

AGENDA

CITY OF POCATELLO REGULAR CITY COUNCIL MEETING

November 19, 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 EXTREMELY limited in accordance with Governor Little's Modified Stage 2 order.

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 observed by 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 of the Clarification and Regular City Council meetings of October 15, 2020.

(b) TREASURER'S REPORT: Council may wish to consider the Treasurer's Report for September showing cash and investments as of October 31, 2020.

(c) HISTORIC PRESERVATION COMMISSION APPOINTMENT: Council may wish to confirm the Mayor's appointment of Elizabeth Fore to serve as a member of the Historic Preservation Commission, filling a vacancy. Ms. Fore's term will begin November 20, 2020 and will expire November 20, 2023.

(d) HUMAN RELATIONS ADVISORY COMMITTEE REAPPOINTMENT: Council may wish to confirm the Mayor's reappointment of Mohammad Safdar to continue his service as a member of the Human Relations Advisory Committee. Mr. Safdar's term will begin November 19, 2020 and will expire November 19, 2024.

(e) IDAHO TRANSPORTATION DEPARTMENT CHILD SAFETY SEAT GRANT – POLICE: Council may wish to approve an application to the Idaho Transportation Department in the amount of \$15,635.00 for the purpose of purchasing and distributing child passenger safety seats by Police staff and certification training and education for Police staff and, if the grant is approved, authorize the Mayor to accept and sign documents related to the grant. This is an annual grant and local match in the amount

of \$1,100.00 is required which will be covered through donations to the safety seat program.

(f) COUNCIL DECISION – THE TRIANGLE SUBDIVISION PLAT NOTE EXCLUSION: Council may wish to adopt its decision to exclude three (3) Notes from The Triangle Subdivision plat recorded September 28, 2008.

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. APPOINTMENT CONFIRMATION OF CHIEF FINANCIAL OFFICER/CITY TREASURER – KRUEGER

Council may wish to confirm the Mayor's appointment of James Krueger as Chief Financial Officer/City Treasurer, effective January 18, 2021. **(ACTION ITEM)**

7. PUBLIC HEARING – REZONE BY CONTRACT – 1399 BENCH ROAD

This time has been set aside for the Council to hear comments from the public regarding a request by Lockwood Development Partners, LLC, represented by T.J. Budge of Racine Olson, (mailing address: 201 East Center Street, Pocatello, ID 83201) for a zoning map amendment, by contract, for the property at 1399 Bench Road from the existing Commercial General (CG) zoning to Residential/Commercial/Professional (RCP) zoning to allow for multi-family dwelling units. The Planning and Zoning Commission recommended approval of the application after a public hearing on October 14, 2020. (Quasi-Judicial Public Hearing) **(ACTION ITEM)**

Documents:

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

8. SHORT PLAT – SWISHER TWO SUBDIVISION

Council may wish to approve a short plat application submitted by Swisher Properties, LLC, represented by Rocky Mountain Engineering and Surveying, (mailing address: 600 East Oak Street, Pocatello, ID 83201) to subdivide approximately .57 acres into two (2) residential lots. The property is located at 1154 Swisher Road. Staff finds the proposal compliant with all applicable standards with conditions. **(ACTION ITEM)**

Documents:

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

9. GRANT APPLICATION – RURAL CARES ACT ONE-TIME TECHNOLOGY GRANT APPLICATION – TRANSIT

Council may wish to ratify the submittal of the Rural CARES Act One-Time Technology grant application. If awarded, Council may also wish to authorize the Mayor to sign related contract awards, and authorize the Public Transit Director to execute the grants and any necessary amendments. Execution of these projects is subject to award confirmation, legal review, and budget amendments. Grant is 100% Federal and does not require local match. **(ACTION ITEM)**

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.

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.

An ordinance ready for reading.

10. An ordinance establishing standards for face coverings for individuals when they are in public including penalties for violations, commencement date, and proclaiming that it is effective upon posting in five public places of the city. **(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.