

# CITY OF POCATELLO REGULAR CITY COUNCIL MEETING

May 3, 2018 · 6:00 PM  
Council Chambers | 911 North 7th 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 5th 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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## 1. ROLL CALL AND PLEDGE OF ALLEGIANCE

## 2. INVOCATION

The invocation will be offered by Reverend Jim Jones, Blazing Grace 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.

(a) MINUTES: Council may wish to waive the oral reading of the minutes and approve the minutes from the April 5, 2018 City Council Liaison Work Lunch; the April 12, 2018 Executive Session and the April 17, 2018 Pocatello/Chubbuck Mayor's Youth Advisory Council Luncheon.

(b) PAYROLL AND MATERIAL CLAIMS: Council may wish to consider payroll and material claims for the month of April 2018.

(c) POCATELLO ARTS COUNCIL APPOINTMENT: Council may wish to confirm the Mayor's appointment of Mark Cooper to serve as a member of the Pocatello Arts Council, replacing Ryan Babcock whose term expired. Mr. Cooper's term will begin May 4, 2018 and will expire May 4, 2021.

(d) POCATELLO ARTS COUNCIL REAPPOINTMENT: Council may wish to confirm the reappointment of Mark Neiwith to continue his service as a member of the Pocatello Arts Council. Mr. Neiwith's term will begin May 2, 2018 and will expire May 2, 2021.

(e) POCATELLO DEVELOPMENT AUTHORITY APPOINTMENTS: Council may wish to confirm the Mayor's appointments of Matt Bloxham and Robert Lion to serve as members of the Pocatello Development Authority, replacing Russ Meyers and Larry Fisher respectively. Mr. Bloxham's term will begin May 4, 2018 and will expire May 1, 2019. Dr. Lion's term will begin May 4, 2018 and will expire May 1, 2022.

(f) POCATELLO DEVELOPMENT AUTHORITY REAPPOINTMENT: Council may wish to confirm the reappointment of Brian Blad to continue his service as a member of the Pocatello Development Authority Board. Mr. Blad's term will begin May 1, 2018 and will expire May 1, 2022.

(g) COUNCIL DECISION—THE CROSSINGS DIVISION ONE FINAL PLAT: Council may wish to adopt its decision approving the Final Plat for The Crossings Division 1, which subdivides approximately 37.31 acres of land into ninety seven (97) lots, subject to conditions. The property is located east of Interstate 15 and north of East Chubbuck Road and the future extension of Olympus Drive.

(h) COUNCIL DECISION—RIVERSIDE GREENS TOWNHOUSE SUBDIVISION THIRD ADDITION SHORT PLAT: Council may wish to adopt its decision approving the Short Plat for Riverside Greens Townhouse Subdivision 3rd Addition, which subdivides approximately .62 acres of land into four (4) townhome lots, subject to conditions. The property is located east of Bannock Highway and South of Lundberg Lane.

(i) COUNCIL DECISION—SUNNYGROVE SUBDIVISION SHORT PLAT: Council may wish to adopt its decision approving the Short Plat for Sunny Grove Subdivision, which subdivides approximately .80 acres of land into two (2) townhome lots, subject to conditions. The property is located at the end of Corsini Court.

Documents:

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

#### **4. COMMUNICATIONS AND 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. SERVICE CONNECTION REQUEST—2595 NORTH MINK CREEK ROAD**

Council may wish to consider a request from June Hayden Trust represented by Twain Hayden (mailing address: 3746 Mid Crystal Road, Arbon, ID 83212) to connect a parcel of land commonly known as 2595 North Mink Creek Road to the City of Pocatello water system to allow construction of a home.

A Utility Connection Annexation Covenant has been completed and if the connection is approved, it should be subject to the applicant paying all associated connection fees and costs (\$5,091.75) as well as paying outside City limits utility rates until the property is annexed.

Documents:

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

#### **7. TEMPORARY STREET CLOSURE REQUEST—OLD TOWN POCATELLO**

Council may wish to consider a request from Old Town Pocatello (mailing address: PO Box 222, Pocatello ID 83204) to close the 200 block of West Fremont, a portion of the 300 and 400 blocks of Union Pacific Avenue and 400 Block of Union Pacific Avenue Parking Lot for the following 2018 events:

a) Revive @ 5 - Wednesdays May 23rd through September 5th  
2:00 p.m. to 10:00 p.m.;

b) Portneuf Valley Farmers Market - Saturdays May 5th through October 27th (includes parking lot closure 6:00 a.m. to 2:00 p.m.);

- c) Downtown Days Car Show – Saturday June 2nd – 6:00 a.m. to 4:00 p.m.
- d) Pocatello Pride-Saturday June 23rd - 2:00 p.m. to 10:00 p.m.
- e) Downtown Days Flea Market & Antique Show Saturday July 14th – 6:00 a.m. to 4:00 p.m.
- f) Welcome Back Orange & Black - Monday, August 20th - 11:00 a.m. to 8:00 p.m. (Includes parking lot closure)
- g) Gate City Brewfest 2 – Saturday September 8th 2:00 p.m. to 10:00 p.m.
- h) Recovery Fest - Friday September 14th - 2:00 p.m. to 10:00 p.m.
- i) Downtown Days Great Pumpkin Festival – Saturday October 6th – 6:00 a.m. to 4:00 p.m.

City Staff has reviewed the request.

Documents:

[AGENDA-ITEM-7-8.PDF](#)

## **8. OPEN CONTAINER WAIVER REQUEST—OLD TOWN POCATELLO**

The Council may wish to consider a request from Old Town Pocatello (mailing address: PO Box 222, Pocatello ID 83204) for a waiver of the open container ordinance to allow alcohol to be consumed in the 200 block of West Fremont and a portion of the 400 block of Union Pacific Avenue for Revive @ 5 events-Wednesdays May 23 through September 5, 2018, August 4, 2018 Downtown Days Neon Street Dance, 6:00 p.m. to 11:00 p.m., (beer, wine and spirits), September 8, 2018 - 1st Annual Gate City Brewfest 2, 4:00 p.m. to 9:00 p.m. (beer and wine).

If the open container ordinance is waived it should be contingent upon the applicant meeting Police Department requirements and purchasing appropriate permits.

Documents:

[AGENDA-ITEM-7-8.PDF](#)

## **9. 10 WHEELED TRUCK AND TANKER TRAILER BID—WPC**

Council may wish to accept the recommendations of Water Pollution Control (WPC) staff and award the bid for a 2018 10-wheeled truck tractor cab, chassis and tanker trailer to MetroQuip, Inc. in the amount of \$206,425.00.

Funds for this expenditure are available in the WPC Department's Fiscal Year 2018 budget.

Documents:

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

## 10. ORDINANCES

An ordinance to rezone by contract approximately .44 acres of undeveloped land located in the 1500 block of South 1st Avenue, from Residential Commercial Professional (RCP) to Light Industrial (LI) for the sole use of constructing a storage and shop building for personal use, pursuant to Pocatello Municipal Code 17.02.180(B)(I), subject to conditions. (This ordinance has been prepared for reading under the rules of suspension.)

Documents:

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

## 11. 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.)**

## 12. ADJOURN

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### PUBLIC HEARING PROCEDURE

1. Explanation of hearing procedures by Mayor or staff.
  - o Ten (10) minute time limit on applicant presentation.
  - o Three (3) minute time limit on public testimony.
  - o Names and addresses are required from those presenting/testifying.
  - o Questions/comments should be addressed to the Mayor and Council.
  - o 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.
  - o 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.

## 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.

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.

### 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.