

AGENDA

CITY OF POCATELLO REGULAR CITY COUNCIL MEETING

October 7, 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 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 Mike Popovich, representing First Baptist Church.

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) **MATERIAL CLAIMS:** Council may wish to consider Material Claims for the month of September 2021.

(b) **HISTORIC PRESERVATION COMMISSION APPOINTMENT:** Council may wish to confirm the Mayor's appointment of Cindy Peterson to serve as a member of the Historic Preservation Commission, replacing Jacquee Alvord whose term expired. Cindy's term will begin October 8, 2021 and expire October 8, 2024.

(c) **POCATELLO ARTS COUNCIL APPOINTMENT:** Council may wish to confirm the Mayor's appointment of Danielle Harrington to serve as a member of the Pocatello Arts Council, replacing Stan Cope who resigned. Danielle's term will begin October 8, 2021 and will expire October 8, 2024.

(d) **COUNCIL DECISION – VACATION OF PUBLIC'S INTEREST IN A UTILITY EASEMENT AND POWER EASEMENT RUNNING THROUGH LOT 3, BLOCK 1, PRIME TIME SUBDIVISION:** Council may wish to adopt its decision to vacate and abandon the public's interest in a public utility easement established with the Roper Subdivision and a power easement granted to Idaho Power. Both easements run through Lot 3, Block 1, Prime Time Subdivision.

(e) **COUNCIL DECISION – ANNEXATION OF APPROXIMATELY 122.80 ACRES OF LAND EAST OF THE GREENFIELD AND CRESTVIEW SUBDIVISIONS AND NORTH OF HIGH COUNTRY SUBDIVISION 1ST ADDITION:** Council may wish to adopt its decision approving the annexation of a parcel of land comprised of 122.80 acres. This parcel is located east of the Greenfield and Crestview Subdivisions

and north of High Country Subdivision 1st Addition and will be zoned Residential Low Density (RL) with a Comprehensive Plan Map amendment from Mixed Use to Residential.

Documents:

[AGENDA-ITEM-3.PDF](#)

4. PROCLAMATION

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 – ZONE MAP AMENDMENT – DEAD END OF WEST HAYDEN

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

This time has been set aside for the Council to hear comments from the public regarding a request by Trevor Henderson (mailing address: 410 Yellowstone Avenue, Pocatello, ID 83201) for a Zone Map Amendment to rezone approximately 2.33 acres of property from Residential Estate (RE) to Residential Medium Density Multi-Family (RMM). The subject property is located at the dead end of West Hayden Street.

The Planning and Zoning Commission held a public hearing on August 11, 2021 and recommended denial of the application. Staff finds the proposal does not meet the standards for approval. (Quasi-judicial Public Hearing).

(ACTION ITEM)

Documents:

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

7. FINAL PLAT APPLICATION – BONNEVILLE COMMONS

Council may wish to approve a final plat application submitted by NeighborWorks Pocatello, represented by The Land Group (mailing address: 462 East Shor Drive, Eagle, ID 83616), to subdivide 1.87 acres (more or less) into twenty-five (25) lots. The proposed subdivision is located at 320 North 8th Avenue. Staff finds the proposal compliant with all applicable standards with conditions. **(ACTION ITEM)**

Documents:

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

8. FAA GRANT APPLICATION – AIRPORT

Council may wish to approve and authorize the Mayor to sign all pertinent documents related to a grant application to the Federal Aviation Administration (FAA) under the American Rescue Plan Act (ARPA). The grant in the amount of \$1,215,018.00 can be used for costs related to airport operations, personnel, cleaning, sanitation, janitorial services and combating the spread of pathogens at the airport. There is no local match required. **(ACTION ITEM)**

Documents:

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

9. BID ACCEPTANCE AND PROCUREMENT AGREEMENT FOR AIRFIELD SNOW REMOVAL EQUIPMENT – AIRPORT

Council may wish to accept the recommendations of staff for the following requests regarding the purchase of multi-tasking equipment for airfield snow removal for the Pocatello Regional Airport:

- a) Accept the lowest responsive bid from M-B Companies in the amount of \$787,077.00; and if the bid is accepted
- b) Authorize the execution of a procurement agreement and notice of award between the City of Pocatello and M-B Companies in the amount of \$787,077.00.

The purchase will be funded with AIP and ARPA grant funds and Airport Passenger Facility Charges. **(ACTION ITEM)**

Documents:

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

10. BID ACCEPTANCE OF FIVE MILLION GALLON TANK INTERIOR REPAINTING PROJECT BID – WATER DEPARTMENT

Council may wish to accept the recommendations of staff and award the

bid for the Five Million Gallon Tank Interior Repainting project to the lowest responsive bidder, Resource Development, in the amount of \$921,680.00, and authorize the Mayor to execute contract documents. Funds to cover this expense are budgeted in Fiscal Year 2022. **(ACTION ITEM)**

Documents:

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

11. 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.

Ordinance ready for reading.

11: An ordinance rezoning property located in the 2000 block of South 5th Avenue from Commercial General (CG) to Residential Commercial Professional (RCP), with a concurrent amendment to the Comprehensive Map Plan designation of Commercial (C) to Mixed Use (MU). **(ACTION ITEM)**

Documents:

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

12. 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.)

13. 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.