

AGENDA

CITY OF POCATELLO REGULAR CITY COUNCIL MEETING

October 6, 2022 • 6:00 PM
Council Chambers | 911 North 7th Avenue

During low/medium COVID-19 community level designations, individuals are encouraged, but not required, to wear masks/face coverings.

During high COVID-19 community level designations, individuals will be required to wear masks/face coverings.

**The meeting will be live-streamed at:
<http://streaming.pocatello.us/> 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 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 "ITEMS FROM THE AUDIENCE." 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 Mike Popovich, representing First Baptist 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 consider Material Claims for the period of September 10 through September 30, 2022.

(b) GOLF ADVISORY COMMITTEE REAPPOINTMENT: Council may wish to confirm the Mayor's reappointment of Billy Satterfield to continue serving on the Golf Advisory Committee. Billy's term will begin October 22, 2022 and will expire October 22, 2025.

(c) PARKS AND RECREATION ADVISORY BOARD APPOINTMENT: Council may wish to confirm the Mayor's appointment of Kathryn Hickok to serve on the Parks and Recreation Advisory Board. Kathryn's term will begin October 7, 2022 and expire October 7, 2024.

(d) POCATELLO REGIONAL AIRPORT COMMISSION APPOINTMENT: Council may wish to confirm the Mayor's appointment of Norris Ganstrom to serve as a member of the Pocatello Regional Airport Commission.

Norris' term will begin October 7, 2022 and expire October 7, 2024.

(e) COUNCIL DECISION – WESTERN SKIES DIVISION 3 FINAL PLAT APPROVAL: Council may wish to adopt its decision to approve the final plat for Western Skies Division 3 to subdivide approximately 22.5 acres of land into fifty-five (55) lots, one of which will be non-buildable, subject to conditions. The subdivision will be accessed from extensions of Eastpointe Drive and Marinus Lane to the north with Eastpointe Drive connecting to Basalt Drive to the west. A new road to be named Grassland Road will be stubbed to Lot 20, Block 5.

(f) POLICE PERSONNEL ADMINISTRATION RULES: Council may wish to approve proposed changes to the Pocatello Police Department Personnel Administration Rules (PAR).

Documents:

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

4. CONFIRMATION OF COUNCIL MEMBER APPOINTMENTS – NICHOLS AND MANGUM

Council may wish to confirm the Mayor's appointments of the following:
(ACTION ITEM)

a) Appoint Brent Nichols to serve as a City Council member fulfilling the unexpired term of Claudia Ortega, City Council member Seat No. 2, with the appointment to be effective October 6, 2022.

b) Appoint Corey Mangum to serve as a City Council member fulfilling the unexpired term of Roger Bray, City Council member Seat No. 3, with the appointment to be effective October 6, 2022.

Upon confirmation, Konni Kendell, City Clerk, will administer the oath of office for each member.

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 LICENSE DENIAL APPEAL – YOUNG

Maddison Young will be present to appeal the decision of Pocatello Police Department staff which denied Maddison a Daycare License. **(ACTION ITEM)**

7. PUBLIC HEARING – NORTH 6TH AVENUE RIGHT-OF-WAY VACATION REQUEST

This time has been set aside for the Council to hear comments from the public regarding a request by Bannock County, (mailing address: 624 East Center Street, Pocatello, ID 83201), represented by Hal W. Jensen, for the vacation of the right-of-way of North 6th Avenue between East Clark Street and East Center Street. **(ACTION ITEM)**

Documents:

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

8. EMPLOYEE ASSISTANCE PROGRAM SERVICES AGREEMENT

Council may wish to approve the Mayor's signature, subject to Legal Department review, on a contract with CuraLinc for the Employee Assistance Program as discussed at the May 26, 2022 Budget Development meeting. The cost per month for sworn officers, emergency communication officers, evidence technicians and sworn firefighting personnel is \$16.00 per person and \$3.10 per person for general employees. This is a three (3) year contract and has been budgeted in the Fiscal Year 2023 Budget. **(ACTION ITEM)**

Documents:

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

9. MEMORANDUM OF UNDERSTANDING (MOU) – FIREFIGHTERS LOCAL UNION #187

Council may wish to approve a Memorandum of Understanding amending the Collective Bargaining Agreement entered November 4, 2021 amending Article 18, Section D and deleting Article 28, Section 1. **(ACTION ITEM)**

Documents:

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

10. PIGGYBACK BID ACCEPTANCE – SOURCEWELL CONTRACT FOR CATERPILLAR EXCAVATOR LEASE – WATER DEPARTMENT

Council may wish to consider piggybacking Sourcewell's competitively bid contract #032119-CAT via Caterpillar, Inc. for the lease of one (1) new CAT Track Excavator 330 consisting of five (5) annual payments of \$33,858.03 with a scheduled balloon payment in year six (6) in the amount of \$224,999.98. The cost has been budgeted in the Water Department budget. Council may also wish to authorize the Mayor's signature on all applicable documents pertaining to the lease, subject to Legal Department review. **(ACTION ITEM)**

Documents:

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

11. BID ACCEPTANCE FOR TRANSMISSION LINE REPLACEMENT FOR 5 MILLION GALLON TANK (5MG) – WATER DEPARTMENT

Council may wish to consider the recommendations of staff and award the bid for the Transmission Line Replacement for 5MG Tank project to Timberlake Construction, LLC, in the amount of \$3,228,912.30 and authorize the Mayor to execute all contract documents, including Change Orders up to five percent (5%) of the project total, subject to Legal Department review. **(ACTION ITEM)**

Documents:

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

12. DECLARATION OF SURPLUS PROPERTY – 1.4 ACRES LOCATED AT RIVERSIDE DRIVE AND ASPEN LANE

Council may wish to declare a 1.4 acre parcel of City-owned property located at the corner of Riverside Drive and Aspen Lane as underutilized and further declare their intent to exchange said property for real property of equal value. **(ACTION ITEM)**

Documents:

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

13. STATE/LOCAL AGREEMENT – FLANDRO DRIVE SAFETY IMPROVEMENTS PROJECT AGREEMENT – IDAHO TRANSPORTATION DEPARTMENT

Council may wish to approve a State and Local Agreement between the City of Pocatello and the State of Idaho Transportation Department for the Flandro Drive Safety Improvements Project and authorize the Mayor's signature on all applicable documents, subject to Legal Department review. Council may also wish to authorize the use of funds, in the amount of \$4,000.00 for the required match for the project. Funds for the match are available in Fund 70. Funds for the project have been previously awarded by a Local Highway Safety Improvement Program. **(ACTION ITEM)**

Documents:

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

14. INTERMOUNTAIN GAS EASEMENT – FORE ROAD RESERVOIR YARD

Council may wish to approve and authorize the Mayor to sign a utility easement with Intermountain Gas for a proposed gas regulator station at the Reservoir Yard located off of Fore Road, subject to Legal Department review. The value of the 450-square foot easement is \$250.00. **(ACTION ITEM)**

Documents:

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

15. LAND PURCHASE AGREEMENT FOR WATER DEPARTMENT WELL FACILITY – WATER DEPARTMENT

Council may wish to approve and authorize the Mayor to sign all pertinent documents, subject to Legal Department review, authorizing the purchase of a .36 acre parcel of land described as Lot 1 Block 1 Hiline Partnership as a potential site for a future water well facility. The purchase price is \$81,000.00 and funds are available in Water Department reserves. **(ACTION ITEM)**

Documents:

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

16. FIRE DEPARTMENT AERIAL APPARATUS PURCHASE AGREEMENT

Council may wish to approve and authorize the Mayor's signature on all

pertinent purchase documents for the procurement of a Pierce Aerial Apparatus for the Fire Department in the amount of \$1,829,481.00. Funds are available in the Fiscal Year 2023 Fire Department budget. **(ACTION ITEM)**

Documents:

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

17. 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:

17. a) An ordinance annexing approximately 22.97 acres of land to extend the Pocatello city limits west of I-15 and south of I-86. **(ACTION ITEM)**

17. b) An ordinance annexing approximately 165 acres of land to extend the Pocatello city limits north of Highway 91, south of South Valley Road, east of Bannock Highway and west of I-15. **(ACTION ITEM)**

17. c) An ordinance rezoning approximately .41 acres of land located at 1737 North Harrison from zoning designation Light Industrial (LI) to Residential Commercial Professional (RCP). **(ACTION ITEM)**

Documents:

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

18. ITEMS FROM THE AUDIENCE

This time has been set aside to hear items from the audience not listed on the agenda. Items which appeared somewhere else on the agenda will not

be heard 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 may 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.
 - 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.