

COUNCIL MEMBERS:

SHAWN BARIGAR	DON HALL	SUZANNE HAWKINS	GREGORY LANTING	JIM MUNN, JR.	REBECCA MILLS SOJKA	CHRIS TALKINGTON
<i>Vice Mayor</i>		<i>Mayor</i>				



Amended Minutes
 Meeting of the Twin Falls City Council
Monday, December 3, 2012
 City Council Chambers
 305 3rd Avenue East - Twin Falls, Idaho

5:30 P.M.

PLEDGE OF ALLEGIANCE TO THE FLAG
 CONFIRMATION OF QUORUM
 INTRODUCTION OF STAFF
 CONSIDERATION OF THE AMENDMENTS TO THE AGENDA

AGENDA ITEMS	Purpose	By:
I. <u>CONSENT CALENDAR:</u> 1. Consideration of a request to approve the accounts payable for November 27–December 3, 2012, total: \$616,228.29. Fire Payroll for November 2012, total: \$501,532.05. 2. Consideration of a request to approve the November 26, 2012, Minutes. 3. Consideration of a request to approve the Public Use of City Hall Policy.	<u>Action</u>	<u>Staff Report</u> Sharon Bryan Leila A. Sanchez Travis Rothweiler
II. <u>ITEMS FOR CONSIDERATION:</u> 1. Swearing in ceremony for two new Twin Falls Police Department Officers; and, for Mayor Lanting to administer the Oath of Office to Stacy Reedy and Denis Suljevic. 2. Consideration of a request to approve the Mixed Martial Arts Event to be held at the Three Amigos Radio Rondevoov Event Center, located at 241 Main Avenue West, on Saturday, December 15, 2012. 3. Consideration of a request from the Airport Advisory Board to conduct monthly board meetings at the Airport. 4. Public input and/or items from the City Manager and City Council.	Action	Brian Pike Dennis Pullin Bill Carberry
III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u>		
IV. <u>PUBLIC HEARINGS:</u> 6:00 P.M. 1. Public Hearing to hear all protests and objections to the preliminary Assessment Roll, the proposed assessments contained therein, and the regularity of the proceedings taken in, making such proposed assessments of the local improvement district 2012-1.	Action	Travis Rothweiler
V. <u>ADJOURNMENT:</u>		

**Any person(s) needing special accommodations to participate in the above noticed meeting should contact Leila Sanchez at (208) 735-7287 at least two working days before the meeting.*

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

Absent: None

Staff Present: City Manager Travis Rothweiler, City Attorney Fritz Wonderlich, Police Chief Brian Pike, Staff Sergeant Dennis Pullin, PIO Josh Palmer, Deputy City Clerk Sharon Bryan, Deputy City Clerk/Recording Secretary Leila Sanchez

Mayor Lanting called the meeting to order at 5:30 P.M. He then invited all present, who wished to, to recite the pledge of Allegiance to the Flag with him. Mayor Lanting introduced staff. A quorum is present.

CONSIDERATION OF THE AMENDMENTS TO THE AGENDA:

City Manager Rothweiler requested that the following be removed from the Consent Calendar: Consideration of a request to approve the November 26, 2012, Minutes.

MOTION:

Vice Mayor Hall made the motion to approve the amendment as presented. The motion was seconded by Councilperson Barigar and roll call vote showed all members present voted in favor of the motion.

PROCLAMATIONS: None

Mayor Lanting welcomed Senator Lee Heider and Boy Scouts from Troops 144, 143, and 104 to the meeting.

AGENDA ITEMS

I. CONSENT CALENDAR:

1. Consideration of a request to approve the accounts payable for November 27–December 3, 2012, total: \$616,228.29. Fire Payroll for November 2012, total: \$501,532.05.
2. Consideration of a request to approve the November 26, 2012, Minutes.
3. Consideration of a request to approve the Public Use of City Hall Policy.

MOTION:

Vice Mayor Hall made the motion to approve the Consent Calendar with the exception of the November 26, 2012, Minutes, as presented. The motion was seconded by Councilperson Talkington and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

II. ITEMS FOR CONSIDERATION:

1. Swearing in ceremony for two new Twin Falls Police Department Officers; and, for Mayor Lanting to administer the Oath of Office to Stacy Reedy and Denis Suljevic.

Captain Anthony Barnhart gave the presentation.

Chief Pike swore in Police Department Officers Stacy Reedy and Denis Suljevic.

Mayor Lanting administered the Oath of Office to Police Department Officers Stacy Reedy and Denis Suljevic.

2. Consideration of a request to approve the Mixed Martial Arts Event to be held at the Three Amigos Radio Rondevo Event Center, located at 241 Main Avenue West, on Saturday, December 15, 2012.

Staff Sergeant Pullin explained the request.

Discussion followed.

Councilperson Munn asked City Attorney Wonderlich if the event would fall under the purview of the special events ordinance. City Attorney Wonderlich answered in the affirmative.

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Councilperson Mills Sojka stated that previous discussion was made regarding the Senior Center as to whether an event held at a special event center is already exempted from the special event permit. In City Code 3-6-3: Special Event Permit Required 4. Venues that are permitted to hold such activities by the property's zoning or through an approved special use permit. She asked how this event falls within the code if the event is held at a special event center.

Staff Sergeant Pullin explained that the Mixed Martial Arts Event falls within the special event application process due to the type of event, alcohol being served, and the number of people attending.

City Attorney Wonderlich referred to City Code 3-6-3: SPECIAL EVENT PERMIT REQUIRED: (A) No person shall stage, promote, or conduct any special event in the city without first obtaining a special event permit from the chief of police or his/her designee. With the exception of events at which alcohol is served or sold publicly and events intending to generate amplified sound or excessive noise, no special event permit under this chapter will be required for events to be attended by fewer than five hundred (500) people.

He used the example of Canyon Crest. Canyon Crest has a Special Use Permit to specifically serve alcohol, while the MMA venue does not have an alcohol permit. The City has recourse against Canyon Crest, for example, if things get out of hand because of the serving of alcohol. The City can revoke their liquor license. The City cannot do this at the MMA event because they have no liquor or alcohol license.

Councilmember Mills Sojka asked Staff Sergeant Pullin if the City regulates the CSI boxing smoker.

Staff Sergeant Pullin stated that the City does not regulate this event; in addition, alcohol is not served at this event.

Councilperson Munn stated that the Police Department did an analysis on the CSI boxing smoker on a yearly basis and the event had previously fallen within the special events ordinance. Also, CSI was able to manage their security for the event.

Staff Sergeant Pullin stated that the smoker has not been held for two to three years.

Vice Mayor Hall asked the applicant to explain the Idaho Athletic Commission Standards and Rules.

Mr. Bagley explained that the Special Sanction Permit was approved with the Athletic Commission with the State of Idaho and explained the details and requirements.

MOTION:

Councilperson Talkington made the motion to approve the Mixed Martial Arts Event to be held at the Three Amigos Radio Rondevoos Event Center, located at 241 Main Avenue West, on Saturday, December 15, 2012, subject to the security permit and police staffing requirements and other code requirements as outlined. The motion was seconded by Vice Mayor Hall and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

3. Consideration of a request from the Airport Advisory Board to conduct monthly board meetings at the Airport.

Airport Manager Carberry explained the request.

Phil Hafer, Chairman of the Airport Advisory Board, explained that the average attendance of airport tenants has dropped from 6 to 8 persons to none attending, because of the location of the monthly board meetings held in the Council Chambers. He spoke in favor of the request.

Jim O'Donnell explained the benefits of the meetings held at the Airport. He spoke in favor of the request.

Councilperson Talkington asked legal counsel if the meetings are held at the Airport, is the City complying with Idaho's Open Meeting Law.

City Attorney Wonderlich stated that the City is only required to keep written minutes of meetings.

Discussion followed.

-Live streaming of meetings other than the City Council Chambers.

PIO Palmer stated that streaming will not occur in other areas other than the chambers as presented previously to the Council, without an additional investment in hardware. Meetings at a different location can be recorded and uploaded to the web.

Vice Mayor Hall stated that he is concerned that other committees/commissions would request to meet at other places rather than the chambers; however, as for the Airport Advisory Board, members of the board are at the airport, and things that need to be reviewed are at that location. He stated that in speaking to members of committees/commissions, some have expressed that it is difficult for them to speak freely in the formal setting. He asked if committee/commissions could possibly start in the overflow room for discussion on items on the agenda and then move to the chambers.

City Manager Rothweiler stated that it is important to recognize that the City is trying to design a system that is staff hour friendly. The system that will be placed in the chambers is activated by the computer in the chambers.

PIO Palmer stated the camera will be installed in the chamber's ceiling. The system is designed to run on multiple cameras.

Councilperson Hawkins stated that she understands the Airport Advisory Board is in a unique position. Members who belong to other commissions/committees have to sacrifice time and effort to get to the meetings. She stated that she disagrees with the airport tenants who say they have lost touch because they are required to meet at the chambers.

Councilperson Munn stated he is the Council liaison for the airport, and meeting at the airport makes it easier to visualize what is being discussed. He stated that requests from committee/commissions to move to another facility should be determined on an individual basis.

Councilperson Barigar stated that he was the previous liaison to the Airport Advisory Board, and views the board to be more technical than other advisory boards. The ability for the board to be onsite is more effective. Public engagement is a challenge and having meetings in the chamber is not fixing it; he is in support of the Airport Advisory Board request.

Councilperson Talkington stated that when focusing on strategic planning, connectiveness is an important value, and he is in favor of the Airport Advisory Board's request.

Councilperson Mills Sojka stated that the Airport Advisory Board is unique and being on site is valuable for the board.

MOTION:

Councilperson Munn made a motion to allow the Airport Advisory Board to have their monthly meetings at airport. The motion was seconded by Councilperson Barigar and roll call vote showed all present voted in favor of the motion. Approved 7 to 0.

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

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

Councilperson Hawkins reported on the bike park. Cycle Therapy and Stutzman have been working on the track.

Mayor Lanting thanked Jayker Field Nursery for their donation of trees to the golf course.

Councilperson Mills Sojka stated that she and Councilperson Barigar invited Devin Rigby to attend a City Council Meeting to discuss bungee jumping off the Perrine Bridge.

IV. PUBLIC HEARINGS: 6:00 P.M.

1. Public Hearing to hear all protests and objections to the preliminary Assessment Roll, the proposed assessments contained therein, and the regularity of the proceedings taken in, making such proposed assessments of the local improvement district 2012-1.

Consideration of the adoption of Ordinance Number 3041, an Ordinance of the City Council creating a modified local improvement district (LID) as requested by petition by Chobani Idaho, Inc.

City Manager Rothweiler explained the request. In accordance with Idaho Code Section 50-1713, the City Council is required to hold a public hearing on the assessment roll. The purpose of the public hearing is to have the City Council consider objections to the assessment roll. The only property owner within the proposed local improvement district is Chobani.

Mayor Lanting opened and closed the public hearing with no input.

City Manager Rothweiler stated that the ordinance allows the City to create the modified local improvement district. This ordinance was drafted in accordance with Title 50, Chapter 17 of the Idaho Code by Rick Skinner, bond counsel for this project, and reviewed by City Attorney Fritz Wonderlich.

MOTION:

Councilperson Talkington made the motion to suspend the rules and place Ordinance 3041, entitled:

AN ORDINANCE MAKING CERTAIN FINDINGS IN CONNECTION WITH LOCAL IMPROVEMENT DISTRICT NO. 2012-1 (THE "DISTRICT") FOR THE CITY OF TWIN FALLS, TWIN FALLS COUNTY, IDAHO, INCLUDING THE NAME OF SAID DISTRICT, THE CREATION OF SAID DISTRICT, THE HEARING OF PROTESTS AND THE FINDINGS MADE THEREAFTER IN CONNECTION THEREWITH; PROVIDING THE METHOD OF DETERMINING THE VALUE OF REAL PROPERTY IN SAID DISTRICT, THE OUTSTANDING AND UNPAID ASSESSMENTS PRESENTLY AN OBLIGATION OF PROPERTY INCLUDED IN SAID DISTRICT, AND DETERMINING THAT ASSESSMENTS UPON PROPERTY IN SAID DISTRICT TOGETHER WITH THOSE BEING LEVIED DO NOT EXCEED THE ACTUAL VALUE OF THE REAL PROPERTY IN SAID DISTRICT, INCLUDING THE VALUE OF THE IMPROVEMENTS THEREON; SETTING OUT THE IMPROVEMENTS MADE AND THE PROPERTY ASSESSED WITHIN SAID DISTRICT; CONFIRMING THE FINAL ASSESSMENT ROLL FOR SAID DISTRICT AND LEVYING THE ASSESSMENTS CONTAINED THEREIN; PROVIDING FOR THE PAYMENT AND NOTICE OF SAID ASSESSMENTS; PROVIDING FOR THE FINALITY OF THE DETERMINATION OF THE REGULARITY, VALIDITY AND CORRECTNESS OF SAID ASSESSMENT ROLL; PROVIDING FOR POTENTIAL REASSESSMENT; PROVIDING CITY INTENT REGARDING FUTURE SEGREGATION OF ASSESSMENTS; RATIFYING THE PROCEEDINGS TAKEN IN CONNECTION WITH THE CREATION, PREPARATION AND ADOPTION OF THE ASSESSMENT ROLL, THE HEARING HELD THEREON AND THE NOTICE OF SAID HEARING AS TO SAID DISTRICT; PROVIDING SEPARABILITY; AND PROVIDING AN EFFECTIVE DATE.

on third and final reading by title only. The motion was seconded by Vice Mayor Hall and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

Deputy City Clerk Sanchez read the ordinance by title only.

Discussion followed on bonds, interim warrants and the tax revenue increment.

MOTION:

Councilperson Barigar made a motion to adopt Ordinance 3041, as presented. The motion was seconded by Councilperson Munn and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

V. ADJOURNMENT: The meeting adjourned at 6:40 P.M.

Leila A. Sanchez
Deputy City Clerk/Recording Clerk