

## AGENDA

# CITY OF POCATELLO REGULAR CITY COUNCIL MEETING

June 1, 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.

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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](mailto:sbeebe@pocatello.gov); 208.234.6248 or 5815 South 5th Avenue, Pocatello, Idaho.

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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.**

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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.

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### 1. ROLL CALL AND PLEDGE OF ALLEGIANCE

## 2. INVOCATION

The invocation will be offered by Tamilyn Carson, Buddhist representative.

## 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 Clarification and Regular City Council meetings of April 6, 2023.

(b) **MATERIAL CLAIMS:** Council may wish to consider the Material Claims for the period of May 16-31, 2023.

(c) **TREASURER'S REPORT:** Council may wish to approve the Treasurer's Report for April 2023 showing cash and investments as of April 30, 2023.

(d) **COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ADVISORY COMMITTEE APPOINTMENT:** Council may wish to confirm the Mayor's appointment of Brett Walker to serve as a member of the CDBG Advisory Committee, filling a long-term vacancy. Brett's term will begin June 2, 2023 and will expire January 1, 2026.

(e) **POCATELLO DEVELOPMENT AUTHORITY (PDA) APPOINTMENT:** Council may wish to confirm the Mayor's appointment of Nathan Richardson to serve as a member of the Pocatello Development Authority, replacing Victoria Byrd, whose term expired. Nathan's term will begin June 2, 2023 and will expire May 1, 2027.

(f) **OPEN CONTAINER WAIVER REQUEST - HISTORIC DOWNTOWN POCATELLO:** Council may wish to consider a request from Historic Downtown Pocatello (mailing address: PO Box 222, Pocatello ID 83204) for a waiver of the open container ordinance to allow alcohol to be consumed in the 100 block of South Garfield Avenue and inside Lookout Point on Wednesdays from June 1, 2023 through

September 16, 2023 for Revive @ 5 events. If the open container ordinance is waived it should be contingent upon the applicant meeting Police Department requirements and purchasing appropriate permits.

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 – COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM YEAR 2019 ANNUAL ACTION PLAN AMENDMENT**

This time has been set aside for the Council to accept comments from the public regarding the proposed amendment to the Program Year 2019 Community Development Block Grant (CDBG) Annual Action Plan. This amendment will allow for the CDBG-CV (Cares Act) funding to be used for eligible public facilities activities. The amendment was reviewed and recommended for approval by the CDBG Advisory Committee at their meeting on March 28, 2023. A written comment period began April 12, 2023, and concluded June 1, 2023. Following the public hearing, the Council may wish to approve the amendment and authorize the submission, including any public comments, to the US Department of Housing & Urban Development (HUD). **(ACTION ITEM)**

Documents:

[AGENDA-ITEM-6.PDF](#)

#### **7. PUBLIC HEARING – ZONE AND COMPREHENSIVE PLAN MAP AMENDMENT – JW PROPERTIES LLC**

This time has been set aside for the Council to accept comments from the public regarding a zone map amendment application request by Jake Woodward of JW Properties LLC. (mailing address:

6925 South Union Park Center, Suite 480, Sandy, UT 84093), for a zone and comprehensive plan map amendment application to rezone a 3.03 acres parcel (more or less) from Residential-Medium-Density Multi-Family (RMM) to Residential High Density (RH). The request also includes rezoning lots 26 thru 28 Block 13 of West Pocatello Townsite from Residential Medium Density Single Family (RMS) to Residential Medium Density Multi-Family (RMM). The Planning and Zoning Commission recommended approval of the application with conditions. **(ACTION ITEM)**

Documents:

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

## **8. SHORT PLAT APPLICATION – OKI DOKI POKI**

Council may wish to approve a short plat application submitted by Judith E. Heusner, represented by GVE Drafting and Land Surveying, (mailing address: 1290 Mountain West Drive, Pocatello, ID 83202) to subdivide 0.19 acres (more or less) into two (2) residential lots. The proposed subdivision is located at 1452 South 3rd Avenue. 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-8.PDF](#)

## **9. EAGLES LANDING DIVISION 2 PLAT EXPIRATION DEADLINE EXTENSION REQUEST – RUTH DEKKER**

Council may wish to approve a request by Ruth Dekker (mailing address: 616 North M Street, Tacoma, Washington 98403) represented by Rocky Mountain Engineering and Surveying (RMES) (mailing address: 600 East Oak Street, Pocatello, ID 83201) to extend the two (2) year expiration deadline for recording the Final Plat, Eagles Landing Division 2, pursuant to Pocatello Municipal Code §16.24070 (D). Council is also asked to define a time period associated with the extension. Staff has recommended a 6-month extension period from the City Council Decision. **(ACTION ITEM)**

Documents:

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

## **10. FINAL PLAT EXPIRATION DEADLINE EXTENSION REQUEST – TIERRA VISTA 1ST AMENDED**

Council may wish to approve a request by Heidi's Holdings LLC (mailing address: 1388 Winchester Drive, Pocatello, ID 83201) and Boyd Christensen (mailing address: 5485 E Sunnyside Idaho Falls Idaho 83406) represented by Creek Hollow and Associates Inc. (mailing address: 611 Wilson Avenue, Suite 1A, Pocatello, ID 83201) to extend the two (2) year expiration deadline for recording the Final Plat, Tierra Vista 1st Amended, pursuant to Pocatello Municipal Code §16.24070 (D). Council is also asked to define a time period associated with the extension. Staff has recommended a 6-month extension period from the City Council Decision. **(ACTION ITEM)**

Documents:

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

## **11. USDA FOREST SERVICE URBAN AND COMMUNITY FORESTRY GRANT APPLICATION**

Council may wish to approve submission of a grant application to the US Department of Agriculture Forest Service Urban and Community Forestry grant program. The Urban and Community Forestry (UCF) grant application would provide necessary funding to improve Pocatello's urban forest through an Urban Forest Plan, tree inventory and asset management database, and risk mitigation work. Total project costs are \$3,651,915.41 and there is no match required. Council may wish to authorize submission of 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-11.PDF](#)

## **12. FY23 ADA RAMP PROJECT NORTH 5TH AVENUE AND CLARK STREET RESOLUTION/AGREEMENT**

Council may wish to adopt a Resolution and approve a Cooperative Agreement for the FY23 ADA Ramp Project between Idaho Transportation Department (ITD) and the City of Pocatello and authorize the Mayor's signature on all applicable documents, subject to Legal Department review. There is no fiscal requirement or match for the project, but the project will be completed through a reimbursement grant. **(ACTION ITEM)**

Documents:

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

## **13. AIRPORT LEASE AGREEMENT/RESOLUTION – AMERIGAS PROPANE**

Council may wish to adopt a resolution and approve and authorize the Mayor to sign a lease agreement between the City and Amerigas Propane for approximately .78 acres of property at the airport for the purpose of bulk propane storage. The lease agreement will be for a one-year term with a one-year renewal option at a rental rate of \$4,137.26 per year to be increased annually according to the CPI. **(ACTION ITEM)**

Documents:

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

## **14. ADJOURN**

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### **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.