

CITY OF POCA TELLO, IDAHO
CITY COUNCIL
REGULAR CITY COUNCIL MEETING
JULY 1, 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: The invocation was offered by Pastor Johnathan Dinger,
INVOCATION representing Grace Lutheran Church.

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 of
March 11, 2021; City Council Special Meetings of May 27, 2021,
June 7, 2021 and June 10, 2021; and Clarification and Regular City
Council meeting of May 20, 2021.

-TREASURER'S (b) Consider the material claims for the month of May 2021 in the
REPORT AND amount of \$1,841,298.47. Treasurer's Report will be presented at
MATERIAL CLAIMS the July 15, 2021 Regular City Council Meeting.

- COMMUNITY (c) Confirm the Mayor's appointment of Mary Kuehler to serve as a
DEVELOPMENT member of the CDBG Advisory Committee, filling a long-term
BLOCK GRANT vacancy. Mary's term will begin July 16, 2021 and will expire
ADVISORY January 1, 2024.
COMMITTEE
APPOINTMENT

- HISTORIC (d) Confirm the Mayor's appointment of Josh Pohlman to serve as a
PRESERVATION member of the Historic Preservation Commission, replacing Nick
COMMISSION Nielson whose term expired. Josh's term will begin July 4, 2021
APPOINTMENT and will expire July 4, 2024.

-POCA TELLO PARKS (e) Confirm the Mayor's appointment of Nicholas Evans to serve as a
AND RECREATION member of the Parks and Recreation Advisory Board, filling a
ADVISORY BOARD vacancy. Nicholas' term will begin July 16, 2021 and will expire
APPOINTMENT July 16, 2023.

-PLANNING AND (f) Confirm the Mayor's appointments of Cynthia Andersen and
ZONING Taylor Wood to serve as members of the Planning and Zoning
COMMISSION Commission, replacing Kailey White whose term expired and
APPOINTMENT Samantha Stoddard who resigned. Cynthia's term will begin
July 2, 2021 and will expire July 2, 2025. Taylor's term will begin
July 2, 2021 and will expire November 6, 2024.

- POCATELLO ARTS COUNCIL REAPPOINTMENT (g) Confirm the Mayor's reappointment of Dale Spencer to continue serving on the Pocatello Arts Council. Dale's term will begin August 17, 2021 and will expire August 17, 2024.
- COUNCIL DECISION (h) Adopt the Council's decision approving the final plat for High Terrace Division 1, which subdivides 7.68 acres of land into twenty-seven (27) lots, subject to conditions. The subdivision will be accessed from an extension of Vista Drive as well as East Center Street.
- COUNCIL DECISION (i) Adopt the Council's decision approving the short plat for High Terrace Division 2, which subdivides approximately 1.41 acres of land located northeast of the end of Vista Drive and adjacent to the southern portion of High Terrace Division 1 into four (4) single-family lots, subject to conditions.
- COUNCIL DECISION (j) Adopt the Council's decision approving the final plat for South Point Vistas Division 1, which subdivides 30.48 acres of land into 32 single family lots, subject to conditions. The subdivision will be accessed from Barton Road, Aramis Drive and D'artagnan Drive.
- COUNCIL DECISION (k) Adopt the Council's decision to approve a request by Jonathan Vincent for a Planned Unit Development consisting of approximately 7.39 acres of land located east of Philbin Road and north of Cottage Avenue. The development shall consist of 56 residential townhomes and common area, subject to conditions.

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

AGENDA ITEM NO. 4: Mayor Blad reminded the Council members of the City Council CALENDAR REVIEW Work Session (will include Budget items) to be held on July 8th at 9:00 a.m.; and the following meetings on July 15th: City Council Liaison/Work Session Clarification at 2:00 p.m.; Clarification Meeting at 5:30 p.m.; and Regular Council meeting at 6:00 p.m.

Mayor Blad announced City offices would be closed Monday, July 5th in observance of the Independence Day Holiday. Garbage and recycling services will operate as scheduled; on Saturday, July 3rd there will be Independence Day celebration activities and a fireworks display at the Bannock County Event Center and Portneuf Wellness Complex; Ross Park Band Concerts on Sunday Evenings from 7:00 p.m. to 8:00 p.m. during the month of July; Southeast Idaho Senior Games July 9th-17th; Quinn Meadows Cruise Fun Run on July 10th; Montana Shakespeare in the Park at 6:30 p.m. at ISU Quad on July 22nd and 24th free to the public; and he reminded residents that an open burn ban in Wildland-Urban Interface areas continues.

AGENDA ITEM NO. 5: This time was set aside for the Council to receive comments from the public regarding a request by Jared Clinger, represented by Adam Thayer of Dioptra Geomatics (mailing address: 4880 Clover Dell Road, Chubbuck, ID 83202) to vacate the public's interest in the right-of-way on Ziebarth Road, adjacent to Lot 1 Block 4 of the Cedar Lake Subdivision. Staff found the proposal compliant with all applicable standards with conditions.

-PUBLIC HEARING
-ZIEBARTH ROAD
RIGHT OF WAY
VACATION

Mayor Blad opened the public hearing.

Council members announced there had been no ex parte communication.

Matthew Lewis, Senior Planner, gave an overview of the proposal stating Ziebarth Road is a public road located in Cedar Lake Subdivision which was recorded in 1965. He added the platted Right-Of-Way (ROW) is 60 feet in width, however, the existing paved roadway is only 20 feet in width which is common with all other roadways in the subdivision. Mr. Lewis stated the proposed portion of ROW is adjacent to Lot 4 Block 1 of Cedar Lake Subdivision. He noted the total right-of-way area of the deeded ROW to be vacated encompasses approximately 2,701(+/-) square-feet. Mr. Lewis added the applicant's property has over 40 feet of elevation change in 150 feet. He noted this lot has been vacant since the subdivision was platted in 1965, likely due to the difficult terrain. Mr. Lewis stated the applicants would like to build a home on the property and is requesting the right-of way vacation in order to place the home in such a manner that would require the least amount of excavation, embankment, and retaining walls. He added that all public notice requirements were met.

In response to a question from council, Mr. Lewis stated a 45-foot right-of-way still allows the City to continue to maintain the roadway.

Mayor Blad announced that no written correspondence had been received.

Jared Clinger read a statement from Heather and John Murray in favor of the Ziebarth Road right-of-way proposal.

There being no further public comments, Mayor Blad closed the public hearing.

A motion was made by Mr. Bray, seconded by Ms. Stevens, to approve a request by Jared Clinger, represented by Adam Thayer of Dioptra Geomatics, to vacate the public's interest in the right-of-way on Ziebarth Road and that the decision be set out in appropriate Council decision format and the proposed subdivision is located adjacent to Lot 1 Block 4 of the Cedar Lake Subdivision. Upon roll call, those voting in favor were Bray, Stevens, Adamson, Cheatum, Leeuwrik and Ortega.

AGENDA ITEM NO. 6: Council was asked to consider a final plat application submitted by Michael Williams, represented by A & E Engineering (mailing address: PO Box 1327, Pocatello, ID 83204) to subdivide 3.87 acres (more or less) into six (6) lots. The proposed subdivision is located south of Barton Road. Staff found the proposal compliant with all applicable standards with conditions.

-FINAL PLAT
APPLICATION
-WILLIAMS VIEW
SUBDIVISION

A motion was made by Ms. Leeuwrik, seconded by Mr. Cheatum, to approve a final plat application request submitted by Michael Williams, represented by A & E Engineering to subdivide 3.87 acres (more or less) into six (6) lots. Staff found the proposal compliant with all applicable standards with the following conditions: 1) All conditions on the Final Plat Subdivision Application Staff Report shall be met; 2) All conditions set out in the Public Works Department Memorandum from Merrill Quayle, P.E. dated June 22, 2021, shall be met; 3) A building permit may not be issued unless all applicable standards of Pocatello Municipal Code (PMC) 16.24.100 are adhered to, or a subdivision surety bond and warranty bond are obtained as outlined in PMC 16.24.110 prior to recording; 4) Prior to recording of the plat, the area to remain undisturbed shall be shown on the plat and delineated with a building restriction line. The boundaries shown on the plat shall be surveyed and staked prior to construction beginning. All other standards of PMC 17.05.140 shall apply. All building permit applications for structures on lots with a natural slope of 15% or greater shall be accompanied by a geotechnical assessment; 5) A revegetation plan shall be submitted at the time of the initial building permit which clearly shows how the development preserves existing vegetation and addresses the City's erosion and sediment control requirements. Pursuant to City Code, all nonresidential landscaping shall include native species of the sagebrush steppe plant community; 6) The Idaho Department of Fish and Game's request regarding fencing, open space and movement corridors for wildlife, landscaping and making property owners aware of wildlife preservation requirements shall be included in the development's CC&Rs; 7) The Intermountain Gas Easement and Right-of-Way Agreement recorded as Bannock County Instrument No.324060 shall be enforced; 8) As the property is located in a designated Wildland Urban Interface, use of firewise building materials and landscaping principles shall be required per City Fire Department Regulations E.1.j.; and 9) 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 proposed subdivision is located south of Barton Road. Upon roll call, those voting in favor were Leeuwrik, Cheatum, Adamson, Bray, Ortega and Stevens.

AGENDA ITEM NO. 7: Council was asked to accept staff recommendations and approve acceptance of a donation of one (1) 1999 Ford F35 ambulance from Bannock County, subject to Legal Department review. If approved, the equipment will be used by the Crisis Negotiation Team for mobile negotiations. Council may also authorize the Mayor's signature on all applicable documents. There is no cost to the City. There are no additional requirements for acceptance of the donation.

-AMBULANCE
DONATION
ACCEPTANCE FROM
BANNOCK COUNTY
-POLICE DEPARTMENT

A motion was made by Ms. Adamson, seconded by Ms. Leeuwrik, to accept the donation of one (1) 1999 Ford F35 ambulance from Bannock County and authorize the Mayor's signature on all applicable documents, subject to Legal Department review. Upon roll call those voting in favor were Adamson, Leeuwrik, Bray, Cheatum, Ortega and Stevens.

AGENDA ITEM NO. 8: Council was asked to adopt a Resolution and authorize the Mayor's signature on an agreement between the Idaho Transportation Department and the City of Pocatello for a change order in the amount of \$16,882.00 paid to the City for work done on the South Valley Connector, which was not previously addressed. Upon payment, the City will accept the project as complete.

-COOPERATIVE
AGREEMENT FOR
SOUTH VALLEY
CONNECTOR CHANGE
ORDER/RESOLUTION
-IDAHO
TRANSPORTATION
DEPARTMENT

A motion was made by Mr. Bray, seconded by Ms. Leeuwrik to adopt a Resolution (2021-10) and authorize the Mayor's signature on an agreement between the Idaho Transportation Department and the City of Pocatello for a change order in the amount of \$16,882.00 paid to the City for work done on the South Valley Connector, which was not previously addressed and authorize the Mayor's signature on all applicable documents, subject to Legal Department review. Upon payment, the City will accept the project as complete. Upon roll call those voting in favor were Bray, Leeuwrik, Adamson, Bray, Cheatum, Ortega and Stevens.

- AGENDA ITEM NO. 9: Council was asked to consider the following items for the Carson Street Bridge Project, subject to Legal Department review:
- RESOLUTION/LHTAC LOCAL AGREEMENT FOR CARSON STREET BRIDGE PROJECT
 - APPROVE AGREEMENT BETWEEN CITY AND LHTAC a) Approve an LHTAC/Local Agreement between the City of Pocatello and the Local Highway Technical Assistance Council (LHTAC) for the construction of the Carson Street Bridge Project;
 - ADOPT RESOLUTION b) Adopt a Resolution approving the LHTAC/Local Agreement between the City of Pocatello and LHTAC for the construction of the Carson Street Bridge Project;
 - AUTHORIZE MAYOR'S SIGNATURE c) Authorize the Mayor to execute the LHTAC/Local Agreement with LHTAC for the Carson Street Bridge Project; and
 - AUTHORIZE PAYMENT d) Authorize payment of the current required local match from Fund 70 in the amount of \$167,657.85.

The scope of the Carson Street Bridge Project includes complete replacement of the bridge, sidewalk upgrades, street sign upgrades and minor landscape upgrades. The Carson Street Bridge reconstruction Project is a federally-funded project, requiring an LHTAC/Local Agreement, with a 7.34% match of \$167,657.85. The amount represents the entire amount required of the City during construction, including utility relocation, construction engineering and inspection and construction contracts.

A motion was made by Ms. Leeuwrik, seconded by Mrs. Ortega, adopt a Resolution (2021-11) and authorize the Mayor's signature on an agreement between the City of Pocatello and the Local Highway Technical Assistance Council (LHTAC) for the construction of the Carson Street Bridge Project, subject to Legal Department review and authorize payment of the required local match in the amount of \$167,657.85. Upon roll call, those voting in favor were Leeuwrik, Ortega, Adamson, Bray, Cheatum, and Stevens.

- AGENDA ITEM NO. 10: Council was asked to consider the following items, subject to Legal Department review, to allow Idaho Power to temporarily power down, relocate and power up lines that will be conflicting with construction equipment needed for the Carson Street Bridge Replacement Project:
- CARSON STREET BRIDGE UTILITY RELOCATION COST AGREEMENT

- APPROVE UTILITY RELOCATION COST AGREEMENT
-IDAHO POWER
- a) Approve the Utility Relocation Cost Agreement between the City and Idaho Power Company for the Carson Street Bridge Project, estimated in the amount of \$60,000.00, which will be reimbursed to the City.
- AUTHORIZE MAYOR'S SIGNATURE
- b) Authorize the Mayor to execute the Utility Relocation Cost Agreement for the Carson Street Bridge Project; and
- AUTHORIZE PAYMENT
- c) Authorize payment of the Utility Relocation Cost Agreement pursuant to the terms of the Agreement.

The Project is part of a bridge bundle grant that was applied for by the Local Highway Technical Assistance Council (LHTAC).

A motion was made by Mr. Bray, seconded by Mrs. Ortega, to approve the Utility Relocation Cost Agreement between the City and Idaho Power Company as outlined in Agenda Item 10 (a) through 10 (c). Upon roll call, those voting in favor were Bray, Ortega, Adamson, Cheatum, Leeuwrik and Stevens.

- AGENDA ITEM NO. 11: Council was asked to adopt a Resolution and authorize the Mayor to sign a lease agreement with Teton Leasing, LLC for land at the airport upon which Lessee will build an aircraft hangar to be leased to AvCenter, Inc. for expansion of its Fixed Base Operations. The leased premises is approximately 48,400 square feet of bare ground. The proposed term is 20 years with two 15-year renewal options and proposed rental rate is \$992.20 per month.
- RESOLUTION/
AIRPORT LEASE
AGREEMENT
-TETON LEASING, LLC

A motion was made by Mr. Cheatum, seconded by Ms. Stevens, to adopt a Resolution (2021-12) and authorize the Mayor to sign a lease agreement with Teton Leasing, LLC, subject to Legal Department review, for land at the airport upon which Lessee will build an aircraft hangar to be leased to AvCenter, Inc. for expansion of its Fixed Base Operations. The leased premises is approximately 48,400 square feet of bare ground. The proposed term is 20 years with two 15-year renewal options and proposed rental rate is \$992.20 per month. Upon roll call, those voting in favor were Cheatum, Stevens, Adamson, Bray, Leeuwrik and Ortega.

- AGENDA ITEM NO. 12: Scott Robinson, Pocatello Resident, shared his feelings regarding the current utility billing arrangement policy.
- ITEMS FROM THE
AUDIENCE

- AGENDA ITEM NO. 13: There being no further business, Mayor Blad adjourned the meeting at 6:26 p.m.
- ADJOURN

APPROVED BY:

BRIAN C. BLAD, MAYOR

ATTESTED BY:

KONNI R. KENDELL, CITY CLERK

PREPARED BY:

WENDY A. PRATHER, DEPUTY CITY CLERK