

AGENDA

CITY OF POCA TELLO REGULAR CITY COUNCIL MEETING

September 3, 2020 • 6:00 PM
Council Chambers | 911 North 7th Avenue

In-person attendance is allowed, but strict social distancing measures are in place. Attendance is limited and 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 "DISCUSSION ITEMS." 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 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 from the Clarification and Regular Council meetings of August 6 and 20, 2020; the Special City Council meeting of August 6, 2020; Work Session of August 13, 2020 and the City Council Liaison/Work Session Clarification meeting of August 20, 2020.

(b) PAYROLL AND MATERIAL CLAIMS: Council may wish to consider payroll and materials claims for the month of August, 2020.

(c) ADA GRIEVANCE COMMITTEE REAPPOINTMENT: Council may wish to confirm the Mayor's reappointment of Roger Boe to continue his service as a member of the Americans with Disabilities Act Grievance Committee. Dr. Boe's term will begin September 16, 2020 and will expire September 16, 2022.

(d) PARKS AND RECREATION ADVISORY BOARD REAPPOINTMENT: Council may wish to confirm the Mayor's reappointment of Rachael Levay to continue her service as a member of the Parks & Recreation Advisory board. Ms. Levay's term will begin September 7, 2020 and will expire September 7, 2022.

(e) SISTER CITIES COMMITTEE REAPPOINTMENT: Council may wish to confirm the Mayor's reappointment of Craig Cooper to continue his service as a member of the Sister Cities Committee. Mr. Cooper's term will begin September 16, 2020 and will expire September 16, 2024.

(f) COUNCIL DECISION – R.A.G.G. SUBDIVISION SHORT PLAT: Council may wish to adopt its decision approving the short plat for R.A.G.G. Subdivision, which subdivides approximately .40 acres of land into two commercial lots, subject to conditions. The property is located in the 4100 block of Pole Line Road.

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 AND COMPREHENSIVE PLAN AMENDMENT FOR AREA NORTH OF CROSSINGS DIVISION 2 SUBDIVISION

This time has been set aside for the Council to hear comments from the public regarding a request by Justin Hale of H7 Ventures (mailing address: 1428 North 615 East, Shelly, ID 83274), represented by Creek Hollow & Associates, Inc. (mailing address: 611 Wilson Avenue, Suite 1A, Pocatello, ID 83201) to rezone property located north of the Crossings Division 2 Subdivision from Commercial General (CG) to Residential-Commercial-Professional (RCP) and amend the Comprehensive Plan from Commercial to Mixed-use. **(ACTION ITEM)** (Quasi-Judicial Public Hearing)

Documents:

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

7. PUBLIC HEARING – ANNEXATION OF LAND AT THE END OF VISTA DRIVE

This time has been set aside for the Council to hear comments from the public regarding a request by Bill Isley of B Street Investments, LLC, (mailing address: 2227 East Center Street, Pocatello, ID 83201) represented by Rocky Mountain Engineering and Surveying (mailing address: 600 East Oak Street, Pocatello, ID 83201), to annex and zone approximately 7.56 acres of land at the end of Vista Drive. The requested zone is Residential Medium Density Single Family (RMS). **(ACTION ITEM)** (Quasi-Judicial Public Hearing)

Documents:

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

8. PUBLIC HEARING – CDBG PY2019 ANNUAL REPORT

As required by the U.S. 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) 2019 Community Development Block Grant (CDBG) Consolidated Annual

Performance and Evaluation Report (CAPER). The report was available for public review from August 19 to September 3, 2020, after review and recommendation of approval by the CDBG Advisory Committee. **(ACTION ITEM)** (Legislative Public Hearing)

Following the public hearing, Council may wish to approve the report and authorize its submittal, including a summary of any public input, to HUD on or before September 23, 2020.

Documents:

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

9. BUSTER BROWN SIGN PROJECT REQUESTS

Council may wish to consider the following requests from Relight the Night (RTN) a committee under the Historic Old Town Pocatello Foundation, Inc. (mailing address: P.O. Box 222, Pocatello ID 83204) for the Buster Brown Sign Project, and if approved, authorize the Mayor to sign documents related to the project, subject to Legal Department review. **(ACTION ITEM)**

a) Accept a Quit Claim Deed for a 10 x 12-foot parcel of land located on the southwesterly corner of West Center Street and Union Pacific Avenue;

b) Allow RTN to place a refurbished Buster Brown Sign on the parcel, provide a power source to the sign, and landscape the parcel with xeriscape or other approved landscape amenities at no expense to the City;

c) Accept the Buster Brown Sign when Historic Old Town Pocatello Foundation gifts it to the City of Pocatello, the City will maintain insurance coverage (under City's policy) in accordance with the Idaho Tort Claims Act and applicable workers' compensation coverage required by Idaho Code on the parcel of land the Buster Brown Sign and appurtenances are located; and

d) Pay for ongoing power to illuminate the sign and approve a Memorandum of Understanding with Historic Old Town Pocatello Foundation, Inc. for the Buster Brown Sign project.

Documents:

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

10. SURPLUS DECLARATION AND SALE OF SEIZED VEHICLES – POLICE

Council may wish to consider the following requests from the Police Department regarding seized vehicles that been awarded by the Bannock County Court. **(ACTION ITEM)**

a) Declare a 2001 GMC Sonoma Pickup truck and a 2003 Cadillac CTS as surplus; and

b) Approve the vehicles to be sold at auction.

Funds received from the vehicles will be used in the Police Detective Division Fund 88.

11. WILDLAND DEPLOYMENT ASSIGNMENTS MOU – POCATELLO FIRE UNION

Council may wish to accept staff's recommendation and authorize the Mayor to sign a Memorandum of Understanding (MOU) to allow a departure from current Collective Bargaining Agreement (CBA) language and Standard Operating Guidelines which conflicts with adherence with Idaho Department of Land, Idaho Cooperative Mobilization Agreement relating to wildland engine staffing criteria during deployments. **(ACTION ITEM)**

Fire Union Local 187 members support the recommendation to temporarily waive sections of the CBA which conflicts with wildland assignments.

Documents:

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

12. 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.)**

13. 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.

- 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.