

February 5, 2018

The City Council of the City of Idaho Falls met in Special Meeting (Council Work Session), Monday, February 5, 2018, in the Council Chambers in the City Annex Building located at 680 Park Avenue in Idaho Falls, Idaho at 3:00 p.m.

Call to Order and Roll Call:

There were present:

Mayor Rebecca L. Noah Casper
Councilmember Thomas Hally
Councilmember Jim Francis
Councilmember Michelle Ziel-Dingman
Councilmember Shelly Smede
Councilmember Jim Freeman
Councilmember John Radford (arrived at 3:10 p.m.)

Also present:

Pamela Alexander, Municipal Services Director
Jay Doman, Eastern Idaho Community Action Partnership (EICAP) Director
Ryan Tew, Human Resources Director
Bryce Johnson, Police Chief
Brad Cramer, Community Development Services Director
Carole Walters, Sister Cities President
Kevin Fuhrman, Sister Cities Member
Dana Briggs, Economic Development Coordinator
William Squires, Police Captain
Randy Fife, City Attorney
Kerry Hammon, Public Information Officer
Kathy Hampton, City Clerk

Mayor Casper called the meeting to order at 3:01 p.m. with the following:

Calendar, Announcements and Reports:

Mayor Casper distributed calendar items for the month of February as follows:

February 6, Idaho Falls Symphony, Executive Director Welcome Party, and, Planning and Zoning (P&Z) Commission Public Meeting
February 7, P&Z Public Meeting, and, Idaho Falls Fire Department (IFFD) Annual Awards Ceremony
February 8, Chamber of Commerce Advocacy Group Video Conference; Idaho Falls Power (IFP) Board Meeting; and, City Council Meeting
February 14, American Public Power Association (APPA) Governance Webinar
February 15, Chamber of Commerce Advocacy Group Video Conference
February 19, Presidents' Day, City offices closed
February 20, Chamber of Commerce State of the Cities Breakfast, and, Council Work Session
February 21, Municipal Water Symposium
February 22, Chamber of Commerce Advocacy Video Conference; Incident Command Elected Officials Training; Dream Big: Girls Night Out; and, City Council Meeting
February 23, City Club Forum
February 24, Dream Big: Family Day

Mayor Casper stated there are several national organizations that support the work of cities. She recognized several of these organizations. She indicated membership dues, in the amount of \$4000, have previously been paid to the National League of Cities (NLC) and she requested Council input to continue with the membership. She indicated the elected officials can attend all NLC meetings without being a member although she believes it would take several officials' attendance at the conference(s) to make the amount worthwhile. She believes the workshops are beneficial

February 5, 2018

but noted there are additional fees, in addition to the membership fees, to attend the individual workshops. Following brief discussion and comments, there was consensus to discontinue the NLC membership for the time being. Mayor Casper gave a brief update on the current State legislation including (House Bill) HB365, HB420, HB450, and HB452. She noted several cities are struggling with the Magistrate court funding and several stakeholders made a strong effort for a solution. Mayor Casper also distributed a draft of Small Modular Reactor (SMR) legislation, including regulations for tax exemptions.

Liaison Reports and Concerns:

Councilmember Hally stated there may be possible legislation that may require Cities to run on a party system. Councilmember Freeman had no items to report. He noted approximately \$5000 has currently been spent on snow removal.

Councilmember Smede stated she has met with the Library Board and noted that Bonneville County will need to make a decision regarding library fees for other communities. She also noted Community Development Services has held several meetings regarding the new zoning ordinance.

Councilmember Francis reiterated the IFFD Awards Ceremony will be held February 7.

Councilmember Radford stated he would like to meet with and distribute information to the individual Councilmembers regarding the upcoming budget session.

Councilmember Dingman stated the Parks and Recreation (P&R) Department will be submitting several grants in the near future. She briefly reviewed several P&R projects and upgrades.

Eastern Idaho Community Action Partnership Agreement Review and Discussion:

Director Alexander introduced Mr. Doman. Mr. Doman briefly reviewed the services offered and provided by EICAP including Early Head Start Programs, weatherization programs, Area Agency on Aging, and 351 units of low income housing for senior, disabled, and multi-family. He noted EICAP provides services to nine (9) counties with an overlap into one (1) additional county. Director Alexander stated the previous agreement was approved in 2005. The agreement includes administration of Project Help funds to provide electric assistance based on the criteria of individuals. These individuals must make payment arrangements with the City Credit Office with said funds. She briefly reviewed the application process. Director Alexander indicated the agreement includes a 1% fee increase to assist with administrative costs. Mr. Doman expressed his appreciation to Director Alexander and Mr. Fife for their assistance with this structured agreement. Director Alexander noted that several community members have donated to this fund for several years. She indicated this agreement will be included on the February 22 Council Meeting agenda.

Follow-up Discussion of Employee Compensation:

Mayor Casper stated the City has 11 different departments, all with different needs. She indicated IFP has moved to Pay for Performance as a pilot project. She then turned the discussion to Councilmember Francis, the liaison for Human Resources. Councilmember Francis believes Pay for Performance should be delayed due to the unclarity of how or why this would improve the current process. He also believes it will create edginess among coworkers. In addition, he believes the Performance Appraisal Conversations (PAC) would be the right direction although the PAC would involve training of supervisory staff and employee adaption. Councilmember Francis stated he prefers employees to be part of the process as well as setting the objectives. He doesn't believe public service employees should be competing for a limited pot of money. He suggested Pay for Performance be postponed for at least one (1) year and that a hybrid system could include the current step and grade system. Councilmember Francis stated per discussion with IFP Director Jackie Flowers, IFP's goal is a cohesive compensation plan. He does not believe this is a classic Pay for Performance system. He believes there is a difference between market level wages versus pay for performance and the objective should be to affirm and recognize the creative productive elements of the City employees. Mayor Casper clarified the nature of the compromise would be to postpone Pay for Performance until PAC is in place. Councilmember Hally stated he is in favor of delaying the process but does not want to eliminate the appraisal system of the employees. Councilmember Francis indicated the current system allows an employee to remain at their current step if said employee is not performing and the evaluation is valid. Director Tew stated appraisals are currently being performed, although PAC is more structured. Mayor Casper believes the depth of supervisors may not exist for adequate training. Councilmember Freeman believes supervisors should be adequately

February 5, 2018

trained to ensure fairness of the evaluations. Councilmember Radford believes there is a cost associated for either direction. Councilmember Dingman believes the outcome of the evaluation should be rewarded to those employees who go above and beyond. She also believes additional training will need to occur for supervisors. Director Tew does not believe the current system allows compensation to high performers. Following general comments, there was consensus to implement the PAC and the current step and grade will continue at this time. Director Tew believes management skills are evolving although not advanced as he would like. He also believes training is needed for managers, which will ultimately cost money.

Council Training/Discussion on Idaho Falls Police Department (IFPD) Media Communications:

Mayor Casper stated several notices had been recently distributed regarding Police Department items which caused her concern. However, following discussion with Chief Johnson she indicated an essential part of communicating policing is communication with the public.

Chief Johnson indicated the IFPD vision statement is to be an open, courteous, and community-minded organization. Core values include: Integrity (decisions and actions should be made under the “bright light of day” test which assumes that all of our actions and decision making process will one day be under public scrutiny), Honor, Trust (willingness to show consideration, care and appreciation toward others with dedication to building relationships based on truth and authenticity, this applies to internal and external), and Excellence. Chief Johnson reviewed the IFPD philosophy – crime and public safety are community problems. The community and the police must work together to solve these problems. Citizens, the IFPD, community organizations, and governmental agencies (including the media) are equally responsible to help fulfill this mission. Each entity must be willing to work together, to become involved, to take initiative, and to cooperate with each other to create an environment free from crime and the fear of crime. Chief Johnson stated community policing is the heart of this direction and plan and each member of the IFPD is responsible for achieving its mission. The community shares in the same responsibility. He indicated the two (2) main jobs for a police chief include internal communication to the department and external communication with the community. He believes a department can fail if internal and external communication does not occur. He indicated his first several months as Chief included improving internal communication. He also does not want an adversarial relationship with the media. He indicated each department, as well as the media, has an important job and most often the needs and goals are similar. Chief Johnson believes public safety messages need communicated in a timely manner. Major significant crimes and public interest (traffic accidents, animal calls, vandalism, and public assistance) should be communicated as quickly as possible. He also noted the IFPD may need considerable public assistance to resolve specific cases. Chief Johnson reviewed FBI Case Management for Missing Children Homicide Investigation stating information for child recovery needs to be disseminated as soon as possible, Federal law states the 24-hour rule no longer exists. The multiple avenues of press releases and public service announcements will be disseminated on recurring events as he believes this is a more refined process for internal and external communication. Chief Johnson also believes information should be disseminated for good reports and stories of officers.

Sister Cities:

Mayor Casper stated the Sister Cities organization requires affiliation with a City which includes the required meeting notices and minutes.

Ms. Walters stated the Sister City organization is an ambassador for the City of Idaho Falls and has been an ambassador for 37 years. She briefly reviewed the Sister City history and similarities of Idaho Falls and Tokai-mura. She stated per the agreement, the Tokai-mura delegation visits Idaho Falls in the even years and the Idaho Falls delegation visits Tokai-mura in the odd years. The first adult exchange occurred in 1983 and the first youth exchange occurred in 1984. Ms. Walters reviewed a typical delegation visit, including host family duties and tours. She also stated local donations and organizations have offered assistance with recent Japanese catastrophes. Mr. Fuhrman noted recent meetings and assistance with Sakae Casting personnel. Director Cramer reviewed his recent delegation visit to Tokai-mura and expressed his appreciation for the opportunity as he believes value can be gained if there is a connection to other communities and cultures. Mayor Casper also believes benefits can be gained and briefly reviewed her previous delegation visit. Councilmember Radford expressed his appreciation to the organization. Mayor Casper noted the Sister City Committee meets on a monthly basis.

February 5, 2018

Economic Development Video Premier:

Ms. Briggs stated she was contacted by CGI Communications, located in New York, regarding marketing of the City of Idaho Falls. After reviewing their product, Ms. Briggs believed the video presentations would be a great asset for Idaho Falls. She indicated all videos are located on the City website home page as well as the Economic Development page. She stated there was no cost to the City as the specific advertisement spots paid for the production of the videos, which also includes an individual video for each advertiser. Videos presented included: Welcome; Education; Healthcare; Economic Development; Federal Contracting; Business Success; Culture, Recreation and Entertainment; and Real Estate. Ms. Briggs stated a press release will be issued for each video in the near future.

Hearing Training:

Mr. Fife stated the Council acts as a legislative and judicial functions with information received from a variety of sources. He indicated a quasi-judicial hearing will apply to something specific. He indicated most appeals are handled by boards, however any licensing appeals will be presented to the Council. Any decision made by the Council is final, if the appellant does not agree, the appellant can then go to the court system. Mr. Fife stated this specific decision is made by staff and the reason for denial should be consistent with City Code. Any changes to City Code should be discussed at another time. He recommended staff presentation followed by the appellant presentation with any questions as appropriate. The current decision can then be reversed or concur with staff recommendation. He reminded the Council this hearing should not be emotional. The Council can recuse themselves for moral reasons, personal knowledge of the appellant(s) is not considered a reason to recuse.

Mayor Casper opened the hearing for Ms. Sarah Disney.

Ms. Hampton briefly reviewed the licensing process. Captain Squires briefly reviewed Ms. Disney's criminal history background investigation related to City Code for a Child Care Worker Certification (CCWC). He stated there are several felony and misdemeanor charges for Ms. Disney including a drug paraphernalia which, per City Code, would automatically preclude a CCWC. Charges also include a misdemeanor Disturbing the Peace involving a child. Mr. Fife briefly clarified misdemeanor, felony, and withheld judgement definitions. Captain Squires believes the pattern of conduct by Ms. Disney could pose a danger. Ms. Disney explained her charges related to the criminal history background. General comments and questions by the Councilmembers followed. Mr. Fife believes the facts would disqualify the applicant. Mayor Casper closed the hearing. Following additional discussion, Mayor Casper requested Council's decision regarding the appeal stating a 'yes' vote would grant the appeal and a 'no' vote would uphold the appeal. Roll call as follows: Aye – Councilmember Freeman. Nay – Councilmembers Radford, Smede, Francis, Dingman, Hally. Appeal denied.

Mayor Casper opened the hearing for Mr. Oryan Rodriguez.

Ms. Hampton briefly reviewed the licensing process for a Door-to-Door license. Captain Squires briefly reviewed Mr. Rodriguez's criminal history background investigation related to City Code. He stated Mr. Rodriguez was found guilty of a felony when he was sixteen years old. Brief discussion followed regarding juvenile records. Mr. Rodriguez explained his felony charge and noted he is now 27 years old. General discussion followed. Mayor Casper closed the hearing. Councilmember Radford stated all individuals have painful things that have happened in the past. He believes more leaders are needed in the demographic area and he would like to see that happen. Councilmember Freeman recognized the mistakes were as a juvenile but the law is clear. Following additional comments, Mayor Casper requested Council's decision regarding the appeal, reiterating a 'yes' vote would grant the appeal and a 'no' vote would uphold the appeal. Roll call as follows: Aye – none. Nay – Councilmembers Hally, Radford, Francis, Dingman, Smede, Freeman. Appeal denied.

Mayor Casper stated it appears there is more certainty in City Code with respect to Door-to-Door sales versus the care of children. Councilmember Radford stated the wording in ordinances make a difference when being approved by the Council and the wording needs to be clear with staff. He also believes this is a chance to provide leadership to change the ordinances. Mayor Casper indicated Ms. Disney and Mr. Rodriguez could re-apply for said licenses if the City Code were to change.

February 5, 2018

There being no further business, the meeting adjourned at 6:40. It was then moved by Councilmember Radford, seconded by Councilmember Freeman, to move into Executive Session. The Executive Session has been called pursuant to the provisions of Idaho Code Section 74-206(1)(j) To consider labor contract matters authorized under Idaho Code Section 74-206(1)(a) and (b). At the conclusion of the Executive Session, the Council will not reconvene into regular Work Session. Roll call as follows: Aye – Councilmembers Francis, Dingman, Freeman, Hally, Radford, Smede. Nay – none. Motion carried.

The City Council of the City of Idaho Falls met in Special Meeting (Executive Session), Monday, February 5, 2018, in the City Council Chambers in the City Annex Building located at 680 Park Avenue in Idaho Falls, Idaho at 6:49 p.m.

There were present:

- Mayor Rebecca L. Noah Casper
- Councilmember Michelle Ziel-Dingman
- Councilmember John B. Radford
- Councilmember Jim Francis
- Councilmember Shelly Smede
- Councilmember Jim Freeman
- Councilmember Thomas Hally

Also present:

- Randy Fife, City Attorney
- Ryan Tew, Human Resources Director
- Pamela Alexander, Municipal Services Director
- Dave Hanneman, Fire Chief

The Executive Session has been called pursuant to the provisions of Idaho Code Section 74-206(1)(j) To consider labor contract matters authorized under Idaho Code Section 74-206(1)(a) and (b).

There being no further business, the meeting adjourned at 7:25 p.m.

s/ Kathy Hampton
CITY CLERK

s/ Rebecca L. Noah Casper
MAYOR