

AGENDA

CITY OF POCATELLO REGULAR CITY COUNCIL MEETING

February 2, 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 his/her name and address for the record. If a citizen wishes to read documentation of any sort to the Council, he/she 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.**

Citizens have an opportunity to be heard by the Council if the item meets the criteria as described in the agenda item called "ITEMS FROM THE AUDIENCE." You must sign in at the start of the meeting to be recognized.

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 Karl Pettit, representing First Baptist 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) MINUTES: Council may wish to waive the oral reading of the minutes and approve the minutes from the following meetings: Work Session meetings of July 14, August 11, and September 9, 2022; Budget Development meeting of July 21, 2022; and Clarification and Regular City Council meetings of November 17, December 1, December 15, 2022 and January 5, 2023.

(b) MATERIAL CLAIMS: Council may wish to ratify Material Claims for the period of January 1-15, 2023 and consider the Material Claims for the period of January 16-31, 2023.

(c) TREASURER'S REPORT: Council may wish to consider the Treasurer's Report for November 2022 showing cash and investments as of November 30, 2022.

(d) HISTORIC PRESERVATION COMMISSION APPOINTMENT:

Council may wish to confirm the Mayor's appointment of Ellen Ryan to serve as a member of the Historic Preservation Commission, replacing Cindy Peterson who resigned. Ellen's term will begin February 3, 2023 and will expire October 8, 2024.

Documents:

[AGENDA-ITEM-3.PDF](#)

4. PROCLAMATIONS AND COMMUNICATIONS

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 LICENSE REVOCATION APPEAL – VICTORY KIDS DAYCARE

Jessie Redd, owner/operator of Victory Kids Daycare, will be present to appeal the revocation of her City daycare business license. **(ACTION ITEM)**

7. PUBLIC HEARING – COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM YEAR 2023 ANNUAL ACTION PLAN

This time has been set aside for the Council to receive public comment on the proposed Community Development Block Grant (CDBG) Program Year 2023 Annual Action Plan. The CDBG Advisory Committee recently completed its annual grant application process, concluding with a recommendation of approval at their meeting on December 20, 2022. The required public comment period began January 6, 2023 and concludes February 2, 2023. Following the public hearing, the Council may wish to endorse or modify the Advisory Committee's recommendations and authorize submission, including any public comments, of the PY2023 Action Plan to the Department of Housing and Urban Development (HUD). The Council may also wish to authorize the Mayor's signature on all requisite contract documents, subject to Legal Department review, with HUD and any sub-recipients or subcontractors. (Legislative Public Hearing) **(ACTION ITEM)**

Documents:

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

8. AIRPORT GRANT AGREEMENT AND RESOLUTION

Council may wish to approve and authorize the Mayor to sign a Grant Agreement and all pertinent documents and adopt a Resolution, accepting a grant offer from the Idaho Transportation Department Division of Aeronautics. The grant is for \$15,000.00, which will be used to provide required match funds for FAA Airport Improvement Program grant funds.

The projects to be completed using the funds include design of runway 3/21 rehab, an airfield pavement management plan and purchase of a plow truck with de-ice trailer and loader with ramp plow. **(ACTION ITEM)**

Documents:

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

9. DEPARTMENT OF HOMELAND SECURITY FISCAL YEAR 2022 ASSISTANCE TO FIREFIGHTERS GRANT APPLICATION

Council may wish to approve and authorize submission of the following grant applications and, if awarded, authorize the Mayor's signature on all pertinent documents, subject to Legal Department review. The grants are as follows: **(ACTION ITEM)**

a) A grant application for a Type 5 Wildland Engine in the amount of \$266,798 under HGAC Buy contract #FS12-19. There is a 10% local match of \$25,680, which the department would request approval to use Fund 78 in FY24 or FY25, based on delivery, for the match amount; and

b) A grant application for five (5) thermal imaging cameras. The cost of the cameras is \$52,850. There is a 10% local match of \$5,285, which will be budgeted for equipment in FY24.

Documents:

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

10. COMMUNITY RATING SYSTEM REMOVAL REQUEST

Council may wish to approve the City of Pocatello's withdrawal from the

voluntary Federal Emergency Management Agency (FEMA) Community Rating System (CRS) Program. **(ACTION ITEM)**

Documents:

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

11. EMPLOYEE HANDBOOK AMENDMENT REQUESTS – HUMAN RESOURCES

Council may wish to consider approving the following changes to the Employee Handbook: **(ACTION ITEM)**

- a) Addition of Background Check Policy for employees, amending the current process regarding interdepartmental transfer; and
- b) Addition to Section D – Employment Policies and Practices, “Layoff and Recall”. Adding a clear process for Temporary, Variable Hour or Seasonal Employees.

Documents:

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

12. SERVER SPACE PURCHASE FOR POLICE DEPARTMENT RECORDS

Council may wish to approve a request by the Police Department to purchase additional server capacity for video and body camera footage.

The current Network Attached Storage (NAS) system is near capacity and the proposed purchase of 180TB of storage in the amount of \$11,987.44, is available in Fund 78. **(ACTION ITEM)**

Documents:

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

13. SURPLUS AND SALE OF SEIZED ASSETS REQUEST – POLICE DEPARTMENT

Council may wish to accept the following requests from the Pocatello Police Department, subject to Legal Department Review: **(ACTION ITEM)**

- a) Declare one (1) vehicle as surplus that was purchased with narcotics funds and has been in use by the narcotics unit for several years; and
- b) Authorize the sale of the vehicle through auction and authorize the Mayor's signature on all pertinent documents.

Documents:

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

14. AIRPORT LEASE TERMINATION, LEASE AGREEMENT AND RESOLUTION

Council may wish to approve and authorize the Mayor to sign the following agreements and Resolution for property at the Airport: **(ACTION ITEM)**

- a) A termination of lease agreement for the hangar property lease between the City and Dennis Jensen; and if approved
- b) A lease agreement and Resolution between the City and SR22, LLC for approximately 7,200 square feet of property upon which they own an aircraft hangar. The lease agreement will be for a 20-year term at a rental rate of \$2,001.60 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-14.PDF](#)

15. AIRPORT LEASE AMENDMENTS AND RESOLUTIONS

Council may wish to approve and authorize the Mayor to sign the following lease amendments and Resolutions for property at the Airport: **(ACTION ITEM)**

- a) An amendment and Resolution to the lease agreement between the City and Pocatello TMX to correct an error in the legal property description; and
- b) An amendment and Resolution to the lease agreement between the City and East Idaho BMX to correct an error in the legal property description.

Documents:

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

16. AIRPORT USE AGREEMENT – POCATELLO TMX

Council may wish to approve and authorize the Mayor to sign a use agreement with Pocatello TMX for use of additional property outside their leased area from April 28-30, 2023 for a cross-country off-road motocross race. The fee for use will be \$200.00. **(ACTION ITEM)**

Documents:

[AGENDA-ITEM-16.PDF](#)

17. AIRPORT LEASE AGREEMENT AND RESOLUTION – IDAHO STAR

Council may wish to approve and authorize the Mayor to sign a lease agreement and Resolution between the City and Idaho STAR for approximately 5,896 feet of property upon which they have a motorcycle safety training classroom. The proposed lease is for a five (5) year term at a rental rate of \$124.04 per month which will increase annually according to the CPI with full rate review in 2026 and every five (5) years thereafter. **(ACTION ITEM)**

Documents:

[AGENDA-ITEM-17.PDF](#)

18. LOCAL PROFESSIONAL SERVICES AGREEMENT AND CONSULTANT SERVICE AGREEMENT – HAWTHORNE/QUINN SAFETY PROJECT

Council may wish to approve a Local Professional Services Agreement between the City of Pocatello, Idaho Transportation Department and Atlas Technical Consultants, LLC and authorize the Mayor's signature on all applicable documents, subject to Legal Department review. There is no additional financial requirement or match for the project. The full match for this project has previously been met. **(ACTION ITEM)**

Documents:

[AGENDA-ITEM-18.PDF](#)

19. 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)**

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:

19: An ordinance amending Pocatello Municipal Code Title 17 Chapters 17.01 "General Provisions", 17.02 "Land Use Decisions", 17.03 "Zoning Districts", 17.04 "Overlay Areas" and 17.05 "Development Standards" to remove redundancies, provide clarity and improve the function of the title. **(ACTION ITEM)**

Documents:

[AGENDA-ITEM-19.PDF](#)

20. STATE OF THE CITY

This time has been set aside for the Annual State of the City report.

21. 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.