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, February 2, 2015
City Council Chambers - 305 3rd Avenue East -Twin Falls, Idaho

5:00 P.M.

PLEDGE OF ALLEGIANCE TO THE FLAG
CONFIRMATION OF QUORUM
CONSIDERATION OF THE AMENDMENTS TO THE AGENDA
PROCLAMATION: None

GENERAL PUBLIC INPUT		
AGENDA ITEMS		
I. CONSENT CALENDAR:	**Purpose:**	**By:**
1. Consideration of a request to approve the Accounts Payable for January 21 to January 26, 2015.	Action	Sharon Bryan
2. Consideration of a request to pay fees in lieu of park land dedication for the Morning Sun # 8 Subdivision.	Action	Dennis Bowyer
II. ITEMS FOR CONSIDERATION:	**Purpose:**	**By:**
1. Consideration of a request to adopt an ordinance for a rezone of property located south of 900-1100 blocks of Cheney Drive West, undeveloped, and east of the 1350-1450 blocks of Field Stream Way for Wills, Inc.	Action	Rene'e V. Carraway-Johnson
2. Consideration of a request to approve the Fieldstone Professional P.U.D. R-4 & R-4 PRO Planned Unit Development Agreement between the City of Twin Falls and Wills, Inc.	Action	Rene'e V. Carraway-Johnson
3. Consideration of a request to adopt an ordinance to amend Title 10 by adding a definition for "Governmental Open Storage Yard" and to allow that use by Special Use Permit in the C-1; commercial /retail zone.	Action	Rene'e V. Carraway-Johnson
4. Consideration of a request to reaffirm consideration of a modified street section on the Morning Sun Subdivision No. 8 preliminary plat.	Action	Gerald Martens/EHM Engineers
5. Presentation of an update on the Waste Water Treatment Plant project.	Presentation	Troy Vitek
6. Discussion and possible action on an agreement between the City of Twin Falls and the City Manager.	Discussion/ Possible Action	Travis Rothweiler
7. Discussion and possible action about considering any Snake River Canyon Jump activities in 2015.	Discussion/ Possible Action	Travis Rothweiler
8. 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: Executive Session 67-2345(1)(c) To conduct deliberations concerning labor negotiations or to acquire an interest in real property which is not owned by a public agency.		

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, Deputy City Attorney Shayne Nope, Chief Financial Officer Lorie Race, Deputy City Manager Mitchel Humble, Deputy City Manager Brian Pike, Zoning & Development Manager Rene'e V. Carraway-Johnson, Assistant City Engineer Troy Vitek, Parks & Recreation Director Dennis Bowyer, PIO Josh Palmer, Deputy City Clerk/Recording Secretary 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 with him and Boy Scouts from Troop 60. A quorum is present.

GENERAL PUBLIC INPUT: None

City Manager Rothweiler stated Mayor Don Hall will be making the presentation on Item II.6: Discussion and possible action on an agreement between the City of Twin Falls and the City Manager.

Councilmember Mills Sojka requested to pull Item I.2. Consideration of a request to pay fees in lieu of park land dedication for the Morning Sun # 8 Subdivision from the Consent Calendar for discussion.

AGENDA ITEMS

I. CONSENT CALENDAR:

1. Consideration of a request to approve the Accounts Payable for:
   January 21 – Feb 2, 2015, total: $587,621.04
   January 28, 2015, Prepay: $1,108,713.00
   January 30, 2015, Fire Payroll: $54,728.03
   January 30, 2015, Payroll: $27, 369.13.

   MOTION:
   Councilmember Lanting moved to approve the Consent Calendar as presented. The motion was seconded by Councilmember Mills Sojka. Roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

2. Consideration of a request to pay fees in lieu of park land dedication for the Morning Sun # 8 Subdivision.

   Councilmember Mills Sojka asked if the land is more valuable than the in lieu contribution. She would like to see more parks similar to the Dennis Bowyer Park with more open green space.

   Parks & Recreation Director Bowyer stated Morning Sun Park is located directly south of the proposed development. Morning Sun Park is not a fully developed neighborhood park (no restroom or shelter), and the parks in lieu of contribution would help budget for amenities for the future. Jason Woodland Hills' Park is only ¼ mile to the west. It is a retention area but functions as open green space. The new elementary school that is going in on the west side of Hankins will have playground equipment and open space, and they act similar to a park

   Discussion followed:
   Vice Mayor Hawkins asked for the annual cost to maintain a one acre park, ratio of park attendants to parks, and what future amenities are planned at Sunway Park.

   Councilmember Lanting explained that a park is located across the street of the development. He also explained the importance of completing Morning Sun Park and Jason Park with amenities.

   Parks & Recreation Director Bowyer stated he does not know off the top of his head the cost per acre of maintaining parks, but that small parks similar to the Dennis Bowyer Park and the Conservation Park can be costly to maintain

because of the plant life and high level of maintenance. Costs also depend on what amenities are at the park. Currently the City has a ratio of one full time park employee to every 18-19 manicured acres and it has one seasonal employee to every 16 manicured acres.

Parks & Recreation Director Bowyer stated that playground equipment, bathroom and shelter are the three basic needs at a neighborhood park. The Parks In Lieu of Application formula to determine the contribution from the developer has not been updated since the ordinance was passed in 2005. In the formula, the current park development cost is $31,700 per acre.

Councilmember Mills Sojka explained that having parkland is an opportunity for the future and open space is a rare amenity. The Strategic Plan states that parks are valuable.

MOTION:
Councilmember Lanting moved to approve a request to pay fees in lieu of park land dedication for the Morning Sun # 8 Subdivision. The motion was seconded by Councilmember Munn. Roll call vote showed Councilmembers Hawkins, Munn, Barigar, Talkington, Lanting, and Hall voted in favor of the request. Councilmember Mills Sojka voted against the request. Approved 6 to 1.

II. ITEMS FOR CONSIDERATION:

1. Consideration of a request to adopt an ordinance for a rezone of property located south of 900-1100 blocks of Cheney Drive West, undeveloped, and east of the 1350-1450 blocks of Field Stream Way for Wills, Inc.

   Zoning & Development Manager Carraway-Johnson reviewed the request. As directed by the Council, staff has prepared an ordinance for Council consideration.

   Staff recommends the City Council adopt the ordinance so it can be published and codified.

   MOTION:
   Councilmember Talkington moved to suspend the rules and place Ordinance 3087 on third and final reading by title only. The motion was seconded by Vice Mayor Hawkins. Roll call vote showed all members present voted in favor of the motion.

   Deputy City Clerk Sanchez read the Ordinance by title only:
   AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, REZONING REAL PROPERTY BELOW DESCRIBED; PROVIDING THE ZONING CLASSIFICATION THEREFOR; AND ORDERING THE NECESSARY AREA OF IMPACT AND ZONING DISTRICTS MAP AMENDMENT.

   MOTION:
   Councilmember Lanting moved to adopt Ordinance 3087. The motion was seconded by Vice Mayor Hawkins.

   Discussing followed.

   Councilmember Mills Sojka stated that in 2011and 2012, there was quite the turnout at the public hearings. Chris Talkington mentioned last week that the neighbors bought their homes and invested in them in an R-2 in which it was platted. Plats are supposed to be forever and she therefore voted against the vacation and the changing of increasing the density making it professional and taking it from residential to partially commercial. Part of the Idaho Code Land Use Planning Act states to not let commercial enclose on or impose on residential. She will maintain her position on the ordinance. The P & Z Commission did recommend denial and the other rezoning was approved.

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

2. Consideration of a request to approve the Fieldstone Professional P.U.D. R-4 & R-4 PRO Planned Unit Development Agreement between the City of Twin Falls and Wills, Inc.

Zoning & Development Manager Carraway-Johnson reviewed the request.

Staff feels that the PUD Agreement correctly reflects the action granted by the City Council on January 23, 2012, as it was approved and recommends Council approval of the agreement, as presented.

MOTION:
Councilmember Lanting moved to approve the Fieldstone Professional P.U.D. R-4 & R-4 PRO Planned Unit Development Agreement between the City of Twin Falls and Wills, Inc. The motion was seconded by Councilmember Barigar.

Councilmember Mills Sojka stated her concern that hours of operation are 7:00 a.m. to 9:00 p.m. unless are extended with Special Use Permit. She is concerned that homes are contiguous to the R-4 PRO. Even under Special Use Permit she is not sure whether hours extended beyond 9:00 p.m. are compatible since essentially the commercial activities will be happening in their backyard.

Zoning & Development Manager Carraway-Johnson explained the Special Use Permit and appeal process.

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

3. Consideration of a request to adopt an ordinance to amend Title 10 by adding a definition for "Governmental Open Storage Yard" and to allow that use by Special Use Permit in the C-1; commercial /retail zone.

Zoning & Development Manager Carraway-Johnson explained the request. As directed by the Council, staff has prepared an ordinance for Council's consideration.

Staff recommends the City Council adopt the ordinance so it can be published and codified.

Discussion followed.

Councilmember Barigar asked if there could be some interest of a CB Zone downtown.

Zoning & Development Manager Carraway-Johnson stated that the CB Zone for a government office building would be appropriate but perhaps not the storage yard.

MOTION:
Councilmember Talkington moved to suspend the rules and placed Ordinance 3088 on third and final reading by title only. The motion was seconded by Vice Mayor Hawkins. Roll call vote showed all members present voted in favor of the motion.

Deputy City Clerk Sanchez read the Ordinance by title only:
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, AMENDING TWIN FALLS CITY CODE §10-2-1 BY ADDING A DEFINITION FOR "GOVERNMENT OPEN STORAGE YARD; AND AMENDING §10-4-8.2(B)(3) BY ADDING "GOVERNMENT OPEN STORAGE YARD" AS A SPECIAL USE IN THE C1 ZONING DISTRICT.

MOTION:
Councilmember Lanting moved to adopt Ordinance 3088. The motion was seconded by Vice Mayor Hawkins. Roll call vote showed all members present voted in favor of the motion.

4. Consideration of a request to reaffirm consideration of a modified street section on the Morning Sun Subdivision No. 8 preliminary plat.

   Gerald Martens explained the request. The request is to narrow the streets, adding a tree scape adjacent to each curb, detaching the sidewalk. Because the street will be 28' and not the standard 34', there will be less street to maintain and there will be a nicer residential environment. The length of the street will be 300' to 400' with restricted parking on one side of the street.

   Discussion followed:
   -Fire department access
   -Maintenance of landscaping strip
   -Restricted parking and enforcement on one side of the street
   -Types of trees

   Gerald Martens stated there will be fire department access, homeowners will maintain landscaping strip, trees and landscaping and sprinkler system will be installed by developers. The homeowners association will monitor and enforce no parking on the one side of the street. The developer will work with the City to select the type of trees to be placed adjacent to roadways.

   City Engineer Fields reviewed the request. There is no immediate impact to the City's budget. In the future, maintenance actions such as sealcoat will cost less. If the City chooses to widen the road at a future date an LID may be considered.

   A simple majority vote of the Council is required to approve this request.

   Discussion followed.
   -Vehicles possibly blocking fire truck access

   City Engineer Fields stated the fire department should be able to get in and around in all circumstances. If parking becomes an issue signage will be posted.

   MOTION:
   Vice Mayor Hawkins moved to approve a modified street section on the Morning Sun Subdivision No. 8 preliminary plat. The motion was seconded by Councilmember Munn.

   Discussion followed.

   Councilmember Mills Sojka asked that if the streets have to be widened would it be funded through an LID.

   City Attorney Wonderlich explained that the establishment of an LID will be up to a future Council.

   Councilmember Mills Sojka stated that this is a good concept for creating friendlier neighborhoods and added that if this is an acceptable alternative city code should be changed.

   Councilmember Lanting stated that the concept does not work everywhere so therefore he would like to look at each request individually.

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

5. Presentation of an update on the Waste Water Treatment Plant project.

   Assistant City Engineer Vitek gave the presentation on the IFAS basin wall construction. He reviewed the financial summary (contractor billings), contractor Change Orders, pending change orders, work change directives, and a 30 day look ahead on the project services during construction request for information's, and submittals. In the future he plans to request approval from the Council for the design of the headwork's facility.

Discussion followed.
-Capacity dates
-Project savings

Assistant City Engineer Vitek stated capacity increase is scheduled for July 4, 2015 for 13m gallons and December 27, 2015 for 16m gallons.

City Manager Rothweiler explained the cost savings associated with the project is outside the money reserved for the collection system. The $6m from collections is intact and the intent is to expend collections as recommended by the Citizens Committee. He explained that bond proceeds are paying for the project. Staff will come before Council and will request to advance the project and to expend bond proceeds to continue to expand the capacity of the treatment facility.

Discussion followed.
-Unspent bond proceeds

City Manager Rothweiler explained bonds covenants and restrictions. The Citizens Committee made a recommendation for improvements to the City's waste water treatment facility and sewer collection line and included other related improvements, equipment, items and costs.

Councilmember Talkington gave an update on the Twin Falls Building Department – January 2015 Monthly Permit Report. In January 2015 year to date 63 permits were issued versus the January 2014 year to date permits of 43.

City Manager Rothweiler stated that at the WWTP 7.75m gallons are flowing into the plant daily. The plant is ready to handle about 10m gallons per day after the Chobani improvements. The difference has been committed. When commercial and residential building permits are issued they are eating into the committed place. Prior to the passage of the bond the City was overcommitted at the WWTP. City staff will continue to engage and continue to work with developers on issuing new commitments to utilize the capacity that have been associated with the project. The odor issue at Chobani is due to the utilization of the UASB.

Councilmember Lanting stated that he would like to go forward and receive costs for the headworks project.

6. Discussion and possible action on an agreement between the City of Twin Falls and the City Manager.

Mayor Hall explained the request. He stated that in his professional development he had an opportunity to have a great leader in his life that taught him that you are not only responsible for what you do but what you know.

The International City/County Management Association's Recruitment Guidelines for Selecting a Local Government Administrator states: "It is in the interests of both the community and the chief administrator to have a written summary of the terms and conditions of employment to which both parties have agreed.

In the Strategic Plan one of the established focus areas relates to our internal organization. It is imperative that we take care of staff, pay them appropriately, treat them appropriately and give them the tools necessary for them to be able to do their jobs. The person leading city staff is the City Manager. It is best practice to have a contract with the City Administrator or City Manager. The contract has been reviewed by the Council, City Attorney, and ICRIMP attorneys to make sure the contract was appropriate. The contract helps the City retain the City Manager and in the future help recruit a City Manager.

Discussion followed.
-Risk management for a large corporation
-Maintaining a good working relationship with the CEO
-Review contract every five years.

MOTION:
Councilmember Talkington moved to approve the City Manager Service Agreement as proposed by the City of Twin Falls. The motion was seconded by Councilmember Lanting. Roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

7. Discussion and possible action about considering any Snake River Canyon Jump activities in 2015.

City Manager Rothweiler explained that in February 2014, the members of the Twin Falls City Council voted not to consider any proposal to jump the Snake River Canyon for a period of one year. So City staff can be in a better position to respond should it be approached by any interested party or parties, City staff is seeking direction from the City Council. To date, the City has not been approached by any party wishing to jump the Snake River Canyon from any location including the original jump site. In the local media it was reported that two groups are pursuing an attempt to jump the canyon.

Discussion followed:
-Submission of a complete application packet that protects the image of the City of Twin Falls and does not place undue burden to the taxpayers. Packet to include: Safety plan, costs, traffic flow, emergency services, accessibility, and security operations.

City Manager Rothweiler stated the Special Event Permit can be modified specifically to the event to help provide some level of guidance. An event of this magnitude will draw on resources outside of the City of Twin Falls corporate boundaries. When asking for a construction of a safety plan and elements, it is important to include other local partners and public safety entities from areas that can be largely impacted.

Staff may not be able to develop an all-inclusive application. This is not an act of malice but an act of knowledge as progressing through the process. Previously, time was spent developing an agreement, and that agreement can serve as the base foundation with some modifications.

-Importance of engaging and partnering with the County of Twin Falls and Jerome County

Councilmember Barigar suggested taking the general parameters outlined in the initial request for qualification and coupling that with some of the concepts of the agreement. This is not the City's event; therefore, the City cannot lay out every detail of every impact of an event. When something is missed the City is believed to be at fault. He suggested keeping a generalized concept and an openness to entertain a proposal. For eight months last year all the city heard was an individual wanted to jump a canyon. Directing staff to spend any time developing anything beyond what the city already has in anticipation that someone might request to attempt to jump the canyon is heading into a waste of energy and time that he is not confident is going to happen.

City Manager Rothweiler stated he does not believe a significant amount of staff time will be expended to get to a place as discussed. The location of the event will determine the type of safety plan needed.

Discussion followed.
-Request specific criteria

City Manager Rothweiler stated that staff will take the Council's thoughts and begin the process. He asked if staff is to determine if an application is complete and whether or not it will go before the Council.

Discussion followed.

Mayor Hall stated that the Special Event Application will be modified as discussed, staff will review the application, and a completed application will be presented to the Council with staff's recommendation.

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

City Manager Rothweiler stated that on Thursday, February 5, 2015, in Boise, there will be an opportunity to meet with the local legislative committee. The two significant issues are: Changes to Urban Renewal Agency statutes and the City's water issues that includes the Rangen call.

Councilmember Mills Sojka reported on an incident with a vicious animal. Animal Control quickly resolved the issue. For a future agenda she requested that leash laws and city code be discussed. This would not only be for education purposes for the community, but to receive feedback from Animal Control. She also reported she had an incident the past fall and lost a pet. Many people do not take the leash laws seriously and it is a great danger in the community. Vicious dogs at large are very common. She asked Council if they would be open to her recommendation for staff to prepare a small report so the Council can get an idea what is being dealt with on a Citywide basis so the Council can best insure the safety of neighborhoods when it comes to dogs at large and vicious animals. Mayor Hall stated that it appears that most of the Council is interested in this and perhaps have stats, current ordinances, input from Animal Control officers and other public safety officials. City Manager Rothweiler stated this would be calendared.

Councilmember Talkington recommended that Council direct the Planning and Zoning Commission or Impact Fee Committee to review the Park In-Lieu structure to assure costs are legitimate and pay for themselves. Mayor Hall stated that it appears the Council is interested in a Park In-Lieu review. City Manager Rothweiler stated this would be calendared.

Mayor Hall stated the KLIX radio management has contacted him and they are interested in resuming Council's radio appearances. He asked for Council's input. In addition, he suggested to KLIX radio that this should be a government day and invite counties and cities from the region. Councilmembers Mills Sojka, Hawkins, and Lanting spoke in favor of resuming radio appearances. PIO Palmer stated he will follow up on contacting other media outlets.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

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

V. ADJOURNMENT:

Executive Session 67-2345(1)(c) To conduct deliberations concerning labor negotiations or to acquire an interest in real property which is not owned by a public agency.

MOTION:

Councilmember Barigar motioned to move into Executive Session 67-2345(1)(c) To conduct deliberations concerning labor negotiations or to acquire an interest in real property which is not owned by a public agency. 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.

The meeting adjourned at 7:06 p.m.

Leila A. Sanchez
Deputy City Clerk/Recording Secretary