

**COUNCIL MEMBERS:**

SHAWN BARIGAR	DON HALL	SUZANNE HAWKINS	GREGORY LANTING	JIM MUNN, JR.	REBECCA MILLS SOJKA	CHRIS TALKINGTON
<i>Vice Mayor</i>			<i>Mayor</i>			



**AGENDA**  
 Meeting of the Twin Falls City Council  
**Monday, May 21, 2012**  
 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 a request to approve the accounts payable for May 15 - 21, 2012. 2. Consideration of a request to approve the May 7, 2012, City Council Minutes. 3. Consideration of a request to approve the following Findings of Fact, Conclusions of Law, and Decision: a. Final Plat Application for Poleline Commercial Subdivision – A PUD. b. Appeal of Condition on Special Use Permit for Spencer Williams. c. Annexation Application for Agro Farma/Chobani . 4. Consideration of a request to approve a liquor license for Team Bowladrome LLC dba Bowladrome, located at 220 Eastland Drive. 5. Consideration of a request from Robin Dober and the Twin Falls Tonight Committee to approve the 14 <sup>th</sup> annual series of weekly Twin Falls Concerts commencing on June 20, 2012, and concluding August 22, 2012. 6. Consideration of a request to provide funding to cover travel expenses for members of the Youth Council to attend the Association of Idaho Cities annual conference in Boise, Idaho.	<u>Action</u>	<u>Staff Report</u> Sharon Bryan L. Sanchez Mitch Humble  Sharon Bryan  Dennis Pullin  Rebecca Mills Sojka
<b>II. <u>ITEMS FOR CONSIDERATION:</u></b> 1. Swearing in ceremony of four new Twin Falls Police Department Officers: Sabrina Bennett, Justin Cyr, Christopher Ehardt, and Tyler Rudkin by Mayor Greg Lanting. 2. Consideration of a request to consider the Special Events Application submitted by Scott McNeley and Downtown Alive regarding the 'Market on Main' proposed to commence on June 20, 2012, and continue every Wednesday evening thereafter through September 26, 2012. 3. Consideration of a request by Eastside Southern Baptist Church, located at 204 Eastland Drive North, to defer parking lot paving and the storm water retention system. 4. Consideration of a request to award the Agro-Farma/Twin Falls – Bypass Project Work Package J to Stutzman, Inc., in the amount of \$75,478. 5. Discussion on Fiscal Year 2013 Budget Priorities. 6. Public input and/or items from the City Manager and City Council.	Presentation  Action  Action  Action  Discussion	Brian Pike  Dennis Pullin  Troy Vitek  Troy Vitek  City Council
<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>		

*\*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.*

### Twin Falls City Council-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 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:**

SHAWN	LANCE	DON	GREGORY	JIM	REBECCA	CHRIS
BARIGAR	CLOW	HALL	LANTING	MUNN, JR.	MILLS SOJKA	TALKINGTON
		<i>Vice Mayor</i>	<i>Mayor</i>			



**MINUTES (DRAFT)**  
 Meeting of the Twin Falls City Council  
 May 7, 2012  
 City Council Chambers  
 305 3rd Avenue East -Twin Falls, Idaho

5:00 P.M.

PLEDGE OF ALLEGIANCE TO THE FLAG  
 CONFIRMATION OF QUORUM  
 INTRODUCTION OF STAFF  
 SWEARING IN NEW COUNCILMEMBER BY DEPUTY CITY CLERK SHARON BRYAN  
 CONSIDERATION OF THE AMENDMENTS TO THE AGENDA:  
 PROCLAMATIONS: American Legion Auxiliary Poppy Days – Delores Silcott, American Legion Auxiliary

AGENDA ITEMS	Purpose	By:
<p><b>I. CONSENT CALENDAR:</b></p> <ol style="list-style-type: none"> <li>1. Consideration of accounts payable for April 24 – May 7, 2012.</li> <li>2. Consideration of the April 9, April 14, and April 23, 2012, City Council Minutes.</li> <li>3. Consideration of a request to approve an Alcohol License Application Transfer for the Smoke-N-Head, Inc., located at 287 Washington Street North.</li> <li>4. Consideration of a request to approve the “Bed Races” Fundraiser for Multiple Sclerosis Society to be held on Saturday, June 16, 2012, from 11:00 a.m. to 4:00 p.m. on the 100 Block of Main Avenue between Shoshone Street and Gooding Street.</li> <li>5. Consideration of a request to approve the Annual Classic Cruisers event to be held on June 22 through June 24, 2012.</li> <li>6. Consideration of a request to approve the Annual Magic Valley Bank Customer Appreciation Event to be held in the 100 Block of Main Avenue West and North. The event will be held on Monday, June 11, 2012, from 5:00 p.m. to 9:00 p.m.</li> <li>7. Consideration of a request to adopt a resolution to destroy semi permanent and temporary records.</li> </ol>	<p><u>Action</u></p>	<p><u>Staff Report</u>                      Sharon Bryan                      L. Sanchez                      Sharon Bryan                       Dennis Pullin                       Dennis Pullin                       Dennis Pullin                       Sharon Bryan</p>
<p><b>II. ITEMS FOR CONSIDERATION:</b></p> <ol style="list-style-type: none"> <li>1. Presentation on the upcoming Twin Falls City Historic Preservation Commission’s Walking Tour to be held on May 19, 2012, from 9:00 a.m. to 12:00 p.m., by Darrell Buffaloe, Commission Chairman.</li> <li>2. Continue discussion of the City’s current compensation status and to define the Council’s philosophy that will guide the development of an implementation plan.</li> <li>3. Consideration of a request to approve an agreement between the City of Twin Falls and the Bureau of Land Management (BLM) for the construction of a vehicle parking lot at their Joslin Field facility.</li> <li>4. Consideration of a request to approve an engineering agreement between the City of Twin Falls and Riedesel Engineering for services related to the bidding and construction of a BLM vehicle parking lot at Joslin Field.</li> <li>5. Consideration of a request to adopt a resolution declaring the City’s intent to sell underutilized City owned property located at the northeast corner of Gooding Street North and 3rd Ave. North to the Twin Falls Urban Renewal Agency, and establishing a public hearing date to consider the sale.</li> <li>6. Consideration of a request to adopt an ordinance for the annexation of 37 (+/-) acres for property located approximately 565’ west of the western boundary of 3767 North 3300 East.</li> <li>7. Consider and act on a request for mediation from Barbara Beck and the Breckinridge Estates Homeowners Association regarding various City zoning and development requests from Canyon Park Development, LLC for the Canyon Park Amended Subdivision.</li> <li>8. Consideration of a request to adopt the Canyon Park West Amended C-1 CRO PUD Agreement between the City of Twin Falls and Canyon Park I LLC and Canyon Park Development LLC.</li> <li>9. Consideration of a request of the Final Plat of Canyon Park Amended Subdivision – A PUD, 25 (+/-) acres consisting of 12 commercial lots and on property located west and north of the</li> </ol>	<p>Presentation</p> <p>Discussion</p> <p>Action</p> <p>Action</p> <p>Action</p> <p>Action</p> <p>Action</p> <p>Action</p> <p>Action</p> <p>Action</p>	<p>Mitch Humble</p> <p>Gretchen Scott</p> <p>Bill Carberry</p> <p>Bill Carberry</p> <p>Mitch Humble</p> <p>Mitch Humble</p> <p>Fritz Wonderlich/ Mitch Humble</p> <p>Mitch Humble</p> <p>Mitch Humble</p>

6:00 P.M.

intersection of Blue Lakes Boulevard North and Fillmore Street. 10. Consideration of a request to adopt an ordinance for a Zoning District Change and Zoning Map Amendment from C-1 PUD and SUI PUD to C-1 CRO PUD for 25 (+/-) acres located west and north of the intersection of Blue Lakes Boulevard North and Fillmore Street. 11. Public input and/or items from the City Manager and City Council.	Action	Mitch Humble
III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u>		
IV. <u>PUBLIC HEARINGS:</u> <u>6:00 – NONE</u>		
V. <u>ADJOURNMENT:</u>		

Present: Shawn Barigar via telephone at 5:14 P.M., Don Hall, Suzanne Hopkins, Gregory Lanting, Jim Munn, Rebecca Mills Sojka, Chris Talkington

Absent: None

City Staff: City Manager Travis Rothweiler, City Attorney Fritz Wonderlich, Community Development Director Mitch Humble, Human Resource Director Susan Harris, Human Resource Analyst and Risk Manager Gretchen Scott, Airport Manager Bill Carberry, Staff Sergeant Dennis Pullin, Deputy City Clerk Sharon Bryan, Deputy City Clerk/Recording Secretary Leila A. Sanchez.

Mayor Lanting 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 with him. Mayor Lanting introduced staff.

**CONSIDERATION OF THE AMENDMENTS TO THE AGENDA: None.**

**SWEARING IN NEW COUNCILMEMBER BY DEPUTY CITY CLERK SHARON BRYAN**

Mayor Lanting, Vice Mayor Hall, and Councilperson Talkington nominated Suzanne Hawkins to be appointed to the City Council.

**MOTION:**

Vice Mayor Hall made the recommendation to select Suzanne Hawkins to fulfill Lance Clow's remaining term. The motion was seconded by Councilperson Talkington and roll call vote showed Councilpersons Hall, Lanting, Munn, Mills Sojka and Talkington voted in favor of the motion. Approved 5 to 0.

Deputy City Clerk Sharon Bryan swore Suzanne Hawkins into office.

Suzanne Hawkins took her seat on the Council at 5:14 P.M.

Lance Clow presented Suzanne Hawkins with a survival kit.

**PROCLAMATIONS:** American Legion Auxiliary Poppy Days – Delores Silcott, American Legion Auxiliary

Mayor Lanting presented the proclamation to Delores Silcott, American Legion Auxiliary.

**AGENDA ITEMS**

**I. CONSENT CALENDAR:**

1. Consideration of accounts payable for April 24 – May 7, 2012.
2. Consideration of the April 9, April 14, and April 23, 2012, City Council Minutes.
3. Consideration of a request to approve an Alcohol License Application Transfer for the Smoke-N-Head, Inc., located at 287 Washington Street North.
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5. Consideration of a request to approve the Annual Classic Cruisers event to be held on June 22 through June 24, 2012.
6. Consideration of a request to approve the Annual Magic Valley Bank Customer Appreciation Event to be held in the 100 Block of Main Avenue West and North. The event will be held on Monday, June 11, 2012, from 5:00 p.m. to 9:00 p.m.
7. Consideration of a request to adopt a resolution to destroy semi permanent and temporary records.

**MOTION:**

Councilperson Talkington made a motion to approve the Consent Calendar. The motion was seconded by Councilperson Hall.

Discussion followed:

Councilperson Barigar stated that the April 9, 2012, Minutes, on Page 9 of 10, a motion made by Councilperson Clow was seconded by a Councilmember, which the minutes should reflect.

City Manager Rothweiler stated this would be corrected.

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

## II. ITEMS FOR CONSIDERATION:

1. Presentation on the upcoming Twin Falls City Historic Preservation Commission's Walking Tour to be held on May 19, 2012, from 9:00 a.m. to 12:00 p.m., by Darrell Buffalo, Commission Chairman.

Ryan Horsley explained the upcoming Walking Tour. There will be a short informational presentation, the walking tour, food, railroad car display, along with other informational displays. The public is invited to attend.

2. Continue discussion of the City's current compensation status and to define the Council's philosophy that will guide the development of an implementation plan.

City Manager Rothweiler explained that this is the second of a multiple step process. The first step in the process took place April 16. At that meeting the Council was presented with information regarding the City's current market and the competitive nature of employee wages. Tonight's objective is to define the compensation policy that the Council would like to follow. Once the policy is defined staff can develop an implementation plan.

Susan Harris gave a PowerPoint presentation recapping the information presented at the April 16, Council meeting. The following was presented:

- Employment trends that have defined our market as Southern Idaho
- Pressure of private and minimum wage increases on our salary table and hiring
- Hiring decisions have created internal compression problems
- City wages are lagging market by a range of 8% to 10%

Staff felt that it is important to receive Council's opinions for direction.

Using a PowerPoint presentation she discussed the following areas to focus on while staff develops the compensation plan:

- Drafting strategies – key goals
- Sustainable – solution is affordable
- Performance – solution ties to AYP (adequate yearly progress)
- Market Competitive – at, lead, lag, other
- Timely – implement schedule
- Independent– does not impact other benefits
- Consistent – applicable city wide

Councilperson Munn stated for clarification that he is not anti pay performance but anti SEED program.

Councilperson Talkington stated that he was on the Council when the pay for performance was implemented. It was an experiment and the City was on the leading edge of municipalities attempting to do this. He recognizes that it is not a good idea to give employees an incentive based upon their job description. In lieu of pay for performance there has to be something in the gap between pay for performance and seniority that will reward the rising/bright stars and encourage people to do better tomorrow than they have done today.

Susan Harris stated that the current evaluation form is a good tool for annual reviews. Tying the evaluation to pay increases has been difficult for the organization. Having a performance evaluation in place that addresses the good and the bad that employees do is important and she believes the need to sustain that evaluation program, but how it ties to the salary may be a little different. Recognizing people at different performance levels with a monetary award will be a challenge that needs to be addressed. There needs to be some kind of step in grade to move forward through the pay scale. Based on a satisfactory performance evaluation an employee can move forward to the next salary increase or have it withheld, which differs from the SEED or the pay for performance.

Councilperson Hall asked for clarification if the philosophy could be that different departments can do different structures.

Susan Harris stated that from a compensation theory there are several important things to consider. There is internal equity and external competitiveness so there is a need to recognize our external market but also the need to recognize our internal equity. If the structure is not the same for departments, the salary tables of the departments need to be tied together in some format.

Councilperson Munn stated that in regards to our competitors it might be good to look into their performance systems.

City Manager Rothweiler stated that there are multiple facets to the conversation on how to evaluate performance and how it will be tied to a performance model. The idea tonight is to have a good understanding of what the general philosophies are and have everyone come in concert with what those look like, to begin the construction of the tables and what those look like, and at that point costs can be constructed.

Councilperson Hawkins asked for clarification if the Council and the City, up to this point, have had no philosophy.

City Manager Rothweiler stated that the existing compensation philosophy that was constructed was built in 2004.

Gretchen Scott stated that in the April presentation to the Council, what was discussed was where the City had been in terms of a compensation status and where some of the policy decisions that were made have created the compensation problems the City is dealing with today. Each year the City has made a very firm commitment to keep up with the cost of living changes, and the Council saw how budgeting those adjustments have kept salaries in place. But not moving the salary table had affected where the City was able to start people and then that compounded where people ended up relative to competitors within the market. When discussing pay for performance and/or the Hay system, the City has moved ahead regularly with different compensation philosophies and structures, both in trying to adapt as an organization to changing influences from the private sector and from a compensation standpoint. The City has tried to incorporate things that are best practices, that other organizations are doing, and yet at the same time is experiencing the realities of internal effects and how the City competes organizationally. The City does have a philosophy but is not opposed to making changes to that structure in order to be more competitive and in order to keep up with market forces. The City is not necessarily developing a new philosophy but when discussing the philosophy and moving forward, staff wants to make sure everyone is on the same page.

Susan Harris stated that this concludes her presentation.

Councilperson Talkington asked if there is an 8% to 10% gap to comparable market areas across the board for the City workforce, is \$156,000 per 1% still a working figure.

City Manger Rothweiler stated yes and no. Every 1% you adjust the salaries is approximately \$156,000. The City has been able to identify and illustrate positions that are paid above the market and positions that are below the market. Individual performances, expertise, longevity, and skill sets that each employee brings to the table will need to be reviewed. A compensation model should take in account a market base adjustment which is in line to the employee and the position, as well as the individual serving in that capacity. It would be an unfair expectation that if the table is down 8% to 10% that everyone is going to get an 8% to 10% raise. It may be the case that some employees receive less and it may be the case some receive substantially more.

Councilperson Talkington stated that because of not knowing the increase tax based revenue, assumptions on the table may be set in which cannot be carried out.

Councilperson Barigar stated that Susan Harris clearly summarized the comments he shared with staff last week in defining what the City's market is, who the City is comparing itself to, understanding that internally there are issues that need to be dealt with and not necessarily looking at the entire employee pool as one pool but understanding there are some unique circumstances within different realms of City government and the folks who are doing those jobs.

Mayor Lanting summarized that what he heard is the desire for some sort of pay for performance and not everyone will be receiving an 8% to 10% raise.

Councilperson Talkington stated that it is important to address the public safety wage compression issue, which is critical to retain the highly qualified people that respond in public emergencies. The number one priority is to try to get the tax increase revenue available and try to close the gap within two years.

Councilperson Mills Sojka agreed that the wages be brought to market after two years.

Vice Mayor Hall stated that he agreed with the public safety emergency services concept discussed, but certainly appreciates other City staff that hold important positions as well.

City Manger Rothweiler stated that the next step will be is to take the information and construct the costs. The types of systems and the philosophies and ideas and the length of time implementation will be driving factors in terms of that cost.

3. Consideration of a request to approve an agreement between the City of Twin Falls and the Bureau of Land Management (BLM) for the construction of a vehicle parking lot at their Joslin Field facility.

Airport Manager Carberry explained the request.

In the spring of 2012, the City of Twin Falls and the BLM signed a lease modification agreement wherein the City of Twin Falls would contract for the design of future improvements for the BLM, at their airport facility, to include a building expansion, an aircraft parking apron, and a vehicle parking lot with BLM reimbursing the City for the design contract. Riedesel Engineering performed the design and was completed in the fall of 2010. The design and construction phase of the BLM complex have been developed through a partnership approach that has the City contracting for design and construction services and the BLM providing funding. The engineering estimate for the construction of the parking lot with a 10% contingency included totals \$104,000. The bidding and construction engineering services contract with Riedesel would be \$17,000, with the total anticipated cost for the project at \$121,500.

After working in conjunction with the BLM Contracting Officer and after review by the City Attorney, staff recommends City Council approve authorizing the Mayor to sign the Department of Interior BLM Supplemental Lease Agreement No. 9.

Discussion followed:

Vice Mayor Hall asked why the City reimburses BLM and is the City guaranteed reimbursement.

Airport Manager Carberry stated that once the agreement has been signed by BLM and the Mayor, he would assume BLM would pay and reimburse. The BLM works with a local partner and the City is able to facilitate and streamline the process. Reimbursement occurs within 60 to 90 days.

**MOTION:**

Councilperson Talkington made the motion to accept the BLM bid based upon the reimbursable language. The motion was seconded by Councilperson Mills Sojka and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

4. Consideration of a request to approve an engineering agreement between the City of Twin Falls and Riedesel Engineering for services related to the bidding and construction of a BLM vehicle parking lot at Joslin Field.

Airport Manager Carberry explained the request.

Staff recommends Council approve the Agreement for Engineering Services with Riedesel Engineering for the amount not to exceed \$17,000, contingent upon the execution of an agreement with the BLM for the construction and funding of the Parking Lot Project.

**MOTION:**

Councilperson Munn made a motion to approve an engineering agreement between the City of Twin Falls and Riedesel Engineering for services related to the bidding and construction of a BLM vehicle parking lot at Joslin Field for the proposed fee of \$17,000. The motion was seconded by Councilperson Mills Sojka 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 a resolution declaring the City's intent to sell underutilized City owned property located at the northeast corner of Gooding Street North and 3rd Ave. North to the Twin Falls Urban Renewal Agency, and establishing a public hearing date to consider the sale.

Community Development Director Humble explained the request.

Discussions have been made with the Urban Renewal Agency leadership about the parking lot. These discussions have focused on the idea that the Brown Lot is underutilized and may be more valuable to be used as an incentive to encourage downtown revitalization and economic development. The Urban Renewal Agency has more available options when it comes to disposing of property for downtown redevelopment or economic development purposes. If the City can sell this underutilized property to the Urban Renewal Agency, then perhaps they can make the property part of a proposal to encourage additional downtown redevelopment in the area.

The resolution declares the Brown Lot to be excess to City needs. It also declares the City's intent to sell the property to the Urban Renewal Agency, declare the value of the lot of \$55,000, and finally, the resolution establishes a date for the required public hearing on the sale of the property. That hearing date is tentatively scheduled for the May 29th Council meeting.

**MOTION:**

Councilperson Talkington made a motion to pass Resolution 1885. The motion was seconded by Councilperson Mills Sojka and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

6. Consideration of a request to adopt an ordinance for the annexation of 37 (+/-) acres for property located approximately 565' west of the western boundary of 3767 North 3300 East.

Community Development Director Humble explained the request.

On April 9, 2012, the City Council approved a request for the annexation of a 37 (+/-) acres for property located approximately 565' west of the western boundary of 3767 North 3300 East. The Council's adoption of the ordinance will allow the property to be annexed into the city limits and developed as approved.

**MOTION:**

Councilperson Munn made the motion to place suspend the rules and place Ordinance 3026, entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, ANNEXING CERTAIN REAL PROPERTY BELOW DESCRIBED, PROVIDING THE ZONING CLASSIFICATION THEREFOR, AND ORDERING THE NECESSARY AREA OF IMPACT AND ZONING DISTRICTS MAP AMENDMENT

on third and final reading by title only. The motion was seconded by Vice Mayor Hall 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 by title only.

Councilperson Talkington made the motion to adopt Ordinance 3026. The motion was seconded by Vice Mayor Hall and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

Recess at 6:22 P.M.  
Reconvened at 6:39 P.M.

6:00 P.M.

7. Consider and act on a request for mediation from Barbara Beck and the Breckinridge Estates Homeowners Association regarding various City zoning and development requests from Canyon Park Development, LLC for the Canyon Park Amended Subdivision.

City Attorney Wonderlich stated that in the year 2000, the legislature adopted an amendment to the local Land Use Planning Act, to require all cities and counties to have a mediation process built within their ordinance. The mediation ordinance is in Twin Falls Code 10-17-5.

The City Council must decide whether to order mediation, and if so, must pay the expense of the mediator for the first meeting. The applicant and affected person must participate in at least one mediation session, if directed to do so by the governing body.

Any resolution of differences through mediation must be the subject of another public hearing before the City Council. If the Council decides to order mediation, it is recommended that the Council table its decisions on the Rezone Ordinance, PUD Agreement and Final Plat, pending notification from either party that mediation has failed, or that resolution has been reached.

The mediation process shall not be part of the official record regarding the applications.

Discussion followed:

Councilperson Talkington asked that after one mediation meeting what happens if each party states that they have failed to reach a resolution.

City Attorney Wonderlich stated that this depends on what the Council decides to do with the following three agenda items. If the Council tables the next three items then upon notification from either party, they will be brought back to the Council. If mediation is not ordered the agenda items listed will be presented.

Discussion followed:

Councilperson Hawkins asked the cost of mediation.

City Attorney Wonderlich recommended that if the Council does order mediation, that it would be for a one-half day session. The cost would not be more than \$500. Staff will select a mediator and schedule the mediation session. If the Council does order mediation no one can challenge the decision because it is built in the statute. If mediation is not ordered it is a discretionary decision by the Council and also cannot be challenged.

**MOTION:**

Councilperson Talkington made the motion to call for mediation based upon the following five principles:

1. The project in question represents unique property that will define first impressions of Twin Falls for generations.
2. It has been demonstrated that the people within 300' of the property of the project border clearly are impacted
3. The geology stability remains in question and there are unseen documents that need to be provided.
4. What is done in mediation can have a direct impact on platted areas on Canyon Park East
5. It is time to have the applicants meet with the people affected.

The motion was seconded by Councilperson Mills Sojka.

Discussion followed:

Vice Mayor Hall stated that he struggles with this issue. He is a strong believer of property rights, but in addition struggles with the beauty of the canyon and its treasures. He stated he will be voting for mediation.

Councilperson Mills Sojka stated that she will be voting in favor of mediation, even though it is not binding. She stated that her goal is for the two sides to understand each other, in regards to needs, desires, wants and concerns. Mediation is a good option even though not binding.

Councilperson Barigar stated that as he read through the request for mediation, it appears the issues that are being pointed out have been addressed through a public process, both with this request as well as for the zoning ordinances that were adopted with Canyon Rim Development in the past. It addresses screening between the buildings and the trail; it mentions decreased access but stated it is private property. As the trail becomes public access, the public will have no fewer access points than what there are now. It mentions a long retaining wall running along the back side of the property, which has been delineated to the Council. There was discussion on traffic concerns at Fillmore and Canyon Springs and that too was addressed by the Planning & Zoning Commission. He does not feel that anything is going to be accomplished any further by going through mediation.

Councilperson Munn stated that after reviewing all the information that has been presented at several meetings that the final plat will conform to the preliminary plat. There have been several opportunities to vet this matter before the public and this has been done on several occasions. All the issues have been clearly defined.

Mayor Lanting stated that he will be voting for mediation because of Councilperson Talkington's point that the project in question represents unique property that will define first impressions of Twin Falls for generations. We need to take every step possible to make sure that we are making the correct decision.

Councilperson Munn stated that he does appreciate the comments but discussions should have been made a long time ago. The preliminary plat has been approved and public input has been received

Councilperson Talkington stated that mediation could resolve the following: On the April 29, 2012, Council meeting, Engineer Martens stated that a geologic study in regard to the property would be made available to staff for Council's review. The information has not been divulged. Secondly, on page 134 of the agenda, it states that Mr. Martens said Mr. Nielsen had studies done 15 years ago but a report would be done for each building that is to be built. These are unresolved issues that impact public safety.

Councilperson Hawkins stated that she would like to see if this can be resolved and see if a common ground can be found.

Councilperson Mills Sojka stated that she would like to get a more recent geological opinion. She stated that Council was provided with two studies, a 1994 Study and the 1975 Study.

Councilperson Munn asked staff that during the course of the entire project was the applicant required to have a geological study.

Community Development Humble stated that a geological study is required if a building is placed closer than 100' to the rim. The developers had agreed to do a geologic study for each building pad as they come in. If the PUD agreement would be approved as presented it would show that a geological survey would be done on each building.

Vice Mayor Hall thanked David Mead and others who served on the 1975 Study and 1994 Study committees. He reiterated the commitment of the development community. He also stated that the City would not have a canyon trail today if it had not been for the development community. The trail was dedicated through their efforts and built through their efforts.

Councilperson Barigar asked for clarification on the motion made by Councilperson Talkington. Councilperson Talkington spoke regarding five issues and the actual request primarily has to do with aesthetics, so when mediation happens do they focus on the issues that are in the request for mediation or does the Council mediate what is to be discussed.

City Attorney Wonderlich stated that the Council does not direct what happens in mediation. The Council can order them to participate to see if they get a resolution out of it but the Council does not direct how that happens. He stated that the motion would not only be for mediation but would direct that the parties participate in the mediation, and if the Council votes to do that, delegate to the staff the authority to take care of mediator.

Councilperson Talkington stated that he would modify his motion to order mediation and directing the parties to participate in mediation and to delegate to the staff the authority to take care of the mediator as outlined by the City Attorney. His second, Councilperson Mills Sojka agreed with the modification. Roll call vote showed Councilperson Hall, Hawkins, Lanting, Mills Sojka, and Talkington voted in favor of the motion. Councilperson Barigar and Munn voted against the motion. Approved 5 to 2.

Mayor Lanting received approval from Council to delegate the process to City Staff.

Mayor Lanting made the recommendation to the Council that the next agenda items 8, 9 and 10, would be tabled until after the mediation has occurred. Staff agreed with the recommendation.

**MOTION:**

Vice Mayor Hall made the motion to table Council agenda items 8, 9, and 10. The motion was seconded by Councilperson Talkington. Roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

8. Consideration of a request to adopt the Canyon Park West Amended C-1 CRO PUD Agreement between the City of Twin Falls and Canyon Park I LLC and Canyon Park Development LLC. Tabled.
9. Consideration of a request of the Final Plat of Canyon Park Amended Subdivision – A PUD, 25 (+/-) acres consisting of 12 commercial lots and on property located west and north of the intersection of Blue Lakes Boulevard North and Fillmore Street. Tabled.
10. Consideration of a request to adopt an ordinance for a Zoning District Change and Zoning Map Amendment from C-1 PUD and SUI PUD to C-1 CRO PUD for 25 (+/-) acres located west and north of the intersection of Blue Lakes Boulevard North and Fillmore Street. Tabled.
11. Public input and/or items from the City Manager and City Council.

Gary Slette asked for clarification as to what the Council just ordered. He understands the Council ordered mediation, which is a new precedent in the City. He stated there are two affected owners, and under the City's ordinance and under the statute only the applicant and affected owners are allowed to participate in the mediation. He stated that Councilperson Talkington talked about people who are concerned, which is not the issue. The issue is the affected people or affected persons. He then requested the identity of the two people who qualify as the affected persons.

City Attorney Wonderlich stated that staff will try to clarify who the affected persons are and who are the applicants. Discussion is underway for clarification of the ownership of the common area.

The discussion ended.

Mayor Lanting stated that when he became Mayor he requested from staff to work on a policy and process to do police backgrounds check on all of the appointees to boards and commissions. He stated that he did not clear it with Council. At this time he has suspended the process. He is requesting Council's input.

City Manager Rothweiler stated the Police Department would perform a local background check. Discussion has been made with Chief Pike and he stated this is done routinely at an administered level and then the results are reviewed internally by people who are proficient in understanding backgrounds.

Vice Mayor Hall stated that he believes it's a good idea but unfortunately a background check cannot be done for elected officials.

Council directed staff to move forward with the background check process.

Councilperson Talkington reported on the Impact Advisory Committee meeting.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS: None.

IV. PUBLIC HEARINGS: 6:00 – NONE

V. ADJOURNMENT: The meeting adjourned at 7:39 P.M.

Leila A. Sanchez  
Deputy City Clerk/Recording Secretary



# BEFORE THE CITY COUNCIL OF THE CITY OF TWIN FALLS

---

In Re:	)	
	)	
<u>Final Plat</u> Application,	)	FINDINGS OF FACT,
	)	
<u>Poleline Commercial Subdivision-a PUD</u>	)	CONCLUSIONS OF LAW,
<u>c/o The Crumb Group, LLC</u>	)	
Applicant(s).	)	AND DECISION
	)	

---

This matter having come before the City Council of the City of Twin Falls, Idaho on April 23, 2012 for consideration of the final plat of the Poleline Commercial Subdivision-a PUD, approximately 10.28 (+/-) acres consisting of 8 lots located at 636 Pole Line Road, and the City Council having heard testimony from interested parties, having received written Findings from the Planning and Zoning Commission and being fully advised in the matter, now makes the following

### FINDINGS OF FACT

1. Applicant has requested approval of the final plat of the Poleline Commercial Subdivision-a PUD, approximately 10.28 (+/-) acres consisting of 8 lots located at 636 Pole Line Road.
2. The property in question is zoned C-1 PUD pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as Commercial/Retail in the duly adopted Comprehensive Plan of the City of Twin Falls.
3. The existing neighboring land uses in the immediate area of this property are: to the north, Pole Line Road/Commercial/Hotel; to the south, Multi-family residential/Fawnbrook Apartments; to the east, Commercial/Gas Station and Convenience Store; to the west, Harrison Street North, extended/Lazy J Park .
4. The City Engineering Office has reviewed the final plat and has approved the proposed street accesses and public utility extensions, subject to availability of such services at the time of development. The

developer will pay all costs of public improvements, including but not limited to streets, curb gutter and sidewalks, sewer, water and pressurized irrigation systems. The proposed development includes dedication of additional right-of-way in compliance with the Master Street Plan.

Based on the foregoing Findings of Fact and the regulations and standards set forth below, the City Council hereby makes the following

#### CONCLUSIONS OF LAW

1. The final plat of the Poleline Commercial Subdivision-a PUD, approximately 10.28 (+/-) acres consisting of 8 lots located at 636 Pole Line Road is in conformance with the objectives of the zoning ordinance and the policy for developments in Twin Falls City Code §10-1-4. Specifically, the land can be used safely for building purposes without danger to health or peril from fire, flood or other menace, proper provision has been made for drainage, water sewerage and capital improvements including schools, parks, recreation facilities, transportation facilities and improvements, all existing and proposed public improvements conform to the Comprehensive Plan.

2. The final plat is in conformance with the Comprehensive Plan as required by Twin Falls City Code §10-12-2.3(H)(2)(a).

3. Public services are currently available to accommodate the proposed development, as required by Twin Falls City Code §10-12-2.3(H) (2) (b). Public services may not be available at the time of development, depending upon the speed of development of this and other subdivisions and the ability of the City to obtain additional water and/or sewer capacity.

4. The development of streets, sewer, water, irrigation, dedication of park land and other public improvements at the cost of the developer will not adversely affect any capital improvement plan and will integrate with existing public facilities, as required by Twin Falls City Code §10-12-2.3(H)(2)(c).

5. There is sufficient public financial capability of supporting services for the proposed development, as required by Twin Falls City Code §10-12-2.3(H)(2)(d).

6. There are no other health, safety or environmental problems associated with the proposed development that were brought to the City Council's attention, per Twin Falls City Code §10-12- 2.3(H)(2)(e).

7. The final plat is in conformance with the Preliminary Plat. Based on the foregoing Conclusions of Law, the Twin Falls City Council hereby enters the following

DECISION

The request for approval of the final plat of the Poleline Commercial Subdivision-a PUD, approximately 10.28 (+/-) acres consisting of 8 lots located at 636 Pole Line Road is hereby granted, subject to final technical review by the City Engineer's Office and subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein. The applicant shall comply with all applicable requirements of the Adopted Standard Drawings, the Zoning Ordinance, and the City Code of the City of Twin Falls.

\_\_\_\_\_  
MAYOR - TWIN FALLS CITY COUNCIL

\_\_\_\_\_  
DATE

"EXHIBIT NO. A"

1. Subject to site plan amendments as required by Building, Engineering, Fire & Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to recorded cross-use/access agreements being provided prior to recordation of final plat
3. Subject to the water line loop to Fawnbrook being included on the plat
4. Subject to public utility easements being included over any water, sewer or pressurized irrigation lines on the plat
5. Subject to compliance with the "recorded" amended PUD Agreement #220, to include a revised Master Development Plan, prior to approval and recordation of the final plat.



BEFORE THE CITY COUNCIL  
OF THE CITY OF TWIN FALLS

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In Re:	)	
	)	
<u>Appeal of Condition on Special Use Permit,</u>	)	FINDINGS OF FACT,
	)	
<u>Spencer Williams</u>	)	CONCLUSIONS OF LAW,
Appellant	)	
	)	AND DECISION
	)	
	)	

---

This matter having come before the City Council of the City of Twin Falls, Idaho on April 9, 212 for public hearing on the appeal of a condition attached to a Special Use Permit for the purpose of operating a chiropractor's office and to include a residential apartment for the business owner or an employee of the business on property located at 1015 Washington Street North. The City Council having heard testimony from interested parties being fully advised in the matter, now makes the following,

FINDINGS OF FACT

1. The Planning and Zoning Commission approved a Special Use Permit for the purpose of operate a chiropractor's office and to include a residential apartment for the business owner or an employee of the business on property located at 1015 Washington Street North, and the Appellant has appealed a condition attached to that permit.
2. All legal requirements for notice of public hearing have been met with advertisement taking place on the following date: March 22, 2012
3. The property in question is zoned R-4 PRO pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as Residential Business in the duly adopted Comprehensive Plan of the City of Twin Falls.
4. The existing neighboring land uses in the immediate area of this property are: to the north, residential; to the south residential/Crestview Drive; to the east; Washington Street North/College of

Southern Idaho; and to the west, residential.

5. The Appellant has appealed condition attached to the approved Special Use Permit requirement to establish a 12' wide, 3' high berm along the property bordering on Washington Street North.

Based on the foregoing Findings of Fact, the City Council hereby makes the following

CONCLUSIONS OF LAW

1. The application for a Special Use Permit approved by the Planning and Zoning Commission for the purpose of operate a chiropractor's office and to include a residential apartment for the business owner or an employee of the business on property located at 1015 Washington Street North should be amended deferral of the berm requirement until the adjacent property to the north applies for development and comes under similar requirements.

DECISION

1. The application for a Special Use Permit approved by the Planning and Zoning Commission for the purpose of operate a chiropractor's office and to include a residential apartment for the business owner or an employee of the business on property located at 1015 Washington Street North is approved, subject to the conditions which are attached as "Exhibit No. A", as amended and incorporated by reference as though fully set forth herein.

---

MAYOR - TWIN FALLS CITY COUNCIL

---

DATE

"EXHIBIT NO. A"

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 this Special Use Permit being for the operation of a Chiropractic Clinic, as presented.
3. Subject to the apartment being occupied by the owner of the Chiropractic Clinic or an employee.
4. Subject to a Certificate of Occupancy for a medical office being issued prior to operation of the business.
5. Deferred the berm requirement until the adjacent property to the north applies for development and comes under similar requirements.



**CITY OF TWIN FALLS  
PLANNING AND ZONING DEPARTMENT**

324 Hansen Street East  
P.O. Box 1907  
Twin Falls, Idaho 83303-1907

**SPECIAL USE PERMIT**

**City Council Amended Conditions 04-09-12**

**Permit No. 1259**

Granted by the Twin Falls City Planning and Zoning Commission on February 14, 2012 to Spencer Williams whose address is 1248 Desert View Dr Twin Falls, ID 83301 for the purpose of establishing a chiropractic office with a residential apartment for the property owner or an employee of the chiropractic office on property located at 1015 Washington Street North and legally described as Twin Falls Orcharala Subd SE 120.8' x 273.85' of Tax #1302 of Lot 51, Exc W 75.15' & Exc Tax#2926 (5-10-17 SE)

The Commission has attached the following conditions which must be fully implemented to avoid permit revocation (City Code Section 10-13-2.3):

**This permit corresponds to Zoning Application No.2500**

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 this special use permit being for the operation of a chiropractic Clinic, as presented.
3. Subject to the apartment being occupied by the owner of the chiropractic clinic or an employee.
4. Subject to a Certificate of Occupancy for a medical office being issued prior to operation of the business
5. **Deferred the berm requirement until the adjacent property to the north applies for development and comes under similar requirements.**

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
DATE

**This permit is for zoning purposes only. Other permits such as sign, building, electrical or plumbing permits, etc. may be required. All facilities must comply with all Building and Fire Code Regulations.**

**Please contact the Building Department at 735-7238 for further information.**

cc: Building Inspection



## CONCLUSIONS OF LAW

1. The application for Annexation with a zoning designation of M-2, currently zoned M-2, for 37 (+/-) acres, located approximately 565' west of the western boundary of 3767 North 3300 East is consistent with the purpose of the M-2 Zone, and is not detrimental to any of the outright permitted uses or existing special uses in the area.

2. The proposed annexation is consistent with the provisions of the Comprehensive Plan and Zoning Ordinance of the City of Twin Falls, and in particular Sections 10-1-4, 10-1-5, 10-4-10, 10-11-1 through 9, 10-15-2 of the Twin Falls City Code.

3. The proposed use is proper use in the M-2 Zone, subject to the conditions, which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

4. Public services may not be available at the time of development, depending upon the speed of development of this and other subdivisions and the ability of the City to obtain additional water and/or sewer capacity. Annexation of this property is not a guarantee city utilities are available. A will-serve letter will be issued upon review and approval for a final plat and/or a phase of a final plat.

5. The application for Annexation with a zoning designation of M-2, currently zoned M-2, for 37 (+/-) acres, located approximately 565' west of the western boundary of 3767 North 3300 East should be granted, subject to all applicable requirements of the Zoning Ordinance, Adopted Standard Drawings and City code of the City of Twin Falls and to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

Based on the foregoing Conclusions of Law, the Twin Falls City Council hereby enters the following

### DECISION

1. The application for Annexation with a zoning designation of M-2, currently zoned M-2, for 37 (+/-) acres, located approximately 565' west of the western boundary of 3767 North 3300 East is hereby granted.

2. The applicant shall comply with all applicable requirements of the Adopted Standard Drawings, the Zoning Ordinance, and the City Code of the City of Twin Falls and to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

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MAYOR - TWIN FALLS CITY COUNCIL

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DATE

APPLICATION # 2506



**Date:** May 21, 2012, City Council Meeting  
**To:** Honorable Mayor and City Council  
**From:** Sharon Bryan, Deputy City Clerk

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**Request:**

Approval of a liquor license for Team Bowladrome LLC dba Bowladrome, located at 220 Eastland Drive.

Time Estimate: Consent Calendar

**Background:** Approval of liquor license.

**Approval Process:** Majority vote of the City Council.

**Budget Impact:** N/A

**Regulatory Impact:** City and State Code Compliance

**Conclusion:** Staff recommends approval of the application.

**Attachments:** Alcohol License Application



# ALCOHOL LICENSE APPLICATION

BUSINESS NAME Team Bowladrome LLC STATE LICENSE # 3086  
 (Please attach a copy of your state license)  
 DOING BUSINESS AS Bowladrome  
 BUSINESS ADDRESS 220 Eastland Dr.  
 LEGAL DESCRIPTION OF PLACE OF BUSINESS Bowling Center  
 Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_  
 MAILING ADDRESS \_\_\_\_\_  
 CONTACT PERSON Dennis Seckel PHONE # 733-0369

			(Check)
<b>BEER:</b>	<i>Bottled for consumption off the premises only</i>	(\$ 50.00)	_____
	<i>Bottled for consumption on premise</i>	(\$ 150.00)	_____
	<i>Bottled &amp; Draught for consumption on premises</i>	(\$200.00)	_____
<b>WINE:</b>	<i>Retail Sales for consumption off premises only</i>	(\$200.00)	_____
	<i>Wine by the Drink for consumption on premises only</i>	(\$200.00)	_____
<b>LIQUOR:</b>	<i>Liquor license &amp; fees cover wine license &amp; fees</i>	(\$562.50)	<input checked="" type="checkbox"/>

As provided by the laws of the City of Twin Falls, Idaho for the term ending **June 30, 2010** tendered herewith is the license fee of \$ 562.50 (Ordinance #2708)

APPLICANT IS AN INDIVIDUAL ( ) PARTNERSHIP ( ) CORPORATION (  ) LLC

IF A PARTNERSHIP, NAME ALL PARTNERS: (PLEASE PRINT)

NAME: Lee Walsh RESIDENCE: 2249 Whisperwood Dr, Lehi UT 84043  
 NAME: Michele Seckel RESIDENCE: 467 Wildrose Loop, TF-ID  
 NAME: Dennis Seckel RESIDENCE: 467 Wildrose Loop, TF-ID

IF A CORPORATION OR ASSOCIATION, NAME ALL OFFICERS:

NAME: Michele Seckel ADDRESS: 467 Wildrose Loop TF ID  
 TITLE: Member  
 NAME: Dennis Seckel ADDRESS: 467 Wildrose Loop, TF, ID  
 TITLE: Member  
 NAME: Lee WALSH ADDRESS: 2249 Whisper Wood Dr  
Lehi UT 84043

TITLE: member

NAME: \_\_\_\_\_ ADDRESS: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE OF INCORPORATION OR ORGANIZATION July 2005

PLACE OF INCORPORATION OR ORGANIZATION \_\_\_\_\_

PRINCIPAL PLACE OF BUSINESS IN IDAHO 220 Eastland DR. Twin Falls, ID

OWNER OF PREMISES (Please Print) Dennis, & Michele Seckel 83301

NAME OF PERSON WHO WILL MANAGE BUSINESS OF SELLING BEER AT RETAIL:  
(Please Print) Michele Seckel

\*\*\*\*\*  
(IF A PARTNERSHIP, ALL PARTNERS NEED TO SIGN)

SIGNATURE OF APPLICANT Michele Seckel

NAME (Please Print) Michele Seckel BIRTHDATE: 07-29-57

RESIDENCE OF APPLICANT 467 Wildrose Loop Twin Falls, ID 83301

LENGTH OF RESIDENCE IN IDAHO 51 years

SIGNATURE OF APPLICANT Dennis K Seckel

NAME (Please Print) Dennis K Seckel BIRTHDATE: 09-11-58

RESIDENCE OF APPLICANT 467 Wildrose Loop Twin Falls, ID 83301

LENGTH OF RESIDENCE IN IDAHO 25 years

SIGNATURE OF APPLICANT \_\_\_\_\_

NAME (Please Print) \_\_\_\_\_ BIRTHDATE: \_\_\_\_\_

RESIDENCE OF APPLICANT \_\_\_\_\_

LENGTH OF RESIDENCE IN IDAHO \_\_\_\_\_

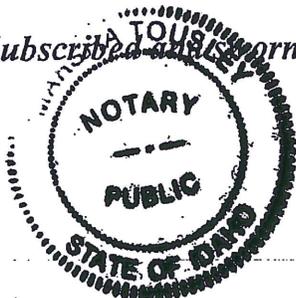
SIGNATURE OF APPLICANT \_\_\_\_\_

NAME (Please Print) \_\_\_\_\_ BIRTHDATE: \_\_\_\_\_

RESIDENCE OF APPLICANT \_\_\_\_\_

LENGTH OF RESIDENCE IN IDAHO \_\_\_\_\_

Subscribed and sworn to before me this 16<sup>th</sup> day of May, 2012.



Marsha Toussley  
Notary Public for Idaho  
Residing at: Twin Falls, Idaho  
Notary Expiration Date: 12-06-2013

TITLE: member

NAME: Lee Michael Walsh

ADDRESS: 2249 Whisper Wood Dr., Lehi, UT 84043

TITLE: Partner

DATE OF INCORPORATION OR ORGANIZATION July 2005

PLACE OF INCORPORATION OR ORGANIZATION \_\_\_\_\_

PRINCIPAL PLACE OF BUSINESS IN IDAHO 220 Eastland Dr. Twin Falls, ID

OWNER OF PREMISES (Please Print) Dennis, & Michele Seckel 83301

NAME OF PERSON WHO WILL MANAGE BUSINESS OF SELLING BEER AT RETAIL:  
(Please Print) Michele Seckel

\*\*\*\*\*  
(IF A PARTNERSHIP, ALL PARTNERS NEED TO SIGN)

SIGNATURE OF APPLICANT Lee M. Walsh

NAME (Please Print) Lee M. Walsh BIRTHDATE: 10/24/1956

RESIDENCE OF APPLICANT 2249 Whisper Wood Dr., Lehi, UT 84043

LENGTH OF RESIDENCE IN IDAHO \_\_\_\_\_

SIGNATURE OF APPLICANT \_\_\_\_\_

NAME (Please Print) \_\_\_\_\_ BIRTHDATE: \_\_\_\_\_

RESIDENCE OF APPLICANT \_\_\_\_\_

LENGTH OF RESIDENCE IN IDAHO \_\_\_\_\_

SIGNATURE OF APPLICANT \_\_\_\_\_

NAME (Please Print) \_\_\_\_\_ BIRTHDATE: \_\_\_\_\_

RESIDENCE OF APPLICANT \_\_\_\_\_

LENGTH OF RESIDENCE IN IDAHO \_\_\_\_\_

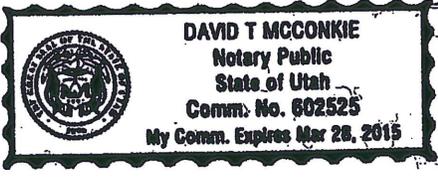
SIGNATURE OF APPLICANT \_\_\_\_\_

NAME (Please Print) \_\_\_\_\_ BIRTHDATE: \_\_\_\_\_

RESIDENCE OF APPLICANT \_\_\_\_\_

LENGTH OF RESIDENCE IN IDAHO \_\_\_\_\_

Subscribed and sworn to before me this 9th day of May, 2012.



[Signature]  
Notary Public for Idaho Utah  
Residing at: Lehi, UT  
Notary Expiration Date: March 28, 2015

\*\*\*\*\*

# CITY STAFF USE ONLY:

\*\*\*\*\*

**APPROVALS:**

PLANNING AND ZONING: Yes  *RC* No  DATE: 5/16/12

COMMENTS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

POLICE DEPT: Yes  *GW* No  DATE: 05/16/12

COMMENTS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CITY CLERK: Yes  *HL* No  DATE: 5/16/12

COMMENTS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# State of Idaho

## Idaho State Police

Cycle Tracking Number: 59592  
ISLD ID: 6447

Premise Number: 2T-64  
Incorporated City

### Retail Alcohol Beverage License

License Year: 2012  
License Number: 3086

*This is to certify, that* Team Bowladrome LLC  
*doing business as:* Bowladrome

*is licensed to sell alcoholic beverages as stated below at:* 220 Eastland Dr, Twin Falls, Twin Falls  
County

*Acceptance of a license by a retailer shall constitute knowledge of and agreement to operate by and in accordance to the Alcohol Beverage Code, Title 23. Only the licensee herein specified shall use this license.*

Liquor	Yes	<u>\$375.00</u>
Beer	Yes	<u>\$20.00</u>
On-premise consumption	Yes	<u>\$0.00</u>
Kegs to go	No	
Restaurant	No	
Wine by the bottle	Yes	<u>\$0.00</u>
Wine by the glass	Yes	<u>\$0.00</u>
Multipurpose arena	No	

TOTAL FEE: \$395.00



Signature of Licensee, Corporate Officer, LLC Member or Partner

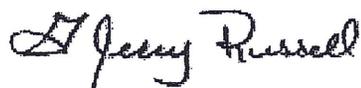
TEAM BOWLADROME LLC  
BOWLADROME  
220 EASTLAND DR

TWIN FALLS, ID 83301

Mailing Address

License Valid: 05/07/2012 - 06/30/2012

Expires: 06/30/2012



Director of Idaho State Police

SEE REVERSE SIDE FOR SALE OR TRANSFER OF THIS LICENSE

THIS LICENSE MUST BE CONSPICUOUSLY DISPLAYED



**Date:** Monday, May 21, 2012, Council Meeting  
**To:** Honorable Mayor and City Council  
**From:** Staff Sergeant Dennis Pullin, Twin Falls Police Department

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**Request:**

Consideration of a request from Robin Dober and the Twin Falls Tonight Committee to approve the 14<sup>th</sup> annual series of weekly Twin Falls Tonight Concerts commencing on June 20, 2012, and concluding August 22, 2012. These activities will be held each Wednesday evening from 6:00 p.m. to 9:00 p.m. and will take place near the fountain on Main Avenue in downtown Twin Falls.

**Time Estimate:**

Due to the success of this event over the past 13 years, this application may be considered on the consent calendar and, with the Council's consent, requires no further discussion.

**Background:**

As in the past 13 years, this season's weekly concerts will be held on Main Avenue East and Main Avenue South, from Shoshone Street to Idaho Street East; the 100 Block of Hansen Street East will also be occupied. The event will include vendors set up on Main Avenue near the fountain and live music each week. The band stage will be on Hansen Street East. Alcohol will be served by Soran's and the Beacon; identification will be checked by the Twin Falls Tonight Committee Members and wristbands will be issued accordingly. The upcoming events will be held on the following dates: June 20, June 27, July 11, July 18, July 25, August 8, August 15, and August 22, 2012. There will not be an event held on Wednesday, August 1, nor Wednesday, July 4, 2012.

Based on last year's attendance, Committee Member Robin Dober estimates that 600 to 1,000 people will attend each Wednesday night. Alcohol will be sold in conjunction with live bands playing and amplified music for three hours on each Wednesday evening. In order to ensure a safe viewing area and to accommodate the setup and removal of equipment, the Committee has requested that Main Avenue from Shoshone Street to Idaho Street be blocked during the event. City Staff has reviewed the application and believes there is an effective plan in place for a safe and enjoyable series of events. There will be two (2) Twin Falls County Sheriff's Reserve Deputies providing security for the events on Main Avenue.

Staff has the following recommendations:

- The amplified music could generate a noise complaint from the residential neighborhood near the downtown area. The volume of the amplification should therefore be set at a level sufficient to minimize the possibility of a noise disturbance complaint.
- The Patrol Supervisor will be advised to contact Twin Falls Tonight Committee Member Robin Dober, or her designee, should any person call regarding a noise complaint. The on-duty Police Supervisor shall have the authority to order event organizers to mitigate the volume of amplified music and, if the noise complaints become habitual, the Patrol Supervisor shall have the authority to order the music terminated.

Agenda Item for May 21, 2012  
From Staff Sergeant Dennis Pullin  
Page Two

**Approval Process:**

Approval by the City Council.

**Budget Impact:**

The 100 and 200 Blocks of Main Street East and South will be closed from Shoshone Street to Idaho Street. The 100 Block of Hansen Street East will be closed between Main Avenue East and 2<sup>nd</sup> Avenue East. The streets will be closed with the use of barricades. The Twin Falls Tonight Committee has access to barricades and cones for use in blocking the streets so there is no budget or regulatory impact to the City.

**Regulatory Impact:**

None

**Conclusion:**

Staff recommends that the City Council approve the Special Events Application submitted for the Twin Falls Tonight events to be held every Wednesday beginning June 20, 2012, through August 22, 2012, excluding July 4, 2012, based on the information provided.

**Attachments:**

None

DP:aed



Date: May 21, 2012  
To: Honorable Mayor and City Council  
From: Rebecca Mills Sojka, Council Member

---

**Request:**

Consideration of a proposal to provide funding to cover travel expenses for members of the Youth Council to attend the 2012 Association of Idaho Cities Annual Conference in Boise, Idaho.

**Time Estimate:** Consent Item

**Background:**

The Youth Council would like to send Reylene Abbott and Daniel Kelley to the conference. In the past they have raised funds to cover one-half of the costs.

Following is a breakdown of expenses:

Registration Fees (2)	\$560.00
(Lodging, Meals, and Registration)	
Chaperones (2)	\$844.08
(Lodging, Meals, Transportation & Registration)	

**Approval Process:** Majority vote of the City Council.

**Budget Impact:** Funds in the amount of \$750.00 has been budgeted for the AIC Conference.

**Regulatory Impact:**

**Conclusion:**

Approve to pay one-half of the travel expenses.

**Attachments:**

None



**Date:** Monday, May 21, 2012, Council Meeting  
**To:** Honorable Mayor and City Council  
**From:** Chief Brian Pike, Twin Falls Police Department

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**Request:**

Swearing in ceremony for four new Twin Falls Police Department Officers. It is requested that Mayor Greg Lanting administer the Oath of Office to: **Sabrina Bennett, Justin Cyr, Christopher Ehardt, and Tyler Rudkin.**

**Time Estimate:**

The presentation will take approximately ten minutes.

**Background:**

Due to the departures of Officer Isaiah Day, Sergeant Steve Benkula, and Officer Jeremy Trump, and the upcoming retirement of Staff Sergeant McAtee, the Twin Falls Police Department has hired four new Police Officers to fill those vacancies.

**Sabrina Bennett** was hired by the Twin Falls Police Department on May 1, 2012, as a full-time Police Officer.

Sabrina was born in Dillon, Montana, and moved to Nampa, Idaho, at the age of nine. Sabrina's interest in law enforcement began when she was a teenager, and she participated in the Nampa Police Explorer Program. She graduated from Nampa High School and moved to Twin Falls to attend the College of Southern Idaho.

Sabrina met her husband, Marty, while attending CSI. She and her husband have five children. For most of the past 14 years, Sabrina has been a homemaker and has served her community by volunteering her time to several different organizations and charities.

**Justin Cyr** was hired by the Twin Falls Police Department on May 14, 2012, as a full-time Police Officer.

Justin was born and raised in Burley, Idaho. He graduated from Burley High School in 2003 and joined the United States Navy. He served four years overseas as a military police officer in Bahrain and Okinawa, Japan. When he separated from the Navy in 2007, he returned to Idaho.

Justin attended the College of Southern Idaho Law Enforcement Program. After successfully completing the law enforcement program, he continued his college education.

Prior to his employment with our Department, Justin worked as a detention deputy at the Twin Falls County Jail from 2009 until the present.

Justin and his wife, Ashley, have two beautiful children, Slade and Raelee.

**Christopher Ehardt** was hired by the Twin Falls Police Department on May 14, 2012, as a full-time Police Officer.

Chris was born in Idaho Falls and grew up in Shelley, Idaho. He attended the Idaho State University Law Enforcement Program; graduated on May 2, 2012; and was awarded the Top Shot Award.

Prior to his employment with the TFPD, Chris was employed in jewelry sales as a certified diamondologist and gemologist.

Chris enjoys playing baseball, the outdoors, snowboarding, wakeboarding, and living in Idaho. Chris and his wife have two daughters and a son; seven, five, and four years of age.

**Tyler Rudkin** was also hired by the Twin Falls Police Department on May 14, 2012, as a full-time Police Officer.

Ty was born in Norwich, Connecticut, where his father was stationed with the United States Navy. Because of his father's military service, Ty has lived in Idaho, Washington, Connecticut and Georgia.

Ty was homeschooled by his mother. After completing high school, he attended Arizona Western College where he graduated with an Associate's Degree in Mathematics and Engineering. He then continued his education at Boise State University where he is currently finishing the last remaining courses for a Bachelor's Degree in Criminal Justice. During his freshman and sophomore years of college, he also attended and successfully graduated from Officer Candidate School for the United States Marine Corps in Quantico, Virginia. Ty has always had an interest in a law enforcement-related career and that is now becoming a reality.

**Approval Process:** N/A

**Budget Impact:**

This will not impact the budget.

**Regulatory Impact:** N/A

**Conclusion:**

Chief Pike would like to formally swear in the Twin Falls Police Department's four newest Police Officers before the City Council with Mayor Greg Lanting administering the Oaths of Office on May 21, 2012.

**Attachments:**

None



**Date:** Monday, May 21, 2012, Council Meeting  
**To:** Honorable Mayor and City Council  
**From:** Staff Sergeant Dennis Pullin, Twin Falls Police Department

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**Request:**

To consider the Special Events Application submitted by Scott McNeley and Downtown Alive regarding the 'Market on Main' proposed to commence on Wednesday, June 20, 2012, and continue every Wednesday evening thereafter through September 26, 2012. Each Market will open at 6:00 p.m. and close at 9:00 p.m.

**Time Estimate:**

Staff presentation will take approximately five minutes. The applicant will be in attendance to answer any questions that may arise. Following the presentation, Staff anticipates some time for questions and answers.

**Background:**

On April 17, 2012, Scott McNeley submitted the attached Special Events Application regarding the request to provide a Market on Main to be held on Main Avenue North and West each Wednesday night from June 20 through September 26, 2012. The Market will consist of vendors selling produce, fresh foods and food-to-go, sandwiches and finger food, as well as artisan and craft vendors. Mr. McNeley anticipates that the Market will include 10 to 20 tents from which a variety of vendors will sell their products and provide live music and children's activities.

City Staff met and expressed concerns relative to the electrical requirements of the vendors, the level of amplified sound, provision of portable restrooms, and the support of the Main Avenue businesses affected by the event. Mr. McNeley anticipates no more than a few vendors requiring power and will bring generators if necessary. Currently there is no amplified music planned. However, there may be a one- to two-man band playing softer music during the last few weeks of the Market on Main. The music will be provided after the last Downtown Alive event which is scheduled for August 22, 2012. Finally, Mr. McNeley will arrange for portable restrooms and will be contacting each Main Avenue business regarding the Market.

Given the hours of operation, the audience to which the event will appeal, and the absence of alcohol sales and service, security will be the responsibility of the event's sponsors and vendors.

Though scheduled for each Wednesday during the summer months, there will not be an event held on Wednesday, July 4, 2012.

**Approval Process:**

Approval by the City Council.

Agenda Item for May 21, 2012  
From Staff Sergeant Dennis Pullin  
Page Two

**Budget Impact:**

While Main Avenue North and West will be closed from Shoshone to Gooding Streets, traffic cones and barriers will be procured and set in place by the event's sponsors and vendors. There will be no budget impact associated with the Council's approval of this request. The application has been reviewed and approved by relevant City Staff.

**Regulatory Impact:**

The Twin Falls Police Department believes this to be a family-friendly event that is safe for the citizens of our community. In that this event is a work-in-progress and subsequent evenings may include the service of alcohol, those events will be reviewed for security and additional requirements may be imposed.

**Conclusion:**

Staff recommends that the City Council approve the Special Events Application submitted for the Market on Main event commencing on Wednesday, June 20, 2012.

**Attachments:**

None

DP:aed



**Date:** Monday, May 21, 2012  
**To:** Honorable Mayor and City Council  
**From:** Troy Vitek, PE Assistant City Engineer

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**Request:**

Consideration of a request to defer parking lot paving and storm water retention.

**Time Estimate:**

The applicant would like to make the presentation. Estimated time 10 minutes.

**Background:**

Eastside Southern Baptist Church recently constructed a building and they are requesting a temporary Occupancy be granted. Section 10-11-1 of City Code requires that all parking and maneuvering areas to be hard surfaced in an attempt to meet EPA storm drain discharge requirements and avoid tracking of debris onto our roadways. Eastside Baptist would like to defer the water retention system until October 31<sup>st</sup> 2013 and paving of the parking lot until June 3, 2015. The risk is that if the project isn't completed as the church outlined, there may be considerable frustration in removing an occupancy permit from a church.

**Approval Process:**

The Council may elect to defer improvement over a period of time not to exceed three (3) years per Section 10-11-1 of City Code and accept a multi-year deferral agreement as shown in the attached letter.

**Budget Impact:**

This does not impact the budget

**Conclusion:**

Staff makes no recommendation.

**Attachments:**

1. Eastside Baptist Church request for deferral.
2. Letter stating more than 25% costs associated with deferral.
3. Letter of support from Gerald Martens.



Eastside Baptist  
Church

204 Eastland Drive N.  
Twin Falls, Idaho 83301  
208-734-7041

May 12, 2012

City of Twin Falls  
Planning & Zoning Commission  
City Council Chambers  
305 Third Avenue E.  
Twin Falls, Idaho 83301

Attn: Chairperson, Wayne Bohrn  
cc: City Engineer, Jackie Fields

Re: Eastside Southern Baptist Church *Bldg Permit # 9-312*  
204 Eastland Drive North

We request that Temporary Occupancy be granted at the above noted location to be in effect on June 3, 2012 and expire at 12:00 noon on June 3, 2015 (3 years). The reason we are requesting Temporary Occupancy is for permission to occupy the new structure while raising funds for the parking lot paving and water retention system without incurring debt.

Our plan is to have:

- the water retention system completed by October 31<sup>st</sup>, 2013;
- and the parking lot paving completed by June 3, 2015.

Prior to the expiration of the Temporary Occupancy, we will schedule inspections to insure that all issues as stated in the above list are resolved to the full satisfaction of the Building Department. However, if we fail to comply by the expiration date, we will cease all occupancy and vacate the premises until the building is brought under full compliance.

Signature Blake S Burton Title Trustee Date 5/13/12

Signature Don Howard Title Trustee Date 2012-May-13

Signature [Signature] Title TRUSTEE Date 13/5/12



RECEIVED  
MAY 14 2012  
CITY OF TWIN FALLS  
BUILDING DEPT.

May 14, 2012

City of Twin Falls  
Planning & Zoning Commission  
City Council Chambers  
305 Third Avenue E.  
Twin Falls, ID 83301

Attn: Chairperson, Wayne Bohrn  
Cc: City Engineer, Jackie Fields

Re: Eastside Southern Baptist Church Bldg. Permit # 9-312  
204 Eastland Drive North

This document is an addendum to our document dated May 12, 2012 please add. To date we have spent \$293,700.51 on our building cost, which is debt free. We project the need for an additional \$85,000 for the paving of our parking lot and \$21,000 for the water retention system.

Signature: John R. Regus Title: Ch. Building Com. Date: 5/14/12

**Date:** May 15, 2012

**To:** City of Twin Falls  
Attn: Jackie Fields

**From:** Gerald Martens



**Via:** Hand Deliver

**Regarding:** Eastside Baptist Church

The purpose of this memo is to provide my support for the Eastside Baptist Church's request for additional time to complete site drainage and parking paving work.

I have worked with the Eastside Baptist Church in assisting them in a drainage and parking plan that mutually benefits the Church and the adjacent Kelley Gardens Subdivision. This includes access driveways, access to pressurized irrigation and drainage.

The Church continues to diligently work toward properly designed and constructed site improvements within the limits of their financial capabilities.

I support the schedule of improvements outlined in their May 12, 2012 request.

RECEIVED

MAY 15 2012

CITY OF TWIN FALLS  
BUILDING DEPT.



**Date:** Tuesday, May 21, 2012  
**To:** Honorable Mayor and City Council  
**From:** Troy Vitek, PE Assistant City Engineer

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### **Request:**

Consideration of a request to award the Agro-Farma/Twin Falls – Bypass Project Work Package J to Stutzman, Inc, in the amount of \$75,478.00.

### **Time Estimate:**

The staff presentation will take approximately 5 minutes.

### **Background:**

The Northeast Sewer project is a multi-phase project to increase sewer capacity and bypass existing sewer mains that run through the City. The phased project is nearing completion and this request is for the final piece of infrastructure across the proposed pretreatment facility Site.

Idaho Code Section 67-2805(2) allows semi-formal bidding for projects estimated at under \$100,000. Requests for bids describing the work need to be sent to at least 3 contractors. The Engineering Department issued requests to Stutzman Inc., PMF Inc, Granite Construction, and Christiansen Construction. On Tuesday, May 15, 2012, the two bids received were opened for the Agro-Farma/Twin Falls – Bypass project Work Package J. The lowest bid came from Stutzman Inc. in the amount of \$75,478.00. The other bid was \$88,230.00 from Granite Construction.

### **Approval Process:**

A majority vote of the Council to approve the Award of Contract.

The contract documents indicate that: "The award will be made by the City on the basis of the Proposal submitted by the one responsible bidder submitting the lowest acceptable Proposal. For determination of the apparent low Bidder, bids will be compared on the basis of the lump sum amount shown for items 1,2,and 3 of the bid schedule. These 3 items will be reviewed and accepted or rejected at the owner's option. Accepted items will be identified in the final agreement."

### **Budget Impact:**

The City entered into an agreement with Agro-Farma and the Urban Renewal Agency(URA) where URA agreed to allocate funds to the construction of the Northeast Sewer Project. The City agreed to partially fund a portion of the work to relieve some existing problems in the collection system. The City also agreed to construct the work. Approval of this contract enables the URA and City to continue to execute the obligations of the development agreement.

The NE Sewer Trunk Line Project is funded by the URA and the City. The project is originally funded with \$2 million Urban Renewal funds and \$4 million general fund cash reserves. Since the agreement was signed, Agro-Farma has expressed interest in expanding the capacity of the sewer and has agreed to fund the difference in cost in the event the Urban Renewal funds are not available.

### **Conclusion:**

Staff recommends that City Council allow the mayor to execute the Contract with Stutzman Inc. in the amount of \$75,478.00.

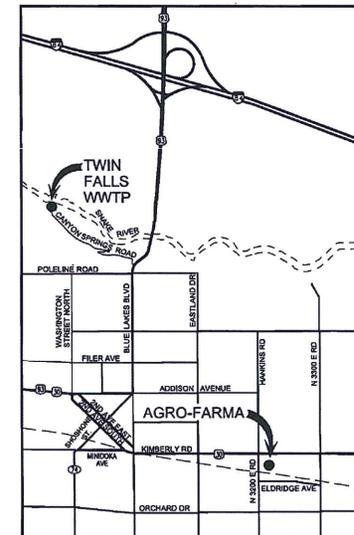
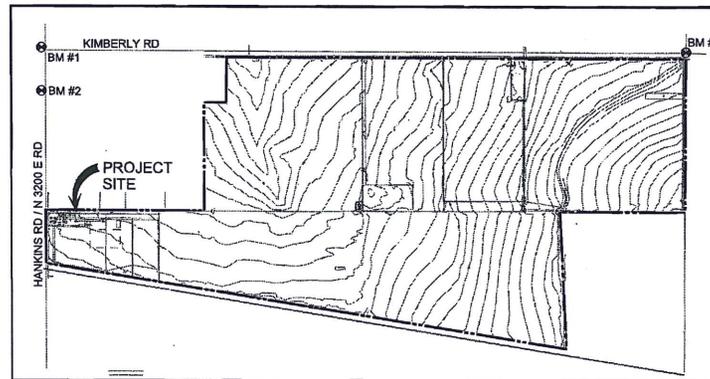
**Attachments:**

1. Vicinity Map
2. Bid Tab

# TWIN FALLS WASTEWATER TREATMENT PLANT AGRO-FARMA / TWIN FALLS - BYPASS PROJECT WORK PACKAGE J TWIN FALLS, IDAHO

## INDEX TO DRAWINGS

SHEET	DWG	TYPE	SHEET TITLE
1	G01	GENERAL	VICINITY MAPS AND INDEX TO DRAWINGS
2	G02	GENERAL	CIVIL NOTES AND LEGENDS
3	D01	CIVIL	DEMOLITION PLAN
4	C01	CIVIL	GRAVITY PIPE PLAN AND PROFILE
5	C02	CIVIL	VALVE VAULT SCHEMATIC PLAN AND SECTION
6	C03	CIVIL	DETAILS



NO.	DATE	DR	DESIGN	REVISION	BY	APPROVED

TWIN FALLS WASTEWATER TREATMENT PLANT  
AGRO-FARMA PTF AND WWTP IMPROVEMENTS  
CITY OF TWIN FALLS  
TWIN FALLS, IDAHO

**CH2MHILL**  
WORK PACKAGE J  
GENERAL  
VICINITY MAPS AND  
INDEX TO DRAWINGS

VERIFY SCALE  
BAR IS ONE INCH ON ORIGINAL DRAWING

DATE	MARCH 19, 2012
PROJ	429376
DWG	G01
SHEET	1 of 6



**AGRO-FARMA/ TWIN FALLS BYPASS PROJECT WORK PACKAGE J**

**Bid Tabulation**

Prepared by: Troy Vitek, PE

Date: May 15, 2012

Item No.	Bid Item Description	Est. Qty.	Unit
1	Installation of Pipeline etc	1	LS
2	Demolishing Existing Building	1	LS
3	Abandon Existing Well Onsite	1	LS

Stutzman, Inc.	
Low Bid	
Unit Price	Extension
\$58,978.00	\$58,978.00
\$13,500.00	\$13,500.00
\$3,000.00	\$3,000.00

Granite Excavation	
2nd Low Bid	
Unit Price	Extension
\$62,610.00	\$62,610.00
\$20,585.00	\$20,585.00
\$5,035.00	\$5,035.00

**ESTIMATED TOTAL \$75,478.00**

**TOTAL \$88,230.00**