

AGENDA

CITY OF POCATELLO REGULAR CITY COUNCIL MEETING

April 15, 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 full Council 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 Pastor Starr Reardon, representing First Congregational United Church of Christ.

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 March 2021 showing cash and investments as of March 31, 2021.

(b) **HISTORIC PRESERVATION COMMISSION APPOINTMENT:** Council may wish to confirm the Mayor's appointment of Ruta Casabianca to serve as a member of the Historic Preservation Commission, replacing Jeremiah Stoddard who resigned. Ruta's term will begin April 16, 2021 and will expire October 16, 2023.

(c) **PARKS AND RECREATION ADVISORY BOARD REAPPOINTMENT.** Council may wish to confirm the Mayor's reappointment of David Pacioretty to continue serving on the Parks and Recreation Advisory Board. David's term will begin April 19, 2021 and will expire April 19, 2023.

(d) **POCATELLO ARTS COUNCIL REAPPOINTMENT:** Council may wish to confirm the Mayor's reappointment of Mark Cooper to continue serving on the Pocatello Arts Council. Mark's term will begin May 4, 2021 and will expire May 4, 2024.

(e) **COUNCIL DECISION – CHEYENNE CROSSINGS FINAL PLAT APPROVAL:** Council may wish to adopt its decision approving the short plat for Cheyenne Crossings, which subdivides 3.77 acres of land into twenty-two (22) residential lots, two (2) of which are non-buildable, subject to conditions. The subdivision will be accessed from Cheyenne Avenue and an extension of Arapahoe Street.

(f) **COUNCIL DECISION – GRANT STREET LANDING FINAL PLAT APPROVAL:** Council may wish to adopt its decision approving the final

plat for Grant Street Landing, which subdivides 9.21 acres of land into seven (7) residential lots, subject to conditions. The subdivision will be accessed from Grant Street.

(g) COUNCIL DECISION – LOOKOUT CREDIT UNION, APPEAL OF HEARING EXAMINER’S DENIAL OF REQUEST FOR SIGN EXEMPTION: Council may wish to adopt its decision approving the appeal from Applicant, Lookout Credit Union, overturning the Hearing Examiner’s denial of the Applicant’s request to install a wall sign at 275 South 5th Avenue.

(h) COUNCIL DECISION – APPROVAL OF ZONING DESIGNATION AMENDMENT FOR APPROXIMATELY 26.11 ACRES OF LAND LOCATED IN THE 4300 BLOCK OF SOUTH 5TH AVENUE: Council may wish to adopt its decision to approve the request by BBAD Investments, LLC to amend the zoning designations for seven (7) parcels of land consisting of approximately 26.11 acres located in the 4300 block of South 5th Avenue from Commercial General (CG) to Light Industrial (LI) with a concurrent amendment to the Comprehensive Plan Map designation from Mixed Use (MU) to Employment (E).

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. PUBLIC HEARING – PROPOSED FISCAL YEAR 2021 APRIL BUDGET AMENDMENTS

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

This time was set aside for the Council to receive comments from the public on proposed amendments to the Fiscal Year 2021 budget. **(ACTION ITEM)** (Legislative Public Hearing)

Documents:

[AGENDA-ITEM-6.PDF](#)

7. DECLARATION OF SURPLUS PROPERTY – 2021 CITY AUCTION

Council may wish to declare items identified as surplus property to be sold at the City’s Annual Auction on May 8, 2021. City departments submitted

lists of items that they considered surplus and these were reviewed by other departments. The items to be considered as surplus are not needed by any other departments within the City. **(ACTION ITEM)**

Documents:

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

8. IDAHO TRANSPORTATION DEPARTMENT RADAR GRANT APPLICATION – POLICE DEPARTMENT

Council may wish to consider the following requests regarding an Idaho Transportation Department (ITD) Office of Highway Safety (OHS) Grant: **(ACTION ITEM)**

- a) Approve submittal of an Idaho Transportation Department Office of Highway Safety Grant in the Amount of \$21,923.00 for the purchase of eleven (11) radar units. The Staker Dual SL radar units with dual antennas are \$1,993.00 each; and if approved
- b) Authorize the Mayor's signature on all applicable documents pertaining to the grant.

These radar units have the capability of monitoring vehicles in front of or behind patrol vehicles while the patrol vehicle is either moving or stationary. The grant requires a 25% match in the amount of \$5,480.75 which will be provided by in-kind services by the Pocatello Police Department (PPD). The Police Department will conduct approximately 200 hours of dedicated traffic enforcement with an additional reimbursement of \$0.56 per mile targeting aggressive drivers. This dedicated traffic enforcement will be conducted during regularly scheduled shifts by the PPD Traffic Division.

Documents:

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

9. PIGGYBACK BID ACCEPTANCE FOR ADA CURB RAMP REPLACEMENTS – STREET OPERATIONS DEPARTMENT

Council may wish to consider piggybacking the 2020 City of Chubbuck contract with M & S Development for ADA curb ramp replacements for an average amount of \$3,083.00 per curb ramp, which has been budgeted in the Street Operations Department Fiscal Year 2021 budget. Council may also wish to authorize the Mayor's signature on all necessary documents related to the agreement. **(ACTION ITEM)**

Documents:

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

10. RESOLUTIONS – AIRPORT LEASE AGREEMENTS

Council may wish to approve by resolution and authorize the Mayor to sign the following lease agreements and resolutions for property at the Pocatello Airport: **(ACTION ITEM)**

- a) Pocatello Idaho Crops Project – Approximately 71.8 acres of dry land for the purpose of farming crops. The lease will be for a five-year term with a five-year renewal option at a rental rate of \$2,365.01 per year; and
- b) Pocatello TMX – Approximately 15 acres of property upon which they operate a motocross speedway with off-road motorcycle recreational and competitive activities. The lease will be for a five-year term at a renewal rate of \$4,507.02 per year.

Both leases will include an annual rate increase equal to that of the Western CPI for the previous year and rental rate re-evaluation every five (5) years based on a current airport property appraisal.

Documents:

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

11. ORDINANCE

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.

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. **(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.

Ordinance ready for reading.

11: An ordinance approving an amendment to the Fiscal Year 2021 Appropriations Ordinance increasing the total Fiscal Year expenditures by \$6,163,281.00 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. **(ACTION ITEM)**

Documents:

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

12. 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.)

13. 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.