

CITY OF POCA TELLO, IDAHO
CITY COUNCIL
REGULAR CITY COUNCIL MEETING
AUGUST 3, 2023

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 Rick Cheatum,
PLEDGE OF Linda Leeuwrik, Josh Mansfield and Brent Nichols. Council
ALLEGIANCE members Corey Mangum and Scott Marchand were excused.

Mayor Blad led the audience in the pledge of allegiance.

AGENDA ITEM NO. 2: The invocation was offered by Reverend Haydie Lecobeiller, a
INVOCATION representative of Trinity Episcopal Church.

Mayor Blad announced that Agenda Item No. 11 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 period of July 16-31, 2023 in
the amount of \$1,137,656.83.

-MINUTES (b) Waive the oral reading of the minutes and approve the minutes from
the following meetings: Special Council meetings of February 13
and March 28, 2023; and Clarification and Regular City Council
meetings of June 1, June 15, and July 6, 2023.

-COUNCIL DECISION (c) Adopt the Council's decision to approve the vacation and
-VACATION OF abandonment of the public's interest in Right-of-Way of
RIGHT-OF-WAY approximately 0.33 acres of land extending across 1620 Sunset Road
-1620 SUNSET and distributing said vacated land to the adjacent owner, Evelyn M.
ROAD Richmond, subject to conditions.

-COUNCIL DECISION (d) Adopt the Council's decision to approve the short plat for
-SHORT PLAT Portneuf/Great Western Malting Partition Subdivision, which
APPROVAL subdivides approximately 25.75 acres of land generally located
PORTNEUF/GREAT northwest of River Park Way into three (3) lots, subject to
WESTERN MALTING conditions.
PARTITION

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

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

AGENDA ITEM NO. 5: Mayor Blad reminded the Council members of the August 10th
CALENDAR REVIEW Work Session at 9:00 a.m. and the following meetings to be held
August 17th: Clarification meeting at 5:30 p.m.; and Regular Council
meeting at 6:00 p.m.

Mayor Blad announced Shakespeare in the Park at ISU Quad from 6:30 p.m. - 8:30 p.m. on August 10th and 11th. This event is free to the public; The Real Estate Ruby Fun Run will be held on August 12th. Contact the Community Recreation Center for more information; August 12th will be the Ice Cream Zoofari at Zoo Idaho from noon to 4:00 p.m.; and on August 19th is the Annual Portneuf River cleanup from 10:00 a.m. to noon. Bring work gloves and help clean the river of trash and debris. Contact the Science and Environment Division for more information. He added that the open burn ban in Wildland-Urban Interface areas continues.

AGENDA ITEM NO. 6: Daniel Leary was present to appeal the denial of his Taxicab license
-TAXI CAB LICENSE application which was denied by the Pocatello Police Department.
DENIAL APPEAL
-LEARY

Council members announced there had been no ex parte communication.

Mr. Leary gave an overview of the circumstances surrounding the denial of a Taxi Cab license. He stated that he had a felony charge in 2006, but has had a clean record since.

In response to questions from Council, Mr. Leary stated that the felony was for forgery and he was found guilty with a withheld judgement.

Mallarie Bascom, Licensing Officer, explained that the denial was due to the current language within the code not providing a timeline for charges to fall within. She stated that based on the fact that the felony charge was in 2006 and it was a withheld judgment and that Mr. Leary has had no other disqualifying charges, she supported a decision to overturn the denial.

A motion was made by Mr. Cheatum, seconded by Ms. Leeuwrik, to overturn the decision of the Pocatello Police Department staff and approve the Taxi Cab License for Mr. Leary. Upon roll call, those voting in favor were Cheatum, Leeuwrik, Mansfield and Nichols.

AGENDA ITEM NO. 7: Nicole Jorgenson was present to appeal the denial of her City
-LIVESTOCK/ livestock and multi-animal housing license application which was
MULTI-ANIMAL denied by Animal Services.
HOUSING LICENSE
DENIAL APPEAL
-JORGENSEN

Council members announced there had been no ex parte communication.

Ms. Jorgenson gave an overview of the circumstances surrounding the denial of her license. She noted that she has had City permits for the past 9 years. Ms. Jorgenson explained that she rarely has animals pass away, so she hasn't had to deal with disposing of deceased livestock.

In response to questions from Council, Ms. Jorgenson stated her understanding is that she was denied due to there being two deceased animals on the property. She explained that the deceased animals were elderly and the harsh winter contributed to the animal's passing. Ms. Jorgenson gave an overview of the various services she provides; including breeding therapy animals, mobile petting zoo for birthday parties, etc. She provides the therapy animals free of charge but does charge for the petting zoo to be at parties. Ms. Jorgenson noted that she has an assortment of animals ranging from mini horses to small reptiles on her 0.97-acre property. She described the animals' living conditions and how they are cared for.

Chris Abbott, Animal Services Director, gave a brief overview of code violations that led to the denial. He stated the reasons for denial included not meeting sanitation requirements and proper animal care standards not being met.

In response to question from Council, Tori Eldridge, Ordinance Enforcement Supervisor, stated the conditions she had witnessed on the visit, noting the water was filthy and water containers contained mold, and there was a lot of chicken feces around feeding and watering areas. She added that she did not witness any direct concerns with animals' visual appearance.

Council discussed the hard winter we had this year and the affects it has on livestock.

Jared reviewed the ordinance for keeping large livestock within city limits and clarified the Council decision is only to affirm or reverse the decision.

Council reminded Ms. Jorgenson of the importance of maintaining proper living conditions for her animals and continue to work with Animal Services in the future to meet the codes.

A motion was made by Ms. Leeuwrik, seconded by Mr. Cheatum, to overturn the decision of the Animal Services staff and approve a City livestock and multi-animal housing license for Nicole Jorgenson. Upon roll call, those voting in favor were Leeuwrik, Cheatum and Nichols. Mansfield voted in opposition. The motion passed.

AGENDA ITEM NO. 8: This time was set aside for the Council to receive public comments
PUBLIC HEARING on the proposed Fiscal Year 2024 City Budget.
-PROPOSED FISCAL
YEAR 2023 BUDGET

Mayor Blad opened the public hearing.

Gene Hill, Chief Financial Officer, stated that the public hearing was for the purpose of inviting public comment on the Fiscal Year 2024 proposed budget which begins October 1, 2023 and ends September 30, 2024. He gave introductory comments outlining the budget creation process, which included multiple meetings open to the public. Mr. Hill explained the general fund and different types of revenue. He noted it has been 40 plus years since a recession with over 10% increase and described increases to employee health insurance, fuel and material costs. Mr. Hill emphasized that in order to retain service levels, a tax increase is necessary.

Mayor Blad announced no written comments had been received.

Lydia Noble, Pocatello resident, spoke in opposition to the budget. She thanked the Council for not including any forgone in the budget. Ms. Noble expressed her feelings on necessary items that have not been addressed in this year's budget and no discussion about money-saving ideas.

Heather Disselkoen, Pocatello resident, spoke in opposition to the budget. She noted her concerns about the interest revenue increase and the lack of a fund built into the budget for emergency repairs like the Library elevator being repaired or replaced.

In response to questions from Council, Mr. Hill noted that the Library elevator repair is currently in process. He added that reserves balance is a living form and balances change every day. Mr. Hill stated that general fund 78 is used for ongoing repairs.

There being no further comments, Mayor Blad closed the public hearing and announced that comments received would be considered by the Council while creating the final budget. He stated that a Work Session to be held on August 10, 2023 at 9:00 a.m. would include an agenda item allowing Council an opportunity to receive further clarification from City staff on items related to the proposed budget and that the final budget ordinance is scheduled for Council's consideration on August 17, 2023.

AGENDA ITEM NO. 9: This time was set aside for the Council to receive public comments
PUBLIC HEARING on proposed fee changes for Fiscal Year 2024.
-PROPOSED FISCAL
YEAR 2024 FEE
CHANGES

Mayor Blad opened the public hearing.

Gene Hill, Chief Financial Officer, gave an overview of the proposed fee changes for Fiscal Year 2024 referencing that every change was due to one or more of the following reasons: the fee change is a 5% or more increase from the previous fee amount, the department is requesting a new fee, the name of the fee is being changed for clarity, the fee is being moved from the Pocatello Municipal Code into the annually adopted Fee Schedule Resolution, or the fee is being moved from one exhibit to another for clarity.

Mayor Blad announced no written correspondence had been received regarding the proposed fee changes for Fiscal Year 2024.

Heather Disselkoen, Pocatello resident, spoke uncommitted to the fee changes. She expressed her concerns about the removal of city licensing fees. Ms. Disselkoen feels that the Historic Preservation Commission fee needs to be reviewed and revised.

In response to questions from Council, Richard Bigelow, Building Official explained why the license fee had been removed. He noted that contractors and electricians have to be bonded to protect the public.

In response to questions from the Council, Brent McLane, Planning and Development Director, stated that the Historic Preservation Commission fee was increased to reflect the cost of processing the applications. He noted that the cost of processing was the responsibility of taxpayers and the proposed change puts the cost on the property owners. Mr. McLane explained that the fee would only occur when there is something out of the ordinary such as a variance and that most applications are for sign changes when business ownership changes. He noted that these sign changes are done administratively so the fee is not applicable.

There being no further public comments, Mayor Blad closed the public hearing. He announced that a Work Session to be held on August 10, 2023 at 9:00 a.m. would include an agenda item allowing Council an opportunity to receive further clarification from City staff on items related to the proposed fees and that the final Fee Resolution is scheduled for Council's consideration at a later date.

AGENDA ITEM NO. 10: Council was asked to approve a request by the Pocatello
-DEED OF FAÇADE Development Authority (PDA) and accept a Deed of Façade
EASEMENT FOR TITAN Easement for Building 12 of the Titan Center as required by the
CENTER Owners Participation Agreement between the PDA and IRG and
-POCATELLO authorize the Mayor's signature on all applicable documents. The
DEVELOPMENT term of the easement shall be ten (10) years from the date of
AUTHORITY (PDA) completion of all agency-funded improvements. IRG will continue
to assume all continued maintenance and repair of the property. Any
future material changes or alterations to the façades will be approved by the City of Pocatello for the
term of the easement.

A motion was made by Mr. Mansfield, seconded by Mr. Cheatum, to approve a request by the Pocatello Development Authority (PDA) and accept a Deed of Façade Easement for Building 12 of the Titan Center as required by the Owners Participation Agreement between the PDA and IRG and authorize the Mayor's signature on all applicable documents and that the term of the easement shall be ten (10) years from the date of completion of all agency-funded improvements and IRG will continue to assume all continued maintenance and repair of the property and any future material changes or alterations to the façades will be approved by the City of Pocatello for the term of the easement. Upon roll call, those voting in favor were Mansfield, Cheatum, Leeuwrik and Nichols.

AGENDA ITEM NO. 11: As announced earlier, Agenda Item 11, piggyback bid of City of
-PIGGYBACK BID OF Boise's contract via Mountain Home Auto Ranch had been pulled
CITY OF BOISE from the agenda.
CONTRACT FOR
PURCHASE OF WORK
TRUCKS
-WATER
DEPARTMENT

AGENDA ITEM NO. 12: Mayor Blad announced that Agenda Item No. 12, ordinance
-ORDINANCE amending Pocatello Municipal Code Title 2 Chapter 2.06.050
AMENDING "Compensation of Mayor and Council Members" had been pulled
MUNICIPAL CODE from the agenda.
"COMPENSATION OF
MAYOR AND COUNCIL
MEMBERS"


AGENDA ITEM NO. 13: There being no further business, Mayor Blad adjourned the meeting
-ADJOURN at 7:27 p.m.

APPROVED BY:



BRIAN C. BLAD, MAYOR

ATTESTED BY:



KONNI R. KENDELL, CITY CLERK

PREPARED BY:



WENDY A. PRATHER, DEPUTY CITY CLERK