

AGENDA

CITY OF POCA TELLO REGULAR CITY COUNCIL MEETING

July 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.

INDIVIDUALS ARE ENCOURAGED, BUT NOT 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 Karen Pease, representing Baha'i Faith.

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 City Council Special Meeting of June 29, 2021.

(b) TREASURER'S REPORTS: Council may wish to consider the Treasurer's Reports for May 2021 showing cash and investments as of May 31, 2021 and June 2021 showing cash and investments as of June 30, 2021.

(c) 2021 EDWARD BYRNE JUSTICE ASSISTANCE GRANT – POLICE DEPARTMENT: Approve a request regarding the 2021 Byrne Memorial Justice Assistance grant. This is an annual allocation administered by Bannock County. There are no matching funds. If awarded, Police Department staff will use grant funds in the amount of \$24,136.80 toward the purchase of four (4) Panasonic eight bay docking stations; 100 Panasonic battery chargers; eight (8) Panasonic body camera magnet mounts; and 40 body camera vehicle camera mounts. Total purchase cost will be \$24,141.12. The Police Department has been allocated

\$24,136.80. The remaining balance is available in the Pocatello Police Department equipment budget.

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. FINAL PLAT APPLICATION – JUNIPER RESERVE DIVISION 4

Council may wish to approve a final plat application submitted by Juniper Land Corporation, represented by Rocky Mountain Engineering and Surveying (mailing address: 600 East Oak Street, Pocatello, ID 83201) to subdivide 4.58 acres (more or less) into ten (10) lots. The proposed subdivision is an extension of Windsong Lane off of Shadowpines Way.

Staff finds the proposal compliant with all applicable standards with conditions. **(ACTION ITEM)**

Documents:

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

6. EXCEPTION REQUEST TO ALLOW OVERNIGHT CAMPING FOR BUDWEISER SOFTBALL TOURNAMENT – PARKS AND RECREATION

Council may wish to consider an exception to City Code 12.36.020 (Restricted Hours in Parks) to allow softball tournament participants to camp overnight in NOP Park on the evenings of July 16 and 17, 2021 for the annual Budweiser Adult Softball Tournament. Parks and Recreation staff has no objection to the exception. **(ACTION ITEM)**

Documents:

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

7. EXCEPTION REQUEST TO CITY BUILDING CODE 15.28 – 930 DELANO

Council may wish to consider a request by Mike Riley (mailing address: 930 Delano, Pocatello, ID 83201) for an exception to City fence requirements to allow a 6-foot fence to be installed at his residence. Mr. Riley is requesting the exception to keep animals out of his yard in order to allow his service dog to complete off-leash tasks on his property. Building Department staff has no objection to the exception. **(ACTION ITEM)**

Documents:

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

8. FOREVER IDAHO GRANT APPLICATION RATIFICATION – PARKS AND RECREATION DEPARTMENT

Council may wish to approve the following requests related to an improvement project at the Raymond Park courts, converting two (2) existing tennis courts into six (6) dedicated pickleball courts:

- a) Ratify a Forever Idaho Grant Application in the amount of \$47,200.00, which had a submission due date of June 15, 20-21; and if the grant is awarded
- b) Authorize acceptance of the grant and authorize the Mayor's signature on documents related to the grant, subject to Legal Department review.

If awarded, specific grant funding amounts are determined by the grantee, and there is no City match requirement for the grant. **(ACTION ITEM)**

Documents:

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

9. WILDLAND ENGINE PURCHASE REQUEST – FIRE DEPARTMENT

Council may wish to approve a cooperative purchase for two (2) wildland engines under the HGAC FS12-19 contract with Boise Mobile Equipment. Funding for the first engine in the amount of \$169,624.32 would be from Fiscal Year 2021 personnel savings. A second engine, in the amount of \$169,624.32 may be purchased only if funding through a donation by a donor is secured. **(ACTION ITEM)**

Documents:

AGENDA-ITEM-9.PDF

10. 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.

10. An ordinance amending Pocatello Municipal Code Title 5, Chapter 28 "Childcare", specifically by amending Sections 5.28.020 "Definitions" and 5.28.120 "Staffing" to conform with Idaho Administrative Procedures

Act rules. **(ACTION ITEM)**

Documents:

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

11. 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.)

12. 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.