

July 23, 2018

The City Council of the City of Idaho Falls met in Special Meeting (Council Work Session), Monday, July 23, 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 John Radford
Councilmember Jim Francis
Councilmember Shelly Smede
Councilmember Jim Freeman (by telephone)
Councilmember Michelle Ziel-Dingman (arrived at 3:02 p.m.)

Also present:

Penny Manning, Bonneville County Clerk
Roger Christensen, Bonneville County Commissioner
Bryon Reed, Bonneville County Commissioner
Danny Clark, Bonneville County Prosecuting Attorney
Ron Smith, Bonneville County Accountant
Greg Weitzel, Parks and Recreation Director
Brent Foster, War Bonnet Round Up Rodeo Chairman
Bob Skinner, War Bonnet Round Up Rodeo Past-Chairman
Jeff Newgard, War Bonnet Round Up Rodeo Treasurer
Dennis Marshall, War Bonnet Round Up Rodeo Chair-Elect
Michael Kirkham, Assistant City Attorney
Kathy Hampton, City Clerk

Mayor Casper called the meeting to order at 3:00 p.m. with the following:

Bonneville County Magistrate Court Funding:

Mayor Casper stated there is a provision in State law which allows the courts to seek financial assistance from cities for court facilities. She indicated an invoice was received from Bonneville County in the amount of \$450,000. The City paid \$400,000, therefore requiring discussion on the remaining \$50,000. Mayor Casper stated a recent State-wide committee, appointed to study this issue, has submitted a report which will repeal this provision of the law in five (5) years, following a 20% step down for each of the five (5) years. She indicated the step down amount will have an overall impact to what the City pays.

Ms. Manning stated in 2017 the Trial Court Administrator reviewed court costs by agency. She briefly reviewed the number of infraction and misdemeanors citations by agency. City infractions = 47%, misdemeanors = 60%. Ms. Manning stated an average of 50% was used as a conservative basis. She also reviewed yearly operating expenditures; wages and benefits for infraction and misdemeanor case processing; and, number of filings per County. She also reviewed 2013 documentation with former Mayor Jared Fuhriman regarding the based amount for City funding. Councilmember Radford believes the increase in funding was going to occur over the course of time and would be allowed in steps. Commissioner Christensen stated, following the documentation with Mayor Fuhriman, data was collected which indicated the actual amount of court costs were approximately \$600,000. He believed the agreement was a four-year agreement with incremental steps. Mayor Casper does not believe the documentation constitutes an agreement, she indicated there is currently no written agreement. She believes the previous amount of \$400,000 was the basis of an agreement and the additional \$50,000 was a placeholder amount only. She reiterated the amount paid in the current year will be the basis of the step down for the next five (5) years. Mayor Casper believes the City, and its taxpayers, is responsible to pay for more court funding, based on population, than any other City in the State. Councilmember Radford questioned how to resolve the issue as the amount was included in last years budget. Mr. Fife stated the Council is in control of the expenditures. Councilmember Hally believes there should be a compromise

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in the funding. He believes this is a State-wide quasi mess. He recommended payment of the additional \$50,000 with the \$400,000 used as the step down amount. Commissioner Reed does not believe that amount would be allowed per State statute as the amount is determined by the last voluntary agreement with the County. He, as well as additional County staff, also believes per the June 5, 2017 discussion, \$450,000 would be paid in the current year based on the voluntary amount, regardless of the actual court costs. Commissioner Reed does not believe this amount would be an issue if not for HB643. Mayor Casper reiterated the additional \$50,000 was a placeholder amount only, and was based on the pending State decision. Councilmember Radford believes the City was committed to \$450,000. Councilmember Dingman concurred and she believes the documentation could satisfy the taxpayers. Councilmember Smede also believes the \$450,000 was the committed agreement. Brief comments followed regarding the legality of Councilmember's Hally recommended compromise. It was then moved by Councilmember Radford, seconded by Councilmember Dingman, to pay the \$450,000 and use that as the basis for the agreement going forward. Roll call as follows: Aye – Councilmembers Smede, Dingman, Radford, Freeman, Francis. Nay – Councilmember Hally. Motion carried.

Commissioner Christensen briefly reviewed the Bonneville County invoice method.

Acceptance and/or Receipt of Minutes:

It was moved by Councilmember Smede, seconded by Councilmember Dingman, to receive the recommendations from the Planning and Zoning Commission pursuant to the Local Land Use Planning Act (LLUPA). Roll call as follows: Aye – Councilmembers Dingman, Smede, Francis, Freeman, Hally, Radford. Nay – none. Motion carried.

Calendar, Announcements and Reports:

July 25-27, Idaho Consumer Owned Utility Association (ICUA)
July 26, POW/MIA Missing Man Chair at Idaho Falls Chukars game
July 27-28, POW/MIA Awareness Rally and Motorcycle Rodeo
July 28, Idaho Falls Downtown Development Corporation (IFDDC) Taste of Downtown
July 30, City Council Meeting
July 31, Municipal Employees Association (MEA) Picnic

Mayor Casper reviewed the Eastern Idaho Special Assistant United States Attorney (SAUSA) information and report. She anticipates the cost to be less than \$5000. Mayor Casper requested discussion at a future Work Session to review the current and future budget process.

Liaison Reports and Concerns:

Councilmember Hally reminded the Council of the upcoming War Bonnet Roundup Rodeo.
Councilmember Smede noted that School District 91 has amended their calendar to conclude the school year on May 31.
Councilmember Francis stated purchase of a new fire truck will be included on the July 30 Special County Meeting agenda.
Councilmember Radford expressed his appreciation to the new Councilmembers for the first budget process. He also stated there has been renewed interest for fiber.
Councilmember Dingman reiterated the upcoming War Bonnet Roundup Rodeo. She indicated the Idaho National Laboratory (INL) is sponsoring community children to attend the rodeo.

Itinerant Merchant Ordinance Discussion:

Mr. Kirkham stated there has been confusion whether the City regulates fruit stands. In the past, the City has not enforced these specific fruit stands, although as defined by City Code, fruit stands are identified as Itinerant Merchants. He believes the fruit stands are historically tied to the community and it would be a burden for agricultural and/or local products as they provide a service to the City without similar Itinerant Merchant concerns. Mr. Kirkham confirmed the amendment would match law to practice. This amendment would only apply to fresh fruits, vegetables, and agricultural products. It was noted this amendment would not affect the Farmers Market license. This item will be included on the July 30 Special Council Meeting agenda.

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War Bonnet Rodeo Board Presentation:

Mayor Casper stated the City has been responsible for the War Bonnet Rodeo (WBR) for three (3) years. Director Weitzel introduced the WBR Board: Mr. Foster, Mr. Skinner, Mr. Newgard, and, Mr. Marshall.

Mr. Skinner reviewed the history of the WBR stating the rodeo has been occurring since 1911. The American Legion took over the WBR in 2008, prior to the City taking over in 2015. Director Weitzel expressed his appreciation to Mr. Skinner. Councilmember Radford expressed his appreciation to Mr. Skinner as well. Director Weitzel believes the rodeo is a great opportunity for a community event. Brief comments followed regarding the Snake River Stampede, as the largest rodeo in the State. Director Weitzel reviewed the namesake of War Bonnet Roundup, stating the name was bestowed by the Shoshone Bannock Tribal Council. Mr. Foster reviewed the City's participation.

Mr. Newgard reviewed rodeo facts:

- 2017 attendance = 15,000+
- 2017 featured event - bareback w/\$10,000 added purse
- 2017 cash sponsorship = \$127,000 + \$103,500 in-kind = \$230,000
- 2017 total purse from WBR = \$47,500 + \$56,585 from 450+ contestants = \$104,085 total prize money
- 2018 = national exposure via Wrangler Network
- 2018 rodeo budget = \$315,000

Mr. Newgard reviewed Marketing and Advertising including: television, radio, print, billboards, web and social media, at the rodeo, and at the kick-off. Total value = \$130,000.

Director Weitzel reviewed the wild horse race event, stating there are twenty four teams entered for the 2018 rodeo. Mr. Skinner reviewed the rodeo royalty and stated they are the ambassadors for the rodeo. He indicated they represent the rodeo in several capacities. Director Weitzel believes the royalty is an important part of the rodeo.

Mr. Marshall reviewed the downtown rodeo kickoff. He believes this is a premiere family event. He indicated there will scholarship funding in the future and, historical items will be featured at the Museum of Idaho. He expressed his appreciation to the elected officials for their support as he believes the rodeo exposes the community. Director Weitzel also expressed his appreciation to the elected officials as well as the sponsors of the rodeo. He stated the rodeo logos are now registered with the State. Director Weitzel stated the \$1 surcharge has allowed funding to renovate and upgrade Sandy Downs facility. He briefly reviewed recent improvements to Sandy Downs. He anticipated the Sandy Downs Master Plan will be presented to the Council within the next year. The WBR schedule was briefly reviewed.

There being no further business, the meeting adjourned at 4:47 p.m.

s/ Kathy Hampton

CITY CLERK

s/ Rebecca L. Noah Casper

MAYOR