

AGENDA

CITY OF POCA TELLO REGULAR CITY COUNCIL MEETING

September 21, 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 Captain Ernie Evans, representing the Salvation Army.

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: **Work Sessions of June 8, 2023; and Budget meetings of June 15 and June 28, 2023.**

(b) **MATERIAL CLAIMS:** Council may wish to approve the Material Claims for the period of September 1-15, 2023.

(c) **TREASURER'S REPORT:** Council may wish to approve the Treasurer's Report for August 2023 showing cash and investments as of August 31, 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 EMPLOYEE LICENSE REVOCATION APPEAL – KAYLA FISHER

Kayla Fisher will be present to appeal the revocation of her Childcare Employee License which was revoked by the Police Department. **(ACTION ITEM)**

7. DAYCARE EMPLOYEE LICENSE DENIAL APPEAL – MADISON SAXTON

Madison Saxton will be present to appeal the denial of a Childcare Employee License which was denied by the Police Department.
(ACTION ITEM)

8. DAYCARE EMPLOYEE LICENSE REVOCATION APPEAL – RITA SWANK

Rita Swank will be present to appeal the revocation of her Childcare Employee License which was revoked by the Police Department.
(ACTION ITEM)

9. CHILDCARE BUSINESS LICENSE AND DAYCARE EMPLOYEE LICENSE REVOCATION APPEAL – MELANIE ANDERSON

Melanie Anderson will be present to appeal the revocation of her Childcare Business License and Daycare Employee License which were revoked by the Police Department. **(ACTION ITEM)**

10. PUBLIC HEARING – PROPOSED FISCAL YEAR 2023 BUDGET AMENDMENTS

This time has been set aside for the Council to hear comments from the public regarding proposed Fiscal Year 2023 Budget amendments. **(ACTION ITEM)** (Legislative Public Hearing)

Documents:

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

11. FINAL PLAT APPLICATION – BROCK PLACE TOWNHOMES PUD SUBDIVISION

Council may wish to approve a final plat application submitted by Morris Construction, represented by Harper Leavitt Engineering, (mailing address: 800 West Judicial Street, Blackfoot, ID 83221) to subdivide 4.69 acres (more or less) into forty-six (46) lots. The proposed subdivision is located southeast of the intersection between Brock Drive and Philbin Road. 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-11.PDF](#)

12. RESOLUTION – AMENDING DRUG/ALCOHOL TESTING POLICY

Council may wish to adopt a resolution amending the City's Drug/Alcohol Testing Policy for employees whose positions require a Commercial Driver's License (not Transit Authority-related). This amendment updates the job titles listed in Appendix "A", which are subject to drug/alcohol testing and appoints a member of the Legal Department as the City's Designated Employee Representative.

(ACTION ITEM)

Documents:

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

13. RESOLUTION – AMENDED PUBLIC TRANSIT DEPARTMENT DRUG/ALCOHOL TESTING POLICY

Council may wish to adopt a resolution amending the Drug/Alcohol Testing Policy for Transit Department "safety-sensitive" employees, which replaces the policy previously adopted in October 17, 2019. The amendment appoints a member of the Legal Department as the City's Designated Employee Representative (DER). **(ACTION ITEM)**

Documents:

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

14. US DEPARTMENT OF TRANSPORTATION RECONNECTING COMMUNITIES AND NEIGHBORHOODS (RCN) GRANT APPLICATION – TERRY FIRST CONNECTION

Council may wish to approve the submission of a grant application to the US Department of Transportation's Reconnecting Communities and Neighborhoods (RCN) grant program. The grant would provide necessary funding to install bicycle and pedestrian

infrastructure along Terry Street, 1st Avenue, and the Benton Street overpass in order to improve connectivity between the University, Warehouse, and Downtown districts. The total project cost is \$8.5 million and does not require a match. City Council may wish to approve the grant application and, if awarded, authorize the Mayor's signature on all pertinent documents, subject to Legal Department review. **(ACTION ITEM)**

Documents:

AGENDA-ITEM-14.PDF

15. 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:

15: An ordinance approving an amendment to the Fiscal Year 2023 Appropriations Ordinance increasing the total Fiscal Year expenditures by \$3,326,375 to account for additional revenues, including grant funds received by the City and to use previously

unappropriated cash balances for unanticipated expenses incurred by the City. **(Whole ordinance will need to be published.)**
(ACTION ITEM)

Documents:

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

16. 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.