

AGENDA

CITY OF POCA TELLO REGULAR CITY COUNCIL MEETING

July 20, 2023 • 6:00 PM
Council Chambers | 911 North 7th Avenue

***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 Shad Johnson, representing The Church of Jesus Christ of Latter-day Saints.

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 approve the Material Claims for the period of July 1-15, 2023.

(b) **CIVIL SERVICE COMMISSION APPOINTMENT:** Council may wish to confirm the Mayor's appointment of Timothy Rice to serve as a member of the Civil Service Commission, replacing Michael Larson who resigned. Timothy's term will begin July 21, 2023 and will expire May 7, 2027.

(c) **HISTORIC PRESERVATION COMMISSION REAPPOINTMENT:** Council may wish to confirm the Mayor's reappointment of Marty Vizcarra to continue serving as a member of the Historic Preservation Commission. Marty's term will begin July 11, 2023 and expire July 11, 2026.

(d) **POCATELLO ARTS COUNCIL APPOINTMENT:** Council may wish to confirm the Mayor's appointment of William David Hance to serve as a member of the Pocatello Arts Council, filling a long-term vacancy. William's term will begin July 21, 2023 and will expire February 22, 2025.

(e) **PERSONNEL POLICY HANDBOOK AMENDMENTS:** Council may wish to approve changes to the Drug Free Workplace Policy of the Personnel Policy Handbook. The changes are necessary for federal transit grant compliance and are minor corrections, with a major change of scope. Changes were presented to the City Council at the July 13, 2023 Work Session. If approved, policy changes would be effective July 21, 2023.

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. DAYCARE RESIDENT LICENSE DENIAL APPEAL – MICHELLE CRANDALL

Michelle Crandall will be present to appeal the denial of her juvenile son's Daycare Resident License renewal. **(ACTION ITEM)**

7. PUBLIC HEARING – VACATION OF RIGHT-OF-WAY – 1620 SUNSET ROAD

This time has been set aside for the Council to hear comments from the public regarding a request to vacate the public's interest in Right-of-Way extending across 1620 Sunset Road. The application was submitted by Evelyn Richmond, (mailing address: 1620 Sunset Road, Pocatello, ID 83201) represented by Brent Richmond. Staff recommends approval of the application with conditions. **(ACTION ITEM)** (Quasi-Judicial public hearing)

Documents:

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

8. EXCEPTION REQUEST TO CITY BUILDING CODE 15.28 – 1504 SOUTH 3RD AVENUE

Council may wish to consider a request by Kohl Bingham (mailing address: 1504 South 3rd Avenue, Pocatello, ID 83201) for an exception to City fence requirements to allow a 6-foot fence to be installed at his residence. Construction Board of Appeals and Review denied Mr. Bingham's request on July 5, 2023. **(ACTION ITEM)**

Documents:

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

9. SHORT PLAT APPLICATION – PORTNEUF/GREAT WESTERN MALTING PARTITION

Council may wish to approve a short plat application submitted by Portneuf Capital, LLC (mailing address: 1800 River Walk Way, Building H, Pocatello, ID 83204) to subdivide 25.75 acres (more or less into three (3) lots. The proposed subdivision is generally located northwest of River Park Way. Staff finds the proposal compliant with all applicable standards of Pocatello Municipal Code assuming compliance with the conditions listed in the staff report. **(ACTION ITEM)**

Documents:

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

10. IDAHO POWER UTILITY EASEMENT REQUEST – AMMON PARK

Council may wish to approve a request by Idaho Power for an easement at Ammon Park for the extension of an underground power line and authorize the Mayor's signature on all applicable documents, subject to Legal Department review. **(ACTION ITEM)**

Documents:

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

11. ADA CURB RAMP IMPROVEMENT PROJECT BID RESULTS

Council may wish to accept the recommendation of staff and reject all bids received on June 15, 2023 for the South 5th Avenue/Hayden Street and South 5th Avenue/Wyeth Street ADA Improvements project, subject to Legal Department review. The bid amount is in excess of the engineer's estimate and \$17,902.00 over the approved funding amount. **(ACTION ITEM)**

Documents:

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

12. PIGGYBACK BID OF SOURCEWELL CONTRACT FOR PURCHASE OF MOBILE COLUMN LIFTS AND JACK STANDS – FIRE DEPARTMENT

Council may wish to accept the recommendation of staff and approve the piggyback bid of Sourcewell contract #013020-SKI via Northwest Lift and Equipment LLC, for the purchase of six (6) mobile column lifts and four (4) jack stands for the Fire Department and authorize the Mayor's signature on all applicable documents, subject to Legal Department review. Purchase price for the equipment is \$97,106.00. Funding is available in the Fire Department FY2023 budget. **(ACTION ITEM)**

Documents:

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

13. 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.