

## AGENDA

CITY OF POCATELLO

REGULAR CITY COUNCIL MEETING

SEPTEMBER 19, 2019 - 6:00 PM

COUNCIL CHAMBERS  
911 NORTH 7<sup>TH</sup> 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.

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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.us](mailto:sbeebe@pocatello.us); 208.234.6248 or 5815 South 5<sup>th</sup> 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.**

*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.*

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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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AGENDA ITEM NO.            1:     ROLL CALL AND PLEDGE OF ALLEGIANCE.

AGENDA ITEM NO.            2:     INVOCATION: The invocation will be offered by Pastor Jacqueline Thomas, Praise Temple of God.

AGENDA ITEM NO. 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) TREASURER'S REPORT: Council may wish to consider the Treasurer's Report for August showing cash and investments as of August 31, 2019.
- (b) POCATELLO DEVELOPMENT AUTHORITY APPOINTMENT: Council may wish to confirm the Mayor's appointment of David Villarreal, Jr. to serve as a member of the Pocatello Development Authority, replacing Matt Bloxham who resigned. Mr. Villarreal's term will begin September 20, 2019 and will expire May 1, 2023.
- (c) SISTER CITIES COMMITTEE APPOINTMENT: Council may wish to confirm the Mayor's appointment of Chanel Quirk to serve as a member of the Japanese Sister Cities Subcommittee. Ms. Quirk's term will begin September 20, 2019 and will expire September 20, 2023.
- (d) RESOLUTION AMENDING DRUG/ALCOHOL TESTING POLICY: Council may wish to adopt a resolution amending the City's Drug/Alcohol Testing Policy, previously adopted in December, 2018, for employees whose positions require a Commercial Driver's License, (not Transit Authority related). This amendment updates the job titles listed in Appendix "A", which are subject to drug/alcohol testing.
- (e) ADOPTION OF CITY EMPLOYEE SAFETY FOOTWEAR PROGRAM/POLICY: Council may wish to adopt the City Employee Safety Footwear Program/Policy as presented at the September 12, 2019 Work Session. This policy establishes standards for an employee footwear allowance as outlined in the City's Fiscal Year 2020 Budget.
- (f) COUNCIL DECISION-ARMSTRONG LEGACY DIVISION NO. 2 SHORT PLAT: Council may wish to adopt its decision approving the short plat for Armstrong Legacy Division No. 2, which subdivides approximately 2.97 acres of land into three (3) residential lots, subject to conditions. The property is located north of Grant Street and west of Bannock Highway.

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AGENDA ITEM NO. 4: COMMUNICATIONS AND PROCLAMATIONS:

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AGENDA ITEM NO. 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.

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AGENDA ITEM NO. 6: APPOINTMENT CONFIRMATION FOR CHIEF FINANCIAL OFFICER/CITY TREASURER – WELSH: Council may wish to confirm the Mayor’s appointment of Ashley Linton-Welsh as Chief Financial Officer/City Treasurer, effective September 20, 2019. **(ACTION ITEM)**

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**PUBLIC HEARINGS: The procedure that will be used for conducting the public hearings is at the end of the agenda.**

AGENDA ITEM NO. 7: PUBLIC HEARING – PROPOSED FISCAL YEAR 2019 SEPTEMBER BUDGET AMENDMENTS: This time has been set aside for the Council to receive public comments on Proposed Fiscal Year 2019 Budget amendments as discussed at the September 12, 2019 Work Session. An ordinance has been prepared for Council’s consideration under Agenda Item No. 9. **(ACTION ITEM)** (Legislative Public Hearing)

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AGENDA ITEM NO. 8: BID/AGREEMENT – POCATELLO CREEK RESTORATION PROJECT: Council may wish to consider the recommendations of staff for the following requests regarding the Pocatello Creek Restoration Project. **(ACTION ITEM)**

- (a) Accept the low responsive bid received on August 26, 2019 from TDX Power Services, LLC in the amount of \$39,760.00; and if the bid is accepted
- (b) Authorize the Mayor’s execution of the Agreement between the City of Pocatello and TDX Power Services, LLC in the amount of \$39,760.00 for the Pocatello Creek Restoration Project, subject to Legal Department review. (City’s portion will be \$4,760.00.)

The services provided will be construction of stream restoration treatments at three locations along Pocatello Creek located near Fire Station No. 3 on Pocatello Creek Road. If approved, the work will begin middle of October and will be completed within or before 30 days from the start date. Funds for this project are budgeted and available in the Science and Environment Division and a Grant provided by the Idaho Water Resources Board Flood Management Grant Program.

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### 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.

AGENDA ITEM NO. 9: 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.

An ordinance ready for reading.

9. An ordinance approving an amendment to the Fiscal Year 2019 Appropriations Ordinance increasing the total Fiscal Year expenditures by \$4,791,074.00 to account for additional revenues, including grant funds received by the City and to use previously unappropriated cash balances for unanticipated expenses incurred by the City. **(Whole ordinance will need to be published.) (ACTION ITEM)**

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AGENDA ITEM NO.            10:    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.)

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AGENDA ITEM NO.            11:    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 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.