

March 8, 2021 Work Session

The City Council of the City of Idaho Falls met in Council Work Session, Monday, March 8, 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
Councilor John Radford (via WebEx)
Councilor Thomas Hally
Councilor Jim Freeman
Councilor Jim Francis
Councilor Shelly Smede

Also present:

Duane Nelson, Fire Chief
Scott Grimmett, Fire Marshal
Amanda Albertson, Fire Department Administrative Assistant
Bryce Johnson, Police Chief (via WebEx)
Bill Squires, Police Captain (via WebEx)
Michael Kirkham, Assistant City Attorney
Pamela Alexander, Municipal Services Director
Dana Briggs, Economic Development Coordinator
PJ Holm, Parks and Recreation Director
Chris Fredericksen, Public Works Director (via WebEx)
Rick Aiman, College of Eastern Idaho (CEI) President (via WebEx)
Byron Miles, CEI Vice President of Finance (via WebEx)
Ann Marie Peters, CEI Director of Strategic Partnerships (via WebEx)
Randy Fife, City Attorney
Kathy Hampton, City Clerk

Acceptance and/or Receipt of Minutes:

It was moved by Councilor Francis, seconded by Councilor Freeman, that Council receive the recommendations from the March 2, 2021 meeting of the Planning and Zoning Commission pursuant to the Local Land Use Planning Act (LLUPA). Roll call as follows: Aye – Councilors Francis, Dingman, Freeman, Hally, Radford, Smede. Nay – none. Motion carried.

Calendars, Announcements and Reports:

March 9, Election day District 91 Bond Levy
March 10, Rotary—21st Century Mall Management
March 11, Chamber Advocacy; and City Council Meeting
March 17, Rotary—Funland (future sessions will include Idaho Falls Regional Airport (IDA) Director Rick Cloutier and Idaho Falls Power (IFP) Director Bear Prairie); and Bonneville Metropolitan Planning Organization (BMPO)
March 18, Chamber Advocacy
March 22, City Council Work Session
March 25, IFP Board Meeting; and City Council Meeting
April 2, Budget Workshop—Priorities
April 3 & 6, Zoo Clean-up Days
April 28, Association of Idaho Cities (AIC) Spring District Meeting

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Mayor Casper stated the State Legislative session is anticipated to be concluded by month end, however, a follow-up special session may occur shortly thereafter. She also stated AIC has released a *Keep It Local Idaho* campaign; 144 cities that currently have a Metropolitan Statistical Area (MSA) designation may be downgraded to micropolitan statistical area – this may affect several funding sources, including Community Development Block Grant (CDBG) monies; and she distributed a link to the Milken Study. Mayor Casper gave a Coronavirus (COVID-19) update stating there were two (2) recent deaths in Bonneville County; case numbers are increasing; and vaccine distribution is rolling out well. She noted the Idaho Falls Fire Department (IFFD) distributed 100% of doses that were received. Mayor Casper briefly reviewed House Bill (HB) 73 (uniform accounting methodology, anticipated to go through); HB 195 (prohibits picketing elected officials' homes, this is under review); HB 197 (removal of the ability to use the misdemeanor penalty from local ordinances, being held in committee); Senate Bill (SB) 1103 (creates the Air Travel Enhancement Program, the fees could impact IDA); SB 1108 (property taxes, being held); and SB 1109 (Imagine Idaho, being held). She stated will distribute information on the urban renewal bill, and information regarding airport trafficking. Mayor Casper briefly reviewed the upcoming budget calendar.

Liaison Reports and Council Concerns:

Council President Dingman reiterated her concern regarding SB 1103 and IDA.

Councilor Radford stated, per the American Public Power Association (APPA) Policy Makers Council meeting, infrastructure is critical following incidents in Texas and California; it's critical to continue to learn about computer data breaches; there have been three (3) sales of public utilities; there are issues with financing of bonds to use as a repayment plan; and relationships matter (this has been evident during the COVID pandemic). He also noted a Code of Conduct was signed by the Policy Makers, he questioned the possible need for a Code of Conduct for the Council or the IFP Board.

Councilor Freeman noted the Mel and Carolyn Erickson Memorial Fund is still accepting donations, a memorial will be constructed in spring.

Councilor Francis stated, per the Parks and Recreation (P&R) Department, the Funland revitalization is moving forward; the zoo is scheduled to open April 10; community clean-up day will be held April 3; April 6 will be P&R all-hands-on-deck for zoo preparation; the golf courses anticipate to open in the near future; March 17 is the deadline for the youth baseball program; the Ice Arena will be closing for the season on March 26; and the dehydration system delivery for the Aquatic Center is estimated at 31 weeks due to COVID and other issues. Mayor Casper noted an announcement for the Aquatic Center will be forthcoming.

Councilor Smede had no items to report.

Councilor Hally announced International Women's Day on March 8.

Presentation and Update: Business Registry/Business License:

Chief Nelson stated discussion for business registry/license has been occurring for the previous two (2) years. He also stated an ordinance was approved in the previous summer although this registry has been held/delayed for COVID reasons as he believes this would have been challenging for businesses and the IFFD inspectors. Chief Nelson stated the registry/license is a partnership between the business community and the IFFD. He also stated fire and other emergencies are inherently risky and dangerous to businesses, the public, and the firefighters. The risk can be considerably lessened when emergency response personnel have accurate information about the operations of the business. Therefore, the Partners in Public Safety Program helps mitigate that risk. Chief Nelson stated the International Fire Code (IFC), adopted by City Code, lists multiple permit types that establish a level of safety. He noted a maintenance inspection occurs every 3-5 years for commercial businesses. He also stated any business which requires a fire code permit(s) shall register with the City. This registration will be valid for 12 months, and a separate registration will be required for each location or place of business that requires an operational permit. Chief Nelson reviewed the three (3) program elements including identifying/documenting the accurate use,

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permit(s) and maintenance performed at applicable businesses (required by ordinance); verify documentation and provide an inspection (required by ordinance); and obtain emergency contact information (recommended). He stated informational letters/flyers will be mailed to 4,242 businesses, and a press release will be issued in the near future. Chief Nelson reviewed the owner/operator process for this registration. He stated the IFFD is ready to roll this out. Per Mayor Casper, Chief Nelson stated home-based businesses are requested to be registered although there would be no fee or inspection. Per Councilor Francis, Chief Nelson stated the goal is to register all commercial businesses within the City although he believes this may take more than one (1) year. Also per Councilor Francis, Chief Nelson stated there has been no push-back at this time.

Discussion: Amendments to Child Care Worker License Ordinance:

Chief Johnson stated proposed changes include a felony drug conviction from a life-time ban to a ten-year ban, which is similar to other positions of trust, including a police officer. Captain Squires indicated this is a clean-up change. Director Alexander stated clarification language was also added to this ordinance. Councilor Radford questioned the delay of the fingerprint process and other options. Mr. Kirkham stated the previous changes to the Child Care Ordinance included a provisional license. He believes any delay may be related to the initial background check. He does not believe this delay is significant. He also noted the State requires a background check. Captain Squires stated the majority of these applications are granted within a few days although occasionally there are delays. He indicated the IFPD is very conscious of the business owners and is trying to process applications as quickly as possible. This item will be included on the March 11 Council Meeting agenda.

Discussion: College of Eastern Idaho (CEI) Expansion and Real Estate Needs:

Ms. Briggs stated this item was discussed at the January 25, 2021 Work Session. President Aiman stated the property north of CEI has been important for any expansion of CEI, and the property has been explored with the CEI trustees for any possible opportunities. He also stated this property has been looked at as an important element as there is value and interest in CEI.

Ms. Peters reminded the Council that CEI was approved by the voters from a technical college to a community college a few years ago. This allowed the ability beyond technical training into associate degrees as well as dual-credits for high school students. She then presented the following:

CEI Influence on Regional Economic Development:

- Re-training – existing employees for eastern Idaho regional workforce with consideration toward competency-based training
- Effect – reduce outflow of millennial workforce through education and workforce development opportunities
- Attract – trained labor force into regional with enhanced partnerships
- Influence – K-12 future workforce to eastern Idaho regional workforce with consideration toward competency-based training

Instruction and Student Affairs – 2020 Highlights:

- Enrollment for FA2020 up 11%
- CEI will have nine (9) classes in the Online Idaho State-wide online collaboration for SP2021
- Early college numbers were up 34% for FA2020
- In three (3) years CEI has gone from 35 students in the nursing program to 200
- CEI is leading the Community College Cyber initiative
- Creating a pathway from high school to Master's Degree with many on and off ramps in Cyber in collaboration with Boise State University (BSU)

Workforce Training and Continuing Education (WTCE) by the numbers – FY20:

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CEI WTCE provided training, certifications, and adult enrichment to 14,470 learners in FY20. Yellowstone Training Center is the hub for Cyber.

Future Tech – Gateway to Opportunity:

- 94,000 square foot building
- \$36.1M for construction
- \$2.4M secured for Planning and Design
- Construction funding (CEI, State of Idaho, private donor, foundations, new market tax credit)

Vision for Regional Skilled Labor Center (RSLC):

- Training for people 16 years old+
- Primarily Workforce Training related
- Focus on construction career pathways, skills, and continuing education
- Includes pre-apprenticeship, apprenticeship, safety, and industry-recognized credentials
- Programs (depending on facility) will focus on the construction super-sector
- Coordinate with Job Corp, College and Career Readiness, early college for General Educational Development (GED) completion, English as a Second Language (ESL), and advanced opportunities for high school students
- Potentially operational within one (1) year (depending on equipment needs)

Master Plan/Development Summary (Concept Phase 3.3) including Site Development, Building Renovations, Building Expansion/Additions, and Future Growth Buildings. Ms. Peters believes there is a lot of opportunity for education in eastern Idaho which will require future buildings on the campus.

Proposed transfer of property:

- Purchase property – approximately six (6) of 11.72 acres
 - 3-acre trade (CEI's parcel on Hitt Road for the Community Gardens)
 - Drainage area (City would retain the ownership, CEI would retain the responsibility)
This would equal approximately six (6) acres
- Terms
 - Revalue land based on new acreage
 - Initial down payment
 - Annual payment of \$x for X years (although there could potentially be monthly payments)
 - Option to payroll early if funds become available
- Establish contract for 'first right of refusal' if cannot reach an agreement now

Ms. Peters reviewed the 3-acre parcel (known as Environmental Park) on the east side of Hitt Road. It was noted this area is undeveloped. Councilor Radford questioned a potential space for a library or public space. He expressed his concern for the parking lot. Per Mayor Casper, Director Holm stated the Community Garden has been at this location since 1997. He indicated the garden can be relocated although he would like the time, effort, funding, and infrastructure put into this garden be considered. He also indicated this garden is the home of the Sprouts Program (the youth part of the Idaho Falls Community Gardens Association that has been operating for 22 years) and includes a full concrete pathway throughout, three (3) sheds, 35 plots in this garden, and 15 raised garden beds for the youth program which are Americans with Disabilities Act (ADA) accessible. He noted the Community Garden is approximately 3/4 of an acre and includes parking. He requested the Community Garden be preserved. He believes the land on the east side of Hitt Road, as trade property, would be a botanical garden versus a growing garden. He also believes this would be a difficult location for a community garden. Mayor Casper noted the Master Plan/Development Summary map indicates no space for the current green house. She questioned a potential partnership with the green house (if the green house remains viable) and the CEI horticultural program. Ms. Peters stated future tech will be constructed where the green house is currently located, although, she believes

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collaboration could occur. President Aiman concurred. Per Mayor Casper, Director Fredericksen believes there are no concerns with run-off water. Per Councilor Francis, Ms. Peters confirmed there is no specific building plans for the property. This property would allow future options. Per Councilor Francis, Director Holm described the access for the current Community Garden. Ms. Peters believes CEI would consider leaving the Community Garden intact. Council President Dingman believes CEI is a tremendous asset to the community, and she would prefer a portion of this space be sold for college expansion. However, she would prefer to retain ownership of the Community Garden and the storm drain pond. She does not believe the space on the east side of Hitt Road would be useful to the City as a trade. Mayor Casper believes the community is well served by a successful and thriving community college campus. She noted if this property is sold to the college, it would continue to be non-taxable and would for-go future income. She believes that is worth it. Ms. Peters and President Aiman expressed their appreciation to the Council. Mayor Casper stated additional discussion will occur at the March 22 Work Session.

It was then moved by Councilor Smede, seconded by Councilor Francis, to move into Executive Sessions (at 5:15 p.m.). The Executive Sessions are being called pursuant to the provisions of Idaho Code Section 74-206(1)(j) to consider labor contract matters authorized under section 74-206A (1)(a) and (b), Idaho Code; and Idaho Code Section 74-206(1)(e) to consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations. The Executive Sessions will be held in the City Annex Conference Room. At the conclusion of the Executive Sessions the Council will not reconvene into regular Work Session. Roll call as follows: Aye – Councilors Freeman, Francis, Hally, Radford, Smede, Dingman. Nay – none. Motion carried.

The City Council of the City of Idaho Falls met in Executive Sessions, Monday, March 8, 2021 in the City Annex Conference Room in the City Annex Building located at 680 Park Avenue in Idaho Falls, Idaho at 5:23 p.m.

This Executive Session was called pursuant to the provisions of Idaho Code Section 74-206(1)(j) to consider labor contract matters authorized under section 74-206A (1)(a) and (b), Idaho Code.

There were present:

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

Also present:

Duane Nelson, Fire Chief
Pamela Alexander, Municipal Services Director
Ryan Tew, Human Resources Director (via WebEx)
Randy Fife, City Attorney

This additional Executive Session was called pursuant to the provisions of Idaho Code Section 74-206(1)(e) to consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations.

There were present:

Mayor Rebecca L. Noah Casper
Council President Michelle Ziel-Dingman

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Councilor Jim Francis
Councilor John Radford (via WebEx)
Councilor Jim Freeman
Councilor Thomas Hally
Councilor Shelly Smede

Also present:

Rick Cloutier, Idaho Falls Regional Airport Director
Jack Penning, Volaire Aviation Consulting Managing Partner
Randy Fife, City Attorney

There being no further business, the meeting adjourned at 7:00 p.m.

s/ Kathy Hampton _____
Kathy Hampton, City Clerk

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