

COUNCIL MEMBERS:

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|-----------------|----------|---------------|------------------|-----------------|----------|---------------------|
| Suzanne Hawkins | Jim Munn | Shawn Barigar | Chris Talkington | Gregory Lanting | Don Hall | Rebecca Mills Sojka |
| Vice Mayor | | | | | Mayor | |



AMENDED MINUTES
Meeting of the Twin Falls City Council
Monday, February 24, 2014
City Council Chambers
305 3rd Avenue East -Twin Falls, Idaho

5:00 P.M.

PLEDGE OF ALLEGIANCE TO THE FLAG
Boy Scouts from Troop 74.
CONFIRMATION OF QUORUM
INTRODUCTION OF STAFF
CONSIDERATION OF THE AMENDMENTS TO THE AGENDA
PROCLAMATIONS: None

GENERAL PUBLIC INPUT

| AGENDA ITEMS | Purpose | By: |
|---|----------------------------|--|
| I. <u>CONSENT CALENDAR:</u> | | |
| 1. Consideration of a request to approve the Accounts Payable for February 19 – 24, 2014. | Action | Staff Report |
| 2. Consideration of a request to approve the annual Saint Patrick’s Day Parade Application and Special Event Celebration sponsored by Bev and Steve O’Connor to be held on Monday, March 17, 2014. | Action | Sharon Bryan Sgt. Ryan Howe |
| 3. Consideration of a request to approve the Findings of Fact, Conclusions of Law and Decisions for Cedarpark #10 Subdivision. | Action | Mitchel Humble |
| II. <u>ITEMS FOR CONSIDERATION:</u> | | |
| 1. Consideration of a request to waive the residency requirement for Dan Olmstead during the last 18 months of his second term on the Airport Advisory Board. | Action | Bill Carberry |
| 2. Consideration of a request to authorize the Mayor to sign the Sub-Agreement Material Purchase Contract for Local Falls Ave. Intersection Improvements, Key No. 13544 and approve payment of the local match. | Action Action Update | Rob Bohling Ed Morris Lorie Race |
| 3. An update on the \$38 million bond issuance for the voter-approved projects and improvements at the City’s Waste Water Treatment Plant. | Action | Jacqueline Fields |
| 4. Consideration of a request to approve the implementation of a Cross-Connection Program. | Action | Mitchel Humble |
| 5. Consideration of a request to adopt an ordinance for a Zoning District Change and Zoning Map Amendment from R-4 to R-4 PRO for property located at 840 Addison Avenue. | Action | Mitchel Humble |
| 6. Consideration of a request to adopt an ordinance amending City Code 9-6-8 regarding the City’s regulation of on-street large truck parking. | | |
| 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> 6:00 P.M. | | |
| 1. Public hearing to consider adoption of a resolution authorizing the Mayor to sign and submit an application to the Idaho Department of Commerce to partially finance improvements to the Twin Falls Senior Center. | Action | Jeanette Roe/ TF Senior Center |
| 2. Public Hearing to consider the City’s intent to dispose of a 6,200± square foot portion of a City owned lot located at 2nd Avenue South, Block 119 Lots 9 & 10. | Action | Melinda Anderson |
| 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: 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, Sgt. Ryan Howe, Airport Manager Bill Carberry, Water Superintendent Rob Bohling, Chief Finance Director Lorie Race, City Engineer Jacqueline Fields, Economic Development Director Melinda Anderson, 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. Boy Scout Troop 74 led the pledge of Allegiance to the Flag. A quorum is present.

CONSIDERATION OF THE AMENDMENTS TO THE AGENDA:

City Manager Rothweiler requested a change to the lineup for Items for Consideration.

PROCLAMATIONS: None

GENERAL PUBLIC INPUT: None

AGENDA ITEMS

I. CONSENT CALENDAR:

1. Consideration of a request to approve the Accounts Payable for February 19 – 24, 2014, total: \$1,156,377.95; and Payroll for Feb 25, 2014; \$5,064.
2. Consideration of a request to approve the annual Saint Patrick's Day Parade Application and Special Event Celebration sponsored by Bev and Steve O'Connor to be held on Monday, March 17, 2014.
3. Consideration of a request to approve the Findings of Fact, Conclusions of Law and Decisions for Cedarpark #10 Subdivision.

Council discussion followed.

-Accounts Payable to Bank of New York for \$715,000. Chief Finance Officer Race stated that the payment was made on the existing debt. City Manager Rothweiler stated that all fees associated with the new debt will be taken out of the proceeds.

-To purchase bonds, local citizens may contact Cameron Aerial with Zions Bank. This should be done prior to the issuance of bonds.

MOTION:

Councilperson Lanting made a 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 to waive the residency requirement for Dan Olmstead during the last 18 months of his second term on the Airport Advisory Board.

Airport Manager Carberry explained the request.

Dan Olmstead has attended meetings regularly and has been a contributing member to the Airport Board. Staff recommends the City Council waive the city residency requirement for the remainder of Dan Olmstead's current term as a member of the Airport Board.

MOTION:

Councilperson Talkington made the motion to waive the residency requirement for Dan Olmstead during the last 18 months of his second term on the Airport Advisory Board. 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.

2. Consideration of a request to authorize the Mayor to sign the Sub-Agreement Material Purchase Contract for Local Falls Ave. Intersection Improvements, Key No. 13544 and approve payment of the local match.

City Engineer Fields explained the request.

Staff recommends that the Council authorize the Mayor sign the Sub-Agreement Material Purchase Contract for Local Falls Ave. Intersection Improvements, Key 13544 and approve payment of \$1,000 towards the match for the project.

MOTION:

Vice Mayor Hawkins made a motion to authorize the Mayor to sign the Sub-Agreement Material Purchase Contract for Local Falls Ave. Intersection Improvements, Key No. 13544 and approve the local match payment of \$1,000. 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.

Council discussion followed on the startup of the signal at the intersection of North College Road and Fillmore Street will start up on March 3, 2014.

4. Consideration of a request to approve a letter of support for SB1273: Firefighter presumptive illness.

Ed Morris, Twin Falls Firefighter Local 1556, explained the request.

The Twin Falls Firefighter Local 1556 and the Professional Firefighters of Idaho (PFFI) would like to ask for your support on Senate Bill 1273.

MOTION:

Councilperson Munn made the motion to approve the letter to support for Senate Bill 1273: Firefighter presumptive illness. The motion was seconded by Councilperson Barigar.

Council discussion followed.

Councilperson Talkington stated the average impact on overall department budgets in the State is 1/10th of a percent off 44/100's of 1% which translated dollars is \$48,500 to \$165,000 annually of all Idaho government entities.

Councilperson Mills Sojka stated that the Association of Idaho Cities is taking a neutral stand on Senate Bill 1273, therefore she will remain neutral.

Mayor Hall stated he understands the hazards of chemicals and asked what technology is being used as turnouts to shield firefighters. Ed Morris stated that the International Fire Chiefs and other groups are working on positive pressure turnouts where exhalation goes in and creates a positive pressure inside, which will help keep some of the smoke out. The Fire Department is making sure repository protection is being used at the right times. Turnouts are cleaned out on a regular basis and inspected on an annual semi basis.

Councilperson Lanting stated that he would be in favor of replacing tanks.

Roll call vote showed Councilpersons Hawkins, Munn, Barigar, Talkington, Lanting, and Hall voted in favor of the motion. Councilperson Mills Sojka abstained from voting. Approved 6 to 0. 1 abstained.

5. An update on the \$38 million bond issuance for the voter-approved projects and improvements at the City's Waste Water Treatment Plant.

Chief Finance Officer Race gave the update on the bond issuance and background of why the City is using the Idaho Bond Bank, and two different types of sales. The Idaho Bond Bank has easy access to the capital markets and by issuing debt through the bond bank the City benefits by a better interest rate. Their credit rating is typically rated AA1, which is high grade for long term debt; AAA is considered prime. The City benefits by having lower underwriting costs and because of the state shared revenues' attractive feature for bond buyers it can result in even lower rates. The two kinds of sales are negotiated and competitive. A negotiated sale is used when you need to explain the terms of the sale. A negotiated sale is what the City has done in the past. A competitive sale is straight forward and easily explainable. Because of its competitive nature, it typically results in the best rates. The City has used this for the last two sales. On February 12, 2014, bonds were sold. The total issuance was \$51.6 Million.

There have been 182 bond sales in Idaho since 1990, and this was the largest competitive sale, with a record number of twelve bidders. When the sale was over, interest rates were ranging from 3.47% to 3.73% on the total issuance. The difference between the lowest and the highest bid will result in a total savings of more than \$5 million in total interest costs over the life of the debt. Because the City share of the debt has a shorter duration (twenty years) than the other bonding entity, the City's true interest cost is at 3.31%.

A credit rating is an evaluation of credit worthiness of the debtor, and is made by a rating agency on the debtor's ability to pay back the debt and the likelihood of default. AGM issued the City of Twin Falls a bond surety policy without going through the process or expense of having to be rated. The surety bond policy cost \$226,460. If the City was unable to obtain the policy, the City would be required to set aside \$3.5 million to be held in a debt reserve fund for the duration of the debt. This would have taken the deposit for the project construction fund from the \$39.5 Million to \$36.2 Million. Cameron Arial, Zion's Bank, shared that this is the first time his organization has seen a surety policy issued without going through the process of being rated.

The bonds were issued at a premium and were attractive to the investors based on the results. This was a very successful bond issuance for the City, but most importantly for the rate payers. The type of sale used saved millions of dollars in interest costs plus the strength of the Waste Water Fund allowed the City to not have tie up \$3.5 million in a debt reserve fund. These dollars will go directly to the project.

Council discussion followed.
-The City of Twin Falls paired up with the City of Jerome
-AA 1 rating
- Rate of 3.31% rate is out of the range of 3.47% – and 3.73%
-\$226,460 payment for surety policy

Chief Finance Officer Race stated that the City of Jerome's portion of the issuance was \$13.6 million. Twin Falls' portion was \$38 million. The AA 1 rating is typical of the Idaho Bond Bank's debt. The City of Jerome true interest cost (TIC) will be higher than the City's because their portion of the debt is longer (25 years). The \$226,460 is the cost the City pays to not have to place the \$3.5 million in the debt reserve fund.

City Manager Rothweiler stated that the true interest cost that is assessed is the average over the course of the entire 25 year period will be at 3.47%. The City of Twin Falls' TIC is 3.31% and the City is Jerome's TIC is 3.89%. The City of Twin Falls is not responsible for the entire 25 years. The interest being assessed in years 2021 – 2025 was substantially larger on the whole than the interest being issued in the first twenty years. This drove up the true interest costs of 3.47%, which is the responsibility of Jerome.

Councilperson Barigar commended Chief Finance Officer and her team for saving money for the ratepayers, allowing improvements to be made at less costs.

3. Consideration of a request to approve the implementation of a Cross-Connection Program.

Water Superintendent Bohling introduced Mike Brown with Department of Environmental Quality (DEQ).

Mike Brown, DEQ, explained that that in September, 2013, DEQ performed a Sanitary Survey. One of the significant deficiencies found was the lack of a Cross Connection Control Program as required by the Idaho Rules for Public Drinking Water Systems – Community Water Systems. Significant deficiencies pose a threat to human health through inaction or deficiencies in apparatus, plumbing and operations of the water systems. DEQ requires that a plan is in place within 180 days. He explained how backflow may occur in the drinking water system.

Water Superintendent Bohling explained a backflow device is not required for a hose bib and for pressure irrigation systems. Systems hooked to City water are required to have a backflow device on a lawn sprinkler system. A backflow device on a lawn sprinkler system helps protect the drinking water system and the homeowner's water supply.

In moving forward with the Cross – Connection Program the plan is to provide (1) public education through commercials, movie house clips, bill stuffers, blips on water bills, work with the local media, and making a specific site for backflow on the City's website. (2) Industry involvement, through landscape and maintenance companies, fire suppression companies and pipe companies. (3) Enforcement with the backing of City officials, compliance with the City's ordinance, and backing from the local DEQ. (4) Manpower from City employees from building inspection, water employees, meter readers, and lawn sprinkler/fire suppression companies. (5) Listing of certified testers on the City's web page, and require paperwork on file providing certification of tester and equipment. Requiring a city tester to agree on a set price that the Council deems fair. The average price for a tester is \$45.

Staff is seeking direction from the Council.

Council discussion followed.
-Homeowner costs associated with compliance
-Certified city tester
-Enforcement of compliance

Water Superintendent Bohling stated that a 1" backflow device is roughly estimate at \$50, and installation may cost \$200 to \$1,000.

City Manager Rothweiler stated that the Council has the opportunity to determine the maximum price for advertising on the website. However, the City is not setting a maximum price for the service. This is what is done for tow trucks.

Water Superintendent Bohling explained he has a list of 2,000 backflow devices on record. Software is in place to collect data of sprinkler system users. The Water Supply Department will send out a total of three letters to a homeowner who is non-compliant prior to turning off the water.

MOTION:

Councilperson Munn made the motion to have staff proceed forward with the Backflow Cross Connection Program with testers who chose to be on the city's web page as certified testers to proceed with \$35 or less for the certification. The motion was seconded by Councilperson Mills Sojka.

- Discussion followed on the sample form letter to the homeowner
- Priority in contacting homeowners who are non-compliant

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

Public Works Director Caton stated that an open house will be scheduled to inform the public.

4. Consideration of a request to adopt an ordinance for a Zoning District Change and Zoning Map Amendment from R-4 to R-4 PRO for property located at 840 Addison Avenue.

Community Development Director Humble explained the request.

On February 10, 2014 the City Council unanimously approved the request for a Zoning District Change and Zoning Map Amendment from R-4 to R-4 PRO for property located at 840 Addison Avenue as presented and directed staff to prepare and present an ordinance. Staff recommends the City Council adopt the ordinance so it can be published and codified.

MOTION:

Councilperson Talkington made the motion to suspend the rules and place Ordinance 3062, on third and final reading by title only. 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.

Deputy City Clerk Sanchez read Ordinance 3062 by title only, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, REZONING REAL PROPERTY BELOW DESCRIBED; PROVIDING THE ZONING CLASSIFICATION THEREFOR; AND ORDERING THE NECESSARY AREA OF IMPACT AND ZONING DISTRICTS MAP AMENDMENT.

MOTION:

Councilperson Lanting made the motion to adopt Ordinance 3062. 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.

5. Consideration of a request to adopt an ordinance amending City Code 9-6-8 regarding the City's regulation of on-street large truck parking.

Community Development Director Humble explained he request.

This topic was discussed at the February 18, 2014 City Council meeting. Traffic Sergeant Howe is present for Council's questions that may relate to enforcement. At that meeting, the Council directed staff to prepare an ordinance making the change as described to City Code 9-6-8. This use would be what a large truck parking lot would be regulated as, if established on private property. For this use to be outright permitted on private property requires a M1 or M2 zoning designation. Staff believes that City Code 9-6-8 should be amended to allow on-street large truck parking only in the M1 and M2 zones to be consistent with zoning regulations for off-street large truck parking. A large truck is defined as a one and one-half ton capacity.

Council discussion followed.

- Availability and location of manufacturing zones for truck parking
- Cost of violating the proposed ordinance

Community Development Director Humble showed on overhead projection the M1 and M2 designation zones where trucks will be allowed to park. Code Enforcement's intent is to have an education program in place. This would include placing flyers on trucks.

City Attorney Wonderlich stated that violating the on-street parking is a traffic infraction. The violation is \$75 including court costs and if violation is not paid are turned over to collections, and failure to pay may cause license suspension.

MOTION

Councilperson Lanting made the motion to suspend the rules and place Ordinance 3063 on third and final reading by title only. The motion was seconded by Vice Mayor Hawkins.

AMENDMENT TO THE MAIN MOTION:

Councilperson Talkington made an amendment to the motion to place Ordinance 3063 on first reading. The motion was seconded by Councilperson Mills Sojka.

Councilperson Talkington explained this is a logistical log jam for the truckers and to give them the courtesy of a week or so for the word to get out and for them, if they so choose, to come out and try to defend themselves.

Councilperson Mills Sojka stated that this would allow time to inform the public of the proposed ordinance and to allow time for public input.

Councilperson Lanting stated that this is the second time the Council has discussed the issue and staff has stated education will take place for several weeks prior to issuing tickets. This will give truckers ample time to find new places. If the truckers cannot find places in three weeks they will have to go somewhere else.

Roll call vote on the motion showed Councilpersons Hawkins, Munn, Barigar, Talkington, and Mills Sojka voted in favor of the motion. Councilperson Hall and Lanting voted against the motion. Approved 5 to 2.

Deputy City Clerk Sanchez read Ordinance 3063 by title only. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, THAT TWIN FALLS CITY CODE §9-6-8 BE AMENDED TO PROHIBIT ON-STREET TRUCK PARKING EXCEPT IN MANUFACTURING DISTRICTS, OR WHILE ENGAGED IN LOADING OR UNLOADING.

Mayor Hall stated that Ordinance 3063 will come before the Council on March 3, 2014.

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

Councilperson Mills Sojka reported that the Intermountain Fair Housing Council will conduct a workshop on March 19, 2014, 9:00 a.m. to 12:00 p.m. in Boise, Idaho. City Manager Rothweiler stated that staff will be attending the workshop.

Recess at 6:29 p.m.
Reconvened at 6:35 p.m.

Mayor Hall reported that a Mayor and Manager Breakfast meeting will be conducted once a month and are inviting the public to attend to discuss questions and concerns. The meeting will be held on March 10, 2014, at 7:00 a.m. at Kelly's located at 110 Main Avenue North.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

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

1. Public hearing to consider adoption of a resolution authorizing the Mayor to sign and submit an application to the Idaho Department of Commerce to partially finance improvements to the Twin Falls Senior Center.

Jeannette Roe, Twin Falls Senior Center, explained the request. The City of Twin Falls is submitting a proposal to the Idaho Department of Commerce for an Idaho Community Development Block Grant (ICDBG) in an amount of no more than \$150,000. The proposed project is to make improvements to the Twin Falls Senior Center.

Council discussion followed.
- Senior Center building not built to City standards
- Inspection prior to the City acquiring property

Mayor Hall stated that the building was privately built as Treasure Cove.

City Manager Rothweiler stated the City had a two year levy override that allowed the City to acquire the existing structure. The building was not built by the City. At the time the original building was constructed it was an era before the state had mandatory mechanical inspections. He also stated that Carleen Herring, Region IV, was present for any questions the Council may have. He stated he is unable to answer if an inspection was done prior to the City acquiring the property.

Jeanette Roe stated that she and Community Development Director Humble have been unable to locate a record of inspection.

Councilperson Hawkins thanked Jeanette Roe for her tour of the Senior Center and commended her and her staff for their hard work on the improvement at the center.

City Manager Rothweiler stated that Carleen Herring, Region IV, was present for any questions the Council may have on how approval of the resolution may impact other block grants. He stated that this will not impact other block grants. All federal requirements that are associated with this will be running through the City's grant processes to alleviate them of those concerns. Carleen Herring shared with him that Region IV will run them associated with the two Clif Bar. Staff is supportive of the request.

Mayor Hall opened and closed the public testimony of the public hearing with no public input.

MOTION:

Councilperson Talkington made the motion to approve Resolution 1919, authorizing the Mayor to sign and submit an application for an Idaho Community Development Block Grant to partially finance improvements at the Twin Falls Senior Center. 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.

2. Public Hearing to consider the City's intent to dispose of a 6,200± square foot portion of a City owned lot located on 2nd Avenue South, Block 119 Lots 9 & 10.

Economic Development Anderson explained the request.

The City received a request from Twin Falls Urban Renewal Agency to acquire this vacant lot to combine with a building it owns at 242 2nd Avenue South. TFURA would like to combine the City's vacant lot with its building to offer as a package for redevelopment.

Staff recommends that the Council open a public hearing and then provide Staff direction as to the transfer of City owned property located on 2nd Avenue South, Block 119, Lots 9 & 10. March 3, 2014, staff will bring back to the Council a proposed ordinance for approval.

Mayor Hall opened and closed the public testimony of the public hearing with no public input.

MOTION:

Councilperson Lanting made the motion to approve the request of the City's intent to dispose of a 6,200± square foot portion of a City owned lot located at on 2nd Avenue South, Block 119 Lots 9 & 10, to the Urban Renewal Agency and brings back an ordinance for Council consideration. The motion was seconded by Councilperson Barigar. Roll call vote showed Councilpersons Hawkins, Munn, Barigar, Talkington, Lanting, and Hall vote in favor of the motion. Councilperson Mills Sojka voted against the motion. Approved 6 to 1.

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

Leila A. Sanchez
Deputy City Clerk/Recording Secretary