

CITY OF POCA TELLO, IDAHO
CITY COUNCIL
REGULAR CITY COUNCIL MEETING
SEPTEMBER 3, 2020

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

Mayor Blad led the pledge of allegiance.

AGENDA ITEM NO. 2: A moment of silence was observed in place of an invocation.
INVOCATION

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 Clarification and Regular Council meetings of August 6 and
20, 2020; the Special City Council meeting of August 6, 2020; Work Session of August 13, 2020; and the
City Council Liaison/Work Session Clarification meeting of August 20, 2020.

-PAYROLL AND (b) Consider the payroll and material claims for the month of
MATERIAL CLAIMS August, 2020 in the amount of \$9,173,774.26. Ms. Welsh clarified
items regarding proposed expenditures for Fiscal Year 2021.

-ADA GRIEVANCE (c) Confirm the Mayor's reappointment of Roger Boe to continue his
COMMITTEE service as a member of the Americans with Disabilities Act
REAPPOINTMENT Grievance Committee. Dr. Boe's term will begin September 16,
2020 and will expire September 16, 2022.

-PARKS AND (d) Confirm the Mayor's reappointment of Rachael Levay to continue
RECREATION her service as a member of the Parks and Recreation Advisory
ADVISORY BOARD Board. Ms. Levay's term will begin September 7, 2020 and will
REAPPOINTMENT expire September 7, 2022.

-SISTER CITIES (e) Confirm the Mayor's reappointment of Craig Cooper to continue his
COMMITTEE service as a member of the Sister Cities Committee. Mr. Cooper's
REAPPOINTMENT term will begin September 16, 2020 and will expire September 16,
2024.

-COUNCIL DECISION (f) Adopt the Council's decision approving the short plat for R.A.G.G.
-R.A.G.G SUBDIVISION Subdivision, which subdivides approximately .40 acres of land into
SHORT PLAT two commercial lots, subject to conditions. The property is located
in the 4100 block of Pole Line Road.

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

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

AGENDA ITEM NO. 5 Mayor Blad reminded the Council members of the September 10th
CALENDAR REVIEW Work Session at 9:00 a.m.; the September 17th Clarification Meeting
at 5:30 p.m. and the September 17th Regular Council meeting at 6:00
p.m. He announced that the September 17th Council Liaison/Work Session Clarification meeting had
been canceled.

Mayor Blad announced City offices would be closed September 7th for Labor Day. However, garbage,
yard waste and recycle pickup service would continue on schedule; Community Recreation Center would
be closed September 7th for Labor Day; and September 12th would be the Simplot Fun Run. Contact
the Community Recreation Center for more information.

Mayor Blad reminded citizens that Zoo Idaho will be open on weekends only September 8th through
October 31st; school has started so please remember to slow down in school zones; open burn ban in
wildland-urban interface areas continues; and face covering are required to be worn in City facilities.

AGENDA ITEM NO. 6: This time was set aside for the Council to hear comments from the
PUBLIC HEARING public regarding a request by Justin Hale of H7 Ventures (mailing
-ZONING MAP AND address: 1428 North 615 East, Shelley, ID 83274), represented by
COMPREHENSIVE PLAN Creek Hollow & Associates, Inc. (mailing address: 611 Wilson
AMENDMENT FOR AREA Avenue, Suite 1A, Pocatello, ID 83201) to rezone property located
NORTH OF CROSSINGS north of the Crossings Division 2 Subdivision from Commercial
DIVISION 2 SUBDIVISION General (CG) to Residential-Commercial-Professional (RCP) and
amend the Comprehensive Plan from Commercial to Mixed Use.

Mayor Blad opened the public hearing.

Council announced there had been no ex parte communication.

Chris Adams, representing Creek Hollow & Associates, Inc., gave an overview of the proposed rezone
of 34 acres located north of the Crossings Division 2 Subdivision. He stated the Mixed Use zoning
would allow for greater flexibility in development of the area.

Matthew Lewis, Senior Planner, gave an overview of the proposal. He stated that the Planning and
Zoning Commission recommended approval, with conditions.

Mayor Blad announced no additional written comments had been received.

Bill Isley, Pocatello resident, spoke in support of the proposal. He stated there is a great need for
housing in the area and residential development is necessary.

Heather Disselkoen, Pocatello resident, spoke uncommitted on the proposal. She shared her concern
regarding annexation and water supplies.

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

A motion was made by Mr. Bray, seconded by Mr. Cheatum, to approve a request by Justin Hale of H7
Ventures, represented by Creek Hollow & Associates, Inc. to rezone property located north of the

Crossings Division 2 Subdivision from Commercial General (CG) to Residential-Commercial-Professional (RCP) and amend the Comprehensive Plan from Commercial to Mixed Use and that the decision be set out in appropriate Council decision format.

Ms. Adamson clarified that the motion is to rezone property and that the item is not an annexation request.

Mayor Blad added that when an area is considered for annexation, the developer is required to also bring water rights or provide compensation to the City for water rights.

In response to a question from Council, Jeff Mansfield, Public Works Director, stated a water facilities planning study is conducted every 5-7 years to assess water needs and capabilities. He stated the City owns water rights and the study assesses the need for water and water distribution.

Mr. Cheatum added that through conservation efforts, overall water usage has been reduced. He stated that although areas have been developed, water usage is the same as it was five years ago.

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

AGENDA ITEM NO. 7: This time was set aside for the Council to hear comments from the PUBLIC HEARING public regarding a request by Bill Isley of B Street Investments, LLC, -ANNEXATION OF (mailing address: 2227 East Center Street, Pocatello, ID 83201) LAND AT THE END represented by Rocky Mountain Engineering and Surveying (mailing address: 600 East Oak Street, Pocatello, ID 83201), to annex and OF VISTA DRIVE zone approximately 7.56 acres of land at the end of Vista Drive.

The requested zone is Residential Medium Density Single Family (RMS).

Mayor Blad opened the public hearing.

Bill Isley, representing B Street Investments, LLC, gave an overview of the proposed annexation of 7.56 acres of land at the east end of Vista Drive. He stated that the annexation and development meets City requirements for annexation. Mr. Isley stated that a preliminary plat of 27 lots for single family homes has been submitted for approval. He added that the proposal would allow for development of a connector road between Center Street and Vista Drive, which he is prepared to develop.

Matthew Lewis, Senior Planner, gave an overview of the application to zone and annex 7.56 acres of land at the east end of Vista Drive. He stated that the Planning and Zoning Commission recommended approval with conditions outlined and that the area would be zoned Residential Medium density Single Family (RMS).

Ruth Newsom, City Clerk, stated the Clerk's Office received one phone call regarding the annexation public hearing process.

Steve Gallafent, Pocatello resident, stated he is a realtor and feels additional housing is needed in Pocatello. He feels the proposed development is innovative and logical for growth.

In response to questions from Council, Mr. Isley stated that pending the City's approval of the master plan, it is his intention to connect Center Street and Vista Drive within five years. He stated that he was not sure which elementary school would serve the families within the proposed development.

Mayor Blad announced no additional written comments had been received.

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

A motion was made by Ms. Leeuwrik, seconded by Ms. Stevens, to approve a request by Bill Isley of B Street Investments, LLC, represented by Rocky Mountain Engineering and Surveying, to annex and zone approximately 7.56 acres of land at the end of Vista Drive with the following conditions: 1) Applicant shall enter into an Annexation Agreement with the City of Pocatello; 2) an updated legal description of the parcels of land to be annexed, prepared by a licensed surveyor, shall be submitted by the applicant prior to the adoption of the annexation ordinance; 3) any standards/regulations not herein noted but applicable to the proposed development shall be strictly adhered to; 4) any activity requiring a separate development or building permit shall comply with applicable regulations; 5) City of Pocatello Resolution No. 2006-02 provides for the developer of real property being annexed into the city limits to provide a water source sufficient to support the water needs of the development of said property, or to provide a cash payment of an amount sufficient to purchase a water source utilizing the formula approved by the City Council. As the amount for the water assessment is unknown at this time and shall be established as development occurs, it will be made part of the Annexation Agreement; 6) upon annexation, the subject property shall be designated Residential Medium Density Single-Family (RMS); and 7) the Comprehensive Plan Map designation for the property shall be Residential (R) and that the decision be set out in appropriate Council decision format. Upon roll call, those voting in favor were Leeuwrik, Stevens, Adamson, Bray, Cheatum and Ortega.

AGENDA ITEM NO. 8: As required by the U.S. Department of Housing and Urban
PUBLIC HEARING Development (HUD), this time was set aside for the Council to
-CDBG PY2019 consider any comments from the public concerning the Program
ANNUAL REPORT Year (PY) 2019 Community Development Block Grant (CDBG)
Consolidated Annual Performance and Evaluation Report
(CAPER). The report was available for public review from August 19 to September 3, 2020, after
review and recommendation of approval by the CDBG Advisory Committee

Following the public hearing, Council may wish to approve the report and authorize its submittal, including a summary of any public input, to HUD on or before September 23, 2020.

Mayor Blad opened the public hearing.

Janae Mitchell, CDBG Program Coordinator, gave an overview of the Consolidated Annual Performance and Evaluation Report (CAPER) for the CDBG program year 2019 that ended on March 31, 2020. She stated that the City and its partners leveraged over \$850,000.00 in funding while utilizing just under \$495,000.00 in Federal funding and program income. Ms. Mitchell stated that the City of Pocatello remains in compliance with CDBG standards and regulations and the draft CAPER was reviewed by the CDBG Advisory Committee on August 18, 2020 which recommended approval and forwarding to HUD. She added that no public comments had been received.

Mayor Blad announced no written comments had been received.

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

A motion was made by Mr. Bray, seconded by Mrs. Ortega, to approve the Program Year 2019 Community Development Block Grant Consolidated Annual Performance and Evaluation report and authorize its submittal, including a summary of any public input, to HUD on or before September 23.

Upon roll call, those voting in favor were Bray, Ortega, Adamson, Cheatum, Leeuwrik and Stevens.

AGENDA ITEM NO. 9: Council was asked to consider the following requests from Relight the Night (RTN), a committee under the Historic Old Town Pocatello Foundation, Inc. (mailing address: PO Box 222, Pocatello, ID 83204) for the Buster Brown Sign Project, and if approved, authorize the Mayor to sign documents related to the project, subject to Legal Department review.

ACCEPT QUIT CLAIM DEED a) Accept a Quit Claim Deed for a 10 x 12-foot parcel of land located on the southwesterly corner of West Center Street and Union Pacific Avenue;

ALLOW PLACEMENT OF SIGN b) Allow RTN to place a refurbished Buster Brown Sign on the parcel, provide a power source to the sign, and landscape the parcel with xeriscape or other approved landscape amenities at no expense to the City;

ACCEPT OWNERSHIP OF SIGN AND PROVIDE INSURANCE c) Accept the Buster Brown Sign when Historic Old Town Pocatello Foundation gifts it to the City of Pocatello and that the City will maintain insurance coverage (under the City's policy) in accordance with the Idaho Tort Claims Act and applicable workers' compensation coverage required by Idaho Code on the parcel of land the Buster Brown Sign and appurtenances are located; and

APPROVE MOU WITH HISTORIC OLD TOWN POCATELLO FOUNDATION, INC. d) Pay for ongoing power to illuminate the sign and approve a Memorandum of Understanding with Historic Old Town Pocatello Foundation, Inc. for the Buster Brown Sign project.

A motion was made by Ms. Stevens, seconded by Mr. Cheatum, to approve requests from Relight the Night, a committee under the Historic Old Town Pocatello Foundation Inc., for the Buster Brown Sign Project, as outlined in Agenda Item Nos. 9(a) through 9(d), and authorize the Mayor to sign documents related to the project, subject to Legal Department review.

Randy Dixon, Relight the Night representative, thanked the Mayor and Council for the support given to the Old Town Foundation and efforts to preserve history through Relight The Night projects.

Ms. Stevens' motion was voted upon at this time. Upon roll call, those voting in favor were Stevens, Cheatum, Adamson, Bray, Leeuwrik and Ortega.

AGENDA ITEM NO. 10: Council was asked to consider the following requests from the SURPLUS DECLARATION AND SALE OF SEIZED VEHICLES-POLICE

DECLARE ITEMS AS SURPLUS a) Declare a 2001 GMC Sonoma Pickup truck and a 2003 Cadillac CTS as surplus; and

APPROVE AUCTION b) Approve the vehicles to be sold at auction.

SALES

Funds received from the vehicles will be used in the Police Detective Division Fund 88.

A motion was made by Mr. Bray, seconded by Ms. Stevens, to approve requests from the Police Department regarding seized vehicles that have been awarded by the Bannock County Court, as outlined in Agenda Item Nos 10(a) and 10(b). Upon roll call, those voting in favor were Bray, Stevens, Adamson, Cheatum, Leeuwrik and Ortega.

AGENDA ITEM NO. 11: Council was asked to accept staff's recommendation and authorize the Mayor to sign a Memorandum of Understanding (MOU) to allow a departure from current Collective Bargaining Agreement (CBA) language and Standard Operating Guidelines which conflicts with adherence with Idaho Department of Land, Idaho Cooperative Mobilization Agreement relating to wildland engine staffing criteria during deployments.
WILDLAND
DEPLOYMENT
ASSIGNMENTS MOU
-POCATELLO FIRE
UNION

Fire Union Local 187 members support the recommendation to temporarily waive sections of the CBA which conflicts with wildland assignments.

A motion was made by Ms. Leeuwrik, seconded by Ms. Stevens, to accept staff's recommendation and authorize the Mayor to sign a Memorandum of Understanding (MOU) to allow a departure from current Collective Bargaining Agreement (CBA) language and Standard Operating Guidelines which conflicts with adherence with Idaho Department of Land, Idaho Cooperative Mobilization Agreement relating to wildland engine staffing criteria during deployments.

Ms. Leeuwrik thanked the Union members for being flexible and working outside their CBA in order to benefit the community.

Ms. Stevens thanked the Union members for the work to create a win-win situation for all agencies involved.

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

AGENDA ITEM NO. 12: Lydia Noble, Pocatello resident, shared questions she has regarding budget approvals and expenditures. She feels an itemized listing may aid in budget transparency.
DISCUSSION ITEMS

Heather Disselkoen, Pocatello resident, expressed her appreciation regarding the restoration of "Discussion Items" on the City Council agenda. She shared her concerns regarding advisory boards and subdivisions.

Mayor Blad clarified that the items brought to the Council's attention during the "Discussion Items" agenda item would be referred to the Finance Department and Legal Department, accordingly.

AGENDA ITEM NO. 13 There being no further business, Mayor Blad adjourned the meeting at 7:04 p.m.
ADJOURN

APPROVED BY:

BRIAN C. BLAD, MAYOR

ATTEST:

RUTH NEWSOM, CITY CLERK, C. C.

PREPARED BY:

KONNI R. KENDELL, DEPUTY CITY CLERK