



CITY OF TWIN FALLS, IDAHO

CITY COUNCIL SPECIAL MEETING NOTICE

* * * *

The Monday, October 17, 2016, City Council meeting will be held at 4:00 p.m. in the Council Chambers located at 305 Third Avenue East.

Purpose: 74-206. EXECUTIVE SESSION (1) a) To consider hiring a public officer, employee, staff member or individual agent, wherein the respective qualities of individuals are to be evaluated in order to fill a particular vacancy or need. This paragraph does not apply to filling a vacancy in an elective office or deliberations about staffing needs in general.

The regular meeting will follow at 5:00 p.m.

Leila A. Sanchez
Deputy City Clerk/Recording Secretary

COUNCIL MEMBERS

Suzanne Hawkins Vice Mayor	Nikki Boyd	Shawn Barigar Mayor	Chris Talkington	Gregory Lanting	Don Hall	Ruth Pierce
----------------------------------	---------------	---------------------------	---------------------	--------------------	-------------	----------------



AGENDA
4:00 P.M.
Meeting of the Twin Falls City Council
Monday, October 17, 2016
City Council Chambers
305 3rd Avenue East -Twin Falls, Idaho

4:00 P.M.

74-206. Executive Session (1)(a) To consider hiring a public officer, employee, staff member or individual agent, wherein the respective qualities of individuals are to be evaluated in order to fill a particular vacancy or need. This paragraph does not apply to filling a vacancy in an elective office or deliberations about staffing needs in general.

5:00 P.M.

PLEDGE OF ALLEGIANCE TO THE FLAG
 CALL MEETING TO ORDER
 CONFIRMATION OF QUORUM
 CONSIDERATION OF THE AMENDMENTS TO THE AGENDA
 PROCLAMATIONS: None

GENERAL PUBLIC INPUT

AGENDA ITEMS	Purpose	By:
I. <u>CONSENT CALENDAR:</u> 1. Request to approve the Accounts Payable for October 11 – October 17, 2016. 2. Request to approve the October 10, 2016, City Council Minutes. 3. Request to remove the “North” designation from Boston Way North, as platted in South Hampton Subdivision. 4. Request to approve a Curb-Gutter Improvement Deferral Agreement – 198 Freightway Street for L & L Rentals, LLC. 5. Request to approve the annual “Trick or Treat on Bish’s Street” event to be held in the Fred Meyer parking lot located at 705 Blue Lakes Blvd. N. on October 31, 2016. 6. Request to approve the “Costume Party at City Park” event to be held in the Twin Falls City Park on October 29, 2016.	Action Action Action Action Action Action	Sharon Bryan Sharon Bryan Troy Vitek Jacqueline Fields Justin Dimond Justin Dimond
II. <u>ITEMS FOR CONSIDERATION:</u> 1. Request to appoint Tona Casella to serve as a Library Trustee. 2. Swearing in of Tim Soule to the position of Twin Falls City Fire Chief. 3. Public input and/or items from the City Manager and City Council.	Appointment Action	Tara Bartley Travis Rothweiler
III. <u>ADVISORY BOARD REPORT/ANNOUNCEMENTS:</u>		
6:00 P.M.		
IV. <u>PUBLIC HEARINGS:</u> None		
V. <u>ADJOURNMENT:</u> 74-206. Executive Session (1)(b) To consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public school student.		

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.

Public Input Procedures

1. Individuals wishing to provide public input regarding matters relevant to the City of Twin Falls shall
 - a. wait to be recognized by the mayor
 - b. approach the microphone/podium
 - c. state their name and address, and whether they are a resident or property owner in the City of Twin Falls, and
 - d. proceed with their input.
2. The Mayor may limit input to no less than two (2) minutes. Individuals are not permitted to give their time to other speakers.

Public Hearing Procedures for Zoning Requests

1. Prior to opening the first Public Hearing of the session, the Mayor shall review the public hearing procedures.
2. Individuals wishing to testify or speak before the City Council shall wait to be recognized by the Mayor, approach the microphone/podium, state their name and address, then proceed with their comments. Following their statements, they shall write their name and address on the record sheet(s) provided by the City Clerk. The City Clerk shall make an audio recording of the Public Hearing.
3. The Applicant, or the spokesperson for the Applicant, will make a presentation on the application/request (request). No changes to the request may be made by the applicant after the publication of the Notice of Public Hearing. The presentation should include the following:
 - A complete explanation and description of the request.
 - Why the request is being made.
 - Location of the Property.
 - Impacts on the surrounding properties and efforts to mitigate those impacts.

Applicant is limited to 15 minutes, unless a written request for additional time is received, at least 72 hours prior to the hearing, and granted by the Mayor.

4. A City Staff Report shall summarize the application and history of the request.
 - The City Council may ask questions of staff or the applicant pertaining to the request.
5. The general public will then be given the opportunity to provide their testimony regarding the request. The Mayor may limit public testimony to no less than two (2) minutes per person.
 - Five or more individuals, having received personal public notice of the application under consideration, may select by written petition, a spokesperson. The written petition must be received at least 72 hours prior to the hearing and must be granted by the mayor. The spokesperson shall be limited to 15 minutes.
 - Written comments, including e-mail, shall be either read into the record or displayed to the public on the overhead projector.
 - Following the Public Testimony, the applicant is permitted five (5) minutes to respond to Public Testimony.
6. Following the Public Testimony and Applicant's response, the hearing shall continue. The City Council, as recognized by the Mayor, shall be allowed to question the Applicant, Staff or anyone who has testified. The Mayor may again establish time limits.
7. The Mayor shall close the Public Hearing. The City Council shall deliberate on the request. Deliberations and decisions shall be based upon the information and testimony provided during the Public Hearing. Once the Public Hearing is closed, additional testimony from the staff, applicant or public is not allowed. Legal or procedural questions may be directed to the City Attorney.

* Any person not conforming to the above rules may be prohibited from speaking. Persons refusing to comply with such prohibitions may be asked to leave the hearing and, thereafter removed from the room by order of the Mayor.

COUNCIL MEMBERS

Suzanne Hawkins Vice Mayor	Nikki Boyd	Shawn Barigar Mayor	Chris Talkington	Gregory Lanting	Don Hall	Ruth Pierce
----------------------------------	---------------	---------------------------	---------------------	--------------------	-------------	----------------



MINUTES
5:00 P.M.
Meeting of the Twin Falls City Council
Monday, October 10, 2016
City Council Chambers
305 3rd Avenue East -Twin Falls, Idaho

PLEDGE OF ALLEGIANCE TO THE FLAG
 CALL MEETING TO ORDER
 CONFIRMATION OF QUORUM
 CONSIDERATION OF THE AMENDMENTS TO THE AGENDA
 PROCLAMATIONS: None

GENERAL PUBLIC INPUT

AGENDA ITEMS	Purpose	By:
I. <u>CONSENT CALENDAR:</u>		
1. Request to approve the Accounts Payable for October 4, 2016 through October 10, 2016.	Action	Sharon Bryan
2. Request to approve the October 3, 2016, City Council Minutes.	Action	Sharon Bryan
3. Request to approve a Beer License for Cheverria's, LLC, 850 Shoshone Street West.	Action	Sharon Bryan
4. Request to approve the 26 th Annual Christmas in the Night Time Sky event sponsored by Kimberly Nurseries to be held at 2862 Addison Avenue East on Friday, November 25, 2016.	Action	Ryan Howe
5. Request to approve the Annual Festival of Lights Parade sponsored by the Times News to be held on Friday, December 2, 2016	Action	Ryan Howe
II. <u>ITEMS FOR CONSIDERATION:</u>		
1. Recognize Jason Brown for attaining his Idaho registration as an Environmental Engineer.	Recognition	Jacqueline D Fields
2. Request to approve Contract Amendment No. 3 from CH2M HILL for the operation and maintenance of the Waste Treatment Plant, industrial pre-treatment program and associated sewer lift stations.	Action	Jacqueline D Fields
3. Provide input and/or recommendations for the composition of the Steering Committee for the 2016 Transportation Master Planning effort.	Input	Jacqueline D Fields
4. Request to amend Twin Falls City Code 3-4-5(D)(3), Records, regarding pawnshops, brokers and secondhand dealers.	Action	Craig Kingsbury
5. Review Twin Falls Parks and Recreation Master Plan.	Review	Wendy Davis
6. Public input and/or items from the City Manager and City Council.		
III. <u>ADVISORY BOARD REPORT/ANNOUNCEMENTS:</u>		
6:00 P.M.		
IV. <u>PUBLIC HEARINGS:</u>		
1. Annexation for property 0.65 Acres ±, located at the northeast corner of Pole Line Road and Harrison Street.	PH/Action	Rob Struthers Jonathan Spendlove
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, Suzanne Hawkins, Nikki Boyd, Chris Talkington, Greg Lanting, Don Hall, Ruth Pierce

Absent: None

Staff Present: Deputy City Manager Brian Pike, Deputy City Manager Mitchel Humble, City Attorney Fritz Wonderlich, City Engineer Jacqueline D Fields, Chief of Police Craig Kingsbury, Parks and Recreation Director Wendy Davis, Planner 1 Jonathan Spendlove, Deputy City Clerk Sharon Bryan

PLEDGE OF ALLEGIANCE TO THE FLAG

Mayor Barigar called the meeting to order at 5:00 P.M. He then invited Lauren Brown to lead us in the pledge of Allegiance to the flag. Mayor Barigar asked all present, who wished, to recite the pledge of Allegiance to the Flag.

CONFIRMATION OF QUORUM

A quorum is present.

CONSIDERATION OF THE AMENDMENTS TO THE AGENDA – None

PROCLAMATIONS: None

GENERAL PUBLIC INPUT

I. CONSENT CALENDAR:

1. Request to approve the Accounts Payable for October 4, 2016 through October 10, 2016.
2. Request to approve the October 3, 2016, City Council Minutes.
3. Request to approve a Beer License for Cheverria's, LLC, 850 Shoshone Street West.
4. Request to approve the 26th Annual Christmas in the Night Time Sky event sponsored by Kimberly Nurseries to be held at 2862 Addison Avenue East on Friday, November 25, 2016.
5. Request to approve the Annual Festival of Lights Parade sponsored by the Times News to be held on Friday, December 2, 2016

MOTION:

Councilmember Hall moved to approve the Consent Calendar as presented. The motion was seconded by Councilmember Pierce. Roll call vote showed all members present voted in favor of the motion. Approved 7 to 0

II. ITEMS FOR CONSIDERATION:

1. Recognize Jason Brown for attaining his Idaho registration as an Environmental Engineer.

City Engineer Fields announced that Jason Brown attained his Idaho registration as an Environmental Engineer.

Jason Brown introduced his family and gave thanks to his family and the City.

2. Request to approve Contract Amendment No. 3 from CH2M HILL for the operation and maintenance of the Waste Treatment Plant, industrial pre-treatment program and associated sewer lift stations.

City Engineer Fields introduced Shawn Moffit, CH2M Hill

Shawn Moffit, CH2M Hill reviewed the Contract Amendment #3.

Councilmember Talkington commended CH2M Hill for there professionalisms.

MOTION:

Councilmember Boyd moved to approve the Contract Amendment No. 3 from CH2M HILL for the operation and maintenance of the Waste Treatment Plant, industrial pre-treatment program and associated sewer lift stations. The motion was seconded by Vice Mayor Hawkins. Roll call vote showed all members present voted in favor of the motion. Approved 7 to 0

Shawn Moffit commented that with the improvement made to the Plant it has attracted several agencies to visit the plant.

3. Provide input and/or recommendations for the composition of the Steering Committee for the 2016 Transportation Master Planning effort.

City Engineer Fields reviewed the Transportation Master Planning.

City Council discussion ensued on the following.

The twelve categories

Commercial interest

Include car dealers

Reach out to the building association and realtor associations.

Emergency services.

Combine several groups together

Committee size

Sub groups

Broad base discussions on the Committee.

Mayor Barigar will represent the Council on the Committee.

4. Request to amend Twin Falls City Code 3-4-5(D)(3), Records, regarding pawnshops, brokers and secondhand dealers.

Police Chief Kingsbury gave staff report.

City Council discussion ensued on the following:

Other entities doing away with asking for social security numbers.

MOTION:

Councilmember Talkington made a motion to suspend the rules and place Ordinance 2016-12 on third and final reading by title only. The motion was seconded by Councilmember Pierce. Roll call vote showed all members present voted in favor of the motion. Approved 6 to 0

Deputy City Clerk Bryan read the ordinance by title only:

ORDINANCE NO. 2016-12

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, AMENDING TWIN FALLS CITY CODE 3-4-5(D)(3) BY DELETING THE REQUIREMENT OF A SOCIAL SECURITY NUMBER AS PROOF OF IDENTITY TO PLEDGE OR SELL PERSONAL PROPERTY.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, THAT TWIN FALLS CITY CODE 3-4-5(D)(3) IS AMENDED AS FOLLOWS:

MOTION:

Vice Mayor Hawkins made a motion to adopt Ordinance 2016-12. The motion was seconded by Councilmember Lanting. Roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

5. Review Twin Falls Parks and Recreation Master Plan.

Parks and Recreation Director Davis introduced Greg Graves, JUB Engineers

Greg Graves, JUB Engineers reviewed the Master Plan.

Casey Hansen, JUB Engineers reviewed the GIS map process using visuals

City Council discussion ensued on the following:

County parks included

How parks were rated.

Current standard level - 3.42 per thousand populations.

Does this Master Plan meet the intended needs for the future?

Parks and Recreation Director Davis said that it would meet the need for the comprehensive plan but does not give them information for the future needs and growth for the future.

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

Councilmember Pierce reported on the Twin Falls downtown Octoberfest success.

Councilmember Pierce asked that we celebrate Breast Cancer Awareness Month by wearing PINK one day in October. City Council has chosen October 24, 2016 to be "CITY OF TWIN FALLS TOUGH ENOUGH TO WEAR PINK DAY" and encourages all to wear PINK that day.

III. ADVISORY BOARD REPORT/ANNOUNCEMENTS:

Councilmember Talkington reported on the Twin Falls Urban Renewal Agency meeting.

Councilmember Boyd reported on the Parks and Recreation Commission meeting.

Recess until 6:00 PM

6:00 P.M.

IV. PUBLIC HEARINGS:

1. Annexation for property 0.65 Acres ±, located at the northeast corner of Pole Line Road and Harrison Street.

Rob Struthers and Katie Breckenridge asked for annexation of 0.65 acres of property on the northeast corner of Pole Line Road and Harrison Street

Planner 1 Spendlove gave staff report.

Open Public Hearing:

Close Public Hearing:

MOTION:

Councilmember Lanting moved to approve the Annexation for property 0.65 Acres ±, located at the northeast corner of Pole Line Road and Harrison Street with zoning as C-1 as presented. The motion was seconded by Councilmember Hall. Roll call vote showed all members present voted in favor of the motion. Approved 7 to 0

Katie Breckenridge thanked Council.

V. ADJOURNMENT:

The meeting closed at 6:19 PM

Sharon Bryan, Deputy City Clerk

http://twinfalls.granicus.com/MediaPlayer.php?view_id=2&clip_id=587



Date: October 17, 2016
To: Honorable Mayor and City Council
From: Troy Vitek, P.E., Assistant City Engineer

Consent Request:

Consideration of a request to remove the "North" designation from Boston Way North, as platted in South Hampton Subdivision.

Time Estimate:

The staff presentation will take approximately 2 minutes.

Background:

Boston Way North was platted as a private roadway in South Hampton Subdivision. City staff would like to remove the "North" designation from the street name Boston Way North. The "North" designation does not meet code and all residences are currently addressed off of Boston Way which runs north/south.

Approval Process:

City Code Section 8-1-3 states: The names of streets and avenues as given and shown on the map of the City adopted by the City Council on February 25, 1957, and on file in the office of the City Clerk, or as may hereafter be renamed by said Council, are hereby declared to be the names of the same. Names of all streets and avenues hereafter dedicated shall be approved by the City Council. (1958 Code, ch. IV, art. 1).

Budget Impact:

The Council's approval of this request will not impact the City budget.

Regulatory Impact:

None.

Conclusion:

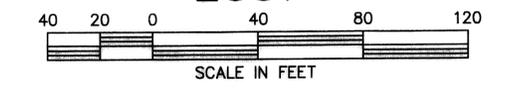
Staff recommends that the Council approve the request to rename Boston Way North to **Boston Way**.

Attachments:

1. Plat map.

PLAT SHOWING SOUTH HAMPTON SUBDIVISION

A PLANNED UNIT DEVELOPMENT
PART OF SW 1/4 SEC. 33, T. 9 S., R. 17 E., B.M.
TWIN FALLS COUNTY, IDAHO
2007



HEALTH CERTIFICATE

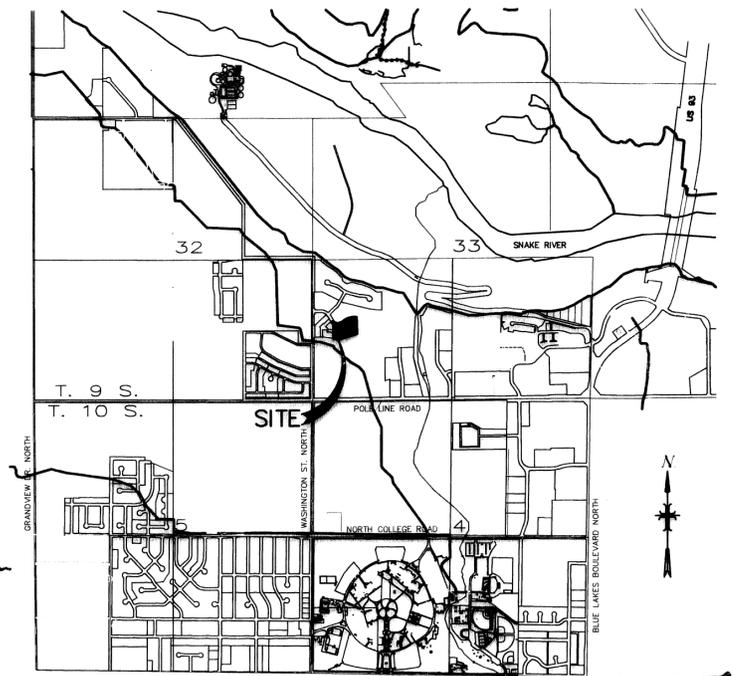
SANITARY RESTRICTIONS AS REQUIRED BY IDAHO CODE TITLE 50, CHAPTER 13, HAVE BEEN SATISFIED BASED ON THE STATE OF IDAHO, DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ) APPROVAL OF THE DESIGN PLANS AND SPECIFICATIONS IMPOSED ON THE DEVELOPER FOR CONTINUED SATISFACTION OF THE SANITARY RESTRICTIONS. BUYER IS CAUTIONED THAT AT THE TIME OF THIS APPROVAL, NO DRINKING WATER OR SEWER/SEPTIC FACILITIES WERE CONSTRUCTED. BUILDING CONSTRUCTION CAN BE ALLOWED WITH APPROPRIATE BUILDING PERMITS IF DRINKING WATER OR SEWER FACILITIES HAVE BEEN SINCE CONSTRUCTED OR IF THE DEVELOPER IS SIMULTANEOUSLY CONSTRUCTING THOSE FACILITIES. IF THE DEVELOPER FAILS TO CONSTRUCT FACILITIES OR MEET THE OTHER CONDITIONS OF DEQ, THEN SANITARY RESTRICTIONS MAY BE REIMPOSED, IN ACCORDANCE WITH SECTION 50-1326, IDAHO CODE, BY THE ISSUANCE OF A CERTIFICATE OF DISAPPROVAL AND NO CONSTRUCTION OF ANY BUILDING OR SHELTER REQUIRING DRINKING WATER OR SEWER/SEPTIC FACILITIES SHALL BE ALLOWED.

DATE June 1, 2007 SOUTH CENTRAL DISTRICT HEALTH DEPT., EHS

LEGEND

- 5/8" X 30" REBAR W/ PLASTIC CAP SET
- 5/8" REBAR W/ PLASTIC CAP FOUND
- SUBDIVISION BOUNDARY
- LINE LOT LINE
- ▭ LOT 37 (COMMON SPACE)
- ▨ PRIVATELY OWNED SPACE
- CENTER LINE OF PRIVATE DRIVE
- ②⑧ LOT NUMBER
- ①⑨ TIE POINT NUMBER

SEE SOUTH HAMPTON SUB #2



VICINITY MAP N.T.S.

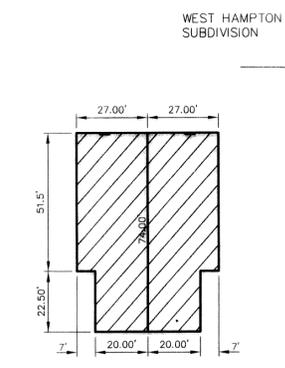
JUB ENGINEERS, INC.
Engineers Surveyors Planners
Twin Falls, Idaho

TWIN FALLS COUNTY
Recorded for:
JUB ENGINEERS
2:52:36 pm 06-25-2007
2007-012707
No. Pages: 2 Fee: \$ 22.00
KRISTINA GLASCOCK
County Clerk
Deputy: CMI SWAR

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CH. L.	CH. BRG.
C1	100.69'	100.00'	57°41'34"	55.08'	96.49'	N55°49'13"E
C2	47.98'	100.00'	27°29'26"	24.46'	47.52'	S76°46'18"E

NOTES:

- NEW HAMPSHIRE WAY, BOSTON WAY AND VERMONT AVENUE ARE PRIVATE STREETS AND PUBLIC UTILITY EASEMENTS AND ARE OWNED AND MAINTAINED BY THE SOUTH HAMPTON HOME OWNERS ASSOCIATION.
- LOT 37 CONSISTS OF ALL COMMON OWNED AREA AND IS CONSIDERED TO BE AN EASEMENT FOR ALL UTILITY AND DRAINAGE PURPOSES.
- THE BEARING OF EACH TOWNHOUSE UNIT IS SHOWN ON THE PLAT. THE DIMENSIONS ARE SHOWN ON THE TYPICAL UNIT LAYOUT DIAGRAM ON SHEET 1 OF THE PLAT.



EACH HALF OF THE TOWNHOUSE BUILDING CONSTITUTES ONE LOT OF THE SUBDIVISION
TYPICAL TOWNHOUSE BUILDING
SCALE: 1"=30'

FOUND REBAR & ALUMINUM CAP, CPF # 1999-019108

FOUND 5/8" REBAR CPF #909920

BUILDING LINE TIES		
TIE	LENGTH	BEARING
PNT A TO PNT 1	262.11'	S02°16'57"E
PNT A TO PNT 2	269.33'	S13°50'34"E
PNT A TO PNT 3	236.27'	S03°35'17"E
PNT A TO PNT 4	240.76'	S16°32'36"E
PNT A TO PNT 5	48.40'	S11°01'41"E
PNT A TO PNT 6	76.01'	S56°01'18"E
PNT A TO PNT 7	83.98'	S60°20'54"E
PNT A TO PNT 8	131.91'	S73°55'26"E
PNT A TO PNT 9	145.99'	S71°04'25"E
PNT A TO PNT 10	169.54'	S88°50'31"E
PNT A TO PNT 11	313.28'	N83°18'44"E
PNT A TO PNT 12	361.86'	N87°19'34"E
PNT A TO PNT 13	372.20'	N86°14'45"E
PNT A TO PNT 14	426.12'	N86°39'21"E
PNT A TO PNT 15	402.80'	S66°48'25"E
PNT A TO PNT 16	452.77'	S69°33'21"E
PNT A TO PNT 17	409.22'	S64°46'01"E
PNT A TO PNT 18	458.46'	S67°42'00"E
PNT A TO PNT 19	513.54'	S46°21'16"E
PNT A TO PNT 20	553.55'	S50°15'05"E

BUILDING LINE TIES		
TIE	LENGTH	BEARING
PNT A TO PNT 21	416.71'	S37°33'31"E
PNT A TO PNT 22	375.46'	S42°36'32"E
PNT A TO PNT 23	368.19'	S43°39'59"E
PNT A TO PNT 24	330.86'	S50°04'32"E
PNT A TO PNT 25	324.45'	S51°25'11"E
PNT A TO PNT 26	293.41'	S59°37'53"E
PNT A TO PNT 27	288.40'	S61°20'12"E
PNT A TO PNT 28	266.28'	S71°32'06"E
PNT A TO PNT 29	315.94'	S50°00'41"E
PNT A TO PNT 30	288.99'	S41°07'44"E
PNT A TO PNT 31	279.55'	S37°41'25"E
PNT A TO PNT 32	254.78'	S27°22'34"E
PNT A TO PNT 33	285.13'	S23°40'33"E
PNT A TO PNT 34	310.44'	S32°52'20"E
PNT A TO PNT 35	315.92'	S34°24'11"E
PNT A TO PNT 36	348.99'	S41°46'30"E

TWIN FALLS COUNTY
Recorded for:
JUB ENGINEERS
3:17:15 pm 06-13-2007
2007-014284
No. Pages: 2 Fee: \$ 22.00
KRISTINA GLASCOCK
County Clerk
Deputy: CMI SWAR





Date: Monday, December 17, 2016
To: Honorable Mayor and City Council
From: Jacqueline Fields, City Engineer

Request:

Curb-Gutter Improvement Deferral Agreement – 198 Freightway Street for L & L Rentals, LLC.

Time Estimate:

The presentation will take approximately 5 minutes.

Background:

The property owner wishes to build an 1800 sq. ft. warehouse building. A building permit would require frontage improvements, such as curb & gutter installation. This property is located in an area that does not have curb & gutter. Due to the nature of this area and the fact that there is no adjoining curb & gutter to tie into, placing curb & gutter may cause drainage issues. Freightway Street is also currently a dead end street.

Approval Process:

City Code 10-11-5 (B) states the City Engineer may defer construction if the improvement would create a traffic hazard or unusual drainage problem. Staff believes construction of curb & gutter at this location is not warranted.

Budget Impact:

There is no significant budget impact associated with the Council's approval of this request.

Regulatory Impact:

Approval of this request will allow the owner to defer construction until the City Engineer requires construction.

Conclusion:

Staff recommends that the Council approve the request as presented.

Attachments:

1. Location maps
2. Site Photos
3. Curb & Gutter Deferral Agreement

CURB-GUTTER IMPROVEMENT DEFERRAL AGREEMENT

This Agreement made and entered into this 9th day of November, 2015, by and between the CITY OF TWIN FALLS, State of Idaho, a municipal corporation, hereinafter called "City", and L & L RENTALS L.L.C., hereinafter called "Developer", for the purpose of constructing certain improvements on property sought to be developed at 198 FREIGHTWAY ST.

WHEREAS, Developer certifies that he is the owner in fee simple or the authorized agent of the owner in fee simple of the real property described on the attached Exhibit "A"; and,

WHEREAS, there is attached hereto and incorporated herein as if the same were set out in full, a certified copy of the deed to the above described real property, marked Exhibit "A", showing ownership of said real property to be in Developer, or, as the case may be, there is attached hereto and incorporated herein as if the same were set out in full, a copy of the deed to the above described real property showing ownership in fee simple in someone other than Developer together with a notarized authorization, signed by the real property owner, authorizing Developer to act on behalf of said real property owner; and,

WHEREAS, Developer desires to develop said real property in the following manner: BUILD 1800 S.F WAREHOUSE BUILDING; and,

WHEREAS, the Developer is obligated to construct certain improvements, namely curb-gutter, pursuant to Title 10, Chapter 11 of the Twin Falls City Code; and,

WHEREAS, the City is authorized, pursuant to Twin Falls City Code Section 10-11-5(B) (2) to defer said improvements; and,

WHEREAS, the City Council on _____ agreed to defer construction of the aforementioned improvements,

WITNESSETH, that for and in consideration of the mutual promises, conditions and covenants contained herein, the parties agree as follows:

I.

City agrees: 1) to defer construction of the required curb and gutter until Required by City Engineer, or until such time as the obligation of curb-gutter construction on adjacent property or properties allows the City Engineer to require construction under the conditions specified in City Code Section 10-11-5(B) (2).

II.

Developer agrees to: 1) complete construction of curb-gutter on the real property described above when required by the City Council.

III.

Developer further agrees that in the event the Developer fails to complete the aforementioned construction, the City may complete the construction at the City's expense and may file a lien against the aforementioned property for expenses incurred by the City in said construction.

IV.

Developer agrees to pay the total actual cost of all materials, labor and equipment necessary to completely construct all of the improvements required herein and to construct or contract for the construction of all such improvements.

V.

Developer agrees to request in writing that the City Engineer and any other required department of the City make the following inspections and to not proceed with construction until the required inspection is complete and the work has been approved in writing by the City Engineer or his authorized inspector. All such inspections shall be scheduled fifteen (15) days prior to beginning work and the request for an inspection shall be made one working day before the required inspection. Developer agrees to apply all costs resulting from his failure to properly schedule and request a required inspection or from proceeding with work before receiving approval to proceed. Developer agrees to remove or correct any rejected, unapproved or defective work or materials all as required by the City Engineer.

Required inspections shall include: 1) approval of all materials before inspection; 2) approval of forms and gravel base before pouring any concrete curb-gutter; and 3) approval of finished curb-gutter.

VI.

The Developer agrees to: 1) allow the City full and complete access to the construction; 2) provide all materials necessary to conduct all tests; and 3) provide the equipment and perform or have performed any testing of manufactured materials required by the City Engineer.

VII.

Developer agrees to obtain any necessary permits from the Twin Falls Highway District or the State of Idaho Department of Highways prior to construction improvements on their respective rights-of-way if said permits are required by the aforementioned agencies. A certified copy of said permit or the original of said permit shall be submitted to the City prior to beginning construction thereon.

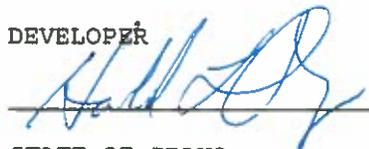
This Agreement shall be recorded and shall bind the parties hereto, their heirs, successors in interest, and lawful assigns.

In the event of a breach of this Agreement, or should legal action of any kind be taken to enforce the provisions hereof, the prevailing party shall be entitled to reasonable attorney fees and cost awarded by the Court.

CITY OF TWIN FALLS, IDAHO

BY _____
Mayor

DEVELOPER



STATE OF IDAHO

On this 9 day of November, 2015, before me a notary public in and for said State, personally appeared Harold L. Owens

known to me to be the person who name subscribed to the within instrument, and acknowledged to me that Harold L. Owens executed the same.



Notary Public
Residing in Twin Falls, ID
Expires April 6, 2021

TONIANN SYMES
NOTARY PUBLIC
STATE OF IDAHO

STATE OF IDAHO

On this ___ day of _____, 20___, before me a notary public in and for said State, personally appeared _____

known to me to be the person who name subscribed to the within instrument, and acknowledged to me that _____ executed the same.

Notary Public
Residing in _____
Expires _____

TWIN FALLS COUNTY
RECORDED FOR:
TITLEFACT, INC.
03:21:14 PM 10-05-2016
2016017641
NO. PAGES 3 FEE: \$16.00
KRISTINA GLASCOCK
COUNTY CLERK
DEPUTY: SM
Electronically Recorded by Simplifile

**** SPACE ABOVE FOR RECORDER ****

WARRANTY DEED

FOR VALUE RECEIVED L & L RENTALS, L.L.C., an Idaho Limited Liability Company, who acquired title as L. & L. RENTALS, L.L.C., hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto L & L RENTALS, L.L.C., an Idaho Limited Liability Company, hereinafter called Grantee, whose address is: P.O. BOX 511, Twin Falls, Idaho 83303, the following described premises in Twin Falls County, Idaho; to-wit:

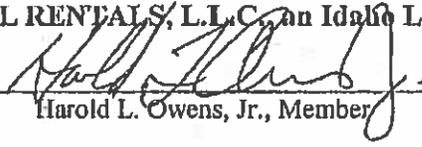
SEE ATTACHED

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except as described above; and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: October 5, 2016

L & L RENTALS, L.L.C., an Idaho Limited Liability Company

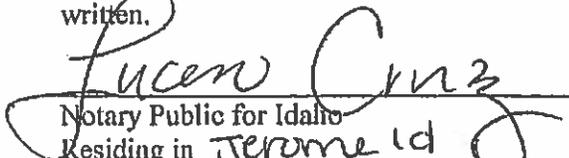
BY


Harold L. Owens, Jr., Member

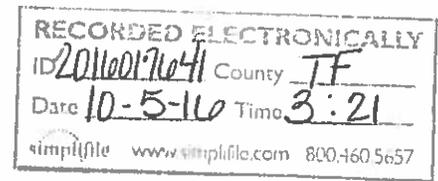
STATE OF IDAHO
County of Twin Falls

On this 5th day of October, 2016, before me, a Notary Public in and for said State, personally appeared Harold L. Owens, Jr., known or identified to me to be members of the limited liability company of L & L RENTALS, L.L.C., and the members who subscribed said limited liability company name to the foregoing instrument and acknowledged to me that they executed the same in said limited liability company name.

IN WITNESS WHEREOF I have hereunto set my hand and official seal the day and year first above written.


Notary Public for Idaho
Residing in Jerome Id
Commission Expires August 28, 2020





**** SPACE ABOVE FOR RECORDER ****

WARRANTY DEED

FOR VALUE RECEIVED L & L RENTALS, L.L.C., an Idaho Limited Liability Company, who acquired title as L. & L. RENTALS, L.L.C., hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

L & L RENTALS, L.L.C., an Idaho Limited Liability Company, hereinafter called Grantee, whose address is: P.O. BOX 511, Twin Falls, Idaho 83303, the following described premises in Twin Falls County, Idaho; to-wit:

SEE ATTACHED

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except as described above; and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: October 5, 2016

L & L RENTALS, L.L.C., an Idaho Limited Liability Company

BY Harold L. Owens, Jr.
Harold L. Owens, Jr., Member

STATE OF IDAHO
County of Twin Falls

On this 5th day of October, 2016, before me, a Notary Public in and for said State, personally appeared Harold L. Owens, Jr., known or identified to me to be members of the limited liability company of L & L RENTALS, L.L.C., and the members who subscribed said limited liability company name to the foregoing instrument and acknowledged to me that they executed the same in said limited liability company name.

IN WITNESS WHEREOF I have hereunto set my hand and official seal the day and year first above written.

Lucero Cruz
Notary Public for Idaho
Residing in Jerome Id
Commission Expires August 28, 2020



LEGAL DESCRIPTION

Township 10 South, Range 17 East of the Boise Meridian, Twin Falls County, Idaho

Section 22: That part of the Northeast Quarter of the Northeast Quarter, described as follows:

BEGINNING at a point on the West line of said Northeast Quarter of the Northeast Quarter of Section 22, 464.85 feet South of the Northwest corner thereof;

Thence East parallel with the North line of said Section a distance of 100 feet;

Thence South parallel with the West line of the Northeast Quarter of the Northeast Quarter of said Section a distance of 378.1 feet to the North line of the Oregon Short Line Railroad right-of-way;

Thence in a Northwesterly direction along the North line of the Oregon Short Line Railroad right-of-way a distance of 101.11 feet;

Thence North along the West line of said Northeast Quarter of the Northeast Quarter a distance of 363.15 feet to the POINT OF BEGINNING.

SAVE AND EXCEPT FOR AND RESERVING TO THE GRANTORS THE EXISTING IMPROVEMENTS LOCATED ON THE FOLLOWING DESCRIBED REAL PROPERTY:

Commencing at a point on the West line of said NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 22, 464.85 feet South of the Northwest corner thereof.

Thence South 00°00'00" West, 200.00 feet along the West line of said NE $\frac{1}{4}$ NE $\frac{1}{4}$ to THE POINT OF BEGINNING.

BEGINNING AT THE ABOVE-DESCRIBED POINT OF
BEGINNING:

Thence North 90°00'00" East, 72.00 feet,

Thence South 00°00'00" West, 60.00 feet,

Thence North 90°00'00" West, 41.50 feet,
3

Thence South 00°00'00" West, 46.75 feet,

Thence North 90°00'00" West, 30.50 feet,

Thence North 00°00'00" West, 106.75 feet along the West boundary
of NE¼NE¼, to THE POINT OF BEGINNING.

Floral Ave

Freightway St

198 Freightway St

© 2016 Google

Google Earth

42°32'48.17" N 114°26'43.09" W elev 3797 ft eye alt 4728 ft

1992









Date: Monday, October 17, 2016, Council Meeting
To: Honorable Mayor and City Council
From: Sergeant Justin Dimond, Twin Falls Police Department

Request:

Consideration of a request by Marc Kinnison, General Manager representing Bish's RV, to hold the annual "Trick or Treat on Bish's Street" event in the Fred Meyer parking lot located at 705 Blue Lakes Boulevard North. This event will take place on October 31, 2016, from 3:00 p.m. to 6:00 p.m.

Time Estimate:

This is an annual event and due to the location, time and nature of this event, Staff is requesting that this item be placed on the Consent Calendar.

Background:

Marc Kinnison, General Manager representing Bish's RV, has submitted a Special Event Application to hold the annual "Trick or Treat on Bish's Street" event in the Fred Meyer parking lot located at 705 Blue Lakes Boulevard North. This event will take place on October 31, 2016, from 3:00 p.m. to 6:00 p.m.

The event is being held as a community-safe, family-friendly Trick-or-Treat event for area children. It will be held in the Fred Meyer parking lot and will take place during daylight hours.

Bish's RV provides trailers for local businesses to decorate and distribute candy to kids in a safe trick-or-treating atmosphere. The event is designed to provide a good environment for children and to help local businesses.

The event organizers will be responsible for cleanup within the parking lot and other areas affected by the event. The organizers have also arranged for additional trash receptacles.

Approval Process:

Consent of the Council

Budget Impact:

Twin Falls Police Department Staff does not feel there is a need for the Twin Falls Police Department to provide security.

Agenda Item for October 17, 2016
From Sergeant Justin Dimond
Page Two

Regulatory Impact:

N/A

Conclusion:

The Twin Falls Police Department Staff and other relevant City Staff members have reviewed and approved the application.

Staff recommends that the City Council approve the Special Event Application submitted for the “Trick or Treat on Bish’s Street” event based on the information provided.

Attachments:

N/A

JD:aed



Date: Monday, October 17, 2016, Council Meeting
To: Honorable Mayor and City Council
From: Sergeant Justin Dimond, Twin Falls Police Department

Request:

Consideration of a request by John Michael Robinson, Director of Youth Ministry, representing The Church of Twin Falls, to hold the “Costume Party at City Park” event in the Twin Falls City Park. This event will take place on October 29, 2016, from 2:00 p.m. to 6:00 p.m.

Time Estimate:

Due to the location, time and nature of this event, Staff is requesting that this item be placed on the Consent Calendar.

Background:

John Michael Robinson, representing The Church of Twin Falls, has submitted a Special Event Application for the “Costume Party at City Park” to be held at the Twin Falls City Park on October 29, 2016. The event will begin at 2:00 p.m. and will conclude at 6:00 p.m. The event is being held as a community-safe, family-friendly Trick-or-Treat event for area children. It will be held in the safety of City Park and will take place during daylight hours. Area businesses will be setting up small booths to simulate a neighborhood. These businesses will be handing out candy and/or non-edible items to children. There will also be games for children and a costume contest.

Amplified, recorded music will be played in the park band shell during the event.

The event organizers will be responsible for cleanup within the park and other areas affected by the event. The organizers have also arranged for portable toilets, as well as additional trash receptacles.

Approval Process:

Consent of the Council

Budget Impact:

Twin Falls Police Department Staff does not feel there is a need for the Twin Falls Police Department to provide security.

Regulatory Impact:

N/A

Agenda Item for October 17, 2016
From Sergeant Justin Dimond
Page Two

Conclusion:

The Twin Falls Police Department Staff and other relevant City Staff members have reviewed the application and recommend its approval.

Staff recommends that the City Council approve the Special Event Application submitted for the “Costume Party in City Park” event based on the information provided.

Staff recommends that the on-duty Supervisor be given authority to order event organizers to mitigate the sound of amplified music. If the noise complaints become habitual, the Patrol Supervisor shall be granted the authority to order the music to be terminated.

Attachments:

N/A

JD:aed



October 11, 2016

TO: Leila Sanchez

FROM: Tara Bartley

RE: Agenda Item for October 17, 2016 City Council Meeting

I would like to be put on the agenda for:

Consideration to approve Tona Casella, 787 Quincy St., Twin Falls, ID 83301 to serve as a Library Trustee.



October 5, 2016

Twin Falls City Council
P.O. Box 1907
Twin Falls, ID 83301

Dear Mayor Barigar and City Council Members:

The current Board of Trustees of the Twin Falls Public Library requests that Tona Casella, who resides at 2544 Carriage Way, Twin Falls, be appointed to the City Council to serve as a Library Trustee for a partial term of office extending from November 9, 2016 through December 31, 2017 to fill the remaining term of former Board Member Margaret Peck who resigned recently.

Ms. Casella expresses a strong interest in the Library and is prepared to accept the full responsibilities of working Library Trustee for the term of office from 2016-2017.

Sincerely,

A handwritten signature in black ink, appearing to read "Tara J. Bartley". The signature is fluid and cursive, with the first name being the most prominent.

Tara J. Bartley, Director
Twin Falls Public Library

Tona Casella
787 Quincy St.
Twin Falls, Idaho 83301
August 13, 2016

Twin Falls City Council & Twin Falls Public Library
Twin Falls, Idaho

Dear Twin Falls City Council & Twin Falls Public Library:

I am writing in response to your call to the community for interested candidates to fulfill a Library Trustee position for the remainder of the 2016 year. I would like to put forward my candidature for that post. I am confident that my passion for our Library is an excellent match. As for my skills, I humbly submit this letter along with my resume and trust you to decide if I may be of service to our community, in this way - at this time.

My resume shows you that I have had an arcing career path. I am very grateful to be in a position where service to my family and community is more important than my corporate career. I have held honorable corporate, academic and municipal posts in my journey over the last twenty-five years.

By my previous work and volunteer experiences, I have gained graceful leadership and participation skills. I have worked in conjunction with cities, colleges, parks & recreation, education, homeless and community for over five years. In those roles, I refer to our Library system constantly for my support and remind my peer citizens of their valuable access to so many resources.

I hope you will give me an opportunity to serve our city. I assure you that I would be an asset as a Trustee of our Library.

Sincerely,

Tona Casella

Enclosure Resume



Monday October 17, 2016
To: City Council
From: Travis Rothweiler, City Manager

Request:

Swearing in of Tim Soule to the position of Twin Falls City Fire Chief.

Time Estimate:

The staff presentation will take about five minutes. Following the presentation, additional time will be necessary for questions and discussion.

Background:

The purpose of this agenda item is to appoint Tim Soule to the position of Fire Chief.

Following an extensive selection process that included city staff and members of the community, City Manager Travis Rothweiler recommends Tim Soule to be appointed by the City Council.

Tim Soule currently serves as Deputy Chief of the East Fork Fire Protection District in Minden, Nevada. He was selected as a single finalist out of three semi-finalist candidates for the position. Tim Soule has more than 25 years of experience in the fire and emergency medical services. Prior to serving as the Deputy Chief in Minden, Nevada, Soule served as the Assistant Chief of the Kalispell Fire Department, EMS Director for Flathead County Emergency Management, and the Clinical Supervisor for AWARE, Inc. and Youth Dynamics, Inc. in Kalispell, Montana.

He earned his Master of Science and B.A. from Case Western University in Cleveland, Ohio, and has completed the United States Fire Administration Executive Fire Officer Program at the National Fire Academy.

Approval Process:

Request Council to confirm the request to appoint Tim Soule to the position of Twin Falls City Fire Chief.

Budget Impact:

Since the Fire Chief position is included in the FY2017 budget, there is no significant impact associated approval of this request.

Regulatory Impact:

Approval of this request will fill the vacancy being left by Chief Ron Clark.

Conclusion:

Attachment:

None