

COUNCIL MEMBERS:

LANCE CLOW	TRIP CRAIG	DON HALL	DAVID E. JOHNSON	WILLIAM A. KEZELE	GREG LANTING	REBECCA MILLS SOJKA
<i>Mayor</i>				<i>Vice Mayor</i>		



Minutes
 Meeting of the Twin Falls City Council
 January 24, 2011
 City Council Chambers
 305 3rd Avenue East Twin Falls, Idaho

CALL MEETING TO ORDER: 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. CONSENT CALENDAR: 1. Consideration of accounts payable for January 10 –24, 2011. 2. Consideration of the January 3 and 10, Council Minutes.	<i>Action</i>	<i>Staff Report</i> Sharon Bryan Leila Sanchez
II. ITEMS FOR CONSIDERATION: 1. Presentation of Twin Falls Fire Department Level II Firefighter Certificate to Sean Burgess. 2. Presentation by Laurie Lickley, Community Relations Rep./ RES Americas/China Mountain Wind Project and to request support for wind energy development within the Jarbidge Draft Resource Management Plan. 3. Consideration of a request from the Twin Falls Highway District to waive the fees for their new maintenance facility building permit. 4. Consideration of the Final Plat of Settler’s Ridge Subdivision No.3, consisting of 85 residential lots on 32.7(+/-) acres and located north of the 350 block of Federation Road and west of the Snake River Canyon and that portion of vacated Canyon Rim Road <u>c/o Tim Vawser/EHM Engineers, Inc. on behalf of Settler’s Ridge, LLC.</u> 5. Consideration of a contract between the Idaho Department Quality (DEQ) and the City of Twin Falls to create wetlands or the removal of Total Suspended Solids (TSS) as an offset to the sewage treatment plant requirements. 6. Public input and/or items from the City Manager and City Council.	Presentation Presentation Action Action Action	Ron Clark Laurie Lickley Mitch Humble Mitch Humble Mike Trabert
III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:		
IV. PUBLIC HEARINGS: 6:00 P.M. 1. Consideration of a Zoning Title Amendment to Twin Falls City Code 10-4-8.2, 10-4-9.2, 10-4-10.2, and 10-4-12.2 to require a special use permit for certain utility owned facilities in the M-1, M-2, AP, and C-1 zones, as is already required in other zones. c/o City of Twin Falls (app.2414)	Action	Mitch Humble
V. ADJOURNMENT:		

**Any person(s) needing special accommodations to participate in the above noticed meeting should contact Leila Sanchez at (208) 735-7287 at least two working days before the meeting.*

COUNCIL MEMBERS PRESENT: Lance W. Clow, Trip Craig, Don Hall, , David Johnson, Will Kezele, Gregory Lanting, Rebecca Mills Sojka

COUNCIL MEMBERS ABSENT: None

STAFF PRESENT: City Manager Tom Courtney, Assistant City Manager Travis Rothweiler, City Engineer Jacqueline Fields, Fire Chief Ron Clark, Staff Engineer Mike Trabert, Deputy City Clerk/Recording Secretary Leila A. Sanchez.

Mayor Hall called the meeting to order at 5:00 P.M. He invited all present, who wished to, to recite the Pledge of Allegiance to the Flag with him. A quorum was present. Mayor Hall introduced staff.

CONSIDERATION OF THE AMENDMENTS TO THE AGENDA: None.

PROCLAMATIONS: None

AGENDA ITEMS

I. CONSENT CALENDAR:

1. Consideration of accounts payable for January 11 –24, 2011, total: \$788,823.99.
Prepaid, January 13, 2011, total: \$25,291.53.
Prepaid, January 19, 2011, total: \$1,776.54
Prepaid, January 21, 2011, total: \$107,831.60
2. Consideration of the January 3 and 10, Council Minutes.

MOTION:

Councilperson Kezele made the motion to approve the Consent Calendar as presented. 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.

II. ITEMS FOR CONSIDERATION:

1. Presentation of Twin Falls Fire Department Level II Firefighter Certificate to Sean Burgess.

Chief Ron Clark, Mayor Hall and Councilperson Kezele presented the certificate to Sean Burgess.

2. Presentation by Laurie Lickley, Community Relations Rep./ /China Mountain Wind Project and to request support for wind energy development within the Jarbidge Draft Resource Management Plan.

Laurie Lickley made a presentation regarding RES Americas the China Mountain Wind Project.

Mayor Hall stated that CSI has an expectation to benefit from the project and recused himself from discussion and voting on the agenda item. He turned the meeting over to Vice Mayor Lanting.

Discussion followed:

Councilperson Kezele asked if the turbines will be taken down when the power purchase agreement is up after 25 years.

Laura Lickley stated that the typical life expectancy of a renewable project is about 20 to 25 years. If an agreement is not reached there are provisions to completely decommission the project. The concrete and turbines themselves will be completely removed.

Discussion followed:

Vice Mayor Lanting asked if the project would include a water battery. Laura Lickley stated that a water battery is not included in conversations at this time.

Vice Mayor Lanting asked if the 3% mentioned is worded in replacement of property taxes or in addition to property taxes.

Laura Lickley said that the 3% is in lieu of property taxes based on the gross revenue of the prior year.

Vice Mayor Lanting asked if China Mountain would be accessing energy tax credits.

Laura Lickley stated that the goal is to sell the energy tax credits.

Councilperson Sojka recused herself from discussion and voting on the agenda item.

MOTION:

Councilperson Clow made a motion to send a letter to BLM Jarbidge Field Office to support the wind energy development within the Jarbidge Draft Resource Management Plan as presented. The motion was seconded by Councilperson Kezele and roll call vote showed Councilperson Clow, Craig, Johnson, Kezele and Lanting voted in favor of the motion. Mayor Hall and Councilperson Sojka abstained from voting. Approved 5 to 0.

Vice Mayor Lanting turned the meeting over to Mayor Don Hall.

3. Consideration of a request from the Twin Falls Highway District to waive the fees for their new maintenance facility building permit.

Community Development Director Humble reviewed the request.

The Twin Falls Highway District is proposing to construct a new maintenance facility on the corner of Hankins Road South and Orchard Drive East. They recently submitted an application for a building permit to construct the facility.

The Twin Falls Highway District has submitted a letter requesting that the building permit fees be waived for this project. The fees for building permit application #1002990 are as follows: 1) \$4,561.37 for the plan review fee; 2) \$7,017.50 for the permit fee; total fees are \$11,578.87. The request letter is attached.

Staff recommends that the Council consider the request and take whatever action the Council determines is appropriate.

Discussion followed.

-Lawsuit between TFHD and COTF regarding the issue with the Idaho State Tax Commission.

-TFHD cooperates and shares resources with the City of Twin Falls.

MOTION:

Vice Mayor Lanting made the motion to approve the request from the Twin Falls Highway District to waive the fees for their new maintenance facility permit. The motion was seconded by Councilperson Hall.

Councilperson Clow stated for clarification that the TFHD has paid \$4,561.37, which would be refunded.

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

4. Consideration of the Final Plat of Settler's Ridge Subdivision No.3, consisting of 85 residential lots on 32.7(+/-) acres and located north of the 350 block of Federation Road and west of the Snake River Canyon and that portion of vacated Canyon Rim Road c/o Tim Vawser/EHM Engineers, Inc. on behalf of Settler's Ridge, LLC.

Community Development Director Humble reviewed the request.

Should the City Council approve the final plat of the Settler's Ridge Number 3 Subdivision, as presented, staff recommends approval be subject to the following conditions:

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1. Subject to site plan amendments as required by Building, Engineering, Fire and Zoning officials to ensure compliance with all applicable City Code requirements and Standards.
2. Subject to arterial and collector streets adjacent and within the property being rebuilt or built to current City standard upon development of the property.

Discussion followed:

-Canyon Rim Trail

Tim Vawser stated that the existing open ditch will be moved to the north side of the path and will berm up, in hopes of creating a safety buffer directly adjacent to the rim.

Councilperson Sojka stated her concern in reading the December 28, 2004, Planning & Zoning Minutes, public comments in regards to the overdevelopment of the Canyon Rim.

MOTION:

Councilperson Clow made the motion to approve the Final Plat of Settler's Ridge Subdivision No.3, consisting of 85 residential lots on 32.7(+/-) acres and located north of the 350 block of Federation Road and west of the Snake River Canyon and that portion of vacated Canyon Rim Road c/o Tim Vawser/EHM Engineers, Inc. on behalf of Settler's Ridge, LLC. as presented with the following conditions:

1. Subject to site plan amendments as required by Building, Engineering, Fire and Zoning officials to ensure compliance with all applicable City Code requirements and Standards.
2. Subject to arterial and collector streets adjacent and within the property being rebuilt or built to current City standard upon development of the property.

The motion was seconded by Councilperson Johnson and roll call vote showed Councilpersons Clow, Craig, Hall, Johnson, Kezele and Lanting voted in favor of the motion. Councilperson Sojka voted against the motion. Approved 6 to 1.

5. Consideration of a contract between the Idaho Department of Environmental Quality (DEQ) and the City of Twin Falls to create wetlands or the removal of Total Suspended Solids (TSS) as an offset to the sewage treatment plant requirements.

Staff Engineer Trabert explained the request.

Discussion followed.

-Definition of non-point sources and point sources.
-PI Stations: Benno's Point and Golf Course Pond

Councilperson Clow asked the timeline of moving the water to the wetlands on the Auger Falls Project. Staff Engineer Trabert stated that within the next 5 to 6 years.

MOTION:

Councilperson Sojka made a motion to authorize the Mayor to sign the AGREEMENT REGARDING TSS PROJECTS as presented. 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.

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

Scott Andrus, 347 Main Avenue East, stated his concern that the ISLD is in open violation of State of Idaho Code, §23-203(g), by its public display(s) of promotional materials, and other beverage alcohol paraphernalia, that only serve to entice or "stimulate" the consumption of liquor. On February 7, 2011, he will make a presentation to the City Council.

Recess at 6:11 p.m.

Reconvened at 6:20 p.m.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

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

1. Consideration of a Zoning Title Amendment to Twin Falls City Code 10-4-8.2, 10-4-9.2, 10-4-10.2, and 10-4-12.2 to require a special use permit for certain utility owned facilities in the M-1, M-2, AP, and C-1 zones, as is already required in other zones. c/o City of Twin Falls.

Community Development Director Humble explained the request.

On December 28, 2010, the Planning & Zoning Commission unanimously recommended approval as presented that the Commission recommends approval of the attached ordinance as presented to the City Council.

The public portion of the hearing was opened and closed with no input.

MOTION:

Councilperson Johnson made a motion to suspend the rules and place Ordinance #2999, entitled: : AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, AMENDING TWIN FALLS CITY CODE §§10-4-8.2, 10-4-9.2, 10-4-10.2 AND 10-4-12.2, BY PERMITTING UTILITY OWNED BUILDINGS AND STRUCTURES BY SPECIAL USE PERMIT IN THE C-1, M-1, M-2 AND AP ZONES, AND AMENDING THE DEFINITION OF "STRUCTURES" IN TWIN FALLS CITY CODE §10-2-1.

on third and final reading by title only. 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.

Deputy City Clerk Sanchez read the ordinance title.

MOTION:

Councilperson Kezele made the motion to adopt Ordinance #2999, as presented. The motion was seconded by Councilperson Johnson and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

V. ADJOURNMENT: The meeting adjourned 6:47 P.M.

Leila A. Sanchez
Deputy City Clerk/Recording Secretary