

AMENDED AGENDA

CITY OF POCATELLO REGULAR CITY COUNCIL MEETING

July 7, 2022 • 6:00 PM
Council Chambers | 911 North 7th Avenue

During low/medium COVID-19 community level designations, individuals are encouraged, but not required, to wear masks/face coverings.

During high COVID-19 community level designations, individuals will be required to wear masks/face coverings.

**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 Tim Bridges, representing Calvary Chapel.

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 City Council Work Session of April 14, 2022.

(b) MATERIAL CLAIMS: Council may wish to consider Material Claims for the period of June 11, 2022 through June 29, 2022.

(c) AMERICANS WITH DISABILITIES ACT GRIEVANCE COMMITTEE REAPPOINTMENT: Council may wish to confirm the Mayor's reappointment of Ricky Taylor to continue serving on the ADA Grievance Committee. Ricky's term will begin July 17, 2022 and will expire July 17, 2024.

(d) COUNCIL DECISION – APPEAL OF HEARING EXAMINER'S DENIAL OF A REQUEST FOR A VARIANCE FROM POCATELLO MUNICIPAL CODE 17.04.220: Council may wish to adopt its decision

approving the appeal from Pat Rowley and overturning the decision of the Hearing Examiner denying Mr. Rowley's request for a variance from Pocatello Municipal Code 17.04.220.

(e) COUNCIL DECISION – APPROVAL OF ZONING AND COMPREHENSIVE PLAN LAND USE MAP AMENDMENT FOR APPROXIMATELY 14.78 ACRES OF LAND: Council may wish to adopt its decision approving the request from Ken Pape to amend the zoning designation of two parcels of land totaling approximately 14.78 acres located north of Goldstar Drive and south of Goldstar Drive, west of Olympus Drive from Residential Commercial Professional (RCP) to Commercial General (CG) with a concurrent amendment to the Comprehensive Plan Map from Mixed Use (MU) to Commercial (C).

(f) COUNCIL DECISION – RICE SUBDIVISION SHORT PLAT APPROVAL: Council may wish to adopt its decision approving the short plat for Rice Subdivision, which subdivides approximately 4.33 acres of land located at 2396 South Grant Avenue into three (3) lots, subject to conditions.

(g) COUNCIL DECISION – HIGH TERRACE DIVISION 3 FINAL PLAT APPROVAL: Council may wish to adopt its decision approving the final plat for High Terrace Division 3, which subdivides approximately 18.69 acres of land into 32 lots, 30 single-family lots with two open space/common areas. This property is zoned Residential Medium Density Single-Family (RMS) and will be accessed from an extension of East Center Street and a new road, temporarily to be named ZBobaway Drive.

(h) COUNCIL DECISION – NORTHGATE DISTRICT DIVISION 2 FINAL PLAT APPROVAL: Council may wish to adopt its decision approving the final plat for Northgate District Division 2, which subdivides approximately 19.538 acres of land into 14 lots, 11 commercial lots and three (3) lots to be used for walking paths. This property is zoned Commercial General (CG) and will be accessed from an extension of Goldstar Drive and a new road, temporarily to be named District Drive.

(i) COUNCIL DECISION – WRIGHT TOWNHOMES FINAL PLAT APPROVAL: Council may wish to adopt its decision approving the final plat for Wright Townhomes, which subdivides approximately .72 acres of land into 11 townhome lots. This property is zoned Residential Medium

Density Single-Family (RMS) and will be accessed from Herbert Avenue and Wright Avenue.

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 – ZONE MAP AMENDMENT

This time has been set aside for the Council to hear comments from the public regarding a request by Bill Isley of B Street Investments, LLC, represented by Rocky Mountain Engineering and Surveying (RMES) (mailing address: 600 East Oak Street, Pocatello, ID 83201) for a zone map amendment application to rezone two (2) parcels of land south of High Terrace Division 1 Subdivision from Residential Estate (RE) to Residential Low Density (RL). **(ACTION ITEM)**

Documents:

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

6. EXCEPTION REQUEST TO ALLOW OVERNIGHT CAMPING – BUDWEISER SOFTBALL TOURNAMENT

Council may wish to consider approving the following requests from the Annual Budweiser Adult Softball Tournament, represented by Jerrold (J.R.) Lynch, (mailing address: 585 Hyde, Pocatello, ID 83201), in regards to their annual Adult Softball Tournament: **(ACTION ITEM)**

- a) Allow an exception to City Code 12.36.020, Restricted Hours in Parks, to allow for overnight camping at NOP Park's Watkins Softball Complex on July 15 and 16, 2022 to host the Annual Budweiser Adult Softball Tournament; and
- b) Allow approval of associated exceptions to City Ordinance 12.36.020 for future years, subject to the Parks and Recreation Director's review and barring any significant change or changes to events.

If the exceptions are granted, the Tournament will be required to submit the appropriate applications, provide proof of liability insurance and pay applicable permit fees. Parks and Recreation staff recommends approval of the exception requests.

Documents:

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

7. DEED OF FAÇADE EASEMENT FOR TITAN CENTER – POCATELLO DEVELOPMENT AUTHORITY (PDA)

Council may wish to approve a request by the Pocatello Development Authority (PDA) and accept a Deed of Façade Easement for the Titan Center as required by the Owners Participation Agreement between the PDA and IRG and authorize the Mayor to sign all applicable documents.

The term of the easement shall be ten (10) years from the date of completion of all agency-funded improvements. IRG will continue to assume all continued maintenance and repair of the property. Any future material changes or alterations to the facades will be approved by the City of Pocatello for the term of the easement. **(ACTION ITEM)**

Documents:

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

8. PROFESSIONAL SERVICES AGREEMENT WITH CIVIL SCIENCE, INC. FOR CARSON STREET BRIDGE PROJECT

Council may wish to approve a Professional Services Agreement with Civil Science, Inc. for inspection services for the Carson Street Bridge Project and authorize the Mayor to sign all applicable documents, subject to Legal Department review. **(ACTION ITEM)**

Documents:

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

9. BID ACCEPTANCE FOR WPC DEWATERING EQUIPMENT PRE-PURCHASE (SCREW PRESSES) – HUBER TECHNOLOGY

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

Dewatering Equipment Pre-Purchase bid to Huber Technology in the amount of \$959,494.00 for the Water Pollution Control solids dewatering Pre-Purchase (screw presses) and authorize the Mayor's signature on all applicable documents, subject to Legal Department review. **(ACTION ITEM)**

Documents:

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

10. ORDINANCES

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:

a): An ordinance amending Pocatello Municipal Code Title 15, Buildings and Construction, by amending Chapter 15.03.020, Licenses/Registration Required; Fees, removing all specific licensing fees establishing that fees be set by resolution of the City Council and Chapters 15.08.040, Permit Fees and 15.20.110, Permit Fees, granting authority for

the refunding of fees. **(ACTION ITEM)**

b): An ordinance amending Pocatello Municipal Code 17.05.570, Parking Standards by Land Use, to modify parking standards for multi-family dwellings. **(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.