

CITY OF POCATELLO, IDAHO  
CITY COUNCIL  
REGULAR CITY COUNCIL MEETING  
AUGUST 17, 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 by Mayor Brian Blad. Council members present were Rick,  
PLEDGE OF Cheatum, Linda Leeuwrik, Corey Mangum, Josh Mansfield,  
ALLEGIANCE Scott Marchand and Brent Nichols.

Mayor Blad led the audience in the pledge of allegiance.

AGENDA ITEM NO. 2: A moment of silence was offered in place of an invocation.  
INVOCATION

Mayor Blad announced that Agenda Items No. 7, No. 8 and No. 9 had been pulled from the agenda and would be considered at a future City Council meeting.

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 from the Budget meetings of May 25, June 12, June 13, and June 14, 2023; Clarification and Regular City Council meetings of July 20, 2023; and Special City Council meeting of August 3, 2023.

–MATERIAL CLAIMS (b) Consider the Material Claims for the period of August 1 through August 15, 2023 in the amount of \$1,729,982.08.

–TREASURER’S (c) Consider the Treasurer’s Report for June showing the cash and REPORT investments as of June 30, 2023 in the amount of \$102,634,959.05.

Mayor Blad noted that the July Treasurer’s Report will be considered at the September 7, 2023 City Council meeting.

–ANIMAL SHELTER (d) Confirm the Mayor’s appointment of Cassandra Cole to serve as a ADVISORY BOARD member of the Animal Shelter Advisory Board, filling a vacancy. APPOINTMENT Cassandra’s term will begin August 18, 2023 and will expire August 18, 2025.

–HUMAN (e) Confirm the reappointment of Edward Kammerer to continue RELATIONS serving as a member of the Human Relations Advisory Committee. ADVISORY Edward’s term will begin August 8, 2023 and will expire COMMITTEE August 8, 2027. REAPPOINTMENT

–OPEN CONTAINER (f) Consider a request from Historic Downtown Pocatello (mailing WAIVER REQUEST address: PO Box 222, Pocatello, ID 83204) for a waiver of the –HISTORIC open container ordinance to allow alcohol to be consumed in the 100 DOWNTOWN block of South Garfield Avenue and inside Lookout Point for Gate POCATELLO City Brewfest 2 on August 19, 2023 from 4:00 p.m. to 8:00 p.m. If the open container ordinance is waived, it should be contingent

upon the applicant meeting Police Department requirements and purchasing appropriate permits.

-2023 EDWARD  
BYRINE JUSTICE  
ASSISTANCE GRANT  
-POLICE

- (g) Approve a request regarding the 2023 Byrne Memorial Justice Assistance Grant. This is an annual allocation administered by Bannock County. There are no matching funds. If awarded, Police Department staff will use grant funds in the amount of \$23,193.00 toward the purchase of VESTA 9-1-1 Command Post. Total purchase cost will be \$25,640.62. The Police Department has been allocated \$23,193.00. The remaining balance is available in the Pocatello Police Department equipment budget.

A motion was made by Mr. Cheatum, seconded by Mr. Mangum, to approve items on the Consent Agenda. Upon roll call, those voting in favor were Cheatum, Mangum, Leeuwrik, Mansfield, Marchand 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 September 7<sup>th</sup>  
CALENDAR REVIEW Clarification meeting at 5:30 p.m.; Regular Council meeting at 6:00 p.m.; and the City Council Work Session to be held September 14<sup>th</sup> at 9:00 a.m.

Mayor Blad announced that the Annual Portneuf River cleanup will be on August 19<sup>th</sup> from 10:00 a.m. to noon. Bring work gloves and other tools to help clean the river of trash and debris. Contact the Science and Environment Division for more information; August 20<sup>th</sup> will be the last day of the season for Ross Park Aquatic Center; August 21<sup>st</sup> will be Welcome Back Orange and Black event for ISU students at Lookout Point in Historic Downtown; City offices will be closed Monday, September 4<sup>th</sup> in observance of Labor Day. However, garbage, yard waste and recycle pickups will continue on schedule. He added that the open burn ban in Wildland-Urban Interface areas continues to be effect. Mayor Blad reminded citizens that school will be starting soon; remember to slow down in school zones.

AGENDA ITEM NO. 6: Julia Morgan was present to appeal the decision of Police  
-CHILDCARE Department staff which denied Ms. Morgan a Childcare  
LICENSE DENIAL Employee license renewal.  
APPEAL  
-JULIA MORGAN

Ms. Morgan gave an overview of the circumstances that led to her Childcare License being denied. She stated that she had suffered from severe depression in the past. Ms. Morgan noted that she is seeing mental health care professionals regularly to maintain her mental health. She added that she has been employed in her current position less than a year, during which time she has been promoted.

Mallarie Bascom, Licensing Officer, reviewed the circumstances which led to Ms. Morgan's license denial and stated that she supported a decision to overturn the denial as Ms. Morgan is seeking the mental health assistance recommended and she does not feel she is a threat to children.

A motion was made by Ms. Leeuwrik, seconded by Mr. Mangum, to overturn the decision of the Pocatello Police Department staff and approve the Childcare Employee License renewal for Julia Morgan. Upon roll call, those voting in favor were Leeuwrik, Mangum, Cheatum, Mansfield, Marchand and Nichols.

AGENDA ITEM NO. 7: As announced earlier, Agenda Item No. 7, Rita Swank's appeal of her revoked Childcare Employee License was pulled from the agenda.  
-CHILDCARE  
LICENSE DENIAL  
APPEAL  
-RITA SWANK

AGENDA ITEM NO. 8: As announced earlier, Agenda Item No. 8, Kayla Fisher's appeal of her revoked Childcare Employee License was pulled from the agenda.  
-CHILDCARE  
LICENSE DENIAL  
APPEAL  
-KAYLA FISHER

AGENDA ITEM NO. 9: As announced earlier, Agenda Item No. 9, Melanie Anderson's appeal of her revoked Childcare Employee License and Childcare Business License was pulled from the agenda.  
-CHILDCARE  
LICENSE/BUSINESS  
DENIAL APPEAL  
-MELANIE  
ANDERSON

AGENDA ITEM NO. 10: Council was asked to approve changes to the following sections of the Personnel Policy Handbook. Changes were presented to the City Council at the May 25, 2023 Budget Development meeting and July 13, 2023 Work Session meeting.  
-PERSONNEL POLICY  
HANDBOOK  
AMENDMENTS

- a) Adopt a new Bereavement Leave Policy, revamping the former policy and establishing a new leave bank, allocated by request for benefit-eligible employees experiencing loss. Implementation date: August 18, 2023;
- b) Adopt revision of the Bilingual Incentive Pay Program for employees on the General, Police Management and Fire Management pay scales. The revised policy would pay employees each pay period based on their proficiency level, testing and skill level, as established by an outside vendor. Implementation date: First payroll of FY2024;
- c) Adopt revision of the Introductory Period section to allow for fiscal year steps for employees in an Introductory Period. Implementation date: August 18, 2023; and
- d) Adopt a Retirement Gift Policy, which formalizes the current practice. Funding is available within salary savings for the position being vacated. Implementation date: August 18, 2023.

A motion was made by Mr. Nichols, seconded by Mr. Mangum, to approve changes to the Personnel Policy Handbook as outlined in Agenda Item No. 10(a), No. 10(b), No. 10(c) and No. 10(d). Upon roll call, those voting in favor were Nichols, Mangum, Cheatum, Leeuwrik, Mansfield and Marchand.

AGENDA ITEM NO. 11: Council was asked to approve the submission of a grant application to the US Department of Transportation's (US DOT) Promoting Resilient Operations for Transformative, Efficient, and Cost-Saving Transportation (PROTECT) grant program. The grant would fund stormwater infrastructure at the Center Street Underpass to mitigate flood hazard events. The total project cost is \$2,030,732.60 and requires a 20% match totaling \$406,147. City

Council was asked to approve the grant application with the required match to be funded by the City, and, if awarded, authorize acceptance of the grant and authorize the Mayor's signature on all pertinent documents, subject to Legal Department review.

A motion was made by Ms. Leeuwrik, seconded by Mr. Mangum, to approve the submission of a grant application to the US Department of Transportation's (US DOT) Promoting Resilient Operations for Transformative, Efficient, and Cost-Saving Transportation (PROTECT) grant program as outlined in Agenda Item No. 11 and if awarded, authorize acceptance of the grant and authorize the Mayor's signature on all pertinent documents, subject to Legal Department review. Upon roll call, those voting in favor were Leeuwrik, Mangum, Cheatum, Mansfield, Marchand and Nichols.

AGENDA ITEM NO. 12: Council was asked to approve submission of a grant application for the Idaho Transportation Department's (ITD) Local Strategic Initiatives grant. This grant application would provide necessary funding for the expansion of Hiline Road from Flandro Drive to Pocatello Creek Road. Project cost are \$12.33 million, and grant funding awards are limited to \$10 million through ITD. City

Council may wish to approve the grant application with the additional project costs in excess of the grant award to be funded by the City. If the grant is awarded, Council may also wish to authorize acceptance of the grant and authorize the Mayor's signature on all pertinent documents, subject to Legal Department review.

In response to questions from Council, Christine Howe, Grants Manager, clarified that to cover the \$2.3 million in excess of the award, there is \$1 million available in Street Department reserves and the remaining \$1.3 million would be determined from City reserves or other available funding. She added that cost savings could be found through changes to the project scope. Ms. Howe noted that this grant is for projects that can be started within six months of being awarded and the application is time-sensitive.

A motion was made by Mr. Mangum, seconded by Mr. Mansfield, to approve submission of a grant application for the Idaho Transportation Department's Local Strategic Initiatives grant as outlined in Agenda Item No. 12 and if awarded, authorize acceptance of the grant and additional project costs in excess of the grant award to be funded by the City and authorize the Mayor's signature on all pertinent documents, subject to Legal Department review. Upon roll call, those voting in favor were Mangum, Mansfield, Cheatum, Leeuwrik, Marchand and Nichols.

AGENDA ITEM NO. 13: Council was asked to approve submission of a grant application of the Gem State Grant application to the Idaho Humanities Council in the amount of \$10,000. If awarded, Council may wish to authorize acceptance of the grant and authorize the Mayor's signature on all pertinent documents, subject to Legal Department review. This grant would be used to prepare and plan a documentary on the Triangle Historic Neighborhood.

A motion was made by Ms. Leeuwrik, seconded by Mr. Cheatum, to approve submission of the Gem State Grant application to the Idaho Humanities Council in the amount of \$10,000 and if awarded, authorize acceptance of the grant and authorize the Mayor's signature on all pertinent documents, subject to Legal Department review. Upon roll call, those voting in favor were Leeuwrik, Cheatum, Mangum, Mansfield, Marchand and Nichols.

AGENDA ITEM NO. 14: Council was asked to declare the following vehicles as surplus property and authorize the Mayor's signature on all applicable documents pertaining to the sale and disposal in accordance with City policy, and subject to Legal Department review.

- a) Parks and Recreation Department – 2003 Chevrolet Tahoe;
- b) Police Department - 2012 Toyota Camry. Estimated trade-in value: \$10,000; and
- c) Police Department – 2013 Toyota Camry. Estimated trade-in value: \$10,000.

The declaration would aid in the City's right-sizing efforts for all vehicles.

A motion was made by Leeuwrik, seconded by Mr. Mangum, to declare the vehicles as listed in Agenda Item No. 14(a), No. 14(b) and No. 14(c) as surplus property and authorize the Mayor's signature on all applicable documents pertaining to the sale and disposal in accordance with City policy, and subject to Legal Department review. Upon roll call, those voting in favor were Leeuwrik, Mangum, Cheatum, Mansfield, Marchand and Nichols.

AGENDA ITEM NO. 15: Council was asked to accept the recommendations of staff and approve the piggyback contract of NPPGov's co-op contract via Vortex International for the procurement of the splash pad for equipment for the OK Ward Park Splash Pad Project and authorize the Mayor's signature on all applicable documents, subject to Legal Department review. This purchase is a portion of the total anticipated project, funded by an Idaho Central Credit Union donation.

A motion was made by Mr. Mangum, seconded by Mr. Cheatum, to accept the recommendations of staff and approve the piggyback contract of NPPGov's co-op contract via Vortex International for the procurement of the splash pad equipment for the OK Ward Park Splash Pad Project and authorize the Mayor's signature on all applicable documents, subject to Legal Department review. Upon roll call, those voting in favor were Mangum, Cheatum, Leeuwrik, Mansfield, Marchand and Nichols.

AGENDA ITEM NO. 16: Council was asked to accept the recommendation of staff and approve the piggyback contract of the City of Boise's co-op contract via Mountain Home Auto Ranch for the purchase of two (2) half-ton Chevrolet Silverado work trucks and authorize the Mayor's signature on all applicable documents, subject to Legal Department review. Purchase costs have been budgeted for in the Water Department's FY2023 budget per the rate study.

-PIGGYBACK OF  
CITY OF BOISE BID  
CONTRACT FOR WORK  
TRUCK PURCHASE  
-WATER DEPARTMENT

A motion was made by Mr. Mansfield, seconded by Mr. Cheatum, to accept the recommendation of staff and approve the piggyback contract of the City of Boise's co-op contract via Mountain Home Auto Ranch for the purchase of two (2) half-ton Chevrolet Silverado work trucks and authorize the Mayor's signature on all applicable documents, subject to Legal Department review. Upon roll call, those voting in favor were Mansfield, Cheatum, Leeuwrik, Mangum, Marchand and Nichols.

AGENDA ITEM NO. 17: Council was asked to accept the recommendation of staff and approve the piggyback contract of the City of Boise's co-op contract via Mountain Home Auto Ranch for the purchase of one (1) half-ton Chevrolet Silverado work truck and authorize the Mayor's signature on all applicable documents, subject to Legal Department review. Purchase costs have been budgeted for in the Utility Billing Department FY2023 budget.

-PIGGYBACK OF  
CITY OF BOISE'S BID  
CONTRACT FOR WORK  
TRUCK PURCHASE  
-UTILITY BILLING  
DEPARTMENT

Tom Kirkham, Deputy Public Works Director, clarified that the Utility Billing Department will only be purchasing one (1) half-ton Chevrolet Silverado as they were able to locate and purchase one (1) vehicle already.

A motion was made by Mr. Mangum, seconded by Ms. Leeuwrik, to accept the recommendation of staff and approve the piggyback contract of the City of Boise's co-op contract via Mountain Home Auto Ranch for the purchase of one (1) half-ton Chevrolet Silverado work truck and authorize the Mayor's signature on all applicable documents, subject to Legal Department review. Upon roll call, those voting in favor were Mangum, Leeuwrik, Cheatum, Mansfield, Marchand and Nichols.

AGENDA ITEM NO. 18: Council was asked to accept the recommendations of staff and award the quote for the purchase of two (2) Ford F-150 Supercrew XLT trucks to Bancorp, Inc. and authorize the Mayor's signature on all applicable documents, subject to Legal Department review. Purchase costs have been budgeted for in the Police Department's FY2023 budget.

-PURCHASE OF  
POLICE VEHICLES  
-POLICE DEPARTMENT

A motion was made by Mr. Mangum, seconded by Mr. Marchand, to accept the recommendations of staff and award the quote for the purchase of two (2) Ford F-150 Supercrew XLT trucks to Bancorp, Inc. and authorize the Mayor's signature on all applicable documents, subject to Legal Department review. Upon roll call, those voting in favor were Mangum, Marchand, Cheatum, Leeuwrik, Mansfield and Nichols.

AGENDA ITEM NO. 19: Council was asked to consider the recommendations of staff for the following requests regarding the Marshall Public Library Elevator Modernization Project:  
-BID ACCEPTANCE/  
CONTRACT  
-MARSHALL PUBLIC  
LIBRARY ELEVATOR  
MODERNIZATION  
PROJECT

- a) Accept the only responsive bid received from TK Elevator, for the total bid amount of \$103,769.81; and if the bid is accepted
- b) Authorize the Mayor's signature on an agreement between the City of Pocatello and TK Elevator in the amount of \$103,769.81 for the Marshall Public Library Elevator Modernization Project, subject to Legal Department review.

Funding for the project has been previously approved by Council.

A motion was made by Ms. Leeuwrik to approve Agenda Item No. 19(a) and 19(b) as outlined. Motion failed for lack of second.

In response to questions from Council, Eric Suess, Library Director, stated that three bid inquiries were received and one bid was received.

In response to questions from Council, Tom Kirkham, Deputy Public Works Director, stated that the City could renegotiate the contract wording if needed. He noted that the markets are volatile from suppliers especially with electronics, and it is hard to get a price guarantee for more than 15 days.

Council discussed concerns with the contract wording, changes that they would like within the contract and the importance of repairing the elevator at the Library.

Jared Johnson, City Attorney, explained it is not abnormal to see this wording within contracts since COVID as vendors experience supply chain difficulties.

A motion was made by Ms. Leeuwrik, seconded by Mr. Mansfield, to direct staff to renegotiate the contract with TK Elevator and bring it back to Council. Upon roll call, those voting in favor were Leeuwrik, Mansfield, Cheatum, Mangum, Marchand and Nichols.

AGENDA ITEM NO. 20: Council was asked to accept the recommendation of staff for the following requests regarding the Water Pollution Control (WPC) Operations Building Project:  
-WPC OPERATIONS  
BUILDING PROJECT  
CONTRACT AND  
PROFESSIONAL  
SERVICES  
AGREEMENT  
AMENDMENT

- a) Accept the low responsive bid and award the bid for construction of the WPC Operations Building project to Construction Solutions Company in the amount of \$3,363,990.00; and
- b) Approve Amendment #5 to the WPCF Package #1 Improvements Professional Services Agreement with Keller

Associates in the amount of \$246,010.00 and authorize the Mayor's signature on all applicable documents, including Change Orders up to five (5) percent of the project total, subject to Legal Department review.

A motion was made by Ms. Leeuwrik, seconded by Mr. Cheatum, to accept the low responsive bid and award the bid for construction of the WPC Operations Building project to Construction Solutions Company in the amount of \$3,363,990.00; and approve Amendment #5 to the WPCF Package #1 Improvements Professional Services Agreement with Keller Associates in the amount of \$246,010.00 and authorize the Mayor's signature on all applicable documents, including Change Orders up to five (5) percent of the project total, subject to Legal Department review. Upon roll call, those voting in favor were Leeuwrik, Cheatum, Mangum, Mansfield, Marchand and Nichols.

AGENDA ITEM NO. 21: Council was asked to approve a minimum revenue guarantee with  
-AIRPORT REVENUE Delta Airlines of up to \$500,000 for the period of September 5,  
GUARANTEE 2023 through March 5, 2024, for twice daily service between  
AGREEMENT Pocatello and Salt Lake City and authorize the Mayor's signature  
on all pertinent documents, subject to Legal Department review.

In response to questions from Council, Alan Evans, Airport Manager, clarified that the Skywest agreement will be canceled and Skywest will be flying this route for Delta. He noted that the minimum agreement is for 6 months and they are trying to get the flights to an 80% load factor. Mr. Evans added that it is a more comfortable aircraft to fly in with reasonable airfares.

Council discussed the importance of keeping local air service and encouraged the public to use the airport service.

A motion was made by Mr. Mansfield, seconded by Mr. Mangum, to approve a minimum revenue guarantee with Delta Airlines of up to \$500,000 for the period of September 5, 2023 through March 5, 2024, for twice daily service between Pocatello and Salt Lake City and authorize the Mayor's signature on all pertinent documents, subject to Legal Department review. Upon roll call, those voting in favor were Mansfield, Mangum, Cheatum, Leeuwrik, Marchand and Nichols.

AGENDA ITEM NO. 22: Council was asked to adopt a Resolution with exhibits (a) through  
-FISCAL YEAR 2024 (y) setting fees for Fiscal Year 2024 (October 1, 2023 through  
DEPARTMENT FEE September 30, 2024). The exhibits are:  
RESOLUTION

- a) POCATELLO REGIONAL AIRPORT FEES
- b) ALCOHOLIC BEVERAGE LICENSES FEES
- c) ANIMAL SERVICES FEES
- d) BUSINESS LICENSE FEES
- e) CEMETERY FEES
- f) CHILDREN GROUP TREATMENT CENTER FEES
- g) FEES FOR COMMERCIAL ACTIVITIES IN PARKS AND OTHER PUBLIC PLACES



- h) CONSTRUCTION TRADE FEES
- i) CHILD CARE LICENSE FEES
- j) DEVELOPMENT REIMBURSEMENT FEES
- k) ENGINEERING REVIEW SERVICE FEES
- l) FIRE DEPARTMENT FEES
- m) GEOGRAPHICAL INFORMATION SERVICE FEE
- n) PARKS AND RECREATION PROGRAM, RENTAL AND ADMISSION FEES FOR PARKS AND RECREATION ACTIVITIES
- o) PARKS AND RECREATION FACILITY USE FEES
- p) PLANNING AND DEVELOPMENT SERVICE FEES
- q) POLICE DEPARTMENT FEES
- r) PUBLIC RECORD FEES
- s) SANITATION DEPARTMENT FEES
- t) EROSION AND SEDIMENT CONTROL (ESC) FEES
- u) POCATELLO REGIONAL TRANSIT SYSTEM FEES
- v) UTILITY BILLING DEPARTMENT FEES
- w) WATER DEPARTMENT FEES
- x) WATER POLLUTION CONTROL DEPARTMENT FEES
- y) ZOO IDAHO PROGRAM, RENTAL AND ADMISSION FEES

A motion was made by Mr. Mangum, seconded by Ms. Leeuwrik, to adopt a Resolution (2023-21) with exhibits (a) through (y) setting fees for Fiscal Year 2024 (October 1, 2023 through September 30, 2024). Upon roll call, those voting in favor were Mangum, Leeuwrik, Cheatum, Mansfield, Marchand and Nichols.

AGENDA ITEM NO. 23: Council was asked to consider the following ordinances:  
ORDINANCES

- (a) Adopt an ordinance vacating and abandoning the public's interest in approximately .34 acres of right-of-way located at 1620 Sunset Road and distributing said vacated land to the adjoining property owner, Evelyn M. Richmond. Said vacation was approved by City

Council Decision dated August 3, 2023 and all conditions therein have been met.

A motion was made by Mr. Mansfield, seconded by Mr. Cheatum, that the ordinance, Agenda Item No. 23(a), be read only by title and placed on final passage for publication. Upon roll call, those voting in favor were Mansfield, Cheatum, Leeuwrik, Mangum, Marchand and Nichols.

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

Mayor Blad declared the final reading of the ordinance vacating and abandoning the public's interest in approximately .34 acres of right-of-way located at 1620 Sunset Road and distributing said vacated land to the adjoining property owner, Evelyn M. Richmond. Said vacation was approved by City Council Decision dated August 3, 2023 and all conditions therein have been met. Mayor Blad asked, "Shall the ordinance pass?" Upon roll call, those voting in favor were Cheatum, Leeuwrik, Magnum, Mansfield, Marchand and Nichols. Mayor Blad declared the ordinance and summary sheet passed, that it be numbered 3123 and be submitted to the Idaho State Journal for publication.

-AMENDING POCATELLO MUNICIPAL CODE TITLE 5 CHAPTER 28.210	(b) Adopt an ordinance amending Pocatello Municipal Code Title 5 Chapter 28.210 "Basis for Denial, Suspension, or Revocation" to expand the type of licensing required by a psychologist for evaluating an applicant with mental health disorders.
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A motion was made by Mr. Cheatum, seconded by Mr. Mansfield, that the ordinance, Agenda Item No. 23(b), be read only by title and placed on final passage for publication. Upon roll call, those voting in favor were Cheatum, Mansfield, Leeuwrik, Mangum, Marchand and Nichols.

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

Mayor Blad declared the final reading of the ordinance amending Pocatello Municipal Code Title 5 Chapter 28.210 "Basis for Denial, Suspension, or Revocation" to expand the type of licensing required by a psychologist for evaluating an applicant with mental health disorders. Mayor Blad asked, "Shall the ordinance pass?" Upon roll call, those voting in favor were Cheatum, Leeuwrik, Magnum, Mansfield, Marchand and Nichols. Mayor Blad declared the ordinance and summary sheet passed, that it be numbered 3124 and be submitted to the Idaho State Journal for publication.

-AMENDING POCATELLO MUNICIPAL CODE TITLE 13 CHAPTERS 20.030; 20.135; AND 20.180	(c) Adopt an ordinance amending Pocatello Municipal Code Title 13 Chapters 20.030 "Wastewater Discharge Permit Application", 20.125 "Signatory and Certification Requirement", 20.135 "Wastewater Discharge Permit Contents", and 20.180 "Periodic Compliance Report" based on findings of an audit conducted by the Department of Environmental Quality.
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In response to a question from Council, Levi Adams, Water Pollution Control Director, clarified that this is to make the language match the State code.

A motion was made by Mr. Mansfield, seconded by Mr. Mangum, that the ordinance, Agenda Item No. 23(c), be read only by title and placed on final passage for publication. Upon roll call, those voting in favor were Mansfield, Mangum, Cheatum, Leeuwrik, Marchand and Nichols.

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

Mayor Blad declared the final reading of the ordinance amending Pocatello Municipal Code Title 13 Chapters 20.030 "Wastewater Discharge Permit Application", 20.125 "Signatory and Certification Requirement", 20.135 "Wastewater Discharge Permit Contents", and 20.180 "Periodic Compliance Report" based on findings of an audit conducted by the Department of Environmental Quality. Mayor Blad asked, "Shall the ordinance pass?" Upon roll call, those voting in favor were Cheatum, Leeuwrik, Magnum, Mansfield, Marchand and Nichols. Mayor Blad declared the ordinance and summary sheet passed, that it be numbered 3125 and be submitted to the Idaho State Journal for publication.

–AMENDING (d) Adopt an ordinance amending Pocatello Municipal Code Title 2  
POCATELLO Chapter 2.06.050 "Compensation of Mayor and Council  
MUNICIPAL CODE Members" to update compensation and provide clarity to existing  
TITLE 2 CHAPTER benefits for City Council members.  
20.06.050 COUNCIL  
COMPENSATION

A motion was made by Mr. Mansfield, seconded by Mr. Mangum, that the ordinance, Agenda Item No. 23(d), be read only by title and placed on final passage for publication. Upon roll call, those voting in favor were Mansfield, Mangum and Leeuwrik. Voting in opposition were Cheatum, Marchand and Nichols.

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

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

Council discussed their concerns with the Ordinance.

Mayor Blad declared the final reading of the ordinance amending Pocatello Municipal Code Title 2 Chapter 2.06.050 "Compensation of Mayor and Council Members" to update compensation and provide clarity to existing benefits for City Council members. Mayor Blad asked, "Shall the ordinance pass?" Upon roll call, those voting in favor were Leeuwrik, Magnum and Mansfield. Voting in opposition were Cheatum, Marchand and Nichols.

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

Mayor Blad declared the ordinance and summary sheet passed, that it be numbered 3126 and be submitted to the Idaho State Journal for publication.

This item was revisited and the advisement of the City Attorney.

–AMENDING (e) Adopt an ordinance amending Pocatello Municipal Code Title 2  
POCATELLO Chapter 2.06.050 "Compensation of Mayor and Council  
MUNICIPAL CODE Members" to update compensation and provide clarity to existing  
TITLE 2 CHAPTER benefits for Mayor.  
2.06.050 MAYOR  
COMPENSATION

A motion was made by Mr. Cheatum, seconded by Mr. Mangum, that the ordinance, Agenda Item No. 23(e), be read only by title and placed on final passage for publication. Upon roll call, those voting in favor were Cheatum, Mangum, Leeuwrik, Mansfield, Marchand and Nichols.

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

Mayor Blad declared the final reading of the ordinance amending Pocatello Municipal Code Title 2 Chapter 2.06.050 "Compensation of Mayor and Council Members" to update compensation and provide clarity to existing benefits for Mayor. Mayor Blad asked, "Shall the ordinance pass?" Upon roll call, those voting in favor were Cheatum, Leeuwrik, Mangum, Mansfield, Marchand and Nichols. Mayor Blad declared the ordinance and summary sheet passed, that it be numbered 3127 and be submitted to the Idaho State Journal for publication.

–APPROVING (f) Adopt an ordinance approving the Fiscal Year 2024 Appropriation  
FISCAL YEAR 2024 Ordinance.  
APPROPRIATION

A motion was made by Mr. Cheatum, seconded by Ms. Leeuwrik, that the ordinance, Agenda Item No. 23(f), 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, Leeuwrik, Mangum, Mansfield, Marchand and Nichols.

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

Mayor Blad declared the final reading of the ordinance approving the Fiscal Year 2024 Appropriation Ordinance. Mayor Blad asked, "Shall the ordinance pass?" Upon roll call, those voting in favor were Cheatum, Leeuwrik, Mangum, Mansfield, Marchand and Nichols. Mayor Blad declared the ordinance passed, that it be numbered 3128 and that the whole ordinance be submitted to the Idaho State Journal for publication.

At this time Jared Johnson, City Attorney, stated that the motion made on Agenda Item No. 23(d) was invalid due to the requirement for one reading under the rules suspension. He clarified that before the ordinance can be read under the suspension of the rule, the Council must pass said motion by a vote of one-half plus one (4) of the full Council. The Mayor cannot break a tie in this instance.

A motion was made by Mr. Cheatum, seconded by Mr. Mansfield, to reconsider of Agenda Item No. 23(d). Upon roll call, those voting in favor were Cheatum, Mansfield, Leeuwrik, Mangum, Marchand and Nichols.

AGENDA ITEM NO. 23(d) Adopt an ordinance amending Pocatello Municipal Code Title 2  
–AMENDING Chapter 2.06.050 "Compensation of Mayor and Council  
POCATELLO Members" to update compensation and provide clarity to existing  
MUNICIPAL CODE benefits for City Council members.  
TITLE 2 CHAPTER  
20.06.050 COUNCIL  
COMPENSATION

A motion was made by Mr. Mansfield, seconded by Ms. Leeuwrik, that the ordinance, Agenda Item No. 23(d), be read only by title and placed on final passage for publication. Upon roll call, those voting in favor were Mansfield, Leeuwrik, Mangum and Nichols. Those voting in opposition were Cheatum and Marchand. The motion passed.

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

Mayor Blad declared the final reading of the ordinance amending Pocatello Municipal Code Title 2 Chapter 2.06.050 "Compensation of Mayor and Council Members" to update compensation and provide clarity to existing benefits for City Council members. Mayor Blad asked, "Shall the ordinance pass?" Upon roll call, those voting in favor were Leeuwrik, Magnum and Mansfield. Voting in opposition were Cheatum, Marchand and Nichols.

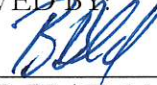
Due to a tie vote, Mayor Blad was required to cast the deciding vote. He voted in favor of the motion. The motion passed.

Mayor Blad declared the ordinance and summary sheet passed, that it be numbered 3126 and be submitted to the Idaho State Journal for publication.

Mayor Blad thanked the Council and staff for all the work they had put into building the FY2024 budget.

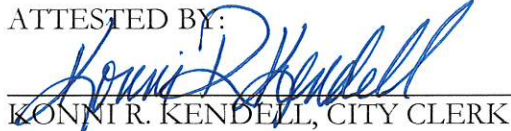
AGENDA ITEM NO. 24: There being no further business, Mayor Blad adjourned the  
ADJOURN meeting at 7:33 p.m.

APPROVED BY:



\_\_\_\_\_  
BRIAN C. BLAD, MAYOR

ATTESTED BY:

  
\_\_\_\_\_  
KONNI R. KENDELL, CITY CLERK

PREPARED BY:

  
\_\_\_\_\_  
WENDY A. PRATHER, DEPUTY CITY CLERK