

AGENDA

CITY OF POCA TELLO REGULAR CITY COUNCIL MEETING

June 3, 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 Scott Sampson, representing Rocky Mountain Ministries.

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 following meetings: March 11, 2021 City Council Work Session; and Clarification and Regular City Council meetings of April 15, 2021 and May 6, 2021.

(b) MATERIAL CLAIMS: Council may wish to consider Material Claims for the month of May 2021.

(c) HUMAN RELATIONS ADVISORY COMMITTEE APPOINTMENT: Council may wish to confirm the Mayor's appointment of Shannon Kobs Nawotniak to serve as a member of the Human Relations Advisory Committee. Shannon's term will begin June 4, 2021 and will expire November 2, 2022.

(d) PARKS AND RECREATION ADVISORY BOARD REAPPOINTMENT: Council may wish to confirm the Mayor's reappointment of Judy Taylor to continue serving on the Parks and Recreation Advisory Board, representing the Bannock County Historical Society's Fort Hall Oversight Committee. Judy's term will begin June 8, 2021 and will expire June 8, 2023.

(e) POCATELLO ARTS COUNCIL APPOINTMENT: Council may wish to confirm the Mayor's appointment of Jan Henriksen to serve as a member of the Pocatello Arts Council, replacing Sherri Dienstfrey-Swanson whose term expired. Jan's term will begin June 19, 2021 and will expire June 19, 2024.

(f) SISTER CITIES COMMITTEE APPOINTMENT: Council may wish to confirm the Mayor's appointment of Wade Olsen to serve as a member of the Sister Cities Committee, replacing Bradley Hall who resigned.

Wade's term will begin June 4, 2021 and will expire October 7, 2021.

(g) COUNCIL DECISION – WESTERN SKIES DIVISION 2 FINAL PLAT: Council may wish to adopt its decision to approve the final plat for Western Skies Division 2 to subdivide 8.16 acres of land into twenty-six (26) residential lots, subject to conditions. The subdivision will be accessed from extensions of Rustic Road and Marinus Lane. Private drives will provide access to Lots 10, 11, 14 and 15 for Block 2 and Block 3.

(h) COUNCIL DECISION – EAGLES LANDING DIVISION 2 FINAL PLAT: Council may wish to adopt its decision approving the final plat for Eagles Landing Division 2 which subdivides 4.34 acres of land into thirteen (13) residential lots, subject to conditions. The property is located south of Birdie Thompson Drive, east of Hospital Way, and north of Terry Street. The subject lots will have access from the proposed roadways of Falcon Ridge and Eagle Court.

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. PUBLIC HEARING – COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM YEAR 2020 CONSOLIDATED ANNUAL PERFORMANCE EVALUATION REPORT

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

As required by the US Department of Housing and Urban Development (HUD) this time has been set aside for the Council to consider any comments from the public concerning the Program Year (PY) 2020 Community Development Block Grant (CDBG) Consolidated Annual Performance Report (CAPER). The report was made available for public review from May 19 to June 3, 2021 and has been reviewed by the CDBG Advisory Committee.

Following the public hearing, the Council may wish to approve the report and authorize its submittal, including a summary of any public input, to HUD on or before June 30, 2021. **(ACTION ITEM)**

Documents:

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

6. PUBLIC HEARING – PLANNED UNIT DEVELOPMENT –

BREEZY COMMONS TOWNHOUSES

This time has been set aside for the Council to hear comments from the public regarding a request by Jonathan Vincent, represented by Rocky Mountain Engineering and Surveying (RMES), (mailing address: 600 East Oak Street, Pocatello, ID 83201), for a Planned Unit Development (PUD) to develop 7.39 acres into 56 residential townhomes and common area. Staff finds the proposal compliant with all applicable standards with conditions. **(ACTION ITEM)**

Documents:

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

7. RECONSIDERATION REQUEST – SOUTH POINT VISTAS

This time has been set aside for the Council to consider a reconsideration request submitted by Paul and Jane Vitale, appealing a prior recommendation made by the Planning and Zoning Commission to approve the preliminary plat application for the South Point Vistas subdivision. **(ACTION ITEM)**

Documents:

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

8. FINAL PLAT APPROVAL – SOUTH POINT VISTAS

Council may wish to approve a final plat application submitted by Scott Briscoe, represented by HLE, Inc., (mailing address: PO Box 866, Blackfoot, ID 83221) to subdivide 30.48 acres (more or less) into 32 lots. The proposed subdivision is located south of and adjacent to Barton Road near the intersection of Barton and American Road. Staff finds the proposal compliant with all applicable standards with conditions. **(ACTION ITEM)**

Documents:

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

9. FINAL PLAT APPROVAL – HIGH TERRACE DIVISION 1

Council may wish to approve a final plat application submitted by B Street Investments, represented by Rocky Mountain Engineering and Surveying (mailing address: 600 East Oak Street, Pocatello, ID 83201) to subdivide 7.68 acres (more or less) into 27 lots. The proposed subdivision is located northeast of the intersection of Siena Drive and Vista Drive. Staff finds the proposal compliant with all applicable standards with conditions. **(ACTION ITEM)**

Documents:

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

10. SHORT PLAT APPROVAL – HIGH TERRACE DIVISION 2

Council may wish to approve a short plat application submitted by B Street Investments, represented by Rocky Mountain Engineering and Surveying (mailing address: 600 East Oak Street, Pocatello, ID 83201) to subdivide 1.41 acres (more or less) into four (4) lots. The proposed subdivision is located northeast of the end of Vista Drive and adjacent to the southern portion of High Terrace Division 1. Staff finds the proposal compliant with all applicable standards with conditions. **(ACTION ITEM)**

Documents:

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

11. PROFESSIONAL SERVICES AGREEMENT FOR CENTENNIAL PARK DESIGN PROJECT

Council may wish to approve a professional services agreement and authorize the Mayor's signature on all applicable documents between the City of Pocatello and Harmony Design and Engineering for the Centennial Park project, subject to Legal Department review. Under this agreement, Harmony will perform services related to the design development phase of the project. This agreement includes 60% preliminary design for the levee setback, technical 408 permit, FEMA CLOMR submittal and Wetland and Stream Alteration Permit for a contract amount of \$275,000.00. Funds are available in the Science and Environment Department budget. **(ACTION ITEM)**

Documents:

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

12. FIREHOUSE SUBS FOUNDATION GRANT APPLICATION – POLICE DEPARTMENT

Council may wish to authorize submission of a Firehouse Subs Public Safety Foundation Grant in the amount of \$20,137.00. This grant will be used to purchase 102 Custom MyFAK First Aid Kits to be used by the Police Department. Each kit contains 46 pieces of lifesaving medical equipment and the kits will be easily worn by officers for immediate access. There is no required match. **(ACTION ITEM)**

Documents:

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

13. MEMORANDUM OF AGREEMENT WITH SCHOOL DISTRICT #25 FOR SCHOOL RESOURCE OFFICER –

POLICE DEPARTMENT

Council may wish to approve an updated Memorandum of Agreement with Pocatello/Chubbuck School District #25 to fund the current School Resource Officer (SRO) program. School District #25 has agreed to provide an additional \$91,512.64 to help fund costs for wages and benefits to the current SRO officers. **(ACTION ITEM)**

Documents:

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

14. MEMORANDUM OF UNDERSTANDING WITH PUBLIC SAFETY CADETS (PSC) FOR COMMUNITY PROGRAM – POLICE DEPARTMENT

Council may wish to approve a Memorandum of Understanding with Public Safety Cadets (PSC) for establishment of a Public Safety Cadet program. The program provides mentorship to young adults by public safety professionals through service to their communities and provides knowledge, skills and practical experiences through education and training. The program focus is on building character, physical fitness and respect for the law. Cost of the program is \$20.00 per year for unit registration and \$15.00 per mentor participating in the program. The Police Department anticipates 6 or 7 officers to be involved as mentors each year. Cadet participation fees in the amount of \$15.00 per participant will be paid for by participating cadets. **(ACTION ITEM)**

The PSC program will be implemented in conjunction with the First Responders Course offered through School District #25.

Documents:

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

15. GRANT APPLICATION IDAHO COMMISSION FOR LIBRARIES (ICfL) – MARSHALL PUBLIC LIBRARY

Council may wish to approve a grant application in the amount of \$22,100.00 to the Idaho Commission for Libraries (ICfL) for the "Libraries Keep Students Learning and Adults Earning/American Rescue Plan Act Grant". Funds will be used to respond directly to pandemic community needs. Marshall Public Library is requesting a sprinter van and mobile hot spot to better meet the outreach needs of the community. The outreach will ensure learning and growth outside of the physical constraints of the Library facility through programming and events. Council may also wish to authorize acceptance if awarded, and authorize the Mayor's signature on all pertinent documents. There is no local match. **(ACTION ITEM)**

Documents:

16. 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.

An ordinance ready for reading.

16: An ordinance vacating the public's interest in 754 feet of Woodlawn Street and granting conveyance of said property to the adjacent property owner, Royce Flamingo, LLC. Said vacation was approved by City Council Decision dated May 20, 2021 and all conditions contained therein have been met. **(ACTION ITEM)**

Documents:

17. 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.)

18. ADJOURN

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.