

**COUNCIL MEMBERS:**

LANCE CLOW	TRIP CRAIG	DON HALL <i>Mayor</i>	DAVID E. JOHNSON	WILLIAM A. KEZELE	GREG LANTING <i>Vice Mayor</i>	REBECCA MILLS SOJKA
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**MINUTES**  
 Meeting of the Twin Falls City Council  
**Monday, November 21, 2011**  
 City Council Chambers  
 305 3<sup>rd</sup> Avenue East - Twin Falls, Idaho

**5:00 P.M.**

PLEDGE OF ALLEGIANCE TO THE FLAG  
 CONFIRMATION OF QUORUM  
 INTRODUCTION OF STAFF  
 CONSIDERATION OF THE AMENDMENTS TO THE AGENDA:  
 PROCLAMATIONS:       None.

AGENDA ITEMS	Purpose	By:
<b>I. <u>CONSENT CALENDAR:</u></b> 1. Consideration of accounts payable for November 15 – 21, 2011. 2. Consideration of the November 7 and 14, 2011, City Council Minutes. 3. Consideration of the following Findings of Fact, Conclusions of Law, and Decision: <ul style="list-style-type: none"> <li>• Final Plat Application, Platinum Trio Subdivision c/o Riedesel Engineering, Inc. &amp; Habitat for Humanity, Applicant(s).</li> <li>• Zoning District Change &amp; Zoning Map Amendment, Application, Kimberly Road Partners &amp; Mary Sligar c/o EHM Engineers, Inc., Applicant(s).</li> <li>• Zoning District Change &amp; Zoning Map Amendment, Application, College of Southern Idaho c/o Mike Mason, Applicant(s).</li> </ul> 4. Consideration of a Developers Agreement between the City of Twin Falls and Thomas & Cheryl Arledge and Tomeryl, LLC.	<u>Action</u>	<u>Staff Report</u> Sharon Bryan L. Sanchez Rene'e Carraway  Troy Vitek
<b>II. <u>ITEMS FOR CONSIDERATION:</u></b> 1. Consideration and possible action on an Ordinance modifying the Twin Falls Municipal Code as it relates to the Citizen Finance Commission. <i>Proposed Ordinance No. 3020</i> 2. Consideration and possible action on a Resolution of the City Council authorizing the acquisition and sale of real property prior to approval of an Urban Renewal Plan. <i>Proposed Resolution No. 1874</i> 3. Consideration of a request to authorize the Mayor to sign a contract with JUB Engineers, Inc. to provide professional services for the design of water improvements in the vicinity of Kimberly Road from Eastland Drive to Hankins Rd. 4. Public input and/or items from the City Manager and City Council.	Action  Action  Action	Fritz Wonderlich  Travis Rothweiler  Jacqueline Fields
<b>III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u></b>		
<b>IV. <u>PUBLIC HEARINGS:</u>       6:00 – None.</b>		
<b>V. <u>ADJOURNMENT:</u></b> Executive Session 67-2345(f): To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. The mere presence of legal counsel at an executive session does not satisfy this requirement.		

***\*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.***

Present: Lance Clow, Trip Craig, Don Hall, David E. Johnson, Gregory Lanting, Rebecca Mills Sojka

Absent: William Kezele

Staff Present: City Manager Travis Rothweiler, City Attorney Fritz Wonderlich, City Engineer Jacqueline Fields, Assistant City Engineer Troy Vitek, Project Engineer Lee Glaesemann

Jim Munn, Jr., and Chris Talkington were in attendance.

Mayor Hall called the meeting to order at 5:01 P.M. He invited all present, who wished to, to recite the Pledge of Allegiance to the Flag with him and Boy Scout Ethan Hodges, Troop 3. 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 November 15 – 21, 2011, total: \$470,051.79.  
Payroll total: \$107,821.59.
2. Consideration of the November 7 and 14, 2011, City Council Minutes.
3. Consideration of the following Findings of Fact, Conclusions of Law, and Decision:
  - Final Plat Application, Platinum Trio Subdivision c/o Riedesel Engineering, Inc. & Habitat for Humanity, Applicant(s).
  - Zoning District Change & Zoning Map Amendment, Application, Kimberly Road Partners & Mary Sligar c/o EHM Engineers, Inc., Applicant(s).
  - Zoning District Change & Zoning Map Amendment, Application, College of Southern Idaho c/o Mike Mason, Applicant(s).
4. Consideration of a Developers Agreement between the City of Twin Falls and Thomas & Cheryl Arledge and Tomeryl, LLC.

Agenda Item 3. will be heard separately.

#### **MOTION:**

Vice Mayor Lanting made the motion to approve the Consent Calendar excluding Item 3. The motion was seconded by Councilperson Clow and roll call vote showed all members present voted in favor of the motion. Approved 5 to 0.

Mayor Hall recused himself from the following Consent Calendar Item:

3. Consideration of the following Findings of Fact, Conclusions of Law, and Decision:
  - Final Plat Application, Platinum Trio Subdivision c/o Riedesel Engineering, Inc. & Habitat for Humanity, Applicant(s).
  - Zoning District Change & Zoning Map Amendment, Application, Kimberly Road Partners & Mary Sligar c/o EHM Engineers, Inc., Applicant(s).
  - Zoning District Change & Zoning Map Amendment, Application, College of Southern Idaho c/o Mike Mason, Applicant(s).

#### **MOTION:**

Councilperson Clow made the motion to approve Consent Item 3. as presented. The motion was seconded by Councilperson Mills Sojka and roll call vote showed all members present voted in favor of the motion. Approved 4 to 0. Mayor Hall abstained from voting.

#### II. ITEMS FOR CONSIDERATION:

1. Consideration and possible action on an Ordinance modifying the Twin Falls Municipal Code as it relates to the Citizen Finance Commission. *Proposed Ordinance No. 3020*

City Attorney Wonderlich reviewed the request. The amendments to the Citizen Finance Commission consist of a couple of technical changes (removing two council members as ex-officio members of the Commission and setting November 30 as the date for expiration of terms), and to provide for more specific direction from the City Council to the Commission.

Councilperson Johnson took his seat at 5:06 P.M.

**MOTION:**

Councilperson Clow made the motion to suspend the rules and place Ordinance No. 3020, entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, AMENDING THE TWIN FALLS CITY CODE §2-2-3; REPEALING §2-2-4; AND ENACTING A NEW SECTION 2-2-4.

on third and final reading by title only. The motion was seconded by Councilperson Johnson and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

Deputy City Clerk Sanchez read the ordinance title.

**MOTION:**

Vice Mayor Lanting made the motion to adopt Ordinance No. 3020 as presented. The motion was seconded by Councilperson Johnson and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

2. Consideration and possible action on a Resolution of the City Council authorizing the acquisition and sale of real property prior to approval of an Urban Renewal Plan. Proposed Resolution No. 1874

City Manager Rothweiler reviewed the request.

In accordance with the Development Agreement that was signed by the Agro Farma, the City of Twin Falls and the Twin Falls Urban Renewal Agency on November 3, 2011, the Twin Falls Urban Renewal Agency has committed to acquire real property and resell it to Agro Farma. Agro Farma has indicated they would like to simultaneously close on the real property. This Resolution would allow for that to occur.

**MOTION:**

Vice Mayor Lanting approved Resolution No. 1874, entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, AUTHORIZING THE ACQUISITION AND SALE OF CERTAIN REAL PROPERTY, PRIOR TO APPROVAL OF AN URBAN RENEWAL PLAN, as presented. The motion was seconded by Councilperson Johnson and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

3. Consideration of a request to authorize the Mayor to sign a contract with JUB Engineers, Inc. to provide professional services for the design of water improvements in the vicinity of Kimberly Road from Eastland Drive to Hankins Rd.

City Engineer Fields reviewed the requested.

Waterline improvements are needed to meet projected water pressure and capacity for the southeast area of town. The Urban Renewal Agency will contribute \$2.5 million for the water improvement work. Staff recommends that the Council approve the request as presented.

Discussion followed on design costs.

**MOTION:**

Councilperson Johnson made the motion to authorize the Mayor to sign a contract with JUB Engineers, Inc. to provide professional services for the design of water improvements in the vicinity of Kimberly Road from Eastland Drive to Hankins Road as presented. The motion was seconded by Councilperson Mills Sojka and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

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

Vice Mayor Lanting introduced Jim Munn, Jr., Chris Talkington, Christopher Reed and Suzanne Hawkins.

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

Festival of Lights Parade will be held on December 2, 2011.

**IV. PUBLIC HEARINGS: 6:00 – None.**

- V. **ADJOURNMENT:** Executive Session 67-2345(f): To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. The mere presence of legal counsel at an executive session does not satisfy this requirement.

**MOTION:**

Councilperson Mills Sojka made a motion to adjourn to Executive Session as presented. The motion was seconded by Vice Mayor Lanting and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

The meeting adjourned at 5:25

Leila A. Sanchez  
Deputy City Clerk/Recording Secretary