

CITY OF POCA TELLO, IDAHO
CITY COUNCIL
REGULAR CITY COUNCIL MEETING
FEBRUARY 18, 2021

AGENDA ITEM NO. 1: The Regular City Council meeting was called to order at 6:00 p.m.
ROLL CALL AND by Mayor Brian Blad. Council members present were
PLEDGE OF Heidi Adamson, Roger Bray, Rick Cheatum, Linda Leeuwrik,
ALLEGIANCE 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

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 of
the following meetings: City Council Work Session meeting of
December 10, 2020; and Clarification and Regular City Council
meetings of February 4, 2021.

-TREASURER'S (b) Council was asked to consider the Treasurer's Report for January
REPORT 2021 showing a cash and investments as of January 31, 2021 in
the amount of \$82,408,104.41.

-COUNCIL DECISION (c) Adopt the Council's decision approving the final plat for
-THE RIDGES The Ridges at Trail Creek, which subdivides approximately
AT TRAIL CREEK 30.22 acres of land into sixteen (16) lots, subject to conditions.
FINAL PLAT Access will be provided from the intersection of Gathe Drive and
Foothill Boulevard.

-COUNCIL DECISION (d) Adopt the Council's decision approving the annexation of a parcel
-ANNEXING of land comprised of approximately 5.97 acres owned by
APPROXIMATELY Pocatello Land and Cattle, LLC. The parcel is located at
5.97 ACRES OF LAND 6715 South 5th Avenue and will be zoned Light Industrial (LI) with
a Comprehensive Plan Map designation of "Employment".

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

AGENDA ITEM NO. 4: Mayor Blad reminded the Council members of the following
CALENDAR REVIEW meetings on March 4th: Clarification Meeting at 5:30 p.m.; and
Regular Council meeting at 6:00 p.m.; and City Council Work
Session to be held on March 11th at 9:00 a.m. Mayor Blad noted that all aforementioned meetings will
be held in person at City Hall.

Mayor Blad announced that Pocatello's Promise of Tomorrow Mayoral Scholarship for Students Program Applications are due February 26th; 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. 5: Caiden Brassington was present to appeal the decision of SOLICITOR/PEDDLER Pocatello Police Department staff which denied Mr. Brassington LICENSE DENIAL a Solicitors License. APPEAL BRASSINGTON

Tori Eldridge, Licensing Officer, gave an overview of the circumstances leading to the denial of Mr. Brassington's application for a solicitor's license. She stated Mr. Brassington was convicted in 2020 of theft by embezzlement and was also charged with possessing an intoxicating substance while under the age of 21 in December 2019. She stated that both charges are reasons for denial of his application per City Code. Ms. Eldridge also noted that Mr. Brassington failed to include this information on his application.

Mr. Brassington gave an overview of the circumstances surrounding the charges. He explained that he was homeless, had a drug problem and made some poor choices in an effort to get funds to move home. He stated that he checked himself into Brick House Recovery Center in Idaho Falls, Idaho and lived in a sober living house with other recovering addicts who had a positive impact on him. Mr. Brassington stated he has been sober since January 9, 2020. He has moved into his own residence and his promotion requires him to have a solicitor's license. He expressed that he continues to better himself with the support of his family and friends.

In response to questions from Council, Mr. Brassington noted that he filled out the application in a hurry and missed where it asked about charges on the application. He stated that he had added his charges on his apartment and employment applications. Mr. Brassington reported that he will not handle any financial information or exchange funds of any kind. He noted that the job requires that he be with a supervisor at all times and he is not allowed to enter any residences.

In response to a question from Council, Chief Roger Schei, Police Department, stated that the Spillman computer system allows alerts if an individual who has been issued a solicitor's license is charged with a crime.

A motion was made by Ms. Adamson, seconded by Mr. Cheatum, to uphold the decision of the Pocatello Police Department staff to deny Mr. Brassington a Solicitor/Peddler License. Upon roll call, those voting in favor were Adamson and Cheatum. Bray, Leeuwrik, Ortega and Stevens voted in opposition. The motion failed.

A motion was made by Ms. Stevens, seconded by Mrs. Ortega, to overturn the decision of the Pocatello Police Department staff and approve the Solicitor/Peddler License for Mr. Brassington. Upon roll call, those voting in favor were Stevens, Ortega, Bray and Leeuwrik. Adamson and Cheatum voted in opposition. The motion passed.

AGENDA ITEM NO. 6: This time was set aside for the Council to receive comments from PUBLIC HEARING the public regarding the request by Bill Isley of B Street -ANNEXATION OF Investments, LLC, represented by Rocky Mountain Engineering 8.64 ACRES NEAR and Surveying (mailing address: 600 East Oak Street, Pocatello, THE EAST END OF ID 83201) to annex and zone approximately 8.65 acres of land VISTA DRIVE near the east end of Vista Drive. The requested zoning for the property is Residential Low Density (RL) with a concurrent Comprehensive Plan Land Use Map designation of Residential (R).

The Planning and Zoning Commission recommended approval of the request following a previous public hearing. Staff found the proposal compliant with all applicable standards with conditions. Following the public hearing, Council may wish to approve the annexation and authorize staff to prepare an ordinance for Council's consideration at a future City Council meeting.

Mayor Blad opened the public hearing.

Councilman Bray disclosed he had talked to Mr. Isley about this project before he was on the City Council, but doesn't feel he needs to recuse himself because of that conversation.

Bill Isley, B Street Investments, LLC, gave an overview of the annexation. He stated that the reason for annexing the 8.65 acres is to allow access and develop land from phase one.

Matthew Lewis, Senior Planner, gave an overview of the application submitted by Bill Isley, B Street Investments, LLC, represented by Rocky Mountain Engineering and Surveying. He noted that the annexation request is in statutory compliance with Idaho State Code Section 5022 (3.A(I) as a Category "A" annexation, which allows annexation to take place where all private landowners have consented to annexation. Mr. Lewis reported the property lies within the adopted Area of City Impact and is contiguous to the City of Pocatello limits and the applicant, Bill Isley of B Street Investments, LLC is the property owner. He stated the proposed zoning of Residential Low Density results in a transition from Residential Medium Density to the east and Residential Estate to the south. Mr. Lewis reported this designation requires a minimum lot size of 7,500 square feet for a single family home and 12,000 square feet for townhomes and duplexes. He added the proposed residential density is compatible with the adjacent residential uses to the east and south. He reported that following a public hearing on January 27, 2021, the Planning and Zoning Commission unanimously recommended approval of the application with conditions as outlined.

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 Mr. Cheatum, to approve a request to annex and zone approximately 8.65 acres of land with the following conditions: 1) The subject property shall be annexed into the corporate boundaries of the City of Pocatello; 2) Applicant shall enter into an Annexation Agreement with the City of Pocatello; 3) An updated legal description of the parcels of land to be annexed, prepared by a licensed surveyor, shall be submitted by the applicant prior to the adoption of the annexation ordinance; 4) Upon annexation, the subject property shall be given to Comprehensive Plan Map designation of Residential (R); 5) Upon annexation, the subject property shall be zoned Residential Low Density (RL); 6) City of Pocatello Resolution No. 2006-02 provides for the developer of real property being annexed into the city limits to provide a water source sufficient to support the water needs of the development of said property, or to provide a cash payment of an amount to purchase a water source utilizing the formula approved by the City Council. As the amount for the water assessment is unknown at this time and shall be established as development occurs, it will be made part of the Annexation Agreement; 7) The subject parcel is located in a designated Mule Deer Winter Range; therefore, any development will be subject to the standards and requirements under Pocatello Municipal Code 17.04.170 – Sensitive Land Standards, particularly #4-7; 8) Any standards/regulations not herein noted but applicable to the proposed development shall be strictly adhered to; and 9) Any activity requiring a separate development or building permit shall comply with

applicable regulations and that the decision be set out in appropriate Council decision format and the property to be annexed is located near the east end of Vista Drive. Upon roll call, those voting in favor were Adamson, Cheatum, Bray, Leeuwrik, Ortega and Stevens.

AGENDA ITEM NO. 7: Council was asked to accept the recommendation of staff and award the bid for one (1) new 2021 18-ton boom truck to Rush Truck Center in the amount of \$210,660.00 and authorize the Mayor's signature on all appropriate documents, subject to Legal Department Review.
-WATER DEPARTMENT
EQUIPMENT BID

Funds for this vehicle are available in Fiscal Year 2021 Water department Budget.

A motion was made by Mr. Bray, seconded by Ms. Stevens, to award the bid for one (1) new 2021 18-ton boom truck to Rush Truck Center in the amount of \$210,660.00 and authorize the Mayor's signature on all appropriate documents, subject to Legal Department review. Upon roll call, those voting in favor were Bray, Stevens, Adamson, Cheatum, Leeuwrik and Ortega.

AGENDA ITEM NO. 8: Council was asked to accept a piggy-back bid on Sourcewell contract #060920-PMC with Peterbilt Motor Company for the purchase of one (1) new 2021 Peterbilt Model 567 Tractor Cab and Chassis in the amount of \$132,960.00 and authorize the Mayor's signature on all appropriate documents, subject to Legal Department review.
-PIGGYBACK BID
WITH PETERBILT
MOTOR

A motion was made by Ms. Leeuwrik, seconded by Ms. Stevens, to award a piggy-back bid on Sourcewell contract #060920-PMC with Peterbilt Motor Company for the purchase of one (1) new 2021 Peterbilt Model 567 Tractor Cab and Chassis in the amount of \$132,960.00 and authorize the Mayor's signature on all appropriate documents, subject to Legal Department review. Upon roll call, those voting in favor were Leeuwrik, Stevens, Adamson, Bray, Cheatum and Ortega.

AGENDA ITEM NO. 9: Council was asked to adopt a Resolution and authorize the Mayor to sign a lease agreement by resolution between the City and Bruce Beard for a hangar at the Pocatello Regional Airport. The hangar is approximately 1,760 square feet and is to be used for the purpose of aircraft storage. The proposed term is five (5) years and rental rate is \$267.91 per month, increased annually by at least the amount of the CPI increase for the previous 12-month period.
-RESOLUTION/LEASE
AGREEMENT
POCATELLO
REGIONAL AIRPORT

A motion was made by Mr. Cheatum, seconded by Ms. Leeuwrik, to approve the resolution (2021-01) and lease agreement between the City and Bruce Beard for a hangar at the Pocatello Regional Airport and authorize the Mayor's signature on all applicable documents, subject to Legal Department review. The hangar is approximately 1,760 square feet and is to be used for the purpose of aircraft storage. The term is five (5) years and rental rate is \$267.91 per month, increased annually by at least the amount of the CPI increase for the previous 12-month period. Upon roll call, voting in favor were Cheatum, Leeuwrik, Adamson, Bray, Ortega and Stevens.

- AGENDA ITEM NO. 10: Council was asked to approve and authorize the Mayor to sign all pertinent documents pertaining to the following;
- AIRPORT
IMPROVEMENT
PROGRAM (AIP) GRANT
APPLICATION AND
PROFESSIONAL
SERVICES AGREEMENT
POCATELLO REGIONAL
AIRPORT
- GRANT APPLICATION a) A grant application to the Federal Aviation Administration (FAA) under the Airport Improvement Program in the amount of \$1,422,187.00. The projects funded under the grant will be the purchase of a piece of snow removal equipment; an ARFF foam testing system; and an Airport Master Plan including a Pavement Management Plan; and, if the grant is approved, authorize acceptance of the grant; and
- FEDERAL AVIATION
ADMINISTRATION (FAA)
- PROFESSIONAL SERVICES b) Approve a professional services agreement between the City and T-O Engineers for design, bidding and purchase of this year's AIP non-planning projects, which includes acquisition of a multi-tool piece of snow removal equipment and an ARFF foam testing system with engineering fees in an amount not to exceed \$44,640.97.
- AGREEMENT
-T-O ENGINEERS

All projects under the grant, including engineering fees, are eligible for 93.75% reimbursement from the FAA with the remaining 6.25% funded using budgeted airport passenger facility charge funds. The projects are contingent upon grant award.

A motion was made by Mr. Cheatum, seconded by Mrs. Ortega, to approve submission of a grant application to the Federal Aviation Administration (FAA) under the Airport Improvement Program and a Professional Services Agreement between the City and T-O Engineers as outlined in Agenda Item No. 10(a) and 10(b) and authorize the Mayor's signature on all applicable documents, subject to Legal Department review. Upon roll call, those voting in favor were Cheatum, Ortega, Adamson, Bray, Leeuwrik and Stevens.

- AGENDA ITEM NO. 11: Council was asked to approve a grant application for the 2020 Hazardous Materials Emergency Preparedness (HMEP) grant and if awarded, authorize acceptance of the grant and approve the Mayor's signature on all applicable documents, subject to Legal Department review. Grant funds will be for four (4) training opportunity projects with a total amount of \$13,396.00 of the cost and requires a 20% City match in the amount of \$3,349.00. Funds for the City match are available in the Fire Departments Fiscal Year 2021 budget.
- 2020 HAZARDOUS
MATERIALS
EMERGENCY
PREPAREDNESS
GRANT
APPLICATION
-FIRE DEPARTMENT

A motion was made by Ms. Leeuwrik, seconded by Ms. Stevens, to approve a grant application for the 2020 Hazardous Materials Emergency Preparedness (HMEP) grant as outlined in Agenda Item

No. 11 and authorize the Mayor's signature on applicable documents, subject to Legal Department review. Upon roll call, those voting in favor were Leeuwrik, Stevens, Adamson, Bray, Cheatum and Ortega.

AGENDA ITEM NO. 12: Council was asked to consider an ordinance repealing
ORDINANCE Ordinance No. 3061, "Establishing standards for face coverings
-REPEAL ORDINANCE for individuals when they are in public places".

A motion was made by Mr. Cheatum, seconded by Ms. Adamson, that Agenda Item No. 12, be read only by title and placed on final passage for publication and that only the ordinance summary sheet be submitted for publication. Upon roll call, those voting in favor were Cheatum, Adamson, Bray, Leeuwrik, Ortega and Stevens.

Council discussed pros and cons of the having the mask mandate, the numerous emails received, both in favor and in opposition to the mask mandate and the recommendations from the medical community to keep the mandate.

Jared Johnson, City Attorney, read the ordinance by title.

Mayor Blad declared the final reading of the ordinance repealing Ordinance No. 3061, "Establishing standards for facemask coverings for individuals when they are in public places". Mayor Blad asked "Shall the ordinance pass?" Upon roll call, those voting in favor were Adamson and Cheatum. Bray, Leeuwrik, Ortega and Stevens voted in opposition. The motion failed. Mayor Blad announced the mask ordinance will be discussed again at the March 4, 2021 Regular Council meeting.

AGENDA ITEM NO. 13: There were no individuals signed up to speak during this
-ITEMS FROM THE agenda item.
AUDIENCE

AGENDA ITEM NO. 14: There being no further business, Mayor Blad adjourned the
ADJOURN meeting at 7:16 p.m.

APPROVED BY:

BRIAN C. BLAD, MAYOR

ATTEST AND PREPARED BY:

KONNI R. KENDELL, CITY CLERK

PREPARED BY:

WENDY A. PRATHER, DEPUTY CITY CLERK