

**AMENDED
AGENDA**

**CITY OF POCATELLO
REGULAR CITY COUNCIL
MEETING**

June 15, 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 Pastor Starr Readon, representing 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 February Work Session; and the Clarification and Regular City Council meetings of April 20, May 4 and May 18, 2023.

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

(c) **COUNCIL DECISION - REZONE OF PROPERTY LOCATED AT 516 RIVERSIDE DRIVE:** Council may wish to adopt its decision approving the request from JW Property Group, LLC to amend the zoning designation of approximately 3.03 acres located at 516 Riverside Drive from Residential Medium Density Multi-Family (RMM) to Residential High Density (RH) and approximately .67 acres of Lots 26-28, Block 13, West Pocatello Townsite from Residential Medium Density Single-Family (RMS) to Residential Medium Density Multi-Family (RMM) with a concurrent amendment to the Comprehensive Plan Map for a portion of the 3.03 acre parcel from Public to Residential.

(d) **COUNCIL DECISION - SHORT PLAT APPROVAL - OKI DOKI POKI SUBDIVISION:** Council may wish to adopt its decision approving the short plat for Oki Doki Poki Subdivision, which subdivides approximately .19 acres of land located at 1452 South 3rd Avenue into two (2) lots, subject to conditions.

(e) **COUNCIL DECISION - FINAL PLAT EXTENSION - EAGLES LANDING DIVISION 2:** Council may wish to adopt its decision

granting the request from Ruth Dekker for an extension to complete the final plat for Eagles Landing Division 2. The extension shall expire on December 1, 2023.

(f) COUNCIL DECISION - SHORT PLAT EXTENSION - TIERRA VISTA SUBDIVISION: Council may wish to adopt its decision granting the request from Heidi's Holdings, LLC and Boyd Christensen for an extension to complete the short plat for Tierra Vista Subdivision. The extension shall expire on December 1, 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. 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-6.PDF](#)

7. RESOLUTION – CITY RECORDS POLICY

Council may wish to adopt a resolution updating the City's Records Policy. The updated policy includes guidelines for records retention and disclosure of records. This will replace the City's current policy which was adopted in 2020. **(ACTION ITEM)**

Documents:

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

8. SURPLUS AND SALE OF SEIZED ASSETS REQUEST –

POLICE DEPARTMENT

Council may wish to approve the following requests from the Pocatello Police Department: **(ACTION ITEM)**

- a) Transfer 83 firearms that have been removed from evidence into the department in accordance with Idaho Code and Police Department policy;
- b) Authorize the trade-in of 13 older AR-15 rifles and 20 older AR-15 uppers which have been removed from service and are no longer usable to the department;
- c) Authorize the trade in of four (4) 4 firearms transferred to the Pocatello Police Department from the Idaho State Police;

If approved, staff recommends trading the firearms and purchasing **the following safety equipment: 18 optics and firearm accessories** from Hux Customs, a local vendor; and

- d) Authorize the trade in of three (3) old Remington rifles that have exceeded their service life and are no longer usable to the **department.**

If approved, staff recommends trading in the rifles to Javelin Arms, **as a partial trade toward the purchase of two (2) new rifles.** Funds for the remaining amount for the rifle purchase is available within the Police Department budget.

Documents:

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

9. LHTAC/LOCAL AGREEMENT – HAWTHORNE ROAD/JENSEN PEDESTRIAN IMPROVEMENT PROJECT

Council may wish to approve an agreement and authorize the Mayor's signature on all pertinent documents regarding the LHTAC/Local Agreement for the 2023 Local Children Pedestrian Safety Program between LHTAC and the City of Pocatello, subject to Legal Department review. **Total project costs are anticipated to be**

\$250,000 and will be fully funded by the Local Children Pedestrian Safety Program grant. There is no match required. **(ACTION ITEM)**

Documents:

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

10. BID ACCEPTANCE/AWARD – CENTER STREET ADA PROJECT

Council may wish to accept the recommendations of staff and accept the lowest responsive bid, award the project and authorize the Mayor's signature on all pertinent documents to the lowest responsive bidder, M&S Development and Construction, LLC and the City of Pocatello for the Center Street ADA Improvement Project in the amount of \$253,759.50, subject to Legal Department review. **(ACTION ITEM)**

Documents:

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

11. BID ACCEPTANCE/AWARD – STEEL REFUSE CONTAINERS – SANITATION

Council may wish to accept the recommendations of staff and accept the lowest responsive bid, award the project and authorize the Mayor's signature on all pertinent document for steel refuse containers to the lowest responsive bidder, Enterprise Sales, Inc., subject to Legal Department review. **(ACTION ITEM)**

Documents:

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

12. BID ACCEPTANCE/AWARD – EQUIPMENT SIMULATOR

Council may wish to accept the recommendations of staff and award the bid for equipment simulator to the highest scoring responsive bidder, Western States Equipment Co. in the amount of \$128,295.53. Council may also wish to authorize the Mayor's signature on all pertinent documents, subject to Legal Department

review. Funds for the purchase are available in the Street Operations Department FY2023 budget. **(ACTION ITEM)**

Documents:

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

13. BID ACCEPTANCE/AWARD – VEHICLE SIMULATOR

Council may wish to accept the recommendations of staff and award the bid for vehicle simulator to the highest scoring responsive bidder, L3 Harris Technologies, Inc. in the amount of \$170,900.00. Council may also wish to authorize the Mayor's signature on all pertinent documents, subject to Legal Department review. Funds for the purchase are available in the Street Operations Department FY2023 budget. **(ACTION ITEM)**

Documents:

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

14. 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. **(ACTION ITEM)**

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:

14: An ordinance approving an amendment to the Fiscal Year 2023 Appropriations Ordinance increasing the total Fiscal Year expenditures by \$5,182,820 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-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.