

CITY OF POCA TELLO, IDAHO  
CITY COUNCIL  
REGULAR CITY COUNCIL MEETING  
JANUARY 18, 2018

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AGENDA ITEM NO. 1: The Regular City Council meeting was called to order at 6:06 p.m.  
ROLL CALL AND by Mayor Brian Blad. Council members present were Heidi  
PLEDGE OF Adamson, Roger Bray, Rick Cheatum, Jim Johnston and  
ALLEGIANCE Linda Leeuwrik.

Mayor Blad let the audience in the pledge of allegiance.

AGENDA ITEM NO. 2: The invocation was offered by Tim Bridges, Calvary Chapel.  
INVOCATION

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 Agenda Clarification meetings and Regular Council meetings of  
December 7 and 21, 2017; the December 21, 2017 Study Session Clarification Working Lunch; the  
January 4, 2018 City Council Liaison Working Lunch; and the Agenda Clarification and Regular Council  
meeting of January 4, 2018.

-TREASURER'S (b) Consider the Treasurer's Report for December showing cash and  
REPORT investments as of December 31, 2017 in the amount of  
\$37,812,339.37.

-POCA TELLO (c) Confirm the Mayor's appointment of Jim Johnston to serve as the  
DEVELOPMENT City's representative on the Pocatello Development Authority,  
AUTHORITY replacing Steve Brown. Mr. Johnston's term will begin January 19,  
APPOINTMENT 2018 and will expire May 1, 2020.

-DONATION (d) Accept the donation of a 2014 Jeep Wrangler Sahara JK 4-Door  
ACCEPTANCE from Bannock County DARE for use in the Pocatello Police DARE  
-DARE VEHICLE Program and authorize the Mayor's signature on documents related  
to the donation, subject to Legal Department review. All  
modifications made to the vehicle were paid for by donations from the community at no cost to the  
City.

A motion was made by Mr. Johnston, seconded by Ms. Adamson, to approve the items on the consent  
agenda. Upon roll call, those voting in favor were Johnston, Adamson, Bray, Cheatum and Leeuwrik.

AGENDA ITEM NO. 4: Mayor Blad announced there were no communications or  
COMMUNICATIONS proclamations. He welcomed Boy Scouts from Troop No. 116 and  
AND PROCLAMATIONS No. 121.

AGENDA ITEM NO. 5: Mayor Blad reminded the Council of the following meetings to be  
CALENDAR REVIEW held February 1, 2018: Council Liaison Working Lunch at 1:00 p.m.;  
Special City Council Meeting – Fire Union Quarterly Report at 5:00  
p.m.; Clarification Meeting at 5:30 p.m.; Regular City Council meeting at 6:00 p.m. and the February 8<sup>th</sup>  
Study Session at 9:00 a.m.

Mayor Blad announced Pocatello Regional Transit will be hosting an open house on January 24<sup>th</sup> from noon to 7:00 p.m. at the Senior Activity Center, 427 North 6<sup>th</sup> Avenue seeking public input regarding the draft master transit plan; winter programs are happening at Zoo Idaho. Contact the Zoo office for more information; and Mayor Blad reminded citizens when clearing sidewalks and/or driveways of snow, do not place snow in the street as it becomes a driving hazard.

AGENDA ITEM NO. 6: Dave Packer (mailing address: 150 North Main Street, Pocatello, ID 83204), represented by Rocky Mountain Engineering and Surveying (mailing address: 600 East Oak Street, Pocatello, ID 83201), has appealed the Planning and Development Services Director's interpretation of the Zoning Ordinance. Specifically, the determination was made that duplexes must meet minimum lot size requirements, rather than square foot per unit minimums as is used for multi-family developments. This means they must be on individual lots of 8,000 square feet each in Residential Medium Density Single Family (RMS) zoning districts, as required in Pocatello Municipal Code 17.03.240.

Duplexes are allowed in RMS zoning districts; however, multi-family developments are not. The applicant has submitted a subdivision short plat to allow a duplex development east of Hawthorne Road and south of Quinn Road, within a Residential Medium Density Single Family zoning district. The applicant proposes having several duplexes on one lot.

Mitch Greer, Rocky Mountain Engineering and Surveying, 600 East Oak Street, gave an overview of the proposed project. He stated the applicant, Dave Packer, is requesting to build 16 duplex units on a 2.94 acre (128,502 square foot) parcel. Mr. Greer explained that Pocatello City Code requires an 8,000 square foot lot minimum for a two-family dwelling. According to his interpretation, there is sufficient capacity for the 16 proposed duplexes on the parcel. Mr. Greer clarified that duplexes are allowed in Residential Medium Density Single Family (RMS) zoning districts. He stated the only exception that is being requested at this time is the applicant's request to waive the requirement to have each duplex on separate lots and allow the entire development to be built on one common lot. Mr. Greer emphasized that this development would be considered in-fill development. He also added that if it is allowed to be built on one single lot, ownership of all duplexes shall be retained by one owner, rather than individual ownership. In response to a question from Council, Mr. Greer stated that the developer disagrees with the Planning Director's determination that each lot size would be reduced to 5,015 square feet, rather than the 8,000 square feet as required by City code.

Melanie Gygli, Planning and Development Services Director, gave an overview of the proposed duplex development. She stated it was determined that based on the short plat and exhibits submitted by the applicant, each lot area would be approximately 5,015 square feet per duplex after subtracting out the paved areas for access and parking, as necessary. Ms. Gygli explained that development of multiple units upon a single lot creates a multi-family development, which is not allowed within the current RMS zoning. She stated the possibility of application for in-fill development standards as it applies to the proposed development was brought to staff's attention by the applicant moments before the public hearing. Ms. Gygli stated the applicant is still eligible to submit a request to rezone the area to a zoning designation which would allow a multi-family development and outlined the process necessary to rezone the land, which would include public hearings held by Planning and Zoning Commission and the City Council. She clarified that the single family home currently on the property would be on its own lot.

Mr. Greer clarified that setback requirements would not change and that the proposed development has met all setback requirements.

Ms. Adamson expressed her favorability toward the project; however, she feels that if the appeal were approved, it would be unfair to the surrounding property owners who would be denied their ability to be heard during a public hearing. She feels it would be appropriate for the applicant to apply for a rezone of the area in order to allow a multi-family development.

Mr. Greer stated the applicant is hopeful that by allowing the development to take place on one parcel, installation of multiple water and power infrastructure mechanisms could be avoided as well as easements for such utilities.

Mr. Greer stated the parcel and surrounding lots were developed over 50 years ago and lot sizes are much larger than most developments today.

Mr. Packer explained that the development would have privacy and security somewhat like a “gated community,” where traffic would only come from residents of the area, rather than general traffic.

Mr. Bray stated he understands the nature of the request and feels the zoning should stand. He added that zoning should not be reconfigured without any input from the public.

In response to a question from Council, Jared Johnson, City Attorney, stated if the Council decides to grant Mr. Packer’s appeal and override the Planning Director’s decision, there could be legal ramifications and liabilities in the future.

Mr. Bray stated appropriate platting and adherence to City codes enables the city to grow while protecting the interests of citizens and land owners for many years to come. He stated he feels the Planning Department staff members understand the zoning ordinance well and have made an appropriate decision.

Ms. Adamson restated that she feels the most appropriate action would be to have the applicant apply for a rezone of the property to allow a multi-family housing development.

A motion was made by Mr. Johnston, seconded by Mr. Cheatum, to approve an appeal by Dave Packer, represented by Rocky Mountain Engineering and Surveying regarding the Planning and Development Services Director’s interpretation of the Zoning Ordinance determination specifying that duplexes must meet minimum lot size requirements, rather than square foot per unit minimums as is used for multi-family developments. Upon roll call, those voting in favor were Johnston and Cheatum. Adamson, Bray and Leeuwrik voted in opposition to the motion. The motion failed.

AGENDA ITEM NO. 7: Council was asked to approve a renewal of the Management B.I.D MANAGEMENT AGREEMENT-OLD TOWN POCATELLO Agreement with Old Town Pocatello to administer and manage the operations of the Business Improvement District (B.I.D.). Council may also wish 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 Mr. Bray, to approve a renewal of the Management Agreement with Old Town Pocatello to administer and manage the operations of the Business Improvement District (B.I.D.) and acknowledge that they have reviewed the employment agreement of Stephanie Palagi with Old Town Pocatello as provided for in the management agreement. Upon roll call, those voting in favor were Johnston, Bray, Adamson, Cheatum and Leeuwrik.

AGENDA ITEM NO. 8: Council was asked to consider a request from Pocatello Fire Department staff to authorize the purchase of three (3) Fire Engines as presented during the December 14, 2017 Study Session and authorize the Mayor's signature on all contractual agreements associated with the purchase, subject to the following: 1) All purchase documents will be submitted to the Legal Department for review and 2) the City Finance Department securing acceptable financing terms.

A motion was made by Mr. Bray, seconded by Ms. Leeuwrik, to approve a request from Pocatello Fire Department staff to authorize the purchase of three (3) Fire Engines as presented during the December 14, 2017 Study Session and authorize the Mayor's signature on all contractual agreements associated with the purchase, subject to the following: 1) all purchase documents will be submitted to the Legal Department for review and 2) the City Finance Department securing acceptable financing terms. Upon roll call, those voting in favor were Bray, Leeuwrik, Adamson, Cheatum and Johnston.

AGENDA ITEM NO. 9: Council was asked to approve, and authorize the Mayor to sign, subject to Legal Department review, an addendum to the City's existing agreement with Utah State University for the Portneuf River Visioning Project. The addendum, not to exceed \$10,000.00, will be for generating a schematic design, including budgeting and phasing options for Centennial Park.

Funds are available in the Science and Environment Department reserves.

A motion was made by Mr. Bray, seconded by Ms. Leeuwrik, to approve and authorize the Mayor to sign, subject to Legal Department review, an addendum to the City's existing agreement with Utah State University for the Portneuf River Visioning Project in an amount not to exceed \$10,000.00 for generating a schematic design, including budgeting and phasing options for Centennial Park.. Upon roll call, those voting in favor were Bray, Leeuwrik, Adamson, Cheatum and Johnston.

AGENDA ITEM NO. 10: Council was asked to approve the submission of the following grant application for improvements to the Cusick Creek Trail to reduce erosion and improve water quality.

GRANT SUBMISSION a) Idaho Department of Parks and Recreation Grant in an amount not to exceed \$15,000.00 and, if awarded;

AUTHORIZE MAYOR'S SIGNATURE b) Authorize the Mayor's signature on documents related to the grant, subject to Legal Department review, for improvements to Cusick Creek Trail. Grant funds will be used to reduce erosion from the trail.

Matching funds (20%) will come from Science and Environment Division (cash and in-kind) as well as the United States Forest Service.

A motion was made by Ms. Adamson, seconded by Mr. Johnston, to approve the submission of the grant application as outlined in Agenda Item No. 10(a) and 10(b) for improvements to the Cusick Creek Trail to reduce erosion and improve water quality. Upon roll call, those voting in favor were Adamson, Johnston, Bray, Cheatum and Leeuwrik.

AGENDA ITEM NO. 11: Council was asked to approve the submission of the following grant application for a snow groomer to maintain East Mink Creek Nordic Center Trails.

IDAHO DEPARTMENT OF PARKS AND RECREATION GRANT  
-MINK CREEK NORDIC CENTER

GRANT SUBMISSION a) Idaho Department of Parks and Recreation (IDPR) Grant in an amount not to exceed \$150,000.00 and, if awarded;

AUTHORIZE MAYOR'S SIGNATURE b) Authorize the Mayor's signature on documents related to the grant, subject to Legal Department review, to purchase a snow groomer to be used at the East Mink Creek Nordic Center.

There is an 80/20 match required for the IDPR Grant, or approximately \$30,000.00. The Nordic ski club has committed \$4,500.00 cash as a token of their commitment to the trail system. The remaining matching funds would come from trading in or sale of existing machine.

In response to a question from Council, John Banks, Parks and Recreation Director, stated the sale value of the existing machine is sufficient to cover the remaining cost of the proposed snow groomer.

A motion was made by Mr. Bray, seconded by Mr. Johnston, to approve the submission of a grant application as outlined in Agenda Item No. 11(a) and 11(b) for a snow groomer to maintain East Mink Creek Nordic Center Trails and that the 80/20 match required for the IDPR Grant is approximately \$30,000.00 and that the Nordic Ski Club has committed \$4,500.00 cash as a token of their commitment to the trail system and that the remaining matching funds will come from trading in or sale of an existing machine. Upon roll call, those voting in favor were Bray, Johnston, Adamson, Cheatum and Leeuwrik.

AGENDA ITEM NO. 12: Council was asked to accept staff's recommendation that the City of Pocatello Police Department enter into an Intergovernmental Agreement to jointly administer the performance of functions and activities related to drug trafficking enforcement throughout Bannock County and authorize the Mayor to sign said agreement, subject to Legal Department review. This is a no cost agreement that outlines the level of service and terms of the agreement.

INTERGOVERNMENTAL AGREEMENT  
-BANNOCK AREA DRUG GROUP ENFORCEMENT SQUAD (BADGES)

This agreement will increase the availability of federal funds, resources, and manpower for the Police Department.

A motion was made by Mr. Johnston, seconded by Mr. Cheatum, to accept staff's recommendation that the City of Pocatello Police Department enter into an Intergovernmental Agreement to jointly administer the performance of functions and activities related to drug trafficking enforcement throughout Bannock County and authorize the Mayor to sign said agreement, subject to Legal Department review. Upon roll call, those voting in favor were Johnston, Cheatum, Adamson, Bray and Leeuwrik.

AGENDA ITEM NO. 13: Council was asked to approve and authorize the Mayor to sign a lease agreement between the City and Dennis Jensen for land at the Pocatello Airport upon which Mr. Jensen will build an aircraft hangar. The proposed leased premise is approximately 7,200 square feet of bare ground. The proposed lease term is 20 years with an annual rental rate of \$1,068.00.

AIRPORT LAND LEASE AGREEMENT-JENSEN

In response to a question from Council, David Allen, Airport Manager, stated the Airport has a two-year plan for the positioning of future hangar developments. He stated the proposed lease agreement with Mr. Jensen would be the first lease of four possible hangars to be built in that area. Mr. Allen added that the City owns nine hangars which are currently occupied and approximately 7 more individuals are on a waiting list to lease hangar space.

In response to a question from Council, Jared Johnson, City Attorney, clarified that provisions are included in each hangar lease stating that the owner of the hangar has 60 days from the termination of the lease to remove the hangar. If it is not removed, it becomes part of the Airport property.

A motion was made by Mr. Johnston, seconded by Mr. Cheatum, to approve and authorize the Mayor to sign a lease agreement between the City and Dennis Jensen for land at the Pocatello Airport upon which Mr. Jensen will build an aircraft hangar and that the proposed leased premise is approximately 7,200 square feet of bare ground, the lease term will be 20 years with an annual rental rate of \$1,068.00. Upon roll call, those voting in favor were Johnston, Cheatum, Adamson, Bray and Leeuwrik.

AGENDA ITEM NO. 14: There were no participants signed up to speak during this agenda  
DISCUSSION ITEMS item.

There being no further business, Mayor Blad adjourned the meeting at 7:21 p.m.

APPROVED BY:

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BRIAN C. BLAD, MAYOR

ATTEST:

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RUTH E. WHITWORTH, CMC, CITY CLERK

PREPARED BY:

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KONNI R. KENDELL, DEPUTY CLERK