

CITY OF POCATELLO, IDAHO
CITY COUNCIL
REGULAR CITY COUNCIL MEETING
JULY 7, 2022

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 Roger Bray,
PLEDGE OF Rick Cheatum, Linda Leeuwrik, Josh Mansfield, Claudia Ortega
ALLEGIANCE and Chris Stevens.

Mayor Blad led the audience in the pledge of allegiance.

AGENDA ITEM NO. 2: The invocation was offered by Tim Bridges, representing Calvary
INVOCATION Chapel.

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 City Council Work Session of April 14, 2022.

–MATERIAL CLAIMS (b) Consider the material claims for the period of June 11, 2022
through June 29, 2022 in the amount of \$4,190,032.46.

–AMERICANS WITH (c) Confirm the Mayor’s reappointment of Ricky Taylor to continue
DISABILITIES ACT serving on the ADA Grievance Committee. Ricky’s term will begin
GRIEVANCE July 17, 2022 and will expire July 17, 2024.
COMMITTEE
REAPPOINTMENT

–COUNCIL DECISION (d) Adopt the Council’s decision approving the appeal from Pat
APPEAL OF HEARING Rowley and overturning the decision of the Hearing Examiner
EXAMINER’S DENIAL which denied Mr. Rowley’s request for a variance from Pocatello
OF REQUEST FOR Municipal Code 17.04.220.
A VARIANCE FROM
POCATELLO
MUNICIPAL CODE
17.04.220

–COUNCIL DECISION (e) Adopt the Council’s decision approving the request from Ken
APPROVAL OF Pape to amend the zoning designation of two parcels of land
ZONING AND totaling approximately 14.78 acres located north of Goldstar Drive
COMPREHENSIVE and south of Goldstar Drive, west of Olympus Drive from
PLAN LAND USE Residential Commercial Professional (RCP) to Commercial
AMENDMENT FOR General (CG) with a concurrent amendment to the
APPROXIMATELY Comprehensive Plan Map from Mixed Use (MU) to
14.78 ACRES OF LAND Commercial (C).

–COUNCIL DECISION (f) Adopt the Council’s decision approving the short plat for Rice
RICE SUBDIVISION Subdivision, which subdivides approximately 4.33 acres of land
SHORT PLAT located at 2396 South Grant Avenue into three (3) lots, subject to
APPROVAL conditions.

–COUNCIL DECISION (g)
HIGH TERRACE
DIVISION 3 FINAL
PLAT APPROVAL

Adopt the Council’s decision approving the final plat for High Terrace Division 3, which subdivides approximately 18.69 acres of land into 32 lots, 30 single-family lots with two (2) open space/common areas. This property is zoned Residential Medium Density Single-Family (RMS) and will be accessed from an extension of East Center Street and a new road, temporarily to be named ZBobaway Drive.

–COUNCIL DECISION (h)
NORTHGATE
DISTRICT DIVISION 2
FINAL PLAT APPROVAL

Adopt the Council’s decision approving the final plat for Northgate District Division 2, which subdivides approximately 19.538 acres of land into 14 lots, 11 commercial lots and three (3) lots to be used for walking paths. This property is zoned Commercial General (CG) and will be accessed from an extension of Goldstar Drive and a new road, temporarily to be named District Drive.

–COUNCIL DECISION (i)
WRIGHT
TOWNHOMES
FINAL PLAT
APPROVAL

Adopt the Council’s decision approving the final plat for Wright Townhomes, which subdivides approximately .72 acres of land into 11 townhome lots. This property is zoned Residential Medium Density Single-Family (RMS) and will be accessed from Heber Avenue and Wright Avenue.

A motion was made by Mr. Mansfield, seconded by Ms. Leeuwrik, to approve the Consent Agenda. Upon roll call, those voting in favor were Mansfield, Leeuwrik, Bray, Cheatum and Ortega. Stevens voted in opposition. The motion passed.

AGENDA ITEM NO. 4:
CALENDAR REVIEW

Mayor Blad reminded the Council members of the Council Work Session to be held on July 14th at 9:00 a.m.; and the following meetings to be held on July 21st: Budget meeting at 2:00 p.m.; Special City Council meeting at 5:00 p.m.; Clarification meeting at 5:30 p.m.; Regular Council meeting at 6:00 p.m. and announced the Council Liaison/Work Session Clarification on July 21st had been canceled.

Mayor Blad announced on July 10th Parks and Recreation would host the “Quinn Meadows Cruise” Fun Run at 8:00 a.m.; Southeast Idaho Senior Games began July 8th and will continue through July 16th; Shakespeare in the Park at ISU Quad from 6:30 p.m. - 8:30 p.m. on July 21st and July 23rd; Half off cat and kitten adoptions at the Pocatello Animal shelter available July 8th through July 23rd. Contact the Animal Shelter for more information; and Ross Park Band Concerts will continue through July 31st on Sunday evenings from 7:00 p.m. - 8:00 p.m. at the Ross Park Bandshell. He added that the open burn ban in Wildland-Urban Interface areas continues to be effect.

AGENDA ITEM NO. 5:
PUBLIC HEARING
–ZONE MAP
AMENDMENT

This time was set aside for the Council to receive comments from the public regarding a request by Bill Isley of B Street Investments, LLC, represented by Rocky Mountain Engineering and Surveying, (RMES) (mailing address: 600 East Oak Street, Pocatello, ID 83201) for a zone map amendment application to rezone two (2) parcels of land south of High Terrace Division 1 Subdivision from Residential Estate (RE) to Residential Low Density (RL).

Mayor Blad opened the public hearing.

Council members announced there had been no ex parte communication.

Bill Isley, B Street Investments, LLC., gave an overview of the request. He stated the proposed zoning will facilitate a new townhouse development which will provide housing options for the community. He noted that the proposed zoning is consistent with the surrounding properties. Mr. Isley addressed traffic and emergency vehicle concerns that have been brought to his attention.

Matt Lewis, Senior Planner, gave an overview of the proposed rezoning request. He stated the subject parcels are located south of High Terrace Division 1 Subdivision and east of Tuscan Hills Subdivision 1st Addition. Mr. Lewis added a public hearing was held before the Planning and Zoning Commission on June 8, 2022 and the Commission recommended approval of the zone map amendment application with conditions. He noted that all public notice requirements were met.

Mayor Blad announced written correspondence had been received and reviewed.

Nikki Taysom, Pocatello resident, spoke in opposition of application.

Katie Leavitt, Pocatello resident, spoke in opposition to the application. She expressed her concerns of traffic, fire safety and the development not being congruent with current buildings.

In response to a question from Council, Jared Johnson, City Attorney, reviewed the compliance standards that the Council can consider during the rezoning process. He read the six standards addressed in municipal code 17.02.170E.

Todd Lions, Pocatello resident, spoke in opposition to the application expressing his concerns of traffic issues.

Alli Schaack, Pocatello resident, spoke in opposition to the application. She expressed her concerns of emergency vehicle access.

Ben Christensen, Pocatello resident, spoke in opposition to the application expressing his concerns of emergency response access, fire safety code and the continuity of current community.

Paul Entrikin, Pocatello resident, spoke in opposition to the application. He expressed his concerns of safety with the increase of traffic and the potential of children being hurt.

Natalie Christensen, Pocatello resident, spoke in opposition to the application expressing her concerns of proper access road not being present and the new development not being congruent with current development.

Jennie Scott, Pocatello resident, spoke in opposition to the application. She expressed her concerns of not having a proper emergency access road, fire safety and increased traffic.

Sierra Jackson, Pocatello resident, spoke in opposition to the application expressing her concerns of safety with increased traffic, absence of an emergency access road and fire safety.

Steve Schaack, Pocatello resident, spoke in opposition to the application. He expressed his concerns of safety and future development.

Bill Isley, detailed the proposed development including addition of an access road and plans to connect Center Street and Vista Drive.

In response to questions from Council, Mr. Isley stated the proposed zoning request would be a lower density than that property is currently zoned. Mr. Isley stated the proposed townhomes would be an average of 2,200 square feet with two (2) car garages with private driveways. He noted exceptions listed in fire safety code.

In response to questions from Council, Matt Lewis, Senior Planner, stated Townhomes are permitted in Residential Low Density zones. He gave an overview of the different permitted lot sizes in the various zones. Mr. Lewis added that 19 single family homes or 24 townhomes would be allowed on the property as it is zoned now. He noted that the land is within a deer winter range impact area and that there is certain criteria (i.e. type of fencing and vegetation) required by Idaho Fish and Game.

Jared Johnson, City Attorney, reviewed the Zoning Map Amendment Review Criteria Analysis.

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

A motion was made by Mr. Cheatum, seconded by Mr. Mansfield, approving a request by Bill Isley of B Street Investments, LLC, to rezone approximately 3.05 acres from Residential Estate (RE) to Residential Low Density (RL), said property being located south of High Terrace Division 1 and east of Tuscany Hills Subdivision 1st Addition and that the decision be set out in appropriate Council decision format. Upon roll call, those voting in favor were Cheatum, Mansfield, Bray and Leeuwrik. Ortega and Stevens voted in opposition. The motion passed.

- AGENDA ITEM NO. 6: Council was asked to consider the following requests from the Annual Budweiser Adult Softball Tournament, represented by Jerrold (J.R.) Lynch, (mailing address: 585 Hyde, Pocatello, ID 83201), in regards to their annual Adult Softball Tournament:
- EXCEPTION REQUEST TO ALLOW OVERNIGHT CAMPING
 - BUDWEISER SOFTBALL TOURNAMENT
- ALLOW OVERNIGHT CAMPING
- a) Allow an exception to City Code 12.36.020, Restricted Hours in Parks, to allow for overnight camping at NOP Park's Watkins Softball Complex on July 15 and 16, 2022 to host the Annual Budweiser Adult Softball Tournament; and
- ALLOW FUTURE ASSOCIATED EXCEPTIONS
- b) Allow approval of associated exceptions to City Ordinance 12.36.020 for future years, subject to the Parks and Recreation Director's review and barring any significant change or changes to events.

If the exceptions are granted, the Tournament will be required to submit the appropriate applications, provide proof of liability insurance and pay applicable permit fees. Parks and Recreation staff recommended approval of the exception requests.

A motion was made by Mr. Cheatum, seconded by Ms. Leeuwrik, to approve the requests from the Annual Budweiser Adult Softball Tournament regarding their annual Adult Softball Tournament as outlined in Agenda Item No. 6(a) and 6(b). Upon roll call, those voting in favor were Cheatum, Leeuwrik, Bray, Mansfield, Ortega and Stevens.

AGENDA ITEM NO. 7: Council was asked to approve a request by the Pocatello Development Authority (PDA) and accept a Deed of Façade Easement for the Titan Center as required by the Owners Participation Agreement between the PDA and IRG and authorize the Mayor to sign all applicable documents. The term of the easement shall be ten (10) years from the date of completion of all agency-funded improvements. IRG will continue to assume all continued maintenance and repair of the property. Any future material changes or alterations to the facades will be approved by the City of Pocatello for the term of the easement.

A motion was made by Ms. Leeuwrik, seconded by Mr. Cheatum, to approve the request by the Pocatello Development Authority (PDA) and accept a Deed of Façade Easement for the Titan Center as required by the Owners Participation Agreement between the PDA and IRG and authorize the Mayor to sign all applicable documents, subject to Legal Department review and the term of the easement shall be ten (10) years from the date of completion of all agency-funded improvements. Upon roll call, those voting in favor were Leeuwrik, Cheatum, Bray, Mansfield and Stevens. Ortega voted in opposition. The motion passed.

AGENDA ITEM NO. 8: Council was asked to approve a Professional Services Agreement with Civil Science, Inc. for inspection services for the Carson Street Bridge Project and authorize the Mayor to sign all applicable documents, subject to Legal Department review.

–PROFESSIONAL SERVICES AGREEMENT WITH CIVIL SCIENCE, INC. FOR CARSON STREET BRIDGE PROJECT

A motion was made by Mr. Mansfield, seconded by Mr. Cheatum, to approve a Professional Services Agreement with Civil Science, Inc. for inspection services for the Carson Street Bridge Project and authorize the Mayor to sign all applicable documents, subject to Legal Department review. Upon roll call, those voting in favor were Mansfield, Cheatum, Bray, Leeuwrik, Ortega and Stevens.

AGENDA ITEM NO. 9: Council was asked to accept the recommendation of staff and award the Dewatering Equipment Pre-Purchase bid to Huber Technology in the amount of \$959,494.00 for the Water Pollution Control solids dewatering Pre-Purchase (screw presses) and authorize the Mayor's signature on all applicable documents, subject to Legal Department review.

–BID ACCEPTANCE FOR WPC DEWATERING EQUIPMENT PRE-PURCHASE (SCREW PRESSES) –HUBER TECHNOLOGY

A motion was made by Ms. Leeuwrik, seconded by Mr. Mansfield, to accept the recommendation of staff and award the Dewatering Equipment Pre-Purchase bid to Huber Technology in the amount of \$959,494.00 for the Water Pollution Control solids dewatering Pre-Purchase (screw presses) and authorize the Mayor's signature on all applicable documents, subject to Legal Department review. Upon roll call, those voting in favor were Leeuwrik, Mansfield, Bray, Cheatum, Ortega and Stevens.

AGENDA ITEM NO. 10: Council was asked to consider the following ordinances:
ORDINANCES

–AMENDING
POCATELLO
MUNICIPAL CODE
TITLE 15

- (a) An ordinance amending Pocatello Municipal Code Title 15, Buildings and Construction, by amending Chapter 15.03.020, Licenses/Registration Required; Fees, removing all specific licensing fees establishing that fees be set by resolution of the City Council and Chapters 15.08.040, Permit Fees and 15.20.110, Permit Fees, granting authority for the refunding of fees.

A motion was made by Mr. Cheatum, seconded by Mr. Mansfield, that the ordinance, Agenda Item No. 10(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 Cheatum, Mansfield, Bray, Leeuwrik, Ortega and Stevens.

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

Mayor Blad declared the final reading of the ordinance amending Pocatello Municipal Code Title 15, Buildings and Construction, by amending Chapter 15.03.020, Licenses/Registration Required; Fees, removing all specific licensing fees establishing that fees be set by resolution of the City Council and Chapters 15.08.040, Permit Fees and 15.20.110, Permit Fees, granting authority for the refunding of fees. Mayor Blad asked, “Shall the ordinance pass?” Upon roll call, those voting in favor were Bray, Cheatum, Leeuwrik, Mansfield, Ortega and Stevens. Mayor Blad declared the ordinance passed, that it be numbered 3101 and that the ordinance summary sheet be submitted to the Idaho State Journal for publication.

–AMENDING
POCATELLO
MUNICIPAL CODE
17.05.570

- (b) An ordinance amending Pocatello Municipal Code 17.05.570, Parking Standards by Land Use, to modify parking standards for multi-family dwellings.

A motion was made by Mr. Cheatum, seconded by Mr. Mansfield, that the ordinance, Agenda Item No. 10(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, Mansfield, Bray, Leeuwrik, Ortega and Stevens.

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

Mayor Blad declared the final reading of the ordinance amending Pocatello Municipal Code 17.05.570, Parking Standards by Land Use, to modify parking standards for multi-family dwellings. Mayor Blad asked, “Shall the ordinance pass?” Upon roll call, those voting in favor were Bray, Cheatum, Leeuwrik, Mansfield, Ortega and Stevens. Mayor Blad declared the ordinance passed, that it be numbered 3102 and that the ordinance summary sheet be submitted to the Idaho State Journal for publication.

AGENDA ITEM NO. 11:
ITEMS FROM THE
AUDIENCE

Nikki Taysom, Pocatello resident, expressed her support for constitutional rights.

Heather Disselkoe, Pocatello resident, expressed her concern regarding the City’s budget process.

Lydia Noble, Pocatello resident, expressed her concerns regarding the budget process.

AGENDA ITEM NO. 12: There being no further business, Mayor Blad adjourned the
ADJOURN meeting at 7:53 p.m.

APPROVED BY:

BRIAN C. BLAD, MAYOR

ATTESTED BY:

KONNI R. KENDELL, CITY CLERK

PREPARED BY:

WENDY A. PRATHER, DEPUTY CITY CLERK