

## February 22, 2021 Work Session

The City Council of the City of Idaho Falls met in Council Work Session, Monday, February 22, 2021, 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  
Council President Michelle Ziel-Dingman (via WebEx)  
Councilor John Radford (via WebEx)  
Councilor Thomas Hally  
Councilor Jim Freeman (via WebEx)  
Councilor Jim Francis

Absent: Councilor Shelly Smede

Also present:

Pamela Alexander, Municipal Services Director  
Josh Roos, Treasurer  
Brad Cramer, Community Development Services Director  
Anas Almassrahy, Community Development Services Planner  
PJ Holm, Parks and Recreation Director  
Ronnie Campbell, Parks and Recreation Superintendent  
Randy Fife, City Attorney  
Kathy Hampton, City Clerk

### Acceptance and/or Receipt of Minutes:

It was moved by Councilor Francis, seconded by Councilor Hally, that Council receive the recommendations from the February 16, 2021, Planning and Zoning Commission Meeting pursuant to the Local Land Use Planning Act (LLUPA). Roll call as follows: Aye – Councilors Hally, Radford, Francis, Dingman, Freeman. Nay – none. Motion carried.

### Calendars, Announcements and Reports:

February 25, Idaho Falls Power (IFP) Board Meeting (Mayor Casper briefly reviewed agenda items); and City Council Meeting  
February 26, City Club Luncheon, featuring Dave Jeppesen, Idaho Department of Health and Welfare Director  
March 1-4, American Public Power Association (APPA) Legislative Rally  
March 8, City Council Work Session  
March 11, City Council Meeting

Mayor Casper stated the March 6 Airport Leadership Workshop has been canceled, this workshop may be rescheduled for April or May 2021. Dialogue with Idaho Falls Regional Airport (IDA) will occur as needed. Mayor Casper announced a budget workshop to be held on April 2 to include all Councilmembers and directors/leadership team; she will be serving as the Program Chair for the month of March for Rotary club (she briefly reviewed upcoming City-related topics); Idaho Falls placed 1<sup>st</sup> on the Milken Institute's study for Best Performing Small City; and the Versatile Test Reactor (VTR) project is being proposed for a location near Idaho Falls on the Idaho National Laboratory (INL) site, public comment for this project will close in the near future. Mayor Casper stated the number of Coronavirus (COVID-19) cases continues to decrease, and Idaho continues to distribute vaccinations as they are received. She noted no vaccines were received in the previous week due to weather-related issues in other states.

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She also noted the Idaho Falls Fire Department (IFFD) continues to efficiently distribute the vaccines as they are received.

### Liaison Reports and Council Concerns:

Councilor Radford reiterated the APPA Legislative Rally.

Council President Dingman had no items to report.

Councilor Freeman had no items to report.

Councilor Hally stated the Idaho Falls Redevelopment Agency (IFRdA) audit report is complete and will be distributed shortly; and the IFFD ladder truck will arrive in March.

Councilor Francis stated he distributed an update from the Behavioral Crisis Center regarding the Community Development Block Grant (CDBG) monies to all Councilmembers. He also stated per the Parks and Recreation (P&R) Department – one (1) outdoor ice rink is still being maintained, trails at several parks have been groomed for winter activities, and there will be an open house on February 26 for retiree Gary Allan.

### Discussion: Amendment to City Code, Title 1, Chapter 9, Section 2, Bonding Requirements:

Director Alexander noted the Legal Department has been updating City Code to ensure best practices. She stated the proposed ordinance changes the bonding requirement for City public officials, officers, and employees. She also stated Idaho Code Section 50-204 only requires the City Clerk and the City Treasurer to be bonded. She noted a blanket bond is provided by Idaho Counties Risk Management Program (ICRMP) for the remaining officials, officers, and employees per Idaho Code 59-408. Per Mayor Casper, Mr. Fife stated there is no fiscal impact as the service is already being provided. Brief comments followed. This item will be included on the February 25 Council Meeting agenda.

### Overview/Discussion: Local Improvement Districts (LID):

Director Alexander stated LIDs are for the installation of amenities (curbs, gutter, sidewalk, etc.). She also stated there are a number of old, historical tax deeds that were issued for LID work. These tax deeds remain on record until the property is sold. Director Alexander stated several of these tax deeds have recently been brought to the attention of Mr. Roos as not all of the deeds had been finalized. She noted research will be completed with Bonneville County for any remaining tax deeds. Director Alexander also stated once an individual pays the deed, the City will issue a Resolution with a Quit Claim Deed that indicates all tax payments have been satisfied. Mr. Fife explained the LID process, stating this is similar to a small government loan to that district which is paid off over the course of time. If the property is sold, the LID is to be paid off at the time of selling. Mr. Fife also stated this is a tax financed by the taxpayers for those improvements, which is a default loan of credit to the property owner. Per Mayor Casper, Mr. Fife explained a Quit Claim Deed, stating this quits any claim against a property. Per Mayor Casper, Mr. Roos stated payments had been made throughout the years, these leftover amounts are the final payment(s). Mr. Fife is unsure if the interest procedure was followed, therefore, he does not believe any interest should be included. Per Councilor Francis, Director Alexander stated the amount for this particular deed, issued in 1977, has been paid in full, the Quit Claim Deed will allow the property owner to move forward. She reiterated the research will determine any other tax deeds. A Resolution and a Quit Claim Deed will be included on the February 25 Council Meeting agenda.

### Overview/Discussion: “Imagine Idaho Falls” 2021 Comprehensive Planning Process and Goals:

Director Cramer introduced Mr. Almassrahy. Director Cramer stated ImagineIF – A Plan To Move Idaho Falls Forward Together, is the Comprehensive (Comp) Plan effort. This is being messaged as a conversation of growth and change in the community. Director Cramer stated outreach reporting will occur in April/May 2021. He reviewed the following with general discussion throughout:

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Timeline – Update social and economic profile, Update background studies, Missing Middle Housing Report (Opticos Design), Healthy Communities Assessment (new component to the Comp Plan), Public Outreach Design (Agnew::Beck), Public discussions Phase 1 (now-March), Draft plans and policies based on discussion (April-June), Public discussions Phase 2 (July-August), Revise plans and policies (August-September), and Plan adoption (September-December). Director Cramer noted this plan was delayed from August 2020 due to COVID. Outreach will include Community Survey (Reach a broad, diverse audience; Understand high-level priorities and preferences on growth issues; Understand beliefs about Idaho Falls' character, and personal connection to the City), Focus Groups (Understand opportunities and concerns from specific viewpoints with particular interests in growth issues; Regional input and collaboration), and Neighborhood Meetings (Two-way dialogue about growth issues and concerns; Understand specific geographic concerns and interests; Discuss ideas for solutions; "Think outside the yard") which will begin February 24. Director Cramer stated a video story/memory booth has been recommended including six (6) topics – one (1) topic will include ideas moving forward. He also stated ImagineIF has been created on the City's website which includes several links. Per Councilor Hally, Director Cramer stated the cost of growth is anticipated to be discussed/identified. General comments followed. Per Councilor Francis, Director Cramer stated the neighborhood meetings will be in the same area. He also recommended staff and Councilmembers 'just listen' to the neighborhood meetings.

### Discussion: Community Development Services Workflow:

Mayor Casper stated numerous items, including public hearings, will be forthcoming within the Community Development Services Department. Director Cramer indicated Planning and Zoning (P&Z) has heard 17 public hearings, 14 plats, and there are an additional pending 14 plats. He also indicated some of these hearings could be controversial. Following brief comments and feedback, extra meetings may be proposed for April 1 and April 29 with the possibility of earlier start times of regular Council Meetings in April.

### Update: Heritage Park:

Director Holm believes Heritage Park has been a bittersweet project for several City employees, and there have been several hurdles with this project. He noted the City has invested approximately \$1M into this project at this point (this amount also includes donations, additional donations (including trees) are anticipated). He is hopeful beautification can begin in the near future for this park. Director Holm stated, per the architectural design drawing, the entire transition from the edge of the park to the neighboring properties did not align with the topography. He commended the Public Works staff as they worked with the design company for several months to redesign the western half of the park. He noted a lot of internal work and collaboration has been occurring between City departments. Director Holm reviewed the projected timeline: present – new power poles are being installed (this amount was budgeted in the previous year), this has been a long process of moving fill; February – the Engineering Division is working on details of the Snake Stream (the park will be irrigated from this stream although it will be metered separately); April – complete permit for non-consumptive water rights for the Snake Stream; April – bid-set to divert water through the park to the two (2) ponds; May/June – bid-set final grade on north end (Phase 1 of the park cannot be fully completed due to the current funds, therefore the emphasis for water will be on the north end); summer – bid out irrigation installation on north end; summer – accept fill to complete needs for the park. Director Holm displayed the beginning, current state, and near future pictures of the park. He also displayed Master Plan pictures. He once again commended the Public Works staff specifically Chris Canfield, Kent Fugal, Yvona Gunderson, and Bill McKellip. He also expressed his appreciation for the partnership with Rotary, Snake River Landing, and Ball Ventures. Per Councilor Hally, Director Holm stated there will not be fish planted in the ponds. Councilor Radford suggested a replica of the water tower being included at the park, as part of the heritage. Per Councilor Radford, Director Holm stated a bridge to the island is unattainable at this time, and he is unsure of the cost of a bridge. Per Mayor Casper, Director Holm stated parking should be available/completed this summer. Mr.

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Campbell stated this has been a challenging project, including the funding. He also believes this project has been bittersweet. Per Councilor Radford, Director Holm noted he is continuing to work on the land and water conservation funds/grants.

### Discussion: Pending Legislation:

Mayor Casper reviewed the following House Bills (HB) and Senate Bills (SB) with general discussion:

HB73 – provides for the uniform accounting, budgeting, and financial reporting procedures. Mayor Casper expressed her concern about hidden costs of implementation as well as penalties.

HB90 – provides for protection of certain historic monuments and memorials. Mayor Casper stated this is being held by the Senate Committee Chair.

HB112 – provides a mechanism for rebate of sales and use taxes for road materials.

HB127 – creates an Idaho Broadband Advisory Board and establishes a fund. Mayor Casper believes this will ensure the fund will be spread out equally.

HB164 – would override local jurisdictional rules of ATVs/motorcycles on public roads.

HB195 – prohibits targeted residential picketing. Mayor Casper indicated there are first amendment issues.

HB197 – removes local government's ability to use the misdemeanor penalty when creating local ordinances.

SB1108 – aims to address property taxation issues. Mayor Casper believes this is a very poor bill. She noted Councilor Francis testified against this bill. Councilor Radford believes this has become a battle between business owners and home owners.

SB1111 – establishes districts and will require election of City Councilmembers by geographical districts in cities with populations in excess of 100,000. This would be effective in 2023. Councilor Hally believes this would prevent Councilmembers from focusing on the entire City.

Mayor Casper stated HB110, HB124, and HB156 address impact fees. She noted the City of Idaho Falls does not currently have impact fees. General discussion and comments followed. Mayor Casper also stated Imagine Idaho, a coalition of interests that are seeking to promote broadband throughout the State, has a Facebook page. She invited Councilmembers to participate in the weekly Association of Idaho Cities (AIC) sessions.

### No Action: Strategic Discussion—Open Topics:

Mayor Casper clarified this item will not include any decision-making. Council President Dingman stated, per her role as Council President, she wanted to create a public autonomous conversation amongst the Councilmembers although she is unsure how frequent these conversations will occur. She believes these conversations and opinions may provide a strategic vision to staff and Mayor for potential future agenda items. She then turned the discussion to Councilor Radford. Councilor Radford expressed his concern for the liaison system. He explained the previous process with the use of committees, although he believes a hybrid system may be needed. Council President Dingman stated, although she understands Councilor Radford's perspective, she believes the liaison system is a good system. She also believes it would be nearly impossible to become 'an expert' for the City's eleven departments. Councilor Hally indicated the previous committee system was questioned by AIC. He prefers the liaison system. Councilor Francis expressed his concern for leading discussion items as he believes he is representing the department. He also believes if the director presents/leads the discussion items, he would be more challenging if necessary or appropriate. Council President Dingman noted, per recent changes, the directors will now be presenting agenda items instead of the Council liaison. She believes any disagreements that may occur with a director may occur in the liaison meetings. Councilor Freeman believes it's beneficial to be a liaison and develop a relationship with directors as not all discussions could happen in a public meeting. He indicated he advocates for all departments, not just the departments he represents. He prefers the liaison system. Council President Dingman

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stated other discussion items requested by Councilors Francis and Freeman will be addressed in the near future. General discussion and comments followed.

It was then moved by Councilor Francis, seconded by Councilor Freeman, to move into Executive Sessions (at 5:44 p.m.). The Executive Sessions are being called pursuant to the provisions of Idaho Code Section 74-206(1)(c) to acquire an interest in real property which is not owned by a public agency; and Idaho Code Section 74-206(1)(f) to communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated, but imminently likely to be litigated. At the conclusion of the Executive Sessions the Council will not reconvene into regular Work Session. Roll call as follows: Aye – Councilors Francis, Dingman, Freeman, Hally, Radford. Nay – none. Motion carried.

The City Council of the City of Idaho Falls met in Executive Sessions, Monday, February 22, 2021 in the City Annex Conference Room in the City Annex Building located at 680 Park Avenue in Idaho Falls, Idaho at 5:52 p.m.

There were present:

Mayor Rebecca L. Noah Casper  
Councilor Jim Francis  
Councilor John Radford (via telephone)  
Councilor Jim Freeman (via telephone)  
Council President Michelle Ziel-Dingman (via telephone)  
Councilor Thomas Hally

Also present:

Chris Fredericksen, Public Works Director  
Randy Fife, City Attorney

The Executive Sessions were called pursuant to the provisions of Idaho Code Section 74-206(1)(c) to acquire an interest in real property which is not owned by a public agency; and Idaho Code Section 74-206(1)(f) to communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated, but imminently likely to be litigated.

There being no further business, the meeting adjourned at 6:31 p.m.

s/ Kathy Hampton \_\_\_\_\_  
Kathy Hampton, City Clerk

s/ Rebecca L. Noah Casper \_\_\_\_\_  
Rebecca L. Noah Casper, Mayor