

AGENDA

CITY OF POCA TELLO

REGULAR CITY COUNCIL MEETING

OCTOBER 21, 2021 - 6:00 PM

COUNCIL CHAMBERS
911 NORTH 7TH AVENUE

*Limited in-person attendance is allowed,
but due to COVID-19 guidelines,
strict social distancing measures are in place.*

MASKS/FACE COVERINGS ARE REQUIRED.

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 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.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.

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

AGENDA ITEM NO. 2: INVOCATION: A moment of silence will be observed.

- 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) MINUTES: Council may wish to waive the oral reading of the minutes and approve the minutes from the May 13, 2021 Work Session.
 - (b) GOLF ADVISORY COMMITTEE APPOINTMENT: Council may wish to confirm the Mayor's appointment of John McCloskey to serve as a member of the Golf Advisory Committee, replacing Larry Morton whose term expired. John's term will begin October 22, 2021 and will expire October 22, 2024.
 - (c) HISTORIC PRESERVATION COMMISSION APPOINTMENT: Council may wish to confirm the Mayor's appointment of Denis Clijsters to serve as a member of the Historic Preservation Commission, replacing Joshua Kiggins who resigned. Denis' term will begin October 22, 2021 and will expire August 6, 2024.
 - (d) PLANNING AND ZONING COMMISSION APPOINTMENTS: Council may wish to confirm the Mayor's appointments of Marjanna Hulet and Whitney Fenwick to serve as members of the Planning and Zoning Commission, replacing Cyndi Andersen and Taylor Wood. Marjanna's term will begin October 22, 2021 and will expire July 2, 2025. Whitney's term will begin October 22, 2021 and will expire November 6, 2024.
 - (e) POLICE PERSONNEL ADMINISTRATION RULES: Council may wish to approve proposed changes to the Pocatello Police Department Personnel Administration Rules (PAR).
 - (f) COUNCIL DECISION – BONNEVILLE COMMONS FINAL PLAT APPROVAL: Council may wish to adopt its decision approving the final plat for Bonneville Commons, which subdivides approximately 1.87 acres of land into 25 lots, which will consist of 20 residential lots, four (4) open space lots and one (1) lot to be used for private drives. The subdivision is zoned Residential/Commercial/Professional (RCP) and will be accessed from East Fremont Street, East Lander Street, North 8th Avenue and North 9th Avenue
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- AGENDA ITEM NO. 4: 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. 5: PUBLIC HEARING – COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM YEAR 2022 NEEDS HEARING: This time has been set aside for the Council to hear comments from citizens and organizations on any housing or non-housing community development needs they have identified that should be prioritized and included in the Program Year 2022 Annual Action Plan. (Legislative Public Hearing) **(ACTION ITEM)**

(Pertinent information attached.)

- AGENDA ITEM NO. 6: PUBLIC HEARING – CITY INITIATED TEXT AMENDMENT TO TITLE 17 – ZONING REGULATIONS: This time has been set aside for the Council to hear comments from the public regarding amendments to Title 17 – Zoning Regulations related to Maximum Height Limits. (Legislative Public Hearing) **(ACTION ITEM)**

(Pertinent information attached.)

- AGENDA ITEM NO. 7: RURAL GRANT 5311 AND 5339 FORMULA GRANT APPLICATIONS – PUBLIC TRANSIT: Council may wish to approve the following grant applications for rural 5311 and 5339 formula grants and if awarded, authorize the mayor to sign related contract documents and authorize the Public Transit Director to execute the grants and any necessary amendments, subject to award confirmation, Legal Department review and budget amendments. No City funds are used for the rural program. **(ACTION ITEM)**

- a) 5311 two-year operating funding in the amount of \$2,114,838.00. The Federal share is \$1,474,028.44 with a required local match of \$640,809.56
- b) 5339 capital funding in the amount of \$525,000.00 for the purchase of four (4) buses. The Federal share is \$420,000.00 with a required local match of \$105,000.00.

Sufficient matching funds are available in Fund 0008 for the purchase of the associated buses.

(Pertinent information attached.)

- AGENDA ITEM NO. 8: WESTERN STATES FIRE MANAGER GRANT SUB-RECIPIENT APPLICATION – FIRE DEPARTMENT: Council may wish to approve a request to apply for a \$300,000.00 Western States Fire Manager Grant as a sub-recipient of a proposal submitted by Idaho Department of Lands (IDL) and if awarded, authorize the Mayor’s signature on any related documents, subject to Legal Department review. The grant will be overseen by IDL and requires a 10% match which will be met through homeowners’ contributions and in-kind services from staff. The reimbursement grant will be used to help homeowners create defensible space around their property in the Johnny Creek area, help reduce fuel loads in the area and provide training and education to homeowners. The grant period is three (3) years and if approved, work would commence in fall of 2022. **(ACTION ITEM)**

(Pertinent information attached.)

- AGENDA ITEM NO. 9: BID ACCEPTANCE OF POCATELLO CREEK BOOSTER AND TRANSMISSION LINE PROJECT – WATER OPERATIONS DEPARTMENT: Council may wish to accept the recommendations of staff and award the bid for the Pocatello Creek Booster and Transmission Line project to IMCO General Construction, Inc. in the amount of \$11,579,980.00, and allow the Mayor to execute contract documents. The construction duration for the project is a total of 18-months, therefore adequate funds to begin this project are within the established Fiscal Year 22 budget amount of \$10,307,000.00, and the remaining funds will be budgeted for completion in Fiscal Year 2023. **(ACTION ITEM)**

(Pertinent information attached.)

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. 10: 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:

- 10(a): An ordinance annexing approximately 122.80 acres of land to extend the Pocatello city limits east of the Greenfield and Crestview Subdivisions and north of High Country Subdivision 1st Addition. This annexed property will be zoned Residential Low Density with an amendment to the Comprehensive Plan Map designation from Mixed Use to Residential. **(ACTION ITEM)**
- 10(b): An ordinance abandoning and vacating the public's interest in a portion of a utility easement located across Lots 1 through 12, Block 1, Roper Subdivision, and a ten-foot (10-foot) wide power easement granted to Idaho Power located in Lot 3, Block 1, Prime Time Subdivision. **(ACTION ITEM)**

(Pertinent information attached.)

AGENDA ITEM NO. 11: 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 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.)

AGENDA ITEM NO. 12: 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 the hearing.
3. Presentation by applicant.
Note: Remember, applicant bears the responsibility for making their 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 to the application.

8. Testimony by those opposed 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.