IDAHO FALLS
City Clerk's Office

NOTICE OF PUBLIC MEETING
Monday, June 6, 2016
CITY COUNCIL CHAMBERS
680 Park Avenue
Idaho Falls, ID 83402
3:00 p.m.

The public is invited to attend. This meeting may be cancelled or recessed to a later time in accordance with law. If you need communication aids or services or other physical accommodations to participate or access this meeting or program of the City of Idaho Falls, you may contact City Clerk Kathy Hampton at 612-8414 or the ADA Coordinator Lisa Farris at 612-8323 as soon as possible and they will make an effort to accommodate your needs.

SPECIAL MEETING (Council Work Session)

Call to Order and Roll Call

Mayor and Council:	-Mayor's Report and Action Items (5) -Acceptance and/or Receipt of Minutes -Announcements and Calendar Items (5) -City Council Reports (5)
Idaho Falls Power:	-Ratification of Power Supply Notification to Bonneville Power Administration (BPA) (10)
Idaho Falls Airport:	-Air Show Funding Discussion (30)
Legal Department:	-Training: Health Insurance Portability and Accountability Act (HIPPA) for Elected Officials (10) -Public Records Resolution Discussion (25)
Parks and Recreation:	-Weed Enforcement Presentation (15) -Cemetery Plots Resolution Discussion (10)
Agency Reports:	-School District 91 Board of Trustees Discussion and Presentation (60)

DATED this 3rd day of June, 2016

Kathy Hampton

Kathy Hampton
City Clerk

IDAHO FALLS POLICE DEPARTMENT

Traffic Safety Committee Meeting Minutes

Wednesday February 24, 2016

VOTING MEMBERS IN ATTENDANCE:
Chairman Capt. Clements, IFPD; Bruce Scholes, Electric Department; Nolan Taylor, INL; DaNiel Jose, BMPO; Ben Burke, ITD; Rick McMullen, Citizen Member at Large; Kent Fugal, City Engineering . Of these voting members, the Chairman only votes to break a tie vote.

NON-VOTING MEMBERS IN ATTENDANCE:
Annake Scholes, IFPD Administrative Assistant

Guest(s):
Dennis and Dorothy Croft
Mark Reed, Electric Department

Old Business: Kate Sica spoke with Barb @ Reliable Property Management, Barb asked what the estimated cost for an ADA ramp and curb-cut would be. Final outcome, the property owner decided against adding the ramp.

Request for school crosswalk to be installed on 17th West (Mill Rd.) at the Blue Ridge Subdivision location.

Council Action: The request was approved by City Council August 13, 2015.

Old business minutes reviewed and approved with a unanimous motion.

New Business:

1. Request to implement a "No Trucks Allowed" policy through the numbered streets, more specifically 10th street.

2. Request to install more speed limit and caution signs in the numbered streets.

Capt. Clements opened our meeting. 3:00 PM Feb, 24 2016

Discussion: There were some questions from members about our meeting time and date. Should be the second Tuesday of every month; today's meeting was moved due to scheduling issues.

Motion: Capt. Clements motioned to have meetings on a set schedule for the second Tuesday of every month, unless otherwise posted. Seconded by Rick McMullen.

Approved Minutes

Action: Motion passed unanimously.

Discussion: Opening comments from our guests Dennis and Debbie Croft, their main concerns.

- Allowing large tanker trucks on 10th street, should be prohibited (no trucks allowed signs should be installed)
- Narrow street by Kate Curly Park- trucks don't fit well
- Trucks not seeing children, bikes, pedestrians, etc.
- Tanker trucks stalling and blowing up near the park
- Need to place no truck signs, and more speed limit/children at play signs
- Can there be signage on both sides of the street
- Is there an ordinance for loud motor cycles, or people accelerating fast to make a lot of noise
- Can you add additional stop signs

The committee and the Crofts had the following discussion regarding their concerns.

Kent Fugal opened with the following- Currently the only streets in city limits that have no trucks allowed signs are 25th street, and Belin Road S. of 17th street.
10th street is classified as a collector street (collector streets are intended to channel traffic from residential neighborhoods to major road ways) classification is adopted by the MPO
Currently there is only one speed limit sign on 10th street, also studies show that the slow, children at play signs are not effective enough?
Per Kent there are plans over the next year to install more speed limit signs in the numbered streets and playground warning signs will replace the children at play signs. 10th street will be the first street updated, scheduled in the next couple of months. Then the remaining numbered streets will follow.

Committee question for Kent-Can you declassify a collector road?
Per Kent Fugal, we don't want to do that to 10th street because it links to Ash and Elm (east and west collector roads) on the other side of Boulevard.

The Crofts asked the following-Can you install a speed limit trailer on 10th street now that the weather is warming up?
Per Capt. Clements, yes we can get the trailer up and running as soon as the weather breaks and have it there a couple of times this summer.

The Crofts-Can you install more stop signs around the park?
Per Kent Fugal, right now I don't feel that it would help the issues at hand and it would increase the noise on the street because of people accelerating.

The Crofts-Can there be speed limit signs on both sides of the road?
Per Kent, by law they have to be on the right side of the road.

Mark Reed recommended that the crofts approach the Gas station, asking if their vendors could take a different route for deliveries, both for gas and goods. Perhaps use boulevard

Approved Minutes

rather than 10th street. Or approach the vendors and see if they can reroute. We (the committee) could even draft a letter with the request, it would hold more weight than just a letter from the public. Capt. Clements said he would be happy to get that going.

The Crofts- Can we do a petition?
Per Capt. Clements, you can, but I would recommend starting with the letter.

The Crofts- Can we distribute the letter to our neighbors once it is ready?
Per Capt. Clements, yes.

Action: Crofts to approach the gas station manager asking their vendors to consider a different route for deliveries.

Captain Clements will draft a letter in behalf of the committee to request the gas station vendors consider a different route for deliveries.

Motion: Capt. Clements motioned that agenda items not be sent to council due to the fact that all were already in the process of being taken care of. Kent Fugal second.

Action: Motioned passed unanimously.

This meeting was adjourned at 3:40 p.m.

Approved Minutes

DISTRIBUTION (via e-mail):

MEMBERS:

Voting Members:
Chairman: Captain Royce Clements, I.F.P.D.
Rick McMullen, Citizen Member at Large
Ralph Frost, School District 91
Ben Burke, ITD
Bruce Lawrence, Engineering
Kent Fugal, Engineering
Nolan Taylor, INL Transportation Safety
Bruce Scholes, Electric Department
DaNiel Jose, BMPO

Non-voting Members:
Sergeant Alan Bowers, I.F.P.D.
Council Member Marohn
Council Member Ziel- Dingman

COPY TO:
Mayor Casper
Kathy Hampton, City Clerk
Jackie Flowers, I.F. Power
Brad Cramer, Community Development Services
Chris Fredericksen, Public Works
Greg Weitzel, Parks & Recreation
Darrell West, BMPO

IDAHO FALLS

2016 Citizens Review Committee
City Attorney Department

Meeting Minutes

4/18/2016

City Annex Conference Room

Present: ☒ Miranda Marquit, Chairman

☒ Terry Johnston, Secretary

☒ Matthew Hamilton

☒ Don Johnson

☒ George Morrison

Absent: None

Quorum Established: ☒ YES ☐ NO

Guests: None

Meeting called to order by Miranda at 10:15 AM. and was certified to be in compliance with the Idaho Open Meetings Law.

I. Approval of Agenda

Meeting agenda is always approved at the end of meeting. Date: 4/9/2016

II. Approval of Minutes

Motion to approve meeting minutes by Miranda on 4/18/2016 and seconded by Terry. Motion carried.

III. Topics Discussed

1. Toured the legal department, and interviewed the staff. The staff includes: City Attorney (CA) Randy Fife, Assistant City Attorney (ACA) Mike Kirkham, Administrative Assistant to the General Legal Services attorneys (AAGLSA)

Kimberly Lewis, City Prosecutor (CP) Cindy Campbell, City Prosecutor (CP)Jeff Thomason, Legal Services Specialist for Prosecution Services (LSSPS) Mercedes Rivas, and Prosecution Administrative Assistant (PAA) Carol Jensen.

2. Topics discussed with the Department:

(CA) Randy Fife – Gave the committee copies of the statistics that was started 6-months ago for both the City Prosecutors' Department and the County Prosecutors' Department so we would know how each department keeps up with the misdemeanors compared to the Feds. No further information was needed as the committee got the information from him on the first day the committee was formed on February 20, 2016.

(ACA) Mike Kirkham – Discussed how long he has been with the department, how he kept up with the caseload and training (i.e. CLE's), and whether Idaho Falls was being consistent with the rest of Idaho. Discussed the professionalism of the IFPD. Discussed the different challenges of being Assistant City Attorney, the option of consideration of utilizing interns in the department, and how well the public records requests work.

(AAGLSA) Kimberly Lewis – Discussed how long she has been with the department, what she does for the department, what challenges she has in her position, and whether she had any ideas that could help the department.

(CP) Cindy Campbell – Discussed how long she has been with the department, how she kept up with the caseload and training (i.e. CLE's), and changing caseload responsibilities. Discussed the professionalism of the IFPD. Discussed the different challenges of being City Prosecutor, the option of consideration of utilizing interns in the department, and discussed the importance of being "on-call" and how it works.

(CP) Jeff Thomason – Discussed how long he has been with the department, how he kept up with the caseload and training (i.e. CLE's), changing caseload responsibilities, and discussed the different challenges of being City Prosecutor.

(LSSPS) Mercedes Rivas – Discussed how long she has been with the department, what she does for the department, what challenges she has in her position, and whether she had any ideas that could help the department.

(PAA) Carol Jensen - Discussed how long she has been with the department, what she does for the department, what challenges she has in her position, and whether she had any ideas that could help the department.

3. The Committee discussed various issues that was found after our interviews that should be put into our CRC report.

4. Discussed the format of the report and delegation of sections for the rough draft of the report. Next meeting will review the rough draft.

IV. Materials Reviewed

None.

V. Next Meeting

Our next agenda will be:

Going over the draft reports submitted to Miranda by committee members and working on finalizing the CRC report.

Meeting will be held at the Annex Conference Room May 13, 2016 at 9:30 AM.

Motion by Miranda to adjourn the meeting at 12:35 PM, seconded by Don.

Respectfully Submitted,

Terry Johnston

Miranda Marquit, Chairman

Terry Johnston, Secretary

IFFD CRC MEETING
MONDAY, May 2, 2016

The May 2, 2016 Idaho Falls Fire Department (IFFD) Citizen Review Committee (CRC) meeting was called to order at 6:30 PM by Chairman, Julie Foster. CRC members in attendance were David Haderlie, Stephanie Willoughby, Steven Besse, Nancy M. Carlson, Kathy A. Nave, and Ronald Tallman. A quorum, defined as 50% plus one (1) of the committee members, was established. Also in attendance for the Fire Prevention discussion led by Division Chief Fire Marshall, Scott Grimmett, were IFFD Chief, Dave Hanneman; Training Chief, Jeff Parsons; Station 2 Captain, Chris Farnsworth; Station 2 Driver, Aaron Nelson; Station 2 Paramedic, Ryan Carlson; Station 2 Firefighters, Eric Todd and Tyler Hull; IFFD ride-along citizen, Blaze Abodei; and Idaho Falls citizen, Clark Jones. Nancy Carlson took meeting minutes.

After Captain Farnsworth introduced Station 2 personnel, Chief Hanneman explained Station 2 was built two (2) years ago by Bonneville County Fire District 1 and is a shared building with the Fire District. Captain Farnsworth started our tour with the common areas used for exercising, eating, sleeping, and relaxing, and office/computer stations. Additionally there is a Fire District office that remains locked when not in use by District employees. The High-Bay houses the station's washer/dryer set-up, Heavy 2 - a four-wheel drive Brush Truck that has dry chemical spray capabilities in addition to normal brush truck features; Tender 2; Engine 2; two Ambulances; and storage for fire-fighting gear for shifts A, B, and C.

Following the tour Chairman Foster asked if there were any additions or corrections to the April 18, 2016 meeting minutes. CRC members had no corrections and the minutes were approved as distributed.

Chief Fire Marshall Grimmett provided a brief history of his firefighting and leadership experiences both with the US Coast Guard and IFFD. He then explained that IFFD follows the National Fire Protection Association (NFPA), International Code Council (ICC), and Underwriters Laboratory (UL) codes and standards. Currently, new construction and permitted use-change construction must adhere to the 2012 International Fire Code (IFC) and 2012 International Building Code (IBC). These codes are revised every three years with the latest revision, 2015, released but not yet formally adopted by the state of Idaho. When Idaho adopts the 2015 IFC and IBC, IFFD will present them to the Idaho Falls City Council for adoption. In addition to IFC and IBC, IFFD Fire Prevention (FP) Division uses the following standards: NFPA 13: Standard for the Installation of Sprinkler Systems, NFPA 921: Guide for Fire and Explosion Investigations, and NFPA 1033: Standard for Professional Qualifications for Fire Investigator. Fire Marshall Grimmett reminded us that a building remains under the as-built codes unless the use of the building changes. At that time of use change, the building must be brought into full compliance with current codes and standards.

To illustrate the importance of fire codes and standards, Fire Marshall Grimmett explained how major fires in the US result in significant fire code and standards changes. In 1631 the first colonial American fire code band the use of log chimneys and thatched roofs. In 1903 the most deadly single US fire occurred at Chicago's Iroquois Theater resulting in 602 dead and was attributed to exit doors opening inward as well as exit doors hidden by draperies and/or blocked. The result of the fire investigation required exit doors to open outward and be easy to see and accessed. In 1958 the Chicago Our Lady of Angels School, a two-story structure, caught fire from a trash bin fire in the stairway. The building was grandfathered under fire codes in place at the time of construction, so the school had only one fire escape, no sprinklers, no automatic fire alarms, and no fire resistant doors or stairwells. Ninety two (92) children and three (3) nuns perished. The fire resulted in significant changes to codes for high occupancy buildings.

Fire Marshall Grimmett showed a video of a fire in a legacy room - like grandma's parlor containing natural materials – cotton, wool, and silk with lathe and plaster walls versus a modern room contents mainly of synthetic, petroleum-based materials and drywall. The legacy room took 30 minutes to flash over while the modern room flashed over at three (3) minutes and forty (40) seconds. We were reminded that it takes a minimum of five (5) minutes from the time a call is received for IFFD to respond within the city limits. And normally it takes ten (10) minutes to have a full complement of fourteen (14) Firefighters with firefighting equipment on scene to attack a structure fire. This showed the importance of fire alarms, sprinklers, fire resistant doors and stairwells, etc. to afford occupants a chance to quickly and safely exit a home or building.

In 2003 the Station Night Club in West Warwick, RI occurred in a building that had changed use from a restaurant to a night club. The use change should have required, at a minimum, the installation of a sprinkler system but none were installed - an apparent oversight by inspectors who OK'ed the night club to operate. The fire was caused by pyrotechnics igniting flammable sound insulation foam on the walls and ceilings surrounding the stage. A fast-moving fire engulfed the club in a little over five (5) minutes. We saw some video footage of the fire's ignition, rapid growth, resulting heavy black smoke that quickly made escape impossible. The fire investigation revealed all exits were not clearly marked so people tried to use only

the entrance door; the building was over capacity; the band used a back stage exit but did not close that exit door causing additional draft for the fire; and people piled up at the entrance door further hindering building evacuation. The toxic smoke, heat, and the stampede of people resulted in a hundred (100) deaths. Now sprinkler systems are required in buildings with fifty (50) or more occupants.

Through use of proactive fire prevention strategies, enforcement of codes and standards, US fire deaths have gone from ten (10) per 100,000 people in 1918 to one (1) per 100,000 people in 2006. Nationwide fires have dropped from 3.0 million in 1977 to 1.2 million in 2012 again due to fire prevention efforts.

Chief Hanneman quizzed us on who is responsible for controlling fires in the areas of Bonneville County not covered by a Fire District – "no man's land". He reminded us that it is the Bonneville County Sheriff and that there are locations within five (5) mile of city limits that are in "no man's land".

The IFFD FP Division started in 1959 over concerns of smoking and gasoline trucks co-existing in downtown Idaho Falls. FP started with two (2) inspectors and now has three (3) inspectors and a Fire Marshal. The FP Division constitutes approximately 10% of the IFFD budget. The state of Idaho does not require sprinklers in single home residential dwellings, only in multiple-occupancy residential complexes - even though most fires resulting in death occur in homes. Apparently fancy countertops are more "important" than life safety systems with the Idaho contractor lobby and home buyers.

Under Fire Marshall Grimmett's leadership FP is focusing on four (4) discipline areas. **1)** Computerize <u>building plans</u> using Trakit software and inputting data to the Computer Automated Dispatching (CAD) software so Firefighters will have vital information on buildings currently in the CAD system – items such as location of knox-box, hydrants, hazardous materials, compressed gas cylinders, etc. **2)** Increase <u>inspection</u> standardization and computerization using tablets to eliminate the need to double entry of data as with the current paper system; increase the number of inspectors and computerized processes to more effectively cover Idaho Falls new construction and existing buildings as well as special event permit requests. 3) Expand fire <u>investigations</u> to involve both the FP Division and trained IFFD Shift Captains. FP inspectors are trained as Fire Investigation Technicians (FIT) and assigned to cover a set shift - A, B, or C. The goal is to have Four (4) FITs as well as all Shift Captains certified as Fire Officers (FO). FOs will do the initial report on potential fire origin, cause, and classification. Using the FO's data, FITs will conduct a full investigation to verify origin, cause including source of ignition, what was first ignited, and the interactions of ignition source and fuels; and do the final classification of the fire. 4) Increase <u>public education</u> involves more than going to schools and public groups during Fire Prevention Week. FP needs to be proactive in working with businesses and building owners and be alerted when a change of use occurs. That way FP can verify if any building modifications are required and the potential costs associated BEFORE a lease is signed or a sale is executed. Additionally public education works with civic groups to increase the presence of operational life safety devices in all home dwellings, e.g. operational smoke detectors. Idaho Falls lives and property are saved through a robust public education program.

Fire Marshall Grimmett explained that the FP Division plans to raise the bar in the FP Division with increasing competency, certifications, and leadership of inspectors as well as add Fire Officer requirements to appropriate IFFD job descriptions; engage all IFFD members in fire and life safety initiatives; streamline processes, e.g. FP is moving to e-forms to allow citizens to complete and submit fire permit forms on-line; and bring businesses and the public into discussions on ways to make Idaho Falls a fire safe and secure community.

FP Division currently focuses on buildings in the city limits of Idaho Falls - new construction as well as buildings with a known potential for fire/explosion/ hazardous material incidents, e.g. dry cleaners, cutting and welding shops, enclosed malls, etc. Currently this involves approximately 2,500 Idaho Falls buildings. At the present time no buildings in Bonneville Fire District 1 are inspected. This means IFFD rolls to a fire in the District without the benefit of CAD information; thus, putting firefighters and citizens in the adjacent area at potential risk. Should the Fire District chose to start fire inspections and contract with IFFD FP, this would add an additional 5,000 buildings to the inspection work load and necessitate the addition of FP staff. **Benefit:** Save lives, both citizens and Fire Fighters, and reduce the extent of property damage in the Fire District with a potential to reduce business fire insurance rates.

Fire Marshall Grimmett explained that FP Division functions have been traditionally performed at low or no cost for services that should involve fees; e.g. business fire inspections required by insurers, permit fees charged for special events, etc. He provided the Application for Permit used by the Boise Fire Department that covers 56 Categories and the associated permit fees. The Idaho Falls fire permit fee structure needs to be aligned with other cities in Idaho. The building permit fees in Idaho Falls need to include the true cost of a fire inspection before building can be occupied. Currently there is a flat fee for FP services not matter the size or complexity of the building, and the collected FP related fees are not transferred from

Municipal Services to the IFFD budget. And there is a need for a FP Certified Plans Examiner to work with Municipal Services Building Inspectors throughout the permit process. Lastly, there is a need for the FP Division to analyze a number of structures in Idaho Falls to establish critical information needed in the CAD system (best way to approach building, hazards, in the building, water pressure in the adjacent hydrants, etc.) versus just performing inspections. Another benefit of the FP building analysis and working with Training Chief Jeff Parsons, Shift Captains will factor building familiarization into the Shift training schedule so IFFD Station personnel are familiarized with buildings in their primary coverage area.

Following the FP Division presentation, CRC member, David Haderlie, asked if we could have all IFFD presentations in electronic form. Chairman Foster requested that CRC members bring their IFFD-provided jump drive to our next meeting so those presentations can be added. Chairman Foster established our next meeting will be held in the City Hall conference room on May 16, 2016 from 6:30 - 8:30 PM. The presentation will focus on Operations.

The May 2, 2016 meeting adjourned at 8:39 PM.

Minutes prepared by IFFD CRC acting Secretary, Nancy M. Carlson.

N M Carlson

RESOLUTION NO. 2016-

A RESOLUTION OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, PROVIDING A DEFINITION OF CITY RECORDS AND THE CLASSIFICATION AND RETENTION OF CERTAIN PUBLIC RECORDS PURSUANT TO IDAHO CODE AND COUNCIL POLICY; AND PROVIDING THAT THIS RESOLUTION BE EFFECTIVE UPON ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

WHEREAS, the Idaho Code allows for the classification, retention, preservation, and destruction of certain records as "historical", "permanent", "semipermanent" and "temporary" records; and

WHEREAS. Idaho Code requires the Council adopt by Resolution a Records Retention Schedule listing the various types of City records and the retention period for each type of records; and

WHEREAS, the City has made a survey of all its records and has reviewed current Idaho Code regarding classification of records; and

WHEREAS, the Council has determined that the records categorizations and respective retention schedules, as set out in Idaho Code § 50-907, is appropriate for the City to adopt, with some minor clarifications; and

WHEREAS, the City wishes to classify some writings, documents, and other similar City information as neither "historical records", "permanent records", "semipermanent records" or "temporary records" because they are ephemeral and have no reasonable intrinsic, historical, or other value which requires retention; and

WHEREAS, Council is confident that the City Clerk and City Attorney (with the input of relevant City staff) can make determinations regarding those records not considered "historical records", "permanent records", "semipermanent records", or "temporary records", as those terms are defined in Idaho Code Title 50, Chapter 9.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF IDAHO FALLS, AS FOLLOWS:

CITY OF IDAHO FALLS RECORDS RETENTION SCHEDULE

I. Historical Records.

A. The following records shall be classified as historical records:

Records which, due to age or cultural significance, are themselves artifacts of historical value. Such records have enduring value based on the administrative, legal, fiscal, evidential, or historical information they contain. The City Clerk, in consultation with the City Attorney and those who have specialized interest or knowledge (which may include the Idaho State Historical Society, the Bonneville County Historical Society, and the Idaho Falls Heritage Association) in the nature of historical records, shall determine which records shall be considered "historical records" for purposes of this Records Retention Schedule and may confirm such classification with the Council, where appropriate.

B. Retention Schedule.

Historical records shall be retained by the City in perpetuity or may be transferred to the Idaho State Historical Society's permanent records repository pursuant to Idaho Code 67-4126(8) and (9), upon separate Resolution of the Council.

II. Permanent Records

A. The following records shall be classified as permanent records:

1. Adopted meeting minutes of the City Council and City boards and commissions;

2. Ordinances and Resolutions;

3. Building plans and specifications for commercial projects and government buildings;

4. Fiscal year-end financial reports;

5. Records affecting the title to real property or liens thereon;

6. Cemetery records of lot ownership, headstone inscriptions, interment, exhumation and removal records, cemetery maps, plot plans,and 22 surveys;

7. Poll books, excluding optional duplicate poll books used to record that the elector has voted, tally books, sample ballots, campaign finance reports, declarations of candidacy, declarations of intent, notices of election, and records of voting results by precinct; and

8. Executed contracts.

B. Retention Schedule.

Permanent records shall be retained by the City in perpetuity or may be transferred to the Idaho State Historical Society's permanent records repository upon Resolution of the City Council authorizing such transfer.

III. Semipermanent Records

A. The following records be classified as semipermanent records:

1. Claims, canceled checks, warrants, duplicate warrants, purchase orders, vouchers, duplicate receipts, utility, and other financial records;

2. Building applications for commercial projects and government buildings;

3. License applications;

4. Departmental reports; and

5. Bonds and coupons.

B. Retention Schedule.

Semipermanent records shall be kept for not less than five (5) years after the date of issuance or completion of the matter contained within such semipermanent record. Semipermanent records may only be destroyed by Resolution of the City Council, and upon the advice of the City Attorney. Such disposition shall be under the direction and supervision of the City Clerk. The Resolution ordering destruction of semipermanent records shall list in detail such semipermanent records to be destroyed.

Prior to destruction of semipermanent records, the City Clerk shall provide written notice, including a detailed list of the semipermanent records proposed for destruction, to the Idaho State Historical Society thirty (30) days prior to the destruction of any records.

IV. Temporary Records

A. The following records be classified as temporary records:

1. Building applications, plans, and specifications for noncommercial and nongovernment projects after the structure or project receives final inspection and approval;

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2. Cash receipts subject to audit;

3. Election ballots and duplicate poll books;

4. The most current draft of an unexecuted contract until such contract is executed: and

5. Records which are normally believed to be the subject of litigation discovery and determined to be so after consultation with the City Attorney.

B. Retention Schedule.

Temporary records shall be retained for not less than two (2) years, but in no event shall financial records be destroyed until completion of the City's financial audit as provided in Idaho Code § 67-450B related to such financial records.

Temporary records may only be destroyed by Resolution of the City Council, and upon the advice of the City Attorney. Such disposition shall be under the direction and supervision of the City Clerk. The Resolution ordering destruction of temporary records shall list in detail such temporary records to be destroyed.

Prior to destruction of temporary records, the City Clerk shall provide written notice including a detailed list of the temporary records proposed for destruction, to the Idaho State Historical Society thirty (30) days prior to the destruction of any records.

V. Emphemera.

A. The following shall not be considered records:

Writings, documents, and other similar City information not classified as “historical records”, “permanent records”, “semipermanent records”, or “temporary records” herein shall not be considered “records” for the purposes of retention pursuant to this Records Retention Schedule. Such non-“record” writings, documents, and other similar City information include, but are not limited to, document drafts, “post-it” notes, duplicates of records (unless they are controlled by Idaho Code Title 50, Chapter 9), phone call slips, voice mail, “to-do” lists, telephone text messages, and email not related to the conduct or promotion of the business of City government, and other ephemera used only for temporary transition, transitory purposes, and not intended to be other than briefly helpful.

B. Retention Schedule.

Writings, documents, and other similar City information which, in the reasonable belief of the recipient or custodian which do not have any historical, intrinsic or other value, and records which are not reasonably believed to be the subject of litigation discovery shall not be considered “records” for purposes of this Records Retention Schedule and shall not be required to be a subject of a Resolution authorizing their destruction.

VI. Where there is a question regarding whether something is a “record”; the classification of a record; or retention of a record; such questions are to be directed to the City Clerk and/or the City Attorney prior to any destruction.

VII. Where the City Clerk determines, in his or her best judgement and based upon acceptable practices, a non-paper reproduction of a record is appropriate, the City Clerk shall create, retain, or destroy such non-paper copies of a City record pursuant to Title 50, Chapter 9, of the Idaho Code.

VIII. City Resolution 2007-01 is hereby repealed in its entirety and shall have no effect following the passage of this Resolution.

IX. This Resolution shall become effective as of the date of the passage.

ADOPTED and effective this ____ day of May, 2016.

CITY OF IDAHO FALLS, IDAHO

_____

Rebecca L. Noah Casper, Mayor

ATTEST:

_____

Kathy Hampton, City Clerk

(SEAL)

STATE OF IDAHO)

) ss:

County of Bonneville)

I, KATHY HAMPTON, CITY CLERK OF THE CITY OF IDAHO FALLS, IDAHO, DO HEREBY CERTIFY:

That the above and foregoing is a full, true and correct copy of the Resolution entitled, "A RESOLUTION OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, PROVIDING A DEFINITION OF CITY RECORDS AND THE CLASSIFICATION AND RETENTION OF CERTAIN PUBLIC RECORDS PURSUANT TO IDAHO CODE AND COUNCIL POLICY; AND PROVIDING THAT THIS RESOLUTION BE EFFECTIVE UPON ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW."

_____

Kathy Hampton, City Clerk

(SEAL)

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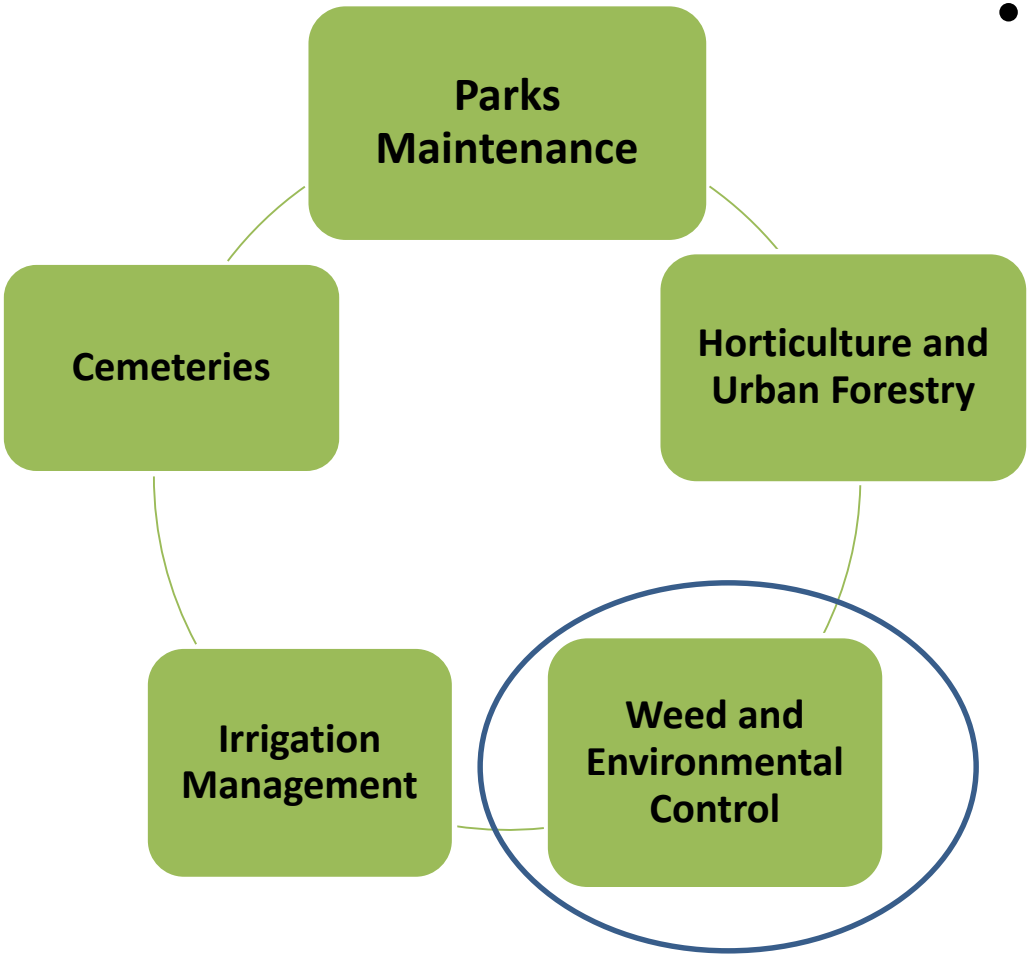
IDAHO FALLS
PARKS & REC

Weed and Environmental Control

Parks Division



- The Parks Division operational activities are separated into **Parks Maintenance**, **Horticulture and Urban Forestry**, **Irrigation Management**, **Cemeteries and Weed and Environmental Control sections.**

Weed and Environmental Control

- The Weed and Environmental Control section of the Parks Division **manages and enforces the City's weed control program** and provides a proactive approach to maintain a controlled weed environment as well as responding to resident's observations, concerns and complaints.
- Weed control provides **fire safety, pleasing neighborhood aesthetics, street cleanliness, and the reduction of related health issues.**
- This section is also responsible for **herbicide treatment on public properties including right-of-ways, city property**, trash and debris removal, park restroom cleaning, as well as operating and maintaining Sandy Downs Racetrack and Rodeo Grounds and the Idaho Falls Raceway at Noise Park.

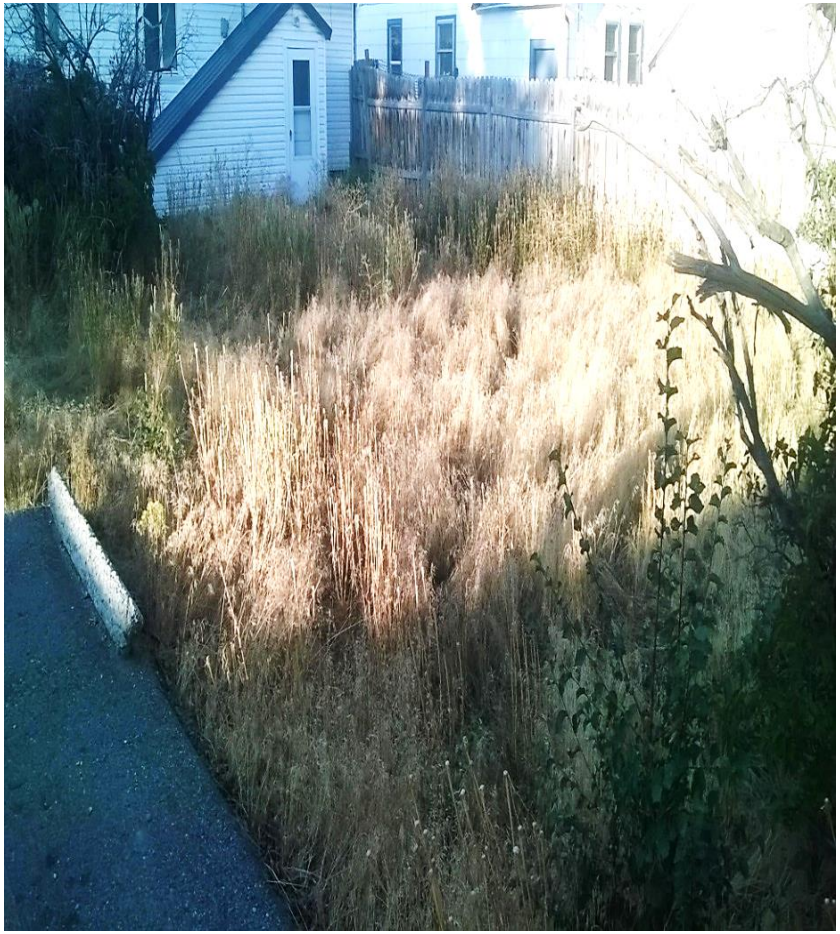
WEEDS
What's the problem?

Fire Hazzard

Very unsightly

Kochia Weed – Most Abundant

Harbors insects and rodents



Lowers property values

Noxious weeds can be harmful to humans, animals or the environment.

Interferes with traffic.

Increases fire insurance cost to neighboring owners.

Allergy and asthma problems

Where are They?

Private Property

Vacant Lots

Houses

City Property

Undeveloped Ground (150acres)

Right of Ways (35 acres)

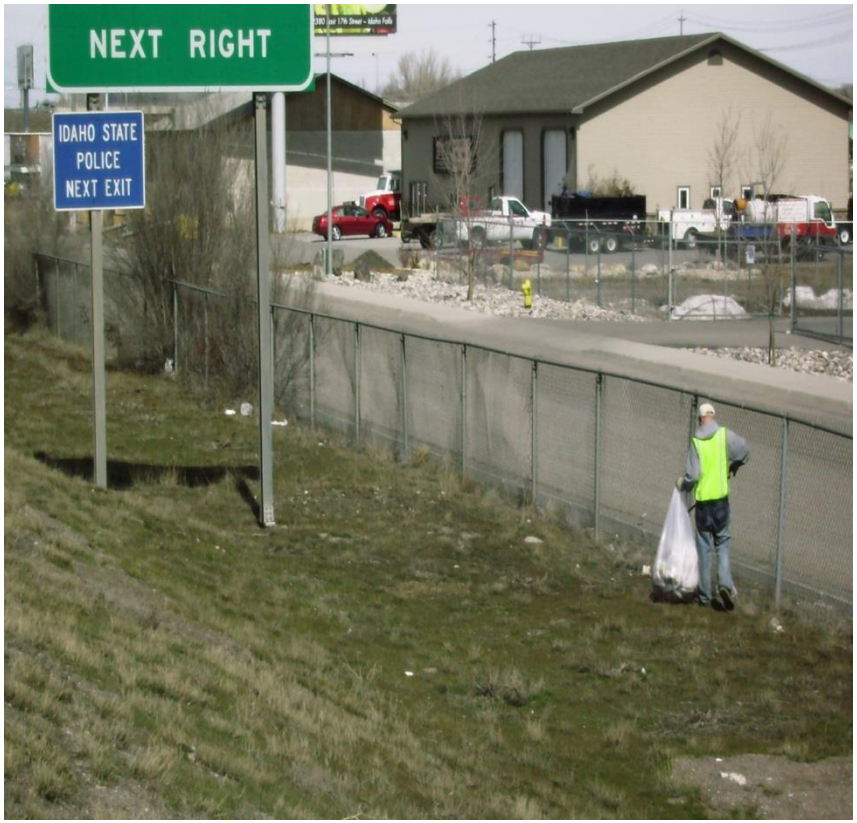
City Property

Sidewalks (25 miles)

Storm Water Retention Ponds
(40 acres undeveloped, 108 developed)

Other Properties Maintained by City

ITD (40 acres)



Union Pacific (20 acres)

Snow Dumps

207 (acres)

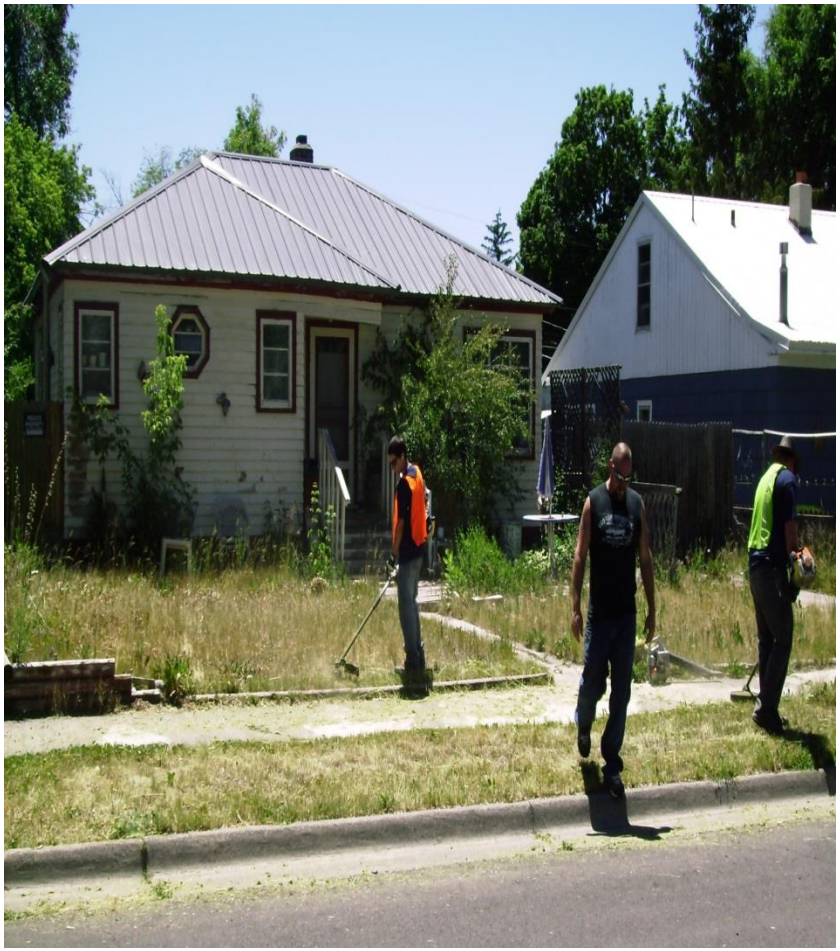
Some Private, Some City Owned

Parks (1,000 + acres)

What are the Solutions to Controlling Weeds?

- Public awareness – City Ordinance
- Herbicide applications
- Mechanical means

Code Enforcement



Enforcement – Special Assessments

5-8-13 SPECIAL ASSESSMENTS. Notwithstanding the imposition of any criminal fine, penalty or imprisonment, **the City may, subject to the provisions of this Section, remove any litter or weeds from any private property within the City and levy a special assessment against such property, for the reasonable costs of such removal.**

Prior to the removal of such litter or weeds, the City shall give notice in writing to the owner of such property, which notice shall state the street address of the property where the litter or weeds exists, and shall describe the nature and general location of the litter to be removed. **Such notice shall state that such litter or weeds shall be removed within ten (10) days from the date the notice is sent.** Such notice shall be sent by United States mail to the owner of the property at the address listed upon the real property assessment rolls of Bonneville County. Such notice may also be sent to the occupant of the property at the address if the occupant and owner are not the same individual or entity.

If the owner or occupant fails to remove the litter or weeds within the time specified in the notice, the City shall either issue a misdemeanor citation or shall send a final notice to the owner or occupant or both at the address stating that if such litter or weeds are not removed within ten (10) days from the date the notice is sent, **the City may issue a misdemeanor citation.** (Ord. 3054, 01-26-16)

ORDINACE TITLE 5, CHAPTER 8 – LITTER AND WEED CONTROL

Weeds. Any plant, growing or dead, **more than ten (10) inches in height**, measured from the surface of the ground, except plants grown for ornamental purposes or for production of food for man or beast. Noxious plants, regardless of height, shall be considered weeds. (Ord. 2968, 10-9-14)

5-8-12 REMOVAL OF WEEDS.

It shall be unlawful for any owner or occupant of any real property within the City to allow weeds to grow, exist or accumulate upon such real property. (Ord. 3054, 01-26-16)

Citizen Complaints 2014-2015

FY 2014

- 441 Complaints
- 240 Notices sent
- 20 Enforcements

FY 2015

- 545 Complaints (+104)
- 417 Letters sent (+177)
- 39 Enforcements (+19)

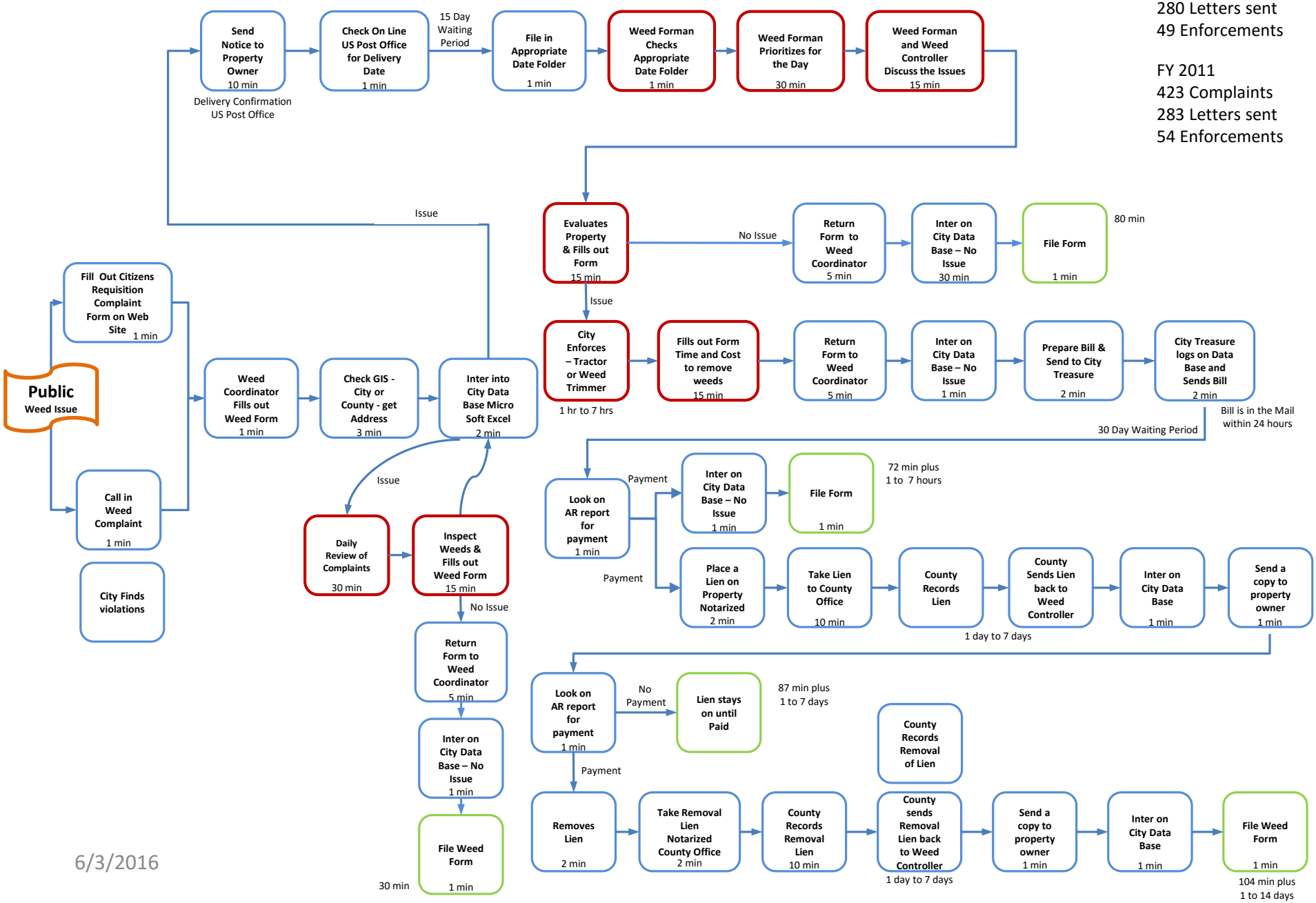
FY 2016

- 120 Complaints
- 80 Letters sent
- Ongoing Enforcements

Weed Control Value Stream

FY 2012
395 Complaints
280 Letters sent
49 Enforcements

FY 2011
423 Complaints
283 Letters sent
54 Enforcements



6/3/2016

Weed Control by the Numbers

- Acres managed = 2,115
- Staff = Three (3) FTE and 13 Seasonal employees
- **Example – Freeman Park (57 acres)**
- **Takes 40 hours to spray 57 acres that is in turf.**
- **On average it takes 2.00 hours per acre for herbicide applications**
- Staff also is responsible for cleaning trash and debris on more than 600 acres of property.
- Trim willows and trees on river banks and walk ways as well as snow removal

FY 2016-17 Budget Request

- One (1) FTE Weed and Environmental Control Maintenance Operator
- Equipment Needs = One (1) One (1) Ton Pick-Up Truck - $41,000
  - Sprayer and Tank approved in FY 2015-16 Budget

IDAHO FALLS
PARKS & REC

Weed and Environmental Control

IDAHO FALLS
PARKS & RECREATION
a program for everyone
520 Memorial Drive • P.O. Box 50220 • Idaho Falls, ID 83405 • 208-612-8480

MEMORANDUM

To: Honorable Mayor and City Council

From: Greg A. Weitzel, Director, Parks and Recreation Department

Date: June 2, 2016

Subject: **UNUSED CEMETERY PLOT RESOLUTION**

Mayor and Council:

Attached for your consideration is a draft resolution to create protocol in alignment with recently passed protocol by Idaho State Legislature which allows for the more efficient distribution of unused cemetery plots. The resolution has been reviewed and approved by the City Attorney.

The Department of Parks and Recreation respectfully requests the authorization and approval of said document by City Council.

Respectfully,

Greg A Weitzel, MS, CPRP
Department of Parks and Recreation

laj

Attachments

c: Mayor
City Clerk
File

RESOLUTION NO. 2016-

A RESOLUTION OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, ESTABLISHING POLICIES AND PROCEDURES REGARDING UNUSED CEMETERY PLOTS PURSUANT TO IDAHO CODE; AND PROVIDING THAT THIS RESOLUTION BE EFFECTIVE UPON ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

WHEREAS, the City owns and controls Rose Hill Cemetery and Fielding Memorial Cemetery; and

WHEREAS, many people desire to be interred or to inter loved ones in these beautiful, respectful, and well-groomed places of peace and tranquility; and

WHEREAS, the City desires to provide opportunities for those who wish internment in a fair, orderly, and efficient manner; and

WHEREAS, the Idaho State Legislature has recently changed procedures allowing for the more efficient distribution of unused cemetery plots; and

WHEREAS, the City wishes to establish some procedures and conditions on the use of cemetery plots consistent with Idaho Code.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF IDAHO FALLS, AS FOLLOWS:

1. Council hereby request that the owner or his or her heir or assign, of a lot, site. or a portion of a cemetery (hereinafter "plot(s)") unused for burial purposes for more than fifty (50) years files with the City Clerk a written statement of continuing claim or interest in the plot(s).

2. This Resolution shall be personally served on the owner of the plot(s) where possible by delivering a copy of this Resolution to a person personally or by leaving a copy of this Resolution at the individual's dwelling, house, or usual place of abode with a person over eighteen (18) years of age, who is residing at such dwelling, house, or usual place of abode.

3. This Resolution shall notify the owner that the owner shall, within sixty (60) days after service of the Resolution on the owner, express his or her interest in maintaining the plot(s) by filing with the City Clerk the written statement of his or her continuing claim or interest in the plot(s).

4. Where the owner is deceased, personal service requirements in Paragraph 2 of this Resolution may be met by mailing a copy of this Resolution to all known or reasonably ascertainable heirs of the owner following a search for heirs that includes inquiry into the next succeeding owners of a descendant's real property and a basic online search for information about the heir or the deceased owner.

5. If an owner cannot be personally served with this Resolution, the Council may publish this Resolution for three (3) successive weeks in a newspaper that is in general circulation within Bonneville County and shall mail a copy of this Resolution within fourteen (14) days after the publication to the owner's last known address, if available.

6. a. If the owner or one (1) of his or her heirs or assigns shall, in response to this Resolution, submit a written statement of continuing interest, the City shall reissue to that person a new

conveyance document evidencing the interest in the plot(s) for burial purposes in according with the City's normal and usual practices.

b. Where there is more than one (1) heir or assign who brings forward a competing claim for the plot(s) in question, the City shall notify all competing heirs and assigns of such a competing claim; however, the City shall have no authority to adjudicate the relative merits of such claim or interest.

If within ten (10) years from the date of the notification required by this Resolution, competing heirs or assigns have not agreed upon a resolution of their various claims or interests or adjudicated those claims or interests, the City may require from each of the competing claimants a renewed written statement regarding the continuing claim or interest in the plot(s) by complying with the notification provisions of Paragraph 6 of this Resolution.

The City may repeat the processes required by this Resolution every ten (10) years, as necessary, until ownership of the plot(s) is vested in one (1) individual. Alternatively, when there are competing claims among heirs, the City, through its staff, may file an interpleader in a court of competent jurisdiction to determine the rights of all claim and ownership in the plot(s).

7. If, for sixty (60) days after the last date of service, mailing, and/or publication by the City in accordance with this Resolution, the owner or his or her heir or assign fails to state an interest in the plot(s) for burial purposes, such owner's, heir's, and assign's rights shall be and are thereby terminated and ownership and control of the plot(s) shall be vested again in the City free and clear of cloud on title or of any other legal encumbrance.

8. Where, after following the procedures in this Resolution, a plot has reverted to City ownership and has not been resold, an owner shall have the right, upon presentation of a certificate of title or a right to burial to the City, to receive (at the sole option of the City), either the right to internment in another plot or to be compensated for the plot at the reasonable value of such plot as of the date of this presentation of the certificate to the City.

9. All proceeds for resale of a plot less the costs of any expenses occurred in the proceeding, shall remain part of the permanent care and improvement fund of a City cemetery.

10. [reversionary clause to certificates or rights to burial?]

ADOPTED and effective this ____ day of July, 2016.

CITY OF IDAHO FALLS, IDAHO

_____

Rebecca L. Noah Casper, Mayor

ATTEST:

_____

Kathy Hampton, City Clerk

DRAFT

(SEAL)

STATE OF IDAHO)

) ss:

County of Bonneville)

I, KATHY HAMPTON, CITY CLERK OF THE CITY OF IDAHO FALLS, IDAHO, DO HEREBY CERTIFY:

> That the above and foregoing is a full, true and correct copy of the Resolution entitled, "A RESOLUTION OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, ESTABLISHING POLICIES AND PROCEDURES REGARDING UNUSED CEMETERY PLOTS PURSUANT TO IDAHO CODE; AND PROVIDING THAT THIS RESOLUTION BE EFFECTIVE UPON ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW."

_____

Kathy Hampton, City Clerk

(SEAL)

DRAFT