BUILDINGS

This time has been set aside for the Council to hear comments from the public regarding the auction of four (4) City-owned properties which were declared surplus on December 5, 2019 and are prepared to be disposed of through a public auction. **(ACTION ITEM)** (Legislative Public Hearing)

Documents:

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

10. FINAL PLAT – CRESTVIEW COVE SUBDIVISION

Ryan Satterfield, represented by Rocky Mountain Engineering and Surveying (RMES), (mailing address 600 East Oak Street, Pocatello, ID 83201) has submitted a final plat application requesting to subdivide 2.66 acres into eleven (11) residential lots to be known as the Crestview Cove Subdivision. The proposed subdivision is located south of Monson Street and north of Crestview Estates Division 1. **(ACTION ITEM)**

Documents:

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

11. BID ACCEPTANCE – FIRE DEPARTMENT

Council may wish to accept the recommendations of staff and award a bid to the lowest responsive bidder, Federal Resources, in the amount of \$51,592.80 for a Handheld Fourier Transform Infra-Red (FTIR) Chemical Analyzer to be used in the Fire Department. If accepted, the Council may also wish to authorize the Mayor to sign the necessary documents, subject to Legal Department review. **(ACTION ITEM)**

The purchase is to provide for the Haz-Mat team to quickly and accurately identify unknown chemicals per the industry standard and that the purchase includes training for Haz-Mat team members in its operation and maintenance. Grant funds in the amount of \$20,000.00 have been obtained for the purchase. Funds for the remaining balance of \$31,592.80 for the proposed purchase have been budgeted in the Fire Department's Fiscal Year 2020 budget.

Documents:

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

12. BID ACCEPTANCE/AGREEMENT – SANITARY SEWER POINT REPAIRS

Council may wish to consider the recommendations of staff for the following requests regarding the 2020 Sanitary Sewer Point Repairs: **(ACTION ITEM)**

- a) Accept the low responsive bid received on December 20, 2019, from Starr Corporation in the amount of \$62,690.00 for the total bid. If the bid is accepted;
- b) Authorize the Mayor's execution of the Agreement between the City of Pocatello and Starr Corporation, in the amount of \$62,690.00, for the 2020 Sanitary Sewer Point Repairs Project, subject to Legal Department review.

The project includes nine (9) locations of sanitary sewer lines in need of repair to restore proper drainage and prepare for the 2020 sanitary sewer lining project. If approved, the work will begin mid-February and will be completed within 30 days of the start date. Funds for the project are available in the WPC Fiscal Year 2020 capital budget.

Documents:

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

13. BID ACCEPTANCE/AGREEMENT – ROSS PARK AQUATICS COMPLEX POOL RE-SURFACING

Council may wish to consider the recommendations of staff for the following requests regarding the Ross Park Aquatics Complex Pool Re-surfacing Project for the Zero Depth/Splash Pool and Lazy River Pool. **(ACTION ITEM)**

- a) Accept the low responsive bid received on January 6, 2020 from Davies Aqua-Chem Supply Co. dba Mastercraft Pool & Spa, in the amount of \$148,251.75; and if the bid is accepted
- b) Authorize the Mayor's execution of the Agreement between the City of Pocatello and Davies Aqua

Services provided in the project include preparation of existing surface using high pressure water blasting and chipping off all loose material; application of multi-coat scratch coat system as bonding agent; pumping of plaster; troweling to a smooth hard finish; and certified start-up and monitoring procedures. If approved, the work will begin in late February and will be completed with or before 86 calendar days from the start date. Funds for this project have been budgeted and are available in the Parks and Recreation Fiscal Year 2020 Fund 78 – Capital Improvement Fund budget.

Documents:

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

14. GRANT APPLICATIONS – IDAHO PARKS AND RECREATION FOUNDATION

Council may wish to approve submission of the following grants and, if awarded, authorize acceptance of the grants and authorize the Mayor to sign, subject to Legal Department review, documents related to the grants. Local match for all three grants will be staff and volunteer time.
(ACTION ITEM)

a) CUSICK CREEK TRAILHEAD: RTP Grant in the amount of \$19,550.00. The grant will be used to regrade and enlarge the existing trailhead by about 50 percent, and install fencing and interpretive signage about the historic water reservoir features adjacent to the trailhead. Local (in-kind) match is \$5,908.00 for project design and technical support.

b) CUSICK CREEK TRAILHEAD AND ACCESS ROAD: ORMV Grant in the amount of \$27,100.00. The grant will be used to regrade and enlarge the existing trailhead by about 50 percent, regrade the access road and install fencing and interpretive signage about the historic water reservoir features adjacent to the trailhead. Local (in-kind) match is \$6,292.00 for project design and technical support.

c) WATER TRAIL: RTP Grant in the amount of \$13,000.00. The grant will be used to install two (2) new access points to the Portneuf River by Sacajawea Park (City Water Shop), and at the Abrasewski Trailhead. Directional and safety signage will also be installed as part of the grant. Local (in-kind) match is \$3,284.00 for project design and technical support.

Documents:

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

15. TAP GRANT APPLICATIONS – CONSTRUCTION OF MULTIUSE PATHWAYS

Council may wish to approve submission of the following grants and, if

awarded, authorize acceptance of the grants and authorize the Mayor to sign, subject to Legal Department review, documents related to the grants. **(ACTION ITEM)**

a) TERRY STREET TO CENTER STREET: TAP Grant project application in the amount of \$456,330.00 for Fiscal Year 2021. Local 7.34% match in the amount of \$36,147.00 will come from the Portneuf Greenway Foundation. Total project cost estimate is \$4921,477.00 and the City of Pocatello will have full ownership of the trail upon completion; and

b) MONTE VISTA DRIVE TO POCATELLO CREEK ROAD: TAP Grant project application in the amount of \$499,794.00 for Fiscal Year 2022. Local 7.34% match in the amount of \$39,206.00 will come from the Portneuf Greenway Foundation. Total project cost estimate is \$539,000.00 and the City of Pocatello will have full ownership of the trail upon completion.

Documents:

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

16. GRANT APPLICATION – LIBRARIES TRANSFORM COMMUNITIES ENGAGEMENT GRANT

Council may wish to approve submission of a grant to the American Libraries Association in the amount of \$2,000.00 for the Marshall Public Library Arts and Community Ticket (ACT) program and, if awarded, authorize acceptance of the grants and authorize the Mayor to sign, subject to Legal Department review, documents related to the grants. The program provides community members the opportunity to check out tickets to community and cultural events such as symphony, theater and ballet performances. There is no local match required. **(ACTION ITEM)**

Documents:

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

17. ORDINANCE (ITEM PULLED)

~~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.~~

~~ORDINANCE: 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. ~~(ACTION ITEM)~~

~~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.~~

~~An ordinance ready for reading.~~

~~17. An ordinance annexing approximately 22.256 acres of land owned by Town Center JV. The parcel extends from the eastern extent of the Northgate Interchange to the northeastern extent of the Pocatello City limits and will be zoned Commercial General (CG) with the Comprehensive Plan designation being amended from "Mixed use" to "Commercial." **(ACTION ITEM)**~~

~~Documents:~~

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

18. 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.)**

19. ADJOURN

PUBLIC HEARING PROCEDURE

1. Explanation of hearing procedures by Mayor or staff.
 - o 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.