

January 24, 2022 Council Work Session

The City Council of the City of Idaho Falls met in Council Work Session, Monday, January 24, 2022, in the Council Chambers in the City Annex Building located at 680 Park Avenue in Idaho Falls at 3:00 p.m.

Call to Order and Roll Call

There were present:

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

Also present:

Rick Cloutier, Airport Director
Steve Laflin, Idaho Falls Airport Association (IFAA) (via WebEx)
Brad Cramer, Community Development Services Director
Duane Nelson, Fire Chief (via WebEx)
Eric Day, Division Fire Chief
Malory Johnson, Eastern Idaho Public Health Healthcare Education Specialist
Ryan Tew, Human Resources Director
Julie Combe, Human Resources Manager
Pamela Alexander, Municipal Services Director
Josh Roos, Treasurer
PJ Holm, Parks and Recreation Director
Michael Kirkham, Assistant City Attorney
Randy Fife, City Attorney
Kathy Hampton, City Clerk

Mayor Casper called the meeting to order at 3:03 p.m. with the following items:

Acceptance and/or receipt of minutes:

It was moved by Councilor Francis, seconded by Council President Dingman, that council receive the recommendations from the January 4, 2022 meeting of the Planning and Zoning (P&Z) Commission pursuant to the Local Land Use Planning Act (LLUPA). The motion carried with the following vote: Aye – Councilors Freeman, Francis, Hally, Radford, Burtenshaw, Dingman. Nay – none.

It was then moved by Councilor Radford, seconded by Councilor Francis, to add an agenda item to hold a vote to suspend public comment for a date certain in February. He believes discussion will occur in the next few weeks regarding public comment and he believes it would make sense to suspend the public comment until that time. Mayor Casper stated she intends to have a public comment discussion at the February 7 City Council Work Session. Following brief discussion, Councilor Radford amended the motion for a decision at the February 24 City Council Meeting. He stated the good faith reason is for timeliness. Councilor Francis seconded the amended motion. The motion carried with the following vote: Aye – Councilors Dingman, Burtenshaw, Radford, Hally, Francis, Freeman. Nay – none.

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Calendars, Announcements, Reports, and Updates:

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January 26, Bonneville Metropolitan Planning Organization (BMPO) Policy Board

January 27, Idaho Falls Power (IFP) Board Meeting, and City Council Meeting

Mayor Casper noted there are miscellaneous calendar items for February including the Idaho Falls Police Department (IFPD) Annual Awards Banquet on February 11. She also noted Council President Dingman will be presiding at the January 27 City Council Meeting.

Association of Idaho Cities (AIC) –

Mayor Casper briefly reviewed the January 20, Officials Day at the Capitol. She also stated there is a fix for House Bill 389 regarding Urban Renewal Districts, noting valuation will not be part of the 8% growth cap. She indicated additional discussion will need to occur regarding property taxes. She briefly reviewed other discussion topics with the AIC. She noted AIC Academy Training will occur April 12.

Legislature –

Mayor Casper stated the city has contracted with Capstone Government Relations, this is the same lobbyist firm that is working for AIC. She also stated additional legislative issues include Emergency Medical Services (EMS) Supplementary payment, records retention, and definition of public records.

Community –

Mayor Casper stated the Department of Energy (DOE) has allocated \$62B in funds for community entities.

Liaison Reports and Councilmember Concerns:

Councilor Hally recommended the councilmembers read a recent Post Register article regarding tax policy. He also believes contingency funds may be important for any extra costs in the upcoming budget.

Councilor Radford stated councilmembers should review the IFP survey results for future discussion. He also shared comments regarding the tax policy.

Council President Dingman stated the preliminary passenger numbers for the Idaho Falls Regional Airport (IDA) are 26% higher than 2019 with approximately 90,000 more passengers. She believes the investment in new flights is paying off.

Councilor Francis stated the Sister Cities Adult Delegation is anticipating visiting Idaho Falls this summer, and the Youth Delegation is anticipating visiting Japan pending the Coronavirus (COVID-19) situation. He also stated the Sister Cities gifts are on exhibit at the library. Councilor Francis stated he recently met with School District 91 Superintendent Dr. James Shank to begin the liaison assignment.

Councilor Freeman had no items to report.

Councilor Burtenshaw had no items to report.

Mayor Casper announced Human Resources (HR) has hired Jim Jernigan as a new Safety Coordinator.

Airport/Discussion and Direction--Idaho Heritage Trust Grant:

Mayor Casper reminded the Council, per discussion at the December 21 Airport Leadership Workshop, the IFAA had applied for a grant for historic preservation for the previous Red Baron hangar, however, she indicated complications have come up regarding this grant. Director Cloutier stated the grant is a \$15,000 matching grant. He noted the grant does not clearly identify who is responsible for the match, and there were concerns as the grant recipient was not identified, although the Idaho Heritage Trust is listed in the grant. Mr. Fife clarified the recipient

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is the public. Director Cloutier believes the grant obligations conflict with Federal Aviation Administration (FAA) obligations/assurances. He briefly reviewed these conflicts. He noted IDA is the only airport in Idaho with a historic district. Mr. Fife explained Idaho Heritage Trust is a non-profit organization. Director Cloutier believes it's bad timing for this grant at this time. He also believes there should be a plan moving forward, including the IFAA, tenants, and other agencies, for the council to make a good, educated decision. Per Councilor Radford, Director Cloutier stated Aeromark provides a month-to-month lease for the Red Baron Hangar. Brief discussion followed regarding the Red Baron Hangar and a master plan for IDA. Per Mayor Casper, Director Cloutier stated a master plan discussion is occurring with the committee. Also per Mayor Casper, Mr. Laflin stated the IFAA believed they followed the correct steps for this grant and the plan for the Red Baron Hangar. He noted the Red Baron Hangar is listed in the historical national registry. He believes repair of the roof is the logical first step. He noted this would be the fourth grant for this building. He also believes this grant is considerably larger than the typical historical grant, and any future grants may not be accepted if this grant is not submitted. He briefly reviewed other previous grants received for the city. Council President Dingman believes additional discussion needs to occur with the IDA Board regarding the grant. Following additional explanation, Mr. Fife recommended this grant not be signed at this time. Mayor Casper expressed her appreciation to the IFAA for being proactive, and she is hopeful the master plan process will lend itself to partnership. Director Cloutier believes the FAA grant assurances are more important than the \$15,000 grant. He also clarified \$30,000 would have to be spent, from city money, in order to receive up to the \$15,000 grant funding. Mayor Casper confirmed the grant will not be signed at this time.

Community Development Services/Discussion: Comprehensive Plan Adoption and Area of Impact Concerns:

Director Cramer stated new features/changes to the Comprehensive (Comp) Plan must go to the P&Z. He also stated, due to the number of residential zoning requests in industrial areas, a housing language change has been included in the Comp Plan – *“Although the City’s goal is to increase and diversify the housing stock, there are places where residential is not an appropriate land use, even if the plan map may indicate that it could be. When considering requests for zones which allow housing, the city will consider issues recommended by the Department of Housing and Urban Development. These include a close examination of the site and surrounding land uses to identify environmental issues such as toxic sites, dumps, incinerators, hazardous materials, noise pollution, and other issues and land uses which may be incompatible with residential uses.”* Director Cramer stated the largest/main reason for delay of the approval of the Comp Plan is in regard to impact fees. He also stated, per State Statute, impact fees are required in Comp Plan amendments, although only a reference to impact fees is required, inclusion of impact fees in the Comp Plan does not mean the city has to adopt these fees. He explained these changes in the Capital Facilities Plan. He indicated the P&Z recommended approval of the Comp Plan which will be presented to City Council on February 10 for adoption. Director Cramer stated he believes county concerns included the city adopting a plan as well as wanting a review of the Area of Impact (AOI). He also believes a plan is in place per previous work/discussions with citizens. He noted there is a different process for areas outside of the city. Councilor Hally believes *‘and other issues and land uses which may be incompatible with residential uses’* is loose. Director Cramer stated the language is taken from Community Development Block Grant (CDBG) and Department of Housing and Urban Development (HUD). He noted *‘similar’* could be added to the language (*‘and other similar issues’*). Per Councilor Radford, Director Cramer agrees it makes sense to coordinate and collaborate with the county, he believes this will happen. He indicated he will be attending a county P&Z meeting in the near future. Mayor Casper reiterated approval of this item will be included on the February 10 City Council Meeting agenda. General comments followed.

Fire/Briefing: Overdose Harm Reduction Program:

Division Chief Day stated following discussion at the September 20, 2021 City Council Work Session regarding the Opioid Settlement, Health and Human Services (HSS) almost simultaneously announced their Overdose Harm

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Reduction Program. He indicated this is a 4-point plan – prevention, harm reduction, treatment, and support. He stated Ms. Johnson reached out to incorporate some of the programs. Division Chief Day stated the overdose rescue kit is a leave-behind rescue kit that would be supplied to non-fatal overdose situations. He also stated this program is completely independent of the opioid settlement, and this is no cost to the city. Division Chief Day explained the EMS response information, stating Ms. Johnson is able to track this information for hot spots in the community. He also stated Ms. Johnson is working with many entities to provide the access of Narcan to the public. Per Mayor Casper, Division Chief Day stated he will provide heat maps for distribution to the council. Also per Mayor Casper, Division Chief Day stated the policy was created from other agencies as well as HSS. He also stated this is one (1) component of addressing the opioid crisis, noting a lot of opioid overdoses are not from illicit drug use. He noted this kit will be available for accidental overdose or illegal drug use. Per Councilor Freeman, Ms. Johnson stated the Narcan expiration is approximately three (3) years. She noted the boxes of Narcan will be replaced as they are expiring. She described the contents of the bag. She also noted bags have been placed around the community. Per Councilor Radford, Ms. Johnson stated this will help with any type of opioid overdose. Council President Dingman expressed her appreciation for this proactive approach.

Human Resources/Discussion: Personnel Manual Changes:

Director Tew reviewed the following key changes:

-Definitions and Terms for “Work Week” and “Hours of Work”. Discussion followed regarding clarification of employees who perform work thirty-five or more hours. Due to no previous issues, this will be amended at a future time.

-XV. Flexible Work Schedule. Director Tew stated this was due to COVID. Mayor Casper believes this amendment may be needed for on-going arrangements, not just COVID-related issues. Per Councilor Burtenshaw, Director Tew believes XV.B.3.a. required some side bars. Councilor Burtenshaw believes approval/permission should be limited to the discretion of the director or the supervisor. Director Tew stated approval by the director is included in XV.B.4. Modifications will be made per additional discussion.

-XVII. Holidays. Director Tew stated Juneteenth has been added and the day after Thanksgiving will now be a holiday each year.

-XVIII. Vacations. Director Tew stated there had been an exception in the policy for certain cases if the director approves the request to go beyond the 240-hour maximum. He indicated this was useful during the initial phase of COVID, however, there have been no requests in the previous two (2) years. He also indicated this is problematic as the system does not allow for individual exceptions. Councilor Francis questioned if an adjustment should be made for vacations, noting he is unsure of the actual goal. Director Tew stated council previously requested a cut-off as vacation should be used as intended and not saved up. Per Mayor Casper, Director Tew stated any vacation hours beyond 240 are immediately lost/stopped in TimeClocks Plus (TCP). Discussion followed regarding the configuration of TCP. Councilor Francis believes an analysis needs to be performed regarding the vacation cap. Mayor Casper stated any future changes would not preclude the proposed amendments. Director Tew also stated vacation and sick leave cannot be used prior to being accrued.

-XXI. FMLA, XXIII Accident on Duty, and XXXVI. Drug Free Workplace. Director Tew briefly explained these sections. Mayor Casper stated these amendments will require a 30-day comment period for employees prior to approval. Director Tew stated all employees will be notified of the changes by email with mechanisms provided to those employees with no email.

Municipal Services/Quarterly Financial Presentation:

Mr. Roos briefly reviewed the Market Review stating the Fed's dropped the rates to zero (0) during COVID. He indicated three (3) different rate hikes are anticipated in the current year with three (3) additional rate hikes in 2023. He explained the Fed's New Dot Plot graph. He indicated this will help with savings and investments. Mr. Roos

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stated inflation rates have significantly increased this year which is the largest 12-month increase since 1982, and it is anticipated these rates will last into the middle of 2022. He also stated the unemployment rate has dropped to 3.9%, which is the lowest since February 2020. He noted the unemployment rate in Idaho is 2.6%. Mr. Roos reviewed the Treasury Yield. He noted these rates have been increasing, which is good for the city. He also noted the previous year was .145%, the current rate is just over 1%. He also reviewed city comparison to the local government investment pool. Mr. Roos reviewed and explained December 2021 Types of Investments, the brokers used for these investments, Cash and Investments, and December 2021 Investments Maturity. He stated the three (3) main objectives in the policy are safety, liquidity, and yield. Mr. Roos reviewed Cash Flow Report as compared to the previous year for City Cash and General Fund Cash. Mr. Roos reviewed the Treasurer's Report which will now include funds comments as well as interest earned/paid out. He explained General Fund which includes \$5.3M designated for the American Rescue Plan Act (ARPA) funding (received in May 2021, has not been spent yet), \$1M designated for snow removal (has not been transferred yet), \$1.7M designated for cash reserves, and a pending transfer to the Golf and Fiber Fund. He also briefly explained the Golf Fund, the EMS Fund, and the Police Facility Fund. Per Councilor Radford, Mr. Roos stated the \$1.7M reserves is due to previous year savings and the Coronavirus Aid, Relief, and Economic Security (CARES) Act money, and this is a new account. He also reviewed the Cash Flow Report (City Cash and General Fund Cash) for the previous two (2) years.

Director Alexander reviewed the following with general comments throughout:

First Quarter Ending December 31, 2021 - City-wide Revenue –

2021/2022 Budget = \$234,444,041

Actual (December 31) = \$39,594,929

Percentage Received = 17%

Director Alexander stated the property tax revenue will be received by month end, and the majority of Miscellaneous Revenue is for enterprise projects as well as grants.

First Quarter Ending December 31, 2021 - City-wide Actual Expenditures –

2021/2022 Budget = \$294,891,737

Actual (December 31) = \$65,628,251

Percentage Received = 22%

Director Alexander noted there will be larger salaries/wages and benefits in the months that have three (3) payroll periods. She also noted Miscellaneous Expense includes a variety of departments that have set aside money for projects that are not included in the expenditures categories.

Fiscal Year Ending December 31, 2021 - General Fund Revenue –

2021/2022 Budget = \$53,588,052

Actual (December 31) = \$6,201,099

Percentage Received = 12%

Director Alexander stated this was budgeted conservatively.

Fiscal Year Ending December 31, 2021 - General Fund Expenditures –

2021/2022 Budget = \$54,100,969

Actual (December 31) = \$12,652,389

Percentage Received = 23%

Director Alexander stated this includes encumbrances.

First Quarter – Highlights

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- External Audit
- Cayenta Customer Information System Upgrade

Parks and Recreation (P&R)/Briefing: Noise Park Use Agreements:

Director Holm presented the following with general comments throughout:

Types of Use Agreements managed by P&R:

- Joint Use Agreements (no cost to city)
- User Group Agreements (per game and per hour)
- Facility Rental Agreements (facility rental + \$1 per paid admission)
- Facility Lease Agreements (includes \$1 per paid admission)

Motocross Track at Idaho Falls Raceway –

Director Holm reminded the council of the 80+ supporters who appeared at the July 8, 2021 City Council Meeting expressing their desire to open the track. He stated several discussions have occurred with this group regarding an agreement. He explained ‘clubbing up’, stating this was the only option for the motocross community. He indicated the motocross community has ‘clubbed up’ and has created Idaho Falls Motocross Association (IFMA) as a 501(C)3 including a Board of Directors and by-laws. Director Holm stated he has been working with legal staff and IFMA to create a facility lease agreement that will work for both parties. He noted this agreement will be modeled to the Idaho Falls Stock Car Association agreement. He believes this will be a good agreement. He reviewed the proposed lease agreement which includes a 5-year term ending in February of 2027, \$1 per paid rider or spectator fee, IFMA parameters and responsibilities, and city responsibilities. Director Holm stated this item will be included on the January 27 City Council Meeting agenda for approval. Per Councilor Radford, Director Holm stated the city’s insurance will cover the facility, the IFMA must have insurance as a user group for their operations. Councilor Radford, Councilor Francis, and Council President Dingman expressed their appreciation for this effort. Director Holm stated BMX has also approached P&R for use at the Idaho Falls Raceway at Noise Park, although he indicated other property is being looked at for this user group.

Discussion: Connecting Us, Sustaining Progress (CUSP) Reports:

Mayor Casper stated per discussion with Councilor Francis, it was suggested a separate meeting be held for the CUSP reports. Councilor Radford suggested a doodle poll to determine a preferred time. Mayor Casper requested additional feedback from the council.

Amended Agenda Item - Public Comment:

Councilor Radford believes the suspension should be short-term and time specific which would allow the council time for discussion on how to conduct the forum around hearing from the public that is meaningful. It was determined the date certain for approval could be February 22. Per Mr. Fife, Councilor Radford clarified this is only specific to the general public comment portion of the agenda, this does not affect any public hearing requirements. It was then moved by Councilor Radford, seconded by Councilor Francis, to suspend public comment in the general public comment portion until February 22. The motion carried by the following vote: Aye – Councilors Burtenshaw, Francis, Hally, Radford, Dingman. Nay – Councilor Freeman.

It was then moved by Councilor Francis that council move into Executive Session (at 6:29 p.m.). The Executive Session is being called pursuant to the provisions of Idaho Code Section 74-206(1)(b) to consider the evaluation, dismissal or disciplining of, or to hear the complaints or charges brought against a public officer, employee, staff member or individual agent. The Executive Session will be held in the City Annex Conference Room. At the

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conclusion of the Executive Session, the Council will not reconvene into Council Work Session. Mayor Casper stated there was a request to stay in the Council Chambers to maintain the social distancing. Councilor Francis amended the motion to stay in the Council Chambers. The motion was seconded by Council President Dingman. The motion carried by the following vote: Aye – Councilors Dingman, Francis, Burtenshaw, Freeman. Nay – Councilors Radford, Hally.

The City Council of the City of Idaho Falls met in Executive Session, Monday, January 24, 2022 in the City Council Chambers in the City Annex Building located at 680 Park Avenue in Idaho Falls, Idaho at 6:30 p.m.

There were present:

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

Also present:

Bud Cranor, Mayor’s Office Chief of Staff (via WebEx)
Bryce Johnson, Police Chief (via WebEx)
Randy Fife, City Attorney
Ryan Tew, Human Resources Director
Michael Kirkham, Assistant City Attorney

The Executive Session was called pursuant to the provisions of Idaho Code Section 74-206(1)(b) to consider the evaluation, dismissal or disciplining of, or to hear the complaints or charges brought against a public officer, employee, staff member or individual agent.

There being no further business, the meeting adjourned at 7:11 p.m.

s/ Kathy Hampton
Kathy Hampton, City Clerk

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