



City Council Work Session Meeting Minutes

680 Park Avenue
Idaho Falls, ID 83402

Monday, January 5, 2026

3:00 PM

City Council Chambers

Call to Order and Roll Call

There were present:

Mayor Rebecca L. Noah Casper
Councilor Michelle Ziel-Dingman
Councilor Jim Freeman
Councilor Kirk Larsen

Council President Lisa Burtenshaw
Councilor John Radford (*Arrived at 3:16 PM*)
Councilor Jim Francis (*Left at 3:55 PM*)

Also present:

Pam Alexander, Municipal Services Director
Brian Cunningham, Public Works
Emily Geisler, City Clerk

Wade Sanner, CDS Director
Zack Jones, City Attorney

Mayor Casper called the meeting to order at 3:02 p.m. with the following items:

City Attorney, Municipal Services, Community Development Services, Public Works – Discussion: Reasoned Statement from 12/18 Impact Fee Appeal Hearing (Attorney Jones, Director Alexander, Director Sanner, Brian Cunningham)

- On December 18th, following an Impact Fee Appeal Hearing, Council directed staff to adopt a formal Reasoned Statement to clearly document the decision and create a clean record for potential future review.
- City staff (Impact Fee Administrator, City Attorney, and Public Works representatives) collaborated to compile a document summarizing Council’s direction and the issues discussed with the developer during the hearing.
- The only substantive edit noted was changing the signing authority from individual Council members to just the Mayor.
- The document reflects Council’s decision to affirm the Impact Fee Administrator’s November 6 determination, primarily denying the appellant’s request on procedural grounds (failure to enter into a required written agreement with the City for the street section work to expand Skyline Drive).
- Councilor Francis asked whether the document needed to explicitly reference the denial of right-of-way credit; staff and legal counsel explained it was already covered by affirming the original administrative decision.
- Clarifications were discussed regarding:
 - (Councilor Francis) Impact fee credits versus reimbursements, with credits applying only to future development, not retroactive refunds.
 - (Councilor Francis) The developer’s original request, which included both reimbursement and future credit options.
 - (Mayor Casper & Councilor Radford) Language choices in the document (e.g., “hewing,” “unequitable,” “bona fide bids”) to ensure clarity and avoid overly legalistic or intimidating wording.
- Mayor Casper expressed concern that the developer may not have clearly understood the option for informal resolution, emphasizing the importance of clear, accessible communication from the City.



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- Councilor Freeman had questions about broader policy issues (such as paying impact fees under protest), which were acknowledged but identified as outside the scope of this item.
- No changes to the draft document were requested at this time.
- The Reasoned Statement will be placed on the next Council agenda for formal approval.

Municipal Services, City Attorney, Community Development Services, Public Works – Impact fee Credit Process, Development Agreements (Director Alexander, Director Sanner, Brian Cunningham)

- The discussion focused on clarifying the relationship between impact fee credits and development agreements, which the Council had asked for more information on during the December 18th appeal hearing.
- Public Works staff explained the development agreement process, including:
 - Agreements are requested near final plan review.
 - Special Conditions are drafted for each project, shared with the project engineer and developer, reviewed by legal, and attached to the agreement as an exhibit. The complete agreement is then brought to City Council for approval (often times after being signed by the developer).
 - Agreements are recorded with the county, which attaches terms to the property.
- Council confirmed with staff that:
 - Engineers are expected to share agreement details with their clients.
 - The main portion of development agreements is standardized; Special Conditions are where project-specific obligations are defined and may differ.
- Discussion highlighted coordination issues between Development Agreements and Owner Participation Agreements (OPAs) used on Idaho Redevelopment Agency (IFRA) projects, particularly when properties change hands mid-development.
- Staff acknowledged past cases where new-to-a-project developers were unaware of prior agreements, prompting internal efforts to improve coordination and communication.
- Council and staff discussed the idea of offering non-binding consultations to new or successor developers to explain obligations, without creating enforceable commitments or appeal risks.
- It was noted that ownership changes are typically discovered during predevelopment meetings or permit applications, which may be the most practical point to offer such consultations.
- Councilor Freeman suggested including checklists to ensure developers receive consistent information about recorded agreements, impact fees, and obligations.
- Staff emphasized that recorded agreements are part of the property's title, placing responsibility on buyers to conduct due diligence ("buyer beware").
- Council discussed how development obligations transfer to successors and how credits or reimbursements follow the recorded agreement.
- Councilor Francis clarified that Council may reject a development agreement before it is signed by the Mayor and request changes, but cannot unilaterally amend a signed agreement.
- Past examples (e.g., delayed infrastructure connections) were cited as lessons learned for improving future agreement terms.
- Staff noted that applying impact fee credits across phases or future permits is still relatively new and will require coordination within the City's systems.

Mayor and Council: Calendars, Announcements, Events, Reports, Updates, Concerns, Questions, Discussion, Proclamations, Notes from Boards and Commissions:



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Mayor Casper:

- The Mayor stated that this section of the agenda is intentionally broad to allow for more than calendar sharing, including reports, updates, concerns, and discussion.
- Mayor relayed Councilor Francis's concern that reports could be more robust and that communication among Council members about departmental activities could be improved beyond listing calendar items.
- Mayor suggested future agendas or reporting systems could better support substantive updates and information-sharing.
- Calendar and announcements:
 - A small group is gathering to watch Director Fredericksen's son's championship football game.
 - A Council meeting is scheduled for Thursday.
 - Some Council members plan to attend the ICUA meeting.
 - Legislative session is coming up.
- Mayor encouraged council members attending the upcoming legislative banquet to:
 - Be informed by ICUA training and messaging.
 - Also raise broader Citywide concerns with legislators.
 - Requested staff prepare a brief 3–4 point issue list for Council members to use in discussions with legislators.
- Thursday's Council meeting will serve as a statutorily required transition meeting:
 - Old business (e.g., approval of minutes and fiscal wrap-up items) will be handled by the outgoing Mayor and Council.
 - Newly elected and reelected members will be sworn in.
 - The Council will elect a new Council President.
 - The Mayor may make assignments or comments.
 - Remaining items will be handled as new business, including quasi-judicial hearings.
- The agenda will include two consent agendas and two regular agendas, reflecting the transition structure.
- A brief recess will occur after the swearing-in, followed by a roll call to establish a quorum of the newly sworn Council.
- The Mayor described the meeting as the peaceful transition of power.
- A formal Council photo will be taken prior to the meeting; members were asked to wear their "Sunday best" and arrive by 7:00 p.m.
- The City Clerk announced that Council members will be sworn in in order of votes received (most to least), as required by City Code; this order may be unexpected but is intentional and code-based.
- Mayor noted that while the order they are sworn-in technically establishes seniority, seniority does not meaningfully affect how the Council operates.

Council President Burtenshaw:

- Mayor Casper's reception will be held Wednesday from 4:00–6:30 p.m. at the Art Museum on Capitol (not the Museum of Idaho).
- Carla will send out calendar invitations for City holidays, City Council meetings, Work sessions, BMPO meetings
- Council Liaison updates:
 - Council Member Francis will take over BMPO.
 - IFRA will be handled by Council Member Larsen.
- Meeting time changes going forward:
 - Work sessions will remain at 3:00 p.m.
 - Thursday night City Council meetings will start at 6:30 p.m. after this week's meeting.
 - The ordinance formalizing the time change will appear under New Business on Thursday's agenda.



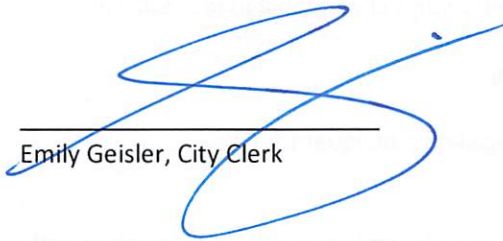
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Councilor Ziel-Dingman, Councilor Freeman, Councilor Larsen, Councilor Radford

- Nothing at this time

There being no further business, the meeting adjourned at 4:07 PM.

A large, stylized blue ink signature of Emily Geisler, consisting of several overlapping loops and a long horizontal stroke extending to the right.

Emily Geisler, City Clerk

A blue ink signature of Rebecca L. Noah Casper, featuring a cursive style with a prominent "R" and "C" and a long horizontal stroke extending to the right.

Rebecca L. Noah Casper, Mayor