

COUNCIL MEMBERS:

SHAWN	DON	SUZANNE	GREGORY	JIM	REBECCA	CHRIS
BARIGAR	HALL	HAWKINS	LANTING	MUNN, JR.	MILLS SOJKA	TALKINGTON

Vice Mayor

Mayor

MINUTES

Meeting of the Twin Falls City Council
Monday, August 19, 2013
City Council Chambers
305 3rd Avenue East -Twin Falls, Idaho



5:00 P.M.

PLEDGE OF ALLEGIANCE TO THE FLAG
CONFIRMATION OF QUORUM
INTRODUCTION OF STAFF
CONSIDERATION OF THE AMENDMENTS TO THE AGENDA
PROCLAMATIONS: United Way of South Central Idaho Kick Off

AGENDA ITEMS		Purpose	By:
I. <u>CONSENT CALENDAR:</u>		<u>Action</u>	<u>Staff Report</u>
1. Consideration of a request to approve the accounts payable for the week of August 6 - 19, 2013. Prepay, August 6, 2013, total: \$20,898.00 Payroll, August 16, 2013, total: \$116,242.04		Action	Sharon Bryan
2. Consideration of a request to approve an Alcohol License transfer of ownership for new owner, Royalty, Inc. dba La Casita, 111 S Park Avenue.		Action	Sharon Bryan
3. Consideration of a request to approve the July 22, 2013, and August 5, 2013, Council Minutes.		Action	Leila A. Sanchez
4. Consideration of a request to approve "The Cove's 6 th Camp-Out" in remembrance of Charlotte Meyers to be held on Saturday, September 14, 2013.		Action	Dennis Pullin
5. Consideration of a request to approve the Wings and Things Ultimate Fundraiser sponsored by the Twin Falls Optimist Club to be held in the Twin Falls City Park on Saturday, September 7, 2013, from 12:00 p.m. to 5:00 p.m.		Action	Dennis Pullin
6. Consideration of a request to approve the Findings of Fact, Conclusions of Law, and Decision for:		Action	Mitchel Humble
a. Vacation for First Federal Savings Bank.			
b. Zoning District Change & Zoning Map Amendment for TOMERYL, LLC.			
7. Consideration of a request to approve the Trust Agreement and Phase Control Development Notice for specific lots in Phase 1 and Phase 2 of the Grandview Estates Subdivision.		Action	Troy Vitek
8. Consideration of a request to approve the Improvement Agreement for the Canyon Trails Subdivision No. 6, Phase 6A.		Action	Troy Vitek
9. Consideration of a request to accept two waterline easements for First Federal Bank on Shoshone Street.		Action	Troy Vitek
10. Consideration of a request to approve the Parks In Lieu Contribution for the Dunthorn Subdivision in the amount of \$256.05.		Action	Dennis Bowyer
II. <u>ITEMS FOR CONSIDERATION:</u>			
1. A presentation of funds from the YMCA and the Magic Valley K9 Social Club for the development of Baxter's Park by Gary Ettenger, Steve Vawser & Leah Scrimpsher.		Presentation	Dennis Bowyer
2. Consideration of a request to adopt Ordinance 3054, for vacation of property located between Lot 1 and Lot 14, Block 14, of the Canyon Trails Subdivision No. 5.		Action	Mitchel Humble
3. Consideration of a request to adopt the Utility Rate Resolution 1907 for Fiscal Year 2013-2014.		Action	Lorie Race
4. Continue discussion on the budget for the upcoming fiscal year.		Discussion	Travis Rothweiler
5. Public input and/or items from the City Manager and City Council.			
III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS</u>			
IV. <u>PUBLIC HEARINGS: 6:00 p.m.</u>			
1. A public hearing and adoption of the annual appropriations ordinance for the City of Twin Falls for the FY 2014 Budget.		PH	Travis Rothweiler
V. <u>ADJOURNMENT:</u>			

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 al (208)735-7287.

Present: Shawn Barigar, Don Hall, Suzanne Hawkins, Gregory Lanting, Jim Munn, Jr. Rebecca Mills Sojka, Chris Talkington
Absent: None
Staff Present: City Manager Travis Rothweiler, City Attorney Fritz Wonderlich, Chief Finance Officer Lorie Race, Budget Coordinator Pat Lehmann, City Engineer Jacqueline Fields, Assistant to the City Manager Mike Williams, IS Project Coordinator Tami Lauda, IS Manager Mick Turner, Police Chief Brian Pike, Community Development Director Mitch Humble, Fire Chief Ron Clark, PIO Josh Palmer, Parks & Recreation Director Dennis Bowyer, Assistant Finance Director Brent Hyatt, Finance Accountant Bill Baxter, Deputy City Clerk/Recording Secretary Leila A. Sanchez

Mayor Lanting 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. Mayor Lanting introduced staff.

CONSIDERATION OF THE AMENDMENTS TO THE AGENDA:

City Manager Rothweiler and the Council requested the following be added to the agenda:

- Consideration of a request to approve an Alcohol License Application for San Angel Mexican Restaurant located at 164 Main Avenue North.
- Executive Session 67-2345(1) (a) to consider hiring a public officer, employee, staff member or individual agent, wherein the respective qualities of individuals are to be evaluated in order to fill a particular vacancy or need. This paragraph does not apply to filling a vacancy in an elected office or deliberations about staffing in general.
- Executive Session 67-2345(1)(b) to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member, individual agent or public school student.
- Executive Session 67-2345(1)(e) to consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in others states or nations.

MOTION:

Councilperson Talkington made the motion to amend the agenda as presented. 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.

PROCLAMATIONS: United Way of South Central Idaho Kick Off

Mayor Lanting read the proclamation.

I. CONSENT CALENDAR:

1. Consideration of a request to approve the accounts payable for the week of August 6 - 19, 2013, \$1,551,643.93
 - a. Prepay, August 6, 2013, total: \$20,898.00
 - b. Payroll, August 16, 2013, total: \$116,242.04
 - c. Prepay, August 19, 2013, total: \$4,500
2. Consideration of a request to approve an Alcohol License transfer of ownership for new owner, Royalty, Inc. dba La Casita, 111 S Park Avenue.
3. Consideration of a request to approve the July 22, 2013, and August 5, 2013, Council Minutes.
4. Consideration of a request to approve "The Cove's 6th Camp-Out" in remembrance of Charlotte Meyers to be held on Saturday, September 14, 2013.
5. Consideration of a request to approve the Wings and Things Ultimate Fundraiser sponsored by the Twin Falls Optimist Club to be held in the Twin Falls City Park on Saturday, September 7, 2013, from 12:00 p.m. to 5:00 p.m.
6. Consideration of a request to approve the Findings of Fact, Conclusions of Law, and Decision for:
 - V. Vacation for First Federal Savings Bank.
 - VI. Zoning District Change & Zoning Map Amendment for TOMERYL, LLC.
7. Consideration of a request to approve the Trust Agreement and Phase Control Development Notice for specific lots in Phase 1 and Phase 2 of the Grandview Estates Subdivision.
8. Consideration of a request to approve the Improvement Agreement for the Canyon Trails Subdivision No. 6, Phase 6A.
9. Consideration of a request to accept two waterline easements for First Federal Bank on Shoshone Street.
10. Consideration of a request to approve the Parks In Lieu Contribution for the Dunthorn Subdivision in the amount of \$256.05.
11. Consideration of a request to approve an Alcohol License Application for San Angel Mexican Restaurant located at 164 Main Avenue North.

MOTION:

Vice Mayor Hall made a motion to approve the Consent Calendar as amended. The motion was seconded by Councilperson Hawkins and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

II. ITEMS FOR CONSIDERATION:

1. A presentation of funds from the YMCA and the Magic Valley K9 Social Club for the development of Baxter's Park by Gary Ettenger, Steve Vawser & Leah Scrimpsheer.

Parks & Recreation Director Bowyer explained the request.

Gary Ettenger reported on the Fast and the Furriest 5K fun run and the Day for the Dogs events. Approximately \$1,650 has been raised to go toward Baxter's Park.

Leah Scrimpsheer stated that the Twin Falls 2nd Annual Dierkes Lake Pooch Splash event will take place on September 14, 2013, from 10:00 a.m. until 2:00 p.m.

2. Consideration of a request to adopt Ordinance 3054, for vacation of property located between Lot 1 and Lot 14, Block 14, of the Canyon Trails Subdivision No. 5.

Community Development Director Humble explained the request.

Staff recommends that the Council adopt Ordinance 3054, allowing the developer/engineer to redevelop the site.

Council discussion followed.

Mayor Lanting asked when the completion of Park View Drive from Federation to Pole Line is planned.

Tim Vawser, EHM Engineers, representing the applicant, stated the Improvement Agreement for the Canyon Trails Subdivision No. 6, Phase 6A was approved at tonight's meeting and with the pending sale of the property to the prospective developer within the commercial portion, Gary Nelson believes he has a possibility of finishing up Parkview Drive at this time. In addition, a retention basin is planned along the eleven lots on Federation Road and Parkview Drive.

MOTION:

Councilperson Talkington made the motion to suspend the rules and place Ordinance 3054, entitled: AN ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, VACATING THE REAL PROPERTY DESCRIBED BELOW AND PROVIDING FOR VESTING OF TITLE TO THE PROPERTY SO VACATED.

on third and final reading by title only. The motion was seconded by Councilperson Mills Sojka 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.

MOTION:

Vice Mayor Hall made the motion to adopt Ordinance 3054. The motion was seconded by Councilperson Mills Sojka and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

3. Consideration of a request to adopt the Utility Rate Resolution 1907 for Fiscal Year 2013-2014.

Chief Finance Director Race explained the request.

On May 21, 2013, the citizens of the City of Twin Falls voted and approved a \$38 million revenue bond for improvements at the wastewater treatment plant and the wastewater collection lines. Debt in the Wastewater Fund is estimated to increase by approximately \$2.12 million, and a 27% increase in rates is needed to cover this new debt.

The current maximum sewer rate for residential customers is \$19.29 per month. The 27% rate adjustment will increase this by \$5.21 to \$24.50 per month. The effect on other users is dependent on the metered water use each month.

The Fiscal Year 2013-2014 budget contains the anticipated revenues that would be generated by increasing sewer rates 27%. The revenue will go towards the new debt service.

Staff recommends that the Council adopt the new utility rate resolution, effective October 1, 2013.

Council discussion followed.

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Councilperson Mills Sojka asked if the Garbage and Rubbish Fees of \$16.99 includes the \$0.29 for code enforcement.

Chief Finance Director Race answered in the affirmative.

MOTION:

Councilperson Barigar made the motion to adopt Resolution 1907. The motion was seconded by Councilperson Munn.

Councilperson Mills Sojka stated her concern of increasing the rate for code enforcement.

MOTION:

Councilperson Mills Sojka made an amendment to the main motion to decrease the Sanitation Fee by \$.29 per month. The motion was seconded by Councilperson Talkington.

Council discussion followed.

Mayor Lanting, Councilpersons Munn and Talkington spoke in favor of more code enforcement.

Councilperson Mills Sojka stated that code enforcement is not needed or wanted and believes the City has adequate code enforcement.

Roll call vote on the amendment to the main motion showed Councilperson Mills Sojka voted in favor of the motion. Councilpersons Barigar, Hall, Hawkins, Lanting, Munn and Talkington voted against the motion. Failed 1 to 6.

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

4. Continue discussion on the budget for the upcoming fiscal year.

City Manager Rothweiler stated that this time has been reserved for Council in the event that Council has additional questions on the budget.

Council discussion followed.

-Unanticipated funds

City Manager Rothweiler explained that at the end of the year and prior to the audit, the Council will be asked to adopt an ordinance amending the budget for FY 2013.

Councilperson Talkington, liaison to the Library, reported that at a recent meeting the Library Foundation proposed to the Library Board to have a joint funding project in the upcoming year that will provide the Foundation with a permanent home and a place to house the bookmobile.

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

Councilperson Mills Sojka reported on the Fill the Boot Campaign in which the goal of \$12,000 was met. She also reported that Council Hours will be held on Tuesday, August 20, 2013, from 6:00 p.m. to 7:00 p.m. in the Council Overflow Room.

City Manager Rothweiler stated that the Airport will be hosting an exercise of its emergency plan on Wednesday, September 18th. Jim O'Donnell, Chairman of the Airport Board and coordinator for the emergency exercise would like to extend invitations to all City Council members to observe the drill. The meeting point for interested observers will be at Reeder's at 8:30 a.m.

EXECUTIVE SESSIONS

- Executive Session 67-2345(1) (a) to consider hiring a public officer, employee, staff member or individual agent, wherein the respective qualities of individuals are to be evaluated in order to fill a particular vacancy or need. This paragraph does not apply to filling a vacancy in an elected office or deliberations about staffing in general.
- Executive Session 67-2345(1)(b) to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member, individual agent or public school student.
- Executive Session 67-2345(1)(e) to consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in others states or nations.

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MOTION:

Councilperson Barigar made the motion to adjourn to Executive Sessions 67-2345(1)(a), 67-2345(1)(b), 67-2345(1)(e). 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.

Adjourned at 5:45 p.m.

Reconvened at 6:05 p.m.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS

IV. PUBLIC HEARINGS: 6:00 p.m.

1. A public hearing and adoption of the annual appropriations ordinance for the City of Twin Falls for the FY 2014 Budget.

City Manager Rothweiler explained that on August 5, 2013, the City Council adopted the tentative budget for FY 2014, setting the maximum expenditure of \$52,937.917.

He explained the following:

- Implement 2030 City of Twin Falls Strategic Planning goals and objectives to realize outcomes
- Limit Tax Collections and Corresponding Revenues
- Continue with Phase II of the City's Compensation Strategy
- Develop Funding Solutions for infrastructure Systems and Enhance Water Redundancy: Street Fund, Water Fund, and Waste Water Fund
- Continue to Pursue Innovative Strategies and Find More Effective Outcomes
- 2014 Fiscal Year Budget Summary & Overview
- Property Tax Overview & Analysis
- Water Fund – Revenues and Expenditures
- Sewer Fund – Revenues and Expenditures
- Sanitation Fund – Revenues and Expenditures
- Public Input and Transparency

City Staff recommends the adoption of the budget for the 2013-2014 Fiscal year.

Council discussion followed.

- Taxable rate
- Homeowner's exemption
- Health insurance costs
- Physical and mental wellness programs

Mayor Lanting opened up the public input portion of the meeting.

Mark Alexander, 1152 South Stevens in Filer, Idaho, Magic Valley Trail Enhancement Committee, spoke in support of the expansion of the trail system.

Jaime Teague, 823 Grace Drive West in Twin Falls, Magic Valley Trail Enhancement Committee, spoke in support of the expansion of the trail system. She explained that the committee has been raising money to go towards expanding and improving the trail system.

Closed the public input portion of the hearing.

Council discussion followed:

- Trail System connections
- Regrind/impacted trail
- \$20,000 for trail signage and maps
- Impact fees to appropriate to the trail project

City Manager Rothweiler explained that the cost to connect the trail between Todd Blass's property to the Evel Knievel location is approximately \$650,000. The entire trail system is 4.1 miles that could be completed at a cost \$1,118,000.

Community Development Director Humble stated that a PUD is in place in which the City has an opportunity to negotiate with the property owner for a temporary alignment of the trail with a temporary surface. The PUD requires the developer of the property to build a permanent trail in a more fitting location as the streets are developed. The temporary alignment will be placed as far north as possible. It will be gravel and fenced to separate the current use of the property.

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Parks & Recreation Director Bowyer stated that the City paid for the paving for the trail from Quailridge Estates to Dierkes Lake and the developer paid for the preliminary work. A road base was placed on the trail. The cost for paving was less than \$30,000 for 1,300 linear feet.

Councilperson Barigar stated that the City obtained the easement when the plat was vacated for the Pillar Falls property and if the City chose to, could build the trail. He asked if there is a process in which the City can be reimbursed by the developer for paving of the trail.

City Attorney Wonderlich stated that the City does not have a mechanism for reimbursement by the developer to the City for the work completed.

Councilperson Barigar explained the importance of partnering with the Twin Falls Magic Valley Trail Enhancement Committee and other groups.

MOTION:

Councilperson Barigar made the motion to allocate \$30,000 to the employee wellness program in Human Resources. 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.

MOTION:

Councilperson Talkington made the motion to utilize the remaining approximately \$208,000 in a dedicated Twin Falls Canyon Rim Trail System Project for 2014 application. The motion was seconded by Councilperson Barigar.

Council discussion followed.

Councilperson Hawkins recommended using a portion of the funds for a Youth Council scholarship to graduating seniors. The scholarship would be an incentive for obtaining membership and would start a base program to the students.

City Attorney Wonderlich stated the City of Twin Falls cannot gift to a private person a scholarship but will seek other ways in which the City can assist individuals on the Youth Council.

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

MOTION:

Councilperson Mills Sojka made a motion to restrict professional contract services to a maximum of 1.9%, which are the MCI and CPI for 2013. The motion was seconded by Councilperson Talkington. Roll call vote showed Councilperson Mills Sojka voted in favor of the motion. Councilpersons Barigar, Hall, Hawkins, Lanting, Munn, and Talkington voted against the motion. Failed 6 to 1.

The Council adjourned to Executive Session at 7:15 p.m.

The Council reconvened at 7:49 p.m.

City Manager Rothweiler explained the two changes made to Ordinance 3055.

MOTION:

Councilperson Hall made the motion to suspend the rules and place Ordinance 3055, entitled:

AN ORDINANCE OF THE CITY OF TWIN FALLS, IDAHO, APPROPRIATING \$52,937,917 FOR THE 2014 FISCAL YEAR TO DEFRAY ALL NECESSARY EXPENSES AND LIABILITIES OF THE CITY OF TWIN FALLS; PROVIDING FOR THE OBJECTS AND PURPOSES FOR WHICH SUCH APPROPRIATIONS ARE MADE AND THE AMOUNT APPROPRIATED FOR EACH OBJECT OR PURPOSE; LEVYING AD VALOREM TAXES IN THE AMOUNT OF \$17,286,791 FOR THE 2014 FISCAL YEAR; PROVIDING THAT A COPY OF THIS ORDINANCE SHALL BE FILED WITH THE COUNTY COMMISSIONERS OF TWIN FALLS COUNTY, IDAHO AND WITH THE SECRETARY OF STATE OF THE STATE OF IDAHO; PROVIDING FOR THIS ORDINANCE TO TAKE EFFECT UPON ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW, THE RULE REQUIRING THAT AN ORDINANCE BE READ ON THREE SEPARATE OCCASIONS HAVING BEEN SUSPENDED.

on third and final reading by title only. The motion was seconded by Councilperson Talkington. Roll call vote showed all members present voted in favor of the motion.

Deputy City Clerk Sanchez read the ordinance.

MOTION:

Councilperson Barigar made the motion to adopt Ordinance 3055. The motion was seconded by Councilperson Hawkins.

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Council discussion followed:

Councilperson Mills Sojka stated that she could not support \$46,000 for Personnel Training, 3 Patrol Positions; \$18,000 for Police Vehicles, Sanitation Fee increase for code enforcement.

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

V. ADJOURNMENT: The meeting adjourned at 8:00 p.m.

Leila A. Sanchez

Deputy City Clerk/Recording Secretary