

## AGENDA

# CITY OF POCA TELLO REGULAR CITY COUNCIL MEETING

August 17, 2023 • 6:00 PM  
Council Chambers | 911 North 7th Avenue

***The meeting will be live-streamed at:  
<https://streaming.pocatello.gov/> and available on  
Sparklight Cable channel 56***

Any citizen who wishes to address the Council shall first be recognized by the Mayor, and shall then give their name and address for the record. If a citizen wishes to read documentation of any sort to the Council, they shall first seek permission from the Mayor. A three (3) minute time limitation is requested for Council presentations.

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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.gov](mailto:sbeebe@pocatello.gov); 208.234.6248 or 5815 South 5th Avenue, Pocatello, Idaho.

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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.**

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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.

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### 1. ROLL CALL AND PLEDGE OF ALLEGIANCE

## 2. INVOCATION

The moment of silence will be observed in place of an invocation.

## 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: Budget meetings of May 25, June 12, June 13, and June 14, 2023; Clarification and Regular City Council meetings of July 20, 2023; and Special City Council meeting of August 3, 2023.

(b) **MATERIAL CLAIMS:** Council may wish to approve the Material Claims for the period of August 1-15, 2023.

(c) **TREASURER'S REPORT:** Council may wish to approve the Treasurer's Reports for June and July 2023 showing cash and investments as of June 30 and July 31, 2023.

(d) **ANIMAL SHELTER ADVISORY BOARD APPOINTMENT:** Council may wish to confirm the Mayor's appointment of Cassandra Cole to serve as a member of the Animal Shelter Advisory Board, filling a vacancy. Cassandra's term will begin August 18, 2023 and will expire August 18, 2025.

(e) **HUMAN RELATIONS ADVISORY COMMITTEE REAPPOINTMENT:** Council may wish to confirm the Mayor's reappointment of Edward Kammerer to continue serving as a member of the Human Relations Advisory Committee. Edward's term will begin August 8, 2023 and will expire August 8, 2027.

(f) **OPEN CONTAINER WAIVER REQUEST - HISTORIC DOWNTOWN POCATELLO:** Council may wish to consider a request from Historic Downtown 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 100 block of South Garfield Avenue and

inside Lookout Point for Gate City Brewfest 2 on August 19, 2023 from 4:00 p.m. to 8:00 p.m. If the open container ordinance is waived, it should be contingent upon the applicant meeting police Department requirements and purchasing appropriate permits.

(g) 2023 EDWARD BYRNE JUSTICE ASSISTANCE GRANT - POLICE DEPARTMENT: Council may wish to approve a request regarding the 2023 Byrne Memorial Justice Assistance Grant. This is an annual allocation administered by Bannock County. There are no matching funds. If awarded, Police Department staff will use grant funds in the amount of \$23,193.00 toward the purchase of VESTA 9-1-1 Command Post. Total purchase cost will be \$25,640.62. The Police Department has been allocated \$23,193.00. The remaining balance is available in the Pocatello Police Department equipment budget.

Documents:

[AGENDA-ITEM-3.PDF](#)

#### **4. 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. CHILDCARE LICENSE DENIAL APPEAL – JULIA MORGAN**

Julia Morgan will be present to appeal the denial of her Childcare Employee License renewal. **(ACTION ITEM)**

#### **7. CHILDCARE LICENSE DENIAL APPEAL – RITA SWANK**

Rita Swank will be present to appeal the revocation of her Childcare Employee License. **(ACTION ITEM)**

#### **8. CHILDCARE LICENSE DENIAL APPEAL – KAYLA FISHER**

Kayla Fisher will be present to appeal the revocation of her Childcare Employee License. **(ACTION ITEM)**

#### **9. CHILDCARE LICENSE/BUSINESS LICENSE DENIAL APPEAL – MELANIE ANDERSON**

Melanie Anderson will be present to appeal the revocation of her Childcare Employee License and Childcare Business License.

**(ACTION ITEM)**

## **10. PERSONNEL POLICY HANDBOOK AMENDMENTS**

Council may wish to approve changes to the following sections of the Personnel Policy Handbook. Changes were presented to the City Council at the May 25, 2023 Budget Development meeting and July 13, 2023 Work Session meeting. **(ACTION ITEM)**

a) Adopt a new Bereavement Leave Policy, revamping the former policy and establishing a new leave bank, allocated by request for benefit-eligible employees experiencing loss. Implementation date: August 18, 2023.

b) Adopt revision of the Bilingual Incentive Pay Program for employees on the General, Police Management and Fire Management pay scales. The revised policy would pay employees each pay period based on their proficiency level, testing and skill level, as established by an outside vendor. Implementation date: First payroll of FY2024.

c) Adopt revision of the Introductory Period section to allow for fiscal year steps for employees in an Introductory Period. Implementation date: August 18, 2023. and

d) Adopt a Retirement Gift Policy, which formalizes the current practice. Funding is available within salary savings for the position being vacated. Implementation date: August 18, 2023.

Documents:

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

## **11. US DOT PROTECT GRANT APPLICATION – CENTER STREET UNDERPASS STORMWATER RESILIENCE**

Council may wish to approve the submission of a grant application to the US Department of Transportation's (US DOT) Promoting Resilient Operations for Transformative, Efficient, and Cost-Saving

Transportation (PROTECT) grant program. The grant would fund stormwater infrastructure at the Center Street Underpass to mitigate flood hazard events. The total project cost is \$2,030,732.60 and requires a 20% match totaling \$406,147. City Council may wish to approve the grant application with the required match to be funded by the City, and, if awarded, authorize acceptance of the grant and authorize the Mayor's signature on all pertinent documents, subject to Legal Department review. **(ACTION ITEM)**

Documents:

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

## **12. ITD LOCAL STRATEGIC INITIATIVES GRANT – HILINE EXPANSION**

Council may wish to approve submission of a grant application for the Idaho Transportation Department's Local Strategic Initiatives grant. This grant application would provide necessary funding for the expansion of Hiline Road from Flandro Drive to Pocatello Creek Road. Project cost are \$12.33M, and grant funding awards are limited to \$10M through ITD. City Council may wish to approve the grant application with the additional project costs in excess of the grant award to be funded by the City. If the grant is awarded, Council may also wish to authorize acceptance of the grant and authorize the Mayor's signature on all pertinent documents, subject to Legal Department review. **(ACTION ITEM)**

Documents:

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

## **13. GEM STATE GRANT – IDAHO HUMANITIES COUNCIL**

Council may wish to approve submission of a grant application of the Gem State Grant application to the Idaho Humanities Council in the amount of \$10,000. If awarded, Council may wish to authorize acceptance of the grant and authorize the Mayor's signature on all pertinent documents, subject to Legal Department review. This grant would be used to prepare and plan a documentary on the Triangle Historic Neighborhood. **(ACTION ITEM)**

Documents:

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

#### **14. DECLARATION OF SURPLUS PROPERTY**

Council may wish to declare the following vehicles as surplus property and authorize the Mayor's signature on all applicable documents pertaining to the sale and disposal in accordance with City policy, and subject to Legal Department review. **(ACTION ITEM)**

- a) Parks and Recreation Department - 2003 Chevrolet Tahoe;
- b) Police Department - 2012 Toyota Camry. Estimated trade-in value: \$10,000; and
- c) Police Department - 2013 Toyota Camry. Estimated trade-in value: \$10,000.

The declarations would aid in the City's right-sizing efforts for all vehicles.

Documents:

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

#### **15. PIGGYBACK OF NPPGOV CONTRACT FOR SPLASH PAD EQUIPMENT**

Council may wish to accept the recommendations of staff and approve the piggyback contract of NPPGov's co-op contract via Vortex International for the procurement of the splash pad equipment for the OK Ward Park Splash Pad Project and authorize the Mayor's signature on all applicable documents, subject to Legal Department review. This purchase is a portion of the total anticipated project, funded by an Idaho Central Credit Union donation. **(ACTION ITEM)**

Documents:

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

## **16. PIGGYBACK OF CITY OF BOISE'S BID CONTRACT FOR WORK TRUCK PURCHASE – WATER DEPARTMENT**

Council may wish to accept the recommendations of staff and approve the piggyback contract of the City of Boise's co-op contract via Mountain Home Auto Ranch for the purchase of two (2) half-ton Chevrolet Silverado work trucks and authorize the Mayor's signature on all applicable documents, subject to Legal Department review. Purchase costs have been budgeted for in the Water Department's FY2023 budget per the rate study. **(ACTION ITEM)**

Documents:

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

## **17. PIGGYBACK OF CITY OF BOISE'S BID CONTRACT FOR WORK TRUCK PURCHASE – UTILITY BILLING DEPARTMENT**

Council may wish to accept the recommendations of staff and approve the piggyback contract of the City of Boise's co-op contract via Mountain Home Auto Ranch for the purchase of two (2) half-ton Chevrolet Silverado work trucks and authorize the Mayor's signature on all applicable documents, subject to Legal Department review. Purchase costs have been budgeted for in the Utility Billing Department FY2023 budget. **(ACTION ITEM)**

Documents:

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

## **18. PURCHASE OF POLICE VEHICLES – POLICE DEPARTMENT**

Council may wish to accept the recommendations of staff and award the quote for the purchase of two (2) Ford F-150 Supercrew XLT trucks to Bancorp, Inc. and authorize the Mayor's signature on all applicable documents, subject to Legal Department review. Purchase costs have been budgeted for in the Police Department's FY2023 budget. **(ACTION ITEM)**

Documents:

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

## **19. BID ACCEPTANCE/CONTRACT – MARSHALL PUBLIC LIBRARY ELEVATOR MODERNIZATION PROJECT**

Council may wish to consider the recommendations of staff for the following requests regarding the Marshall Public Library Elevator Modernization Project: **(ACTION ITEM)**

- a) Accept the only responsive bid received from TK Elevator, for the total bid amount of \$103,769.81; and if the bid is accepted
- b) Authorize the Mayor's signature on an agreement between the City of Pocatello and TK Elevator in the amount of \$103,769.81 for the Marshall Public Library Elevator Modernization Project, subject to Legal Department review.

Funding for the project has been previously approved by Council.

Documents:

[\*\*AGENDA-ITEM-19.PDF\*\*](#)

## **20. WPC OPERATIONS BUILDING PROJECT CONTRACT AND PROFESSIONAL SERVICES AGREEMENT AMENDMENT**

Council may wish to accept the recommendation of staff for the following requests regarding the Water Pollution Control (WPC) Operations Building Project: **(ACTION ITEM)**

- a) Accept the low responsive bid and award the bid for construction of the WPC Operations Building project to Construction Solutions Company in the amount of \$3,363,990.00; and
- b) Approve Amendment #5 to the WPCF Package #1 Improvements Professional Services Agreement with Keller Associates in the amount of \$246,010.00 and authorize the Mayor' signature on all applicable documents, including Change Orders up to five (5) percent of the project total, subject to Legal Department review.

Documents:

[\*\*AGENDA-ITEM-20.PDF\*\*](#)

## **21. AIRPORT REVENUE GUARANTEE AGREEMENT – AIRPORT**



Council may wish to approve a minimum revenue guarantee with Delta Airlines of up to \$500,000 for the period of September 5, 2023 through March 5, 2024, for twice daily service between Pocatello and Salt Lake City and authorize the Mayor's signature on all pertinent documents, subject to legal Department review.

**(ACTION ITEM)**

Documents:

**[AGENDA-ITEM-21.PDF](#)**

## **22. FISCAL YEAR 2024 DEPARTMENTAL FEE RESOLUTION**

Council may wish to adopt a resolution with exhibits (a) through (y) setting fees for Fiscal Year 2024 (October 1, 2023 through September 30, 2024). **(ACTION ITEM)** The exhibits are:

- a. POCATELLO REGIONAL AIRPORT FEES
- b. ALCOHOLIC BEVERAGE LICENSES FEES
- c. ANIMAL SERVICES FEES
- d. BUSINESS LICENSE FEES
- e. CEMETERY FEES
- f. CHILDREN GROUP TREATMENT CENTER FEES
- g. FEES FOR COMMERCIAL ACTIVITIES IN PARKS AND PUBLIC PLACES
- h. CONSTRUCTION TRADE FEES
- i. CHILD CARE LICENSE FEES
- j. DEVELOPMENT REIMBURSEMENT FEES
- k. ENGINEERING REVIEW SERVICE FEES
- l. FIRE DEPARTMENT FEES
- m. GEOGRAPHICAL INFORMATION SERVICE FEE
- n. PARKS AND RECREATION PROGRAM, RENTAL AND ADMISSION FEES FOR PARKS AND RECREATION ACTIVITIES
- o. PARKS AND RECREATION FACILITY USE FEES
- p. PLANNING AND DEVELOPMENT SERVICE FEES
- q. POLICE DEPARTMENT FEES

- r. PUBLIC RECORD FEES
- s. SANITATION DEPARTMENT FEES
- t. EROSION AND SEDIMENT CONTROL (ESC) FEES
- u. POCATELLO REGIONAL TRANSIT SYSTEM FEES
- v. UTILITY BILLING DEPARTMENT FEES
- w. WATER DEPARTMENT FEES
- x. WATER POLLUTION CONTROL DEPARTMENT FEES
- y. ZOO IDAHO PROGRAM, RENTAL AND ADMISSION FEES

Documents:

[\*\*AGENDA-ITEM-22.PDF\*\*](#)

## **23. ORDINANCES**

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.

Ordinances ready for reading:

23(a): An ordinance vacating and abandoning the public's interest in approximately .34 acres of right-of-way located at 1620 Sunset Road and distributing said vacated land to the adjoining property owner, Evelyn M. Richmond. Said vacation was approved by City Council Decision dated August 3, 2023 and all conditions therein have been met. **(ACTION ITEM)**

23(b): An ordinance amending Pocatello Municipal Code Title 5 Chapter 28.210 "Basis for Denial, Suspension, or Revocation" to expand the type of licensing required by a psychologist for evaluating an applicant with mental health disorders. **(ACTION ITEM)**

23(c): An ordinance amending Pocatello Municipal Code Title 13 Chapters 20.030 "Wastewater Discharge Permit Application", 20.125 "Signatory and Certification Requirement", 20.135 "Wastewater Discharge Permit Contents", and 20.180 "Periodic Compliance Report" based on findings of an audit conducted by the Department of Environmental Quality. **(ACTION ITEM)**

23(d) An ordinance amending Pocatello Municipal Code Title 2 Chapter 2.06.050 "Compensation of Mayor and Council Members" to update compensation and provide clarity to existing benefits for City Council members. **(ACTION ITEM)**

23(e) An ordinance amending Pocatello Municipal Code Title 2 Chapter 2.06.050 "Compensation of Mayor and Council Members" to update compensation and provide clarity to existing benefits for Mayor. **(ACTION ITEM)**

23(f): An ordinance approving the Fiscal Year 2024 Appropriation Ordinance. **(ACTION ITEM)** (The whole ordinance needs to be published.)

Documents:

[AGENDA-ITEM-23.PDF](#)

**24. ADJOURN**