

October 22, 2018

The City Council of the City of Idaho Falls met in Special Meeting (Council Work Session), Monday, October 22, 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 Jim Freeman
Councilmember Michelle Ziel-Dingman (arrived at 4:05 p.m.)

Absent:

Councilmember Shelly Smede

Also present:

Chris Fredericksen, Public Works Director
Bryce Johnson, Police Chief
Jessica Marley, Police Sergeant
Jose Abreo, Patrol Officer
Corey Sato, Patrol Officer
Victoria Estrada, Crime Analyst
Ryan Tew, Human Resources Director
Greg Weitzel, Parks and Recreation Director
PJ Holm, Parks and Recreation Superintendent
Pamela Alexander, Municipal Services Director
Michael Kirkham, Assistant City Attorney
Dana Briggs, Economic Development Coordinator
Rick Cloutier, Airport Director
Randy Fife, City Attorney
Kathy Hampton, City Clerk

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

Acceptance and/or Receipt of Minutes:

There were no minutes to accept.

Calendar, Announcements and Reports:

Mayor Casper stated a follow-up Area of Impact (AOI) meeting with Bonneville County is forthcoming. Mayor Casper recognized the ten (10) team members deployed to Florida. She indicated the team has been so successful in running the base camp that they have been identified as an Incident Command Team.

October 23, Fiber Pilot Community Meeting
October 24, Idaho Falls Police Department (IFPD) Officer Swearing In
October 25, Idaho Falls Power (IFP) Board Meeting; and, City Council Meeting
October 25-27, Boo at the Zoo
October 27, Real Heroes' Trunk or Treat
October 29, Association of Idaho Cities (AIC) Fall Water Academy
October 30, RECreate IF
November 5, City Council Work Session

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November 8, IFP Board Meeting; and, City Council Meeting
November 9, Veterans Day Events; and, Business of Distinction Gala
November 12, Veterans Day observed, City offices closed

Brief discussion followed regarding donation of candy towards Boo at the Zoo, Councilmembers will provide candy as needed. Mayor Casper stated a future Land and Water Conservation discussion will be forthcoming, including State level discussion. She requested a letter be submitted on behalf of all City elected officials.

Liaison Reports and Concerns:

Councilmember Hally reminded the Council of the upcoming elections. He also stated the IFPD is continuing to fill positions.

Councilmember Freeman stated several construction projects are almost complete. He indicated a complaint was received regarding Elva Street, Public Works staff will ensure there are no hazards in this area prior to winter.

Councilmember Francis commended the Fire Department for their work in Florida.

Councilmember Radford stated the IFP pilot fiber project is progressing.

Iona Bonneville Sewer District (IBSD) Sewer Service Annexation Discussion:

Director Fredericksen reviewed a service map provided for the IBSD including collection and maintenance of the lines. He stated the existing IBSD agreement, approved in January 2016, will expire December 2021. The agreement includes a provision that any proposed expansion would require Council approval. In 2014, 39% of the 9400 acres was developed. If fully developed, issues would occur at the Sunnyside Road sanitary sewer trunk line. Director Fredericksen stated IBSD reduced their service area by 507 acres in 2016 and 315 acres in 2017. Approximately 192 acres are still available without growing the service area. Director Fredericksen stated a request for decrease near Thunder Ridge High School has been requested, along with an expansion request near the northeast corner of Hitt and Lincoln Roads. Brief discussion followed regarding the capacity and growth rate, trunk lines, and rates of IBSD. The decrease and expansion requests will be included on the October 25 Council Meeting agenda.

Training: Understanding Local Gang Activity:

Chief Johnson introduced Sergeant Marley, Officer Abreo, and Officer Sato. Sergeant Marley commended Officers Abreo and Sato for being selected to the gang unit.

Sergeant Marley and Officers Abreo and Sato presented the following with general discussion throughout:

Idaho Falls Police Gang Unit:

Structure – night shift platoon; part-time gang unit (began in May 2018)

Duties – reduce gang activity; identify (intelligence), investigate, suppress

Methods – deterrence (focus preventative patrol, directed patrol, non-vehicle patrol); education (schools, businesses, faith communities, general public); mediation (resolve conflict); diversion (steer away from the criminal justice system); referral (those prone to join a gang for various reasons)

Additional functions – parental notification; meeting and conversing with families in their home; presenting cases in court; providing educational programs in the police academy; educating public and students; participating in police task force units, participating in non-police task force units; working with graffiti removal services; assisting School Resource Officers (SRO); working with schools, faith-based services, and business community; and, communicating with the media

Mission Statement – To provide a comprehensive and legal data base for the collection and dissemination of intelligence on the activities of criminal street gangs and extremist organizations in the Idaho Falls area.

The Idaho Falls Gang Unit was formed due to increase of gang activity including criminal activity and graffiti, threats against officer's lives, intel from other agencies and individuals that gangs are moving into the area; increase of shots fired calls involving gang members; and, administrative recognition.

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Documentation – complete gang activity report which must be approved by supervisor. Information will be entered into the file and updated only by members of the gang unit with access only given to the gang unit. If the subject is a juvenile the documenting officer must notify a legal guardian.

Basic intel comes from intel/crime analyst, other agencies, Rocky Mountain Information Network (RMIN), Field Interview (F.I.) cards.

Detailed and workable intel comes from interview of suspected gang members on the street, interview of inmates at the jail, Facebook and social media, jail phone calls, other officers, notoriety

Definition of gang per Idaho Code 18-8502: a group of three or more persons, whether formal or informal, who have a common identifying sign, symbol, location or name and engage in criminal activity individually or as a group. There needs to be two or more documented crimes on separate occasions to be documented as a gang member. This documentation will apply for five (5) years. The five (5) year timeframe resets if the individual is stopped. A variety of gangs was reviewed including Hispanic gangs, Aryan gangs, African American gangs, and, motorcycle gangs. Gang symbols, colors, tattoo base, clothing, hand signs, and, weapons were also reviewed. Chief Johnson reviewed the ‘level of stops’ for individuals. Brief intel comments followed.

Goals forward moving – federally compliant, time, reduce gang activity in the City by community involvement and education.

General comments followed including potential funding for a full-time gang unit. Chief Johnson commended the IFPD gang unit. Mayor Casper reminded the Council that Idaho Falls partially funds the special Assistant U.S. Attorney (SAUSA), she believes the SAUSA has been helpful.

Police Personnel Manual Introduction:

Councilmember Francis stated per Council approval in Spring 2018, three (3) basic goals for the Police Personnel Manual should: collaboratively develop personnel policies for the department, establish formal consistent personnel policies recognizing the uniqueness of the Police Department, and, create clear regular lines of communication for review of policies and departmental needs. He believes the proposed document meets these goals. He also believes the collaboration of the Police Personnel Manual will assist with proposed changes to the City Personnel Manual. Councilmember Francis commended the committee/departments. Chief Johnson stated the committee consisted of representatives from patrol, sworn officers, dispatch, Animal Control Services, civilian employees, records, and Fraternal Order of Police (FOP). He briefly reviewed the provisions in the manual including required meetings, employee notification of any changes, internal investigations, overtime and salaries, and, grievance policy and language. Mayor Casper stated follow-up presentation and discussion regarding the City Personnel Manual and the IFPD Personnel Manual will be held at the November 5 Council Work Session with final approval by Resolutions at a future Council Meeting. Councilmember Radford expressed concern for the equity theory and the morale issues in the IFPD Personnel Manual. Mayor Casper stated the personnel policies were designed to be responsive as possible to a best practice model for the employees. Chief Johnson stated the document was distributed to all IFPD employees in which input/feedback was received. He indicated the FOP may have additional suggestions. Brief comments followed. Councilmember Francis stated the resolutions may require adjustments as needed. Mr. Fife briefly reviewed proposed changes in the City Personnel Manual. Director Tew reiterated changes in the IFPD Personnel Manual could occur if needed.

2018 War Bonnet Roundup Rodeo Follow-up Report:

Director Weitzel recognized the multiple volunteers who assisted with the War Bonnet Round Up Rodeo (WBR). He briefly reviewed historical facts of the WBR. He also reviewed the recent WBR attendance (more than 15,000 attendees), ticket sales by location (total of \$161,000), record-breaking number of contestants (498) and prize amounts (\$124,000), and, sponsor supports (52 sponsors = \$245,000+ in cash and in-kind donations). He stated the WBR was very successful all around.

Future of Sandy Downs Briefing:

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Master Plan and 4-H Build-out –

Director Weitzel reviewed recent improvements at Sandy Downs including upgrade to the west side arena bleachers, installation of folding seats at the main grandstands, renovations to the south side of the restrooms, main roadways overlaid with asphalt millings, replacement of the deteriorated wood rail at the east arena, installation of a 70-foot flagpole, and, installation of new pasture areas. He stated plans for the immediate future include renovating the north restrooms, relocating the bucking shoots, applying stucco to the cinder block walls inside the main grandstand, mounting safety handrails to the recently upgraded bleachers, replacing countertops at the serving area in the main grandstand, completing fencing around the City and County properties, and, continuing with aluminum planking on the wooden bleachers. Director Weitzel briefly reviewed historical facts of Sandy Downs stating the land was purchased in 1962 as a package deal. There was a lot work and cooperation between the City and County, which currently continues. Director Weitzel stated conversation regarding 4-H relocation began in 1970. He indicated a Master Plan was developed in 2007 which included plans to relocate 4-H to the northeast side of Sandy Downs. A future substation has recently been plotted for this location as 4-H has been relocated south of Sandy Downs. Director Weitzel briefly reviewed the Bonneville County 4-H Build-out plan. He stated a Request for Qualifications (RFQ) was then submitted for a Sandy Downs Master Plan with only one (1) response received. He stated a steering committee has been established to help guide the plan forward. He briefly reviewed the Scope of Work including document review and site analysis assessment; master plan and building development; maintenance schedule, fundraising, and executive summary. The final draft will be presented to Council in the future for approval. Director Weitzel stated input is welcome regarding Sandy Downs plan.

Proposition 1 –

Director Weitzel stated the outcome of Proposition 1 could affect the Sandy Downs Master Plan. Mr. Fife stated, in the event Proposition 1 is passed by the voters, the legislature is not bound by Proposition 1 as the legislature could repeal or amend the law. He believes the passage of Proposition 1 could allow the City to be the licensee in which the City could run the facility, the horse races, and the historical racing program. Passage of Proposition 1 could also qualify Sandy Downs to run as a facility with a Request for Proposals (RFP) or RFQ. In the event Proposition 1 fails, no decision is necessary. General comments followed.

Proposed City Flag Policies Discussion:

Mayor Casper stated there is need to have a uniform flag policy to guide and direct the flag poles. She indicated, no matter what degree of patriotism or loyalty to our County, the law of free speech cannot be bent to the will of the people when referencing the Constitution. She believes the flag policy needs to capture, to the greatest extent possible, the community needs within the bounds of the Constitution. Director Alexander stated, following a review of all City flag poles, there is currently no consistency with City buildings. A policy would allow consistency and would follow expectations of the governing board. She reviewed the following four (4) proposed resolutions:

Resolution #1 – general overall flag policy. Mr. Fife stated this resolution is based on practice and recommendations regarding the display of the National flag. This resolution would align with most flag practices including hours, disposal of a flag, half-mast, etc. He stated this resolution would allow controlled and intentional free speech. The City would then decide what goes on the flag poles, the City would not prohibit flags or banners elsewhere.

Resolution #2 – City seal flag. Mr. Fife stated he could not locate documentation that officially adopted the City seal flag.

Resolution #3 – City logo flag. Mayor Casper stated the City seal or the City logo could be adopted.

Resolution #4 – specifically related to the Prisoners of War/Missing in Action (POW/MIA) flag.

Mr. Fife stated the proposed overall flag policy allows the National flag, the State flag, and a City flag on City flag poles. Another provision would allow the City to specifically adopt additional or different flags. Mr. Fife stated when the City speaks for itself it's called government speech. When the City allows other people to speak for themselves it's called a public forum, which can be offensive, supported, or controversial. The idea is to allow the forum to be as free as possible and not to control the forum's message but to control the forum. With that comes controversy. He referred to law cases that refer to government speech and limited/designated public forum. He stated the POW/MIA

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is not a government flag although the flag has been recognized by the Federal government as a symbolic flag for a specific message. The POW/MIA is also a non-profit organization. Mr. Fife stated options and decisions for the flag poles should most not likely be considered a federal case. He reviewed research of flags in other Idaho cities as well as locations of specific flags throughout the City. He also researched an all-military flag, it was determined the National flag represents an all-military flag although each branch of the military has their own flag. Brief comments followed regarding the banners along Sunnyside Road. Mayor Casper clarified that Mr. Fife's role, as the City Attorney, is to keep the City out of court. Councilmember Radford is in favor of the POW/MIA flag on display 24/7/365. Mayor Casper stated this would create a limited public forum that could be challenged by anyone. Mr. Fife stated the proposed resolutions are adopting a symbol of a government message, any scrutiny could be a decided by a judge. Councilmember Francis stated the goal of POW/MIA needs to be determined. He prefers promoting the mission/cause versus the one (1) flag on the one (1) pole on a daily basis. Mr. Fife stated he recommended the POW/MIA flag be removed until a policy was established by the governing board as the POW/MIA gives an advantage in message over other messages that may be equally as important. Director Alexander stated the POW/MIA flag is also flying at Idaho Falls Power and the Airport. Mayor Casper reviewed the likeliness of litigation with the three (3) proposed options. General comments and discussion followed. Councilmember Dingman believes the policy should not be about the message or the cause, it should be about resolving requests. Director Alexander reviewed City building locations and identified the flags currently flying at these locations. She believes the policy would allow consistent expectation of display. Following additional discussion, there was consensus of the Council to approve Resolution #1, the general overall flag policy, and, Resolution #2, the City seal flag resolution. Follow-up discussion will be required for Resolution #4.

Community Partnership Grant Committee Report:

Ms. Briggs briefly reviewed the funding parameters as determined by City Council (\$130,000 total budget, \$35,000 maximum per applicant), the 2018/2019 application summary (28 applications received, \$472,072.13 total amount requested), and the annual grant timeline. She introduced the committee members in attendance: Angie Lee, Buddy Hall, Ellie Hampton, and Sunny Katseanes. She recognized additional committee members Eric Liester and Mike Richards, who were unable to attend.

Ms. Hampton reviewed the FY2018/2019 applicants, amounts requested, amount recommended, and a brief project description as follows:

FY2018/19 Applicants	Amount Requested	Amount Recommended	Project Description
Alturas Institute	\$10,000.00	\$2,000.00	Constitutional Conversations newspaper advertising expense
Behavioral Health Crisis Center	\$10,000.00	\$8,000.00	Assist with consumer transportation, client needs, and outreach
College of Eastern Idaho (CEI)	\$10,000.00	\$7,000.00	Laptop cart and computers (funding will cover one cart & ten computers)
Community Food Basket	\$30,000.00	\$-	New park buildout costs
Community Garden Association	\$620.00	\$620.00	Water service fees
D93 Juvenile Justice Program	\$7,126.00	\$-	Restorative Practice trainers
Eastern Idaho SCORE	\$15,000.00	\$-	Rebuild local chapter; advertising, promotion, rent, administrative expenses, workshops, etc.
Idaho Falls Area Humanitarian Center	\$2,755.13	\$2,780.00	Purchase a carpet cleaner with tools and a vacuum
Idaho Falls Arts Council	\$35,000.00	\$10,000.00	2019 Roaring Youth Jam

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Idaho Falls Downtown Development Corporation	\$5,050.00	\$2,700.00	Printing of marketing brochure
Idaho Falls Historic Downtown Foundation	\$35,000.00	\$-	Update intersection of Shoup and B Street
Idaho Falls Rescue Mission	\$8,033.00	\$-	Retro-fit lighting fixtures at 840 Park Avenue
Idaho Falls Soup Kitchen	\$5,000.00	\$4,500.00	Fund one three-door freezer (labor not included)
Idaho Falls Summer Food Service Program	\$15,000.00	\$-	Maintain program
Idaho Falls Symphony	\$18,988.00	\$3,000.00	Support education and outreach program - fund busing for youth symphony
Idaho Falls Youth Hockey Association	\$35,000.00	\$-	Design for second sheet of ice in community
Make-A-Wish Idaho	\$6,500.00	\$-	One wish funding
Museum of Idaho	\$35,000.00	\$10,000.00	Support of Student Ticket Initiative Program
National Federation of the Blind	\$21,250.00	\$3,500.00	Promote education and independence for the blind and visually impaired - fund the BELL academy summer camp
Promise Ridge Emergency Family Shelter	\$7,350.00	\$7,350.00	Salary of night resident (1/2 cost)
Senior Citizens' Community Center	\$35,000.00	\$16,950.00	Food expense, driver wages, and fuel for Meals on Wheels program
Snake River Animal Shelter	\$35,000.00	\$4,000.00	Keep Fido Home program - fund the spay/neuter of 50 dogs
Tautphaus Park Zoological Society (TPZS)	\$7,500.00	\$ 7,500.00	Materials to construct bat conservation education kiosk and STEM-based education supplies
The Art Museum of Eastern Idaho	\$34,000.00	\$15,000.00	Seed money for education wing expansion
The Center for Hope	\$15,600.00	\$7,800.00	Administration and coordination of HOPE team. Stop gap 6 months of salary - one time because of United Way's reorganization
The Haven	\$10,300.00	\$10,300.00	To provide glasses/eye exams and funds to pay for GED tests, IDs and birth certificates.
United Way	\$2,000.00	\$2,000.00	Fund one (Bonneville County) Community Conversation program
Greater Idaho Falls Chamber of Commerce	\$20,000.00	\$5,000.00	Eastern Idaho Visitors Bureau and Chamber of Commerce - relocation of signage
Total	\$472,072.13	\$130,000.00	

Ms. Hampton believes the community need is great. Mayor Casper commended the committee for their effort. Councilmember Dingman concurred although she expressed concern for the \$7,000 CEI donation as CEI is another governmental agency. She also expressed concern for the Alturas Institute as possibly being political in nature. She believes these requests may set precedence. Councilmember Smede, as per text message to Councilmember Dingman, concurred. Brief comments followed. Councilmember Francis concurred with Councilmember Dingman's concern for CEI. Councilmember Freeman also expressed concern for the Alturas Institute project as the request is for advertisement, not specifically helping individuals. It was clarified the Alturas Institute request was for more than advertisement, the committee's decision was only for advertisement. Councilmember Hally concurred with the concerns regarding Alturas Institute. Mayor Casper expressed concern for the TPZS as she believes this may be seen as the City giving itself money. Following brief discussion, there was consensus to place this item on the October 25 Council Meeting regular agenda minus the recommendations of CEI and Alturas Institute funds. These particular funds will be reconsidered by the committee.

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Operations Briefing:

Passenger Leakage Study –

Director Cloutier stated Idaho Falls has struggled to attract air service for the previous few years. He reviewed information from the Passenger Leakage Study with general discussion throughout. Director Cloutier stated Idaho Falls Regional Airport (IDA) has direct destinations to four (4) airports, with an additional (3) seasonal destinations. There were approximately 100,000 tickets issued from 32 zip codes over the course of the previous year. Service provided to: IDA = ~40%; Salt Lake City (SLC) = ~50%; Boise (BOI) = ~5%; and, Pocatello (PIH) = ~4%. There is concern for those individuals driving to SLC. Director Cloutier reviewed the average one-way fares for the previous year: IDA = \$268; SLC = \$248; BOI = \$192; PIH = \$181. He also reviewed the top 25 markets of where individuals are traveling to with the Los Angeles Basin being the top destination, followed by Phoenix and Las Vegas. Director Cloutier stated the average one-way fare for these 25 market locations = \$242. He indicated Delta currently captures 44% of Idaho Falls passengers, United captures 17%, and Allegiant captures 15% of the entire catchment area. He also indicated Idaho Falls is the origin of 51.6% of passengers, while 48.4% of passengers are destined for Idaho Falls. Brief discussion and comments followed regarding several of the markets, leisure travel versus professional travel, and airlines. Director Cloutier stated one of the biggest fears currently facing airports the size of IDA is a pilot shortage. This can effect attracting air service. Mayor Casper questioned the failure of the Small Community Air Service Development Program (SCASDP) grant for a Seattle route. Director Cloutier believes Seattle is an important route for connectivity although additional evaluation for other locations may be needed.

Air Service Development Plans and Incentives –

Director Cloutier stated airlines will not start a new route without incentives and, minimum revenue guarantee is the top consideration. The incentive programs would waive a certain amount of airline/airport fees for a period of time depending on the frequency of the flight, the location of the flight, and seasonal or year-round flights. Money would also be available for marketing or advertisements. The development plan and incentive program would work together to entice a new airline. Director Cloutier stated any funds for marketing will be taken from the current Airport budget. Director Cloutier stated a new concessionaire agreement with Tailwind Concessions, LLC will be included on a future Council Meeting agenda. He briefly reviewed the vendor information.

There being no further business, the meeting adjourned at 7:19 p.m.

s/ Kathy Hampton

CITY CLERK

s/ Rebecca L. Noah Casper

MAYOR