

AGENDA

CITY OF POCA TELLO REGULAR CITY COUNCIL MEETING

October 1, 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 "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 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 September 3, and September 17, 2020; and the Work Session of September 10, 2020.

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

(c) PARKS AND RECREATION ADVISORY BOARD REAPPOINTMENT: Council may wish to confirm the Mayor's reappointment of Ali Gorny to continue her service as the Zoo Idaho Zoological Society Representative on the Parks and Recreation Advisory Board. Ms. Gorney's term will begin October 5, 2020 and will expire October 5, 2022.

(d) POCATELLO ARTS COUNCIL REAPPOINTMENT: Council may wish to confirm the Mayor's reappointment of Jonna Behm to continue her service as a member of the Pocatello Arts Council. Ms. Behm's term will begin October 7, 2020 and will expire October 7, 2023.

(e) COUNCIL DECISION – ZONING DESIGNATION AMENDMENT AT CORNER OF NORTH 6TH AVENUE AND LANDER STREET: Council may wish to adopt its decision to approve the request by Land Quest Development, Inc. to amend the zoning designation of approximately 8,440 square feet of land located at the corner of North 6th Avenue and Lander Street from Commercial General (CG) to Residential Commercial Professional (RCP).

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. CHILD CARE LICENSE DENIAL APPEAL – DUFFY

Wendi Duffy will be present to appeal the decision of Pocatello Police Department staff which denied Ms. Duffy a Child Care License. **(ACTION ITEM)**

7. CHILD CARE LICENSE DENIAL APPEAL – PISANI

Amanda Pisani will be present to appeal the decision of Pocatello Police Department staff which denied Ms. Pisani a Child Care License. **(ACTION ITEM)**

8. FINAL PLAT – TRAIL CREEK ESTATES DIVISION 4

McCormick Ranch LLC, represented by Rocky Mountain Engineering (mailing address: 600 East Oak Street, Pocatello, ID 83201), has submitted a final plat application to subdivide approximately 14.74 acres into 39 residential lots. The proposed subdivision is located north and west of Trail Creek Estates Division One Subdivision. **(ACTION ITEM)**

Documents:

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

9. WELCOME RESOLUTION

Council may wish to adopt a Welcome Resolution affirming the City of Pocatello is a welcoming and inclusive city that celebrates diversity, promotes equality and fosters respect for all residents. The proposed resolution was presented to Council at the September 10, 2020 Work Session. **(ACTION ITEM)**

Documents:

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

10. PORTNEUF HEALTH TRUST MOU – POLICE SUBSTATION

Council may wish to consider a Memorandum of Understanding (MOU) with Portneuf Health Trust (PHT) for a Police Substation to be located at 500 South 11th Avenue. PHT has agreed to provide necessary construction and equipment for a new substation to be located on the skywalk of PHT's business offices. If approved, Council may wish to authorize the Mayor's signature on documents related to the MOU, subject to Legal Department review. **(ACTION ITEM)**

The substation will be in the heart of Idaho State University and used by Police Officers to complete reports, hold interviews and other police related business.

Documents:

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

11. ZOO IDAHO 20-YEAR MASTER PLAN

Council may wish to consider adopting the Zoo Idaho 20-Year Master Plan, as discussed at the September 10, 2020 Council Work Session. The Master Plan will provide a roadmap for Zoo Idaho Improvements as resources become available. **(ACTION ITEM)**

Adoption of the Master Plan does not obligate the City financially in any way.

Documents:

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

12. RENEWAL – SICOG MOBILITY MANAGEMENT AGREEMENT

Council may wish to consider a 2-year renewal of the current Southeast Idaho Council of Governments (SICOG) agreement in the amount of \$59,900.00 per year. Cost of the agreement is split between Urban and Rural funds 50/50. **(ACTION ITEM)**

Bannock Transportation Planning Organization will provide \$2,500.00 of the urban share and Transit Department has sufficient local funding available to support the remaining amount. No City funds will be used for the Rural program share.

Documents:

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

13. PUBLIC HEARING – COMMUNITY DEVELOPMENT BLOCK GRANT NEEDS

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

This time has been set aside for the Council to accept testimony from citizens and organizations on any housing or non-housing community development needs they have identified. The Council will also review written Statements of Intent to Apply for Program Year 2021 Community

Development Block Grant (CDBG) funding and organizations may present their proposals for funding. **(ACTION ITEM)**

Documents:

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

14. SALE OF CITY PROPERTY – 1080 SOUTH 2ND AVENUE

Council may wish to accept an offer to purchase the former City of Pocatello Street Department building located at 1080 South First Avenue and if accepted, authorize the Mayor to sign documents related to the sale, subject to Legal Department review. **(ACTION ITEM)**

Documents:

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

15. 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.

Ordinances ready for reading.

15(a) Adopt an ordinance annexing approximately 7.56 acres of land located at the east end of Vista Drive. Said parcel will be zoned Residential Density Single-Family (RMS) with a Comprehensive Map Plan designation of residential. **(ACTION ITEM)**

15(b) Adopt an ordinance amending Pocatello Municipal Code Title 6, Chapter 4 “Animal Services”, specifically by amending Section 6.04.010 “Definitions” to incorporate additional defined terms and by adding Section 6.04.260 “Feeding/Attracting Wildlife Prohibition” prohibiting citizens from intentionally or knowingly feeding or attracting wildlife within City limits. **(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.