

AGENDA

CITY OF POCATELLO REGULAR CITY COUNCIL MEETING

May 4, 2023 • 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:
<https://streaming.pocatello.gov/> 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 their name and address for the record. If a citizen wishes to read documentation of any sort to the Council, they 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.gov; 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.**

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 Jim Jones, representing Blazing Grace Ministries.

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) MATERIAL CLAIMS: Council may wish to consider the Material Claims for the period of April 16-30, 2023.

(b) TREASURER'S REPORT: Council may wish to approve the Treasurer's Report for March 2023 showing cash and investments as of March 31, 2023.

(c) ANIMAL SHELTER ADVISORY BOARD REAPPOINTMENT: Council may wish to confirm the Mayor's reappointment of Ronna Martinez to continue serving as a member of the Animal Shelter Advisory Board. Ronna's term will begin May 20, 2023 and will expire May 20, 2025.

(d) CIVIL SERVICE COMMISSION APPOINTMENT: Council may wish to confirm the Mayor's appointment of Randy Norton to serve as a member of the Civil Service Commission, filling a vacancy. Randy's term will begin May 5, 2023 and will expire May 5, 2029.

(e) HOUSING ALLIANCE AND COMMUNITY PARTNERSHIPS APPOINTMENT: Council may wish to confirm the Mayor's appointment of Steve Ernst to serve as a member of the Housing Alliance and Community Partnerships Board, replacing Karina Rorris who resigned. Steve's term will begin April 21, 2023 and expire April 21, 2028.

(f) COUNCIL DECISION – ZONE MAP AMENDMENT APPROVAL – WESTERN SKIES: Council may wish to adopt its decision approving the request from Land Quest, Inc. to amend the zoning designation of approximately 3.58 acres of land located east of Dolostone Drive and west/adjacent to the I-86 southern merger ramp with I-15 from zoning designation Residential Medium Density Multi-Family (RMM) to Residential High Density (RH).

(g) COUNCIL DECISION – BROCK PLACE TOWNHOMES PLANNED UNIT DEVELOPMENT APPROVAL: Council may wish to adopt its decision approving a request by Morris Construction LLC for a Planned Unit Development consisting of approximately 4.69 acres of land located

south of Philbin Road and west of Brock Drive, subject to conditions. The development shall consist of 36 residential townhome lots, eight four-plex lots and combination stormwater, open space, and recreation areas.

(h) COUNCIL DECISION – RIMROCK PROPERTIES SUBDIVISION SHORT PLAT APPROVAL: Council may wish to adopt its decision approving the short plat for Rimrock Properties Subdivision, which subdivides approximately 2.79 acres of land located at 4539 South 5th Avenue into two (2) commercial lots, subject to conditions.

(i) COUNCIL DECISION – PARLEY'S WAY SHORT PLAT APPROVAL: Council may wish to adopt its decision approving the short plat for Parley's Way, which subdivides approximately 1.32 acres of land located at 2207 South Grant Avenue into two (2) residential lots, subject to conditions.

(j) COUNCIL DECISION – SNELL SWISHER SPLIT SHORT PLAT APPROVAL: Council may wish to adopt its decision approving the short plat for Snell Swisher Split, which subdivides approximately 0.57 acres of land located at 1154 Swisher Road into one two-unit duplex lot and one single family lot, subject to conditions.

(k) COUNCIL DECISION – FAIRGROUNDS PLACE SHORT PLAT APPROVAL: Council may wish to adopt its decision approving the short plat for Fairgrounds Place, which subdivides approximately 33.81 acres of land located south of Venture Way and east of Fairgrounds Road into three (3) lots, subject to conditions.

(l) COUNCIL DECISION – BONNEVILLE COMMONS CONDOMINIUMS NO. 1 SHORT PLAT APPROVAL: Council may wish to adopt its decision approving the short plat for Bonneville Commons Condominiums No. 1, which subdivides approximately 0.12 acres of land located at the northeast corner of the intersection of North 8th Avenue and East Lander Street into three (3) lots, subject to conditions.

(m) COUNCIL DECISION – BONNEVILLE COMMONS CONDOMINIUMS NO. 2 SHORT PLAT APPROVAL: Council may wish to adopt its decision approving the short plat for Bonneville Commons Condominiums No. 2, which subdivides 0.12 acres of land located at the northeast corner of the intersection of North 9th Avenue and East Lander Street into three (3) lots, subject to conditions.

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 – POCATELLO COMPREHENSIVE PLAN 2040

This time has been set aside for the Council to hear comments from the

public regarding Pocatello Comprehensive Plan 2040. Council may wish to adopt the proposed document as an official City plan. (Legislative Public Hearing) **(ACTION ITEM)**

Documents:

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

7. PUBLIC HEARING – POCATELLO COMPREHENSIVE PLAN 2040 FUTURE LAND USE MAP

This time has been set aside for the Council to hear comments from the public regarding Pocatello Comprehensive Plan 2040 Future Land Use Map. Council may wish to adopt the proposed map to be included in Comprehensive Plan 2040. (Legislative Public Hearing) **(ACTION ITEM)**

Documents:

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

8. SHORT PLAT APPLICATION – WAYWARD KINGHORN ESTATES DIVISION 1

Council may wish to approve a short plat application submitted by Zac Davis of Wayward Kinghorn Properties, LLC (mailing address: 1036 N 1100 E, Shelley, ID 83274) to subdivide 0.43 acres (more or less) into two (2) residential lots. The proposed subdivision is located at 1256 Kinghorn Road. Staff finds the proposal compliant with all applicable standards of Pocatello Municipal Code, subject to compliance with the conditions listed in the staff report. **(ACTION ITEM)**

Documents:

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

9. AIRPORT LEASE TERMINATION, LEASE AGREEMENT AND RESOLUTION

Council may wish to approve and authorize the Mayor's signature on the following: **(ACTION ITEM)**

(a) A termination of lease agreement for the hangar property lease between the City and Matt Sammons; and if approved

(b) Approve a lease agreement and adopt a Resolution between the City and RMP, LLC for approximately 3,000 square feet of property upon which they own an aircraft hangar. The lease agreement will be for a 10-year term at a rental rate of \$642.00 per year to be

increased annually according to the CPI with full rate review in 2026 and every five (5) years thereafter.

Documents:

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

10. AIRPORT HANGAR PROPERTY RIGHT OF FIRST REFUSAL

Council may wish to approve and authorize the Mayor's signature on a Right of First Refusal Agreement between the City and Stacy Meyer for 4,550 square feet of hangar property at the Airport. The agreement will allow Mr. Meyer first rights to lease a parcel of property adjacent to his current hangar property, in the event a prospective tenant requests to lease the property. The agreement will be for a period of ten (10) years. **(ACTION ITEM)**

Documents:

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

11. TASK ORDER #6 - BARTON BOOSTER STATION MODIFICATION – WATER DEPARTMENT

Council may wish to approve Task Order #6-Barton Booster Station Modifications, a task order addition to the Water On-Call Services Agreement with Keller Associates, Inc. in the amount of \$182,125.00. The task includes the completion of engineering design services to include surge protection equipment and replacement of the discharge header portion of the Barton Booster Station. **(ACTION ITEM)**

Documents:

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

12. PROFESSIONAL SERVICES AGREEMENT – US EPA BROWNFIELD GRANT MANAGEMENT

Council may wish to approve and authorize the Mayor's signature on all pertinent documents for a professional services agreement between the City and Stantec Consulting Services, Inc. Stantec will

provide grant management services for the City's US EPA Brownfield Assessment Grant. The fee is a lump sum, based on Stantec's proposal submission, not to exceed \$440,956.00 and will be funded 100% by grant funds from the US EPA Brownfield Assessment Grant. The agreement and project are subject to availability of grant funds. **(ACTION ITEM)**

Documents:

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

13. BID ACCEPTANCE AND PURCHASE OF ASPHALT AND RELATED MATERIALS – STREET AND WATER OPERATIONS DEPARTMENTS

Council may wish to accept the recommendations of staff and award the bid for Superpave Asphalt and related materials to Mickelsen Construction, Inc. in the approximate amount of \$1,135,250.00, as part of the Street and Water Department 2023 construction season, subject to Legal Department review. Funding for the materials has been budgeted in the Street Department and Water Departments Fiscal Year 2023 budget. Council may also wish to authorize the Mayor's signature on all pertinent documents related to the purchase. **(ACTION ITEM)**

Documents:

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

14. SOLE SOURCE DECLARATION OF LATEX EMULSION PURCHASE

Council may wish to accept the recommendations of Street Operations staff and approve the purchase of GSB-88 2:1 + Latex Emulsion from Asphalt Systems, Inc. to be a valid sole source expenditure for the City's 2023 summer paving program and authorize the Mayor's signature on all documents related to the purchase. The product is a trademarked material that no other company makes; therefore, it is impractical/impossible to obtain three bids. The amount requested is approximately 24,000 gallons for an estimated total purchase price of \$100,320.00 FOB Salt Lake City, Utah. This expenditure has been budgeted for in the Street Operations FY2023 budget. **(ACTION ITEM)**

Documents:

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

15. 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.