

## AGENDA

# CITY OF POCATELLO REGULAR CITY COUNCIL MEETING

November 4, 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.

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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](mailto:sbeebe@pocatello.us); 208.234.6248 or 5815 South 5th Avenue, Pocatello, Idaho.

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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.**

*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.*

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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 Pastor Brian Griffin, representing Pocatello 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) MINUTES: Council may wish to waive the oral reading of the minutes and approve the minutes from the following meetings: May 20, 2021 City Council Liaison/Work Session Clarification Meeting; and Clarification and Regular Council Meetings of August 5, 2021 and August 19, 2021.

(b) MATERIAL CLAIMS: Council may wish to consider Material Claims for the month of October 2021.

(c) TREASURER'S REPORT: Council may wish to consider the Treasurer's Report for September showing cash and investments as of September 30, 2021.

(d) HISTORIC PRESERVATION COMMISSION APPOINTMENT:  
Council may wish to confirm the Mayor's appointment of Jared Barthlome to serve as a member of the Historic Preservation Commission, replacing Donald Elston who resigned. Jared's term will begin November 5, 2021 and will expire February 5, 2022.

(e) POCATELLO REGIONAL AIRPORT COMMISSION  
REAPPOINTMENT: Council may wish to confirm the Mayor's reappointment of Michele Poletti to continue serving on the Pocatello Regional Airport Commission. Michele's term will begin November 20, 2021 and expire November 20, 2023.

(f) SISTER CITIES COMMITTEE APPOINTMENTS: Council may wish to confirm the Mayor's appointments of Jodi McHugh and Lyssa Schei to serve as members of the Sister Cities Committee, filling long-term vacancies. Both terms will begin November 5, 2021 and will expire November 5, 2025.

(g) SISTER CITIES COMMITTEE REAPPOINTMENT: Council may wish to confirm the Mayor's reappointment of Thipsavanh Sibounma to continue serving on the Sister Cities Committee. Thipsavanh's term will begin November 18, 2021 and expire November 18, 2025.

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/RESOLUTION – FORGONE BALANCE

**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 receive comments from the public regarding the proposal to reserve the forgone amount for Fiscal Year 2022 in the amount of \$707,927.00 for potential use in subsequent years as described in Idaho Code §63-802. Following the public hearing, Council may wish to adopt a resolution to reserve the forgone amount of \$707,927.00 for potential use in subsequent years in accordance with Idaho Code §63-802. (Legislative Public Hearing) **(ACTION ITEM)**

Documents:

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

### **7. PUBLIC HEARING – ZONE MAP AMENDMENT – DEAD END OF WEST HAYDEN**

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-7.PDF](#)

### **8. PUBLIC HEARING – CITY-INITIATED COMPREHENSIVE PLAN AMENDMENT**

This time has been set aside for the Council to hear comments from the public regarding the City-Initiated Comprehensive Plan Map Amendment for property located east of Interstate-15 (I-15) and west of the Portneuf Wellness Complex. The proposal would designate the subject property as Mixed-Use (MU).

The Planning and Zoning Commission held a public hearing on October 13, 2021 and recommended approval of the application. Staff finds the proposal meets standards under City Code with conditions. (Quasi-judicial Public Hearing). **(ACTION ITEM)**

Documents:

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

### **9. APPEAL OF HISTORIC PRESERVATION COMMISSION DECISION – 100 SOUTH ARTHUR**

Mecinna Price, representing Valentine Ballroom, (mailing address: 100 South Arthur, Pocatello, ID 83204) has appealed the Historic Preservation Commission (HPC) decision denying a Certificate of Appropriateness for door signage. **(ACTION ITEM)**

Documents:

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

## **10. JAPANESE AMERICAN CITIZENS LEAGUE (JAACL) DONATION ACCEPTANCE – AIRPORT**

Council may wish to accept and authorize the Mayor to sign any pertinent documents pertaining to a \$15,000.00 donation from the Pocatello-Blackfoot Chapter of the Japanese American Citizens League (JAACL) to be used for the purpose of funding the silk rose garden (Phase 4) of the Airport origami art display. **(ACTION ITEM)**

Documents:

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

## **11. FAA GRANT APPLICATION – POCATELLO REGIONAL AIRPORT**

Council may wish to approve and authorize the Mayor to sign all pertinent documents related to a grant application and award under the American Rescue Plan Act (ARPA). The grant will be administered by the Federal Aviation Administration (FAA). The grant amount will be in the amount of \$37,374.00 and must be used to provide relief from rent and minimum annual guarantees to in-terminal concessions. There is no local match required. **(ACTION ITEM)**

Documents:

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

## **12. RESOLUTION/LEASE AGREEMENT – POCATELLO REGIONAL AIRPORT**

Council may wish to approve by resolution and authorize the Mayor to sign a lease agreement with Gornichec Services, LLC dba Pocatello AirFare, for approximately 525 square feet of space inside the airport terminal to operate a retail shop selling food, clothing, souvenirs and other items. The lease term will be three (3) years. The rental fee will be 10% commission of gross revenues monthly. **(ACTION ITEM)**

Documents:

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

### **13. RESOLUTION/LEASE AGREEMENT AMENDMENT – POCATELLO REGIONAL AIRPORT**

Council may wish to approve by resolution and authorize the Mayor to sign an amendment to the lease agreement between the City of Pocatello and Pocatello Trap Club. The amendment allows for the reopening of Trap #2 with the stipulation that it will be rotated by 10 degrees 45 minutes and a new post 1 shooting station will be installed and that the old post 5 shooting station will be removed. **(ACTION ITEM)**

Documents:

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

### **14. COLLECTIVE BARGAINING AGREEMENT AMENDMENT – FIRE UNION**

Council may wish to approve adoption of the Amended Fiscal Year 2022-2024 Collective Bargaining Agreement for the International Association of Firefighters Pocatello Firefighters Local #187, and authorize the Mayor's signature on all pertinent documents, subject to Legal Department review. The amended version includes final language regarding the 48/96 schedule and approval and implementation of PulsarInformatics. **(ACTION ITEM)**

Documents:

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

### **15. BID ACCEPTANCE FOR POCATELLO TEST WELLS – WATER DEPARTMENT**

Council may wish to accept the recommendations of staff and award the bid for the Pocatello Test Wells project to High Plains Drilling, Inc. in the amount of \$141,250.00, and authorize the Mayor to execute all contract documents, subject to Legal Department review. Funds to cover the expense are available in the Water Department Fiscal Year 2022 budget. **(ACTION ITEM)**

Documents:

[AGENDA-ITEM-15.PDF](#)

**16. TASK ORDER #5 POCATELLO CREEK BOOSTER SERVICES DURING CONSTRUCTION AGREEMENT – WATER DEPARTMENT**

Council may wish to accept the recommendations of staff and authorize Task #5 – Pocatello Creek Booster Services During Construction and authorize the Mayor to execute contract documents, subject to Legal Department review. Total cost for the scope of services is in the amount of \$750,778.00. Construction duration for the project is a total of 18 months, therefore, adequate funds to begin the project are within the established Fiscal Year 2022 budget amount of \$10,304,000.00, and the remaining funds will be budgeted for completion in Fiscal Year 2023. **(ACTION ITEM)**

Documents:

[AGENDA-ITEM-16.PDF](#)

**17. PIGGYBACK BID ACCEPTANCE FOR COMBINATION RODDER/VACUUM SANITARY SEWER CLEANER TRUCK – WATER POLLUTION CONTROL (WPC)**

Council may wish to accept the recommendations of staff and approve the piggyback bid on Sourcewell Contract #122017-FSC-2 via Metroquip for the purchase of one (1) new 2021 15-yard Vactor 2100i on a 2022 Kenworth T880 Chassis in the sum of \$465,000.00, and authorize the Mayor's signature on all pertinent documents, subject to Legal Department review. This amount has been budgeted in WPC's Fiscal Year 2022 budget. **(ACTION ITEM)**

Documents:

[AGENDA-ITEM-17.PDF](#)

**18. 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.

18: An ordinance amending sections of Title 17 "Zoning Regulations" by amending Chapter 17.03 "Zoning Districts" increasing building height allowances for specific zoning districts to better align code with the goals and objectives of the Comprehensive Plan. **(ACTION ITEM)**

Documents:

[AGENDA-ITEM-18.PDF](#)

## 19. 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.)

## **20. ADJOURN**

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### **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.