

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, January 6, 2014
City Council Chambers
305 3rd Avenue East - Twin Falls, Idaho

4:00 P.M.
Tour of the City Communications Center (CCC)
4:30 P.M. (APPROXIMATE TIME)
Review the City's communications service and strategy by Lt. Craig Stotts
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:
OLD BUSINESS:		
I. <u>CONSENT CALENDAR:</u>		
1. Consideration of a request to approve December 27, 2013, payroll total: \$51,158.23, and December 23, 2013, account payable total: \$375.00.	Action	Sharon Bryan
2. Consideration of a request to approve the December 02, 2013, December 9, 2013, December 16, 2013, City Council Minutes.	Action	Leila A. Sanchez
Reorganization of City Council		
Swear in new Council Members		
Select Mayor/Vice Mayor		
NEW BUSINESS:		
I. <u>CONSENT CALENDAR: None</u>		
1. Consideration of a request to approve an Alcohol License for Mia's Place LLC., located at 717 Main Avenue West.	Action	Sharon Bryan
I. <u>ITEMS FOR CONSIDERATION:</u>		
1. Consideration of a request by the Board of Trustees of the Twin Falls Public Library to appoint Chris Vaage to serve as a Library Trustee for a full term of office from January 2014 – December 2018.	Action	Susan L. Ash, Library Director
2. Consideration of a request to appoint Carleen Herring of Region IV Development Association as the Environmental Review Officer for the Clif Bar Idaho Community Development Block Grant (ICDBG) project	Action	Travis Rothweiler
3. Consideration of a request to adopt a resolution declaring the City's intent to dispose of real property and setting a date for a public hearing.	Action	Mitchel Humble
4. Consider and act on a request to adopt an ordinance amending City Code 3-18 regarding City issued permits for mobile food concessions.	Action	Mitchel Humble
5. Discussion of the first draft of the Agreement with Beckley Media to use Twin Falls City property in his effort to jump the Snake River Canyon. <i>This will not be an action item.</i>	Discussion	City Council
6. General update on Canyon Jump process to include public safety and possible compensation.	Update	Travis Rothweiler Brian Pike
7. Public input and/or items from the City Manager and City Council.		
III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u>		
IV. <u>PUBLIC HEARINGS:</u> None.		
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 (208)735-7287.

Present: Shawn Barigar, Don Hall, Suzanne Hawkins, Gregory Lanting, Rebecca Mills Sojka, Chris Talkington
Jim Munn from (5:00 p.m.)

Staff Present: City Manager Travis Rothweiler, City Attorney Fritz Wonderlich, Community Development Director Mitchel Humble,
Chief Brian Pike, Lt. Craig Stotts, Deputy City Clerk Sharon Bryan, Deputy City Clerk/Recording Secretary Leila A. Sanchez.

Mayor Lanting called the meeting was called to order at 4:00 p.m. and adjourned at 4:05 p.m. to tour the City Communications Center.
4:00 P.M.

Tour of the City Communications Center (CCC)

The meeting reconvened at 4:37 p.m.

4:30 P.M. (APPROXIMATE TIME)

Review the City's communications service and strategy by Lt. Craig Stotts

Lt. Craig Stotts explained the dispatcher's role and training, and the function of the City Communications Center.

Discussion followed.

- Standard response action time (Police)
- Gun range tower increase of coverage
- Dispatch positions

John Moore, SIRCOMM Director, discussed the completion of narrow banding.

Recess: 4:53 p.m.

Reconvened: 5:00 p.m.

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. A quorum is present. Mayor Lanting introduced staff.

CONSIDERATION OF THE AMENDMENTS TO THE AGENDA: None

Councilperson Talkington requested time to discuss electronic cigarettes.

PROCLAMATIONS: None

OLD BUSINESS:

I. CONSENT CALENDAR:

1. Consideration of a request to approve December 27, 2013, payroll total: \$51,158.23, and December 23, 2013, accounts payable total: \$375.00.
2. Consideration of a request to approve the December 02, 2013, December 9, 2013, December 16, 2013, City Council Minutes.

MOTION:

Councilperson Hawkins made the motion to approve the Consent Calendar. 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.

**Reorganization of City Council
Swear in new Council Members**

Deputy City Clerk Bryan swore in Don Hall, Suzanne Hawkins, and Gregory L. Lanting.

Select Mayor/Vice Mayor

Mayor Lanting discussed the following events that occurred during his term serving as Mayor.

- Completion of the Strategic Plan
- New industry to Twin Falls - Clif Bar
- Wastewater Treatment Plant Expansion
- Working with local cities on the local option tax
- Downtown revitalization

His advice for the new Mayor is to focus on the Strategic Plan's goals and objectives.

Mayor Lanting opened up the nominations for Mayor.

MOTION:

Councilperson Barigar nominated Vice Mayor Hall to serve as Mayor. The motion was seconded Councilperson Munn and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

Mayor Hall stated it is an honor and a privilege to serve as Mayor and then introduced his family. He spoke on the City's form of government and explained that it is comparable to a Board of Directors with the Mayor being the Chairperson and running the meeting, the Board of Directors are the Council who have equal input and equal value on every issue that comes to the City and sets policies and direction for the City, and the CEO is the City Manager who runs the company, the City of Twin Falls.

Mayor Hall spoke on the following:

- The Governor of Idaho, in his State of the State address, referred to Twin Falls leading the way in economic development.
- The importance of working in partnership with SIEDO, The Chamber of Commerce, Southern Idaho Tourism and the citizens as a whole as well as with the business community.
- The City needs to explore new locations for business sites within the community.
- The City's philosophy should be supporting neighbors that would include Jerome, Burley, Wendell, etc.
- Focusing on the Strategic Plan, Old Towne Corridor as well as other areas within the City.
- Focusing on infrastructure (water, sewer, streets).

Mayor Hall made the selection to appoint Suzanne Hawkins as Vice Mayor.

MOTION:

Councilperson Lanting made the motion to appoint Suzanne Hawkins as Vice Mayor. Councilperson Barigar seconded the motion and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

Councilperson Hawkins introduced her family. She stated that in the past year and a half she has learned a great deal about local City government. She stated that she has enjoyed working with the City's Youth Council and would like the citizens of Twin Falls know she is available for any comments or concerns they may have.

Councilperson Talkington reemphasized that in the City Council/Manager form of government the Mayor presides at meetings and performs other duties consistent with this office as the Council determines. His concern is on the Comprehensive Plan and getting through the Strategic Plan, but unless there are quarterly or monthly updates of particular goals, progress, obstacles he is afraid the City will drift. He wants to be assured that the plan meets city direction and infrastructure on the \$38,000,000 upgrade, \$10,000,000, in Urban Renewal Agency in downtown, and to use the fifth meeting of the month to discuss the storage water tank, Auger Falls Road and signal project, developing water rights, and a water line coming up the canyon.

NEW BUSINESS:

I. CONSENT CALENDAR: None

1. Consideration of a request to approve an Alcohol License for Mia's Place LLC., located at 717 Main Avenue West.

MOTION:

Councilperson Talkington made the motion to approve the Consent Calendar as presented. The motion was seconded by Councilperson Barigar and 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 by the Board of Trustees of the Twin Falls Public Library to appoint Chris Vaage to serve as a Library Trustee for a full term of office from January 2014 – December 2018.

Susan Ash, Library Director, explained the request.

The Library Board of Trustees recommended the approval to appoint Chris Vaage to serve as a Library Trustee.

Chris Vaage stated her reasons she would like to serve as a Trustee.

MOTION:

Councilperson Talkington made the motion to appoint Chris Vaage to serve as a Library Trustee for a full term of office from January 2014 – December 2018. The motion was seconded by Councilperson Mills Sojka.

-Posting of position

Susan Ash explained applicants are required to reside in the City of Twin Falls. The position was posted at the Public Library, on the City's website, television and on the radio.

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

2. Consideration of a request to appoint Carleen Herring of Region IV Development Association as the Environmental Review Officer for the Clif Bar Idaho Community Development Block Grant (ICDBG) project.

City Manager Rothweiler explained the request.

The City will be applying for two ICDBG awards to finance public infrastructure improvements associated with the construction of the new Clif Bar plant in the Jayco Industrial Park. The ICDBG funds bring a number of federal requirements. One condition of this funding is the completion of an environmental assessment of the impact of the public improvements. To complete the environmental review process required for the Idaho Community Development Block Grant program, the City needs to appoint an environmental review officer to oversee the process. In October 2011, the City formally solicited for ICDBG certified grant administration services covering a three year period, anticipating that the City would be participating in a series of ICDBG projects and applications. At that time, Region IV Development Association was selected to provide grant writing and administrative services.

Discussion followed.

-Budget impact

City Manager Rothweiler explained that Region IV works on the City's behalf until there is a grant award. Once there is a grant award the City pays Region IV development out of the grant proceeds received. If the City is not successful in obtaining the grant, there is no outlaying of cash. If Region IV is successful in obtaining the grant, the City will pay no more than 10% of the total community block grant for the project.

MOTION:

Councilperson Barigar made the motion to approve Carleen Herring of Region IV Development Association as the Environmental Review Officer for the Clif Bar Idaho Community Development Block Grant (ICDBG) project. 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 a resolution declaring the City's intent to dispose of real property and setting a date for a public hearing.

Community Development Director Humble explained the request. The City Council on December 23, 2013, considered a request from Doris Ryall to acquire the easterly seven feet of Lot 1, Block 1, of the Twin Falls Wilstar Subdivision Amended. That lot contains a retention pond and is owned by the City. Ms. Ryall owns the adjacent lot, Lot 2. At the meeting the Council directed staff to initiate the process to dispose of excess City property. Adoption of the resolution will declare the City's intent to dispose of real property and set a date for a public hearing.

MOTION:

Councilperson Talkington made the motion to adopt Resolution 1916. 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.

4. Consider and act on a request to adopt an ordinance amending City Code 3-18 regarding City issued permits for mobile food concessions.

Community Development Director Humble explained the request. This topic was discussed by the Council at their December 16, 2013, City Council meeting. At that meeting, the Council directed staff to prepare an amendment to City Code 3-18 to allow the issuance of mobile food concession permits for operation on private property. An ordinance has been prepared and is attached for the Council's review and adoption. In preparing the attached ordinance, staff reviewed similar ordinances by various other jurisdictions as well as the South Central Public Health District's requirements for a health permit. Approval of this request will amend the City Code to allow the operation of mobile food concession units on private property with the regulations described. Staff recommends adoption of the ordinance as presented.

Discussion followed.

-Mobile food trucks permanently parked on vacant lots

-Storm water concerns

-Disposal of grease in the City's wastewater system

- South Central Health District "Steps to Opening a Mobile Food Establishment"
- Business owner required to meet City regulations
- Mobile food truck and property taxes
- Washing facilities on site

City Attorney Wonderlich requested direction from Council.

The consensus of the Council is as follows:

- o 3-18-3(A): changed the 20 day permit turn-around time to 10 business days
- o 3-18-4(A): struck the requirement for a food truck to be accessory to another use on the property
- o 3-18-4(B): split former paragraph B into several sections
- o New (B): a public health permit is required
- o New (C): a City food concessionaire permit is required
- o New (C), 1: annual permits
- o New (C), 2: 10 business day application turn-around
- o New (C), 3: permit fee of \$100
- o New (C), 4: application to include site plan and property owner permission, the detailed site plan with list of what to include and the access to restrooms have been removed
- o New (C), 5: application to include trash, wastewater, and grease disposal plan
- o 3-18-4(C): the former (C) dealing with locations of lots with existing permanent businesses has been removed
- o 3-18-4(D): the new (D) establishes setbacks for food trucks, was included in the former (B)
- o 3-18-4(E): the new (E) prohibits drive-through, was included in the former (B)
- o 3-18-4(F): the new (F) electrical connection approval, was included in the former (B)
- o 3-18-4(G): the remaining items in 3-18-4 from (G) to (M) have only changed in their numbering, they were the former (D) to (J)

Council directed staff to bring back to Council the proposed ordinance with changes on January 13, 2014.

Public input:

Rosalie Dingwall, Twin Falls, stated her concern requiring food trucks to be moved nightly.

Councilperson Barigar stated that the ordinance is referring to mobile food trucks only.

Justin Abramowski, owner of Big Fatty, asked if he would be allowed to set up three days of the week at the same location or different locations. He stated he pays the business owner for setting up his mobile food truck and believes he is paying indirectly for property taxes.

City Manager Rothweiler stated that Mr. Abramowski may apply for a permit that will allow him to set up his mobile food truck three days out of the week at listed locations.

Recess at 6:44 p.m.
Reconvened at 6:57 p.m.

5. Discussion of the first draft of the Agreement with Beckley Media to use Twin Falls City property in his effort to jump the Snake River Canyon. *This will not be an action item.*

City Manager Rothweiler stated that today he received a series of talking points to the agreement that he forwarded to the City Council. He and City Attorney Wonderlich have a meeting scheduled with Jim Walczak of Beckley Media on January 13, 2014.

-Performance deadlines

City Manager Rothweiler stated that a document that is in significant final form will be before the Council by January 27, 2014, and the final document will be before the Council no later than February 3, 2014. The document is to include a public safety concept plan, compensation, prosecution, jail and court costs that arise from the event. A meeting will be held with the courts on Friday, January 17, 2014.

Councilperson Talkington stated that consideration should be made to the document as an addendum item stating that modification of the jump ramp should require City Council approval. He also asked for clarification of who will be the jumper.

City Attorney Wonderlich stated that he previously discussed with the Council Section IV. 4. Sublease and Assignment. He suggested that the Council prohibit assignment or subleasing. The applicant will be required to bring a plan to Council that will specifically address the ramp.

-Discussion followed.

Councilpersons Lanting and Mills Sojka stated they did not have an issue allowing a jumper other than Ed Beckley with Council approval.

Councilperson Barigar stated that the ranking on the groups was based somewhat on the characters and personalities of those involved in the presentation and it changes the flavor of what was presented if the characters are changed. There have been a great deal of individual responses to the questions and comments made specifically by Mr. Beckley and if he is suddenly not part of the process the process is disrupted.

Councilpersons Talkington, Hawkins, Barigar, and Hall spoke in favor of prohibition of assignment in the lease agreement.

Councilperson Barigar stated that he would like to receive information from Beckley Media in the Council packet prior to the scheduled Council meeting. He also would like to have Beckley Media come before Council to discuss the potential offer on compensation.

City Manager Rothweiler stated that he will discuss with Beckley Media that information sent to Council for review should be sent to him no later than by noon, Thursday, for subsequent City Council meetings.

Mayor Hall stated that by a consensus of the Council, subleasing or assigning of the agreement will not be allowed.

6. General update on Canyon Jump process to include public safety and possible compensation.

City Manager Rothweiler stated that on January 13, 2014, a meeting has been scheduled to meet with Beckley Media and on January 17, 2014, a meeting has been scheduled to meet with the Twin Falls County Prosecutor's office, courts and the jail. Staff will report back to Council on January 21, 2014. The public may comment at the Council meetings and comments may be emailed to jump@tfd.org.

Chief Pike provided an update on Beckley Media's security plan. A meeting has been scheduled for January 9, 2014, with the City's public safety partners. Jim Walzak, Coordinator with Beckley Media, has been invited to meet with staff to discuss public safety.

Discussion followed.

-Crowd attendance

Chief Pike stated that he has working with Rod Woodruff with Buffalo Chip and Mr. Woodruff estimated a crowd attendance of 50,000 to 70,000 people.

Public input.

Mayor Hall asked County Commissioner Morley if a group, other than Beckley Media, is in the permitting process with Jerome County to jump the canyon and if so, how far are the applicants in the process...

Jerome County Commissioner Roger Morley answered in the affirmative. He stated that the Jerome County Commissioners are putting their cards right now on Beckley. The applicant has requested to jump down by the Hansen Bridge. The Jerome County Commissioners considered allowing the jump but understood it would place a stress on infrastructure with the Ed Beckley jump. He also stated that Ed Beckley will be in to talk to the Jerome County Commissioners the following week. The police and sheriffs have been accommodating and he thanked the Council.

Mayor Hall asked for clarification Jerome County Commissioner Morley if the group has permission to jump. Jerome County Commissioner Morley stated no.

Mayor Hall thanked Jerome Commissioner Morley for coming to the Council meetings and stated that if the Jerome Commissioners need a councilmember to attend their meetings to please let him know.

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

Tour of the Public Works Building has been scheduled for January 13, 2014, at 3:30 p.m.

Presentation on the use of Synthetic Turf to meet City landscape requirements on January 13, 2014.

Councilperson Talkington stated that he would like to have a discussion on the pros and cons of electronic cigarettes and possibly evaluating whether or not the City should prohibit e-cigarette smoking in public venues.

He read the following from a handout that he researched on e-cigarettes.

Electronic-cigarette smoking is the talk of the smoking industry. People from all walks of life are starting to smoke the e-cigarette. Some people smoke them due to the convenience of "smoking anywhere" and others prefer the many positive attributes of ecigs, such as: no second hand smoke, smell, no lingering odor, and no lighter necessary!

The electronic cigarette was introduced to the U.S. market in 2007 and offers the nicotine-addicted an alternative to smoking tobacco. Most "e-cigs" are similar enough in appearance to be mistaken for regular cigarettes, but one look inside and you'll see the main difference: E-cigarettes don't contain tobacco. Instead, there's a mechanism that heats up liquid nicotine, which turns into a vapor that smokers inhale and exhale. Manufacturers and satisfied customers say that this nicotine vapor offers many advantages over traditional cigarette smoke. But regulatory agencies and some health experts aren't sure. They're asking questions about the possible side effects of inhaling nicotine vapor, as well as other health risks e-cigarettes may pose -- both to users and to the public. Those calling for tight regulations on e-cigarettes claim that these devices should be deemed illegal until the proper research trials have been conducted to prove that they're safe.

Because they contain no tobacco, e-cigarettes aren't subject to U.S. a tobacco law, which means they can be purchased without proof of age, especially online. This raises concerns that e-cigs may be particularly appealing to kids and may encourage nicotine addiction among young people. And while manufacturers of the e-cigarette claim that it's the cigarette you can "smoke" anywhere, regulatory agencies around the world are taking a close look at these gadgets and instituting a range of restrictions on their use.

Proponents of the e-cigarette say they feel better using the device than they did when they were smoking tobacco cigarettes, and that because the e-cigarette is reusable, it saves them money.

Councilperson Lanting stated he researched electronic cigarettes and recommended other Councilmembers do likewise. He also stated that the American Cancer Society is taking a conscious approach and stated that the e-cigarettes are hopeful e-cigarettes will reduce the effects of smoking and he recommends Council also take the same approach and recommend

Councilperson Mills Sojka stated that she would like the Council to consider adopting a set of procedural rules. City Manager Rothweiler stated that staff can help the Council in their creation of rules.

Mayor Hall stated that he will take Councilperson Mills Sojka's request into his consideration.

No action taken.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

Mayor Hall stated that he will be reviewing the Councilmember liaison list for 2014-2016.

IV. PUBLIC HEARINGS: None.

V. ADJOURNMENT: The meeting adjourned at 7:29 P.M.

Leila A. Sanchez
Deputy City Clerk/Recording Secretary