

CITY OF POCA TELLO, IDAHO  
CITY COUNCIL  
REGULAR CITY COUNCIL MEETING  
MAY 4, 2023

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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 Linda Leeuwrik, Josh Mansfield, Scott Marchand and Brent Nichols. Council member Rick Cheatum was present via Go To Meeting Meeting, an on-line platform. Council member Corey Mangum was excused.

Mayor Blad led the audience in the pledge of allegiance.

AGENDA ITEM NO. 2: The invocation was offered by Todd Johnson, representing INVOCATION Blazing Grace Ministries.

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 April 16-30, 2023 in the amount of \$1,059,201.36.

-TREASURER'S REPORT (b) Consider the Treasurer's Report for March 2023 showing cash and investments as of March 31, 2023 in the amount of \$106,185,202.28.

-ANIMAL SHELTER ADVISORY BOARD REAPPOINTMENT (c) Confirm the Mayor's reappointment of Ronna Martinez to continue serving as a member of the Animal Shelter Advisory Board. Ronna's term will begin May 20, 2023 and will expire May 20, 2025.

-CIVIL SERVICE COMMISSION APPOINTMENT (d) Confirm the Mayor's appointment of Randy Norton to serve as member of the Civil Service Commission, filling a vacancy. Randy's term will begin May 5, 2023 and will expire May 5, 2029.

-HOUSING ALLIANCE AND COMMUNITY PARTNERSHIP APPOINTMENT (e) Confirm the Mayor's appointment of Steve Ernst to serve as a member of the Housing Alliance and Community Partnerships Board, replacing Karina Rorris who resigned. Steve's term will begin April 21, 2023 and expire April 21, 2028.

-COUNCIL DECISION (f) Adopt the Council's decision to approve the amended final plat for -ZONE MAP AMENDMENT APPROVAL -WESTERN SKIES Parkside approving the request from Land Quest, Inc. to amend the zoning designation of approximately 3.58 acres of land located east of Dolostone Drive and west/adjacent to the I-86 southern merger ramp with I-15 from zoning designation Residential Medium Density Multi-Family (RMM) to Residential High Density (RH).

- COUNCIL DECISION (g) Adopt the Council’s decision approving a request by Morris Construction, LLC. for a Planned Unit Development consisting of approximately 4.69 acres of land located south of Philbin Road and west of Brock Drive, subject to conditions. The development shall consist of 36 residential townhome lots, eight 4-plex lots and combination stormwater, open space, and recreation areas.
- BROCK PLACE  
TOWNHOMES  
PLANNED UNIT  
DEVELOPMENT  
APPROVAL
- COUNCIL DECISION (h) Adopt the Council’s decision approving a request approving approving the short plat for Rimrock Properties Subdivision, which subdivides approximately 2.79 acres of land located at 4539 South 5th Avenue into two (2) commercial lots, subject to to conditions.
- RIMROCK  
PROPERTIES  
SUBDIVISION  
SHORT PLAT  
APPROVAL
- COUNCIL DECISION (i) Adopt the Council’s decision approving the short plat for Parley’s Way, which subdivides approximately 1.32 acres of land located at 2207 South Grant Avenue into two (2) residential lots, subject to conditions.
- PARLEY’S WAY  
SHORT PLAT  
APPROVAL
- COUNCIL DECISION (j) Adopt the Council’s decision approving the short plat for Snell Swisher Split, which subdivides approximately 0.57 acres of land located at 1154 Swisher Road into one 2-unit duplex lot and one single family lot, subject to conditions.
- SNELL SWISHER  
SPLIT SHORT  
PLAT APPROVAL
- COUNCIL DECISION (k) Adopt the Council’s decision approving the short plat for Fairgrounds Place, which subdivides approximately 33.81 acres of land located south of Venture Way and west of Fairgrounds Road into three (3) lots, subject to conditions.
- FAIRGROUNDS  
PLACE SHORT  
PLAT APPROVAL
- COUNCIL DECISION (l) Adopt the Council’s decision approving the short plat for Bonneville Commons Condominiums No. 1, which subdivides approximately 0.12 acres of land located at the northeast corner of the intersection of North 8<sup>th</sup> Avenue and East Lander Street into three (3) lots, subject to conditions.
- BONNEVILLE  
COMMONS  
CONDOMINIUMS  
NO. 1
- COUNCIL DECISION (m) Adopt the Council’s decision approving the short plat for Bonneville Commons Condominiums No. 1, which subdivides approximately 0.12 acres of land located at the northeast corner of the intersection of North 9<sup>th</sup> Avenue and East Lander Street into three (3) lots, subject to conditions.
- BONNEVILLE  
COMMONS  
CONDOMINIUMS  
NO. 2

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, Marchand and Nichols.

AGENDA ITEM NO. 4: Mr. Mansfield, on behalf of Mayor Blad, proclaimed May 7-13, 2023  
PROCLAMATIONS to be Drinking Water Week in Pocatello and encouraged all  
citizens to recognize the value of water to our community and seek  
opportunities for education and involvement in local water issues.

Levi Lusk, Water Department, accepted the proclamation and thanked the Mayor and Council for the recognition. He announced a public education event.

Mr. Cheatum, on behalf of Mayor Blad, proclaimed May 2023 to be Older Americans Month and encourage every resident to celebrate our older citizens, help to create an inclusive society, and accept the challenge of flexible thinking around aging.

Gina Hubbard, representing SICOG, accepted the proclamation and thanked the Mayor and Council for the recognition.

Ms. Leeuwrik, on behalf of Mayor Blad, proclaimed April 30 through May 6, 2023 to be Municipal Clerk's Week in Pocatello and further extend appreciation to our City Clerk, Konni Kendell and Deputy Clerk, Wendy Prather and to all Municipal Clerks for the vital services they perform.

Konni Kendell, City Clerk, accepted the proclamation and thanked the Mayor and Council for the recognition.

AGENDA ITEM NO. 5: Mayor Blad reminded the Council members of the following  
CALENDAR REVIEW meetings to be held May 4<sup>th</sup>: Clarification meeting at 5:30 p.m.; and  
Regular Council meeting at 6:00 p.m.; and the Work Session to be  
held on May 11<sup>th</sup> at 9:00 a.m.

May 6<sup>th</sup> the 2023 Portneuf Valley Fun Run Series begins with the Law Day Run. For more information or to sign up, visit the City's website or contact Parks and Recreation. May 6<sup>th</sup> is the citywide Clean-up. Meet at Caldwell Park from 8:00 a.m. to 12:00 p.m. There will be a pancake breakfast. Zoo Idaho is now open 7 days a week. With dog licenses expiring June 1, the City is offering half-price dog licenses throughout the month of May. Licenses may be purchased at City Hall or the Animal Shelter. COMPOST HAPPENS, the yard waste only composting program, has begun and will continue through the last week of November. Yard waste carts will be picked up on the same day as your regular collection day. Mayor Blad announced that sandbags are available for citizens at the Public Works building located at 2405 Garrett Way.

AGENDA ITEM NO. 6: This time was set aside for the Council to receive comments from  
PUBLIC HEARING the public regarding Pocatello Comprehensive Plan 2040. Council  
-POCATELLO may wish to adopt the proposed document as an official City plan.  
COMPREHENSIVE  
PLAN 2040

Mayor Blad opened the public hearing.

Jim Anglesey, Senior Planner, gave a brief overview of the Comprehensive Plan. He stated the Comprehensive Plan 2040 is a 20-year plan that seeks to implement a vision for Pocatello and its people. Mr. Anglesey noted that it reflects the voice of residents and is the guiding document for shaping Pocatello's future. He added the Plan can be utilized as a citywide playbook that determines the City's priorities and provides common language to connect the plans, policies, and programs of multiple City departments with the community's identified values. Mr. Anglesey stated City leaders, elected officials, staff, and the community may look to Comprehensive Plan 2040 as the guide for important policies and decisions. He noted Planning and Development Services staff sought to gather feedback from community members at various events and locations between June and December 2021. Mr. Anglesey added that once a draft of the plan was completed, it was released to the public to provide opportunity for feedback and the final comment period included two open houses during the month of March 2023. He noted that all public notice requirements were met.

Mayor Blad announced that no written correspondence had been received.

Sue Skinner, Environmental Protection Agency (EPA), strongly supports the Comprehensive Plan as written. She thanked Planning and Development Staff for taking the time to look into comments received. Ms. Skinner expressed her feelings on protecting our aquifers and drinking waters.

Ruth Casabianca, Pocatello resident, spoke in support of the proposal. She expressed her joy to see the park usage in the Comprehensive Plan. Ms. Casabianca stated she would like to see more free activities in our community.

Heather Disselkoen, Pocatello resident, spoke in support of the proposal. She likes that it provided tools for community members to be involved in decisions and encourages the city to keep up on future plans.

Josh Pullman, Pocatello resident, spoke in support of the proposal. He noted he supports art and creativity to be included.

Christine Young, Pocatello resident, spoke uncommitted to the proposal. She asked that the Comprehensive Plan include the needs of the aging population.

Linda Fairchild, Pocatello resident, spoke uncommitted to the proposal. She pointed out that the Senior Activity Center was not mentioned and would like specific plans for aging residents of our community.

Mark Dahlquist, Pocatello resident, spoke uncommitted to the proposal. He noted many comments pertained to the appearance of our community. Mr. Dahlquist wished that community beautification was more prominent within the plan. He thanked all the efforts and hard work that Planning and Development staff put into developing this plan.

Lydia Noble, Pocatello resident, spoke uncommitted to the proposal. She expressed her concern that Pocatello may not be ready to implement this type of plan.

Keith Spiegel, Pocatello resident, spoke uncommitted to the proposal. He stated his concerns on the content of public art that may be displayed in the future.

Elba Worley, Pocatello resident, spoke in opposition to the proposal. She stated the beautification and street maintenance needs to be a priority. Ms. Worley expressed her concerns that basic needs are not being met.

Brian Keller, Pocatello resident, spoke uncommitted to the proposal. He feels there was not sufficient notice of impact to property owners. He noted that property owners should have more rights of what can and cannot be done with property within the City limits.

Lucy Keller, Pocatello resident, spoke in opposition to the proposal. She stated that residential and open space needs to be better defined. Ms. Keller added that clear perimeters of allowable uses should be included.

Jim Anglesey, Senior Planner, stated that the Comprehensive Plan 2040 is a general, citywide plan, an evolving suite of other plans advance the vision identified in Comprehensive Plan 2040 and provide more detailed goals and strategies for specific areas or subjects. He noted that it is designed to be easily understood by the general community.

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

AGENDA ITEM NO. PUBLIC HEARING -POCATELLO COMPREHENSIVE PLAN 2040 FUTURE LAND USE MAP	7: This time was set aside for the Council to receive comments from the public regarding Pocatello Comprehensive Plan 2040 Future Land Use Map. Council may wish to adopt the proposed map to be included in Comprehensive Plan 2040.PLAN 2040.
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Mayor Blad opened the public hearing.

Jim Anglesey, Senior Planner, gave an overview of the Comprehensive Plan Zone/Use map. He noted that the Future Land Use Map provides direction on how the land within and surrounding the City of Pocatello could be used for future (re)development. Mr. Anglesey added that the map reflects the vision of Pocatello Comprehensive Plan 2040 and is to be used in tandem with the City's current zoning ordinance (Title 17) which utilizes Euclidean zoning, characterized by the separation of land uses by use type. He added that if approved, it will replace the current Future Land Use Map. Mr. Anglesey noted the major differences in the proposed map includes land within the Area of City Impact (ACI) where the current map only extended beyond the municipal boundaries within the Northgate area, three new designations, and designating areas important to protect from development. He stated that these areas are included in the proposed "Open Space (OS)" designation. Mr. Anglesey added that all public notice requirements were met.

In response to questions from Council, Mr. Anglesey stated that private open space areas will remain in control of the property owner and public open space only includes easements on private land.

Mayor Blad announced that no written correspondence had been received.

Don Zebe, Pocatello resident, spoke uncommitted to the proposal. He expressed his concerns about the South 5<sup>th</sup> Avenue area, stating that having industrial and mixed use in that area seems conflicting. Mr. Zebe asked that the City collaborate with the county to make County and City zoning consistent.

Robin Kent, Pocatello resident, spoke in opposition to the proposal. She expressed her concerns of having open space listed as public open space on privately owned property.

Brian Keller, Pocatello resident, spoke in opposition to the proposal. He stated his concerns of not being clear definitions of open space when located on private property. Mr. Keller added that easements on private property should not be public easements.

There being no further public comments, Mayor Blad closed the public hearing and announced the Council would discuss the comments at a future Work Session.

AGENDA ITEM NO. 8: Council was asked to approve a short plat application submitted by  
-SHORT PLAT  
APPLICATION  
-WAYWARD  
KINGHORN ESTATES  
DIVISION 1  
Zac Davis of Wayward Kinghorn Properties, LLC (mailing address: 1036 North 1100 East, Shelley, ID 83274) to subdivide 0.43 acres (more or less) into two (2) residential lots. The proposed subdivision is located at 1256 Kinghorn Road. Staff found the proposal compliant with all applicable standards of Pocatello Municipal Code, subject to compliance with the conditions listed in the staff report.

A motion was made by Mr. Nichols, seconded by Mr. Cheatum, to approve a short plat application request submitted by Zac Davis of Wayward Kinghorn Properties, LLC to subdivide 0.43 acres (more or less) into two (2) residential lots. with the following conditions: 1) All conditions on the Short 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 April 25, 2023, shall be met; 3) The plat shall be prepared in accordance with all State and local laws and ordinances and is subject to review by the City Surveyor; and 4) 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 1256 Kinghorn Road. Upon roll call, those voting in favor were Mansfield, Cheatum, Leeuwrik, Marchand and Nichols.

AGENDA ITEM NO. 9: Council was asked to approve and authorize the Mayor's signature  
-AIRPORT LEASE  
TERMINATION, LEASE  
AGREEMENT AND  
RESOLUTION  
on the following:

-LEASE  
TERMINATION  
-MATT SAMMONS  
a) A termination of lease agreement for the hangar property lease between the City and Matt Sammons; and if approved

- LEASE AGREEMENT/  
RESOLUTION  
–RMP, LLC
- b) Approve a lease agreement and adopt a Resolution between the City and RMP, LLC for approximately 3,000 square feet of property upon which they own an aircraft hangar. The lease agreement will be for a 10-year term at a rental rate of \$642.00 per year to be increased annually according to the CPI with full rate review in 2026 and every five (5) years thereafter.

A motion was made by Mr. Cheatum, seconded by Mr. Mansfield, to terminate a lease agreement with Matt Sammons and adopt a resolution (2023-15) a lease agreement with RMP, LLC and the lease agreement will be for a 10-year term at a rental rate of \$642.00 per year to be increased annually according to the CPI with full rate review in 2026 and every five (5) years thereafter as outlined in Agenda Item No. 9(a) and 9(b) and authorize the Mayor's signature on all applicable documents, subject to Legal Department review. Upon roll call, those voting in favor were Cheatum, Mansfield, Leeuwrik, Marchand and Nichols.

AGENDA ITEM NO. 10: Council was asked to approve and authorize the Mayor's signature on a Right of First Refusal Agreement between the City and Stacy Meyer for 4,550 square feet of hangar property at the Airport. The agreement will allow Mr. Meyer first rights to lease a parcel of property adjacent to his current hangar property, in the event a prospective tenant requests to lease the property. The agreement will be for a period of ten (10) years. Tom Kirkham, ADA reasoning.

–AIRPORT HANGAR  
PROPERTY RIGHT  
OF FIRST REFUSAL

A motion was made by Mr. Nichols, seconded by Mr. Marchand, to approve a Right of First Refusal Agreement between the City and Stacy Meyer as outlined in Agenda Item No. 10 and authorize the Mayor's signature on all applicable documents, subject to Legal Department review and the agreement will be for a period of ten (10) years. Upon roll call those voting in favor were Nichols, Marchand, Cheatum, Leeuwrik and Mansfield.

AGENDA ITEM NO. 11: Council was asked to approve Task Order #6-Barton Booster Station Modifications, a task order addition to the Water On-Call Services Agreement with Keller Associates, Inc. in the amount of \$182,125.00. The task includes the completion of engineering design services to include surge protection equipment and replacement of the discharge header portion of the Barton Booster Station.

–TASK ORDER #6 -  
BARTON BOOSTER  
STATION  
–WATER DEPARTMENT

A motion was made Ms. Leeuwrik, seconded by Mr. Mansfield, to approve Task Order #6 - Barton Booster Station Modifications, a task order addition to the Water On-Call Services Agreement with Keller Associates, Inc. in the amount of \$182,125.00 as outlined in Agenda Item No. 11. Upon roll call, those voting in favor were Leeuwrik, Mansfield, Cheatum, Marchand and Nichols.

AGENDA ITEM NO. 12: Council was asked to approve and authorize the Mayor's signature on all pertinent documents for a professional services agreement between the City and Stantec Consulting Services, Inc. Stantec will provide grant management services for the City's US GRANT EPA Brownfield Assessment Grant. The fee is a lump sum, based on Stantec's proposal submission, not to exceed \$440,956.00 and will be funded 100% by grant funds from the US EPA Brownfield Assessment Grant. The agreement and project are subject to availability of grant funds.

A motion was made by Mr. Mansfield, seconded by Ms. Leeuwrik, to approve a professional services agreement between the City and Stantec Consulting Services, Inc. Stantec will provide grant management services for the City's US EPA Brownfield Assessment Grant and fee is not to exceed \$440,956.00 and will be funded 100% by grant funds from the US EPA Brownfield Assessment Grant as outlined in Agenda Item No. 11 and authorize the Mayor's signature on all applicable documents, subject to Legal Department review. Upon roll call those voting in favor were Mansfield, Leeuwrik, Cheatum, Marchand and Nichols.

AGENDA ITEM NO. 13: Council was asked to accept recommendations of staff and award the bid for Superpave Asphalt and related materials to Mickelsen Construction, Inc. in the approximate amount of \$1,135,250.00, as part of the Street and Water Department 2023 construction season, subject to Legal Department review. Funding for the materials has been budgeted in the Street Department and Water Department Fiscal Year 2023 budget. Council may also wish to authorize the Mayor's signature on all pertinent documents related to the purchase.

A motion was made by Mr. Mansfield, seconded by Mr. Marchand, to accept the recommendations of staff and award the bid for Superpave Asphalt and related materials to Mickelsen Construction, Inc. in the approximate amount of \$1,135,250.00, as part of the Street and Water Department 2023 construction season and authorize the Mayor's signature on all pertinent documents, subject to Legal Department review and funding for the materials has been budgeted in the Street Department and Water Departments Fiscal Year 2023 budget. Upon roll call, those voting in favor were Mansfield, Marchand, Cheatum, Leeuwrik and Nichols.

AGENDA ITEM NO. 14: Council was asked to accept the recommendations of Street Operations staff and approve the purchase of GSB-88 2:1 + Latex Emulsion from Asphalt Systems, Inc. to be a valid sole source expenditure for the City's 2023 summer paving program and authorize the Mayor's signature on all documents related to the purchase. The product is a trademarked material that no other company makes; therefore, it is impractical/impossible to obtain three bids. The amount requested is approximately 24,000 gallons for an estimated total purchase price of \$100,320.00 FOB Salt Lake City, Utah. This expenditure has been budgeted for in the Street Operations FY2023 budget.



A motion was made by Ms. Leeuwrik, seconded by Mr. Cheatum, to accept the recommendations of Street Operations staff and approve the purchase of GSB-88 2:1 + Latex Emulsion from Asphalt Systems, Inc. to be a valid sole source expenditure for the City's 2023 summer paving program and authorize the Mayor's signature on all documents related to the purchase, subject to Legal Department review and the total purchase price is \$100,320.00 FOB Salt Lake City, Utah and that the expenditure has been budgeted in the Street Operations FY2023 budget. Upon roll call, those voting in favor were Leeuwrik, Cheatum, Mansfield, Marchand and Nichols.

AGENDA ITEM NO. 15: There being no further business, Mayor Blad adjourned the meeting  
-ADJOURN at 7:30 p.m.

APPROVED BY:



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BRIAN C. BLAD, MAYOR

ATTESTED BY:

  
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KONNI R. KENDELL, CITY CLERK

PREPARED BY:

  
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WENDY A. PRATHER, DEPUTY CITY CLERK