

AGENDA

CITY OF POCA TELLO REGULAR CITY COUNCIL MEETING

October 5, 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.

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; 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.**

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, representing 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. **(ACTION ITEM)**

(a) **MATERIAL CLAIMS:** Council may wish to approve the Material Claims for the period of September 16-30, 2023.

(b) **HISTORIC PRESERVATION COMMISSION REAPPOINTMENT:** Council may wish to confirm the Mayor's reappointment of Ruta Casabianca to continue serving as a member of the Historic Preservation Commission. Ruta's term will begin October 16, 2023 and will expire October 16, 2026.

(c) **POCATELLO REGIONAL AIRPORT COMMISSION APPOINTMENT:** Council may wish to confirm the Mayor's appointment of Patricia Francisco to serve as a member of the Pocatello Regional Airport Commission, replacing Mike Ennis who resigned. Patricia Francisco's term will begin October 6, 2023 and will expire December 8, 2025.

(d) **COUNCIL DECISION - FINAL PLAT APPROVAL BROCK PLACE SUBDIVISION:** Council may wish to adopt its decision approving the subdivision of approximately 4.69 acres of land into forty-six (46) lots, generally located southeast of the intersection of Brock Drive and Philbin Road, subject to conditions.

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. DAYCARE EMPLOYEE LICENSE DENIAL APPEAL – MADISON SAXTON

Madison Saxton will be present to appeal the revocation of her Childcare Employee License which was revoked by the Police Department. **(ACTION ITEM)**

7. PUBLIC HEARING/RESOLUTION – FORGONE BALANCE

This time has been set aside for the Council to hear comments from the public regarding the proposal to reserve the forgone amount for Fiscal Year 2024 in the amount of \$589,827.00 for potential use in subsequent years as described in Idaho Code §63-802. Following the public hearing, Council may wish to adopt a Resolution to reserve the forgone amount of \$589,827.00 for potential use in subsequent years in accordance with Idaho Code §63-802. (Legislative Public Hearing) **(ACTION ITEM)**

Documents:

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

8. FINAL PLAT APPLICATION – JAZMINE ESTATES 1ST ADDITION SUBDIVISION

Council may wish to approve a final plat application submitted by Sweat Equity Investments, LLC (mailing address: 13104 West Tyhee Road, Pocatello, ID 83202) to subdivide 6.56 acres (more or less) into thirteen (13) lots. The proposed subdivision is located east of the intersection between Jazmine Street and Dolostone Drive. Staff finds the proposal compliant with all applicable standards of Pocatello Municipal Code assuming compliance with the conditions listed in the staff report. **(ACTION ITEM)**

Documents:

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

9. BUREAU OF RECLAMATION WATERSMART PLANNING AND PROJECT DESIGN GRANT APPLICATION AND RESOLUTION

Council may wish to adopt a Resolution and approve a grant application for the Bureau of Reclamation's WaterSMART Planning and Project Design Grant for Fiscal Year 2023/2024 for the Portneuf River Oxbow Restoration Project and, if awarded, authorize acceptance of the grant and approve the Mayor's signature on all pertinent documents, subject to Legal Department review. The total project cost is \$522,500 and requires a 25% match equal to \$130,625. **(ACTION ITEM)**

Documents:

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

10. ADDENDUM TO ITD COOPERATIVE AGREEMENT AND RESOLUTION – SOUTH 5TH ADA IMPROVEMENTS PROJECT

Council may wish to adopt a Resolution and approve an Addendum to Cooperative Agreement with Idaho Transportation Department and authorize the Mayor's signature on all applicable documents, subject to Legal Department review. This addendum will modify the cooperative Agreement approved by Council on May 20, 2021 for ADA ramps on South 5th Avenue. **(ACTION ITEM)**

Documents:

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

11. TRANSITION OF TIMECLOCK PLUS (TCP) FOR CLOUD-BASED SOFTWARE MANAGEMENT

Council may wish to accept the recommendations of staff and approve an agreement with CentralSquare Technologies, LLC, for transition to and ongoing cloud-based management of TimeClock Plus timekeeping software, subject to Legal Department review.

Cost for the transition to cloud-based services in the amount of \$20,850.00 and ongoing maintenance fees in the amount of \$34,200.00, will be funded through the Information Technologies (IT) Department. (ACTION ITEM)

Documents:

AGENDA-ITEM-11.PDF

12. PROFESSIONAL SERVICES AGREEMENT – RAFTELIS FINANCIAL CONSULTANTS, INC.

Council may wish to approve a Professional Service Agreement with Raftelis Financial Consultants, Inc., for the preparation of a current rate study for an amount not to exceed \$124,970.00 and authorize the Mayor's signature on all applicable documents, including change orders, subject to Legal Department review. The services provided will be a five-year rate study to revise and update the previous study and will include rates for Water, Water Pollution Control and Sanitation services. Funds for the study have been budgeted in the Department Funds. **(ACTION ITEM)**

Documents:

AGENDA-ITEM-12.PDF

13. BID ACCEPTANCE/CONTRACTS – PICKLEBALL COURTS

Council may wish consider the recommendations of staff for the following requests regarding the Pickleball Courts Project:
(ACTION ITEM)

a) Accept the low responsive bids and award the bids to the following: 1) Bigfoot Idaho for Surfacing and Netting, in the amount of \$70,500.00; 2) Monroe Fence, Inc. for Fencing in the amount of \$33,895.00 and 3) Bear River Electric, LLC for Lighting in the amount of \$106,667.00; and

b) Authorize the Mayor's signature on all applicable documents, subject to Legal Department review.

Documents:

AGENDA-ITEM-13.PDF

14. RESOLUTION TO REJECT ALL BIDS – ROSS PARK WATER SLIDE PROJECT

Council may wish to accept the recommendation of staff and adopt

a Resolution rejecting all bids received in response to the Ross Park Water Slide solicitation and declaring that the project can be performed more economically by purchasing goods and services on the open market pursuant to Idaho Code 67-2805, et al.

(ACTION ITEM)

Documents:

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

15. RESOLUTION TO REJECT ALL BIDS – OK WARD PARK SPLASH PAD PROJECT

Council may wish to accept the recommendation of staff and adopt a Resolution rejecting all bids received in response to the OK Ward Park Splash Pad solicitation and declaring that the project can be performed more economically by purchasing goods and services on the open market pursuant to Idaho Code 67-2805, et al.

(ACTION ITEM)

Documents:

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

16. 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.

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.

Ordinance ready for reading:

16: An ordinance amending Pocatello Municipal Code Title 13 Chapters 13.28.020 “Garbage Collection Service”; 13.28.030 “Municipal Garbage and Refuse Collection and Disposal Service Compulsory”; 13.28.060 “Location of Collection Point”; 13.28.080 “Regulations for Garbage/Refuse Hauling, Hauling of Other Items, and Recycling Operations”; 13.28.090 “Containers, Storage Sites, Location of Collection Point”; 13.28.130 “Removal of Unapproved Containers”; 13.28.140 “Review of Customer Service”; 13.28.170 “Construction Debris and Household Hazardous Waste”; 13.28.180 “Unauthorized Material”; 13.28.210 “Suppression of Nuisances”; 13.28.220 “Interfering with Sanitation Superintendent”; and 13.28.230 “Fees, Rates, and Charges” to provide clarity to current policies and regulations associated with the City of Pocatello Sanitation Department **(ACTION ITEM)**

Documents:

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

17. ADJOURN

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.