AGENDA ITEM NO. 1: The Regular City Council meeting was called to order at 6:04 p.m. by Mayor Brian Blad. Council members present were Heidi Adamson, Roger Bray, Rick Cheatum, Linda Leeuwrik and Beena Mannan. Council member Jim Johnston was excused.

AGENDA ITEM NO. 2: Tim Bridges, representing Calvary Capel, led the audience in singing “God Bless America.”

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

- MINUTES (a) Waive the oral reading of the minutes and approve the minutes from the Budget Development meeting of April 25, 2019.

- TREASURER’S REPORT (b) Consider the Treasurer’s Report for April showing cash and investments as of April 30, 2019 in the amount of $59,403,267.10.

- ANIMAL SHELTER ADVISORY BOARD REAPPOINTMENT (c) Confirm the Mayor’s reappointment of Sharon Sieber to continue her service as a member of the Animal Shelter Advisory Board. Ms. Sieber’s term will begin June 2, 2019 and will expire June 2, 2021.

- PARKS AND RECREATION ADVISORY BOARD REAPPOINTMENT (d) Confirm the Mayor’s reappointment of Darrin Black to continue his service as a member of the Parks and Recreation Advisory Board. Mr. Black’s term will begin June 7, 2019 and will expire June 7, 2021.

- SISTER CITIES COMMITTEE REAPPOINTMENT (e) Confirm the Mayor’s reappointment of Dana Olson to continue her service as a member of the African Sister Cities Subcommittee. Ms. Olson’s term will begin June 8, 2019 and will expire June 8, 2023.

- COUNCIL DECISION - HAYDEN/HAYES SUBDIVISION SHORT PLAT (f) Adopt the Council’s decision approving the short plat for Hayden/Hayes Subdivision, which subdivides approximately .29 acres of land into two (2) lots, subject to conditions. The property is located at the intersection of Hayden Street and Hayes Avenue.

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

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

AGENDA ITEM NO. 5: Mayor Blad reminded the Council of the following meetings on June 2nd: Budget Development meeting at 9:00 a.m.; Clarification meeting at 5:30 p.m.; and Regular City Council meeting at 6:00 p.m.
Mayor Blad announced Ross Park Aquatic Center would open on Saturday, May 25th (weather permitting); City offices would be closed Monday, May 27th for the Memorial Day Holiday. However, garbage, compost and recycling pick-ups would be on schedule; Brady Chapel Open House at Mountain View Cemetery would be held on Monday, May 27th from 11:00 a.m. to 4:00 p.m.; Field of Heroes would be held at Century High School May 24th through May 27th; and dog licenses would be half price through the end of May.

Mayor Blad wished congratulations to all area high school graduates.

AGENDA ITEM NO.  6: Kylee Mahan was present to appeal the decision of Police Department staff which denied Ms. Mahan a child care license.

LICENSE DENIAL APPEAL-MAHAN

Jene Purman, Licensing Officer, stated Police Department staff denied a child care license for Kylee Mahan due to her admission of guilt for possession of marijuana and failure to disclose that information on her child care application.

In response to questions from Council, Ms. Mahan stated she admitted to possession of marijuana during an incident in 2015. She stated she was not charged or cited on the matter. Ms. Mahan stated she did not include it on the application because she didn’t recall the incident until she was asked about it by Ms. Purman. She added that she believed she had a child care license issued in 2016 in Chubbuck and Pocatello.

Ashley Zahm-Nebel, owner of Ashley’s Place Daycare, spoke on behalf of Ms. Mahan. She stated she knows Ms. Mahan personally and professionally and feels she shows patience with the children she works with.

In response to questions from Council, Ms. Purman clarified that Ms. Mahan may have had a child care license in Chubbuck, but did not hold a child care license in Pocatello. She stated because of Ms. Mahan’s denial and omission of the incident on her application, her license application was denied.

As no motion was offered by the Council, Mayor Blad announced that the child care license denial by the Police Department for a child care license for Kylee Mahan would remain.

AGENDA ITEM NO.  7: This time was set aside for the Council to hear comments from the public regarding a reconsideration request of the Hearing Examiner’s decision to deny an electronic off-premises (billboard) sign at 507 East Center Street. The applicant is Performance Outdoor (mailing address: PO Box 4983, Pocatello, ID 83205), represented by Blaze Sign Company (mailing address: 7175 South 5th Avenue, Pocatello, ID 83204).

Mayor Blad opened the public hearing.

Council members announced there had been no ex parte communication.
Greg Sutner, representing Performance Outdoor Advertising, gave an overview of the application and guidelines to approve a digital billboard at 507 East Center Street. He stated that the application was denied by the Hearing Examiner and Performance Outdoor is requesting a reconsideration of that decision. Mr. Sutner stated the sign would be one-sided and the lights would not affect the nearby apartments. He added that the sign would not interfere with traffic signals at the intersection and would not obstruct the adjacent business sign.

In response to questions from Council, Mitch Greer, Rocky Mountain Engineering, displayed updated images and clarified that the sign does not overhang the sidewalk. He stated the applicant worked closely with City of Pocatello Traffic Engineering staff to ensure compliance to regulations. Mr. Greer displayed photographs representing a driver’s eye view, approximately 3.5 feet in height. He clarified that the proposed sign would be higher than the neighboring building façade.

Terri Neu, Associate Planner, gave an overview of the reconsideration request. She stated the application was denied by the Hearing Examiner, as it did not meet recommended standards. Ms. Neu stated if the Council chose to overturn the denial, Planning Department staff would recommend approval with conditions.

Mayor Blad announced no written correspondence had been received.

Frank Nuding, Pocatello resident, spoke in favor of the reconsideration request. He feels the sign ordinance is clear and the applicant has met all of the guidelines. Mr. Nuding feels that digital signs do not cause accidents.

Barry Hunt, Pocatello resident, spoke in favor of the request. He feels the applicant has fulfilled all of the requirements.

Nicki Johnson, representing Blaze Sign, spoke in favor of the reconsideration request. She stated she feels a digital sign does not distract drivers any more than a static billboard would. Ms. Johnson feels the application has met all of the required criteria.

Nathan Johnson, Pocatello resident, spoke in support of the request. He feels the digital sign would not interfere with the traffic signal and would not distract drivers.

Corey Krantz, representing Idaho Transportation Department (ITD) District 5, spoke in opposition to the reconsideration request. He feels the purpose of a digital billboard is to distract drivers. In response to questions from Council, Mr. Krantz stated that red, green and yellow are colors which should not be used on the digital billboard. He clarified that moving pictures should not be used on the digital billboard.

Jerry Meyers, Pocatello resident, spoke in opposition to the request. He stated he owns the property located at 508 East Center Street and he is concerned about the lighting, as it is close to his property. Mr. Meyers expressed his concern regarding pedestrian traffic, parking congestion and property values. He clarified that because parking is limited in the area, drivers must park further away from the
businesses they are visiting, which leads to increased pedestrian traffic. Mr. Meyers added that it is most important for drivers to be aware of pedestrians.

In response to questions from Council, Ms. Neu stated that a static sign would be allowable at this location. She added that if the digital sign is approved, Planning staff has recommended conditions regarding sign code standards as they apply to electronic message displays, lighting, transition standards and setbacks.

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

In response to questions from Council, Mr. Krantz stated that the digital nature of the proposed billboard is of great concern and that ITD would not be opposed to a static sign at the proposed location. He added that pedestrian and bicycle traffic count information could be obtained from Bannock Transportation Planning Organization.

Mr. Cheatum stated he feels that Performance Outdoor has proved to be responsible sign owners and that he feels there isn’t a difference between a digital sign that follows the City sign code and a static sign.

A motion was made by Mr. Cheatum, seconded by Ms. Mannan, to overturn the Hearing Examiner’s denial of the Applicant’s request for an off premises/billboard sign permit to place an off-premises sign measuring 12’7” X 22’ and 31’ in height at the location of 507 East Center Street, Pocatello, Idaho in accordance with Pocatello Municipal Code §15.20.240(B)(8)(b) and that the decision be set out in appropriate Council decision format.

Council discussion followed regarding compatibility with adjacent land uses; pedestrian traffic; conditions recommended by staff; and static and digital sign displays located within other areas of the city.

In response to questions from Council, Mr. Krantz stated he feels the proposed digital billboard could be directly competing for drivers’ attention with a portion of the traffic signal. He added that there is not a left turning lane at this time, but future placement of a turn light would be determined by traffic volumes.

Ms. Adamson stated she is concerned that the sign could distract drivers in the area.

Mr. Cheatum’s motion was voted upon at this time. Upon roll call, those voting in favor were Cheatum, Mannan and Leeuwrik. Adamson and Bray voted in opposition to the motion. The motion passed.
AGENDA ITEM NO.  8: Tanner Hernandez of Prime Time Auctions (mailing address: 3400 LOVE 2 BID South 5th Avenue, Pocatello, ID 83204), represented by Rocky SUBDIVISION Mountain Engineering and Surveying (mailing address: 600 East -FINAL PLAT Oak Street, Pocatello, ID 83201), has submitted a final plat application to subdivide 11.05 acres (more or less) into ten (10) lots. The proposed subdivision is located at South 5th Avenue, Interstate 15 and Velton Road and is to be known as Love 2 Bid Subdivision.

At their meeting on March 14, 2018 the Planning and Zoning Commission recommended approval of the preliminary plat with conditions recommended by staff.

A motion was made by Mr. Cheatum, seconded by Ms. Adamson, to approve a request by Tanner Hernandez of Prime Time Auctions, represented by Rocky Mountain Engineering and Surveying, and approve a final plat application to subdivide 11.05 acres (more or less) into ten (10) lots with the following conditions: 1) All conditions set out in the Public Works Department Memorandum from Merril Quayle, P.E. dated May 7, 2019 shall be met; 2) Subdivision Covenants, Conditions and Restrictions (CCR’s) shall be submitted to the City after the recording of the final plat; 3) a building permit may not be issued unless all applicable standards of Municipal Code 16.24.100 are adhered to or a subdivision surety bond and warranty bond is obtained as outlined in Municipal Code 16.24.110 prior to recording; 4) as proposed, the applicant or the associated property owner shall be responsible for the upkeep and maintenance of all easements designating open space shown on the plat, unless otherwise approved by the Pocatello City Council; and 5) all other standards and conditions of Municipal Code not herein discussed but applicable to residential development shall apply and that the proposed subdivision is located at South 5th Avenue, Interstate 15 and Velton Road and that the decision be set out in appropriate Council decision format. Upon roll call, those voting in favor were Cheatum, Adamson, Bray, Leeuwrik and Mannan.

AGENDA ITEM NO.  9: Tanner Hernandez of Prime Time Auctions (mailing address: (3400 LOVE 2 BID South 5th Avenue, Pocatello, ID 83204), has submitted a request to exempt the Love 2 Bid Subdivision from Pocatello Municipal Code Sections 16.24.080-110, specifically the requirement for a “subdivision surety bond”. Authorization to record a final plat prior to development and acceptance of required public infrastructure and improvements requires the subdivider to submit a duly executed “subdivision surety bond” pursuant to section 16.24.110 prior to obtaining all required approval signatures from the City.

In response to questions from Council, Tanner Hernandez stated that he is requesting an exemption from the code requiring a “subdivision surety bond”. He stated that there are three businesses currently located within the subdivision. Mr. Hernandez stated now that the subdivision application has been approved, development can begin and parcels can be sold to finance subdivision improvements. He added that the issue of sidewalks would be addressed during the building permit process. Mr. Hernandez added that he feels funding would be better used to make improvements, which could be possible if the surety bond condition were waived.

Carl Anderson, Senior Planner, stated a surety bond is required for all right-of-way permits. He stated the bond value is equal to 125% of the total amount of the improvements.
In response to questions from Council, Merril Quayle, Development Engineer, stated a surety bond is necessary for subdivision improvements when working in the right-of-way. He stated that he is unaware of any instance in which the surety bond condition has been waived in the past. Mr. Quayle added that the surety bond is a tool used to enforce that improvements are completed in a timely manner.

In response to a question from Council, Jared Johnson, City Attorney, stated a surety bond ensures that the developer complies to all conditions. The conditions would remain, but without the surety bond, the City would not have a way to enforce the requirements. Mr. Johnson stated he is not aware of any other exemptions to the requirement granted by the City for this purpose.

A motion was made by Ms. Leeuwrik, seconded by Mr. Cheatum, to deny a request by Tanner Hernandez of Prime Time Auctions for a request to exempt the Love 2 Bid Subdivision from Pocatello Municipal Code Sections 16.24.080-110, specifically the requirement for a “subdivision surety bond”. Upon roll call, those voting in favor were Leeuwrik, Cheatum, Adamson, Bray and Mannan.

Mayor Blad called an intermission at 7:57 p.m.

Mayor Blad reconvened the meeting at 8:09 p.m.

AGENDA ITEM NO. 10: Council was asked to approve submission of a U.S. Department of Justice, Office of Community Oriented Policing Services—Awareness and Access to Mental Health Resources grant, in the amount of $60,785.60 and if awarded, authorize the Mayor’s signature on documents related to the grant, subject to Legal Department review.

Grant funds will be used to develop a peer support group and critical incident debrief group for Police staff. There are no matching funds, but the grant requires a two-year commitment if awarded.

A motion was made by Ms. Mannan, seconded by Ms. Leeuwrik, to approve submission of a U.S. Department of Justice, Office of Community Oriented Policing Services-Awareness and Access to Mental Health Resources grant, in the amount of $60,785.60 and if awarded, authorize the Mayor’s signature on documents related to the grant, subject to Legal Department review. Upon roll call, those voting in favor were Mannan, Leeuwrik, Adamson, Bray and Cheatum.

AGENDA ITEM NO. 11: Council was asked to accept the recommendation of staff and award the procurement bid for Superpave Asphalt Mixture to Mickelsen Construction in the amount of $473,850.00, subject to Legal Department review for the Street Operations 2019 Pavement Maintenance Program.

Funds are available in the Street Operations’ Fiscal Year 2019 budget.

A motion was made by Mr. Bray, seconded by Ms. Mannan, to accept the recommendation of staff and award the procurement bid for Superpave Asphalt Mixture to Mickelsen Construction in the amount of $473,850.00, subject to Legal Department review for the Street Operations 2019 Pavement Maintenance Program. Upon roll call, those voting in favor were Bray, Mannan, Adamson, Cheatum and Leeuwrik.
AGENDA ITEM NO. 12: Council was asked to approve a grant application and authorize the Mayor to sign documents related to a grant from the Idaho Department of Environmental Quality in the amount of $10,000.00, subject to Legal Department review. If approved, grant funds will be used to conduct research to better analyze threats to the Lower Portneuf Valley Aquifer.

There is no required match. Staff time will be committed to the project.

A motion was made by Ms. Leeuwrik, seconded by Mr. Cheatum, to approve a grant application and authorize the Mayor to sign documents related to a grant from the Idaho Department of Environmental Quality in the amount of $10,000.00, subject to Legal Department review. Upon roll call, those voting in favor were Leeuwrik, Cheatum, Adamson, Bray and Mannan.

AGENDA ITEM NO. 13: Council was asked to authorize the execution of a Memorandum of Agreement (MOA) between the City of Pocatello and Idaho State University (ISU), subject to Legal Department review.

ISU will be supporting the City’s stormwater monitoring efforts by analyzing the nutrient inputs from street trees. Funds for execution ($6,000.00) are available within the Science and Environment Division’s 2019 Fiscal Year budget.

A motion was made by Mr. Bray, seconded by Ms. Mannan, to authorize the execution of a Memorandum of Agreement (MOA) between the City of Pocatello and Idaho State University (ISU), subject to Legal Department review to support the City’s stormwater monitoring efforts and analyze the nutrient inputs from street trees in an amount not to exceed $6,000.00.

In response to a question from Council, Hannah Sanger, Science and Environment Administrator, stated that the information gathered through the stormwater monitoring is necessary for the City’s stormwater compliance permit. She added that the results are also used for various reasons by the Street Department.

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

AGENDA ITEM NO. 14: Council was asked to approve a Professional Services Agreement with JUB Engineers in the amount of $62,647.00 for services to include Right-of-Way support, Utility Relocation Phase Support, Environmental Document Preparation and Engineering Design Plan review support for the Hawthorne Quinn Traffic Signal project.

Mr. Bray’s motion was voted upon at this time. Upon roll call, those voting in favor were Bray, Mannan, Adamson, Cheatum and Leeuwrik.
Local match of 7.34% ($4,598.29) is available in Fund 70. Please note this is a joint project with the City of Chubbuck. The City of Pocatello’s fiscal impact will be $3,448.72 once reimbursement from the City of Chubbuck in the amount of $1,149.57 is received.

A motion was made by Mr. Cheatum, seconded by Mr. Bray, to approve a Professional Services Agreement with JUB Engineers in the amount of $62,647.00 for services to include Right-of-Way support, Utility Relocation Phase Support, Environmental Document Preparation and Engineering Design Plan review support for the Hawthorne Quinn Traffic Signal project. Upon roll call, those voting in favor were Cheatum, Bray, Adamson, Leeuwrik and Mannan.

AGENDA ITEM NO. 15: Council was asked to accept the recommendation of Engineering staff and declare the following equipment as surplus:

SURPLUS PROPERTY
REQUEST-ENGINEERING

LEICA VIVA GPS a) Leica Viva GPS Type GS14 smart antenna—This Leica smart antenna was purchased in May 2014 and is not usable by other City Departments.

If approved, Engineering staff is requesting Council’s authorization to dispose of the item in whatever way is the most advantageous to the City. Council was also asked to authorize the Mayor’s signature on documents related to the equipment sales, subject to Legal Department review.

A motion was made by Ms. Leeuwrik, seconded by Mr. Cheatum, to accept the recommendation of Engineering staff and declare a Leica Viva GPS Type GS14 smart antenna as surplus and authorize disposal of the item in whatever way is the most advantageous to the City and authorize the Mayor’s signature on documents related to the equipment sales, subject to Legal Department review. Upon roll call, those voting in favor were Leeuwrik, Cheatum, Adamson, Bray and Mannan.

AGENDA ITEM NO. 16: Council was asked to accept the recommendation of Sanitation staff and declare the following equipment as surplus:

SURPLUS PROPERTY
REQUEST-SANITATION DEPARTMENT

TWO (2) 2010 SIDE LOAD AUTO CAR XPEDITOR a) Two (2) 2010 Side Load Auto Car Xpeditor—Sanitation has purchased two (2) new vehicles to replace these older assets, as previously approved by Council. The purchases are based on the capital improvement plan as stated in the current rate study.

If approved, Sanitation staff has requested Council’s authorization to dispose of the items in whatever way is the most advantageous to the City. Council was also asked to authorize the Mayor’s signature on documents related to the equipment sales, subject to Legal Department review.

A motion was made by Mr. Bray, seconded by Ms. Adamson, to accept the recommendation of Sanitation staff and declare two (2) 2010 Side Load Auto Car Xpeditor as surplus and authorize disposal of the items in whatever way is the most advantageous to the City and authorize the Mayor’s signature
AGENDA ITEM NO. 17: Council was asked to accept a Local Highway Safety Improvement grant in the amount of $205,000.00. Council authorized City Staff to apply for a Local Highway Safety Improvement (LHSIP) grant in the amount of $176,000.00 at the January 10, 2019 Work Session with the following conditions: If the grant was awarded, staff will ask permission to accept the grant; seek authorization for the Mayor to sign documents related to the grant, subject to Legal Department review.

The grant was awarded in the amount of $205,000.00 and staff received notification on April 24, 2019. Funding will be utilized in Fiscal Year 2021 and requires a 7.34% local match (approximately $15,047.00). The project is located along South 5th Avenue from Interstate 15 northbound off-ramp to Jason Avenue.

A motion was made by Ms. Leeuwrik, seconded by Ms. Adamson, to accept a Local Highway Safety Improvement grant in the amount of $205,000.00 and authorize the Mayor to sign documents related to the grant, subject to Legal Department review. Upon roll call, those voting in favor were Leeuwrik, Adamson, Bray, Cheatum and Mannan.

AGENDA ITEM NO. 18: Council was asked to accept the recommendations of staff and award the procurement bid for a lean-to structure at 2405 Garrett Way to West Wind Construction in the amount of $102,000.00, and if accepted, authorize the Mayor to sign the necessary documents related to the purchase. The structure will house vehicles and equipment, providing protection from inclement weather, vandalism and increased levels of service during winter operations. Funds are available in the Sanitation Department's Fiscal Year 2019 budget.

In response to a question from Council, Tom Kirkman, Deputy Public Works Director, stated that three quotes were solicited and two bids were received. The bid from West Wind Construction was the lower of the two bids received.

A motion was made by Ms. Adamson, seconded by Ms. Leeuwrik, to accept the recommendations of staff and award the procurement bid for a lean-to structure at 2405 Garrett Way to West Wind Construction in the amount of $102,000.00, and authorize the Mayor to sign the necessary documents related to the purchase. Upon roll call, those voting in favor were Adamson, Leeuwrik, Bray, Cheatum and Mannan.

AGENDA ITEM NO. 19: Lori Engelhart, Pocatello resident, shared her concerns regarding changes in the traffic pattern in the Tendoy Elementary School area. She stated due to traffic pattern changes on Alameda and the area surrounding Tendoy Elementary, drivers are now using the residential neighborhood as an alternate route. Ms. Engelhart is very concerned about the increase in traffic and the frequent speeding cars on the street.
Bill Peterson, Pocatello resident, shared his concern regarding the Animal Shelter. He feels the search for a new Shelter Director should be a high priority in order for the shelter to run effectively. Mr. Peterson added that he is concerned that the volunteer program is not accepting new volunteers.

Andy Moldenhauer, representing Pocatello Firefighters Local 187, thanked individuals who attended the Fire Union anniversary event. He announced the state fire academy for officials would be held May 18th.

Steve Landon, Pocatello resident, shared his concerns regarding increased traffic in the Tendoy area. He stated his children and grandchildren live in the area and he feels additional traffic flow controls should be added to improve the safety of the neighborhood.

Brooke Olson, Pocatello resident, stated she no longer feels that the children who live on Linda Street are safe due to the increase in traffic. She feels the traffic flow changes on Jefferson Street have led to a significant increase in traffic on the street which is not equipped to handle the volume. Ms. Olson asked the Council to consider implementation of traffic flow controls such as crosswalks, sidewalks, and other speed and traffic control devices in order to re-route traffic on the street.

AGENDA ITEM NO. 20: There being no further business, Mayor Blad adjourned the meeting at 8:42 p.m.

APPROVED BY:

BRIAN C. BLAD, MAYOR

ATTEST:

RUTH NEWSOM, CITY CLERK, C. C.

PREPARED BY:

KONNI R. KENDELL, DEPUTY CITY CLERK