

CITY OF POCATELLO, IDAHO
CITY COUNCIL
REGULAR CITY COUNCIL MEETING
MAY 21, 2020

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. The following Council members were in
PLEDGE OF attendance through Go To Meeting, an on-line meeting platform:
ALLEGIANCE Heidi Adamson, Roger Bray, Rick Cheatum, Linda Leeuwrik,
Claudia Ortega and Chris Stevens.

Mayor Blad led the pledge of allegiance.

AGENDA ITEM NO. 2: A moment of silence was offered 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 from
the Clarification and Regular Council meetings of April 16, 2020 and
May 7, 2020; and the Executive Session of May 6, 2020.

-TREASURER'S (b) Consider the Treasurer's Report for April showing cash and
REPORT investments as of April 30, 2020 in the amount of
\$64,949,471.63.

-ANIMAL SHELTER (c) Confirm the Mayor's reappointment of Brandie Jacobia to continue
ADVISORY BOARD her service as a member of the Animal Shelter Advisory Board. Ms.
REAPPOINTMENT Jacobia's term will begin June 6, 2020 and will expire June 6, 2022.

-COUNCIL DECISION (d) Adopt the Council's decision approving the short plat for Creekside
-CREEKSIDE DISTRICT District Subdivision, which subdivides approximately 3.57 acres of
SUBDIVISION land into two (2) commercial lots, subject to conditions. The
SHORT PLAT property is located west of Edahow Elementary on Pocatello Creek
Road.

Ms. Stevens requested that Agenda Item 3(c) be considered as a separate agenda item.

A motion was made by Mr. Cheatum, seconded by Ms. Stevens, to approve Agenda Items 3(a), 3(b) and 3(d) of the Consent Agenda. Upon roll call, those voting in favor were Cheatum, Stevens, Adamson, Bray, Leeuwrik and Ortega.

Agenda Item 3(c) considering the reappointment of Brandie Jacobia to continue her service as a member of the Animal Shelter Advisory Board was considered at this time.

Ms. Stevens stated that the advisory members are to be confirmed by the Mayor with the advice and consent of the Council. She feels that it is important that Council members receive adequate information regarding the advisory board applicants prior to their approval. Ms. Stevens feels that if a position is open, all applications should be reviewed by the Mayor and Council for appointment or reappointment.

Jared Johnson, City Attorney, stated that consideration of each application by the Mayor and Council would require several Executive Sessions in order to comply with Idaho Open Meeting laws. He added that deliberation outside of a meeting is not allowed and that advice and consent of the Council comes in the form of a vote at a Council meeting.

Mrs. Ortega stated that she would like more information about the advisory board applicants before being asked to vote on their confirmation.

Mayor Blad stated that the advisory board policy would be added to a future agenda for the Council's discussion and consideration.

A motion was made by Mr. Cheatum, seconded by Ms. Adamson, to approve Agenda Item 3(c) of the Consent Agenda.

In response to a question from Council, Jared Johnson, City Attorney, clarified that in the case of a tie vote, in accordance with State statutes, Mayors authorized to cast the deciding vote.

Mr. Cheatum's motion was voted upon at this time. Upon roll call, those voting in favor were Cheatum, Adamson and Leeuwrik. Those voting in opposition were Bray, Ortega and Stevens.

Due to a tie in voting, Mayor Blad cast the deciding vote. Mayor Blad voted in favor of the motion. The motion passed.

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

AGENDA ITEM NO. 5: Mayor Blad reminded the Council of the May 28th Budget
CALENDAR REVIEW Development meeting at 9:00 a.m.; Due to COVID-19 pandemic meeting guidelines, that meeting will be held through live streaming; and the following meetings on June 4th: 9:00 a.m. Budget Development meeting; 5:30 p.m. Clarification meeting; and 6:00 p.m. Regular City Council meeting.

Mayor Blad announced that Zoo Idaho is now open on weekends only. Entrance to the Zoo will be capped at 300 people to allow patrons to socially distance; Community Recreation Center is open. Measures to ensure social distancing and additional cleaning measures are being implemented. All water fitness classes, swim lessons, dance classes and public swim sessions remain canceled; Marshall Public Library is offering curbside pick-up of items by appointment only; City Offices will be closed Monday, May 25th for the Memorial Day Holiday. However, garbage, compost and recycling pick-ups will be on schedule; dog licenses are on sale for half-price through the end of May; Ross Park Aquatic Complex will tentatively open on June 1, subject to Governor Little's Reopening Plan for Idaho.

Mayor Blad offered congratulations to all area High School Graduates.

AGENDA ITEM NO. 6: Helena Holdings 208 (mailing address: 1108 South Main Street,
SHORT PLAT Pocatello, ID 83201) and Jeffery and Heidi DaBell of Heidi's
-TIERRA VISTA Holdings, LLC (mailing address: 177 Vista Drive, Pocatello, ID
SUBDIVISION 1ST 83201) represented by Creek Hollow and Associates, Inc. (mailing
AMENDED address: 611 Wilson Avenue, Suite 1A, Pocatello, ID 83201) has
submitted a short plat application to re-plat 1.51 acres (more or less)
into 2 commercial lots. The general location of the property is 177 Vista Drive.

Staff reviewed the Short Plat Subdivision application and the findings include conditions.

A motion was made by Mr. Bray, seconded by Mr. Cheatum, to approve a request by Helena Holdings 208 and Jeffery and Heidi DaBell of Heidi's Holdings, LLC, represented by Creek Hollow and Associates, Inc. for a short plat application to re-plat 1.51 acres (more or less) into two (2) commercial 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 May 12, 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 177 Vista Drive. Upon roll call, those voting in favor were Bray, Cheatum, Adamson, Leeuwrik, Ortega and Stevens.

AGENDA ITEM NO. 7: Jonathan Vincent of Gate City Builders (mailing address: 973 FINAL PLAT Wingate Street, Pocatello, ID 83201) represented by Rocky -BREEZY APARTMENTS Mountain Engineering and Surveying (mailing address: 600 East Oak Street, Pocatello, ID 83201) has submitted an application for a final plat to subdivide 3.72 acres (more or less) into 23 lots. The proposed name for this subdivision is Breezy Apartments.

Planning and Zoning Commission reviewed the Preliminary Plat and recommended approval with conditions on March 11, 2020 and City Council approved the Planned Unit Development associated with the subdivision on April 16, 2020.

A motion was made by Ms. Leeuwrik, seconded by Mr. Cheatum, to approve a request by Jonathan Vincent of Gate City Builders, represented by Rocky Mountain Engineering and Surveying for a final plat to subdivide 3.72 acres (more or less) into 23 lots with the following conditions: 1) All conditions on the Final Plat Subdivision Staff Report shall be met; 2) all conditions set out in the Public Works Department Memorandum from Merrill Quayle, P.E. dated May 12, 2020, shall be met; 3) the parking area shall be dedicated as shared common area and, at no point, may any fencing or other obstruction be placed within the parking and access area so as to prevent fire access and turnaround; 4) the revised easement adjacent to the east most property line shall be shown on the recorded plat; 5) Lot 23, Block 1 shall be designated as a non-buildable lot; 6) the final plat shall maintain a minimum of 17,626 square feet of open space/common area, per the approved Planned Unit Development and Pocatello Municipal Code 17.02.150.D.4; 7) as proposed, the applicant or the associated homeowner shall be responsible for the upkeep and maintenance of all easements designating open space shown on the plat unless otherwise approved by the Pocatello City Council; 8) all other standards and conditions of Municipal Code not herein stated but applicable to residential development shall apply; and 9) a building permit may not be issued unless all applicable standards of City Code Section 16.24.100 are adhered to or a subdivision surety bond and warranty bond is obtained as outlined in City Code 16.24.110, prior to recording and that the decision be set out in appropriate Council decision format and that the proposed name for this subdivision will be Breezy Apartments. Upon roll call, those voting in favor were Leeuwrik, Cheatum, Adamson, Bray, Ortega and Stevens.

AGENDA ITEM NO. 8: Council was asked to approve a contract with Paymentus, subject to BILL PRESENTMENT AND PAYMENT Legal Department review, to provide an electronic bill presentment PLATFORM CONTRACT and payment platform for the City. The contract will replace the -PAYMENTUS current on-line system, Click-2-Gov, and the City's current merchant service provider, Heartland.

There are no implementation costs associated with this project and fees will be collected directly from the card users by Paymentus. Overall fees will be the 3% authorized by City Council. Minimal fees may be levied on the City for services beyond the contract scope as needed.

A motion was made by Mr. Cheatum, seconded by Ms. Leeuwrik, to approve a contract with Paymentus, subject to Legal Department review, to provide an electronic bill presentment and payment platform for the City and that the contract will replace the current on-line system, Click-2-Gov, and the City's current merchant service provider, Heartland, and that there are no implementation costs associated with the project and fees will be collected directly from the card users by Paymentus. Upon roll call, those voting in favor were Cheatum, Leeuwrik, Adamson, Bray, Ortega and Stevens.

AGENDA ITEM NO. 9: Council was asked to consider approving a cleaning agreement for the Ross Park Aquatic Complex (RPAC) with Hawks Janitorial in the amount of \$12,000.00 for a three (3) month period. The AGREEMENT agreement includes both cleaning services and cleaning supplies.
-HAWKS JANITORIAL FOR RPAC

RPAC will continue to provide all toiletries, liners and paper supplies. Funds for the agreement are available in RPAC Fiscal Year 2020 budget.

A motion was made by Ms. Adamson, seconded by Mrs. Ortega, to approve a cleaning agreement for the Ross Park Aquatic Complex (RPAC) with Hawks Janitorial in the amount of \$12,000.000 for a three (3) month period and includes both cleaning services and cleaning supplies and RPAC will continue to provide all toiletries, liners and paper supplies. Upon roll call, those voting in favor were Adamson, Ortega, Bray, Cheatum, Leeuwrik and Stevens.

AGENDA ITEM NO. 10: Council was asked to accept the recommendation of staff and award the procurement bid for Superpave Asphalt Mixture and Related SUPERPAVE ASPHALT MIXTURE AND RELATED MATERIALS BID Materials to Mickelsen Construction in the amount of \$416,700.00 for Street Operations and Water Department 2020 construction season, pending Legal Department review.
-STREET OPERATIONS

The procurement of these goods has been budgeted for in Street Operations and Water Department Fiscal Year 2020 budgets.

In response to a question from Council, Tom Kirkman, Deputy Public Works Director, stated that all bidders who requested a bid packet were given the information in a timely manner, as set through the state bid process.

A motion was made by Mrs. Ortega, seconded by Ms. Stevens, to accept the recommendation of staff and award the procurement bid for Superpave Asphalt Mixture and Related Materials to Mickelsen Construction in the amount of \$416,700.00 for Street Operations and Water Department 2020 construction season, pending Legal Department review. Upon roll call, those voting in favor were Ortega, Stevens, Adamson, Bray, Cheatum and Leeuwrik.

AGENDA ITEM NO. 11: Council was asked to accept the recommendations of staff and award a piggy-back bid for routing software to Routeware, Inc. through the cooperative purchasing organization, HGAC-Buy in the PIGGY BACK BID FOR ROUTEWARE SOFTWARE-SANITATION one-time sum of \$138,590.00 with monthly costs of \$8,227.25, pending Legal Department review.

The procurement of these goods has been budgeted for in the Fiscal Year 2020 Sanitation Department budget. Council may also wish to authorize the Mayor to execute the contracts necessary to facilitate this procurement.

A motion was made by Mr. Bray, seconded by Mr. Cheatum, to accept the recommendations of staff and award a piggy-back bid for routing software to Routeware, Inc. through the cooperative purchasing organization, HGAC-Buy in the one-time sum of \$138,590.00 with monthly costs of \$8,227.25, pending Legal Department review and authorize the Mayor to execute the contracts necessary to facilitate this procurement. Upon roll call, those voting in favor were Bray, Cheatum, Adamson, Leeuwrik, Ortega and Stevens.

AGENDA ITEM NO. 12: Council was asked to approve the following requests related to the
AIRPORT CARES ACT Airport:
GRANT ACCEPTANCE
AND RENT/FEE
ABATEMENT REQUESTS

GRANT (a) Accept a CARES Act grant in the amount of \$1,190,517.00, and
ACCEPTANCE authorize the Mayor to sign the grant agreement and any other
CARES ACT pertinent documents, subject to Legal Department review. The
-AIRPORT grant is 100% federally funded with no local match required. The
Airport will have three (3) years to expend funds and the funds can
be used for any purpose for which airport revenues can lawfully be used; and, if accepted

APPROVE RENT/FEE (b) Approve \$31,120.43 in rent/fee abatements for the following airport
ABATEMENTS tenants:
-AIRPORT

SKYWEST AIRLINES 1) Skywest Airlines - \$20,789.94 for terminal rents for May, June
-TERMINAL RENT and July 2020;

SKYWEST AIRLINES 2) Skywest Airlines – Approximately \$5,005.32 for landing fees for
-LANDING FEES April, May and June 2020 (April is known to be \$2,029.40, May
and June are estimated at \$1,487.96 each based on current
schedule.); and

AVCENTER 3) AvCenter - \$5,325.17 for March, April and May 2020 rents.
-RENT

Abatements are being requested due to an estimated 96% drop in activity from the COVID-19 pandemic. The Airport budget will not be negatively impacted by the abatements due to CARES Act funding.

A motion was made by Mr. Cheatum, seconded by Ms. Leeuwrik, to approve requests related to the Airport CARES Act grant acceptance and rent/fee abatements, as outlined in Agenda Item No. 12(a) and 12(b). Upon roll call, those voting in favor were Cheatum, Leeuwrik, Adamson, Bray, Ortega and Stevens.

AGENDA ITEM NO. 13: Council was asked to accept the recommendation of Public Works
CITY PROPERTY staff and consider the following high bids received during the April
AUCTION RESULTS 29, 2020 City Property Auction. The minimum bid reserves were
AND REQUESTS TO SELL not met and in accordance with Idaho Code (Conveyance of
Property) §50-1403(1) the City Council shall have the authority to
sell such property as it deems in the best interest of the city.

1080 SOUTH 1ST AVENUE (a) 1080 South 1st Avenue (former Street Building) \$510,000.00;

A motion was made by Ms. Leeuwrik, seconded by Mr. Cheatum, to reject the offer as outlined in Agenda Item No. 13(a) and to extend the real estate contract with Premier Properties in order to market the property to potential buyers, subject to Legal Department review.

An amended motion was made by Mr. Bray, seconded by Mrs. Ortega, to reject the offer as outlined in Agenda Item No. 13(a) and to extend the real estate contract with Premier Properties until August 1, 2020 in order to market the property to potential buyers, subject to Legal Department review.

Mr. Bray clarified that he feels the property purchase must be completed prior to the adoption of the 2021 Budget.

Ms. Leeuwrik stated she feels two months is not enough time to allow for the purchase process.

Mr. Cheatum stated a budget amendment would be appropriate if the sale occurs after the new budget year begins on September 1, 2020.

Ms. Adamson stated she would feel more comfortable making a decision on the property after having adequate time to discuss the issues. She added that she feels an Executive Session would be appropriate.

Ms. Leeuwrik withdrew her motion.

Mr. Bray withdrew his amended motion.

A motion was made by Ms. Adamson, seconded by Mr. Cheatum, to reject the offer as outlined in Agenda Item No. 13(a) at this time. Upon roll call, those voting in favor were Adamson, Cheatum, Bray, Leeuwrik, Ortega and Stevens.

A motion was made by Ms. Stevens, seconded by Mrs. Ortega, to allow Premier Properties to continue real estate services in order to show the property located at 1080 South 1st Avenue to potential buyers and to request that an Executive Session take place in the future to discuss the property. Upon roll call, those voting in favor were Stevens, Ortega, Adamson, Bray, Cheatum and Leeuwrik.

1121 SOUTH 2ND AVENUE (b) 1121 South 2nd Avenue (former Sanitation Building) \$580,000.00;

A motion was made by Ms. Adamson, seconded by Ms. Leeuwrik, to accept the recommendation of Public Works staff and accept the high bid received during the April 29, 2020 City Property Auction, as outlined in Agenda Item No. 13(b). Upon roll call, those voting in favor were Adamson, Leeuwrik, Bray, Cheatum, Ortega and Stevens.

1428 NORTH 3RD AVENUE (c) 1428 North 3rd Avenue (former Survey Annex) \$75,000.00.

A motion was made by Ms. Adamson, seconded by Mrs. Ortega, to accept the recommendation of Public Works staff and accept the high bid received during the April 29, 2020 City Property Auction, as outlined in Agenda Item No. 13(c). Upon roll call, those voting in favor were Adamson, Ortega, Bray, Cheatum, Leeuwrik and Stevens.

AGENDA ITEM NO. 14: Council was asked to consider the following ordinances:
ORDINANCES

VACATION OF 5,663 FEET OF RIGHT-OF-WAY -APEX ROAD a) An ordinance vacating and abandoning the public's interest in approximately 5,663 square feet of a right-of-way on Apex Road located near the east corner of Center Street and Apex Road. Said vacation was approved by Council Decision dated May 7, 2020, and all conditions contained therein have been met.

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

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

Mayor Blad declared the final reading of the ordinance vacating and abandoning the public's interest in approximately 5,663 square feet of a right-of-way on Apex Road located near the east corner of Center Street and Apex Road, as was approved by Council Decision dated May 7, 2020, all conditions having been met. Mayor Blad asked, "Shall the ordinance pass?" Upon roll call, those voting in favor were Adamson, Bray, Cheatum, Leeuwrik, Ortega and Stevens. Mayor Blad declared the ordinance and summary sheet passed, that it be numbered 3051 and be submitted to the Idaho State Journal for publication.

ANNEXATION OF ACRES NEAR TRAIL CREEK ESTATES DIVISION 4 (b) An ordinance annexing approximately .51 acres of land. The two .51 small parcels will extend Pocatello City limits west of the Future Trail Creek Estates Division 4 and will be zoned Residential Low (RL) density with the Comprehensive Plan designation being Residential.

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

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

Mayor Blad declared the final reading of the ordinance annexing approximately .51 acres of land and that the two small parcels will extend Pocatello City limits west of the Future Trail Creek Estates Division 4 and will be zoned Residential Low (RL) density with the Comprehensive Plan designation being Residential. Mayor Blad asked, "Shall the ordinance pass?" Upon roll call, those voting in favor were Adamson, Bray, Cheatum, Leeuwrik, Ortega and Stevens. Mayor Blad declared the ordinance and

summary sheet passed, that it be numbered 3052 and be submitted to the Idaho State Journal for publication.

AGENDA ITEM NO. 16: There being no further business, Mayor Blad adjourned the
ADJOURN meeting at 6:58 p.m.

APPROVED BY:

BRIAN C. BLAD, MAYOR

ATTEST:

RUTH NEWSOM, C.C., CITY CLERK

PREPARED BY:

KONNI R. KENDELL, DEPUTY CITY CLERK