

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, October 13, 2014
City Council Chambers
305 3rd Avenue East -Twin Falls, Idaho

5:00 P.M.

PLEDGE OF ALLEGIANCE TO THE FLAG
CONFIRMATION OF QUORUM
CONSIDERATION OF THE AMENDMENTS TO THE AGENDA
PROCLAMATION: None

GENERAL PUBLIC INPUT

AGENDA ITEMS

I. CONSENT CALENDAR:

1. Consideration of a request to approve the Accounts Payable for October 7-14, 2014, total: \$547,037.62, October 6 , 2014, prepaid, total: \$380.48, September payables, total: \$563,092.90, October 10, 2014, payroll , total: \$137,013.02, October 1 – 13 , 14
2. Consideration of a request to approve the September 29, 2014, City Council Minutes.

Purpose:

Action

By:

Sharon Bryan

Action

Leila A. Sanchez

II. ITEMS FOR CONSIDERATION:

1. Consideration of a request to approve a Senior Advisory Committee.
2. Consideration of a request to act on a proposal to create a new inspection application for existing installation inspection requests.
3. Presentation and discussion regarding a public information pamphlet about the causes of sewer back-ups and possible measures residents can use to prevent sewer back-ups in their homes.
4. Public input and/or items from the City Manager and City Council.

Purpose:

Action

By:

Bob & Daphne Mallory

Action

Mitchel Humble

Presentation/
Discussion

Mitchel Humble
Joshua Palmer

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

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

V. ADJOURNMENT:

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, Don Hall, Greg Lanting, Chris Talkington,
Absent: Rebecca Mills Sojka, Shawn Barigar
Staff Present: Acting City Manager Mitchel Humble, City Attorney Fritz Wonderlich, Deputy City Attorney Shayne Nope, Public Information Officer Joshua Palmer, Deputy City Clerk/Recording Secretary Leila A. Sanchez

Mayor Hall brought the meeting to order at 5:00 p.m.

Vice Mayor Hawkins stated that the Youth Council had elections and the new president is Jonah Ruf. She invited the Youth Council and all present, who wished to, to recite the pledge of Allegiance to the Flag.

Jonah Ruf introduced Youth Council Members and explained they are working on the Anti-Suicide Campaign and Trail Clean up.

Mayor Hall confirmed a quorum.

CONSIDERATION OF THE AMENDMENTS TO THE AGENDA:

Community Development Director Humble requested Item for Consideration II.3. be heard before II.2.

PROCLAMATION: None

GENERAL PUBLIC INPUT

John Pauley, 576 Clinton Drive, on behalf of the YMCA thanked the City for the landscaping done at the pool.

AGENDA ITEMS

I. CONSENT CALENDAR:

1. Consideration of a request to approve the Accounts Payable for October 7 – October 13, 2014.
2. Consideration of a request to approve the September 29, 2014, City Council Minutes.

MOTION:

Councilmember Munn moved to approve the Consent Calendar. The motion was seconded by Vice Mayor Hawkins. Roll call vote showed all members present voted in favor of the motion. Approved 5 to 0.

II. ITEMS FOR CONSIDERATION:

1. Consideration of a request to approve a Senior Advisory Committee.

Bob Mallory explained the request.

A Senior Advisory Committee shall be formed by seniors ages 65 and older. This is an open committee. There will be no maximum cap for the number of people who want to participate in it; however, once it is formed and once the body begins gathering it will elect its own officers and then begin drafting bylaws with the assistance of the City. From that point seniors will be incorporated into the process.

Discussion followed.

Councilmember Talkington asked what the mission and vision are of the committee.

Bob Mallory stated that the purpose of the Senior Advisory Committee is to provide recommendations and a platform for seniors to become engaged in city government and the community.

Daphne Mallory stated that some of the pressing issues revolve around transportation as well as meal services. This is not a program or services committee but rather a committee that can provide recommendations as part of the strategic plan that is in place as well as addressing future needs in the community.

Bob Mallory stated that he attended a Veterans of Foreign Wars meeting which is primarily a senior citizen group and presented the information to them. Groups similar to VFW are asking them to present ideas for the committee.

Mayor Hall asked City Attorney Wonderlich if there is a problem setting the age requirement of 65 or older.

City Attorney Wonderlich stated that there is age discrimination for people over certain ages but not for those under. He stated that it appears from the Mallorys' presentation they would like an open group that may periodically come to the Council with recommendations. The committee could be similar to the Youth Council.

Mayor Hall discussed the transparency resolution. He also stated that the senior population is a group that predators attempt to victimize. It would be concerning to him if this were to take place in an advisory committee appointed by the Council.

Bob Mallory asked if it isn't typical with advisory committees that there is a council liaison that goes to the meetings and offers guidance and participation.

Mayor Hall stated not with every committee but with most.

Vice Mayor Hawkins stated that in discussions with the Mallorys the Youth Council resolution and bylaws were used as a role model. The group is looking for a place to have thoughts and opinions heard and are similar to the waste water committee, downtown, and space needs. To be in accordance with the Transparency Resolution guidelines the meeting should be maintained, recorded, minutes taken, noticed and open to the public and in the Council Chambers. It is a chance to discuss solutions to problems that the Council is not aware exists.

Councilmember Munn stated that seniors like consistency and the importance of setting a regular time and place in which to meet. He understands Mayor Hall's concern of victimization but the committee will have the opportunity to discuss fraud prevention, etc. He is in favor of a resolution.

Councilmember Talkington stated that issues that may be discussed may pertain to City ordinance or the victimization of seniors through scamming, online, or phone solicitation. It should be clear in the resolution that the committee is not an ad hoc like the waste water committee that had a beginning or end. It should not be implied, inferred in any way, or alluded to that this committee is representing the official position of the City of Twin Falls. The resolution will be a positive mandate in which to collect as many ideas, problems, solutions and recommendations that can be presented to the Council after the committee has worked through the process that would include a review of the City Code. He volunteered to work with the committee

Councilmember Munn asked where the committee will meet.

Bob Mallory stated that the idea is to meet in the Chambers to cover the transparency issue and insure a consistent location. It will also depend on the interest level and who may be attending the meetings.

Vice Mayor Hall stated they should leave the meeting place open but meetings generally should be held in the Chambers.

Councilmember Lanting stated he and Vice Mayor Hawkins met with the Mallorys. He is in favor of the committee meeting in the Chambers to gauge community interest. Announcements are posted when committees meet at locations other than the chamber. He would like to have the City Attorney draft a resolution to bring back to Council.

MOTION:

Councilmember Munn moved to direct staff, namely the City Attorney, to prepare a City resolution and bylaws for the development of a Senior Advisory Council for the City of Twin Falls to be drafted in the same manifestation as the Youth Council and bring back to Council within the next two weeks if possible for Council's review. The motion was seconded by Vice Mayor Hawkins.

Mayor Hall stated that he would like the seniors to draft bylaws. He asked if there is a group of seniors that the Mallorys have met that might be interested in sharing their perspective.

Daphne Mallory stated she didn't feel it would be appropriate that they would start recruiting seniors until this process took place and was open to the entire public.

Vice Mayor Hawkins recommended the City Attorney work with the founding members on the bylaws and present to Council for review. The by-laws can be modified in the future.

City Attorney Wonderlich said he would share what was done with the Youth Council with the Mallorys. The Youth Council went to Council and the bylaws were modified.

Roll call vote showed all members present voted in favor of the motion. Approved 5 to 0.

2. Presentation and discussion regarding a public information pamphlet about the causes of sewer back-ups and possible measures residents can use to prevent sewer back-ups in their homes.

Community Development Director Humble stated that in August, the City experienced a significant rain event. That rain event caused flooding in the community at levels greater than a 100-year flood. Several properties around the City were impacted by the flooding. The flooding impacted City infrastructure as well, in some cases overloading wastewater collection lines so much that they began to overflow. Unfortunately, when wastewater collection lines overflow, they can overflow into homes and other buildings near those lines causing significant damage. That was the case for many residents in August. The City received claims from 16 homeowners for damage caused by the back-ups. There were likely more homes impacted that didn't submit claims.

Following the flooding, staff began discussing ways that we could better prevent future flood damage and better educate residents about ways that they could protect themselves. One of the education ideas that came from those discussions was to prepare a public information pamphlet about the causes of sewer back-ups and the benefit of having a backwater valve installed in your home to prevent sewer back-ups from impacting you. A backwater valve is a plumbing fixture installed along a home's sewer service line. The valve contains a

mechanical gate that senses the reverse flow in the sewer service line and closes, preventing the reverse flow of sewage from entering the home.

Staff has prepared a public information pamphlet, entitled "Protecting Your Home from Sewer Backwater Danger." Staff would like to discuss this pamphlet at a Council meeting primarily as a way to help get the word out that, first, shows the City has this information and, second, what services the City can offer to help homeowners better prepare for the next potential sewer back-up.

PIO Palmer explained that staff is looking for Council feedback.

Discussion followed:

-Plumbing code

-What other cities' pamphlets contain

3. Consideration of a request to act on a proposal to create a new inspection application for existing installation inspection requests.

Community Development Director Humble explained the request.

At their May 6, 2013 meeting, the City Council adopted Resolution 1905 establishing the City's current building permit fee schedule. One of the fees on that schedule is for a service described as "requested inspections of existing installations." The fee amount for this service is \$42 per hour, with a ½ hour minimum. This fee was included on the 2013 fee schedule, but it was not a new fee in 2013. That fee has been on the City's fee schedule at that rate for nearly 20 years, yet the City rarely receives requests for this service. It is so rare that the Building Department does not even have an application for such a request. The existing installation inspection service that is offered can be extremely valuable, yet it is likely that the City's residents don't even know it is available.

Several City homeowners experienced a sewer back-up into their homes a couple of months ago. Had they known that the City provides an existing installation inspection service, they may have requested that the City's plumbing inspector come to their home to see if they had a backwater valve, if they need a backwater valve, or if their backwater valve was still functioning properly.

The Building Department has also recently been asked by a contractor to come to a building and take a look at the existing installations there to help that contractor prepare a bid for work to be submitted to that building's owner. In one recent case, Department staff were aware of potential problems at that building, but not having been invited by the building owner to provide the inspection, staff was hesitant to provide the potentially bad news to a contractor who hadn't even been given the job at that point. The concern is that City staff enters a private property and provides bad news when they haven't been invited to enter that property by the owner or tenant. Maybe an existing installation inspection request with an application signed by the property owner could remedy that concern.

The Department has received requests in the past to visit existing buildings and talk to owners and potential tenants about future plans for that building. Recently a request was received to inspect a vacant downtown building formerly occupied by a retail use to provide feedback on whether or not the HVAC system in that building would be appropriate for a potential restaurant use. Restaurants and retail have different HVAC requirements. Staff has had difficulty tracking those kinds of situations in the past, which can cause problems when the restaurant request actually comes in. There may not be a good record of the previous conversation to review. Also, some things may come up later when a full set of construction plans are submitted for review that were not discussed during the initial conversation. Maybe these situations could also be considered existing installation inspections.

Building Department staff got together to discuss these various scenarios and to creating an official application/process for the inspection of existing installations would address issues. Creating this application and running it through the Building Department Advisory Board and City Council for review and approval, and

doing that in conjunction with the creation of the informational brochure about backwater valves, would certainly publicize the service that the City can provide. The Advisory Board members are all employed in and represent the building community. Their input in this application is critical because many times it will be the building community requesting these inspections. They can also help get the word out. Having the property owners sign the applications helps the Department make sure they are entering property only at the request of the property owners. The application will allow a request to be specifically identified and tracked. So when the potential restaurant user asks for an HVAC inspection, everyone understands that it is an HVAC inspection, and future emergency exiting issues were not covered at that inspection. The application process will also be documented and saved in the City's permits database and can be tied to future permit applications.

This proposal was discussed by the Advisory Board at their September 18th meeting. The Board was very supportive of moving forward with the application. The Board made a motion that was unanimously approved recommending to the City Council that the proposed application be adopted. They included in that recommendation that a residential existing inspection should be expected to pay the ½ hour rate, while commercial inspections should be expected to be a full hour. As mentioned above, the adopted fee schedule is already in place. So this application will not require a fee adoption. The Board's recommendation reflects the adopted fee schedule and the Board's expectation of how the timing will work out.

The Department believes this service to be a valuable one that they offer and would like to increase awareness of the service. There is a possibility that increased awareness will lead to increased requests. In that event, the Department would see an increase in revenue from this service over previous years, though it is difficult to estimate just how much of an increase, if any, the Department will realize.

The Building Department Advisory Board recommends that the City Council approve the proposed application for existing installation inspection requests as presented.

Discussion followed.

- Charging residential inspection at a ½ hour rate where commercials would be paying a full hour
- Inspections of existing installation
- HVAC is noncommercial request
- Fully burdened cost of inspection
- Public safety and public health issue
- Logging inspections

Community Development Director Humble discussed the small job fee of \$10. This is to encourage owners to comply with regulations.

MOTION:

Councilmember Lanting moved to enact a \$10 fee for residential existing installation inspections. The motion was seconded by Councilmember Talkington. Roll call vote showed all members present voted in favor of the motion. Approved 5 to 0.

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

Council will meet at 4:00 p.m. on Monday, October 20, 2014, for a Council Workshop - City Facility Project

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

On October 16, 2004, an OTAK meeting will be held at the Ballroom at 6:00 p.m.

MINUTES

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IV. PUBLIC HEARINGS: 6:00 P.M. None

V. ADJOURNMENT: The meeting adjourned at 5:57 p.m.

Leila A. Sanchez
Deputy City Clerk