

COUNCIL MEMBERS:

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



MINUTES
 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>I. CONSENT CALENDAR:</p> <ol style="list-style-type: none"> 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. 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. 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. 	<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>II. ITEMS FOR CONSIDERATION:</p> <ol style="list-style-type: none"> 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. 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. 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. 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. 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. 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. 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. 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. 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 	<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>6:00 P.M.</p> <p>Fritz Wonderlich/ Mitch Humble</p> <p>Mitch Humble</p> <p>Mitch Humble</p>

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 Hawkins, 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.
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.
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