

CITY OF POCA TELLO, IDAHO
CITY COUNCIL
REGULAR CITY COUNCIL MEETING
MARCH 19, 2020

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

Ms. Adamson led the audience in the pledge of allegiance.

AGENDA ITEM NO. 2: The invocation was offered by Karen Pease, representing the Baha'i
INVOCATION 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 Clarification and Regular Council meetings of February 20, 2020
and March 5, 2020; February 25, 2020 Joint Cities/Bannock County/School District No. 25/Idaho State
University meeting; and the March 5, 2020 City Council ICRMP Training.

-TREASURER'S (b) Consider the Treasurer's Report for February showing cash and
REPORT investments as of February 29, 2020 in the amount of
\$67,552,285.48.

-HUMAN RELATIONS (c) Confirm the Mayor's reappointment of Terry Brooks to continue his
ADVISORY service as a member of the Human Relations Advisory Committee.
COMMITTEE Mr. Brooks' term will begin March 22, 2020 and will expire March
REAPPOINTMENT 22, 2024.

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, Bray, Ortega, Stevens and Adamson.

AGENDA ITEM NO. 4: Ms. Adamson announced there were no proclamations.
PROCLAMATIONS AND
COMMUNICATIONS

Ms. Adamson announced that Mayor Blad was excused from the meeting. She stated that the Mayor had necessary travel outside the area and had chosen to self-quarantine for two weeks after he and his wife traveled to areas with known cases of COVID-19. Ms. Adamson stated that Mayor Blad is not symptomatic and is following the guidance of health department officials to avoid contact with others at this time.

AGENDA ITEM NO. 4.1 Council was asked to adopt a resolution declaring a local disaster
RESOLUTION emergency in accordance with Idaho Code 46-1011.
-DECLARATION OF
LOCAL DISASTER
EMERGENCY

A motion was made by Ms. Leeuwrik, seconded by Ms. Stevens, to adopt a resolution (2020-01), declaring a local disaster emergency in accordance with Idaho Code 46-1011. Upon roll call, those voting in favor were Leeuwrik, Stevens, Bray, Cheatum, Ortega and Adamson.

AGENDA ITEM NO. 5: Council President Adamson reminded the Council of the April 2nd
CALENDAR REVIEW Clarification meeting at 5:30 p.m.; the April 2nd Regular City Council meeting at 6:00 p.m.; and the April 9th Work Session at 9:00 a.m.

Ms. Adamson announced that the annual spring cleanup at City cemeteries begins March 30th. Crews will remove and discard all flowers and decorations. Citizens are asked to remove decorations, etc. they have placed on a cemetery space if they wish to avoid disposal of the item by staff. Clean up is expected to continue through the end of April; Compost Happens, the 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.

Ms. Adamson announced the following City temporary closures/cancelations due to COVID-19: Community Recreation Center remains closed until March 28th at which time opening of the Center will be re-evaluated; Marshall Public Library is closed until further notice. Library employees will be available by phone 9 a.m. to 5 p.m. Monday through Saturday; Cemetery offices are closed through March 29th. Cemetery employees will be available by phone; Zoo Education building office is closed through March 29th. Staff will be available by phone; 2020 Portneuf Valley Environmental Fair has been canceled; and there is limited access to City Hall. Citizens are encouraged to utilize the City website, or contact departments through phone or email.

AGENDA ITEM NO. 6: This time was set aside for the Council to receive comments from
PUBLIC HEARING the public regarding a request by Thomas Katsilometes (mailing
-VACATION OF address: PO Box 11, Pocatello, ID 83204) to vacate the public's
RIGHT OF WAY interest in the right-of-way of the north shoulder of Hildreth Road
NORTH SHOULDER OF between Interstate 15 and Diamondback Lane.
HILDRETH ROAD

Council President Adamson opened the public hearing.

Council members announced there had been no ex parte communication.

The applicant was not present at this time. Ms. Adamson asked for presentation by staff at this time.

Merril Quayle, Public Works Engineer, gave an overview of the request to vacate the public's interest in the right-of-way of the north shoulder of Hildreth Road between Interstate 15 (I-15) and Diamondback Lane. He stated the right-of-way for Hildreth Road was acquired during the building of I-15 by Idaho Transportation Department (ITD) in 1964. Mr. Quayle stated that the property has natural vegetation, the slope of the area is stable, there are no erosion issues and the area is available for future expansion projects. He added that School District #25 owns Century High School, which is the property nearest the area being proposed for vacation. Mr. Quayle stated that the School District has submitted correspondence in opposition to the vacation. He stated that correspondence in opposition to the vacation has also been received from Idaho Transportation Department. Mr. Quayle stated additional correspondence was received as a Request for Records from the applicant pertaining to the application. He added that the information from that Request for Records was included in the agenda packet.

The applicant arrived at this time. Thomas Katsilometes gave an overview of his request for a proposed vacation of a portion of Hildreth Road. He stated that the area is a ten-acre parcel with business operations nearby. Mr. Katsilometes stated that he is proposing to have the City vacate the right-of-way on a portion of land in order to decrease vandalism. He added that he feels potential business expansion could be hindered if the vacation is not allowed. Mr. Katsilometes stated that Idaho Transportation Department has expressed opposition to the proposal as the area is reserved for potential expansion. He feels that there has not been any indication of expansion since the construction of I-15 in 1964.

In response to questions from Council, Mr. Katsilometes stated that the area has had problems with graffiti and loitering and he feels those problems could be alleviated if the vacation is approved.

In response to questions from Council, Police Chief Roger Schei stated that to his recollection, the Police Department has not had calls for service to that area in quite some time. He added that when Century High School was new, there were some issues that were resolved with the help of Bannock County officials.

Ms. Adamson announced no written correspondence had been received.

Niki Taysom, Pocatello resident, spoke uncommitted on the request. She feels it is important to improve the land and ensure that properties are being maintained for fire safety.

In response to questions from Council, Mr. Katsilometes stated that the City acquired jurisdiction of the property in 1998 when the annexation of the land took place. He stated that if approved, a condition of the vacation agreement could be that if necessary, the City could acquire a portion of the property at little or no cost to the City.

Jared Johnson, City Attorney, stated that if the proposed vacation were to be granted, various conditions and provisions would be necessary.

There being no further public comments, Council President Adamson closed the public hearing.

A motion was made by Ms. Leeuwrik, seconded by Mr. Bray, to deny a request by Thomas Katsilometes to vacate the public's interest in the right-of-way to the north shoulder of Hildreth Road between Interstate 15 and Diamondback Lane and that the decision be set out in appropriate Council decision format.

Mr. Bray stated that staff requested input from outside entities in order to give a recommendation in the best interest of the City. He feels that it is important to use that information to make a decision that is right for the citizens.

Ms. Leeuwrik stated she feels strongly that Council accept the recommendation of staff in order to make the best decision for the City.

Ms. Stevens stated that she feels the feedback from responding entities to deny the request is overwhelmingly clear.

In response to questions from Council, Mr. Katsilometes stated that a 9-foot high chain link fence is currently in place. He added that additional surveillance options are not a deterrent and that the fence does not allow monitoring of individuals who may go up and down the hill. Mr. Katsilometes stated he

feels that if the vacation is denied, that the development may be inhibited and business expansion may be moved outside of Pocatello.

Ms. Adamson stated she feels approval of the proposed vacation could potentially set a precedent with future landowners and/or businesses which could negatively affect the City and its taxpayers.

Ms. Leeuwrik's motion was voted upon at this time. Upon roll call, those voting in favor were Leeuwrik, Bray, Stevens and Adamson. Cheatum and Ortega voted in opposition to the motion. The motion passed.

AGENDA ITEM NO. 7: Kris Kelly, represented by Matt Baker of Summit Land Surveying (mailing address: 366 Washington Avenue, Pocatello, ID 83201) has submitted a short plat application to subdivide 2.39 acres (more or less) into two (2) lots. The general location of the property is 4105 Hawthorne Road.

SHORT PLAT
-MR. MOWER
SUBDIVISION

A motion was made by Ms. Leeuwrik, seconded by Mr. Cheatum, to approve a request by Kris Kelly, represented by Matt Baker of Summit Land Surveying, and approve a short plat application to subdivide 2.39 acres (more or less) into two (2) lots 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, 2020 shall be met; 3) Subdivision Covenants, Conditions and Restrictions (CCR's) if applicable, shall be submitted to the City; 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 and that the general location of the property is located at 4105 Hawthorne Road. Upon roll call, those voting in favor were Leeuwrik, Cheatum, Bray, Ortega, Stevens and Adamson.

Ms. Stevens asked that staff provide clarification to the Council regarding a certificate of occupancy at this location.

Jared Johnson, City Attorney, stated Ms. Stevens' request would be handled by staff.

At this time, Council President Adamson turned the meeting over to Council member Roger Bray and recused herself from discussion and voting on Agenda Item No. 8. She stated that the applicant, Rebecca Taylor, is a relative of Ms. Adamson, and recusing herself from the item is most appropriate.

AGENDA ITEM NO. 8: Council was asked to consider a request from Rebecca Taylor for an exception to City Code requiring a \$150.00 deposit for City utilities for new accounts.

UTILITY DEPOSIT
EXCEPTION REQUEST
-TAYLOR

Rebecca Taylor gave an overview of her request for an exception to City Code requiring a \$150.00 deposit for City utilities. She clarified that she is not asking for an exception, but is asking for a refund of the \$150.00 she was required to pay on her utility account. Ms. Taylor stated she feels that if the Utility Billing Department had checked her credit, as specified in the ordinance, she wouldn't have been charged a deposit, as she feels she is not a credit risk to the City.

Cindy Robbins, Utility Billing Director, gave an overview of the process used by the Council which led to the adoption of an ordinance requiring a \$150.00 deposit for all new utility account holders. She stated a series of recommendations were made to minimize the risk of loss to the City on utility

accounts. Ms. Robbins stated that the Council chose to leave language in the ordinance allowing for credit checks, if necessary. She added that deposit funds remain until the account is finalized upon account closure.

Jared Johnson, City Attorney, clarified that when the ordinance is read in its entirety, the requirement of a deposit is clear and includes an option for collecting credit report information, if the Council decides to initiate that policy. He added that he has spoken to Ms. Taylor regarding the ordinance to clarify the information.

Mrs. Ortega stated she would like to have additional conversations to clarify confusing language in the ordinance.

Mr. Johnson stated it may be worthwhile to clarify language in the ordinance which may be vague or ambiguous.

Ms. Robbins explained that exceptions may be granted, such as in the case of death of the account holder and transferring service to the name of a surviving spouse. She stated that if an account holder has an account, and chooses to add an additional account, then a deposit would not be required for the additional account.

A motion was made by Ms. Stevens, seconded by Mrs. Ortega, to deny a request from Rebecca Taylor for an exception to City Code requiring a \$150.00 deposit for City utilities for new accounts and requested that the ordinance be revisited to clarify language in the ordinance. Upon roll call, those voting in favor were Stevens, Ortega, Bray, Cheatum and Leeuwrik.

Mr. Bray turned the meeting back over to Council President Adamson.

AGENDA ITEM NO. 9: Council was asked to consider the Pocatello Police Department's
TRADE AND PURCHASE recommendation and accept a quote from Salt Lake Wholesale (Blue
OF FIREARMS Label Glock Dealer for Law Enforcement) for the following
-POLICE firearms. The firearms will be used by members of the Pocatello
Police Department.

TRADE-IN OF a) Trade-in 14 older Glock 30 and 6 Glock 21 firearms; and if
USED FIREARMS approved

PURCHASE OF b) Purchase 14 new Glock 19 and 6 Glock 17 handguns.
NEW FIREARMS

Staff can purchase the new Glock handguns at a discounted rate of \$236.00 per gun. Total purchase cost will be \$4,720.00. Funds are available in the Police Department's Fiscal Year 2020 budget.

A motion was made by Mr. Bray, seconded by Mr. Cheatum, to accept the Pocatello Police Department's recommendation and accept a quote from Salt Lake Wholesale (Blue Label Glock Dealer for Law Enforcement) for the trade-in and purchase of firearms as outlined in Agenda Item No. 9(a) and 9(b). Upon roll call, those voting in favor were Bray, Cheatum, Leeuwrik, Ortega, Stevens and Adamson.

AGENDA ITEM NO. 10: Council was asked to accept the recommendation of Police staff and declare Bancorp as a Sole Source vendor for the following requests:
SOLE SOURCE
DECLARATION
-POLICE VEHICLE
PURCHASE/LEASE

LEASE APPROVAL a) Approve the lease of ten (10) 2020 Ford F-150 fully equipped Pursuit Pickups from Bancorp for five (5) annual payments of FORD F-150 PICKUPS \$144,300.00; and
-BANCORP

PURCHASE b) Approve the purchase of three (3) 2020 Ford Explorer Hybrids from APPROVAL FORD Bancorp in the amount of \$38,484.00 each (total cost \$115,452.00).
EXPLORER HYBRIDS
-BANCORP

Bancorp provides a “turnkey” service which means they will up-fit the vehicles with all of the necessary equipment and deliver them ready to use.

Funds for the vehicles lease and purchase are available in the Police Department’s Fiscal Year 2020 budget.

A motion was made by Mr. Cheatum, seconded by Ms. Stevens, to accept the recommendation of Police staff and declare Bancorp as a Sole Source vendor and approve requests outlined in Agenda Item No. 10(a) and 10(b) for the lease and purchase of vehicles for the Police Department. Upon roll call, those voting in favor were Cheatum, Stevens, Bray, Leeuwrik, Ortega and Adamson.

AGENDA ITEM NO. 11: Council was asked to consider the following Intergovernmental INTERGOVERNMENTAL AGREEMENTS Agreements for the Pocatello Animal Shelter to provide shelter services, subject to Legal Department review.
-ANIMAL SHELTER SERVICES

BANNOCK a) Bannock County
COUNTY

CITY OF INKOM b) City of Inkom

CITY OF c) City of McCammon
MCCAMMON

CITY OF d) City of American Falls
AMERICAN FALLS

CITY OF e) City of Downey
DOWNEY

CITY OF f) City of Chubbuck
CHUBBUCK

The agreements will hold agencies outside Pocatello financially responsible for the Shelter services. The agreement specifies the Shelter must have room for the animal and the City of Pocatello is a priority.

A motion was made by Mr. Bray, seconded by Mrs. Ortega, to approve Intergovernmental Agreements for the Pocatello Animal Shelter to provide shelter services, as outlined in Agenda Item No. 11(a) through 11(f), subject to Legal Department review. Upon roll call, those voting in favor were Bray, Ortega, Cheatum, Leeuwrik, Stevens and Adamson.

AGENDA ITEM NO. 12: Council was asked to approve a Cell Dog Agreement between
CELL DOG Pocatello Animal Services, the Pocatello Women's Correctional
AGREEMENT Center (PWCC) and The Friends of the Pocatello Animal Shelter
-ANIMAL SERVICES (TFPAS), subject to Legal Department review.

The Cell Dog program is a collaborative effort to allow inmates a chance to give back through the training and socialization of shelter companion animals. Responsibilities of PWCC, Animal Services and TFPAS are outlined in the agreement.

A motion was made by Ms. Leeuwrik, seconded by Mr. Cheatum, to approve a Cell Dog Agreement between Pocatello Animal Services, the Pocatello Women's Correctional Center (PWCC), and The Friends of the Pocatello Animal Shelter (TFPAS), subject to Legal Department review. Upon roll call, those voting in favor were Leeuwrik, Cheatum, Bray, Ortega, Stevens and Adamson.

AGENDA ITEM NO. 13: Council was asked to consider the recommendation of staff and
ACCEPTANCE OF accept the donation of two (2) canines for the Pocatello Police
TWO CANINES DONATED Department Canine Unit. Dog No. 1 is a German Shepherd
TO POLICE DEPARTMENT (5 years old) and Dog No. 2 is a Yellow Labrador (2 1/2 years old).
Both dogs will be used as explosive ordnance detection dogs.

Dogs of this caliber often cost police departments upwards of \$10,000.00 or more each to purchase.

A motion was made by Ms. Stevens, seconded by Mrs. Ortega, to accept the donation of two (2) canines for the Pocatello Police Department Canine Unit, as outlined in Agenda Item No. 13. Upon roll call, those voting in favor were Stevens, Ortega, Bray, Cheatum, Leeuwrik and Adamson.

AGENDA ITEM NO. 14: Council was asked to consider an ordinance to rezone by contract
ORDINANCE approximately 2.57 acres of land located at 2909 Pole Line Road
-REZONE BY CONTRACT from Commercial General (CG) to Light Industrial (LI) for use as
2.57 ACRES LOCATED industrial storage and sales, pursuant to Pocatello Municipal Code
AT 2909 POLE LINE ROAD 17.02.180(B)(I), subject to conditions.

A motion was made by Mr. Bray, seconded by Ms. Stevens, that the ordinance, Agenda Item No. 14, 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, Stevens, Cheatum, Leeuwrik, Ortega and Adamson.

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

Council President Adamson declared the final reading of the ordinance to rezone by contract approximately 2.57 acres of land located at 2909 Pole Line Road from Commercial General (CG) to Light Industrial (LI) for use as industrial storage and sales, pursuant to Pocatello Municipal Code 17.02.180(B)(I), subject to conditions. Ms. Adamson asked, "Shall the ordinance pass?" Upon roll call, those voting in favor were Bray, Cheatum, Leeuwrik, Ortega, Stevens and Adamson. Council President Adamson declared the ordinance and summary sheet passed, that it be numbered 3047 and be submitted to the Idaho State Journal for publication.

AGENDA ITEM NO. 15: Niki Taysom, Pocatello resident, shared her support for the
DISCUSSION ITEMS Constitution of the United States. She shared her opposition to
government programs and communist nations.

AGENDA ITEM NO. 16: There being no further business, Council President Adamson
ADJOURN adjourned the meeting at 7:19 p.m.

APPROVED BY:

BRIAN C. BLAD, MAYOR

ATTEST:

RUTH NEWSOM, C.C., CITY CLERK

PREPARED BY:

KONNI R. KENDELL, DEPUTY CITY CLERK