

AGENDA

CITY OF POCA TELLO REGULAR CITY COUNCIL MEETING

March 17, 2022 • 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.

DURING LOW/MEDIUM COMMUNITY LEVEL DESIGNATIONS, INDIVIDUALS ARE ENCOURAGED, BUT NOT REQUIRED, TO WEAR MASKS/FACE COVERINGS.

DURING HIGH 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 President Shad Johnson, representing The Church of Jesus Christ of Latter-day Saints.

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 time period of March 1, 2022 through March 11, 2022.

(b) TREASURER'S REPORT: Council may wish to consider the Treasurer's Report for January 2022 showing cash and investments as of January 31, 2022.

(c) HISTORIC PRESERVATION COMMISSION APPOINTMENT: Council may wish to confirm the Mayor's appointment of Tabatha Butler to serve as a member of the Historic Preservation Commission. Tabatha's term will begin March 18, 2022 and will expire March 18, 2025.

(d) HOUSING ALLIANCE AND COMMUNITY PARTNERSHIPS (HACP)

APPOINTMENT: Council may wish to confirm the Mayor's appointment of Crystal Lively to serve as the resident representative on the HACP Board of Directors. Crystal's term will begin March 18, 2022 and expire September 3, 2026.

(e) COUNCIL DECISION – ANNEXING APPROXIMATELY 45.94 ACRES OF LAND LOCATED EAST OF I-15, SOUTH OF VENTURE WAY AND WEST OF THE PORTNEUF WELLNESS COMPLEX: Council may wish to adopt its decision annexing approximately 45.94 acres of land located east of I-15, south of Venture Way and west of the Portneuf Wellness Complex. The subject property will be zoned Office Park (OP) and Residential Commercial Professional (RCP).

(f) COUNCIL DECISION – ANNEXING 18.69 ACRES OF LAND LOCATED NORTH OF VISTA DRIVE: Council may wish to adopt its decision approving the annexation of a parcel of land comprised of 18.69 acres. This parcel is located north of Vista Drive and will be zoned Residential Medium Density Single-Family (RMS) with a concurrent Comprehensive Plan Land Use designation of Residential (R).

(g) COUNCIL DECISION – APPROVAL OF ZONING DESIGNATION AMENDMENT FOR APPROXIMATELY 3.05 ACRES OF LAND LOCATED AT 600 JEFFERSON STREET: Council may wish to adopt its decision approving the request from Dakota Worrell to amend the zoning designation of approximately 3.05 acres of land located at 600 Jefferson Street from Residential Medium Density Single –Family (RMS) to Residential Commercial Professional (RCP).

(h) COUNCIL DECISION – TRAIL CREEK TOWNHOUSES – DIVISION 1 FINAL PLAT APPROVAL: Council may wish to adopt its decision approving the final plat for Trail Creek Townhouses – Division 1, which subdivides 6.65 acres of land into sixty-two (62) lots, with two (2) lots as common areas. This property is located within a Residential Commercial Professional (RCP) zoning district and will be accessed from the intersection of Gathe Drive and Foothill Boulevard.

(i) B.I.D. MANAGEMENT AGREEMENT - HISTORIC DOWNTOWN POCATELLO, INC.: Council may wish to approve a renewal of the Management Agreement with Historic Downtown Pocatello, Inc., subject to Legal Department review, to administer and manage the operations of the

Business Improvement District (B.I.D.). Council may also wish to acknowledge that they have reviewed the employment agreement of Stephanie Palagi with Historic Downtown Pocatello, Inc. as provided for in the management agreement.

Documents:

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

4. PROCLAMATION

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. CHILD CARE LICENSE DENIAL APPEAL – WENDY LABARGE

Wendy Labarge will be present to appeal the denial of a City Child Care License application which was denied by the Police Department.

(ACTION ITEM)

7. APPOINTMENT CONFIRMATION OF FIRE CHIEF – O’HEARN

Council may wish to confirm the Mayor’s appointment of Ryan O’Hearn as Fire Chief, effective March 17, 2022. **(ACTION ITEM)**

8. PUBLIC HEARING – POCATELLO DOWNTOWN DEVELOPMENT PLAN

This time has been set aside for the Council to hear comments from the public regarding the Pocatello Downtown Development Plan. Council may wish to adopt the proposed document as an official City plan. **(ACTION ITEM)** (Legislative Public Hearing)

Documents:

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

9. EMPLOYEE HANDBOOK AMENDMENT REQUESTS – HUMAN RESOURCES

Council may wish to consider approving the following changes to the

Employee Handbook: **(ACTION ITEM)**

- a) Include the new federal holiday, Juneteenth, to the City's recognized holiday schedule as discussed at the February 10, 2022 Work Session.
- b) Remove the 12.5 odometer mile requirement from designated immediate response personnel as discussed at the March 10, 2022 Work Session.

Documents:

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

10. IFFT GRANT APPLICATION RATIFICATION – PARKS AND RECREATION DEPARTMENT

Council may wish to approve the following requests related to an improvement project at the Raymond Park Courts, which would convert two (2) existing tennis courts into six (6) dedicated pickleball courts:

- a) Ratify an Ifft Grant application in the amount of \$10,000.00, which had a submission due date of March 165, 2022; and if the grant is awarded
- b) Authorize acceptance of the grant and authorize the Mayor's signature on documents related to the grant, subject to Legal Department review.

There is no City match requirement. **(ACTION ITEM)**

Documents:

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

11. CITY ENTRANCE SIGNAGE PROJECT

Council may wish to approve the use of City staff time for the removal of signage and installation of signage and landscaping at up to five (5) City entrance locations, as presented at the February 10, 2022 Work Session. **(ACTION ITEM)**

Documents:

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

12. MEMORANDUM OF UNDERSTANDING (MOU) RATIFICATION FOR RUSSIAN OLIVE REMOVAL REIMBURSEMENT – IDAHO DEPARTMENT OF LANDS

Council may wish to ratify the execution of a Memorandum of Understanding between the City of Pocatello and Idaho Department of Lands, subject to Legal Department review. The MOU provides for reimbursement of \$60,000.00 for expenses related to Russian Olive removal in the City Creek area. The contract for the work has been previously approved by Council and is in process. The required 10% match will be provided through in-kind services. **(ACTION ITEM)**

Documents:

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

13. AIRPORT TRANSPORTATION AGREEMENT – AIRPORT

Council may wish to consider the following:

- a) Approve and authorize the Mayor to sign a transportation agreement with SkyWest Airlines to provide once daily air service between Pocatello and Salt Lake City. If costs exceed revenue, the City will pay a subsidy to SkyWest for the service. The term of the agreement will be 12 months or until the subsidy funds have been exhausted, whichever comes first. The maximum subsidy for the 12-month period is \$800,000.00; and
- b) Approve the use of Airport reserve funds, up to a maximum of \$800,000.00 as needed for operational costs during the 12-month period. **(ACTION ITEM)**

Documents:

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

14. IDAHO POWER EASEMENT – POCATELLO REGIONAL AIRPORT

Council may wish to approve and authorize the Mayor to sign, subject to Legal Department review, an Idaho Power utility easement at the Pocatello Regional Airport. **(ACTION ITEM)**

Documents:

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

15. PIGGY-BACK BID ACCEPTANCE AND PURCHASE OF SPACESAVER SHELVING FOR EVIDENCE STORAGE ROOMS – POLICE DEPARTMENT

Council may wish to consider a piggy-back bid, Sourcewell Contract #010920-SPC, for the purchase of Spacesaver shelving systems for Police Department evidence storage in the amount of \$108,430.79, and if accepted, authorize the Mayor to sign the necessary documents, subject to Legal Department review. The price includes shipping and installation of the units in three (3) evidence rooms. The amount has been budgeted in the Police Department Fiscal Year 2022 budget. **(ACTION ITEM)**

Documents:

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

16. PIGGY-BACK BID ACCEPTANCE AND PURCHASE OF

REFUSE CARTS – SANITATION DEPARTMENT

Council may wish to consider a piggy-back bid, Sourcewell Contract #041521-REH, for the purchase of Rehrig Pacific refuse carts in 2022, and if accepted, authorize the Mayor to sign the necessary documents, subject to Legal Department review. The Sanitation Department purchases carts by the truckload throughout the year, as needed. Funds for the purchases have been budgeted in the Sanitation Department Fiscal Year 2022 budget. **(ACTION ITEM)**

Documents:

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

17. 2022 SANITARY SEWER REHABILITATION (CIPP) PROJECT

Council may wish to consider the recommendations of staff for the following requests regarding the 2022 Sanitary Sewer Rehabilitation (CIPP) Project:

- a) Accept the low responsive bid received on February 17, 2022 from Insituform Technologies for the total bid amount of \$430,425.00; and if the bid is accepted
- b) Authorize the Mayor's signature on an Agreement between the City of Pocatello and Insituform Technologies in the amount of \$430,420.00 for the 2022 Sanitary Sewer Rehabilitation (CIPP) Project, subject to Legal Department review

The project includes rehabilitating 35 degraded sanitary sewer main lines with a cured in place pipe (CIPP) system. If approved, the work will begin in June 2022 and will be completed by the end of September 2022. Funds for this project have been budgeted in the Water Pollution Control (WPC) Fiscal Year 2022 Capital budget. **(ACTION ITEM)**

Documents:

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

18. BID/AGREEMENT – CLARK STREET ADA IMPROVEMENT PROJECT

Council may wish to consider the recommendation of staff for the following

requests regarding the Clark Street ADA Improvement Project:

- a) Accept the low responsive bid received on February 23, 2022 from M & S Development and Construction, LLC, in the amount of \$295,279.23; and if accepted

- b) Authorize the Mayor's execution of the Agreement between the City of Pocatello and M & S Development and Construction, LLC in the amount of \$295,279.23, subject to Legal Department review.

Funding for 80% of this project will come from Idaho Transportation Authority 5310 Grant, with a 20% City match. **(ACTION ITEM)**

Documents:

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

19. 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:

a) An ordinance amending the Comprehensive Plan Land Use Map for property located east of Interstate-15 and west of the Portneuf Wellness Complex by designating approximately 12.03 acres of land as Employment (E) and approximately 54.01 acres as Mixed Use (MU).

(ACTION ITEM) (Ordinance is prepared for reading under rules of suspension.)

b) An ordinance vacating the public's interest in an access and utility easement located across Lots 1 and 2, Block 1, 14th Hole Subdivision.

(ACTION ITEM) (Ordinance is prepared for reading under rules of suspension.)

c) An ordinance amending Title 15, "Buildings and Construction", of the Pocatello Municipal Code to adopt the 2018 Edition of the Wildland Urban Interface Code and approve amendments to the 2018 Edition of the Wildland Urban Interface Code. **(ACTION ITEM)** (Ordinance is prepared for reading under rules of suspension.)

Documents:

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

20. 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.)

21. 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.

