

CITY OF POCA TELLO, IDAHO  
CITY COUNCIL  
REGULAR CITY COUNCIL MEETING  
AUGUST 15, 2019

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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 PLEDGE OF ALLEGIANCE by Mayor Brian Blad. Council members present were Heidi Adamson, Roger Bray, Rick Cheatum, Linda Leeuwrik and Beena Mannan. Council member Jim Johnston was excused.

Mayor Blad led the audience in the pledge of allegiance.

AGENDA ITEM NO. 2: The invocation was offered by Karen Pease, representing the INVOCATION Baha'i 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 July 11 and 18, 2019.

-TREASURER'S REPORT (b) Consider the Treasurer's Report for July showing cash and investments as of July 31, 2019 in the amount of \$64,293,233.99.

-COMMUNITY DEVELOPMENT BLOCK GRANT ADVISORY COMMITTEE APPOINTMENT (c) Confirm the Mayor's appointment of Matthias Edrich to serve as a member of the Community Development Block Grant Advisory Committee, filling a long-term vacancy. Mr. Edrich's term will begin August 16, 2019 and will expire January 1, 2023.

-COLLECTIVE BARGAINING AGREEMENT -FRATERNAL ORDER OF POLICE (d) Approve adoption of the Fiscal Year 2020 Collective Bargaining Agreement for the Portneuf Valley Fraternal Order of Police Local Lodge No. 13.

-RESOLUTION -AFFIRMATIVE ACTION PLAN FOR TRANSIT DEPARTMENT (e) Adopt a Resolution (2019-06) adopting an Affirmative Action Plan for the Pocatello Transit Department during the time period of October 1, 2019 through September 30, 2022. This is an updated version of prior plans and is a requirement of the Urban Mass Transportation Act of 1964.

-COUNCIL DECISION -SCHOOL DISTRICT NO. 25, APPEAL OF HISTORIC PRESERVATION COMMISSION'S DENIAL OF REQUEST FOR CERTIFICATE OF APPROPRIATENESS (f) Adopt the Council's decision approving the appeal from Applicant, School District No. 25, and overturning the Historic Preservation Commission's denial of Applicant's request for a Certificate of Appropriateness for an addition to Pocatello High School.

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 and Mannan.

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

AGENDA ITEM NO. 5: Mayor Blad reminded the Council of the September 5<sup>th</sup> Clarification  
CALENDAR meeting at 5:30 p.m.; the September 5<sup>th</sup> Regular Council meeting at  
6:00 p.m.; and the September 12<sup>th</sup> Work Session at 9:00 a.m.

Mayor Blad announced the Ice Cream ZooFari event would take place August 17<sup>th</sup> from noon to 4:00 p.m. at Zoo Idaho; Annual Portneuf River clean up event would be held August 17<sup>th</sup> at 10:00 a.m.; Welcome Back Orange and Black event for ISU students would be held August 19<sup>th</sup> at Old Town Pocatello; the Community Recreation Center would be closed for annual maintenance work beginning Monday, August 19<sup>th</sup> and is scheduled to re-open on September 3<sup>rd</sup>. While the patron facilities will be closed, the business offices will remain open from 8:00 a.m. to 5:00 p.m.; August 25<sup>th</sup> will be the last day of the season for Ross Park Aquatic Center; August 26<sup>th</sup> at 8:00 a.m. will be the first day to file for City Council candidacy for Seats 1, 2 and 3. The last day to file for candidacy will be September 6<sup>th</sup> at 5:00 p.m.; September 2<sup>nd</sup> City offices will be closed for Labor Day. However, garbage, yard waste and recycle pickups will continue on schedule.

Mayor Blad reminded citizens that discounted cat adoptions from Animal Services continues through September 30<sup>th</sup>; and he reminded drivers to slow down in school zones, as school will be starting soon.

AGENDA ITEM NO. 6: Katie Burdick was present to appeal the decision of Police CHILD  
CARE DENIAL Department staff which denied Ms. Burdick a child care license.  
APPEAL-BURDICK

Jene Purman, License Enforcement Officer, stated Ms. Burdick's license was denied due to a charge and subsequent admission of battery, a violation of the child care code.

In response to questions from Council, Katie Burdick, Pocatello resident, stated the incident occurred at Belmont Management. She stated she was in a bad emotional state at the time and has since turned her life around. Ms. Burdick stated she would like to care for children in a daycare setting. She added that she sees a counselor on a monthly basis.

In response to a question from Council, Ms. Purman stated the incident in question occurred in 2011. She added that Ms. Burdick had other incidents in 2013 and 2014, but those instances did not violate the child care code.

A motion was made by Ms. Adamson, seconded by Ms. Leeuwrik, to uphold the decision of Police Department staff and deny a child care license for Katie Burdick. Upon roll call, those voting in favor were Adamson, Leeuwrik, Bray, Cheatum and Mannan.

AGENDA ITEM NO. 7: Sandy Mather (mailing address: 5089 Sunset Lane, South Ogden, UT  
SHORT PLAT 84403) represented by Matt Baker of Summit Land Surveyor  
-MATHER SUBDIVISION (mailing address: 366 Washington Avenue, Pocatello, ID 83201), has  
submitted a short plat application to subdivide 4,189.54 square feet  
of land into two residential lots. The proposed subdivision is located at 526 and 528 East Hayden Street and is to be known as Mather Subdivision.

Matthew Lewis, Senior Planner, stated two existing homes are currently located on one lot. He stated

the replat is necessary in order to split the parcel into two separate lots.

A motion was made by Ms. Mannan, seconded by Mr. Bray, to approve a request by Sandy Mather, represented by Matt Baker of Summit Land Surveyor, for a short plat application to subdivide 4,189.54 square feet of land into two (2) residential lots with the following conditions: 1) All comments contained in the Public Works Memorandum dated August 5, 2019 shall be adhered to; 2) recorded owner's Covenants, Conditions and Restrictions (CC & R's) for the subdivision, if any, must be submitted after the recording of the final plat; and 3) all other standards or conditions of Municipal Code not herein stated but applicable to land subdivision and residential development shall apply and that the proposed subdivision is located at 526 and 528 East Hayden Street and is to be known as Mather Subdivision and that the decision be set out in appropriate Council decision format. Upon roll call, those voting in favor were Mannan, Bray, Adamson, Cheatum and Leeuwrik.

AGENDA ITEM NO. 8: Jamshid Roomiany, represented by Rocky Mountain Engineering and Surveying (mailing address: 600 East Oak Street, Pocatello, ID 83201), has submitted a short plat application to subdivide 1.82 acres (more or less) into 6 residential lots. The subdivision is located at 3095-3145 D'Artagnan Drive and is to be known as New Bounds Subdivision.

SHORT PLAT  
-NEW BOUNDS  
SUBDIVISION

Mitch Greer, Rocky Mountain Engineering and Surveying, stated property owners in the Wildlife Estates subdivision have expressed interest in extending their parcels onto Mr. Roomiany's property. A replat is necessary to extend those properties and accommodate the expansion of the parcels.

A motion was made by Mr. Bray, seconded by Mr. Cheatum, to approve a request by Jamshid Roomiany, represented by Rocky Mountain Engineering and Surveying for a short plat application to subdivide 1.82 acres (more or less) into 6 residential lots with the following conditions: 1) All comments contained in the Public Works Memorandum dated August 5, 2019 shall be adhered to; 2) each individual property owner shall record a quit claim deed in their name(s) with the Bannock County Recorder; 3) the applicant or the associated property owner shall be responsible for the upkeep and maintenance of all easements on the plat unless otherwise approved by the Pocatello City Council; 4) recorded owner's Covenants, Conditions and Restrictions (CC & R's) for the subdivision, if any must be submitted after the recording of the final plat; and 5) all other standards or conditions of Municipal Code not herein stated but applicable to land subdivision and residential development shall apply and that the subdivision is located at 3095 – 3145 D'Artagnan Drive and is to be known as New Bounds Subdivision and that the decision be set out in appropriate Council decision format. Upon roll call, those voting in favor were Bray, Cheatum, Adamson, Leeuwrik and Mannan.

AGENDA ITEM NO. 9: Council was asked to accept the recommendation of Police POLICE VEHICLES Department staff and authorize the Mayor's signature on documents related to a request for the following items:

-SOLE SOURCE  
EXPENDITURE AND  
DECLARATION REQUEST

SOLE SOURCE a) Declare the purchase of nine (9) 2020 Ford Explorer Hybrid; one (1) DECLARATION 2020 Ford Explorer Hybrid (replacement); two (2) 2020 Dodge -BANCORP Charger AWD; equipment to up-fit the vehicles for Police use; and one (1) 2017 Dodge Durango (used) from Bancorp to be a valid sole

source expenditure. Bancorp quoted a lower cost than the "State Bid" price on the vehicles and will up-



Police Department staff and approve a piggy-back bid for the purchase of 87 Taser 7 units and that the Police Department will receive 3 free units (total of 90 units/purchase price \$299,280.00) from Axom Enterprise, Inc. on a piggyback bid through NPPGov and that the purchase price will include everything necessary to transition from the Police Department's current Taser units to the new models. Upon roll call, those voting in favor were Cheatum, Leeuwrik, Adamson, Bray and Mannan.

A motion was made by Mr. Cheatum, seconded by Ms. Leeuwrik, to authorize the Mayor's signature on documents related to the bid for the purchase of 87 Taser 7 units. Upon roll call, those voting in favor were Cheatum, Leeuwrik, Adamson, Bray and Mannan.

AGENDA ITEM NO. 12: Council was asked to adopt a resolution with exhibits (a) through (y)  
FISCAL YEAR 2020 setting fees for Fiscal Year 2020 (October 1, 2019 through  
DEPARTMENT FEE September 30, 2020). The exhibits are:  
RESOLUTION

- a) POCATELLO REGIONAL AIRPORT FEES
- b) ALCOHOLIC BEVERAGE LICENSES FEES
- c) ANIMAL SERVICES FEES
- d) BUSINESS LICENSURE FEES
- e) CEMETERY FEES
- f) CHILDREN'S GROUP TREATMENT CENTER FEES
- g) COMMERCIAL ACTIVITIES IN PARKS AND OTHER PUBLIC PLACES FEES
- h) CONSTRUCTION TRADE FEES
- i) CHILD CARE LICENSE FEES
- j) DEVELOPMENT REIMBURSEMENT FEES
- k) ENGINEERING SERVICES FEES
- l) FIRE DEPARTMENT FEES
- m) GEOGRAPHIC INFORMATION SERVICE FEE
- n) PARKS AND RECREATION ACTIVITIES PROGRAM, RENTAL, AND ADMISSION FEES
- o) PARKS AND RECREATION FACILITY USE FEES
- p) PLANNING AND DEVELOPMENT SERVICES FEES
- q) POLICE DEPARTMENT FEES

- r) PUBLIC RECORD FEES
- s) SANITATION DEPARTMENT FEES
- t) CONSTRUCTION SITE SEDIMENT AND EROSION CONTROL FEES
- u) POCATELLO REGIONAL TRANSIT SYSTEM FEES
- v) UTILITY BILLING DEPARTMENT FEES
- w) WATER DEPARTMENT FEES
- x) WATER POLLUTION CONTROL DEPARTMENT FEES
- y) ZOO PROGRAM, RENTAL AND ADMISSION FEES

A motion was made by Ms. Leeuwrik, seconded by Ms. Mannan, to adopt a Resolution (2019-07) with exhibits (a) through (y) setting fees for Fiscal Year 2020 (October 1, 2019 through September 30, 2020). Upon roll call, those voting in favor were Leeuwrik, Mannan, Adamson, Bray and Cheatum.

AGENDA ITEM NO. 13 Council was asked to consider the following ordinances:  
ORDINANCES

-ANNUAL SALARY FOR MAYOR/COUNCIL a) An ordinance amending Section 2.06.050 of the Pocatello Municipal Code providing the Council's annual salary be increased to thirteen thousand one hundred forty-eight dollars and ninety-three cents (\$13,148.93) beginning January 1, 2020 from the amount last set January 1, 2018 and providing that the Mayor's annual salary be increased to eighty-six thousand fifty-six dollars and eighty-eight cents (\$86,056.88) beginning January 1, 2020 from the amount last set January 1, 2018.

A motion was made by Ms. Adamson, seconded by Mr. Cheatum, that Agenda Item No. 13(a), be read only by title and that the ordinance summary sheet be submitted for publication. Upon roll call, those voting in favor were Adamson, Cheatum, Bray, Leeuwrik and Mannan.

Kirk Bybee, Chief Civil Deputy City Attorney, read the ordinance by title.

Mayor Blad declared the final reading of the ordinance amending Section 2.06.050 of the Pocatello Municipal Code providing the Council's annual salary be increased to thirteen thousand one hundred forty-eight dollars and ninety-three cents (\$13,148.93) beginning January 1, 2020 from the amount last set January 1, 2018 and providing that the Mayor's annual salary be increased to eighty-six thousand fifty-six dollars and eighty-eight cents (\$86,056.88) beginning January 1, 2020 from the amount last set January 1, 2018.

Mr. Cheatum stated he continues to object to the proposed salary increases. He feels the funds could be better utilized within other areas of the budget. Mr. Cheatum stated he feels installation of AEDs in all police cars would be a good use of the funds.

Mr. Bray stated he also objects to the proposed salary increases and feels a 6% increase would be more appropriate.

Ms. Leeuwrik stated she feels that it is possible to provide the salary increase and also install AEDs in more police cars.

Mayor Blad added that he feels that it is possible to provide the salary increase and also install AEDs in more police cars.

Mayor Blad asked, "Shall the ordinance pass?" Upon roll call, those voting in favor were Adamson, Leeuwrik and Mannan. Bray and Cheatum voted in opposition to the motion. The motion passed. Mayor Blad declared the ordinance passed, that it be numbered 3033 and be submitted to the Idaho State Journal for publication.

-FISCAL YEAR 2020      b)      An ordinance approving the Fiscal Year 2020 Appropriation  
APPROPRIATION                      Ordinance.  
ORDINANCE

A motion was made by Ms. Adamson, seconded by Ms. Leeuwrik, that Agenda Item No. 13(b), be read only by title and that the whole ordinance be placed on final passage for publication. Upon roll call, those voting in favor were Adamson, Leeuwrik, Bray, Cheatum and Mannan.

Kirk Bybee, Chief Civil Deputy City Attorney, read the ordinance by title.

Mayor Blad declared the final reading of the ordinance approving the Fiscal Year 2020 Appropriation Ordinance.

Mr. Bray stated he feels the Council has accomplished many important tasks through the budget process. He feels it is important to take care of staff but feels there were items included in the budget that he feels are not necessary.

Ms. Leeuwrik stated she feels that the Council accomplished their priority to take care of all employees and she is pleased with the proposed budget.

Mayor Blad thanked the Council for their hard work to create a budget for the upcoming fiscal year.

Mayor Blad asked, "Shall the ordinance pass?" Upon roll call, those voting in favor were Adamson, Cheatum, Leeuwrik and Mannan. Bray voted in opposition to the motion. The motion passed. Mayor Blad declared the ordinance passed, that it be numbered 3034 and that the whole ordinance be submitted to the Idaho State Journal for publication.

AGENDA ITEM NO.      14:      There were no individuals signed up to speak during this agenda  
DISCUSSION ITEMS                      item.

Mayor Blad expressed appreciation to the Council members for their hard work.

AGENDA ITEM NO.      15:      There being no further business, Mayor Blad adjourned the meeting  
ADJOURN                                      at 6:38 p.m.

APPROVED BY:

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BRIAN C. BLAD, MAYOR

ATTEST:

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RUTH NEWSOM, CITY CLERK, C.C.

PREPARED BY:

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KONNI R. KENDELL, DEPUTY CLERK