

AGENDA

CITY OF POCA TELLO REGULAR CITY COUNCIL MEETING

May 19, 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 Pastor Brian Griffin, representing Pocatello Baptist 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. **(ACTION ITEM)**

(a) MATERIAL CLAIMS: Council may wish to consider Material Claims for the time period of May 1, 2022 through May 13, 2022.

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

(c) COMMUNITY DEVELOPMENT BLOCK GRANT ADVISORY COMMITTEE APPOINTMENT: Council may wish to confirm the Mayor's appointment of Jo Evans to serve as a member of the CDBG Advisory Committee, replacing Mary Kuehler who resigned. Term will begin May 20, 2022 and will expire January 1, 2024.

(d) COUNCIL DECISION – ZONING MAP AND COMPREHENSIVE PLAN MAP AMENDMENT – 920 DEON DRIVE: Council may wish to adopt its decision APPROVING THE REQUEST FROM Pocatello Creek Center, LLC to amend the zoning designation of approximately .81 acres of land located at 920 Deon Drive from Residential medium Density Single Family (RMS) to Commercial General (CG) with a concurrent amendment to the Comprehensive Plan Map from Mixed Use (MU) to Commercial (C).

(e) COUNCIL DECISION – VACATION AND ABANDONMENT OF STORMWATER AND UTILITY EASEMENT – CEDAR LAKES SUBDIVISION: Council may wish to adopt its decision to vacate and abandon the public's interest in an existing stormwater and utility easement running across the southerly-most portion of Lots 5 and 6, Block 4, Cedar Lakes Subdivision.

(f) COUNCIL DECISION – VACATION AND ABANDONMENT OF SHARED ACCESS UTILITY EASEMENT – FORMER FORD STREET: Council may wish to adopt its decision to vacate and abandon the public's interest in an existing shared access and utility easement crossing the southeast portion of the former Ford Street.

(g) COUNCIL DECISION – OLYMPUS PARK SUBDIVISION SHORT PLAT APPROVAL: Council may wish to adopt its decision approving the short plat for Olympus Park Subdivision, which subdivides approximately 1.43 acres of land located at the northeast corner of Olympus Drive and Pocatello Creek Road into two (2) lots, subject to conditions.

(h) COUNCIL DECISION – FIELDSTONE HEIGHTS DIVISION 2 FINAL PLAT APPROVAL: Council may wish to adopt its decision approving the final plat for Fieldstone Heights Division 2, which subdivides approximately 107 acres of land into 30 residential lots, three (3) open space and one (1) stormwater retention lot. This property is zoned Residential Estate (RE) and will be accessed from Shale Drive, with a new road to be called Fieldstone Drive extending to the west and north into the subdivision.

(i) COUNCIL DECISION – GATEWAY NORTH FINAL PLAT APPROVAL: Council may wish to adopt its decision approving the final plat for Gateway North, which subdivides approximately 2.807 acres of land into 27 lots, one of which is to be utilized for stormwater retention.

This property is located within a Residential Medium Density Single-Family (RMS) zoning district and will be accessed by a new road to be called Sunset Way.

Documents:

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

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.

5. CREEKSIDE DISTRICT SHORT PLAT EXPIRATION DEADLINE EXTENSION REQUEST – MICHAEL SEIBERT

Council may wish to approve a request by Michael Seibert (mailing address: 1665 Pocatello Creek Road, Pocatello, ID 83201) to extend the two (2) year expiration deadline for a Short Plat. The applicant is unable to complete the project in a timely manner due to material and labor shortages associated with the COVID Pandemic. Council is also asked to define a time period associated with the extension. Staff has recommended a 6-month extension period. **(ACTION ITEM)**

Documents:

[AGENDA-ITEM-5.PDF](#)

6. SHORT PLAT APPLICATION – CREEKSIDE DISTRICT DIVISION 2 SUBDIVISION

Council may wish to approve a short plat application submitted by Michael Seibert of Iron Eagle, LLC, represented by Rocky Mountain Engineering and Surveying (mailing address: 600 East Oak Street, Pocatello, ID 83201) to subdivide 2.31 acres (more or less) into two (2) lots. The proposed subdivision is located at 1625 Pocatello Creek Road. Staff finds the proposal compliant with all applicable standards with conditions. **(ACTION ITEM)**

Documents:

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

7. AIRPORT GRANT APPLICATION AND PROFESSIONAL

SERVICES AGREEMENT – AIRPORT

Council may wish to approve and authorize the Mayor to sign the following:

a) All pertinent documents related to a grant application to the FAA in the amount of \$277,496.00. The required 6.25% match in the amount of \$18,500.33 will be funded using previously budgeted Airport Passenger Facility Charge (PFC) funds. Projects to be funded using grant funds will be preliminary design for the rehabilitation of runway 3/21; completion of a pavement management plan; and independent fee estimate; and if approved

b) Authorize a Professional Services Agreement with T-O Engineers for preliminary design of the rehabilitation of runway 3/21 and completion of a pavement management plan. Cost for the project is \$291,996.33.

(ACTION ITEM)

Documents:

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

8. CHILDREN PEDESTRIAN SAFETY IMPROVEMENT PROGRAM GRANT APPLICATION

Council may wish to approve submission of a grant application for the Children Pedestrian Safety Program in the amount of \$250,000.00, subject to Legal Department review. If awarded, Council may wish to authorize acceptance of the grant and authorize the Mayor's signature on all pertinent documents related to the grant, subject to Legal Department review. Grant funds will be used for a pedestrian improvement project at the intersection of Hawthorne Road and Jensen Street. There is no City match. **(ACTION ITEM)**

Documents:

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

9. LEADING IDAHO LOCAL BRIDGE PROGRAM GRANT APPLICATION

Council may wish to consider the following regarding the Leading Idaho Local Bridge Program (LILB) for Benton Street Bridge over the Portneuf

River: **(ACTION ITEM)**

- a) Approve submission of a grant application for the Leading Idaho Local Bridge Program (LILB) for Benton Street Bridge over the Portneuf River in the amount of \$2,200,000.00, subject to Legal Department review. There is no City match;
- b) If approved, authorize the Mayor's signature on all pertinent documents related to the grant, subject to Legal Department review;
- c) Adopt a Leading Local Bridge Program – City of Pocatello Resolution; and
- d) Approve a Memorandum of Understanding – Leading Idaho Local Bridge Program between Local Highway Technical Assistance Council and the City of Pocatello.

Documents:

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

10. SOUTH 5TH AVENUE SAFETY IMPROVEMENT PROJECT AGREEMENT/RESOLUTION – IDAHO TRANSPORTATION DEPARTMENT

Council may wish to approve by Resolution, a State and Local Agreement between the State of Idaho Transportation Department and the City of Pocatello and authorize the Mayor's signature on all applicable documents, subject to Legal Department review. Council may also wish to authorize the use of funds in the amount of \$65,689.00, the required match for the project. Funds are available in Fund 70. **(ACTION ITEM)**

Funds for the project were previously awarded by a Local Highway Safety Improvement Program (LLHSIP) for the South 5th Avenue Safety Improvement Project in 2019.

Documents:

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

11. IDAHO POWER UTILITY EASEMENT – POCATELLO REGIONAL AIRPORT

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

Documents:

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

12. BID ACCEPTANCE AND CONTRACT FOR WELL #2R TEST WELL – WATER DEPARTMENT

Council may wish to accept the recommendations of staff and award the bid for the Well #2R Test Well project to High Plains Drilling, Inc. in the amount of \$59,508.00, and authorize the Mayor to execute all contract documents, subject to Legal Department review. Funding is available through funds received within the American Rescue Plan Act (ARPA). **(ACTION ITEM)**

Documents:

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

13. LEASE AGREEMENTS/RESOLUTIONS – AIRPORT

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

a) Richard Carrol and Michael McCormick – A lease for approximately 8,500 square feet of land upon which Mr. Carroll and Mr. McCormick co-own an aircraft hangar. The proposed term is 10 years with a proposed annual rental rate of \$1,683.00; and

b) ITC Services – A lease for approximately 7,750 square feet of warehouse space and 15,000 square feet of outdoor storage yard for the purpose of operation of a hay bale tarping business. The proposed term is two years with an automatic two-year renewal and a proposed monthly rental rate of \$1,306.26.

Both rental rates will be increased annually according to the CPI increase for the previous year with a full rate review based on appraisal or airport

comparisons every five years.

Documents:

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

14. AIRPORT TRANSPORTATION AGREEMENT – AIRPORT

Council may wish to 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.

Documents:

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

15. 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:

15: An ordinance vacating and abandoning the public's interest of approximately .323 acres of Apex Road. **(ACTION ITEM)**

Documents:

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

16. 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.)

17. 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.