

AGENDA

CITY OF POCATELLO REGULAR CITY COUNCIL MEETING

November 18, 2021 • 6:00 PM
Council Chambers | 911 North 7th Avenue

In-person attendance remains limited. Due to COVID-19 guidelines, strict social distancing measures are still 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 Steve Packer, representing The Church of Jesus Christ of Latter-day Saints.

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: Clarification and Regular Council Meetings of September 2, 2021, September 16, 2021 and October 7, 2021.

(b) CHILD CARE ADVISORY COMMITTEE REAPPOINTMENT:
Council may wish to confirm the Mayor's reappointment of Laura Thomas to continue serving on the Child Care Advisory Committee. Laura's term will begin December 4, 2021 and will expire December 4, 2025.

(c) PARKS AND RECREATION ADVISORY BOARD APPOINTMENT:
Council may wish to confirm the Mayor's appointment of Billy Satterfield to serve as a member of the Parks and Recreation Advisory Board, representing the Golf Advisory Committee. Billy's term will begin November 17, 2021 and will expire November 17, 2023.

(d) PARKS AND RECREATION ADVISORY BOARD

REAPPOINTMENT: Council may wish to confirm the Mayor's reappointment of Kaye Corbridge to continue serving on the Parks and Recreation Advisory Board. Kaye's term will begin December 4, 2021 and will expire December 4, 2023.

(e) 2021 POLICE RETIREMENT BOARD ELECTION: Council may wish to acknowledge that the winners of the Police Retirement Board Election held on November 2, 2021 were Tim Hillebrant, Steve Stuart and Travis Wilhelm. The winners of the Board Election will take office on January 6, 2022.

(f) COUNCIL DECISION – DENIAL OF ZONING DESIGNATION AMENDMENT – WEST END OF WEST HAYDEN STREET: Council may wish to adopt its decision to deny the request from Trevor Henderson to amend the zoning designation for approximately 2.33 acres located at the west end of West Hayden Street, from Residential Estate (RE) and Residential Medium Density Single-Family (RMS) to Residential Medium Density Multi-Family (RMM).

(g) COUNCIL DECISION – APPEAL OF HISTORIC PRESERVATION COMMISSION'S DENIAL FOR CERTIFICATE OF APPROPRIATENESS – 100 SOUTH ARTHUR AVENUE: Council may wish to adopt its decision approving the appeal from Mecinna Price and overturn the decision of the Historic Preservation Commission of its denial of Appellant's request for a Certificate of Appropriateness for the existing door signage at 100 South Arthur Avenue.

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. SHORT PLAT APPLICATION – BRANDON SUBDIVISION

Council may wish to approve a short plat application submitted by Brandon Swisher and Cindy Paulani Namohala, represented by Rocky Mountain

Engineering and Surveying (mailing address 600 East Oak Street, Pocatello, ID 83201) to subdivide .32 acres (more or less) into two (2) lots. The proposed subdivision is located at 538 Poole Avenue. Staff finds the proposal compliant with all applicable standards with conditions. **(ACTION ITEM)**

Documents:

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

7. SHORT PLAT APPLICATION – OLYMPUS CROSSING OFFICE PARK CONDOMINIUM

This Council may wish to approve a short plat application submitted by Rufus van Dyke of L & T Landholdings, represented by Rocky Mountain Engineering and Surveying (mailing address: 600 East Oak Street, Pocatello, ID 83201) to subdivide .15 acres (more or less) into two (2) commercial condominium lots for the existing building. The subdivision is located at the intersection of Olympus Drive and Bench Road. Staff finds the proposal compliant with all applicable standards with conditions. **(ACTION ITEM)**

Documents:

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

8. MEMORANDUM OF UNDERSTANDING WITH IDAHO ATTORNEY GENERAL FOR INTERNET CRIMES AGAINST CHILDREN (ICAC) INVESTIGATOR – POLICE DEPARTMENT

Council may wish to approve a Memorandum of Understanding (MOU) between the Idaho Attorney General and the City of Pocatello and authorize the Mayor's signature on all pertinent documents, subject to Legal Department review, to add an additional officer to act as a full-time Internet Crimes Against Children (ICAC) investigator. This position will be fully funded through the Idaho Attorney General's Office, including wages and benefits. **(ACTION ITEM)**

Documents:

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

9. PIGGYBACK BIDS – PUBLIC WORKS DEPARTMENTS

Council may wish to consider the following piggy-back bids and if accepted, authorize the Mayor to sign the necessary documents, subject to Legal Department review: **(ACTION ITEM)**

- a) SANITATION DEPARTMENT – SOURCEWELL CONTRACT # 060920-PMS – PETERBILT: For the purchase of one (1) new Peterbilt 520 Wittke Starlight Front-Load Refuse Truck in the amount of \$340,633.00. The amount has been budgeted in the Sanitation Department Fiscal Year 2022 budget.

- b) SANITATION DEPARTMENT – SOURCEWELL CONTRACT # 060920-PMC – PETERBILT: For the purchase of one (1) new Peterbilt 520 Labrie Automated Side-Load Refuse Truck in the amount of \$347,979.00 with a trade-in value of \$25,000.00 for a total cost of \$322,979.00. The amount has been budgeted in the Sanitation Department Fiscal Year 2022 budget.

- c) STREET OPERATIONS DEPARTMENT – SOURCEWELL CONTRACT # 032119-CAT – CATERPILLAR, INC.: For the lease of one (1) new Caterpillar 950M Wheel Loader consisting of five (5) annual payments of \$31,351.20. These amounts have been budgeted in the Street Operations Department Fiscal Year 2022 budget.

- d) WATER DEPARTMENT - SOURCEWELL CONTRACT # 060920-NVS – INTERNATIONAL: For the purchase of one (1) new 2023 International HV607 6x4 Water truck in the amount of \$175,586.10. The amount has been budgeted in the Water Department Fiscal Year 2022 budget.

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.

Ordinance ready for reading.

10: An ordinance annexing approximately 5.64 acres of land to extend the Pocatello city limits to 6715 South 5th Avenue. The annexed property will be zoned Light Industrial (LI) with a Comprehensive Plan Map designation of "Employment". **(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.