

CITY OF POCA TELLO, IDAHO
CITY COUNCIL
REGULAR CITY COUNCIL MEETING
JANUARY 17, 2019

AGENDA ITEM NO. 1: The Regular City Council meeting was called to order at 6:09 p.m.
ROLL CALL AND by Mayor Brian Blad. Council members present were Roger Bray,
PLEDGE OF Rick Cheatum, Jim Johnston, Linda Leeuwrik and Beena
ALLEGIANCE Mannan. Council member Heidi Adamson was excused.

Mayor Blad led the audience in the pledge of allegiance.

AGENDA ITEM NO. 2: The invocation was offered by Karen Peace, representing the
INVOCATION Baha'i Faith.

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

-MINUTES (a) Waive the oral reading of the minutes and approve the minutes from
the December 6, 2018 Special City Council meeting; December 6,
2018 Clarification and Regular City Council meetings; and the December 20, 2018 City Council
Liaison/Work Session Clarification meeting.

-TREASURER'S (b) Consider the Treasurer's Report for December showing cash and
REPORT investments as of December 31, 2018 in the amount of
\$47,934,468.61.

-HISTORIC (c) Confirm the Mayor's reappointment of Stephanie Christelow to
PRESERVATION continue her service as a member of the Historic Preservation
COMMISSION Commission. Dr. Christelow's term will begin February 5, 2019 and
REAPPOINTMENT will expire February 5, 2022.

-POCA TELLO (d) Confirm the Mayor's appointment of Molly Swallow to serve as a
REGIONAL AIRPORT member of the Pocatello Regional Airport Commission, replacing
COMMISSION Bryce Church whose term expired. Ms. Swallow's term will begin
APPOINTMENT January 18, 2019 and will expire January 18, 2021.

-B.I.D. MANAGEMENT (e) Approve a renewal of the Management Agreement with Old Town
AGREEMENT-OLD Pocatello, subject to Legal Department review, to administer and
TOWN POCA TELLO manage the operations of the Business Improvement District
(B.I.D.). Council was also asked to acknowledge that they have
reviewed the employment agreement of Stephanie Palagi with Old Town Pocatello as provided for in
the management agreement.

A motion was made by Mr. Johnston, seconded by Ms. Mannan, to approve the items on the consent
agenda.

Mr. Cheatum requested that the Agenda Item No. 3(a) be removed from the motion, as he was not
present at the meeting and therefore, does not feel comfortable voting upon the minutes.

Mr. Johnston amended his motion to approve items 3(b) through 3(e) on the consent agenda. Ms.
Mannan approved the second.

Mr. Johnston's amended motion to approve Agenda Items 3(b) through 3(e) was voted upon at this time. Upon roll call, those voting in favor were Johnston, Mannan, Bray, Cheatum and Leeuwrik.

A motion was made by Mr. Bray, seconded by Mr. Johnston, to approve Agenda Item 3(a). Upon roll call, those voting in favor were Bray, Johnston Leeuwrik and Mannan. Mr. Cheatum recused himself from voting on the motion. The motion passed.

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

AGENDA ITEM NO. 5: Mayor Blad reminded the Council of the January 29th Joint
CALENDAR REVIEW Cities/County/School District meeting to be held at 2:00 p.m. at
Chubbuck City offices; January 29th 6:00 p.m. Town Hall meeting to
discuss the Ross Park Master Plan; Special City Council Goal Setting Meeting January 31st at 9:00 a.m.;
5:30 Clarification meeting on February 7th; 6:00 p.m. Regular City Council meeting February 7th; and
February 14th Work Session at 9:00 a.m.

Mayor Blad announced City offices will be closed January 21st for Martin Luther King, Jr. Day. However, garbage and recycling pick-ups will be on schedule; winter programs are happening at Zoo Idaho. Contact the Zoo office for more information; and Mayor Blad reminded citizens when clearing snow from sidewalks and/or driveways, do not place snow in the street, as it becomes a driving hazard.

AGENDA ITEM NO. 6: This time was set aside for the Council to hear comments from the
PUBLIC HEARING public concerning a request by Harold Armstrong (mailing address:
-VACATION OF 2771 Bannock Highway, Pocatello, ID 83204) and Roger Armstrong
EASEMENT AT (mailing address: 1638 East Wyeth Street, Pocatello, ID 83201) to
2771 BANNOCK HIGHWAY vacate and remove an access and utility easement at 2771 Bannock
Highway.

Mayor Blad opened the public hearing.

Council announced there had been no ex parte communication.

Harold Armstrong explained that the easement was established to provide access to his brother's property and that the easement is no longer necessary.

Carl Anderson, Senior Planner, stated the applicant has requested a vacation and abandonment of the public's interest in an existing 20-foot wide access and utility easement. He added that no public infrastructure is located within the subject easement.

Mayor Blad announced no written comments had been received.

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

A motion was made by Mr. Cheatum, seconded by Mr. Johnston, to approve a request by Harold and Roger Armstrong to vacate and remove an access and utility easement at 2771 Bannock Highway with the following conditions: 1) Public improvements along Grant Avenue may be required as part of the required short plat; 2) a short plat shall be approved for the properties located to the west of the subdivision in order to grant access to Lot 3, Block 1 of Armstrong Legacy Division No. 1, and in order to bring the properties into conformance with City Code; and 3) all other standards or conditions of City

Code not herein stated but applicable to the subdivision and that the decision be set out in appropriate Council decision format. Upon roll call, those voting in favor were Cheatum, Johnston, Bray, Leeuwrik and Mannan.

AGENDA ITEM NO. 7: This time was set aside for the Council to hear comments from the PUBLIC HEARING public regarding a request by Barry Dutton of Nel's Bi-Lo (mailing -RECONSIDERATION address: 333 North 15th Avenue, Pocatello, ID 83201), represented REQUEST OF HEARING by Rick Millward of R & P Quality Lighting (mailing address: 470 EXAMINER'S DECISION West Oak Street, Pocatello, ID 83201), for a reconsideration request NEL'S BI-LO SIGN of the Hearing Examiner's decision from December 13, 2018 where the Hearing Examiner denied Mr. Dutton's request for an electronic message display on an existing legal non-conforming sign.

Mayor Blad opened the public hearing.

Council announced there had been no ex parte communication.

Rick Millward, representing R & P Quality Lighting, gave an overview of the request to place an electronic message display at Nel's Bi-Lo located at 333 North 15th Avenue. He stated that a monument sign would not be as visible from the street and would also take up valuable parking lot space at the business. Mr. Millward added that in order to change the lettering on the current sign, access is only available by using a 20-foot pole, whereas an electronic board can be operated remotely. He also feels that a monument sign would be subject to vandalism.

Matt Lewis, Senior Planner, gave an overview of the reconsideration request. He stated that the applicant is asking for an exception to City code to allow electronic message display on an existing 16-foot sign. Mr. Lewis clarified that the requested sign is considered a non-conforming sign in the Residential Commercial Professional zoning district. He added that two comments in support of the exception have been received.

Mayor Blad announced one written comment had been received from David Flint in favor of the proposal. He read the letter into the record.

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

Mr. Millward clarified that the proposed sign is smaller than the existing sign and will be more user-friendly, as it is programmable. He added that it will have an ambient light detector and also be adjustable manually, if necessary. Mr. Millward emphasized that the electronic sign would only be on during the business hours of 7:00 a.m. to 8:00 p.m. Monday through Saturday.

Mr. Johnston stated he feels the sign would be valuable in the area of transition on a busy street and that it would improve the neighborhood.

A motion was made by Mr. Johnston, seconded by Mr. Cheatum, to approve the appeal and overturn the Hearing Examiner's denial of the request for an exception to Pocatello Municipal Code §15.20.150 and §15.20.180 to install an 11.8 square foot electronic message display and a new business sign on an existing 16-foot tall pole sign, with a total of 31.2 square feet, at 333 North 15th Avenue, Pocatello with hours of operation from 7:00 a.m. to 8:00 p.m. Upon roll call, those voting in favor were Johnston, Cheatum, Leeuwrik and Mannan. Mr. Bray voted in opposition to the motion. The motion passed.

- AGENDA ITEM NO. 8: Ramona Knoblich, represented by Krystal Chanda of A & E Engineering (mailing address: PO Box 1327, Pocatello, ID 83204), has submitted a short plat application to subdivide 0.25 acres (more or less) into two (2) townhouse lots. The subdivision is to be known as Knoblich Townhouse Subdivision and is a replat of Lot 3, Block 1, Division of Lot 9, Block 1, East Cedar Park Subdivision.
- SHORT PLAT
-KNOBLICH
TOWNHOUSE
SUBDIVISION

A motion was made by Mr. Johnston, seconded by Ms. Mannan, to approve a request by Ramona Knoblich, represented by Krystal Chanda of A & E Engineering and approve a short plat application to subdivide 0.25 acres (more or less) into two (2) townhouse lots with the following conditions: 1) All conditions on the Subdivision Application Staff Report of January 17, 2018 shall be met; 2) all conditions set out in the Public Works Department Memorandum from Merrill Quayle, P.E. dated January 7, 2019 shall be met; 3) Subdivision Covenants, Conditions and Restrictions (CCR's), if applicable, shall be submitted to the City; 4) all corrections to the plat which were noted by City Staff shall be made prior to submittal of the final plat; 5) the plat shall conform to all State and local laws and ordinances; and 6) all other standards and conditions of Municipal Code not herein discussed but applicable to residential development shall apply and that the subdivision is to be known as Knoblich Townhouse Subdivision and is a replat of Lot 3, Block 1, Division of Lot 9, Block 1, East Cedar Park Subdivision, and that the decision be set out in appropriate Council decision format. Upon roll call, those voting in favor were Johnston, Mannan, Bray, Cheatum and Leeuwrik.

- AGENDA ITEM NO. 9: Kilgore Properties, Inc., represented by Rocky Mountain Engineering and Surveying (mailing address: 600 East Oak Street, Pocatello, ID 83201), has submitted a request for the City of Pocatello to accept the Copper Creek Subdivision improvements for public ownership and maintenance.
- COPPER CREEK
SUBDIVISION
-REQUEST FOR CITY
TO ACCEPT
IMPROVEMENTS FOR
PUBLIC OWNERSHIP
AND MAINTENANCE

A motion was made by Mr. Johnston, seconded by Ms. Mannan, to approve a request by Kilgore Properties, Inc., represented by Rocky Mountain Engineering and Surveying, for the City of Pocatello to accept the Copper Creek Subdivision improvements for public ownership and maintenance with the following conditions: 1) All conditions set out in the Public Works Department Memorandum from Merrill Quayle, P.E. dated January 3, 2019 shall be met; 2) developer and owner shall execute all documents necessary to convey title of the subject property to the City; 3) City does not accept and shall not be responsible for any stormwater lines, ponds or other methods of stormwater collection outside of the right-of-way; 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. Upon roll call, those voting in favor were Johnston, Mannan, Bray, Cheatum and Leeuwrik.

- AGENDA ITEM NO. 10: Council was asked to approve a request from CenturyLink, represented by Brad Kauffman (mailing address: 524 First Avenue South, Great Falls, MT 59401) for an exception to City Code 15.12.080 that restricts the capacity of above-ground fuel tanks. City Code limits tank capacity to 1,000 gallons and CenturyLink would like to install one (1) 1,700 gallon diesel fuel tank at their facility located at 455 West Lewis Street that exceeds the allowed capacity.
- FUEL TANK
EXCEPTION REQUEST
-455 WEST LEWIS STREET

Fire Department staff has reviewed the application and supports the request subject to the applicant meeting City Code requirements.

A motion was made by Mr. Cheatum, seconded by Ms. Mannan, to approve a request from CenturyLink, represented by Brad Kauffman for an exception to City Code 15.12.080 that restricts the capacity of above-ground fuel tanks and allow the installation of one (1) 1,700 gallon diesel fuel tank at their facility located at 455 West Lewis Street with conditions set out by the Fire Department.

In response to a question from Council, Glenn Powell, Fire Prevention Officer, stated that in order to meet the newer FCC mandated requirements, 9-1-1 services, such as CenturyLink, are required to have 72 hours of backup power which requires a 1,700 gallon fuel tank. He added that he was unable to clarify why the current City code has a 1,000 gallon maximum. Mr. Powell added that Fire Department staff supports the request subject to the applicant meeting City Code requirements.

Mr. Cheatum's motion was voted upon at this time. Upon roll call, those voting in favor were Cheatum, Mannan, Bray, Johnston and Leeuwrik.

- | | | |
|--|-----|---|
| AGENDA ITEM NO.
IDAHO PARKS AND
RECREATION
DEPARTMENT GRANT
APPLICATIONS | 11: | Council was asked to approve the following grant applications to the Idaho Parks and Recreation Department, subject to Legal Department review, and authorize the Mayor to sign documents related to the grants if awarded. |
| CANOE TRAIL | a) | Projects include a trail with installation of canoe/kayak/tubing put-ins along the Portneuf River in an amount up to \$25,000.00 with a 20% City match. In addition to in-kind services, funds are available in Science and Environment Division's Fiscal Year 2019 Budget. |
| OLD TOWN
CONNECTION TRAIL | b) | This will be a 300-foot connection between 1 st and 2 nd Avenue along the Benton Bridge and will cost approximately \$50,000.00. Local match is 20% which would primarily consist of staff time and any remaining funds will be taken from Fund 70. |
| EAST MINK CREEK
NORDIC SKI AREA
GROOMER | c) | Purchase of a new Snow-Cat groomer in the amount of \$229,128.99 for the Nordic Center. City funds in the amount of \$60,000.00 and Ski Foundation donations in the amount of \$4,500.00 are available for the purchase. Part of the City's commitment can come from trading in the existing machine. |

A motion was made by Ms. Leeuwrik, seconded by Mr. Bray, to approve grant applications as outlined in Agenda Item No. 11(a) through 11(c) to the Idaho Parks and Recreation Department, subject to Legal Department review, and authorize the Mayor to sign documents related to the grants, if awarded.

In response to a question from Council, John Banks, Parks and Recreation Director, clarified that the actual trade-in allowance amount is not known at this time.

Ms. Leeuwrik's motion was voted upon at this time. Upon roll call, those voting in favor were Leeuwrik, Bray, Cheatum, Johnston and Mannan.

AGENDA ITEM NO. 12: Council was asked to authorize the execution of a Professional Services Agreement between the City of Pocatello and Biota Research and Consulting, Inc., subject to Legal Department review. The services provided will be stream restoration design on a 300-foot section of Pocatello Creek located near Fire Station No. 3 on Pocatello Creek Road.

Funds for execution of stream restoration design in the amount of \$9,210.00 are available within the Science and Environment Division's 2019 Fiscal Year Budget.

A motion was made by Mr. Bray, seconded by Ms. Leeuwrik, to authorize the execution of a Professional Services Agreement between the City of Pocatello and Biota Research and Consulting, Inc., subject to Legal Department review, for stream restoration design on a 300-foot section of Pocatello Creek located near Fire Station No. 3 on Pocatello Creek Road and that the amount shall not exceed \$9,210.00. Upon roll call, those voting in favor were Bray, Leeuwrik, Cheatum, Johnston and Mannan.

AGENDA ITEM NO. 13: Council was asked to consider the recommendations of Street Department staff for the following requests regarding the purchase of equipment from Western States Equipment:

BID a) Piggy-back on a City of McCall bid for the purchase of a 2018
2018 CATERPILLAR Caterpillar Road Grader in the amount of \$299,209.00, and if
ROAD GRADER approved;

LEASE AGREEMENT b) Approve a five-year lease agreement of annual payments in the
2018 CATERPILLAR amount of \$33,363.00 and authorize the Mayor's signature on
ROAD GRADER documents related to the purchase, subject to Legal Department
review. The agreement includes a guaranteed buy-back in the
amount of \$185,000.00.

Funds are available in the Street Department's 2019 Fiscal Year Budget.

A motion was made by Mr. Bray, seconded by Mr. Johnston, to accept the recommendations of Street Department staff and approve the requests regarding the purchase of equipment from Western States Equipment as outlined in Agenda Item No. 13(a) and 13(b), subject to Legal Department review.

Mr. Johnston stated he was concerned about the interest rate which would be applied to the lease. He asked his second to be contingent upon a suitable interest rate, as approved by staff.

Mr. Bray's motion was voted upon at this time. Upon roll call, those voting in favor were Bray, Johnston, Cheatum, Leeuwrik and Mannan.

AGENDA ITEM NO. 14: Council was asked to accept the recommendations of Water
HYDRAULIC Pollution Control (WPC) staff and award the bid for a new and
DREDGING SYSTEM unused Hydraulic Dredging System (15 foot depth) to Liquid Waste
BID-WPC Technology DBA Ellicott Dredge Technologies in the amount of
DEPARTMENT \$280,706.00. If approved, Council was asked to authorize the
Mayor's signature on documents related to the bid, subject to Legal
Department review.

Funds are available in WPC's Fiscal Year 2019 budget.

A motion was made by Ms. Leeuwrik, seconded by Ms. Mannan, to accept the recommendations of Water Pollution Control (WPC) staff and award the bid for a new and unused Hydraulic Dredging System (15 foot depth) to Liquid Waste Technology DBA Ellicott Dredge Technologies in the amount of \$280,706.00 and authorize the Mayor's signature on documents related to the bid, subject to Legal Department review. Upon roll call, those voting in favor were Leeuwrik, Mannan, Bray, Cheatum and Johnston.

AGENDA ITEM NO. 15: The Portneuf Greenway Foundation is seeking Council support to submit a grant application to the Idaho Department of Parks and Recreation in the amount of \$250,000.00, and if awarded, authorize the Mayor's signature, subject to Legal Department review, on documents related to the grant for construction of a multi-use pathway traveling north from Fort Hall Mine Road to Pocatello Creek Road. Grant funds will be used to grade, gravel, and pave the path.

Matching funds will come from the Portneuf Greenway Foundation and in-kind donations from private organizations. The City of Pocatello will have full ownership of the path upon completion.

A motion was made by Mr. Johnston, seconded by Ms. Leeuwrik, to grant Council's support to the Portneuf Greenway Foundation to submit a grant application to the Idaho Department of Parks and Recreation in the amount of \$250,000.00, and if awarded, authorize the Mayor's signature, subject to Legal Department review, on documents related to the grant for construction of a multi-use pathway traveling north from Fort Hall Mine Road to Pocatello Creek Road and that the City of Pocatello will have full ownership of the path upon completion. Upon roll call, those voting in favor were Johnston, Leeuwrik, Bray, Cheatum and Mannan.

AGENDA ITEM NO. 16: Cindy Moore, Pocatello resident, shared her concerns regarding a shared driveway at her home located at 1415 North Harrison. She feels that the fence which was constructed in the middle of the driveway was not a legal structure and she has lodged several complaints regarding the fence. Ms. Moore stated the neighbor has passed away and she would like to remove the fence before the property is sold.

Andy Moldenhauer, representing Pocatello Firefighters #187, announced upcoming fundraiser events to raise funds for the annual Seattle Stairclimb event. He stated participants race up 73 flights of stairs in full firefighter turn-out gear during the event. Mr. Moldenhauer added that participants join at their own expense and the fundraisers will help to alleviate some of the costs.

AGENDA ITEM NO. 17: There being no further business, Mayor Blad adjourned the meeting at 7:06 p.m.

APPROVED BY:

BRIAN C. BLAD, MAYOR

ATTEST:

RUTH E. WHITWORTH, CITY CLERK, C. C.

PREPARED BY:

KONNI R. KENDELL, DEPUTY CITY CLERK