COUNCIL MEMBERS:

Suzanne Hawkins	Jim Munn	Shawn Barigar	Chris Talkington	Gregory Lanting	Don Hall	Rebecca Mills Sojka
Vice Mayor					*Mayor*	

MINUTES
Meeting of the Twin Falls City Council
Monday, April 21, 2014
City Council Chambers
305 3rd Avenue East -Twin Falls, Idaho

The April 21, 2014, Minutes were removed from the agenda on May 19, 2014 to be placed on the May 27, 2014, agenda for approval.

5:00 P.M.

PLEDGE OF ALLEGIANCE TO THE FLAG
CONFIRMATION OF QUORUM
CONSIDERATION OF THE AMENDMENTS TO THE AGENDA
PROCLAMATION:

Better Hearing Month
Arbor Day Proclamation

GENERAL PUBLIC INPUT		
AGENDA ITEMS	**Purpose**	**By:**
I. CONSENT CALENDAR:	Action	Staff Report
1. Consideration of a request to approve the Accounts Payable for April 8–April 21, 2014, total: $705,115.30.	Action	Sharon Bryan
2. Consideration of a request to approve the Magic Valley Mall C-1 Planned Unit Development.	Action	Mitchel Humble
3. Consideration of a request to accept the Street, Curb and Gutter Improvement Deferral Agreement for the purpose of improvements along Highland Avenue extended, on property located at 3450 Kimberly Road. *Chobani Wastewater Equalization System*	Action	Troy Vitek
4. Consideration of a request to accept the Street, Curb and Gutter Improvement Deferral Agreement for the purpose of improvements along Kimberly Road and Hankins Road on property located at 3450 Kimberly Road. *Chobani Yogurt Plant.*	Action	Troy Vitek
II. ITEMS FOR CONSIDERATION:		
1. Consideration of a request to confirm the appointment of Christopher Reid and Jody Tatum to the Planning & Zoning Commission to serve a 3 year term.	Action	Don Hall
2. Consideration of a request to seek direction on the process of awarding the Municipal Powers Outsource Grant (MPOG) funding for the current 2014 fiscal year.	Action	Mandi Thompson
3. Consideration of a request to adopt Ordinance 3069 to vacate a portion of a 23' +/- platted utility, drainage, access and irrigation easement on property located at 1662 Park View Drive for Castle Twin Falls, LLC.	Action	Mitchel Humble
4. A presentation regarding potential private property improvement encroachments onto City properties.	Presentation	Mitchel Humble
5. Consideration of a request to amend Twin Falls City Amended Transparency Resolution 1912.	Action	Fritz Wonderlich
6. Presentation by the City Manager followed by a general discussion and public input about the City Council's FY 2015 Budget priorities and philosophies.	Presentation	Travis Rothweiler
7. Public input and/or items from the City Manager and City Council.		
III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:		
IV. PUBLIC HEARINGS: 6:00 P.M.: None		
V. ADJOURNMENT:		

Any person(s) needing special accommodations to participate in the above noticed meeting could contact Leila Sanchez at (208) 735-7287 at least two working days before the meeting. Si desea esta información en español, llame Leila Sanchez (208)735-7287.

Present: Suzanne Hawkins, Jim Munn, Shawn Barigar, Chris Talkington, Gregory Lanting, Don Hall, Rebecca Mills Sojka

Absent: None

Staff Present: City Manager Travis Rothweiler, City Attorney Fritz Wonderlich, Community Development Director Mitchel Humble, Assistant City Engineer Troy Vitek, Grant Writer Mandi Thompson, Senior Staff, Deputy City Clerk Leila A. Sanchez

Mayor Hall called the meeting to order at 5:00 P.M. He then invited all present, who wished to, to recite the pledge of Allegiance to the Flag. A quorum is present.

CONSIDERATION OF THE AMENDMENTS TO THE AGENDA: None

PROCLAMATIONS:
-Better Hearing Month

Mayor Hall read the proclamation and presented it to Amy Spaulding from the Hearing Center

-Arbor Day Proclamation

Mayor Hall presented the Arbor Day Proclamation to Parks & Recreation Director Dennis Bowyer.

GENERAL PUBLIC INPUT: None

Councilmember Talkington referred to the Accounts Payables – ICRIMP $175,000, and asked the effects of the Affordable Care Act.

City Manager Rothweiler explained that the ICRIMP Policy is a liability policy and is not connected with the Affordable Care Act. Personnel Director Susan Harris will review the impacts of the Affordable Care Act to overall employee health insurance during the budget meeting.

AGENDA ITEMS

I. CONSENT CALENDAR:

1. Consideration of a request to approve the Accounts Payable for April 15–April 21, 2014, total: $1,046,571.60.
2. Consideration of a request to approve the Magic Valley Mall C-1 Planned Unit Development.
3. Consideration of a request to accept the Street, Curb and Gutter Improvement Deferral Agreement for the purpose of improvements along Highland Avenue extended, on property located at 3450 Kimberly Road. *Chobani Wastewater Equalization System*
4. Consideration of a request to accept the Street, Curb and Gutter Improvement Deferral Agreement for the purpose of improvements along Kimberly Road and Hankins Road on property located at 3450 Kimberly Road. *Chobani Yogurt Plant.*

MOTION:
Councilmember Lanting moved to approve the Consent Calendar as presented. The motion was seconded by Councilmember Munn.

Discussion followed:

$45,000 North East Sewer Odor Control

Roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

II. ITEMS FOR CONSIDERATION:

1. Consideration of a request to confirm the appointment of Christopher Reid and Jody Tatum to the Planning & Zoning Commission to serve a 3 year term.

Mayor Hall explained the request.

City staff posted a vacancy notice for the positions and staff received applications from six individuals. Mayor Hall and an interview panel consisting of Planning & Zoning Commissioner Tom Frank, Planning & Zoning Commission Liaison Rebecca Mills Sojka, and

Zoning and Development Manager Renee Carraway interviewed the applicants and the majority of the panel recommended that Christopher Reid be appointed to the Commission. In addition, Mayor Hall recommends the reappoint of Jody Tatum to her second term on the Commission.

Discussion followed:
Councilmember Mills Sojka agreed that there were six well qualified applicants and it was a difficult choice and appreciates everyone that applied. There were three men and three women applied. It was a great turn out because she has sat in interviews where no women have applied. Currently the Commission has seven men and two women. She agrees that Jody Tatum has been a quality participant on the Commission.

MOTION:
Councilmember Mills Sojka moved to reappoint Jody Tatum to the Planning & Zoning Commission to serve a 3 year term beginning retroactively March 31, 2014. The motion was seconded by Vice Mayor Hawkins. Roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

MOTION:
Councilmember Munn moved to appoint Christopher Reed to the Planning & Zoning Commission to serve a 3 year term beginning retroactively March 31, 2014. The motion was seconded by Councilmember Lanting.

Discussion followed.

Councilmember Mills Sojka stated that she agrees that Chris Reed is an excellent candidate but believes Cheri Condi will add to the female representation to the board and to that voice that is broadly supportive in the community. She took into consideration the comment made by Councilmember Talkington to review the representation on the commission. Consideration was also made to the Land Use Planning Act. The Land Use Planning act states the governing board creating a planning and zoning commission, "shall provide that the area and its interests within the jurisdiction are broadly represented on the commission." Currently on the commission there are two members in real estate, two in construction, three from local various businesses and one from the banking industry, in which seven are men and two are women. In the interest of diversifying the commission, Cheri Condie should be recommended to the Commission. Like Chris Reed, Cheri Condie has been involved in the community and the political process. She represented the citizens that were involved in the Concerned Citizens for our Canyon. Her views are widely supportive in the community for preservation and environmental sustainable building practices, which are supportive in the Strategic Plan, Comprehensive Plan, and the Citizen Survey.

Mayor Hall stated that Councilmember Mills Sojka brought this point up to the interview panel. The Planning & Zoning Commission member that is in banking industry works in the IT department. The other members of the interview panel selected Chris Reed.

MOTION:
Councilmember Talkington made an amendment to the motion that Cheri Condie be appointed an alternate. (If there are any resignations Cheri Condie would have the opportunity to step up. She has experience and had been active in zoning; there is a need to hear her voice in a different perspective.) The motion was seconded by Councilmember Mills Sojka.

Mayor Hall stated that Robert Speir's was selected to serve as an alternate. Discussion followed on alternate positions.

Councilmember Barigar stated that commission vacancies are filled through a selection process and he is not in favor of appointing alternates.

Councilmember Mills Sojka stated that the interview panel, as a whole, selected Robert Speir to serve as an alternate. She believes this is the second time Cheri Condie has applied for the Planning & Zoning Commission vacancy. She supports Cheri Condie as an alternate because of the Land Use Planning Act direction and with all things being equal feels that this is an opportunity to have another female voice on the commission.

Councilmember Lanting stated that alternates had been chosen should the one selected does not pass the background test.

Vice Mayor Hawkins stated that she does not agree with separate categories for men and women and is in favor of selecting the most qualified person for the position. She will be voting against the amendment for an alternate because there may a stronger candidate who has not applied for the position.

Councilmember Talkington stated for clarification that the Mayor may appoint a candidate with the concurrence of the Council. Cheri Condie served over six months on the zoning committee and has experience. He would assume that if the motion fails the interview committee's alternate is no longer valid.

Mayor Hall clarified that Robert Speir is not the alternate if a member dropped off the commission, but is the alternate if Chris Reed did not pass the background check. He feels strongly that choosing an alternate from the group without having the consent or input of the interview committee is usurping the process.

Community Development Director Humble stated that Christopher Reed did pass the background check.

Roll call vote on the amendment to the motion showed Councilmembers Mills Sojka and Talkington voted in favor of the motion. Councilmembers Hawkins, Munn, Barigar, Lanting, and Hall voted against the motion. Failed 2 to 5

Roll call vote on the main motion showed Councilmembers Hawkins, Munn, Barigar, Talkington, Lanting, and Hall voted in favor of the motion. Councilmember Mills Sojka voted against the motion. Approved 6 to 1.

2. Consideration of a request to seek direction on the process of awarding the Municipal Powers Outsource Grant (MPOG) funding for the current 2014 fiscal year.

Grant Writer Thompson explained that the purpose of this agenda item is to discuss the process that the Twin Falls City Council would like to follow in awarding the $100,000 in Municipal Powers Outsource Grants for the current 2014 Budget Year.

It is the suggestion of City staff that Council receive all eligible applications five days prior to the May 19, 2014, City Council meeting, along with a scoring matrix for each application. Council will score each applicant based on the information provided in the application and return to staff on Monday, May 19, 2014, by noon, in order that scores can be compiled, averaged and applications can be ranked prior to the City Council meeting. Council will be able to change their scoring during the presentations and these changes will be factored into the application rankings during a short recess. By ranking the applications prior to the City Council meeting, Council will be able to thoughtfully rank each application.

Proposed schedule:

April 22	Media release with instruction for submitting application for grant funds.
May 2	Applications due by this date (Friday) at 4:00 PM.
May 5	Applications submitted to City Attorney Fritz Wonderlich to determine eligibility for the MPOG funds.
May 12	Eligibility determinations will be submitted to City staff by the City Attorney; City staff will notify eligible applicants and submit an agenda item for the May 19th Twin Falls City Council meeting to hear presentations from the eligible applicants.
May 19	City Council hears presentations and awards MPOG funds.

Council discussion followed on the Twin Falls Municipal Band
-Possibly removing Twin Falls Band from the MPOG process and placing it in the annual regular appropriation
-Councilmember Mills Sojka's spouse is a member of the Twin Falls Municipal Band.
-City Band 501 3 C status
-Department oversight on funds disbursed to the Twin Falls Municipal Band if made a line item.

City Manager Rothweiler stated that staff can follow the outline as recommended by Grant Writer Thompson. Currently, $100,000 has been earmarked for MPOG. The band and other eligible applicants will submit their applications. Council will make their determination if the Twin Falls Band will be a line item or part of the MPOG process. Each non-profit request will be voted on separately and councilmembers will recuse themselves from the item if a conflict of interest arises.

Councilmember Barigar stated that almost the entirety of the City band's request is to stipend the performers.

Councilmember Mills Sojka stated that she grows less and less convinced that MPOG is a legitimate grant process. A matrix was created last year and she is uncertain of the process and would not mind eliminating MPOG.

Councilmember Talkington stated he understands the MPOG grantees provide a service that the City is unable to provide. The service would cost the City a considerable amount of money. He is not in favor of eliminating MPOG.

Mayor Hall stated that he struggles with the delivery of money process.

City Manager Rothweiler stated that on the evening of May 12, 2014, between now and then, Grant Writer Thompson will come up with samples of a scoring system and how it may translate to funding.

Councilmember Barigar stated this is a subjective process and he is not in favor of using a formula for funding. The ranking system is not perfect but gives a general idea of priorities.

Grant Writer Thompson suggested the Council do the ranking prior to the Council presentation and Council will see where each organization falls numerically. After listening to the presentations the Council can insert that subjective portion part of the process. and lastly, grant recipients report back to the Council on how the money was utilized.

Grant Writer Thompson stated that she has been contacted by an organization that has not applied for the MPOG funding.

Council directed staff to do a similar process as was done last year.

Councilmember Mills Sojka stated that she would like to see applicant accountability.

Vice Mayor Hawkins stated that grant recipients came back before the Council with a financial statement on how the money was spent and how it contributed to their cause.

Councilmember Mills Sojka stated that grant recipients gave five minute presentations but in the past three years she has not seen receipts and valid financial statements from the recipients.

Council directed Grant Writer Thompson to begin the MPOG process.

3. Consideration of a request to adopt Ordinance 3069 to vacate a portion of a 23' +/- platted utility, drainage, access and irrigation easement on property located at 1662 Park View Drive for Castle Twin Falls, LLC.

   Community Development Director Humble explained the request.

   MOTION:
   Councilmember Lanting moved to suspend the rules and place Ordinance 3069 on third and final reading by title only. The motion was seconded by Councilmember Talkington. Roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

   MOTION:
   Councilmember Lanting moved to adopt Ordinance 3069. The motion was seconded by Councilmember Barigar. Roll. Call vote showed all members presented voted in favor of the motion. Approved 7 to 0.

4. A presentation regarding potential private property improvement encroachments onto City properties.

   Community Development Director Humble gave the presentation.

   Discussion followed:
   -City owned property / private encroachments on City property
   -Easement process
   -Fences over 6' require a fence permit

   Council directed staff to draft a letter to be sent to property owners and HOAs to make them aware of the potential of encroaching on City property.

Recess 6:27 p.m.
Reconvened at 6:45 p.m.

5. Consideration of a request to amend Twin Falls City Amended Transparency Resolution 1912.

   City Attorney Wonderlich explained the amendments to the resolution.

   MOTION:
   Councilmember Talkington moved to approve the Second Amended Resolution 1912 with the so described changes. The motion was seconded by Councilmember Munn. Roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

6. Presentation by the City Manager followed by a general discussion and public input about the City Council's FY 2015 Budget priorities and philosophies.

   City Manager Rothweiler gave a PowerPoint presentation. (Attached)

   Discussion followed.

Councilmember Talkington asked how the Affordable Care Act will affect the City's health insurance.

Personnel Director Harris stated she will have more specifics on the Affordable Care Act after she attends a seminar on Tuesday, April 22, 2014. Since the implementation of the Affordable Care Act, the City is covering dependents to the age of 26 and the implementation of preventable care coverage has been made. In 2015, fees will be paid that will transfer through the carrier and will be applied to the group, the premiums will increase to provide coverage for the limitations that are being taken off healthcare, and seasonal employees may be provided health care coverage. Last year Blue Cross stated they were recommending a 2% to 3% premium increase to address the Affordable Care Act issue.

Mayor Hall asked for public input on the budget. No public input received.

Councilmember Talkington stated the importance of the Council coming to a consensus of the 3% in growth and foregone balance.

Councilmember Lanting is supportive of taking the 3% in growth.

Councilmember Barigar stated the importance of looking at priorities and the cost to provide that level of service. He is supportive of employee compensation, looking into foregone balance framed around very specific projects with a time frame.

Councilmember Munn stated that he would be supportive of using foregone balance for Canyon Spring Road improvements, investing in downtown, using unreserved and unrestricted cash to address a new City Hall and the Police Department's space issues.

Councilmember Mills Sojka is supportive of the compenstation strategy, Canyon Springs Grade improvements, and said 3% in growth is reasonable. She is not supportive of taking any foregone balance nor is she in favor of building a new City Hall. She would advocate a new recreation center downtown rather than a new City Hall because of the impact on the greater community. She supports the Long Term Planning Group recommendations equipment and personnel.

Vice Mayor Hawkins spoke in favor of taking the 3% in growth and foregone balance in a structured situation and the pay structure moving forward, is not in favor of a recreation center, and is in favor of a new City Hall.

Mayor Hall spoke in favor of Canyon Springs Road improvements and using foregone balance, exploring the options of a City Hall and Police Department space needs, employee compensation, as well as additional water storage. Councilmember Lanting spoke in favor of the same.

Councilmember Talkington is supportive of using reserve money for Canyon Springs Grade and additional water storage. He is not supportive of using foregone balance and is in favor of taking the 3% in growth.

Public input. None

7. Public input and/or items from the City Manager and City Council.

College of Southern Idaho/City of Twin Falls Sustainability Fair, April 22, 2014, 10:00 a.m. to 2:00 p.m.

Arbor Day Celebration to be held on April 25th, at Vista Bonita at 4:00 p.m.

WWTP Groundbreaking, April 23, 2014, 11:00 a.m.

Chamber Business Day, April 24, 2014, Canyon Crest Event Center, 8:00 a.m.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

IV. PUBLIC HEARINGS: 6:00 P.M.: None

V. ADJOURNMENT: The meeting adjourned at 7:37 p.m.

Leila A. Sanchez
Deputy City Clerk/Recording Secretary