

CITY OF POCA TELLO, IDAHO  
CITY COUNCIL  
REGULAR CITY COUNCIL MEETING  
OCTOBER 1, 2020

---

AGENDA ITEM NO. 1: The Regular City Council meeting was called to order at 6:03 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 September 3,  
and September 17, 2020; and the Work Session of September 10,  
2020.

-PAYROLL AND (b) Consider the payroll and material claims for the month of  
MATERIAL CLAIMS September, 2020 in the amount of \$6,803,589.47.

-PARKS AND (c) Confirm the Mayor's reappointment of Ali Gorny to continue her  
RECREATION service as the Zoo Idaho Zoological Society Representative on the  
ADVISORY BOARD Parks and Recreation Advisory Board. Ms. Gorny's term will begin  
REAPPOINTMENT October 5, 2020 and will expire October 5, 2022.

-POCA TELLO ARTS (d) Confirm the Mayor's reappointment of Jonna Behm to continue her  
COUNCIL service as a member of the Pocatello Arts Council. Ms. Behm's term  
REAPPOINTMENT will begin October 7, 2020 and will expire October 7, 2023.

-COUNCIL DECISION (e) Adopt the Council's decision to approve the request by Land Quest  
-ZONING DESIGNATION Development, Inc. to amend the zoning designation of  
AMENDMENT AT CORNER approximately 8,440 square feet of land located at the corner of  
OF NORTH 6<sup>TH</sup> AVENUE North 6<sup>th</sup> Avenue and Lander Street from Commercial General  
AND LANDER STREET (CG) to Residential Commercial Professional (RCP).

A motion was made by Ms. Adamson, seconded by Mr. Cheatum, to approve items on the Consent Agenda. Upon roll call, those voting in favor were Adamson, Cheatum, Bray, Leeuwrik, 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 October 8<sup>th</sup>  
CALENDAR REVIEW Work Session at 9:00 a.m.; and the following meetings to be held  
October 15<sup>th</sup>: Council Liaison/Work Session Clarification meeting  
at 2:00 p.m.; Clarification Meeting at 5:30 p.m. and Regular Council meeting at 6:00 p.m.

Mayor Blad announced the fall used book sale at Marshall Public Library would be held October 2<sup>nd</sup> and 3<sup>rd</sup>. Contact the Library for more information; and October 3<sup>rd</sup> would be OktoBEARfest at Zoo Idaho from 4:00 p.m. to 7:00 p.m.

Mayor Blad reminded citizens that City offices will be open on October 12<sup>th</sup>, which is Columbus Day. Sanitation collection trucks will remain on their regular schedule; early voting at Bannock County Elections Office, 141 North 6<sup>th</sup> Avenue will continue through October 30<sup>th</sup>. Voting hours are Monday through Friday 9:00 a.m. to 4:30 p.m.; Zoo Idaho will be open on weekends only through October 31<sup>st</sup>; and face covering are required to be worn in all City facilities.

AGENDA ITEM NO. 6: Wendy Duffy was present to appeal the decision of Pocatello Police  
CHILD CARE LICENSE Department staff which denied Ms. Duffy a Child Care License.  
DENIAL APPEAL-DUFFY

Jene Purman, Licensing Officer, gave an overview of the events which prompted denial of a Child Care License for Wendy Duffy. She stated that Ms. Duffy was convicted of possession of a controlled substance in July 2010 and served one and a half years in prison. Ms. Purman added that Ms. Duffy was also convicted of theft in 2012 and was jailed for that conviction.

Ms. Duffy gave an overview of the circumstances surrounding her conviction and incarceration related to possession of a controlled substance in July 2010. She stated she underwent extensive counseling while in prison and also since her release. Ms. Duffy added that she has been sober since her arrest in 2010 and feels she has made positive changes in her life including enrollment at Idaho State University (ISU) and employment at ISU Early Learning Center. She clarified that the theft incident occurred in July 2010 but she was not charged with theft until after her release from prison in 2012.

A motion was made by Ms. Stevens, seconded by Mrs. Ortega, to overturn the decision of the Pocatello Police Department staff and approve a Child Care License for Wendy Duffy. Upon roll call, those voting in favor were Stevens, Ortega, Bray, Cheatum and Leeuwrik. Adamson voted in opposition to the motion. The motion passed.

AGENDA ITEM NO. 7: Amanda Pisani was present to appeal the decision of Pocatello  
CHILD CARE LICENSE Police Department staff which denied Ms. Pisani a Child Care  
DENIAL APPEAL License.  
-PISANI

Jene Purman, Licensing Officer, gave an overview of the events which prompted denial of a Child Care License renewal for Amanda Pisani. She stated that Ms. Pisani was charged with domestic battery and convicted of disturbing the peace in May 2020. Ms. Purman clarified that Ms. Pisani is currently employed at ABC Daycare.

Ms. Pisani gave an overview of the circumstances surrounding the charge of domestic battery and conviction of disturbing the peace. She stated that the altercation took place after the children's father arrived at Ms. Pisani's home and brought his girlfriend, who had previously been told not to come to Ms. Pisani's home. Ms. Pisani stated that she had recently undergone neck and spinal surgery and the girlfriend arrived and started yelling and pushing towards Ms. Pisani. She stated that yelling continued and Ms. Pisani slapped the girlfriend and police were called by the neighbor. Ms. Pisani stated she has completed a domestic violence class and court-ordered counseling to address emotional stress issues. She added that she will continue with counseling, as she feels it has been beneficial. Ms. Pisani

explained that her three children attend ABC Daycare and that she primarily works in the kitchen of the daycare and occasionally assists in the classroom, if needed.

A motion was made by Mrs. Ortega, seconded by Mr. Bray, to overturn the decision of the Pocatello Police Department staff and approve a Child Care License for Amanda Pisani. Upon roll call, those voting in favor were Ortega, Bray and Stevens. Adamson, Cheatum and Leeuwrik voted in opposition to the motion.

Due to a tie in voting, Mayor Blad cast the deciding vote. Mayor Blad voted in favor of the motion. The motion passed.

AGENDA ITEM NO. 8: McCormick Ranch LLC, represented by Rocky Mountain  
FINAL PLAT Engineering (mailing address: 600 East Oak Street, Pocatello, ID  
-TRAIL CREEK ESTATES 83201), has submitted a final plat application to subdivide  
DIVISION 4 approximately 14.74 acres into 39 residential lots. The proposed  
subdivision is located north and west of Trail Creek Estates Division  
One Subdivision.

A motion was made by Ms. Adamson, seconded by Mr. Bray, to approve a request by McCormick Ranch LLC, represented by Rocky Mountain Engineering, for a final plat application to subdivide approximately 14.74 acres into 39 residential lots with the following conditions: 1) All conditions in 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 26, 2020 shall be met; 3) 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 City Code 17.05.140 shall apply; 4) all standards of Pocatello Municipal Code 17.05.140 shall be met at the time of final plat application submittal; 5) all other standards and conditions of Municipal Code not herein stated but applicable to residential development shall apply; and 6) 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 and that the subdivision is located north and west of Trail Creek Estates Division One Subdivision and that the decision be set out in appropriate Council decision format. Upon roll call, those voting in favor were Adamson, Bray, Cheatum, Leeuwrik, Ortega and Stevens.

AGENDA ITEM NO. 9: Council was asked to adopt a Welcome Resolution affirming the  
WELCOME City of Pocatello is a welcoming and inclusive city that celebrates  
RESOLUTION diversity, promotes equality and fosters respect for all residents. The  
proposed resolution was presented to Council at the September 10,  
2020 Work Session.

Ms. Adamson thanked members of the Human Relations Advisory Board in attendance for their work on the resolution.

A motion was made by Ms. Adamson, seconded by Ms. Leeuwrik, to adopt a Resolution (2020-11) affirming the City of Pocatello is a welcoming and inclusive city that celebrates diversity, promotes equality and fosters respect for all residents, as presented to Council at the September 10, 2020 Work Session. Upon roll call, those voting in favor were Adamson, Leeuwrik, Bray, Cheatum, Ortega and Stevens.

AGENDA ITEM NO. 10: Council was asked to consider a Memorandum of Understanding (MOU) with Portneuf Health Trust (PHT) for a Police Substation to be located at 500 South 11<sup>th</sup> Avenue. PHT has agreed to provide necessary construction and equipment for a new substation to be located on the skywalk of PHT's business offices. If approved, Council may wish to authorize the Mayor's signature on documents related to the MOU, subject to Legal Department review.

A motion was made by Mr. Bray, seconded by Ms. Stevens, to approve a Memorandum of Understanding (MOU) with Portneuf Health Trust (PHT) for a Police Substation to be located at 500 South 11<sup>th</sup> Avenue and authorize the Mayor's signature on documents related to the MOU, subject to Legal Department review. Upon roll call, those voting in favor were Bray, Stevens, Adamson, Cheatum, Leeuwrik and Ortega.

AGENDA ITEM NO. 11: Council was asked to consider adopting the Zoo Idaho 20-Year Master Plan, as discussed at the September 10, 2020 Council Work Session. The Master Plan will provide a roadmap for Zoo Idaho Improvements as resources become available.

Adoption of the Master Plan does not obligate the City financially in any way.

A motion was made by Ms. Leeuwrik, seconded by Ms. Stevens, to adopt the Zoo Idaho 20-Year Master Plan, as discussed at the September 10, 2020 Council Work Session and that the Master Plan will provide a roadmap for Zoo Idaho Improvements as resources become available and that adoption of the Master Plan does not obligate the City financially in any way. Upon roll call, those voting in favor were Leeuwrik, Stevens, Adamson, Bray, Cheatum and Ortega.

AGENDA ITEM NO. 12: Council was asked to consider a 2-year renewal of the current Southeast Idaho Council of Governments (SICOG) agreement in the amount of \$59,900.00 per year. Cost of the agreement is split between Urban and Rural funds 50/50.

Bannock Transportation Planning Organization will provide \$2,500.00 of the Urban share and Transit Department has sufficient local funding available to support the remaining amount. No City funds will be used for the Rural program share.

A motion was made by Mr. Bray, seconded by Mr. Cheatum, to approve a 2-year renewal of the current Southeast Idaho Council of Governments (SICOG) agreement in the amount of \$59,900.00 per year and that the cost of the agreement is split between Urban and Rural funds 50/50 and that Bannock Transportation Planning Organization will provide \$2,500.00 of the Urban share and no City funds will be used for the Rural program share. Upon roll call, those voting in favor were Bray, Cheatum, Adamson, Leeuwrik, Ortega and Stevens.

AGENDA ITEM NO. 13: This time was set aside for the Council to accept testimony from citizens and organizations on any housing or non-housing community development needs they have identified. The Council will review written Statements of Intent to Apply for Program Year 2021 Community Development Block Grant (CDBG) funding and organizations may present their proposals for funding.

Mayor Blad opened the public hearing.

Janae Mitchell, Neighborhood and Community Services Division CDBG Program Manager, reviewed the process used by applicants to apply for Community Development Block Grant (CDBG) funds. She explained that a federal Fiscal Year 2021 budget had not yet been adopted. Ms. Mitchell stated for purposes of planning, Neighborhood and Community Services staff has estimated the City's allocation to be \$449,917.00, which is approximately the amount awarded in Program Year 2020. She added that statements of intent to apply for funding requests totaled approximately \$555,000.00 from eight agencies. Ms. Mitchell noted that requests are being evaluated for eligibility under HUD's guidelines.

In response to a question from Council, Ms. Mitchell stated that \$50,000.00 has been allocated to Aid For Friends this year and that amount is included in the total funding requests. She added that one phone call was received regarding the proposal and the public hearing process.

In response to a question from Council, Jared Johnson, City Attorney, clarified that Big Momma's House leases a facility owned by the City of Pocatello and that renovations to that building are allowable under the current lease.

Shawna Engen, representing NeighborWorks, spoke in support of the application. She stated that NeighborWorks will apply for funding to be used for NeighborWorks assistance programs which help provide home repairs.

BJ Stensland, Aid For Friends Executive Director, spoke in support of the application. She stated Aid For Friends has been providing services within Pocatello for 36 years, providing an emergency homeless shelter and assistance programs. Ms. Stensland stated that CDBG funding has being requested to allow for transportation vouchers for shelter residents and case management for new clients. She added that the new facility is planned to open in Spring 2021 and will accommodate double the occupancy of the current shelter.

Heather Disselkoen, Pocatello resident, spoke uncommitted on the proposal. She stated she is educating herself regarding CDBG issues and hopes that the CDBG Advisory Committee adheres to the federal guidelines.

Ms. Mitchell clarified that the Intent to Apply is not a complete application and that the CDBG Advisory Committee would forward the final recommendations to the Council after completed applications are submitted.

There being no further public comments, Mayor Blad closed the public hearing and announced that Council action would be considered at the December 17, 2020 Regular City Council meeting.

AGENDA ITEM NO.	14:	Council was asked to accept an offer to purchase the former City of
SALE OF CITY		Pocatello Street Department building located at 1080 South 1 <sup>st</sup>
PROPERTY		Avenue and if accepted, authorize the Mayor to sign documents
-1080 SOUTH 1 <sup>ST</sup> AVENUE		related to the sale, subject to Legal Department review.

Mr. Cheatum recused himself from discussion and voting on Agenda Item No. 14, and stated that he is employed part-time by Prime Time Auction.

A motion was made by Mr. Bray, seconded by Mrs. Ortega, to accept an offer to purchase the former City of Pocatello Street Department building located at 1080 South 1<sup>st</sup> Avenue and authorize the Mayor

to sign documents related to the sale, subject to Legal Department review. Upon roll call, those voting in favor were Bray, Ortega, Adamson, Leeuwrik and Stevens.

AGENDA ITEM NO. 15: Council was asked to consider the following ordinances:  
ORDINANCES

-ANNEXATION OF 7.56 ACRES LOCATED AT THE EAST END OF VISTA DRIVE (a) Adopt an ordinance annexing approximately 7.56 acres of land located at the east end of Vista Drive. Said parcel will be zoned Residential Density Single-Family (RMS) with a Comprehensive Map Plan designation of residential.

A motion was made by Mr. Bray, seconded by Ms. Stevens, that the ordinance, Agenda Item No. 15(a), be read only by title and placed on final passage for publication. Upon roll call, those voting in favor were Bray, Stevens, Adamson, Cheatum, Leeuwrik and Ortega.

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

Mayor Blad declared the final reading of the ordinance annexing approximately 7.56 acres of land located at the east end of Vista Drive and that the parcel will be zoned Residential Density Single-Family (RMS) with a Comprehensive Map Plan designation of residential. 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 and summary sheet passed, that it be numbered 3058 and be submitted to the Idaho State Journal for publication.

-AMENDING ANIMAL SERVICES CITY CODE PROHIBITING FEEDING OR ATTRACTING WILDLIFE WITHIN CITY LIMITS (b) Adopt an ordinance amending Pocatello Municipal Code Title 6, Chapter 4 "Animal Services", specifically by amending Section 6.04.010 "Definitions" to incorporate additional defined terms and by adding Section 6.04.260 "Feeding/Attracting Wildlife Prohibition" prohibiting citizens from intentionally or knowingly feeding or attracting wildlife within City limits.

A motion was made by Mr. Cheatum, seconded by Mr. Bray, that the ordinance, Agenda Item No. 15(b), be read only by title and placed on final passage for publication. Upon roll call, those voting in favor were Cheatum, Bray, Adamson, Leeuwrik, Ortega 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 6, Chapter 4 "Animal Services", specifically by amending Section 6.04.010 "Definitions" to incorporate additional defined terms and by adding Section 6.04.260 "Feeding/Attracting Wildlife Prohibition" prohibiting citizens from intentionally or knowingly feeding or attracting wildlife within City limits.

Council members shared their support for a proactive approach to the growing problem of wildlife feeding to help curb accidents and wildlife deaths.

Ms. Adamson stated she feels that an ordinance, once enacted, should be upheld and enforced. She stated she is not advocating for the feeding of wildlife, but will vote no on the ordinance as she feels this ordinance will be difficult to enforce.

Mayor Blad asked, "Shall the ordinance pass?" Upon roll call, those voting in favor were Bray,

Cheatum, Leeuwrik, Ortega and Stevens. Adamson voted in opposition to the motion. The motion passed.

Mayor Blad declared the ordinance and summary sheet passed, that it be numbered 3059 and be submitted to the Idaho State Journal for publication.

AGENDA ITEM NO. 16: Lydia Noble, Pocatello resident, shared a handout with the  
ITEMS FROM THE Mayor and Council members and expressed her concern regarding  
AUDIENCE the City of Pocatello budget in comparison to other Idaho cities of  
similar size.

AGENDA ITEM NO. 17: There being no further business, Mayor Blad adjourned the  
ADJOURN meeting at 7:10 p.m.

APPROVED BY:

---

BRIAN C. BLAD, MAYOR

ATTEST:

---

RUTH NEWSOM, CITY CLERK, C. C.

PREPARED BY:

---

KONNI R. KENDELL, DEPUTY CITY CLERK