

CITY OF POCATELLO, IDAHO  
CITY COUNCIL  
REGULAR CITY COUNCIL MEETING  
JANUARY 7, 2021

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AGENDA ITEM NO. 1: The Regular City Council meeting was called to order at 6:00 p.m. ROLL CALL AND PLEDGE OF ALLEGIANCE by Mayor Brian Blad. Council members present via GoTo Meeting, an online meeting platform, were Heidi Adamson, Roger Bray, Rick Cheatum, Linda Leeuwrik, Claudia Ortega and Chris Stevens.

Mayor Blad led the audience in the pledge of allegiance.

AGENDA ITEM NO. 2: A moment of silence was observed in place of an invocation. INVOCATION

Mayor Blad announced Agenda Item No. 15 had been pulled from the agenda to allow staff more time to research the item.

AGENDA ITEM NO. 3: Council was asked to consider the following business items: CONSENT AGENDA

-PAYROLL AND MATERIALS CLAIMS (a) Consider payroll and materials claims for the month of December, 2020 in the amount of \$6,343,687.52.

-COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ADVISORY COMMITTEE APPOINTMENT (b) Confirm the Mayor's appointment of Shereen Ainsworth to serve as a member of the CDBG Advisory Committee, filling a long term vacancy. Shereen's term will begin January 8, 2021 and will expire January 1, 2024.

-HUMAN RELATIONS ADVISORY COMMITTEE APPOINTMENT (c) Confirm the Mayor's appointment of Bhavisha Patel to serve as a member of the Human Relations Advisory Committee, replacing Nancy Goodman whose term expired. Ms. Patel's term will begin January 8, 2021 and will expire January 8, 2025.

-PARKS AND RECREATION ADVISORY BOARD REAPPOINTMENT (d) Confirm the Mayor's reappointment of David Doran to continue his service on the Parks and Recreation Advisory Board. David's term will begin January 9, 2021 and will expire January 9, 2023.

-POCATELLO DEVELOPMENT AUTHORITY APPOINTMENT (e) Confirm the Mayor's appointment of Jim Johnston to serve as a member of the Pocatello Development Authority, replacing Chad Carr who resigned. Mr. Johnston's term will begin January 8, 2021 and will expire May 1, 2024.

-SISTER CITIES COMMITTEE REAPPOINTMENT (f) Confirm the Mayor's reappointment of Kellie Maughan to continue service on the Sister Cities Committee. Kellie's term will begin January 6, 2021 and will expire January 6, 2025.

- 2020 ANNUAL ROAD AND STREET FINANCIAL REPORT (h) Approve the 2020 Road and Street Financial Report. The report accounts for the City's use of State highway user dollars during the past fiscal year to the Idaho State Controller as required by law.
- COUNCIL DECISION (i) Adopt the Council's decision approving the final plat for -WESTERN SKIES DIVISION 1 to subdivide approximately 8.74 acres into 21 residential lots. The proposed subdivision is located east of Dolostone Drive and north of Eastpointe Drive.

A motion was made by Mr. Cheatum, seconded by Ms. Stevens, to approve Agenda Items 3(a), 3(b), 3(d), 3(f), 3(h), 3(i) and to consider Agenda Items 3(c) and 3(e) as separate agenda items. Upon roll call, those voting in favor were Cheatum, Stevens, Adamson, Bray, Leeuwrik and Ortega.

Agenda Item 3(c) was considered at this time

Ms. Stevens inquired if Bhavisha Patel was a member of the extended family of current members of the committee. She wanted to be sure that the committee is made up of a good representation of the community.

Mayor Blad stated that asking about family relationships to other board members is not part of the application process.

Ms. Leeuwrik noted that Raj and Muhammad are from different countries and they are of no family relation.

A motion was made by Ms. Adamson, seconded by Mr. Cheatum, to approve Agenda Item 3(c). Upon roll call, those voting in favor were Adamson, Cheatum, Bray, Leeuwrik, Ortega and Stevens.

Agenda Item 3(e) was discussed at this time.

Mr. Bray noted his concerns about confirming former Council members to boards and having a realtor serve on the PDA.

Mrs. Ortega shared her concern of having the appearance of impropriety. She stated the Council's job is to listen to the community, no matter their personal feelings. She feels in order to build trust with the community, it would be best to have members who don't appear to potentially profit or have conflicting interests to serve on boards.

Ms. Adamson explained there have been and are currently former council members that serve on various boards and that concerns from the community have not been brought to her attention.

Mr. Cheatum spoke of Mr. Johnston's knowledge of the inner workings of the community and that knowledge on advisory boards is an asset to the community.

A motion was made by Mr. Cheatum, seconded by Ms. Adamson, to approve Agenda Item 3(e). Upon roll call, those voting in favor were Cheatum, Adamson and Leeuwrik. Bray, Ortega and Stevens voted in opposition.

Due to a tie in voting, Mayor Blad was required to cast the deciding vote.

Mayor Blad stated that applications were solicited for a month prior to his selection of Mr. Johnston, who was the only applicant. He feels Mr. Johnson has been and continues to be an asset to the community. Mayor Blad voted in favor of the motion. The motion passed.

AGENDA ITEM NO. 4: Mayor Blad announced there were no proclamations.  
COMMUNICATIONS  
AND PROCLAMATIONS

AGENDA ITEM NO. 5: Mayor Blad reminded the Council of the January 14<sup>th</sup> Work Session  
CALENDAR REVIEW at 9:00 a.m.; and the following meetings to be held January 21<sup>st</sup>:  
Special City Council Meeting at 2:00 p.m.; Clarification meeting at  
5:30; and Regular Council meeting at 6:00 p.m. He announced that the January 21<sup>st</sup> Council  
Liaison/Work Session Clarification meeting had been canceled.

Mayor Blad announced that Christmas tree collection sites would be available through January 8. Boxes are located at City Hall; Rainey Park on South Arthur; and Sister City Park entrance on Pocatello Creek Road for Christmas tree disposal. Trees will be chipped and used in landscaping projects. Be sure to remove all strings, wires and other objects to avoid damaging the City's wood chipping equipment. City Offices will be closed January 18 to observe Martin Luther King, Jr. Day. However, garbage and recycling pick-ups will be on schedule. Reminder: Face coverings are required when individuals are in public places within the city of Pocatello; and keep sidewalks clear of snow and ice. When clearing sidewalks and driveways of snow, please do not place snow in the street. It becomes a driving hazard.

AGENDA ITEM NO. 6: This time was set aside for the Council to hear comments from  
PUBLIC HEARING the public regarding a request by Brian Ball of McCormick Ranch,  
-PLANNED UNIT LLC, represented by Rocky Mountain Engineering and Surveying  
DEVELOPMENT (mailing address: 600 East Oak Street, Pocatello, ID 83201) for a  
-RIDGES AT TRAIL Planned Unit Development (PUD) to develop approximately 15.23  
CREEK TOWNHOUSES acres into 164 residential townhomes. The proposed PUD is  
located west of North Foothill Boulevard and north of North  
Gathe Road extension.

The Planning and Zoning Commission recommended approval of the proposed changes following a public hearing on December 9, 2020.

Mayor Blad opened the public hearing.

Council members announced there had been no ex parte communication.

Brady Smith, representing Rocky Mountain Engineering and Surveying, gave an overview of the property. He noted the developer is continuing to work on securing land needed for a secondary access road and the developer has agreed to all conditions recommended by staff. The application meets the minimum requirements.

In response to questions from Council, Mr. Smith stated that a sprinkler system will be installed to meet fire code requirements for subdivisions without secondary access. Mr. Smith stated that a no parking zone along private drive aisles will be a condition in the home owners association bylaws.

In response to a question from Council, Merrill Quayle, Development Engineer, stated the City will have the ability to enforce parking.

Carl Anderson, Senior Planner, presented an overview of the proposed Planned Unit Development to facilitate the development of The Ridges at Trail Creek Townhouses. Mr. Anderson stated that pending approval of the Planned Unit Development (PUD) application, a preliminary and final plat application are required to be submitted and approved before development may occur.

Mayor Blad announced that written correspondence had been forwarded to the City Council and no additional correspondence had been received.

There being no public comments, Mayor Blad closed the public hearing.

A motion was made by Ms. Adamson seconded by Mr. Cheatum, to approve a request by Brian Ball of McCormick Ranch, LLC. represented by Rocky Mountain Engineering and Surveying for a Planned Unit Development (PUD) to develop approximately 15.23 acres into 164 residential townhomes with the following conditions: 1) All applicable standards of Pocatello Municipal Code 16.20 and 16.24 shall be strictly adhered to; 2) All open space designated as part of the subject PUD shall be maintained by the future home owners association subject to the standards of Municipal Code 17.02.140.D.4; 3) The parking area shall be dedicated as shared common area and at no point may any fencing or other obstruction be placed within the parking and access area so as to prevent fire access and turnaround; 4) The applicant shall provide a two foot (2') easement line around the footprint of each building cluster to provide for awnings, eaves, overhangs, and landscaping to extend into the shared common area, to be maintained by the homeowner's association. This easement shall be shown on the preliminary and final plat for each phase of development; 5) A minimum of a 10' setback shall be provided from all structures and the perimeter of the project area, meeting the minimum rear setback of the RCP zoning district; 6) Applicant shall maintain and enforce a no parking requirement along the private drive aisles that may block the private garage access, where a 25' setback would otherwise be required; 7) All proposed amenities shall be complete with each phase as proposed. The proposed clubhouse shall be built in a style similar to the townhomes as proposed; 8) Each front door shall be connected via a pedestrian pathway; 9) In order to address the requirement of Fire Code that when more than 30 or more units are constructed, a secondary emergency access shall be provided, all requirements of the Public Works memorandum shall be strictly adhered to, or as an alternative, all units shall have a fire sprinkling as permitted by the International Fire Code; 10) All approved architectural standards shall be enforced by the homeowner's association per Municipal Code 17.02.140.G.5; 11) The applicant shall submit a plan meeting all applicable requirements of Pocatello Municipal Code 17.04.170 Sensitive Lands Standards to be included with the preliminary plat application submitted; and 12) All other standards or conditions of Municipal Code not herein stated but applicable to the planned unit development, land subdivision and residential development shall apply and that the decision be set out in appropriate Council decision format and that the proposed PUD is located west of North Foothill Boulevard and north of North Gathe Road extension. Upon roll call, those voting in favor were Adamson, Cheatum, Bray, Leeuwrik, Ortega and Stevens.

AGENDA ITEM NO. 7: PUBLIC HEARING -ZONING ORDINANCE AMENDMENTS	This time was set aside for the Council to hear comments from the public regarding revisions to Pocatello Municipal Code Title 17, Zoning Ordinance. These revisions were presented to the Council at the November 12, 2020 Work Session and are to clarify and/or update sections of the ordinance.
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Mayor Blad opened the public hearing.

Carl Anderson, Senior Planner, gave an overview of proposed revisions to the Zoning Ordinance. He explained that the errors, inconsistencies and revisions were identified and revisions become necessary to adapt to changing conditions. Staff identified eighteen (18) local developers, engineers and architects to review the proposed changes and provide comments. Two written comments were received regarding clarification to the proposed amendments. A change was made to remove the short term rental and associated standards. This will allow staff to address concerns raised by Council and will be brought before Council at a later date. Title 17 was reviewed by the City of Pocatello Legal Department with no substantial concerns. No written correspondence was received.

Mayor Blad announced that no written correspondence had been received.

There being no public comments, Mayor Blad closed the public hearing.

A motion was made by Ms. Adamson, seconded by Mrs. Ortega, to approve revisions to Pocatello Municipal Code Title 17, Zoning Ordinance as presented to the Council at the November 12, 2020 Work Session and outlined in Agenda No. 7, and direct City Staff to prepare an ordinance for Council consideration at a future City Council meeting. Upon roll call, those voting in favor were Adamson, Ortega, Bray, Cheatum, Leeuwrik and Stevens.

AGENDA ITEM NO. 8: This time was set aside for the Council to receive public comments regarding a proposed amendment within the Program Year 2020 Community Development Block Grant (CDBG) Annual Action Plans. The amendment was reviewed and recommended for approval by the CDBG Advisory Committee at their meeting on November 10, 2020.

PUBLIC HEARING  
-PROGRAM YEAR  
CDBG ACTION PLAN  
AMENDMENT

A 30-day comment period began December 6, 2020 and concluded January 7, 2021. Following the public hearing, the Council was asked to approve the amendment and authorize submission, including any public comments, to the Department of Housing and Urban Development (HUD).

Mayor Blad opened the public hearing.

Janae Mitchell, CDBG Program Manager, explained that the public hearing allows for public comments regarding a proposed amendment to the Plan Year 2020 Action Plan. This amendment will allow the City to move unused funds in the amount of \$70,000.00 from Neighbor Works Pocatello to "Available to Fund". Transfer of the funds in the amount of \$70,000.00 will allow agencies to access available funds during Plan Year 2020. The CDBG Advisory Committee recommended approval of the amendment at the November 10, 2020 committee meeting. Copies of the recommendation were available for public review. A 30-day comment period began December 6, 2020, and concluded January 7, 2021.

Mayor Blad reported that no written correspondence had been received.

There being no public comments, Mayor Blad closed the public hearing.

A motion was made by Ms. Leeuwrik, seconded by Mr. Cheatum, to approve an amendment within the Program Year 2020 Community Development Block Grant (CDBG) Annual Action Plan provided that the funds in the amount of \$70,000.00 be exclusively for the sidewalk program. Upon roll call, those voting in favor were Leeuwrik, Cheatum, Adamson, Bray, Ortega and Stevens.

AGENDA ITEM NO. 9: This time was set aside for the Council to receive public comment on the proposed Community Development Block Grant (CDBG) Program Year 2021 Action Plan. The CDBG Advisory Committee recently completed its annual grant application process, concluding with a recommendation of approval at their meeting on November 10 and November 12, 2020.

PUBLIC HEARING  
-PROPOSED CDBG  
PROGRAM YEAR 2021  
ANNUAL ACTION  
PLAN

A 30-day comment period began December 6, 2020 and concluded January 7, 2021. Following the public hearing, Council was asked to endorse or modify the Advisory Committee's recommendations and authorize submission, including any public comments, of the Program Year 2021 Action Plan to the Department of Housing and Urban Development (HUD). The Council was asked to authorize the Mayor's signature on all requisite contract documents, subject to Legal Department review, with HUD and any subrecipients or subcontractors.

Mayor Blad opened the public hearing.

Janae Mitchell, CDBG Program Manager, noted the public hearing allows for public comment on the Action Plan that has been recommended by the CDBG Advisory Committee for Pocatello's 25<sup>th</sup> year as an entitlement city. The action plan was developed assuming the same allocation as the current program year of \$449,917.00, however the actual amount will not be known until the federal budget is passed. The Community Development Block Grant Advisory Committee (CDBG) has recommended a list of conditions that allows adjustments up to 25 percent, to avoid the need for a formal amendment.

Mayor Blad announced that no written correspondence had been received.

There being no public comments, Mayor Blad closed the public hearing.

A motion was made by Mr. Bray, seconded by Mrs. Ortega, to endorse the CDBG Advisory Committee's recommendations and authorize submission, including any public comments, of the Program Year 2021 Action Plan to the Department of Housing and Urban Development (HUD). To authorize the Mayor's signature on all requisite contract documents, subject to Legal Department review, with HUD and any subrecipients or subcontractors. Upon roll call, those voting in favor were Bray, Ortega, Adamson, Leeuwrik and Stevens. Cheatum voted in opposition to the motion. The motion passed.

AGENDA ITEM NO. 10: Linda Popelka and Ralph Heckard (mailing address: 238 Oakwood Drive, Pocatello, ID 83204), have submitted written requests to hold a public hearing prior to the final action by City Council regarding the final plat for The Ridges at Trail Creek Subdivision.

REQUEST FOR PUBLIC  
HEARING- THE RIDGES  
AT TRAIL CREEK FINAL  
PLAT

A motion was made by Ms. Stevens seconded by Mrs. Ortega, to approve a request by Linda Popelka and Ralph Heckard to hold a public hearing prior to the final action by City Council regarding the final plat for The Ridges at Trail Creek Subdivision. Upon roll call, those voting in favor were Stevens, Ortega, Adamson, Bray, Cheatum and Leeuwrik.

AGENDA ITEM NO. 11: Council was asked to consider a request from Satterfield Realty and Development, Inc., represented by Rocky Mountain Engineering and Surveying, (mailing address: 600 East Oak Street, Pocatello ID 83201), for a final plat application to subdivide approximately 13.48 acres into 23 residential lots. The proposed subdivision is located south of Monson Street and northeast of Mariah Way. Staff finds the proposal compliant with all applicable standards and conditions.

A motion was made by Mr. Cheatum, seconded by Ms. Stevens, to approve a request from Satterfield Realty and Development, Inc., represented by Rocky Mountain Engineering and Surveying, for a final plat application to subdivide approximately 13.48 acres into 23 residential lots with the following conditions: 1) All conditions on the Final Plat Subdivision Application Executive Summary and shall be met; 2) All conditions set out in the Public Works Department Memorandum from Merrill Quayle, P.E. dated, December 29, 2020 shall be met. 3) The area to remain undisturbed shall be included on the plat prior to recording. The boundaries shown on the plat shall be surveyed and staked prior to the beginning of construction. All other standards if Pocatello Municipal Code 17.05.140 shall apply; and 4) All other standards and conditions of Municipal Code not herein discussed but applicable to residential development shall apply and that the decision be set out in appropriate Council decision format. The proposed subdivision is located south of Monson Street and northeast of Mariah Way Upon roll call, those voting in favor were Cheatum, Stevens, Adamson, Bray, Leeuwrik and Ortega.

AGENDA ITEM NO. 12: Council was asked to approve a Memorandum of Understanding (MOU) with Sagebrush Steppe Land Trust for services to develop a strategic plan for land and funding acquisition with willing landowners for implementation of the City's Open Space and River Vision goals, subject to Legal Department review. Funding in the amount of \$50,000.00 for execution of the agreement is available within the Fiscal Year 2021 General Fund Budget.

A motion was made by Mr. Bray, seconded by Mrs. Ortega, to approve a Memorandum of Understanding (MOU) with Sagebrush Steppe Land Trust for services to develop a strategic plan for land and funding acquisition with willing landowners for implementation of the City's Open Space and River Vision goals, subject to Legal Department review. Funding in the amount of \$50,000.00 for execution of the agreement is available within the fiscal Year 2021 General Fund Budget. Upon roll call, those voting in favor were Bray, Ortega, Adamson, Cheatum, Leeuwrik and Stevens.

AGENDA ITEM NO. 13: Council was asked to accept a piggy-back bid on a 2014 City of Pocatello sealed competitive bid for refuse carts with Rehrig Pacific Company. The Sanitation Department will purchase carts by the truckload throughout the year as needed. This expenditure was approved in the Sanitation Department Fiscal Year 2021 budget. The Council may also wish to authorize the Mayor to sign the necessary documents, subject to Legal Department review.

A motion was made by Mr. Bray, seconded by Mr. Cheatum, to accept a piggy-back bid on a 2014 City of Pocatello sealed competitive bid for refuse carts with Rehrig Pacific Company to allow the Sanitation Department to purchase carts by the truckload throughout the year as needed and authorize the Mayor to sign the applicable purchase documents, subject to Legal Department review. Upon roll call, those voting in favor were Bray, Cheatum, Adamson, Leeuwrik, Ortega and Stevens.

- AGENDA ITEM NO 14: The Trails Working Group and Portneuf Greenway Foundation request the City Council's support for submission of two (2) IDPR grant applications under the IDPR Recreational Trails Program, and if awarded, authorize acceptance of the grants and authorize the Mayor to sign, subject to Legal Department review, documents related to the grants, and upon completion, accept Ownership of the trail and bridge.
- GRANT REQUEST  
-RECREATION  
TRAILS PROGRAM  
GRANT APPLICATIONS  
PARKS AND  
RECREATION
- BRENNAN TRAIL  
EXTENSION TO  
NORTH MAIN
- a) An extension of the Brennan Trail from the end of existing trail to the North Main Extension. Cost of the project is approximately \$40,000.00 with a required match of 25% (\$10,000.00) which will be funded by Portneuf Greenway Foundation.
- PEDESTRIAN BRIDGE  
OVER THE PORTNEUF  
RIVER FROM  
MILLWARD  
MILE TRAIL TO  
SACAJAWEA PARK
- b) Construction of a pedestrian bridge over the Portneuf River connecting a new trail with the Millward Mile Trail to Sacajawea Park. Cost of the project is approximately \$200,000.00 with a required match of 25%, (\$50,000.00) which will be funded by the Portneuf Greenway Foundation.

The City of Pocatello would have full ownership of the trail and pedestrian bridge upon completion.

A motion was made by Mr. Cheatum, seconded by Ms. Stevens, to approve two (2) grant applications submitted by the Trails Working Group and Portneuf Greenway Foundation as outlined in Agenda Item 14(a) and 14(b) and authorize the Mayor to sign the necessary documents, subject to Legal Department review. Upon roll call, those voting in favor were Cheatum, Stevens, Adamson, Bray, Leeuwrik and Ortega.

- AGENDA ITEM NO. 15: As announced earlier, Agenda Item No. 15 to extend the COVID-19 Sick Leave Policy through March 31, 2021, was pulled from the agenda.
- SICK LEAVE POLICY  
EXTENSION REQUEST  
-HUMAN RESOURCES
- AGENDA ITEM NO 16: This time was set aside for Council to revisit Ordinance No. 3061, an ordinance establishing standards for face coverings for individuals when they are in public places, as approved by the Council November 19, 2020, effective November 21, 2020.
- COUNCIL DISCUSSION  
REGARDING  
ORDINANCE NO. 3061  
-FACE COVERINGS



A motion was made by Mr. Cheatum, seconded by Ms. Adamson, to repeal Ordinance No. 3061, an ordinance establishing standards for face coverings for individuals when they are in public places, as approved by Council November 19, 2020. Upon roll call, those voting in favor were Cheatum and Adamson. Those voting in opposition were Bray, Leeuwrik, Ortega and Stevens. The motion failed.

A motion was made by Mr. Bray, seconded by Ms. Stevens, to approve the continuance of Ordinance No. 3061, an ordinance establishing standards for face coverings for individuals when they are in public places, as approved by Council November 19, 2020 and that it be placed upon the agenda for Council consideration at the February 4, 2021 meeting. Upon roll call, those voting in favor were Bray, Stevens, Leeuwrik and Ortega. Those voting in opposition were Adamson and Cheatum. The motion passed.

AGENDA ITEM NO. 17: This time was set aside for the annual State of the City Report. STATE OF THE CITY Mayor Blad read a report highlighting special projects over the REPORT past year. Mayor Blad added that 2020 was a great year and City departments have accomplished many worthwhile projects. He thanked the City Council for working hard on projects and stated he is looking forward to the developments and improvements which will take place in 2021.

Mayor Blad expressed his appreciation to the City employees and Council members and emphasized that they remain focused on providing exceptional service to citizens. He thanked the Council for working hard to develop and maintain a sustainable budget.

AGENDA ITEM NO 18: There were no individuals signed up to speak during this agenda ITEMS FROM THE item. AUDIENCE

AGENDA ITEM NO 19: There being no further business, Mayor Blad adjourned the ADJOURN meeting at 8:15 p.m.

APPROVED BY:



BRIAN C. BLAD, MAYOR

ATTEST:

  
KONNI R. KENDELL, CITY CLERK

PREPARED BY:

  
WENDY A. PRATHER, DEPUTY CITY CLERK