

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**  
**Tuesday, February 18, 2014**  
**City Council Chambers**  
**305 3<sup>rd</sup> 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**

**GENERAL PUBLIC INPUT**

AGENDA ITEMS	Purpose	By:
<b>I. <u>CONSENT CALENDAR:</u></b>		
1. Consideration of a request to approve the accounts payable for February 11-17, 2014.	Action	<u>Staff Report</u>
2. Consideration of a request to approve the minutes from the following City Council meetings: January 13, January 21, January 27, and February 3, 2014.	Action	Sharon Bryan Leila Sanchez
3. Authorize the Mayor to sign the Completion of Right of Way Activities for three Local Highway Safety Improvement Projects (keys 13544, 13545, and 13546)	Action	Jackie Fields
<b>II. <u>ITEMS FOR CONSIDERATION:</u></b>		
1. Presentation of POST certificates to the following individuals before the Twin Falls City Council: Officer Brad Baisch, Officer Denis Suljevic, Officer Jerry Hutchison, Officer Dan Heil, Detective Nate Silvester, and Detective Eric Barzee.	Action	Chief Brian Pike, Capt. Anthony Barnhart, and Capt. Bryan Krear
2. Request from Local 1556 to support legislation being proposed at the Idaho Legislature.	Discussion and Possible Action	Ed Morris
3. Present Council with an update regarding the Wood Waste site.	Discussion and Possible Action	Jon Caton
4. Discussion and possible action seeking direction on how to proceed with Canyon Springs grade after impacts from construction traffic during the Waste Water Treatment Plant expansion, along with a request for direction in regard to public access to Auger Falls.	Discussion and Possible Action	Troy Vitek
5. Discussion and a request for direction regarding the City's regulation of on-street large truck parking.	Discussion and Possible Action	Mitch Humble
6. Consideration to authorize the City Manager to sign an agreement with Kushlan & Associates to review and assist the City Manager in aligning the organization around the City's 2030 Strategic Plan.	Discussion and Possible Action	Travis Rothweiler
7. Discussion on City Council advisory committees/commissions member appointment process.	Discussion and Possible Action	Don Hall
8. Public input and/or items from the City Manager and City Council.		
9. Executive Session 67-2345( c ) To conduct deliberations concerning labor negotiations <b>or to acquire an interest in real property which is not owned by a public agency.</b>		
<b>III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u></b>		
<b>IV. <u>PUBLIC HEARINGS:</u>      6:00    None.</b>		
<b>V. <u>ADJOURNMENT:</u></b>		

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

Staff Present: City Manager Travis Rothweiler, City Attorney Fritz Wonderlich, Community Development Director Mitchel Humble, Public Works Director Jon Caton, Chief Brian Pike, City Engineer Jacqueline Fields, Captain Anthony Barnhart, Captain Bryan Krear, Assistant City Engineer Troy Vitek, Streets Department Director Dean Littler, 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. A quorum is present.

**CONSIDERATION OF THE AMENDMENTS TO THE AGENDA:**

City Manager Rothweiler requested the following to be removed from the Items for Consideration:

7. Discussion on City Council advisory committees/commissions member appointment process.

**MOTION:**

Councilperson Talkington made the motion to approve the amendment to the agenda. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

**PROCLAMATIONS: None**

**GENERAL PUBLIC INPUT: None**

**I. CONSENT CALENDAR:**

1. Consideration of a request to approve the accounts payable for February 11-17, 2014, \$368,967.50 and Payroll, Feb 14, 2014, \$115,031.68
2. Consideration of a request to approve the minutes from the following City Council meetings: January 13, January 21, January 27, and February 3, 2014.
3. Authorize the Mayor to sign the Completion of Right of Way Activities for three Local Highway Safety Improvement Projects (keys 13544, 13545, and 13546)

**MOTION:**

Councilperson Lanting made the motion to approve the Consent Calendar as presented. The motion was seconded by Councilperson Hawkins.

Discussion followed.

-Definition of Stop Bars

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

**II. ITEMS FOR CONSIDERATION:**

1. Presentation of POST certificates to the following individuals before the Twin Falls City Council: Officer Brad Baisch, Officer Denis Suljevic, Officer Jerry Hutchison, Officer Dan Heil, Detective Nate Silvester, and Detective Eric Barzee.

Captain Barnhart gave the presentation.

Mayor Hall and Chief Pike presented certificates to Officer Brad Baisch, Officer Denis Suljevic, Officer Jerry Hutchison, and Officer Dan Heil.

Captain Bryan Krear gave the presentation.

Mayor Hall and Chief Pike presented certificates to Detective Nate Silvester and Detective Eric Barzee.

2. Request from Local 1556 to support legislation being proposed at the Idaho Legislature.

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Ed Morris explained the request. Members of Local 1556 are seeking support from the City Council on legislation that would amend the Workers' Compensation Act.

Majority of the Council stated they would like to review Senate Bill 1273, prior to making a decision on the request.

Discussion followed.

- Firefighter occupational diseases
- Burden of proof of diseases
- Cost Summary of Workers' Compensation
- Fiscal impact on taxpayers throughout the state
- Component in the bill addressing fraudulent use

Councilperson Barigar stated that Senate Bill 1273 is on line. The estimated total fiscal impact for state government entities is approximately \$48,500 to \$165,000, with no impact to the general fund. The bill outlines the presumptive diseases.

Mayor Hall requested that the *Item for Consideration* from Local 1556 to support legislation being proposed at the Idaho Legislature be brought back to the Council on February 24, 2014.

3. Present Council with an update regarding the Wood Waste site.

Public Works Director Caton gave an update on the City's wood waste site located at 967 Rose Street. The site was originally intended to provide a convenient place for citizens to dispose of their tree trimmings and landscape waste. The past years the site has been used for dumping trash. Last year, Southern Idaho Solid Waste, for many reasons, is unable to process the wood waste. Currently there are approximately 300 truckloads to process.

Staff recommends that the City inform and educate the public on suitable alternatives to the wood waste site including regular curbside garbage pickup, local waste transfer station, landfill and personal recycling of these items. The Street Department intends to clean up the site using the most economical means. Staff recommends that the wood waste processing site remain closed and after clean-up, discontinue wood and other solid waste processing and transporting to the landfill.

Staff is seeking Council's direction.

Discussion followed.

- Curbside wood waste
- Education period for citizens
- Possible fire hazard at wood waste site
- Breeding ground for rodents, etc.
- Signage at wood waste site indicating wood waste locations
- Possible purchase of Southern Idaho Solid Waste's used wood waste chipper

Streets Department Director Littler explained the Streets Department is unable to process the wood waste at the current site. The City does not own a chipper. Southern Idaho Solid Waste purchased a chipper and is unable to run the chipper at the City's wood waste site. Southern Idaho Solid Waste will have the chipper at designated locations throughout Southern Idaho. Locally, wood waste to be chipped can be sent to a location south of the Airport.

Public Works Director Caton stated that Southern Idaho Solid Waste will accept waste at the transfer station and landfill. Curbside wood waste combined with trash is sent to the landfill.

Streets Department Director Littler explained the costs associated with purchasing the "old" wood waste chipper from Southern Idaho Solid Waste. Costs would entail the purchase of a truck for transport of the equipment, fuel, repair, and manpower costs. Southern Idaho Solid Waste has indicated they will assist the Streets Department in chipping the wood waste at the current site.

**MOTION:**

Councilperson Munn made the motion to permanently close the wood waste located at Rose Street and South Park West, and secondly include to dispose and clean out existing wood waste site and place reasonable signage from the Street Department stating that wood waste can be disposed of at HUB Butte or dispose at transfer station.

Councilperson Talkington made an amendment to the motion to include an aggressive advertising awareness program through the City services as to what the public can and cannot do.

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Councilperson Munn requested that the verbiage "to include an aggressive advertising awareness program through the City services be added to his motion. Councilperson Barigar concurred.

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

4. Discussion and possible action seeking direction on how to proceed with Canyon Springs grade after impacts from construction traffic during the Waste Water Treatment Plant expansion, along with a request for direction in regard to public access to Auger Falls.

Troy Vitek, Assistant City Engineer, gave an update on Waste Water Treatment Plant.

With the estimated 24 heavy concrete trucks a day at the peak of construction, Canyon Springs Road would be vastly impacted and show signs of wear, this combined with impacts to citizens and their safety on the roadway. Staff would like to discuss options with the Council and determine the future course of action.

Options may include the cost of addressing the wear on Canyon Springs Grade as part of the Sewer Bond improvements and address the wear in a future streets project.

In addition, he asked the following questions: 1) Does the council wish the grade to function in the same way it currently does with two small lanes and full pedestrian access. Reconstruction efforts currently are estimated at \$700k/lane mile. 2) Limit traffic to one lane through signalization which provides pedestrians more room but impacts neighboring residences as vehicles stack up waiting for the signal to change at the top of the grade. This option would require installation of a timed signal estimated at \$500k in addition to the \$700k/lane mile listed above. 3) Install two small lanes, place a jersey barrier separating the vehicles from the pedestrians and provide a pedestrian walking area that is capable of handling people in a single file line. The cost of the jersey barrier and guard rail is estimated at \$160k in addition to the \$700k/lane mile listed above. Small pedestrian overhang walkways will need to be constructed in several locations due to width issues and are estimated at \$100k. 4) Reconstruct the roadway to accommodate two lanes each direction and a wider pedestrian walking area. This is by far the most far-reaching and expensive project at approximately \$1.5million/lane mile. This would require acquiring easements and blasting of the existing wall, as well as stabilizing the existing slope and constructing large retaining walls. Traffic control during construction would be extreme.

Staff recommends that the Council discuss the options and direct Staff with a recommendation of how to proceed with reconstruction of the Canyon Springs Grade and Auger Falls Access.

Council discussion followed regarding the following options:

- Rock blasting the canyon wall
- Involve the public on options (pros/cons)
- Closing Canyon Springs Road to pedestrians
- Use of foregone balance to widen the road

City Manager Rothweiler explained the use of the foregone balance adds to the permanent revenue streams of the City. The City Council has the ability to allocate the foregone balance during the appropriation process. Based upon the numbers that staff provided, it would take a few years of accumulated foregone balance after it was collected to be able to cover some of the projects. Currently, the City's foregone balance is approximately \$1.472 million. The options staff provided range from \$1 million to \$3.5 million projects. Another option would be to use tax resources as they were captured, whether that would be foregone balance, direct appropriation process, as well as the use of sewer bond proceeds that may not be used directly for the WWTP facility or collections. This may be an eligible expense because the cause and the damage to the roadway would be as a result of the construction. The challenge is whether there will be enough money. At the 60% review of the project, the WWTP project was coming in at \$34 Million. The bond sale captured \$39.5 million. Capacity fees and connection fees accumulated amounts to \$3.4 million. With the project at \$34 million and adding \$6 million to offset some of the improvements to the collection system, there appears to be some amount for roadway improvement, but it is important to realize the engineering estimates are preliminary and potential change orders may need to be applied to the project.

The Engineering Department places the City on an annual project list on an eight year rotation basis. The Council could forego projects on the project list and dedicate available resources under the constrained revenue sources to apply to the roadway project. Bond proceeds can also be used.

Streets Department Superintendent Littler stated his concern of spending money on road improvements prior to addressing rock falls. Road construction complicates the issue with rock fall.

Council discussion followed.

- Pedestrian access needs to be addressed
- Cost estimate to create a pedestrian trail
- Stabilization of roadway / unstable wall

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- Weight limits of concrete trucks
- Traffic control
- Public education

Assistant City Engineer Vitek stated that construction will begin in April. He stated he will come back before Council with information requested.

City Manager Rothweiler stated staff has received Council input and will bring back to Council options with costs, and provide a series of financial opportunities for review and consideration.

Assistant City Engineer Vitek explained that with the WWTP upgrades an extremely large area will be excavated for the IFAS system and secondary Clarifier. Staff is recommending the excavated material be transported to Auger Falls and placed in an area identified in the attached exhibit. The engineering consultants estimate 33 trucks a day hauling material from the WWTP to Auger Falls in 20 cubic yard dump trucks. These are extremely large vehicles on a narrow roadway. Staff feels this is a safety issue with people who plan on using Auger Falls as a recreation facility during construction. Options are to 1) Require the contractor to haul materials elsewhere. This would be a substantial cost to the project and would require smaller street licensed vehicles resulting in a larger number of loads. This would impact Canyon Springs grade even more and the safety hazard would be shifted there. 2) Close Auger Falls throughout the duration of the project. This of course impacts those who use the site for recreation. 3) Allow only the contractor to use Auger Falls from 8:00am to 5:30pm Monday through Friday then the public only from 5:30pm to 8:00am the next morning and all day Saturday and Sunday during the peak months of construction.

Council discussion followed.

- Time frame of project
- Ramifications of placing time restrictions on the contractor
- Compromise of time periods for use by contractor and public
- Signage at top of grade indicating public use of Auger Falls

Parks & Recreation Director Bowyer stated the large user groups of Auger Falls indicated they are not in favor of closing Auger Falls. He stated his support of allowing the contractor use of Auger Falls from 8:00 a.m. to 5:30 p.m. Monday through Friday, and public use from 5:30 p.m. to 8:00 a.m. the next morning and all day Saturday and Sunday during the peak months of construction.

**MOTION:**

Councilperson Talkington made the motion to approve Option 3, to allow only the contractor to use Auger Falls from 8:00 a.m. to 5:30 p.m., Monday through Friday; the public only from 5:30 p.m. to 8:00 a.m., the next morning and all day Saturday and Sunday during the peak months of construction. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

5. Discussion and a request for direction regarding the City's regulation of on-street large truck parking.

Community Development Director Humble explained the request.

Staff recommends that the Council authorize staff to prepare an amendment to City Code 9-6-8 regarding the regulation of on-street large truck parking.

Staff is requesting Council direction.

- Fall/Spring Fred Meyer and Walmart trucks
- Issuance of citations
- Review Idaho cities codes on truck parking
- Trash in the North Haven area
- ZOAC's opinion on the regulation of on-street large truck parking

Community Development Director Humble stated he would not call Fred Meyer and Walmart a truck parking lot because they are making deliveries. Issues would occur if the stores were selling parking spaces to trucks as overnight storage.

The Zoning Ordinance Amendment Committee was established to deal with zoning ordinance amendments. The Zoning Ordinance Amendment Committee has not discussed the City's regulation of on-street large truck parking. Council may direct ZOAC to review Title 9.

- Big trucks in a C-1 Zone
- Nuisance of trucks in North Haven
- Trash in the area

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- Keeping City clean and friendly
- Measuring complaints received

Community Development Director Humble stated discussion was made adding signage in the area.

City Manager Rothweiler stated that signage has been placed in other areas including the Shilo Inn area because of the high volume of complaints.

Community Development Director Humble stated that the Police Department traffic sergeant has indicated that a large number of complaints have been received for the North Haven area. Dispatch will explain to the caller that the trucks are legally allowed to park in the area. Dispatch does not count the number of complaints. Code Enforcement has received five complaints.

Gerald Martens, property owner and developer, spoke in favor of the regulating on-street parking and signage. He explained that 17 trucks were parked in the neighborhood the past weekend, 9 trucks had generators running, and most of the trucks are unoccupied.

Bob Veeh, Canyonside Realty, explained that trucks parking on the street are detrimental to marketing of the site.

Evan Robertson, property owner, stated that nightly, the road is down to a single lane, because trucks are parking on both sides of the street. He spoke in favor of signage in the area.

**MOTION:**

Councilperson Talkington made the motion that the Council issue a code amendment to 9-6-8 allowing large truck parking only in the M-1 and M-2 Zones. The motion was seconded by Councilperson Munn.

Councilperson Mills Sojka stated that she has not received enough information to make a decision on this motion. She stated that on-street parking has not been addressed in the Canyon Crest Drive and North College between Falls and Locust and asked the process. She stated she was bothered that the request presented came up so quickly but the other on-street parking has not been addressed.

Community Development Director Humble stated that the on-street parking at Canyon Crest is residential cars in front of the River Crest Apartment Complex. No parking signage can be placed on the street. Staff did not believe there was a big enough problem to post signs.

Councilperson Mills Sojka spoke in favor of signage in the areas discussed.

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

City Manager Rothweiler stated that staff will look at the parking issues at the Canyon Crest location.

6. Consideration to authorize the City Manager to sign an agreement with Kushlan & Associates to review and assist the City Manager in aligning the organization around the City's 2030 Strategic Plan.

City Manager Rothweiler explained the request. The recent departure of the Assistant to the City Manager, in addition to the impending retirement of several key department directors, will translate into an organizational transition, managed or not. To ensure the most effective long-term outcomes, it is incumbent on leadership to purposefully move the organization to a well-considered new era.

In the agreement, as a part of the scope, the consultant and the City Manager will review the current organizational structure, seek comments and thoughts from members of the City Council and City's staff, and explore opportunities to enhance organizational efficiency and effectiveness. At the end of the project, the consultant will assist the City Manager in developing a reorganization strategy, including an implementation strategy that will be presented to the City Council for its review.

Council discussion followed.  
-Time frame of the agreement

City Manager Rothweiler reviewed the steps in the agreement and discussed the temporary internal internship program. He estimated that the project will be completed in six months and a course of action can be implemented in conjunction with the budgeting process.

- Transitions in the community
- Cost of the contract

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City Manager Rothweiler stated that the cost of approximately \$20,000 will be paid for with salary savings from the vacated assistant to the city manager position that recently occurred. He stated for clarification that the agreement will not go beyond June 2014. The adjustment will be made to the contract.

Councilperson Talkington stated his concern of the City Manager's ability to run the City effectively and monitor the strategic plan. He suggested the hiring of an ombudsman to assist the City Manager.

-Deadline date of June 2014

**MOTION:**

Councilperson Lanting made the motion to authorize the City Manager to sign an agreement with Kushlan & Associates to review and assist the City Manager in aligning the organization around the City's 2030 Strategic Plan for the expenditure of up to \$20,000. The motion was seconded by Councilperson Mills Sojka.

-Clarification of expenditure not to exceed \$20,000

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

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

Councilperson Lanting gave an update on the Friends of Muni Tournament.

Councilperson Barigar stated for clarification that a comment was made February 10, 2014, during the presentation on the Twin Falls School District Bond Levy Election 2014, by Councilperson Mills Sojka that 85% of our citizens in Twin Falls are within the poverty range and in the lower income. The comment was picked up in a Times News article. This was an extreme overstatement of that number. In fact, the U.S. Census Bureau reports the city's persons below poverty level are 17%, 15.1 % in the state, and 15.4% in the County. The clarification is being made because they get picked up in newspaper articles and then are all over the internet, challenging us in the recruitment of companies and in showing a positive image of the community.

Vice Mayor Hall stated he spoke to Councilperson Mills Sojka prior to the meeting and she stated she would go back and research. Vice Mayor Hall stated that staff contacted Carleen Herring, Region IV, who provided the 2010 American Communities Report that showed all families below the poverty level is 14% and 17% in the Twin Falls area.

Councilperson Talkington stated that he wanted to refute the comments with some figures. Idaho as a whole, not Twin Falls, has the lowest weekly family paycheck of any state of the nation.

Councilperson Mills Sojka thanked Councilperson Barigar for bringing it to her attention. She stated that she didn't mean to say poverty level; she was meaning to say low income. The median household income is \$41,000. She was referring to the level of income in our community. There are different charts in different areas where low income falls but she would not consider \$41,000 as being upper income level.

Mayor Hall stated that he has information if anyone is interested.

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

**MOTION:**

Councilperson Lanting made the motion to adjourn to Executive Session 67-2345( c ). The motion was seconded by Vice Mayor Hawkins and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

**III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:**

**IV. PUBLIC HEARINGS:        6:00    None.**

**V. ADJOURNMENT:        The meeting adjourned at 7:19 p.m.**