

CITY OF POCATELLO, IDAHO
CITY COUNCIL
REGULAR CITY COUNCIL MEETING
MARCH 18, 2021

AGENDA ITEM NO. 1: The Regular City Council meeting was called to order at 6:01 p.m.
ROLL CALL AND by Mayor Brian Blad. Council members present were
PLEDGE OF Heidi Adamson, Roger Bray, Rick Cheatum, Linda Leeuwrik,
ALLEGIANCE and Chris Stevens. Council member Claudia Ortega was excused.

Mayor Blad led the audience in the Pledge of Allegiance.

AGENDA ITEM NO. 2: The invocation was offered by Pastor Mike Popovich,
INVOCATION representing First Baptist Church.

Mayor Blad announced that Agenda Item No. 8 had been pulled from the agenda and would be brought to the Council for consideration at a later date.

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

-TREASURER'S (a) Consider the Treasurer's Report for February 2021 showing
REPORT cash and investments as of February 28, 2021 in the amount of
\$85,548,807.11.

-HUMAN RELATIONS (b) Confirm the Mayor's appointment of Christopher Cole Clegg to
ADVISORY BOARD to serve as a member of the Human Relations Advisory
APPOINTMENT Committee, replacing Terry Brooks who resigned. Christopher's
term will begin April 1, 2021 and will expire March 22, 2024.

-COUNCIL DECISION (c) Adopt the Council's decision approving the short plat for Love 2
-LOVE 2 BID Bid Subdivision, which divides approximately 6.61 acres of land
SUBDIVISION SHORT located at 3300 South 5th Avenue into four (4) lots, subject to
PLAT APPROVAL conditions.

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

AGENDA ITEM NO. 4: Ms. Leeuwrik, on behalf of Mayor Blad, proclaimed April 30, 2021
-COMMUNICATIONS to be National Therapy Animal Day in Pocatello and encouraged
AND PROCLAMATIONS citizens to celebrate our therapy animals and their human handlers
and salute the service of therapy animal teams in our community
and in communities across the nation.

Tamilyn Carson, representing Pet Partners, accepted the proclamation and thanked the Mayor and Council for the recognition.

AGENDA ITEM NO. 5: Mayor Blad reminded the Council members of the following
CALENDAR REVIEW meetings on April 1st: Clarification Meeting at 5:30 p.m.; and
Regular Council meeting at 6:00 p.m.; and Council Work Session
to be held on April 8th at 9:00 a.m.

Annual Spring Clean Up at City Cemeteries begins March 29th. Crews will remove and discard all flowers and decorations. Citizens are asked to remove decorations, etc. they have placed on cemetery spaces if they wish to avoid disposal of the item(s) by staff. Clean up is expected to continue through the end of April; Compost Happens yard-waste-only composting program begins April 6th and continues through the last week of November. Yard-waste carts will be picked up on the same day as your regular collection day. For more information, contact the Sanitation Department; Reminder: Face coverings are required when individuals are in public places within the city of Pocatello.

AGENDA ITEM NO. 6: This time was set aside for the Council to receive comments from the public regarding a request by Bill Isley of BBAD Investments, LLC (mailing address: 2227 East Center Street, Pocatello, ID 83201) to rezone seven (7) separate parcels of land from Commercial General (CG) to Light Industrial (LI) and amend the Comprehensive Plan map from Mixed-Use (MU) to Employment (E). The property is located near the 4300 block of South 5th Avenue. The Planning and Zoning Commission recommended approval of the proposal. Staff found the proposal compliant with all applicable standards with conditions.

Mayor Blad opened the public hearing.

Council members announced that there had not been any ex parte communication.

Bill Isley of BBAD Investments, LLC, was not in attendance.

Matthew Lewis, Senior Planner, gave an overview of the application submitted by Bill Isley of BBAD Investments, LLC, to rezone seven (7) separate parcels of land from Commercial General (CG) to Light Industrial (LI) and amend the Comprehensive Plan Map from Mixed-Use (MU) to Employment (E). He explained Parcel 1 is Lot 1 Block 1 of the South Cliffs Subdivision covering approximately 11.57 acres. Parcel 2 consists of four (4) separate parcels totaling approximately 9.1 acres and Parcel 3 consists of two (2) parcels totaling approximately 5.44 acres. Mr. Lewis noted all subject parcels are underdeveloped and currently zoned Commercial General (CG). Lot 1 Block 1 of South Cliffs 1st Addition was platted in 2018. The lot is located off South Cliffs Drive via South 5th Avenue. He stated that all parcels are predominately flat, consisting of native sagebrush and grasses and gravel with a basalt base. Mr. Lewis noted the 9.1 acre parcel can be accessed from South 5th Avenue and South Valley Road. The 5.44 acre parcel is accessed via South Valley Road. He stated staff found the proposal compliant with all applicable standards and following a public hearing on February 24, 2021, the Planning and Zoning Commission recommended approval of the application.

In response to a question from Council, Mr. Lewis stated City utilities are available or can be extended as needed.

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 Ms. Stevens, to approve the application to rezone seven (7) separate parcels of land from Commercial General (CG) to Light Industrial (LI) and amend the Comprehensive Plan map from Mixed-Use (MU) to Employment (E) and that the decision be set out

in appropriate Council decision format and that the property is located near the 4300 block of South 5th Avenue. Upon roll call, those voting in favor were Bray, Stevens, Adamson, Cheatum and Leeuwrik.

AGENDA ITEM NO. 7: Council was asked to approve a short plat application by Cream Top Investments, LLC and Matthew G. Lewis, represented by Rocky Mountain Engineering and Surveying (RMES) (mailing address: 600 East Oak Street, Pocatello, ID 83201) to subdivide approximately 2.56 acres into four (4) lots. The subdivision is a replat of a portion of the MacDonald Acres subdivision. The general location of the property is within the 400 block of Fredregill Road. Staff found the proposal compliant with all applicable standards with conditions.

A motion was made by Ms. Adamson, seconded by Ms. Leeuwrik, to approve the short plat application by Cream Top Investments, LLC to subdivide approximately 2.56 acres into four (4) lots and the subdivision is a replat of a portion of the MacDonald Acres subdivision and the general location of the property is within the 400 block of Fredregill Road and staff found the proposal compliant with all applicable standards with the following conditions: 1) All conditions on the Subdivision Application Staff Report shall be met; 2) All conditions set out in the Public Works Department Memorandum from Merrill Quayle, P.E. dated, March 9, 2021 shall be met; 3) Subdivision Covenants, Conditions and Restrictions (CCR's), if applicable, shall be submitted to the City after recording of the final plat; 4) The plat shall conform to all State and local laws and ordinances; and 5) 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 Adamson, Leeuwrik, Bray, Cheatum and Stevens.

AGENDA ITEM NO. 8: As announced earlier, Agenda No. 8, Appeal of Historic Preservation Commission Decision - 123 North Main Street, was pulled from the agenda.

AGENDA ITEM NO. 9: Craig Yadon of Yadon Properties, LLC (mailing address: PO Box 247, Pocatello, ID 83204) has appealed the Historic Preservation Commission decision denying a Certificate of Appropriateness for replacing the ghost sign with a new mural on the Petersen Building located at 224 North Main Street.

Craig Yadon, Yadon Properties, LLC, stated after being denied the Certificate of Appropriateness, the Historical Preservation Commission suggested repainting the "Peterson" on the building. He explained the purpose of the building is to bring adults and youth of the Community together with intergenerational art and music activities that will inspire and help them find their purpose in life. Mr. Yadon added that in an attempt to achieve common ground he revised the mural keeping "Peterson" instead of changing to "Purpose". He expressed the new design didn't go along with his vision for the building. Mr. Yadon stated he is restoring eight (8) stained glass windows that have the historic letter "P" on them. Mr. Yadon added how he wanted to incorporate the historic "P" into the new design.

In response to a question from Council, Mr. Yadon explained everything else in the restoration plan had been approved by the Historic Preservation Commission and the Peterson ghost sign could possibly be restored preserving the historical integrity, but it would be costly. He expressed he personally doesn't find the Peterson sign appealing.

Ms. Leeuwrik stated there doesn't appear to be a connection between portions of the art work in the proposed mural and Pocatello's history. She explained the designated era of historic significance for Old Town is between 1890 and 1945. Ms. Leeuwrik noted that the artwork in the proposed mural comes from many different eras and locations. She added there are other murals downtown that do not fit in the era, but they are new murals, not replacing one designated as historical.

Ms. Adamson shared some comments she received from community members on how they liked the Peterson sign and would be sad to see it removed. She stated that many long-time Pocatello residents have grown up seeing the Peterson sign and associate it with downtown Pocatello.

Mr. Cheatum feels having an old building renovated to a usable state is more important than making sure an out of business logo is restored.

Council expressed their appreciation to Mr. Yadon for all his efforts and investment in restoring a business in the Historic Old Town area. They also commended him for following all the proper protocols in the process.

A motion was made by Ms. Stevens, seconded by Ms. Adamson, to uphold the decision of the Historic Preservation Commission to deny a Certificate of Appropriateness for replacing the ghost sign with a new mural on the Peterson Building located at 224 North Main Street. Upon roll call, those voting in favor were Stevens, Adamson, Bray and Leeuwrik. Cheatum voted in opposition. The motion passed.

AGENDA ITEM NO. BUILDING PERMIT FEE WAIVER/ REIMBURSEMENT REQUEST-YADON PROPERTIES, LLC	10:	Council was asked to consider a request from Craig Yadon, Yadon Properties, LLC (mailing address: PO Box 247, Pocatello, ID, 83204) for a waiver of the following fees for property located at 224 North Main Street: Fire Review Fee in the amount of \$1,149.40; Building Permit Fee in the amount of \$7,183.75; and Plan Review Fee reimbursement in the amount of \$4,669.44 for a total of \$13,002.59.
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Mr. Yadon explained the numerous costs that come with restoring historic buildings. He stated that it is costly to bring buildings up to Code.

Council expressed their understanding of the expense that comes with renovating an historic building. They explained that there are legal liability issues involved if they reimburse fees for some individuals and not others.

In response to a question from Council, Brent McLane, Planning and Development Services Director, suggested that Mr. Yadon meet with Jim Anglesey, Assistant Planner, regarding the various grants that are available to help with restoration costs.

A motion was made by Mr. Bray, seconded by Ms. Adamson, to deny the request from Craig Yadon to waive the following fees for property located at 224 North Main Street: Fire Review Fee in the amount of \$1,149.40; Building Permit Fee in the amount of \$7,183.75; and Plan Review Fee reimbursement in the amount of \$4,669.44 for a total of \$13,002.59. Upon roll call, those voting in favor were Bray, Adamson, Cheatum, Leeuwrik and Stevens.

- AGENDA ITEM NO. 11: Council was asked to consider the following requests regarding an Arbor Day Tree Planting Grant:
- ANNUAL ARBOR DAY TREE PLANTING GRANT APPLICATION
 - SCIENCE AND ENVIRONMENT
- APPROVE GRANT APPLICATION (a) Approve submittal of an Idaho Nursery and Landscape Association grant application in the amount of \$300.00; and if awarded
- AUTHORIZE MAYOR'S SIGNATURE (b) Authorize the Mayor's signature, upon Legal Department review, on all applicable documents pertaining to the grant.

The funds will be used to purchase 1-2 trees to plant in association with Arbor Day. A 25% City match is required which will be provided through in-kind services from the Parks Department to plant trees.

A motion was made by Mr. Cheatum, seconded by Ms. Leeuwrik, to approve submittal of the grant application from Idaho Nursery and Landscape Association in the amount of \$300.00 and if awarded, authorize the Mayor's signature, subject to Legal Department review, on all applicable documents pertaining to the grant. Upon roll call, those voting in favor were, Cheatum, Leeuwrik, Adamson, Bray and Stevens.

- AGENDA ITEM NO. 12: Council was asked to consider an ordinance annexing approximately 8.65 acres of land to extend the Pocatello city limits east and southeast of the recently annexed 7.56 acres of land located at the east end of Vista Drive. The annexed property will be zoned Residential Low Density with a Comprehensive Plan Map designation of Residential.
- ORDINANCE
 - ANNEXING
 - 8.65 ACRES OF LAND LOCATED AT THE SOUTHEAST END OF VISTA DRIVE

A motion was made by Mr. Bray, seconded by Mr. Cheatum, 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 Bray, Cheatum, Adamson, Leeuwrik and Stevens.

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

Mayor Blad declared the final reading of the ordinance annexing approximately 8.65 acres of land to extend the Pocatello city limits east and southeast of the recently annexed 7.56 acres of land located at the east end of Vista Drive. Mayor Blad asked "Shall the ordinance pass?" Upon roll call, those voting in favor were Adamson, Bray, Cheatum, Leeuwrik and Stevens.

AGENDA ITEM NO. 13: Trina Hall, Pocatello resident, expressed her concern
-ITEMS FROM THE of not being aware of the proposed Pioneer Ridge Trail System
AUDIENCE improvements. She stated that the land owners need to be able to
have safeguards put in place to protect their property.

Jim Sanford, Pocatello resident, expressed his concerns regarding the lack of information by Parks and Recreation Department in regards to the proposed Pioneer Ridge Trail System improvements. He feels he was not fully informed of what is planned.

Kevin Skinner, Pocatello resident, expressed his concerns regarding the lack of public information available about the proposed Pioneer Ridge Trail. He explained his concerns of this proposed trail system having a negative impact on his property.

Leslie Stuart, Pocatello resident, expressed her concerns about past and current incidents of loitering, littering, poaching, vandalism, theft, property damage and break-ins which she fears will increase as a result of future trail system development and use. She noted the negative impact the proposed trail system could have on wildlife and the ecosystem. Ms. Stuart stated that other trail systems have had a huge impact on their quality of life and affected property value.

Matthew Stuart, Pocatello resident, expressed his concerns regarding safety of users of the trail systems. He noted his concern about adequate bathroom facilities and parking for users of the trail system.

AGENDA ITEM NO. 14: There being no further business, Mayor Blad adjourned the
ADJOURN meeting at 7:22 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