

AGENDA

CITY OF POCATELLO REGULAR CITY COUNCIL MEETING

August 3, 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 Reverend Haydie Lecobeiller, representing Trinity Episcopal Church.

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 16-31, 2023.

(b) **MINUTES:** Council may wish to waive the oral reading of the minutes and approve the minutes from the following meetings:
Special Council meetings of February 13 and March 28, 2023; and Clarification and Regular City Council meetings of June 1, June 15, and July 6, 2023.

(c) **COUNCIL DECISION - VACATION OF RIGHT-OF-WAY - 1620 SUNSET ROAD:** Council may wish to adopt its decision approving the vacation and abandonment of the public's interest in Right-of-Way of approximately 0.33 acres of land extending across 1620 Sunset Road and distributing said vacated land to the adjacent owner, Evelyn M. Richmond, subject to conditions.

(d) **COUNCIL DECISION - SHORT PLAT APPROVAL PORTNEUF/GREAT WESTERN MALTING PARTITION:** Council may wish to adopt its decision approving the short plat for Portneuf/Great Western Malting Partition Subdivision, which subdivides approximately 25.75 acres of land generally located northwest of River Park Way 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. TAXI CAB LICENSE DENIAL APPEAL – LEARY

Daniel Leary will be present to appeal the denial of his Taxicab license application which was denied by the Pocatello Police Department.
(ACTION ITEM)

7. LIVESTOCK/MULTI-ANIMAL HOUSING LICENSE DENIAL APPEAL – JORGENSON

Nicole Jorgenson will be present to appeal the denial of her City livestock and multi-animal housing license application which was denied by Animal Services. **(ACTION ITEM)**

Documents:

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

8. PUBLIC HEARING – PROPOSED FISCAL YEAR 2024 BUDGET

This time has been set aside for the Council to receive public comments on the proposed Fiscal Year 2024 City Budget (Legislative Public Hearing).

Documents:

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

9. PUBLIC HEARING – PROPOSED FISCAL YEAR 2024 FEE CHANGES

This time has been set aside for the Council to hear comments from the public on proposed fee changes for Fiscal Year 2024 (Legislative Public Hearing).

Documents:

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

10. 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 Building 12

of the Titan Center as required by the Owners Participation Agreement between the PDA and IRG and authorize the Mayor's signature on 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 façades will be approved by the City of Pocatello for the term of the easement. **(ACTION ITEM)**

Documents:

AGENDA-ITEM-10.PDF

11. PIGGYBACK BID OF CITY OF BOISE CONTRACT FOR PURCHASE OF WORK TRUCKS – WATER DEPARTMENT

Council may wish to accept the recommendation of staff and approve the piggyback bid of City of Boise's co-op contract via Mountain Home Auto Ranch, for the purchase of three (3) half-ton Chevrolet Silverado work trucks and authorize the Mayor's signature on all applicable documents, subject to Legal Department review. Purchase price for all vehicles is \$121,034.00. Funding is available in the Water Department FY2023 budget. **(ACTION ITEM)**

Documents:

AGENDA-ITEM-11.PDF

12. ORDINANCE

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.

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.

Ordinance ready for reading:

12: An ordinance amending Pocatello Municipal Code Title 2 Chapter 2.06.050 "Compensation of Mayor and Council Members" to update compensation and provide clarity to existing benefits for Mayor and City Council members. **(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.