

CITY OF POCA TELLO, IDAHO
CITY COUNCIL
REGULAR CITY COUNCIL MEETING
AUGUST 6, 2020

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 Heidi
PLEDGE OF Adamson, Roger Bray, Rick Cheatum, Linda Leeuwrik, Claudia
ALLEGIANCE Ortega and Chris Stevens.

Mayor Blad led the pledge of allegiance.

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

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

-MINUTES (a) Waive the oral reading of the minutes and approve the minutes
of the Budget Development meetings of June 18, 2020 and July 2,
2020; the Work Session of July 9, 2020; the Clarification meetings and Regular Council meetings of July 2,
2020 and July 16, 2020; and the Special City Council meeting of July 16, 2020.

-PAYROLL AND (b) Consider the payroll and material claims for the month of
MATERIAL CLAIMS July, 2020 in the amount of \$7,562,184.80.

-PARKS AND (c) Confirm the Mayor's appointment of Tonya Wilkes to serve as a
RECREATION member of the Parks and Recreation Advisory Board, as the
ADVISORY BOARD Pocatello/Chubbuck School District representative. Ms. Wilkes'
APPOINTMENT term will begin August 19, 2020 and will expire August 19, 2022.

-POCA TELLO (d) Confirm the Mayor's appointment of Barry Everett, Jr. to serve as a
REGIONAL AIRPORT member of the Pocatello Airport Commission, replacing Rhonda
COMMISSION Naftz whose term expired. Mr. Everett's term will begin August 18,
APPOINTMENT 2020 and will expire August 18, 2022.

-2020 BYRNE GRANT (e) Approve submission of a reoccurring grant that has been approved
-POLICE over the last several years. There are no matching funds. If
awarded, Police Department staff will use grant funds in the amount
of \$20,077.80 toward the purchase of ten (10) Stalker Dual SL (Radar Units) costing \$2,220.00 each on a
state of Idaho bid. Total purchase cost will be \$22,200.00. The remaining balance of \$2,122.20 is
available in the Pocatello Police Department equipment budget.

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

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

AGENDA ITEM NO. 5 Mayor Blad reminded the Council members of the August 13th
CALENDAR REVIEW City Council Work Session at 9:00 a.m.; and the following meetings
to be held August 20th: City Council Liaison/Work Session
Clarification meeting at 2:00 p.m.; Clarification meeting at 5:30 p.m. and the Regular City Council
meeting at 6:00 p.m.

Mayor Blad announced the Joint Jaunt Fun Run, sponsored by Portneuf Total Joint Center, would be held August 8th. Contact Community Recreation Center for more information; Open burn ban in Wildland-Urban Interface areas is in place through October 1st; and he reminded residents of the following guidelines: Citizens are required to wear face coverings when entering any City of Pocatello building or facility or while riding in public transportation buses; Citizens participating in City of Pocatello sponsored programs/activities in outdoor spaces, face coverings are required to be worn when 6 feet of physical distancing cannot be maintained; and individuals in one of the City swimming pools or in the lazy river are exempt from wearing face coverings.

AGENDA ITEM NO. 6: Sierra Calix-Thomsen was present to appeal the decision of the
CHILD CARE LICENSE Pocatello Police Department staff which denied Ms. Calix-Thomsen
DENIAL APPEAL a Child Care License.
-CALIX-THOMSEN

Jene Purman, Licensing Officer, gave an overview of the events which prompted denial of a Child Care License for Sierra Calix-Thomsen. She stated that Ms. Calix-Thomsen has admitted to using heroin on three occasions during July 2018, June 2018 and April 2018. Ms. Purman added that Ms. Calix-Thomsen also admitted to using marijuana in March 2018. She stated that admission of drug use is cause for Child Care License denial by the Pocatello Police Department. Ms. Purman added that information was received through police reports and that according to City Code, a prior 10-year time period is considered during the Child Care License application process.

Sierra Calix-Thomsen stated that she has been in recovery for two years through a medication and counseling program which she admitted herself to. She feels she has a good support system with close family members who are also in recovery.

Donovan Passey, representing ABC Kid City Daycare, stated he and his wife are owners of the daycare and have known Ms. Calix-Thomsen for 10 years. He added that he is aware of her past drug use and trusts her with his children and the children at the daycare. Mr. Passey stated that Ms. Calix-Thomsen would be under supervision at the daycare, if a Child Care License is obtained.

A motion was made by Mr. Cheatum, seconded by Ms. Adamson, to deny the appeal and uphold the decision of the Police Department which denied Sierra Calix-Thomsen a child care license.

Mrs. Ortega stated she is hesitant to judge someone for something done years ago and feels Ms. Calix-Thomsen is trying to better herself and obtain employment.

In response to questions from Council, Ms. Purman stated that the Council has granted child care license exceptions in the past on the condition that drug testing be completed by the applicant. She added that effectiveness of those exceptions are not available, as the previous applicants quit working in the child care business.

A substitute motion was made by Mrs. Ortega, seconded by Ms. Stevens, to grant a child care license to Sierra Calix-Thomsen with the following conditions: 1) Ms. Calix-Thomsen must submit to monthly drug testing for six (6) months; 2) Ms. Calix-Thomsen must submit to drug testing every other month

for the following six (6) months; 3) Ms. Calix-Thomsen must submit to drug testing every three (3) months thereafter and that she must be free from violations pertaining to child care code and that drug testing will be at the expense of Ms. Calix-Thomsen and her employer.

Council members encouraged Ms. Calix-Thomsen to continue her recovery.

Mrs. Ortega's substitute motion was voted upon at this time. Upon roll call, those voting in favor were Ortega, Stevens and Bray. Those voting in opposition to the motion were Adamson, Cheatum and Leeuwrik.

Due to a tie in voting, Mayor Blad was required to cast the deciding vote.

Mayor Blad voted in opposition to the motion. The motion failed.

Mr. Cheatum's motion was voted upon at this time. Upon roll call, those voting in favor were Cheatum, Leeuwrik, Adamson and Bray. Ortega and Stevens voted in opposition to the motion. The motion passed.

AGENDA ITEM NO. 7: Council was asked to consider a request from The Yellowstone
OPEN CONTAINER Restaurant (mailing address: 230 West Bonneville, Pocatello, ID
WAIVER REQUEST 83204) represented by Jen and Rory Erchul, and Mike McCormick,
-ERCHUL MEMORIAL for a waiver of the open container ordinance to allow alcohol to be
SERVICE consumed in the street adjacent to their business on August 15, 2020
from 11:00 a.m. to 6:00 p.m. for a memorial service.

A Block Party Permit request has been submitted to the Street Department for the temporary closure of the City street. Security will be provided by employees of The Yellowstone Restaurant and street closure equipment is being provided by Old Town Pocatello, Inc.

A motion was made by Mr. Cheatum, seconded by Ms. Leeuwrik, to approve a request from The Yellowstone Restaurant, represented by Jen and Rory Erchul and Mike McCormick, for a waiver of the open container ordinance to allow alcohol to be consumed in the street adjacent to their business on August 15, 2020 from 11:00 a.m. to 6:00 p.m. for a memorial service and that a Block Party Permit has been submitted to the Street Department for the temporary closure of the City Street and that security will be provided by employees of The Yellowstone Restaurant and street closure equipment is being provided by Old Town Pocatello, Inc.

In response to a question from Council, Jen Erchul stated that the memorial event is for Rick Erchul, who was killed in a motorcycle accident in Island Park. She stated that he was a long-time resident of Pocatello and the outside venue would allow for social distancing during a memorial service in his honor.

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

AGENDA ITEM NO. 8: This time was set aside for the Council to receive public comments
PUBLIC HEARING on the proposed Fiscal Year 2021 City Budget.
-PROPOSED FISCAL
YEAR 2021 BUDGET

Mayor Blad opened the public hearing.

Ashley Welsh, Chief Financial Officer, stated that the public hearing was for the purpose of inviting public comment on the Fiscal Year 2021 proposed budget which begins October 1, 2020. She gave introductory comments outlining the budget creation process, which included multiple meetings open to the public. Ms. Welsh noted that the City is awaiting final Bannock County valuation numbers which will be reviewed and discussed by the City Council at the August 13, 2020 Work Session. She apologized for an error which was published and thanked the citizens who brought the error to the attention of the City in a timely manner. Ms. Welsh thanked the Mayor, Council and City staff for their assistance and hard work in preparing the proposed budget that addresses employee compensation, staffing needs and the necessary operating and capital needs for the services provided to citizens.

Mayor Blad announced no additional written correspondence had been received regarding the proposed Fiscal Year 2021 budget.

Mr. Bray expressed his concern regarding the published budget and the amounts used during the budget process. He feels the published amounts were not consistent with the amounts agreed upon by the Council. Mr. Bray asked City Attorney, Jared Johnson, to comment on the legality of the published budget.

Jared Johnson, City Attorney, stated that the budget is developed with estimated values for property taxes and revenue. He added that the final decision regarding the budget will be when the Council is asked to adopt the Budget ordinance. Mr. Johnson clarified that all required budget publication criteria were met.

In response to questions from Council, Ms. Welsh stated that it is proposed to have the City of Pocatello pay for one additional firefighter position and that two other firefighter positions are to be paid by Bannock County Ambulance. She clarified that funding for REDI participation is listed under "contributions", and is not listed as "economic development."

Mayor Blad clarified that the published amounts are estimated, as final numbers from Bannock County were not received in time to meet the required publication deadlines. He added that the figures received from the County were lower than expected and Finance staff will contact the County for clarification and reevaluation.

Ms. Stevens stated that she felt she was voting on a budget which would return funds back to the taxpayer. She expressed that she felt there was no communication between Council members and City staff regarding publication of the budget which included an error and publication of the corrected budget.

Mrs. Ortega stated she feels the Attorney General should be contacted regarding the legality of the published budget. She feels Council members were not given necessary information or updates on the corrected budget.

Ms. Leeuwrik stated that the Council works with estimated figures in order to develop a budget within the deadlines set by the State of Idaho. She added that she understands that changes are made during the budgeting process as exact numbers are not available and educated estimations are used.

In response to a question from Council, Ms. Welsh stated that an interfund error had been corrected.

She added that Bannock County is working with the State Tax Commission to produce accurate figures for cities.

Lydia Noble, Pocatello resident, spoke in opposition to the proposal. She feels other cities are able to operate with fewer employees and a smaller budget. Ms. Noble volunteered to donate her time to the City, if necessary.

Heather Disselkoe, Pocatello resident, spoke in opposition to the proposal. She stated she is opposed to an employee increase and any employee incentives. Ms. Disselkoe feels a proposed decrease in spending was not accomplished.

Mark Disselkoe, Pocatello resident, spoke in opposition to the proposed budget. He stated he is opposed to employee incentives and feels the Health Joy app will not bring about long-term change.

Ms. Welsh addressed citizen's concerns regarding budget reductions, payroll and department fee increases. She stated that a comparison between cities regarding staffing issues could be addressed by the Human Resources Department.

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 13, 2020 at 9:00 a.m. will include an agenda item allowing Council an opportunity to receive further clarification from City staff on items related to the budget and that the final budget ordinance is scheduled for Council's consideration on August 20, 2020.

Mayor Blad called a recess at 7:51 p.m.

Mayor Blad reconvened the meeting at 8:02 p.m.

AGENDA ITEM NO. 9: This time was set aside for the Council to receive public comments
PUBLIC HEARING on proposed fee changes proposed for Fiscal Year 2021.
-PROPOSED FISCAL
YEAR 2021 FEE
CHANGES

Mayor Blad opened the public hearing.

Ashley Welsh, Chief Financial Officer, gave an overview of the proposed fee changes for Fiscal Year 2021. She explained that proposed fee increases are an effort to recover the costs of providing services through fees assessed rather than tax increases. Ms. Welsh stated that tax supported services require a higher cost of recovery, and fees can periodically be adjusted for inflation to protect the general taxpayer from an unfair burden. She noted that during the budget development process this year, departments reviewed the cost of services to evaluate whether an increase in the program fees would be required to meet the cost of recovery for the service. Ms. Linton-Welsh reported that utilities, sanitation, water and water pollution control services are fully fee supported with no tax dollars involved. She stated that utility fees are reviewed by an outside consultant and designed to recover costs of providing the service to meet both operational demands and capital needs, and the proposed fee increases related to sanitation, water and water pollution control are based on the Rate Study plan established during the Rate Study in Fiscal Year 2019.

Mayor Blad announced no written correspondence had been received regarding the proposed fee changes for Fiscal Year 2021.

In response to a question from Council, Jared Johnson, City Attorney, stated that an agreement was reached in 2015 whereby Great Western Malting would expand their facility in exchange for reduced utility rates from the City of Pocatello. He added that the Council considers this each year as part of the fee resolution.

Mr. Bray stated that he feels the City is losing revenue through reduced fees for Great Western Malting. He feels the Council should discuss the issue on an annual basis.

Mayor Blad added that the discount enabled Great Western to expand their facility and create jobs within the community.

In response to a question from Council, Jeff Mansfield, Public Works Director, stated that significant industries, such as Amy's Kitchen and Great Western Malting, are billed through Water Pollution Control (WPC).

Mr. Cheatum added that the expansion of Great Western Malting resulted in 10 additional jobs at the facility and 59 "spin off" jobs, which are jobs associated with the expansion such as trucking and construction.

There being no public comments, Mayor Blad closed the public hearing and announced that a Work Session to be held on August 13, 2020 at 9:00 a.m. will include an agenda item allowing Council an opportunity to receive further clarification from City staff on items related to the budget and that the final Fee Resolution is scheduled for Council's consideration on August 20, 2020.

AGENDA ITEM NO. 10: Council was asked to consider the following requests related to City CONTRACTS FOR Employee benefits as discussed in the May 28, 2020 Budget CITY EMPLOYEE Development meeting, and approve the Mayor's signature on BENEFITS documents related to the requests, subject to Legal Department -HUMAN RESOURCES review:

HEALTH JOY APP a) Health Joy App contract of \$6.50 per employee per month. The Health Joy App has been budgeted in the Fiscal Year 2021 Budget and will be paid by department based on headcount. Cost is paid by City and employee at the same premium as medical enrollment. This premium will be built into the Fiscal Year 2021 medical cost sheet;

BLOMQUIST-HALE b) Blomquist-Hale contract for \$19.00 per sworn officer, dispatcher and evidence technician for an enhanced Employee Assistance Program. Funds for the Blomquist-Hale contract has been budgeted in the Fiscal Year 2021 Budget from Police line item 001-1000-421; and

ONE BRIDGE c) One Bridge contract for the Employee Cafeteria Plan (Health Care FSA and Dependent Care FSA). The \$250.00 annual cost will be paid out of Human Resources line item 001-0700-416-61.99. The per-employee per month cost for enrollment is \$3.00. Account fees will be paid by enrolling employee's department (based on enrollment). The Fiscal Year 2020 provider, Wage Works, will continue until December 31, 2020.

In response to a question from Council, Heather Buchanan, Human Resources Director, stated that the Health Joy App is not connected to any employee incentives. She explained that the app has been recommended by the benefits broker in order to obtain utilization numbers. Ms. Buchanan added that

the proactive step may reduce overall healthcare costs and that other cities who have offered the app to employees have seen positive results.

A motion was made by Mrs. Ortega, seconded by Mr. Bray, to approve requests related to City Employee benefits as discussed in the May 28, 2020 Budget Development meeting and outlined in Agenda Item No. 10(a) through 10(c) and approve the Mayor's signature on documents related to the requests, subject to Legal Department review. Upon roll call, those voting in favor were Ortega, Bray, Adamson, Cheatum, Leeuwrik and Stevens.

AGENDA ITEM NO. 11: Council was asked to approve the following Memorandum of MOU
AMENDMENT Understanding (MOU) requests:
AND EXTENSION
REQUESTS-POCATELLO
POLICE UNION

MOU AMENDMENT a) MOU amending the August 16, 2019 Collective Bargaining Agreement with the Fraternal Order of Police, Portneuf Valley Fraternal Order of Police, Local Lodge 13, modifying Article 7, Section 8 – Physical Fitness Incentive, Article 7, Section 19 – Physical Training and Recreation, and Article 15 – Employee Assistance Program;

MOU EXTENSION b) MOU extending the terms of the August 16, 2019 Collective Bargaining Agreement including those identified in the above referenced MOU.

A motion was made by Mr. Cheatum, seconded by Ms. Stevens, to approve the Memorandum of Understanding (MOU) requests as outlined in Agenda Item No. 11(a) and 11(b). Upon roll call, those voting in favor were Cheatum, Stevens, Adamson, Bray, Leeuwrik and Ortega.

AGENDA ITEM NO. 12: Council was asked to approve a Memorandum of Understanding (MOU) extending the terms of the October 6, 2016 Collective Bargaining Agreement and subsequent referenced Memorandums for the Firefighters Local Union #187 to September 30, 2021.
MOU AND
EXTENSION REQUESTS
-POCATELLO FIRE UNION

A motion was made by Ms. Leeuwrik, seconded by Mr. Cheatum, to approve a Memorandum of Understanding (MOU) extending the terms of the October 6, 2016 Collective Bargaining Agreement and subsequent referenced Memorandums for the Firefighters Local Union #187 to September 30, 2021. Upon roll call, those voting in favor were Leeuwrik, Cheatum, Adamson, Bray, Ortega and Stevens.

AGENDA ITEM NO. 13: Council was asked to authorize the Mayor to sign an Ifft Foundation grant application in the amount of \$10,000.00 and if awarded, other documents related to the grant, subject to Legal Department review.
IFFT FOUNDATION
GRANT APPLICATION
-AIRPORT ORIGAMI
ART DISPLAY PHASE 2

The grant will be used to fund the second phase of an origami art display inside the Pocatello Airport terminal. The grant does not require matching funds.

A motion was made by Mr. Bray, seconded by Ms. Stevens, to authorize the Mayor to sign an Ifft Foundation grant application in the amount of \$10,000.00 and if awarded, other documents related to the grant, subject to Legal Department review to fund the second phase of an origami art display inside the Pocatello Airport terminal and that no matching funds are required. Upon roll call, those voting in

favor were Bray, Stevens, Adamson, Cheatum, Leeuwrik and Ortega.

AGENDA ITEM NO. 14: Council was asked to approve by resolution the renewal of a lease RESOLUTION/LEASE AGREEMENT-IDAHO LIQUOR DISPENSARY BUILDING IN CENTENNIAL PLAZA agreement between the City and Idaho State Liquor Division for City property located at 726 East Sherman (Centennial Plaza).

The lease term is for sixty (60) months. The first year lease rate is \$10.27 per square foot (3,979 total square feet) for a total of \$40,864.33. Cost per square foot will increase each year.

A motion was made by Mr. Bray, seconded by Mrs. Ortega, to adopt a resolution (2020-04) and approve the renewal of a lease agreement between the City and Idaho State Liquor Division for City property located at 726 East Sherman (Centennial Plaza) and that the lease term is for sixty (60) months with the first year lease rate of \$10.27 per square foot (3,397 total square feet) for a total of \$40,866.48 and that the cost per square foot will increase each year. Upon roll call, those voting in favor were Bray, Ortega, Adamson, Cheatum, Leeuwrik and Stevens.

AGENDA ITEM NO. 15: Council was asked to adopt a resolution authorizing a Cooperative RESOLUTION/ COOPERATIVE AGREEMENT -2021 ADA RAMPS PROJECT Agreement between the City of Pocatello and Idaho Transportation Department (ITD) agreement setting out the terms and conditions for acceptance of a grant in the amount of \$59,600.00 to upgrade certain curb ramps within Pocatello city limits.

There is no local match requirement. City Council approved the curb project on February 21, 2019.

A motion was made by Ms. Stevens, seconded by Mrs. Ortega, to adopt a resolution (2020-05) and authorize a Cooperative Agreement between the City of Pocatello and Idaho Transportation Department (ITD) agreement setting out the terms and conditions for acceptance of a grant in the amount of \$59,600.00 to upgrade certain curb ramps within Pocatello city limits that that there is no local match requirement. Upon roll call, those voting in favor were Stevens, Ortega, Adamson, Bray, Cheatum and Leeuwrik.

AGENDA ITEM NO. 16: Council was asked to adopt a resolution outlining a Citywide RESOLUTION -CITYWIDE EMERGENCY HEALTH PLAN Emergency Health Plan encouraging face coverings for individuals when they are in public places as well as other mitigation strategies to prevent the further spread of COVID-19; to protect the health, safety and welfare of the residents and visitors to the City of Pocatello and providing an effective date.

A motion was made by Ms. Stevens, seconded by Mrs. Ortega, to adopt a resolution (2020-06) outlining a Citywide Emergency Health Plan encouraging face coverings for individuals when they are in public places as well as other mitigation strategies to prevent the further spread of COVID-19, to protect the health, safety and welfare of the residents and visitors of the City of Pocatello and providing an effective date. Upon roll call, those voting in favor were Stevens, Ortega, Adamson, Bray, Cheatum and Leeuwrik.

AGENDA ITEM NO. 17 There being no further business, Mayor Blad adjourned the

REGULAR CITY COUNCIL MEETING
AUGUST 6, 2020

9

ADJOURN

meeting at 8:39 p.m.

APPROVED BY:

BRIAN C. BLAD, MAYOR

ATTEST:

RUTH NEWSOM, CITY CLERK, C. C.

PREPARED BY:

KONNI R. KENDELL, DEPUTY CITY CLERK