

# CITY OF POCA TELLO REGULAR CITY COUNCIL MEETING

June 18, 2020 · 6:00 PM  
Council Chambers | 911 North 7th Avenue

**Due to the COVID-19 pandemic guidelines, no on-site public access is permitted for this meeting.**

**The full Council meeting will be live-streamed at:  
<http://streaming.pocatello.us/> and available on Sparklight  
Cable channel 56**

**Phone number for public hearing testimony call-in: 208-  
234-6283**

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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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.**

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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 a moment of silence.

### 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 of the following Budget Development meetings: May 21, 2020; May 28, 2020; and June 4, 2020; May 28, 2020 Executive Session; and the Clarification meetings and Regular City Council meetings of May 21, 2020 and June 4, 2020.

(b) TREASURER'S REPORT: Council may wish to consider the Treasurer's Report for April showing cash and investments as of May 31, 2020.

(c) LIBRARY BOARD OF DIRECTORS REAPPOINTMENT: Council may wish to confirm the Mayor's reappointment of Jay Bingham to continue his service as a member of the Library Board of Directors. Mr. Bingham's term will begin July 1, 2020 and will expire July 1, 2025.

(d) POCATELLO ARTS COUNCIL APPOINTMENT: Council may wish to confirm the Mayor's appointment of Jonna Boote to serve as a member of the Pocatello Arts Council, filling a vacancy. Ms. Boote's term will begin June 19, 2020 and will expire October 7, 2020.

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. PUBLIC HEARING – ZONING MAP AMENDMENT

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

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This time has been set aside for the Council to hear comments from the public regarding a request by Alan Hill of ECS Properties, LLC to rezone Lots 11 and 12, Block 353 of the Original Pocatello Townsite from Light Industrial (LI) to Residential-Commercial-Professional (RCP). The subject

property is located at 856 South 2nd Avenue. A public hearing was held May 27, 2020 by the Planning and Zoning Commission in which they recommended approval of the request. **(ACTION ITEM)**

Documents:

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

## **7. SHORT PLAT – HAMMES SUBDIVISION DIVISION 2**

Jeff and Cynthia Hammes, represented by Rocky Mountain Engineering and Surveying (mailing address: 600 East Oak Street, Pocatello, ID 83201) has submitted a short plat application to subdivide 2.71 acres (more or less) into three (3) residential lots. This is a replat of Lot 2 Block 1, Hammes Subdivision. The subject property is located at the 3700 block of Johnny Creek Road. **(ACTION ITEM)**

Documents:

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

## **8. FINAL PLAT – REED SUBDIVISION**

Cary Baird of Elk Ridge Construction (mailing address: PO Box 57, Inkom, ID 83245); Paul and Verla Adams; Laurie Bigelow; and Colton and Kristen Stapely, represented by Benchmark Land Surveying (mailing address: 789 North 450 East, Firth, ID 83236), have submitted a final plat application to replat 1.809 acres (more or less) into 15 residential lots. This is a replat of a portion of the Ward Park 1st Addition. The property is located within the 1200 block of Heber Avenue. **(ACTION ITEM)**

Documents:

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

## **9. ISU AGREEMENT REQUESTS FOR CONSIDERATION – SCIENCE AND ENVIRONMENT**

Council may wish to accept the recommendation of staff and approve the following Memorandum of Agreement (MOA) requests with Idaho State University (ISU): **(ACTION ITEM)**

- a) An MOA with ISU in the amount of \$10,000.00 to summarize existing water quality information on the Lower Portneuf Valley Aquifer as well as assess potential contaminant flow path;
- b) A Career Path Internship Agreement with ISU related to the work to be performed on the Lower Portneuf Aquifer.

Funds are available within the Science and Environment Division through a Source Water Protection Grant awarded last year by the Idaho Department

of Environmental Quality, as well as funding from ISU through the Career Path Internship Program.

c) An MOA with ISU for a five-year period, subject to Legal Department review, for a total amount of \$156,779.00 to assess sediment loads in stormwater that flows into the Portneuf River as well as the effectiveness of the City's two stormwater wetlands. This project will help the City meet its federal stormwater permit obligations.

Year one of the MOA will be \$73,384.00. Funds are available within the Science and Environment Division budget.

Documents:

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

## 10. BID ACCEPTANCE – ADA RAMPS FY20

Council may wish to consider the recommendations of staff for the following requests regarding the ADA Ramps FY20: **(ACTION ITEM)**

a) Accept the low responsive bid received on June 2, 2020, from D-Co, in the amount of \$54,846.90; and if the bid is accepted

b) Authorize the Mayor's execution of an Agreement between the City of Pocatello and D-Co in the amount of \$54,846.90, for the ADA Ramps FY20, SUBJECT TO Legal Department review.

Funding for the project comes from the Idaho Transportation Department and there is no local match. Staff recommends approval.

Documents:

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

## 11. ORDINANCES

### 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.

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.

An ordinance ready for reading.

11. An ordinance repealing Pocatello Municipal Code Chapter 15.32 "Flood Hazard Areas" and enacting a new Chapter 15.32 "Flood Damage Prevention" to comply with National Flood Insurance Program standards as required by the Federal Emergency Management Agency. **(ACTION ITEM)**

Documents:

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

## 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.

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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.