

## AGENDA

# CITY OF POCATELLO REGULAR CITY COUNCIL MEETING

February 4, 2021 • 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.

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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 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 following meetings: City Council Clarification and Regular City Council meetings of January 7, 2021 and January 21, 2021; and Special Council meeting of January 21, 2021.

(b) PAYROLL AND MATERIAL CLAIMS: Council may wish to consider payroll and material claims for the month of January 2021.

(c) ANIMAL SHELTER ADVISORY BOARD REAPPOINTMENT: Council may wish to confirm the Mayor's reappointment of Arlen Walker to continue serving on the Animal Shelter Advisory Board. Arlen's term will begin February 18, 2021 and expire February 18, 2023.

(d) COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ADVISORY COMMITTEE APPOINTMENT: Council may wish to confirm the Mayor's appointment of Steve Ernst to serve as a member of the CDBG Advisory Committee, filling a vacancy. Steve's term will begin February 5, 2021 and will expire January 1, 2024.

(e) SISTER CITIES COMMITTEE REAPPOINTMENTS: Council may wish to confirm the Mayor's reappointments of Kate Van Buskirk and Katie Cooper to continue serving on the Sister Cities Committee. Both terms will begin February 17, 2021 and will expire February 17, 2025.

(f) COUNCIL DECISION – POCATELLO COURTYARD SHORT PLAT APPROVAL: Council may wish to adopt its decision approving the short plat for Pocatello Courtyard, which divides approximately 5.62 acres of

land located on the 200 block of Vista Drive into two (2) lots, subject to conditions.

(g) CITIZEN DONATION ACCEPTANCE FOR K-9 OFFICER: Council may wish to accept a donation from the Jason Meador family in the amount of \$10,000.00 for the purchase of a new canine to be used in the Police Department. This K-9 officer will replace K-9 officer "Bart" who passed away due to a genetic heart abnormality while on duty.

Documents:

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

#### **4. 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.

#### **5. PUBLIC HEARING – FINAL PLAT – THE RIDGES AT TRAIL CREEK**

This time has been set aside for the Council to hear comments from the public regarding a request by McCormick Ranch, LLC, represented by Rocky Mountain Engineering and Surveying (mailing address: 600 East Oak Street, Pocatello, ID 83201), for a final plat application to subdivide approximately 30.22 acres into 16 residential lots. The proposed subdivision is located along Foothill Boulevard and North Gathe Drive. **(ACTION ITEM)** (Quasi-Judicial Public Hearing)

The Planning and Zoning Commission recommended approval of the preliminary plat application with conditions following a public hearing on August 26, 2020. Staff finds the proposal compliant with all applicable standards with conditions.

The public hearing was requested by Linda Popelka and Ralph Heckard. The public hearing request was approved by Council at the Regular City Council meeting on January 7, 2021.

Documents:

[AGENDA-ITEM-5.PDF](#)

#### **6. PUBLIC HEARING – ANNEXATION OF PROPERTY LOCATED AT 6715 SOUTH 5TH AVENUE**

This time has been set aside for the Council to hear comments from the public regarding a request by Willie Biorn, represented by Connect Engineering (mailing address: 1150 Hollipark Drive, Idaho Falls, ID 83405), to annex and zone approximately 5.97 acres of land at 6715 South 5th Avenue. The requested zoning for the property is Light Industrial (LI) with a Comprehensive Plan designation of Employment (E). **(ACTION ITEM)** (Quasi-Judicial Public Hearing)

The Planning and Zoning Commission recommended approval of the proposed changes following a public hearing on January 13, 2021. Staff finds the proposal compliant with all applicable standards with conditions.

Documents:

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

## 7. 2021 WATER DEPARTMENT MATERIALS BID

Council may wish to consider bids received on January 19, 2021 for materials used by the Water Department for capital improvement projects, maintenance and to replenish materials inventory. The bid was separated into thirteen (13) separate lots in an effort to guarantee the lowest price for the City. Staff requests that Council award each lot to the lowest responsive bidder as follows: **(ACTION ITEM)**

- a) CORE & MAIN – Lots One, Three, Five and Ten (\$398,602.64);
- b) MOUNTAINLAND SUPPLY – Lot Four (\$74,312.44);
- c) FERGUSON WATERWORKS – Lots Two, Six, Seven, Eight, Nine, Twelve and Thirteen (\$129,270.00); and
- d) HD FOWLER CO. – Lot Eleven (\$13,343.90).

Total cost for the materials bids is \$615,528.98. Funds are available in the Water Department's Fiscal Year 2021 budget.

Documents:

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

## 8. GRANT APPLICATION – 2020 ASSISTANCE TO FIREFIGHTERS GRANT APPLICATION

Council may wish to approve the following grant applications for the 2020 Assistance to Firefighters Grant (AFG) and if awarded, approve acceptance of the grant and authorize the Mayor's signature on all applicable documents, subject to Legal Department review. The grants are as follows:

- a) A project in the amount of \$716,002.88 for the purchase of four (4) wildland engines. Grant funds will cover \$644,402.59 and requires a 10% City match in the amount of \$71,600.29 and is available in Capital Contingency funds. The wildland engines would replace aging and unsafe equipment which has exceeded their useful life.
- b) A project in the amount of \$57,216.82 for the purchase of extrication equipment. Grant funds will cover \$51,495.13 and requires a 10% City match in the amount of \$5,721.698 and is available in Capital Contingency

funds. The equipment would replace outdated equipment and provide needed equipment for each of the 4 staffed fire engines. **(ACTION ITEM)**

Wildland engines and extrication equipment have been deemed high priority capital needs by the Federal Grant Priority.

Documents:

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

## 9. PIGGY-BACK BID – POLICE DEPARTMENT VEHICLE PURCHASE

Council may wish to consider a piggy-back bid on a City of Boise contract for the purchase of three (3) vehicles to replace aging, high mileage patrol vehicles in the Police Department. The vehicles to be purchased are: one (1) 2021 Ford Expedition for \$39,590.00; one (1) 2021 Ford Explorer Hybrid for \$39,122.00; and one (1) 2021 Dodge Charger for \$31,238.00 for a total cost of \$109,950.00. Funds for the purchase are available within the Fiscal Year 2021 Police Department budget. **(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.

Ordinances ready for reading:

10: An ordinance amending Title 17 "Zoning Regulations", specifically by amending Chapters 17.01 "General Provisions"; 17.02 "Land Use Decisions"; 17.03 "Zoning Districts"; 17.04 "Overlay Areas"; 17.05 "Development Standards"; and 17.06 "Special Use Standards" to correct errors and inconsistencies and improve the function of this Title.

Documents:

### **AGENDA-ITEM-10.PDF**

## **11. COUNCIL DISCUSSION REGARDING ORDINANCE NO. 3061 – FACE COVERINGS**

This time has been set aside for Council to revisit Ordinance No. 3061, an ordinance establishing standards for face coverings for individuals when they are in public places, as approved by the Council November 19, 2020, effective November 21, 2020. **(ACTION ITEM)**

## **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**

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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.