

CITY OF POCA TELLO, IDAHO
CITY COUNCIL
SPECIAL CITY COUNCIL MEETING
SEPTEMBER 14, 2022

AGENDA ITEM NO. 1: The Special City Council meeting was called to order at 6:00 p.m.
ROLL CALL AND by Mayor Brian Blad. Council members present were Rick
PLEDGE OF Cheatum, Linda Leeuwrik, Josh Mansfield and Scott
ALLEGIANCE Marchand.

Mayor Blad led the audience in the pledge of allegiance.

AGENDA ITEM NO. 2: The invocation was offered by Dale Spencer, representing
INVOCATION Temple Emmanuel.

Mayor Blad announced Agenda Item No. 8, Agenda Item No. 9 and Agenda Item No. 12 had been pulled from the agenda.

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

–MATERIAL CLAIMS (a) Consider the material claims for the time period of August 28, 2022 through September 9, 2022 in the amount of \$3,137,297.29.

–TREASURER’S (b) Consider the Treasurer’s Report for July 2022 showing cash and
REPORT investments as of July 31, 2022 in the amount of \$110,619,343.12.

–AMERICANS WITH (c) Confirm the Mayor’s reappointment of Dr. Roger Boe to continue
DISABILITIES ACT serving on the ADA Grievance Committee. Dr. Boe’s term will
GRIEVANCE begin September 16, 2022 and will expire September 16, 2024.
COMMITTEE
REAPPOINTMENT

–ANIMAL SHELTER (d) Confirm the Mayor’s reappointment of Beverly Dixon to continue
ADVISORY BOARD serving on the Animal Shelter Advisory Board. Beverly’s term will
REAPPOINTMENT begin September 22, 2022 and will expire September 22, 2024.

–CDBG ADVISORY (e) Confirm the Mayor’s appointment of Kellee Kirkpatrick to serve
COMMITTEE as a member of the Community Development Block Grant
APPOINTMENT (CDBG) Advisory Committee, replacing Shereen Ainsworth who
resigned. Kellee’s term will begin September 15, 2022 and will
expire January 1, 2024.

–COUNCIL DECISION (f) Adopt the Council’s decision approving the request from Home
–ZONING Buyers 208, LLC to amend the zoning designation of
AMENDMENT FOR approximately 0.41 acres of land located at 1737
APPROXIMATELY North Harrison from Light Industrial (LI) to Residential
0.41 ACRES OF LAND Commercial Professional (RCP).
AT 1737 NORTH
HARRISON

–COUNCIL DECISION (g) Adopt the Council’s decision annexing approximately 165 acres
–ANNEXING of land located north of Highway 91; south of South Valley Road;
APPROXIMATELY east of Bannock Highway and west of I-15. The subject
165 ACRES OF LAND property will be zoned Public Lands/Facilities (PLF) and
LOCATED NORTH OF Residential Medium Density Single-Family (RMS) with
HIGHWAY 91, SOUTH concurrent Comprehensive Plan Land Use Map designations of
OF SOUTH VALLEY Public (P) and Residential (R).
ROAD, EAST OF
BANNOCK HIGHWAY
AND WEST OF I-15

–COUNCIL DECISION (h) Adopt the Council’s decision approving the final plat for
–AMMON PARK Ammon Park Subdivision, which subdivides approximately
SUBDIVISION FINAL 0.81 acres of land into nine (9) townhome lots. The property
PLAT APPROVAL is zoned Residential Medium Density Single-Family (RMS) and
will be accessed from Ammon Street.

In response to a question from Council, Christine Howe, CDBG Program Coordinator, stated that the Renewal Program offers loans to low to moderate income residents for home repairs and rehabilitation work. She explained that to approve those loans the city requires a position on the property as a precautionary measure for any loan that goes into default. Ms. Howe noted that CDBG pays Alliance Title for those title reports.

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, Mansfield and Marchand.

AGENDA ITEM NO. 4: Mr. Mansfield, on behalf of Mayor Blad, proclaimed
–PROCLAMATIONS September 19, 2022 through September 23, 2022 to be
Malnutrition Awareness Week and asked citizens to become better
educated about the negative impact of malnutrition on quality of life for all in our community.

Ernie Naftzger, representing Senior Activity Center Board, accepted the proclamation and thanked the Mayor and Council for the recognition.

Ms. Leeuwrik, on behalf of Mayor Blad, proclaimed September 19, 2022 through September 23, 2022 to be Kind Community Week and asked citizens to be more than bystanders when it comes to kindness and make the choice every day to be kind.

Rainbow Maldonado, representing Kind Community, accepted the proclamation and thanked the Mayor and Council for the recognition.

AGENDA ITEM NO. 5: Mayor Blad stated that all City Council meetings scheduled
CALENDAR on September 15th had been Canceled. He reminded Council of
REVIEW the following meetings on October 6th: Clarification meeting at
5:30 p.m.; Regular Council meeting at 6:00 p.m.; and that the
October 13th Work Session had been canceled.

Mayor Blad announced October 1st will be OktoBEARfest at Zoo Idaho from 4:00 p.m. to 7:00 p.m.; Zoo Idaho will be open on weekends only through October 30th and the open burn ban in Wildland-Urban Interface areas continues.

AGENDA ITEM NO. 6: This time was set aside for the Council to hear comments from the public regarding proposed Fiscal Year 2022 Budget amendments.
PUBLIC HEARING
-PROPOSED FISCAL
YEAR 2022 BUDGET
AMENDMENTS

Mayor Blad opened the public hearing.

Gene Hill, Chief Financial Officer, gave an overview of the request to amend the Fiscal Year 2022 budget by a total of \$3,881,268.00. He noted this amendment is necessary to account for additional revenues, including grant funds received by the City and to use previously unappropriated cash balances for unanticipated expenses incurred by the City.

Mayor Blad announced no written comments had been received.

There being no public comments, Mayor Blad closed the public hearing and announced that an ordinance had been prepared for Council's consideration under Agenda Item No. 13.

AGENDA ITEM NO. 7: This time was set aside for the Council to receive comments from the public regarding the proposal to reserve the forgone amount for Fiscal Year 2023 in the amount of \$847,772.00 for potential use in subsequent years as described in Idaho Code §63-802.
PUBLIC HEARING/
RESOLUTION
-FORGONE BALANCE

Mayor Blad opened the public hearing.

Anne Nichols, Administrative Services Manager, gave an overview of Idaho Code property tax caps and forgone amounts. She noted that the city is asking to reserve the forgone amount for Fiscal Year 2023 in the amount of \$847,772.00. Ms. Nichols added that this would bring the reserve total to an estimated balance of \$4,928,187.00.

Heather Disselkoen, Pocatello resident, spoke in opposition to the proposal. She expressed her concerns about where forgone funds are coming from. Ms. Disselkoen noted that there seems to be varying amounts within various documents.

In response to questions from Council, Gene Hill, Chief Financial Officer, explained where the forgone amount comes from. He stated that the full three percent (3%) was added into the budget, but the actual percentage being asked to levy is approximately one half of one percent ($\frac{1}{2}\%$).

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

A motion was made by Mr. Mansfield, seconded by Ms. Leeuwrik, to adopt a Resolution (2022-17) and approve the proposal to reserve the forgone amount for Fiscal Year 2023 in the amount of \$847,772.00 for potential use in subsequent years as described in Idaho Code §63-802. Upon roll call, those voting in favor were Mansfield, Leeuwrik, Cheatum and Marchand.

- AGENDA ITEM NO. 8: As announced earlier, Agenda Item No. 8, request submitted by The Yellowstone Restaurant, for a waiver of the open container ordinance to allow beer and wine to be consumed on the 200 block of West Bonneville and a portion of the 200 block of South Union Pacific Avenue for a block party on September 17, 2022 from 2:00 p.m. to 11:00 p.m. had been pulled from the agenda.
- AGENDA ITEM NO. 9: As announced earlier, Agenda Item No. 9, requesting approval of a final plat application submitted by BBAD Investments, LLC, to subdivide 9.10 acres (more or less) into thirteen (13) commercial lots. The proposed subdivision is located west of South 5th Avenue and north of South Valley Road and will be known as South Valley Industrial Park had been pulled from the agenda.
- AGENDA ITEM NO. 10: Council was asked to approve a final plat application submitted by Land Quest Development, Inc. represented by Rocky Mountain Engineering and Surveying (mailing address: 600 East Oak Street, Pocatello, ID 83201) to subdivide 24.55 acres (more or less) into fifty-five (55) lots. The proposed subdivision is generally located west of I-15, south of I-86 and north of Eastpointe Drive. Staff found the proposal compliant with all applicable standards of Pocatello Municipal Code with conditions.

A motion was made by Mr. Mansfield, seconded by Ms. Leeuwrik, to approve the final plat application submitted by Land Quest Development, Inc. to subdivide 24.55 acres (more or less) into fifty-five (55) lots with the following conditions: 1) All conditions on the Final Plat Subdivision Application Staff report shall be met; 2) The conditions set out in the Public Works Department Memorandum from Merrill Quayle, P.E. dated, September 1, 2022, 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 subdivision surety bond and warranty bond is obtained as outlined in City Code 16.24.100, prior to recording; 4) Lot 9, Block 1 shall include an "R" restriction identifying the proposed common area lot as non-buildable; 5) If shops are built on back lots on Barnwood Road, the shops must meet reach requirements of the 2018 International Fire Code. These lots include 2, 3, 6, 7, 10, 11, 14, 15, 19, 22, 23, 26, 27, 30, 31 and 34; and 6) 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 located west of I-15, south of I-86 and north of Eastpointe Drive. Upon roll call, those voting in favor were Mansfield, Leeuwrik, Cheatum and Marchand.

- AGENDA ITEM NO. 11: Council was asked to approve a US Department of Transportation grant application for the Safe Streets and Roads for All (SS4A) FY22 Action Grant program in the amount of \$225,900.00. The grant application requires a local match of \$62,120.00, which will be provided through in-kind services.

Funds will be used to develop a community-wide Action Plan to support planning, infrastructure, and operational initiatives to eliminate roadway fatalities and improve bicycle and pedestrian mobility.

In response to questions from Council, Christine Howe, CDBG Program Coordinator, stated that

capital funding requires an action plan to be in place before being able to apply for capital fund grants for future Street and Road projects. She added that this action plan is for the entire City.

A motion was made by Ms. Leeuwrik, seconded by Mr. Cheatum, to approve submission and of a US Department of Transportation grant application and authorize the Mayor's signature on any related documents, subject to Legal Department review, for the Safe Streets and Roads for All (SS4A) FY22 Action Grant program in the amount of \$225,900.00 and if awarded, approve acceptance of the grant. Upon roll call, those voting in favor were Leeuwrik, Cheatum, Mansfield and Marchand.

AGENDA ITEM NO. 12: As announced earlier, Agenda Item No. 12, to consider the
-BID ACCEPTANCE recommendations of staff and award the bid for the
FOR TRANSMISSION Transmission Line Replacement for 5MG Tank project to
LINE REPLACEMENT Timberlake Construction, LLC, in the amount of
FOR 5 MILLION GALLON \$3,228,912.30 had been pulled from the agenda.
TANK (5MG)
-WATER DEPARTMENT

AGENDA ITEM NO. 13. Council was asked to consider an ordinance approving an
-ORDINANCE amendment to the Fiscal Year 2022 Appropriations Ordinance
-FISCAL YEAR 2022 increasing the total Fiscal Year expenditures by \$3,881,268.00
BUDGET to account for additional revenues, including grant funds
AMENDMENT received by the City and to use previously unappropriated cash
balances for unanticipated expenses incurred by the City.

A motion was made by Mr. Cheatum, seconded by Mr. Mansfield, that the ordinance, Agenda Item No. 13, be read only by title and placed on final passage for publication, and that the whole ordinance be submitted for publication. Upon roll call, those voting in favor were Cheatum, Mansfield, Leeuwrik and Marchand.

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

Mayor Blad declared the final reading of the ordinance approving an amendment to the Fiscal Year 2022 Appropriations Ordinance increasing the total Fiscal Year expenditures by \$3,881,268.00 to account for additional revenues, including grant funds received by the City and to use previously unappropriated cash balances for unanticipated expenses incurred by the City. 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 passed, that it be numbered 3108 and that the whole ordinance be submitted to the Idaho State Journal for publication.

AGENDA ITEM NO. 14: Heather Disselkoen, Pocatello resident expressed her concerns
ITEMS FROM THE about budget documents posted on the City website.
AUDIENCE

AGENDA ITEM NO. 15: There being no further business, Mayor Blad adjourned the
ADJOURN meeting at 6:44 p.m.

APPROVED BY:



BRIAN C. BLAD, MAYOR

SPECIAL CITY COUNCIL MEETING
SEPTEMBER 14, 2022

6

ATTESTED BY:



KONNI R. KENDELL, CITY CLERK

PREPARED BY:



WENDY A. PRATHER, DEPUTY CITY CLERK