

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, October 21, 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: None

AGENDA ITEMS	Purpose	By:
I. <u>CONSENT CALENDAR:</u> 1. Consideration of a request to approve the accounts payable for October 15 - 21, 2013. 2. Consideration of a request to approve the October 7, 2013, City Council Minutes. 3. Consideration of a request to approve the Final Plat of Dunthorn Subdivision, 1.52 (+/-) acres consisting of four lots on property located at the southwest corner of 4th Avenue West and Oak Street. 4. Consideration of a request to approve the posting of the speed zone at Minidoka Avenue from Shoshone Street to Second Avenue South at 35 MPH.	Action Action Action Action	Sharon Bryan Leila A. Sanchez Mitchel Humble Jacqueline Fields
II. <u>ITEMS FOR CONSIDERATION:</u> 1. Consideration of a request to award the 2013 Wastewater Treatment Plant Dewatering Improvements project to Performance Systems Inc., of Fruitland Idaho, in the amount of \$3,557,139.00. 2. Consideration of a request by Jerry & Dee Packer to waive the non-conforming building expansion permit process to allow an expansion of an existing legal non-conforming residence located at 539 Briarcliff Drive 3. Public input and/or items from the City Manager and City Council.	Action Action	Lee Glaesemann Mitchel Humble
III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u>		
IV. <u>PUBLIC HEARINGS:</u> None		
V. <u>ADJOURNMENT:</u> 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.

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Present: Don Hall, Suzanne Hawkins, Greg Lanting, Jim Munn, Rebecca Mill Sojka, Chris Talkington
Absent: Shawn Barigar
Staff Present: City Manager Travis Rothweiler, City Attorney Fritz Wonderlich, Community Development Director Mitchel Humble,
City Engineer Jacqueline Fields, Staff Engineer Lee Glaesemann, 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. A quorum was present. Mayor Lanting introduced staff.

PROCLAMATIONS: None

CONSIDERATION OF THE AMENDMENTS TO THE AGENDA:

City Manager Rothweiler requested the following amendments to the agenda:

1. Consideration of a request to approve the October 7, 2013, Amended Minutes.
2. Consideration of a request to approve the Beer and Wine License for Johnsy, Inc. dba Stone House & Co. at 330 4th Ave.

MOTION:

Vice Mayor Hall made a motion to amend the agenda as presented. The motion was seconded by Councilperson Munn and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

PROCLAMATIONS: None

AGENDA ITEMS

I. CONSENT CALENDAR:

3. Consideration of a request to approve the accounts payable for October 15 - 21, 2013, total: \$504,366.52.
September 23, 2013, total: \$985,071.13
4. Consideration of a request to approve the October 7, 2013, City Council Minutes.
5. Consideration of a request to approve the Final Plat of Dunthorn Subdivision, 1.52 (+/-) acres consisting of four lots on property located at the southwest corner of 4th Avenue West and Oak Street.
6. Consideration of a request to approve the posting of the speed zone at Minidoka Avenue from Shoshone Street to Second Avenue South at 35 MPH.

Amended the agenda to add:

7. Consideration of a request to approve the October 7, 2013, Amended Minutes.
8. Consideration of a request to approve the Beer and Wine License for Johnsy, Inc. dba Stone House & Co. at 330 4th Ave

Council discussion followed.

-Accounts payable payment to Knife River

Staff Engineer Glaesemann stated a total of \$510,000 was paid to Knife River.

MOTION:

Councilperson Hawkins made a motion to approve the Consent Calendar as amended. The motion was seconded by Vice Mayor Hall and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

II. ITEMS FOR CONSIDERATION:

1. Consideration of a request to award the 2013 Wastewater Treatment Plant Dewatering Improvements project to Performance Systems Inc., of Fruitland Idaho, in the amount of \$3,557,139.00.

Staff Engineer Glaesemann explained the request.

Staff recommends approval of the request.

Council discussion followed.

-City Attorney review of the contract

-Compliance of NPDES permit

-2011 Judicial Confirmed Funds

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City Manager Rothweiler explained the purpose of ordinary and necessary is not only in cases of emergency but it is to ensure that the City is replacing equipment on a useful schedule when the equipment has outlived its useful life.

MOTION:

Councilperson Talkington made the motion to approve the dewatering bid submitted by Performance Systems Inc. for \$3,557,139 even, subject to the City Attorney's review and approval of the contract. The motion was seconded by Councilperson Mills Sojka and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

Bill Leaf, CH2M Hill, gave an update on the project.

2. Consideration of a request by Jerry & Dee Packer to waive the non-conforming building expansion permit process to allow an expansion of an existing legal non-conforming residence located at 539 Briarcliff Drive.

Community Development Director Humble explained the request.

The Council may waive the requirements of Section 10-3-4 and the applicant could apply for a building permit and proceed with the addition without a public hearing subject to submittal of a geological study meeting or exceeding the minimum requirements, as approved by the City Engineering Department prior to issuance of a building permit.

Council discussion followed.

Jerry Packer, property owner, stated he is available for questions.

Council discussion followed.

-Canyon Rim Overlay Ordinance was adopted in 1995.

-Geological survey

-Council approval of a February 4, 2013, request to waive the non-conforming building expansion permit at 819 Canyon Rim Road.

MOTION:

Councilperson Munn made the motion to waive the non-conforming building expansion permit process to allow an expansion of an existing legal non-conforming residence located at 539 Briarcliff Drive, and not subject to a geological study. The motion was seconded by Councilperson Mills Sojka.

Council discussion followed.

-819 Canyon Rim Road

City Manager Rothweiler stated that the request from Jon Davis for property located at 819 Canyon Rim Road could be classified as a significant rebuild as opposed to an extension or expansion.

Councilperson Talkington stated that waiving the requirement of a geological survey for the Snake Canyon Rim and the Rock Creek is setting a standard that violates the City setback building safety consideration.

Mr. Packer explained the reason for the expansion.

-Cost of a geological study is unknown

-Canyon fall issue

City Attorney Wonderlich stated that by waiving the geological study the Council is not guaranteeing that this is a stable site by any means and by Council discussion, the Council is indicating to the applicant that he may want to consider a geological study.

MOTION:

Councilperson Talkington made an amendment to the motion to remove the exclusion of not requiring the geological survey. The motion failed due to a lack of a second.

Roll call vote showed Councilpersons Hall, Hawkins, Lanting, Munn, and Mills Sojka voted in favor of the motion. Councilperson Talkington voted against the motion. Approved 5 to 1.

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

City Manager Rothweiler stated that the City Forum on Bike Path Connectivity will be held on Wednesday, November 6, 2013, at 7:00 P.M.

Vice Mayor Hall asked if staff would look into placing bike racks at strategic locations.

Vice Mayor Hall stated that Monday, October 28, 2013, at the City Council's meeting the Historic Preservation will present the draft five year development plan for approval.

Councilperson Mills Sojka reported that she attended the Open Meeting Law and Public Records Act on October 15, 2013, at the Magic Valley Arts Council. Council will place on a future agenda the Open Meeting Law.

Councilperson Hawkins reported that members of the Twin Falls Youth Council volunteered to assist in cleaning up a citizen's home of weeds and debris the past week. She also stated that two new members joined the Youth Council.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

IV. PUBLIC HEARINGS: None

V. ADJOURNMENT:

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.

Mayor Lanting changed the request as follows:

Adjourn to Executive Session 67-2345(1)(c) to acquire an interest in real property which is not owned by a public agency.

MOTION:

Vice Mayor Hall made the motion to approve to adjourn to Executive Session 67-2345(1)(c) as presented. The motion was seconded by Councilperson Hawkins and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

The meeting adjourned at 5:42 P.M.

Leila A. Sanchez
Deputy City Clerk/Recording Secretary