

CITY OF POCA TELLO, IDAHO
CITY COUNCIL
REGULAR CITY COUNCIL MEETING
SEPTEMBER 1, 2022

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 Blad. Other Council members present were Rick Cheatum, Linda Leeuwrik, Josh Mansfield and Scott Marchand.

Mayor Blad led the audience in the pledge of allegiance.

AGENDA ITEM NO. 2: The invocation was offered by Jonathan Dinger, representing INVOCATION Grace Lutheran Church.

AGENDA ITEM NO. 3: Council was asked to consider the following business items: CONSENT AGENDA

–MATERIAL CLAIMS (a) Consider the material claims for the period of August 14, 2022 through August 27, 2022 in the amount of \$1,764,975.51.

–HOUSING ALLIANCE (b) Confirm the Mayor’s reappointment of Amy Kawahara-Rhoads to AND COMMUNITY PARTNERSHIPS REAPPOINTMENT continue serving on the Housing Alliance and Community Partnerships. Amy’s term will begin September 8, 2022 and will expire September 8, 2027.

–PARKS AND (c) Confirm the Mayor’s reappointment of Rachael Levay to continue RECREATION ADVISORY BOARD REAPPOINTMENT serving on the Parks and Recreation Advisory Board. Rachael’s term will begin September 7, 2022 and will expire September 7, 2024.

–COUNCIL DECISION (d) Adopt the Council’s decision approving the request from –APPROVAL OF UNIVERSITY LLC TO AMEND THE ZONING DESIGNATION ZONING DESIGNATION AMENDMENT OF APPROXIMATELY 1.77 ACRES OF LAND AT 1591 ZENER STREET approximately 1.77 acres of land located at 1591 Zener Street from Light Industrial (LI) to Residential Commercial Professional (RCP).

–COUNCIL DECISION (e) Adopt the Council’s decision approving the request by G. Brandon –APPROVAL OF BRANDON RATLIFF TO AMEND THE COMPREHENSIVE PLAN LAND USE MAP TO DESIGNATE 22.97 ACRES OF LAND LOCATED WEST OF I-15 AND SOUTH OF I-86 AS RESIDENTIAL (R). COMPREHENSIVE PLAN LAND USE MAP WEST OF I-15 AND SOUTH OF I-86

–COUNCIL DECISION (f) Adopt the Council’s decision annexing approximately 22.97 acres –ANNEXING APPROXIMATELY 22.97 ACRES OF LAND WEST OF I-15 AND SOUTH OF I-86 of land located west of I-15 and south of I-86. The subject property will be zoned Residential Medium Density Single-Family (RMS) and Residential Medium Density Multi-Family (RMM).

- COUNCIL DECISION (g) Adopt the Council's decision approving the short plat for Hiline
-HILINE Partnership, which subdivides approximately 0.36 acres
PARTNERSHIP SHORT of land south of I-86 and north of the Amy's Kitchen facility
PLAT APPROVAL into one (1) lot, subject to conditions.

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

- AGENDA ITEM NO. 4: Mr. Cheatum, on behalf of Mayor Blad, proclaimed the month of
-PROCLAMATION September 2022 to be National Recovery Month in Pocatello and
called upon the people of Pocatello to observe this month with
appropriate programs, activities, and ceremonies supporting this year's theme: "Recovery is for
Everyone, Every Person, Every Family, Every Community".

JoAnn Martinez, RecoveryFest, and B.J. Stensland, Aid For Friends, accepted the proclamation and thanked the Mayor and Council for the recognition and support. They invited the community to RecoveryFest on September 9, 2022 from 5:00 p.m. to 8:00 p.m at the Historic Downtown Pavilion.

- AGENDA ITEM NO. 5: Mayor Blad reminded the Council members of the September 8th
CALENDAR REVIEW Work Session at 9:00 a.m. and the following meetings to be held
on September 14th: Special City Council Clarification meeting at
5:30 p.m. and Special City Council meeting at 6:00 p.m. All City Council meetings scheduled on
September 15th have been canceled.

Mayor Blad announced half-price dog and puppy adoptions at the Pocatello Animal Shelter through September 3rd. Contact the Animal Shelter for more information. City offices will be closed September 5th for Labor Day. However, garbage, yard waste and recycle pickup service would continue on schedule; annual maintenance for Community Recreation Center will continue through September 5th. The front desk will remain open but all other areas will be closed for maintenance; the final day to turn in applications for City Council seats 2 and 3 is September 9th. Contact the City Clerk for more information. Applications must be received by 5:00 p.m.; and September 11th is Grandparents Day at Zoo Idaho. Grandparents will receive 50% off their admission when they are accompanied by a paid child. Mayor Blad reminded citizens that Zoo Idaho will be open on weekends only September 6th through October 30th; and open burn ban in wildland-urban interface areas continues.

- AGENDA ITEM NO. 6: This time was set aside for the Council to receive public
-PUBLIC HEARING comments regarding a request by Home Buyers 208, LLC,
-ZONE MAP represented by A & E Engineering, Inc., (mailing address: 845
AMENDMENT West Center Street, Suite E, Pocatello, ID 83204) for a Zone Map
-1737 NORTH Amendment to rezone approximately 0.41 acres of property from
HARRISON AVENUE Light Industrial (LI) to Residential/Commercial/Professional
(RCP). The subject property is generally located at 1737 North
Harrison Avenue. The Planning and Zoning Commission recommended approval of the request
following a public hearing held August 10, 2022.

Mayor Blad opened the public hearing.

Council members announced there had been no ex parte communication.

Wyatt Radke, A & E Engineering, Inc., gave an overview of the request for a Zone Map Amendment to rezone approximately 0.41 acres of property from Light Industrial (LI) to Residential/Commercial/Professional (RCP). He stated that the request is consistent with the Mixed-Use designation in the Comprehensive Land Use Map. Mr. Radke stated aligning the site with the Comprehensive Plan, reducing the non-conformity of the existing residential use, and buffering the residential neighborhood to the south and from the commercial/industrial nature north of Gibson Avenue would serve the community's best interest. He noted that this request will allow development of two bare lots into multi-family housing, which will help with the housing shortage. Mr. Radke stated the property falls within the Old Town neighborhood area as identified on the Neighborhood Map of Neighborworks Pocatello.

In response to a question from Council, Mr. Radke stated that two duplexes and one fourplex could potentially be built.

Carl Anderson, Senior Planner, gave an overview of the request to amend the zone map from Light Industrial (LI) to Residential Commercial Professional (RCP). He stated that the subject property includes three (3) total parcels and is generally located at 1737 North Harrison Avenue. Mr. Anderson noted that one parcel is separated from the remaining two by an alleyway, and located at the intersection of North Main Street and Gibson Avenue and the remaining two are located at the intersection of North Harrison Avenue and Gibson Avenue, which has the 1737 North Harrison address. He added the neighborhood includes many residential dwelling units that are existing and likely legal non-conforming due to the existing zoning whereas neither the LI nor CG zoning districts permit single-family residential development. Mr. Anderson noted that proposed zoning will align to be more consistent with the existing residential development of the property and transitional nature within the general vicinity. He stated the proposal will also align with the purpose and intent of the RCP zoning district which may be utilized to serve as a buffer between residential areas and commercial/industrial areas. Mr. Anderson added mixed use areas are intended to include residential, commercial and institutional activities, and may be located in new and redeveloping commercial areas and near residential districts where appropriate. He noted further purpose of these regulations is to promote a full range of economic activities and job opportunities within the city limits, in compliance with the economic goals of the comprehensive plan. Mr. Anderson announced that no comments were received. He stated that all public notice requirements were met.

Nikki Taysom, Pocatello resident, spoke uncommitted to the application. She inquired about occupancy.

Krystal Chanda, A & E Engineering, Inc., clarified that it is unknown as to who will reside in proposed housing properties.

Mayor Blad announced that no written correspondence had been received.

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

A motion was made by Mr. Mansfield, seconded by Mr. Cheatum, to approve the Zone Map Amendment to rezone approximately 0.41 acres of property from Light Industrial (LI) to Residential/Commercial/Professional (RCP) and that the decision be set out in appropriate Council decision format and that the proposed property is located at 1737 North Harrison Avenue. Upon roll call, those voting in favor were Mansfield, Cheatum, Leeuwrik and Marchand.

AGENDA ITEM NO. 7: This time was set aside for the Council to receive public comments regarding a request by the City of Pocatello's Planning and Development Services Department to annex, zone and provide a Comprehensive Plan Map designation for 165 acres (more or less) of land located north of Highway 91; south of South Valley Road; east of Bannock Highway; and west of Interstate 15 (I-15). The Planning and Zoning Commission recommended approval of the request following a public hearing held August 10, 2022.

-PUBLIC HEARING
-ANNEXATION AND
COMPREHENSIVE PLAN
MAP AMENDMENT
-SOUTH VALLEY

Mayor Blad opened the public hearing.

Council members announced there had been no ex parte communication.

Jim Anglesey, Senior Planner, gave an overview of a City-initiated Annexation and Comprehensive Plan Map amendment application to annex, zone and provide a Comprehensive Plan Map designation. He noted that the land is 165 acres (more or less) of which, 15.22 acres (more or less) are owned by Juniper Hills Country Club, Inc., 10.40 acres (more or less) are owned by Idaho Power Company and the remaining 139 acres (more or less) are publicly owned. Mr. Anglesey added the request is to amend the Comprehensive Plan Map to Public (P) and zone all publicly owned property as well as Idaho Power Company property to Public Lands/Facilities (PLF). He stated property owned by Juniper Hills Country Club, Inc. is proposed to have a Comprehensive Plan Map designation of Residential (R) and zoned Residential Medium Density Single-Family (RMS). Mr. Anglesey added that typically, "Outdoor Recreation" is not permitted in residential zoning districts, however, Pocatello Code section 17.03.500 Note 19 provides an exception for Juniper Hills Country Club stating that the uses, improvements, developments and activities associated with the Juniper Hills Country Club golf course and facilities are permitted subject to compliance with applicable residential zone development standards per section 17.05.610. He added that all publicly owned parcels and Idaho Power property, is proposed to be zoned Public Lands/Facilities (PLF). He noted that the annexation request is in statutory compliance with Idaho State Code. Mr. Anglesey announced that no comments were received. He stated that all public notice requirements were met.

In response to a question from Council, Mr. Anglesey stated the annexation would require the property to be subject to city code instead of county code.

Nikki Taysom, Pocatello resident, spoke in opposition of the application. She expressed her concerns of the tax rates of private businesses increasing and cost of watering the landscaping.

Mayor Blad announced that no written correspondence had been received.

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

A motion was made by Ms. Leeuwrik, seconded by Mr. Mansfield, to approve the Zone Map Amendment to rezone approximately 0.41 acres of property from Light Industrial (LI) to Residential/Commercial/Professional (RCP) with the following conditions: 1) The subject property shall be annexed into the corporate boundaries of the City of Pocatello; 2) Upon annexation, the approximate 139 acres publicly owned and the 10.40 acres owned by Idaho Power shall be zoned Public Lands/Facilities (PLF) with a concurrent Comprehensive Plan Land Use Map designation of Public (P). Additionally, the approximately 15.22 acres owned by Juniper Hills Country Club, Inc. shall be zoned Residential Medium Density Single-Family (RMS) with a concurrent Comprehensive Plan Land Use Map designation of Residential (R); 3) Any standards/regulations not herein noted but applicable to the proposed development shall be strictly adhered to; and 4) Any activity requiring a

separate development or building permit shall comply with applicable regulations and that the decision be set out in appropriate Council decision format and that the proposed property is located north of Highway 91; south of South Valley Road; east of Bannock Highway and west of I-15. Upon roll call, those voting in favor were Leeuwrik, Mansfield, Cheatum and Marchand.

AGENDA ITEM NO. 8: Council was asked to approve a final plat application submitted by
-AMMON PARK by Rocky Mountain Capital, LLC, represented by Connect
SUBDIVISION Engineering (mailing address: 2295 North Yellowstone Highway,
FINAL PLAT Suite #6, Idaho Falls, Idaho 83401) to approve a final plat
application to be known as Ammon Park Subdivision. The
proposed subdivision is a replat of Lots 2-4 Block 8, Inglenook Subdivision 1st Addition. The proposal
calls for subdividing 0.81 acres (more or less) into nine (9) townhome lots. The Planning and Zoning
Commission recommended approval of the preliminary plat application with conditions.

A motion was made by Mr. Cheatum, seconded by Mr. Mansfield, to approve a final plat submitted by Rocky Mountain Capital, LLC., represented by Connect Engineering, to approve the final plat application to be known as Ammon Park Subdivision 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 August 9, 2022, shall be met; 3) Pursuant to Pocatello Municipal Code (PMC) 17.05.610.B.2, a minimum of forty-five percent (45%) of the front yard of each individual townhome lot shall consist of landscaping. The proposed two foot (2') wide planter area adjacent to the structure may be counted in the 45% minimum; 4) The area to remain undisturbed shall be shown on the final plat and delineated with a no build line. The boundaries shown on the plat shall be surveyed and staked prior to beginning of construction. All other standards of PMC 17.05.140 shall apply; 5) A building permit may not be issued unless all applicable standards of PMC 16.24.100 are adhered to, or subdivision surety bond and warranty bond is obtained as outlined in PMC 16.24.100, prior to recording; and 6) 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 a replat of Lots 2-4 Block 8, Inglenook Subdivision 1st Addition. Upon roll call, those voting in favor were Cheatum, Mansfield, Leeuwrik and Marchand.

AGENDA ITEM NO. 9: Council was asked to approve and authorize the Mayor's signature,
-AGREEMENT/ subject to Legal Department review, the following
CONTRACT-EMPLOYEE agreements/contracts for City employee insurance benefits during
INSURANCE BENEFITS Fiscal Year 2023.

- BLUE CROSS a) Blue Cross of Idaho - medical insurance. Renewal agreement
OF IDAHO reflects a 14.2% increase in premiums; and
- MET LIFE b) Met Life Dental - dental insurance. New agreement reflects a
DENTAL 20% decrease in premiums.

All costs for insurance contracts have been itemized in the Fiscal Year 2023 budget.

A motion was made by Ms. Leeuwrik, seconded by Mr. Cheatum, to approve and authorize the Mayor's signature, subject to Legal Department review, agreement/contracts as outlined in Agenda Item 9(a) and Agenda Item 9(b). Upon roll call, those voting in favor were Leeuwrik, Cheatum, Mansfield and Marchand.

AGENDA ITEM NO. 10: Council was asked to consider the recommendations of staff for the following requests regarding the purchase of four (4) Light Duty Mid-Sized buses:

–BID ACCEPTANCE/
PURCHASE
AGREEMENT
–CREATIVE BUS
SALES, INC.
–PUBLIC TRANSIT
DEPARTMENT

–ACCEPT LOW RESPONSIVE BID a) Accept the low responsive bid received on July 27, 2022 from Creative Bus Sales, Inc. for the total bid amount of \$541,220.00; and if the bid is accepted

–AUTHORIZE MAYOR’S SIGNATURE b) Authorize the Mayor’s signature on all applicable documents, subject to Legal Department review.

Funding is available in Public Transit Department Fiscal Year 2022 budget.

A motion was made by Mr. Cheatum, seconded by Ms. Leeuwrik, to approve and authorize the Mayor’s signature, subject to Legal Department review, on pertinent documents as outlined in Agenda Item 10(a) and Agenda Item 10(b). Upon roll call, those voting in favor were Cheatum, Leeuwrik, Mansfield and Marchand.

AGENDA ITEM NO. 11: Council was asked to consider the following ordinances:
ORDINANCES

–REZONING 1.77 ACRES AT 1591 ZENER STREET (a) Adopt an ordinance rezoning approximately 1.77 acres of land AT located at 1591 Zener Street from zoning designation Light Industrial (LI) to Residential Commercial Professional (RCP).

A motion was made by Mr. Cheatum, seconded by Ms. Leeuwrik, that the ordinance, Agenda Item No. 11(a), be read only by title and placed on final passage for publication. Upon roll call, those voting in favor were Cheatum, Leeuwrik, Mansfield and Marchand.

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

Mayor Blad declared the final reading of the ordinance rezoning approximately 1.77 acres of land located at 1591 Zener Street from zoning designation Light Industrial (LI) to Residential Commercial Professional (RCP). Mayor Blad asked, “Shall the ordinance pass?” Upon roll call, those voting in favor were Cheatum, Leeuwrik, Mansfield and Marchand. Mayor Blad declared the ordinance and summary sheet passed, that it be numbered 3106 and be submitted to the Idaho State Journal for publication.

–AMENDING COMPREHENSIVE PLAN USE MAP FOR 22.97 ACRES WEST OF I-15 AND SOUTH OF I-86 (b) Adopt an ordinance amending the Comprehensive Plan Land Use Map for property located west of I-15 and south of I-86 by designating approximately 22.97 acres of land as Residential (R).

A motion was made by Mr. Mansfield, seconded by Ms. Leeuwrik, that the ordinance, Agenda Item No. 11(b), be read only by title and placed on final passage for publication. Upon roll call, those voting in favor were Mansfield, Leeuwrik, Cheatum and Marchand. Jared Johnson, City Attorney, read the ordinance by title.

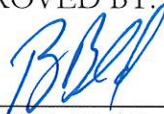
Mayor Blad declared the final reading of the ordinance amending the Comprehensive Plan Land Use Map for property located west of I-15 and south of I-86 by designating approximately 22.97 acres of land as Residential (R). Mayor Blad asked, "Shall the ordinance pass?" Upon roll call, those voting in favor were Cheatum, Leeuwrik, Mansfield and Marchand. Mayor Blad declared the ordinance and summary sheet passed, that it be numbered 3107 and be submitted to the Idaho State Journal for publication.

AGENDA ITEM NO. 12: Nikki Taysom, Pocatello resident, spoke regarding her support of the United States Constitutional rights. She shared her concerns on the City budgeting process. Ms. Taysom stated her opposition to pornography, lottery, vaping and alcohol.
-ITEMS FROM THE AUDIENCE

Jan Mares, Pocatello resident, expressed her concerns about local building companies.

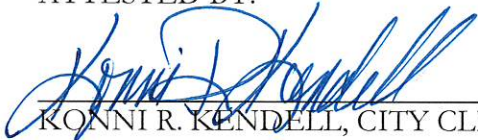
AGENDA ITEM NO. 13: There being no further business, Mayor Blad adjourned the meeting at 6:39 p.m.
ADJOURN

APPROVED BY:



BRIAN C. BLAD, MAYOR

ATTESTED BY:



KONNI R. KENDELL, CITY CLERK

PREPARED BY:



WENDY A. PRATHER, DEPUTY CITY CLERK