

AMENDED AGENDA

CITY OF POCATELLO REGULAR CITY COUNCIL MEETING

March 3, 2022 • 6:00 PM
Council Chambers | 911 North 7th Avenue

In-person attendance remains limited. Due to COVID-19 guidelines, 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 Pastor Starr Reardon, representing the First Congregational United Church of Christ.

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 February 3, 2022.

(b) COMMUNITY DEVELOPMENT BLOCK GRANT ADVISORY COMMITTEE APPOINTMENT: Council may wish to confirm the Mayor's appointments of Kaitlin Blincoe and Doyle Livingston to serve as a members of the CDBG Advisory Committee replacing Brenda Pollard and Stephanie Heaton whose terms expired. All terms will begin March 4, 2022 and will expire January 1, 2024.

(c) CHILD CARE ADVISORY COMMITTEE APPOINTMENT: Council may wish to confirm the Mayor's appointment of Elizabeth Merkley to serve as a member of the Child Care Advisory Committee, replacing Heather Kemp whose term expired. Elizabeth's term will begin March 4, 2022 and will expire March 4, 2026.

(d) COUNCIL DECISION – SOUTH CLIFFS INDUSTRIAL PARK FINAL

PLAT: Council may wish to adopt its decision approving the final plat for South Cliffs Industrial Park, which divides approximately 11.53 acres of land into thirteen (13) lots. The property is located within a Light Industrial (LI) zoning district and will be accessed from an extension of Cliffs Drive.

(e) COUNCIL DECISION – PARKSIDE TOWNHOUSES DIVISION 2 FINAL PLAT APPROVAL: Council may wish to adopt its decision approving the final plat for Parkside Townhouses Division 2, which subdivides approximately 8.67 acres of land into fifty-seven (57) lots, fifty-six (56) townhome lots and one (1) lot to be utilized for stormwater retention. The property is located within a Residential High Density (RH) zoning district and will be accessed from extensions of South 1st Avenue and Stansbury Street.

(f) COUNCIL DECISION – PORTNEUF GOLF ESTATES II SHORT PLAT APPROVAL: Council may wish to adopt its decision approving the short plat for Portneuf Golf Estates II, which subdivides approximately .66 acres of land located at the easternmost end of Wedge Way into one lot, subject to conditions.

(g) COUNCIL DECISION – RIVERSIDE HEIGHTS SHORT PLAT APPROVAL: Council may wish to adopt its decision approving the short plat for Riverside Heights, which subdivides approximately 2.65 acres of land west of Bannock Highway and south of Hawkweed Street into four lots, subject to conditions.

(h) COUNCIL DECISION – VACATION AND ABANDONMENT OF A SHARED ACCESS UTILITY EASEMENT: Council may wish to adopt its decision to vacate and abandon the public's interest in an existing shared access and utility easement crossing Lots 1 and 2, Block 1, 14th Hole Subdivision.

(i) COUNCIL DECISION – COMPREHENSIVE PLAN LAND USE MAP AMENDMENT OF APPROXIMATELY 66.04 ACRES OF LAND LOCATED EAST OF I-15 AND WEST OF THE PORTNEUF WELLNESS COMPLEX: Council may wish to adopt its decision to approve the request by the City of Pocatello to amend the Comprehensive Plan Map to designate approximately 12.03 acres of land as Employment and 54.01 acres to be designated as Mixed Use.

(j) CHILD PASSENGER SAFETY ANNUAL GRANT REQUEST –
POLICE DEPARTMENT: Council may wish to approve a request by the Police Department to apply for an Idaho Transportation Department (ITD) FY2022 Idaho Child Passenger Safety Grant in the amount of \$15,835.00 and if awarded, allow acceptance of the grant and authorize the Mayor’s signature on any related documents, subject to Legal Department review.

(k) MATERIAL CLAIMS: Council may wish to consider Material Claims for the month of February 2022.

Documents:

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

4. 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. PUBLIC HEARING – ANNEXATION OF 45.94 ACRES EAST OF I-15

This time has been set aside for the Council to hear comments from the public regarding a request by Brian Ball, representing McCormick Ranch, LLC. (mailing address: 547 Partridge Lane, Rexburg, ID 83440), to annex and zone 45.94 acres (more or less) of land located east of I-15, south of Venture Way, and west of the Portneuf Wellness Complex. The proposed zoning is Office Park (OP) and Residential-Commercial-Professional. Staff finds the proposal compliant with all applicable standards with conditions. **(ACTION ITEM)** (Quasi-Judicial Public Hearing)

Documents:

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

7. PUBLIC HEARING – ANNEXATION OF 18.69 ACRES NORTH OF VISTA DRIVE

This time has been set aside to hear comments from the public concerning a request by Bill Isley (mailing address: 2227 East Center Street, Pocatello, ID 83201) to annex and zone 18.69 acres (more or less) of land located north of Vista Drive. The proposed zoning for the property is Residential Medium Density Single-Family with a concurrent Comprehensive Plan Land Use designation of Residential (R). Staff finds the proposal compliant with all applicable standards with conditions. **(ACTION ITEM)** (Quasi-Judicial Public Hearing)

Documents:

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

8. PUBLIC HEARING – ZONE MAP AMENDMENT AT 600 JEFFERSON AVENUE

This time has been set aside for the Council to hear comments from the public regarding a request by Dakota Worrell (mailing address: 1587 Surprise Valley, Pocatello, ID 83201) for a Zone Map Amendment to rezone approximately 3.05 acres of property from Residential Medium Density Single-Family (RMS) to Residential/Commercial/Professional (RCP). The subject property is located at 600 Jefferson Avenue. Staff finds the proposal compliant with all applicable standards. **(ACTION ITEM)** (Quasi-Judicial Public Hearing)

Documents:

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

9. FINAL PLAT APPLICATION – TRAIL CREEK TOWNHOUSES DIVISION 1 SUBDIVISION

Council may wish to approve a final plat application submitted by McCormick Ranch, LLC., represented by Rocky Mountain Engineering and Surveying (mailing address: 600 East Oak Street, Pocatello, ID 83201), to 6.65 acres (more or less) into 64 lots. The proposed subdivision is located west of North Foothill Boulevard. and north of North Gathe Road extension. Staff finds the proposal compliant with all applicable standards with conditions. **(ACTION ITEM)**

Documents:

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

10. REQUEST FOR DE-ANNEXATION – 2772 AMERICAN ROAD

Council may wish to approve a request for deannexation submitted by Tyson and Angela Spencer, represented by Rocky Mountain Engineering and Surveying, (mailing address: 600 East Oak Street, Pocatello, ID 83201). The subject property is located at 2772 American Road and is 37.83 acres (more or less). Staff finds the proposal compliant with all applicable standards with conditions. **(ACTION ITEM)**

Documents:

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

11. MUNICIPAL CODE 13.16.085 B EXCEPTION REQUEST – SPENCER PULLIAM

Spencer Pulliam (mailing address: 1536 Chloe Lane Pocatello, Idaho 83201) requests an exception to City Municipal Code 13.16.085 to be allowed a private septic system on a parcel less than two and one-half (2 ½) acres located on Fore Road. **(ACTION ITEM)**

Documents:

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

12. MEMORANDUM OF UNDERSTANDING (MOU) FOR PROPOSED PUBLIC PARK – LEGACY PARK

Ryan Satterfield of Satterfield Realty and Development, Inc. and City staff requests the authorization of the Mayor’s signature of a Memorandum of Understanding (MOU) for the dedication and improvements to a proposed public park to be known as Legacy Park within the Crestview Estates Division 4 development. Staff recommends the execution of the Memorandum of Understanding between Satterfield Realty and Development, Inc. and the City of Pocatello, subject to Legal Department review. **(ACTION ITEM)**

Documents:

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

13. ANNUAL TRADE AND PURCHASE OF HANDGUNS – POLICE DEPARTMENT

Council may wish to consider the Police Department’s recommendation and accept a quote from Salt Lake Wholesale (Blue Label Glock Dealer for Law Enforcement) for the following firearms to be used by members of the Pocatello Police Department: **(ACTION ITEM)**

- a) Trade-in 11 old Glock 21’s, 1 old Glock 30, and 2 old Glock 17’s firearms; and if approved
- b) Purchase 16 new Glock 17 MOS handguns and 2 Glock 19 MOS handguns.

Staff can purchase the new Glock handguns at a discounted rate of \$274.88 per gun. Total purchase cost will be \$4,948.00. Funds are available in the Police Department’s Fiscal Year 2022 budget.

Documents:

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

14. SURPLUS AND SALE OF SEIZED ASSETS REQUEST – POLICE DEPARTMENT

Council may wish to accept the following requests from the Pocatello Police Department, subject to Legal Department Review: **(ACTION ITEM)**

- a) Declare three (3) vehicles as surplus which were seized during ongoing investigations. The vehicles have been adjudicated and awarded to the Police Department by the Bannock County Prosecutor's Office in accordance with Asset Forfeiture Laws;
- b) Declare one (1) vehicle as surplus that was purchased with narcotics funds and has been in use by the narcotics unit for several years; and
- c) Authorize the sale of the vehicles through auction and authorize the Mayor's signature on all pertinent documents.

Documents:

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

15. FISCAL YEAR 2022 PROGRAM OF PROJECTS – TRANSIT

Council may wish to approve the 2022 Operating and Capital Program of Projects for Transit's Urban and Rural services and authorize the Mayor and City Attorney to PIN the Grant Certifications (5307) and authorize the Public Transit Director to make necessary amendments and modifications related to the grants as required, subject to Legal Department review for the following: **(ACTION ITEM)**

- a) Federal Transit Administration Urban Grant (5307) in the amount of \$1,204,232.00 for Fiscal Year 2022 with a local share of \$687,382.00; Local Share is available in the Fiscal Year 2022 Public Transit budget; and
- b) Federal Transit Administration Rural Idaho Transportation Department Grant (5311), in the amount of \$737,014.00 and \$320,405.00 for Fiscal Year 2022. No City funds are used for the Rural Program.

Documents:

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

16. PUBLIC TRANSIT INTELLIGENT TRANSPORTATION SYSTEMS (ITS) AGREEMENT AND AWARD

Council may wish to authorize the execution of an Intelligent Transportation Systems (ITS) agreement and Notice of Award between the City and Trapeze Software Group, Inc. dba TripSpark and authorize the Mayor to sign, subject to Legal Department review, all pertinent documents. This is

a one-time project in the amount of \$442,707.00 with an annual software maintenance fee of \$40,678.00 starting in Fiscal Year 2023. The one-time project amount is provided by a 100% federally funded CARES Act grant and does not require a local match. **(ACTION ITEM)**

Documents:

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

17. 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.)

18. 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.