

CITY OF POCA TELLO, IDAHO  
CITY COUNCIL  
REGULAR CITY COUNCIL MEETING  
JULY 15, 2021

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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 and Claudia Ortega. Council member Chris Stevens arrived at 6:01 p.m.

Mayor Blad led the audience in the pledge of allegiance.

AGENDA ITEM NO. 2: The invocation was offered by Karen Pease, representing 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 City Council Special Meeting of June 29, 2021.

- TREASURER'S (b) Consider the Treasurer's Reports for May 2021 showing cash and REPORTS investments as of May 31, 2021 in the amount of \$82,394,512.50 and June 2021 showing cash and investments as of June 30, 2021 in the amount of \$83,514,463.39.

(c) Approve a request regarding the 2021 Byrne Memorial Justice Assistance grant. This is an annual allocation administered by Bannock County. There are no matching funds. If awarded, Police Department staff will use grant funds in the amount of \$24,136.80 toward the purchase of four (4) Panasonic eight bay docking stations; 100 Panasonic battery chargers; eight (8) Panasonic body camera magnet mounts; and 40 body camera vehicle camera mounts. Total purchase cost will be \$24,141.12. The Police Department has been allocated \$24,136.80. The remaining balance is available in the Pocatello Police Department equipment budget.

In response to question from Council, Jim Kruger, Chief Financial Officer, stated the City received approximately \$1,200,000.00 from Bannock County in June 2021. Approximately \$800,000.00 of that amount reflects Fiscal Year 2020 receipts and approximately \$400,000.00 for Fiscal Year 2021 receipts. Bannock County did not pay receipts in a timely manner to cities within Bannock County, including the City of Pocatello.

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

AGENDA ITEM NO. 4: Mayor Blad reminded the Council members of the following CALENDAR REVIEW meetings: August 5<sup>th</sup> Clarification Meeting at 5:30 p.m.; Regular Council meeting at 6:00 p.m.; Budget Meeting August 11<sup>th</sup> at 9:00 a.m.; and City Work Session at 9:00 a.m. August 12<sup>th</sup>.

Mayor Blad announced Southeast Idaho Senior Games continue through July 17th; Montana Shakespeare in the Park at 6:30 p.m. at ISU Quad on July 22nd and 24th free to the public; Half off cat and kitten adoption at the Pocatello Animal shelter available through July 24<sup>th</sup>; Ross Park Band Concerts on Sunday evenings 7:00 p.m. to 8:00 p.m. through August 1<sup>st</sup>; and he reminded residents that an open burn ban in Wildland-Urban Interface areas continues.

AGENDA ITEM NO. 5: Council was asked to approve a final plat application submitted by  
-FINAL PLAT Juniper Land Corporation, represented by Rocky Mountain  
APPLICATION Engineering and Surveying (mailing address: 600 East Oak Street,  
-JUNIPER RESERVE Pocatello, ID 83201) to subdivide 4.58 acres (more or less) into ten  
DIVISION 4 (10) lots. The proposed subdivision is an extension of Windsong  
Lane off of Shadowpines Way. Staff found the proposal compliant  
with all applicable standards with conditions.

A motion was made by Mr. Cheatum, seconded by Mr. Bray, to approve a final plat application submitted by Juniper Land Corporation, represented by Rocky Mountain Engineering and Surveying to subdivide 4.58 acres (more or less) into ten (10) 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 23, 2021 shall be met; 3) 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; 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 beginning of construction. All other standards of Pocatello Municipal Code 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) Prior to recording of the plat, the applicant shall submit and receive approval of a plan meeting all applicable requirements of Pocatello Municipal Code 17.04.170 Sensitive Lands Standards. 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; 6) The property is located in a designed Wildland Urban Interface area, therefore, use of fire-wise building materials and landscaping principles shall be required pursuant to Pocatello Fire Department Regulations (17.04.170.E.1); and 7) All other standards and conditions of Municipal Code not herein stated 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 an extension of Windsong Lane off of Shadowpines Way. Upon roll call, those voting in favor were Cheatum, Bray, Adamson, Leeuwrik, Ortega and Stevens.

AGENDA ITEM NO. 6: Council was asked to consider an exception to City Code 12.36.020  
-EXCEPTION (Restricted Hours in Parks) to allow softball tournament  
REQUEST TO ALLOW participants to camp overnight in NOP Park on the evenings of  
OVERNIGHT July 16 and 17, 2021 for the annual Budweiser Adult Softball  
CAMPING FOR Tournament. Parks and Recreation staff has no objection to the  
BUDWEISER SOFTBALL exception  
TOURNAMENT  
-PARKS AND RECREATION

A motion was made by Mr. Bray, seconded by Ms. Stevens, to approve an exception to City Code 12.36.020 (Restricted Hours in Parks) to allow softball tournament participants to camp overnight in NOP Park on the evenings of July 16 and 17, 2021 for the annual Budweiser Adult Softball Tournament. Upon roll call, those voting in favor were Bray, Stevens, Adamson, Cheatum, Leeuwrik and Ortega.

AGENDA ITEM NO. 7: Council was asked to consider a request by Mike Riley (mailing address: 930 Delano, Pocatello, ID 83201) for an exception to City fence requirements to allow a 6-foot fence to be installed at his residence. Dr. Riley is requesting the exception to keep animals out of his yard in order to allow his service dog to complete off-leash tasks on his property. Building Department staff has no objection to the exception.

-EXCEPTION REQUEST  
TO CITY BUILDING  
CODE 12.28  
-630 DELANO

In response to a question from Council, Richard Bigelow, Building Official, stated the current code does allow privacy slats to be added up to 4 feet high on a chain-link fence.

A motion was made by Mrs. Ortega, seconded by Ms. Stevens, to approve a request by Mike Riley for an exception to City fence requirements to allow a 6-foot chain-link fence to be installed at his residence with the option to add privacy slats up to 4 feet high.

In response to questions from Council, Dr. Riley stated this request is to keep himself and his service dog safe while doing yard maintenance. He added that Animal Services has responded to his residence related to dogs jumping his current fence and causing problems in his yard. Dr. Riley added the request for exception is to avoid citations to neighbors and the possible destruction of their dogs as a result of multiple citations.

Council discussed different fencing options available to Dr. Riley.

A substitution motion was made by Ms. Leeuwrik, seconded by Ms. Adamson, to approve a request by Mike Riley for an exception to City fence requirements to allow a 6-foot chain-link fence to be installed at his residence without privacy slats. Upon roll call those voting in favor were Leeuwrik, Adamson and Bray. Those voting in opposition were Cheatum, Ortega and Stevens.

Due to a tie in voting, Mayor Blad was required to cast the deciding vote. Mayor Blad voted in opposition to the motion. The motion failed.

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

AGENDA ITEM NO. 8: Council was asked to consider the following requests regarding an improvement project at the Raymond Park Courts, converting two (2) existing tennis courts into six (6) dedicated pickleball courts:

-FOREVER IDAHO  
GRANT APPLICATION  
RATIFICATION  
-PARKS AND  
RECREATION

-RATIFY GRANT APPLICATION a) Ratify a Forever Idaho Grant Application in the amount of \$47,200.00, which had a submission due date of June 15, 2021; and if awarded

-AUTHORIZE MAYOR'S SIGNATURE                    b)        Authorize acceptance of the grant and authorize the Mayor's signature on documents related to the grant, subject to Legal Department review.

If awarded, specific grant funding amounts are determined by the grantee, and there is no City match requirement for the grant.

A motion was made by Mr. Bray, seconded by Ms. Stevens, to Ratify a Forever Idaho Grant Application in the amount of \$47,200.00, which had a submission due date of June 15, 20-21 and authorize the Mayor to sign all necessary documents, subject to Legal Department review. Upon roll call, those voting in favor were Bray, Stevens, Adamson, Cheatum, Leeuwrik and Ortega

AGENDA ITEM NO.        9:        Council was asked to approve a cooperative purchase for two (2) wildland engines under the HGAC FS12-19 contract with Boise Mobile Equipment. Funding for the first engine in the amount of \$169,624.32 would be from Fiscal Year 2021 personnel savings. A second engine, in the amount of \$169,624.32 may be purchased only if funding through a donation by a donor is secured.  
-WILDLAND ENGINE  
PURCHASE REQUEST  
-FIRE DEPARTMENT

A motion was made by Ms. Leeuwrik, seconded by Ms. Stevens, to approve a cooperative purchase for two (2) wildland engines under the HGAC FS12-19 contract with Boise Mobile Equipment. Funding for the first engine in the amount of \$169,624.32 would be from Fiscal Year 2021 personnel savings. A second engine, in the amount of \$169,624.32 may be purchased only if funding through a donation by a donor is secured. Upon roll call, those voting in favor were Leeuwrik, Stevens, Bray, Cheatum and Ortega. Council member Adamson voted in opposition. The motion passed.

AGENDA ITEM NO.        10:        Council was asked to consider an ordinance amending Pocatello Municipal Code Title 5, Chapter 28 "Childcare", specifically by amending Sections 5.28.020 "Definitions" and 5.28.120 "Staffing" to conform with Idaho Administrative Procedures Act rules.  
ORDINANCE  
-AMENDING  
SECTION 5.28.020 AND  
5.25.120

A motion was made by Mrs. Ortega, seconded by Mr. Cheatum, that the ordinance, Agenda Item No. 10, 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 amending Pocatello Municipal Code Title 5, Chapter 28 "Childcare", specifically by amending Sections 5.28.020 "Definitions" and 5.28.120 "Staffing" to conform with Idaho Administrative Procedures Act rules. 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 passed, that it be numbered 3070 and that only the ordinance summary sheet be submitted to the Idaho State Journal for publication.

AGENDA ITEM NO.        11:        There were no individuals signed up to speak during this agenda item.  
-ITEMS FROM THE  
AUDIENCE

AGENDA ITEM NO. 12: There being no further business, Mayor Blad adjourned the  
ADJOURN meeting at 6:33 p.m.

APPROVED BY:

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BRIAN C. BLAD, MAYOR

ATTESTED BY:

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KONNI R. KENDELL, CITY CLERK

PREPARED BY:

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WENDY A. PRATHER, DEPUTY CITY CLERK