

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>			



AMENDED AGENDA
 Meeting of the Twin Falls City Council
Monday, June 25, 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
 CONSIDERATION OF THE AMENDMENTS TO THE AGENDA:
 PROCLAMATIONS: **THE UNITED WAY**

AGENDA ITEMS	Purpose	By:
I. CONSENT CALENDAR: 1. Consideration of a request to approve the accounts payable for June 19 – June 25, 2012. 2. Consideration of a request to approve the June 4, 2012, June 11, 2012, and June 18, 2012, City Council Minutes.	<u>Action</u>	<u>Staff Report</u> Sharon Bryan L. Sanchez
II. ITEMS FOR CONSIDERATION: 1. Consideration of a request from the Library Board of Trustees to approve that the Idaho Power Rebate Check for \$17,585.12 be used to finish other projects in the Library. 2. Consideration of a request to appoint Dan Brizee and Neil Christensen to the City of Twin Falls Urban Renewal Agency Board. 3. Consideration of a request to re-appoint Ryan Horsley and Darrell Buffaloe to the Twin Falls City Historic Preservation Commission. 4. Consideration of a request to allow the Twin Falls County Youth Baseball (TCYB) overnight camping at the Oregon Trail Youth Complex for youth baseball teams and their parents for June 28 and June 29, 2012. 5. Update regarding a proposed Recreation Center for Twin Falls. 6. Consideration of a request to award the Radio Communication Equipment bid to All Wireless Communications, Burley, Idaho, in the amount of \$45,845. 7. Considerations of a request to accept the Idaho Transportation Department's Division of Aeronautics Grant Offer in the amount of \$20,000, and adopting Resolution 1886. 8. Consideration of a request to approve the Cooperative Agreement for Encroachment for State Highway: US-30/Kimberly Road, and adopting Resolution 1887. 9. Consideration of a request to consider the installation of backup power generation for the Blue Lakes Well pumps. 10. Consideration of a request to adopt Ordinance 3032, for a partial Vacation of the Pillar Falls Subdivision, A PUD, Phase 1. 11. Consideration of a request to adopt Ordinance 3033, for a Zoning Title Amendment to Twin Falls City Code 10-4-13.2 and 10-4-7.2 regarding residential uses in the OT and CB Zones. 12. Public input and/or items from the City Manager and City Council.	Action Action Action Action Presentation Action Action Action Action Action Action Action	Susan Ash Melinda Anderson Mitch Humble Dennis Bowyer Dennis Bowyer Craig Stotts Bill Carberry Lee Glaesemann Jon Caton Mitch Humble Mitch Humble
III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:		
IV. PUBLIC HEARINGS: 6:00 - None		
V. ADJOURNMENT:		

**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.

*Office of the Mayor
City of Twin Falls, Idaho*

Proclamation

WHEREAS, the United Way of South Central Idaho was originally established as the United Fund of Twin Falls on June 27, 1962 and is celebrating 50 years of service in our community; and,

WHEREAS, our local United Way organization has provided over Nine Million Dollars in funding for thousands of individuals and organizations for over 50 years; and,

WHEREAS, the United Way of South Central Idaho currently serves over 175,000 citizens in the counties of Blaine, Camas, Custer, Gooding, Lincoln, Twin Falls, Butte, Cassia, Elmore, Jerome, Minidoka, and Jackpot, Nevada.

NOW, THEREFORE, I, Gregory Lanting, Mayor of the City of Twin Falls, Idaho, do hereby proclaim June 27, 2012, as

"United Way Day"

in the City of Twin Falls, Idaho, and encourage all citizens to support financially, through United Way, the many local community organizations that provide invaluable services for seniors, families, and youth.

In witness whereof I have hereunto set my hand and caused this seal to be affixed.

Mayor Gregory Lanting

Deputy City Clerk Leila A. Sanchez

June 25, 2012



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>			



**REVISED
Minutes**

Meeting of the Twin Falls City Council
Monday, June 4, 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
 CONSIDERATION OF THE AMENDMENTS TO THE AGENDA:
 PROCLAMATIONS: None

AGENDA ITEMS	Purpose	By:
I. <u>CONSENT CALENDAR:</u> 1. Consideration of a request to approve the accounts payable for May 29 – June 4, 2012. 2. Consideration of a request to approve the May 14, 2012, City Council Minutes. 3. Consideration of a request to approve the Findings of Fact, Conclusions of Law and Decisions for a Zoning District Change & Zoning Map Amendment Denial, Maverik, Inc. 4. Consideration of the Final Plat of Eastland Heights Amended Subdivision, 1.34 (+/-) acres consisting of 2 lots on property located at 870 Eastland Drive.	<u>Action</u>	<u>Staff Report</u> Sharon Bryan L. Sanchez Mitch Humble Mitch Humble
II. <u>ITEMS FOR CONSIDERATION:</u> 1. Consideration of a request to appoint Dave Benefiel to the Traffic Safety Commission for a three year term. 2. Consideration of a request to authorize city staff to move forward with re-financing two outstanding DEQ loans. 3. Consideration of a request to award the contract for the 2012 Eastland – Addison Intersection project to PMF Inc., of Twin Falls Idaho, in the amount of \$1,246,387.50. 4. Consideration of a request to allow greater than standard building height for a proposed new structural addition to be constructed at the Amalgamated Sugar plant and a request to waive the requirements to install a sprinkler system for this addition on property located at 2320 Orchard Drive in accordance with Twin Falls City Code 10-7-3. 5. Public input and/or items from the City Manager and City Council.	Action Action Action Action	Anthony Barnhart Lorie Race Troy Vitek Mitch Humble
6:00 P.M.		
6. 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. 7. Consideration of adoption of an ordinance regarding a request 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. 8. 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.	Action Action Action	Mitch Humble Mitch Humble Mitch Humble
III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u>		
IV. <u>PUBLIC HEARINGS:</u> 1. Consideration of a request to increase swimming pool daily rates and swimming pool annual and monthly swim passes.	Public Hearing	Dennis Bowyer
V. <u>ADJOURNMENT:</u>		

****Any person(s) needing special accommodations to participate in the above noticed meeting should contact Leila Sanchez at (208) 735-7287 at least two working days before the meeting.***

Present: Shawn Barigar, Don Hall, Suzanne Hawkins, Gregory Lanting, Jim Munn, Rebecca Mills Sojka, Chris Talkington

Absent: None

Staff Present: City Manager Travis Rothweiler, City Attorney Fritz Wonderlich, Chief Finance Officer Lorie Race, Community Development Director Mitch Humble, Parks & Recreation Director Dennis Bowyer, Captain Anthony Barnhart, 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:

City Manager Rothweiler requested Items for Consideration II.6. II.7. and II.8.would be discussed in the following order II.7, II.6, and II.8.

PROCLAMATIONS: None

AGENDA ITEMS

I. CONSENT CALENDAR:

1. Consideration of a request to approve the accounts payable for ~~May 29~~ May 30– June 4, 2012, total: \$316,370.32. Fire Payroll, May 2012, total: \$48,495.82.
2. Consideration of a request to approve the May 14, 2012, City Council Minutes.
3. Consideration of a request to approve the Findings of Fact, Conclusions of Law and Decisions for a Zoning District Change & Zoning Map Amendment Denial, Maverik, Inc.
4. Consideration of the Final Plat of Eastland Heights Amended Subdivision, 1.34 (+/-) acres consisting of 2 lots on property located at 870 Eastland Drive.

Consent Items No. 3 and No. 4. to be heard separately.

MOTION:

Councilperson Talkington made the motion to approve the Consent Calendar as presented. The motion was seconded by Councilperson Barigar and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

Consent Item No. 3:

3. Consideration of a request to approve the Findings of Fact, Conclusions of Law and Decisions for a Zoning District Change & Zoning Map Amendment Denial, Maverik, Inc.

Council discussion followed.

Community Development Director Humble explained the Findings of Fact, Conclusions of Law and Decisions.

MOTION:

Vice Mayor Hall made the motion to approve the Findings of Fact, Conclusions of Law and Decisions for a Zoning District Change & Zoning Map Amendment Denial, Maverik, Inc., as presented. The motion was seconded by Councilperson Hawkins and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

Consent Item No. 4.

4. Consideration of the Final Plat of Eastland Heights Amended Subdivision, 1.34 (+/-) acres consisting of 2 lots on property located at 870 Eastland Drive.

Council discussion followed.

- Requirement of one handicap parking space for the assisted living facility.
- Parking along 9th Avenue East.
- Code amendment requiring handicap parking spaces.

Assistant City Engineer Vitek stated that the code is based on use and parking requirements. There is limited parking along 9th Avenue East next to the Lighthouse Christian Church.

City Attorney Wonderlich stated that the applicant has complied with the platting requirements.

Community Development Director Humble stated that staff would investigate amending the City Code requiring handicap parking spaces.

MOTION:

Vice Mayor Hall made the motion to approve the Final Plat of Eastland Heights Amended Subdivision, 1.34 (+/-) acres consisting of 2 lots on property located at 870 Eastland Drive. The motion was seconded by Councilperson Barigar and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

II. ITEMS FOR CONSIDERATION:

1. Consideration of a request to appoint Dave Benefiel to the Traffic Safety Commission for a three year term.

Captain Barnhart explained the request.

The Traffic Safety Commission and the oral board request the appointment of Dave Benefiel to the Traffic Safety Commission.

MOTION:

Councilperson Munn made the motion to appoint Dave Benefiel to the Traffic Safety Commission for a three year term (June 2012 – June 2015) as presented. 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.

2. Consideration of a request to authorize city staff to move forward with re-financing two outstanding DEQ loans.

Chief Finance Officer Race explained the request.

The request is to authorize the Finance Team to move forward to refinance the two DEQ loans.

Cameron Ariel explained the refinancing of the City's DEQ loans process.

Using overhead projection he showed:

- Interest Rate Trend 20 Year 20 Bond Buyer Index – Jan 1988 to May 2012
- MMD Interest Rates (1982 – Present)
- Idaho Bond Bank/DEQ Pooled Financing Participant List
- Other IBBA Participant List

Discussion followed:

- City's rating is a Category A
- Bond Bank would have a ten year call protection
- Terms of the loans are not increasing
- Refinancing would result of a savings of nearly \$1,000,000.

MOTION:

Vice Mayor Hall made the motion to authorize city staff to move forward with the refinancing of two outstanding DEQ loans working with the Idaho Bond Bank as well as Zion's Bank and to authorize the Mayor to sign any appropriate documents. The motion was seconded by Councilperson Talkington and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

3. Consideration of a request to award the contract for the 2012 Eastland – Addison Intersection project to PMF, Inc., of Twin Falls Idaho, in the amount of \$1,246,387.50.

Assistant City Engineer Vitek explained the request.

On May 24, 2012, bids were opened for the 2012 Eastland – Addison Intersection project. Two bids were received with the lowest bid coming from PMF, Inc. in the amount of \$1,246,387.50. Staff recommends that City Council approve and award the contract to PMF Inc., in the amount of \$1,246,387.50.

Discussion followed:

-Warranty

Assistant City Engineer Vitek explained that on construction projects a one year warranty is required on all work.

MOTION:

Councilperson Mills Sojka made the motion to award the contract for the 2012 Eastland – Addison Intersection project to PMF Inc., in the amount of \$1,246,387.50. 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.

4. Consideration of a request to allow greater than standard building height for a proposed new structural addition to be constructed at the Amalgamated Sugar plant and a request to waive the requirements to install a sprinkler system for this addition on property located at 2320 Orchard Drive in accordance with Twin Falls City Code 10-7-3.

Community Development Director Humble explained the request.

Staff recommends that Council grant the request for additional building height and a waiver of the installation of a sprinkler system, as presented, subject to the following conditions:

1. Receipt of a waiver from the applicant releasing City of Twin Falls from all fire protection responsibility and liability from the approval of waiving the installation of a sprinkler system.
2. Subject to site plan amendments as required by Building, Fire, and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.

Discussion followed.

-Fire protection

City Manager Rothweiler stated that the Twin Falls Fire Department will respond to any structure issue, but from a liability perspective, the Amalgamated Sugar plant cannot sue the City for approving their request.

MOTION:

Councilperson Talkington made the motion to grant the request for the exemption to allow non compliance or excessive standard building height and waive the request for the sprinkler system per City Code 10-7-3, and to approve staff recommendations, as presented:

1. Receipt of a waiver from the applicant releasing City of Twin Falls from all fire protection responsibility and liability from the approval of waiving the installation of a sprinkler system.
2. Subject to site plan amendments as required by Building, Fire, and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.

The motion was seconded by Councilperson Mills Sojka

City Attorney Wonderlich stated that the Council may choose not to grant the excessive height and the Company does not build the building. Fires can be fought up to 50'. He stated that in speaking with the applicant their concern is more with the accidental discharges of the water system than with fire.

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

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

Vice Mayor Hall reported on the Twin Falls Historic Preservation Walking Tour held on May 19, 2012.

Recess at 5:53 P.M.
Reconvened at 6:05 P.M.

6:00 P.M.

Gerald Martens, EHM Engineers, representing the applicant, explained Items for Consideration 6, 7, and 8.

He stated there was public concern that there may be wetlands on the property; therefore, the developer retained a wetland consultant and it was determined that it is non-jurisdictional. Mr. Martens stated that he will be meeting with the Corps of Engineers to look at the project and if it is found to be jurisdictional the project will comply with state, local, and federal regulations for mitigation of wetlands. It would be part of the overall design process which is the next phase after the completion of the platting process.

Ray Neilsen, 1200 Oak Alley, Edwards, Mississippi, gave his family history. He stated that he will build a quality project and asks Council to hold him to the highest standards. On overhead projection he showed and explained a rendering of the micro parks.

Ben Brown, 1317 Gilmore Drive, Salt Lake City, Utah, explained the request and the mediation efforts made with Terry Tracy.

-The community's access to the canyon's natural resources.

Trailhead Park will be placed.

-Retaining wall behind the project.

A split retaining wall with landscaping will be placed to break up what would be a traditional monotonous retaining wall.

-Visibility from the residents to enjoy the natural sunrise and warmth of the sunrise that hits their homes.

A pad has been relocated to the south to allow the natural view corridor that currently exists to be preserved.

-Screening from the residents and the public that would be on Canyon Springs Road and the Breckenridge community to the back of the buildings.

Add a second row of screening trees that would be on the opposite side of the trail. A landscape architect will be asked to look into sound dampening shrubbery.

-Trail access and the pedestrian friendly development.

A northwest trail access point has been added and a Canyon Springs trails connect access point.

-Show and incorporate a more pedestrian friendly development.

A mock design of improvements of a pedestrian friendly crosswalk and path that will circle the development along the relocated Fillmore Street and add a natural inner trail to the property and expanded walkway rendering shown on overhead projection.

-Increased open space.

Added two more micro parks, one with a northwest trail access and the other with the Canyon Springs connect point.

-No fast food.

No drive through restaurants will be on any canyon adjacent lot.

Mr. Brown requested from the City that the dip not be removed. The dip is a natural barrier for slowing down traffic. He fully supported a potential of a crosswalk as shown on overhead projection. Following the mediation process three more meetings were held. The owner has agreed to the following: Maintain the snow removal on the trail for their area, conduct two public forum presentations, and will continue to receive public feedback.

Community Development Director Humble explained the requests.

7. Consideration of adoption of an ordinance regarding a request 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.

Community Development Director Humble stated that on April 9, 2012, a public hearing was held in which the Master Development Plan was approved. The changes explained by Ben Brown were insignificant in terms in compliance with the plan that was approved, with the following conditions:

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 arterial and collector streets adjacent and within the property being dedicated to the City of Twin Falls and to be rebuilt or built to current City standards upon development or change of use of the property.
3. Subject to Fillmore Street (Public Right-of-way) being vacated and Fillmore Street (Private) is rededicated as a public utility/access/road easement and as approved by the City Council.
4. Subject to a recorded Maintenance and Unrestricted Access Easement Agreement along the proposed Fillmore Street (Private) prior to vacation of Fillmore Street (Public Right-of-way).
5. Subject to development meeting or exceeding CRO standards unless otherwise approved by City Council.
6. Subject to an approved and recorded PUD Agreement encompassing the entire project under one PUD Agreement.
7. Subject to replatting the property under one subdivision.
8. Prohibit any signage from being placed on the back of the buildings facing the canyon

The ordinance has been prepared as directed by the Council and is recommended for adoption as submitted.

6. 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.

Community Development Director Humble explained the request.

On April 09, 2012 the City Council approved a Zoning District Change and Zoning Map Amendment from C-1 PUD and SUI PUD to C-1 CRO PUD for 25 +/- acres, as presented, subject to the following conditions:

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 arterial and collector streets adjacent and within the property being dedicated to the City of Twin Falls and to be rebuilt or built to current City standards upon development or change of use of the property.
3. Subject to Fillmore Street (Public Right-of-way) being vacated and Fillmore Street (Private) is rededicated as a public utility/access/road easement and as approved by the City Council.
4. Subject to a recorded Maintenance and Unrestricted Access Easement Agreement along the proposed Fillmore Street (Private) prior to vacation of Fillmore Street (Public Right-of-way).
5. Subject to development meeting or exceeding CRO standards unless otherwise approved by City Council.
6. Subject to an approved and recorded PUD Agreement encompassing the entire project under one PUD Agreement.
7. Subject to replatting the property under one subdivision.
8. Prohibit any signage from being placed on the back of the buildings facing the canyon.

The seven items that came as a result of mediation have been incorporated in the PUD agreement that is being presented.

He stated that the document entitled Canyon Park PUD CRO details the changes to the code that is being proposed in the attached PUD Agreement. The development will meet or exceed every code standard. The snow removal and public input meetings as presented by Ben Brown are in the PUD Agreement.

Council discussion followed:

Councilperson Barigar stated for clarification that the Visitor's Center is not part of the development.

8. 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.

Community Development Director Humble explained the request.

Should the Council approve the final plat of the Canyon Park Amended Subdivision – a PUD, as presented, staff recommends approval be subject to the nine conditions placed upon the preliminary plat by the Commission and including:

1. Subject to final technical review and amendments as required by Building, Engineering, Fire, and 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 compliance with a "recorded" PUD Agreement, concurrent with approval of the final plat or prior to recordation of the final plat.
4. Subject to a note on the final plat regarding ownership and maintenance agreement of Fillmore Street (Private).
5. Subject to a recorded Maintenance and Unrestricted Access Easement Agreement along the proposed Fillmore Street (Private).
6. Subject to dedication of road right-of-way along the east side of Canyon Springs Road.
7. Subject to the valley gutter being reconstructed at the west side of the intersection of Canyon Springs Road and Fillmore Street.
8. Subject to an agreement between the Twin Falls Canal Company and the developer regarding the relocation and piping of Lateral #39.
9. Subject to final approval by the City Engineer of the Construction Plans

The meeting was opened to the public.

Cheri Condi, 2135 Oakwood Court, who is a member of Concerned Citizens of the Canyon, spoke against the request. She stated that she and the Concerned Citizens of the Canyon would like to have the strip mall footprint reconfigured into a campus style format or to have it rotated around to the south of the property. It has been stated that Lot 8 would have access to the trail. Lot 8 is in the middle of the strip mall footprint but the Master Plan still shows the building footprint unchanged just like before. The project is too intrusive on the canyon side atmosphere and urged the denial of the applications.

Bob Sojka, 2056 Laurie Lane, spoke against the requests. He asked for an explanation as to the logic of somehow retail sales benefitting by cramming buildings up against the edge of a cliff.

Carolyn Baird, 14 Robbins, spoke against the requests. She stated that if parking is on the canyon side this would reduce noise for those on the path.

Barbara Beck spoke against the requests and read a letter stating her concerns. She stated that she has asked for renderings for the northwest corner of the mall area and has not seen any great renderings of the area.

Terry Tracy, 867 Canyon Park Avenue, stated she was part of the mediation. She stated that the mediation resulted in a full positive and productive discussion. Her concerns were addressed. She stated for the record that she was never opposed to the Canyon Rim Development. Her dream was for a park and open space, but that reality dictates otherwise. She requested that the dip not be removed from Fillmore Street.

For clarification Community Development Director Humble stated that the mediation report is not part of the Council meeting. City Manager Rothweiler stated for the record that staff has not received a report from Scott Bybee.

Jerry Beck stated that the Visitor's Center will be impacted by the trailhead park. An opening along the major building space to access the park was unable to be facilitated. He stated that according to code a building of a certain square footage would require sites to be reviewed. He asked if the review would be on individual buildings.

Cindy Collins spoke in support of the development and stated that this is good for the economy.

Fran Florence, 4129 Hidden Lakes Drive, Kimberly, spoke in favor of the requests. He stated that he was a Planning & Zoning Commission member when the CRO was written.

Laura Peterson, 794 Mountain View Drive, asked why the back of the building is facing the canyon.

Rosaline Dingwall, 3148 Highlawn Drive, stated that she did not understand why the buildings cannot be flipped around to improve the view coming into the community.

Chad Dodds, 1041 Laurelwood Court, stated that the development should be done accurately and fairly and be something of which a community could be proud.

Cindy Woods, 1287 Park Meadows Drive, commented that when visiting Elevation 486 she enjoys the canyon view. The public comment portion of the hearing was closed:

Rebuttal:

Ben Brown explained the buildings location, layout and benefits. He stated that he will continue to work with the community and take input.

Gerald Martens stated for the record that the conditions presented by staff are all acceptable.

Gary Slette stated that Councilperson Talkington asked staff if additional conditions could be placed on the requests. The 14 items presented by Gerald Martens are evidence of the things that have gone over and above and beyond.

Closed public discussion.

Item #7

Consideration of adoption of an ordinance regarding a request 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.

MOTION:

Vice Mayor Hall made a motion to suspend the rules and place Ordinance 3028, on third and final reading by title only, entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, REZONING REAL PROPERTY BELOW DESCRIBED; PROVIDING THE ZONING CLASSIFICATION THEREFOR; AND ORDERING THE NECESSARY AREA OF IMPACT AND ZONING DISTRICTS MAP AMENDMENT.

The motion was seconded by Councilperson Barigar 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.

MOTION:

Councilperson Talkington made the motion to approve Ordinance 3028, as presented. The motion was seconded by Vice Mayor Hall.

Discussion followed:

Councilperson Mills Sojka stated that she believes there is an issue with not only representing the people and the 300 or more citizens that signed the petition against the request, but as elected officials. In addition, from a community design standpoint, it does not make sense to add more traffic and more dense development at the edge of the canyon rim. The development does not comply with the CRO Code 10-4-19 (1) (b), to protect views and create a unique visual environment along the canyon rims as stated. In addition the design is by national marketers. The Land Use Planning Act 10-1-5 (J and K) are to encourage the wise use and management of natural resources and to preserve the natural beauty and topography of a municipality and to ensure appropriate development with the regard with natural features.

Councilperson Barigar stated that commercial development proposed on the canyon rim should have been expected. Over the course of many years there has been community input, sub-committees, council, staff, and private developers who have assessed things that are happening or could happen on the canyon rim. The community will has been translated into laws that have guided the development within the canyon rim area so that private property owners could develop their private property rights while at the same time maintaining public opportunities to enjoy developed property on the south side of the rim. The natural beauty of sagebrush, desert grass, rocks, no trails, and dust is available on the north side and having that at the gateway to the community is detrimental to visitors to our community. Opportunities need to be created for developed access from good community stewards.

Roll call vote on the motion showed Councilpersons Barigar, Hall, Hawkins, Lanting, Munn and Talkington voted in favor of the motion. Councilperson Mills Sojka voted against the motion. Approved 6 to 1.

Item #6

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.

MOTION:

Councilperson Barigar made a motion 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., with the following conditions placed by the City Council, and as presented:

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 arterial and collector streets adjacent and within the property being dedicated to the City of Twin Falls and to be rebuilt or built to current City standards upon development or change of use of the property.
3. Subject to Fillmore Street (Public Right-of-way) being vacated and Fillmore Street (Private) is rededicated as a public utility/access/road easement and as approved by the City Council.
4. Subject to a recorded Maintenance and Unrestricted Access Easement Agreement along the proposed Fillmore Street (Private) prior to vacation of Fillmore Street (Public Right-of-way).
5. Subject to development meeting or exceeding CRO standards unless otherwise approved by City Council.
6. Subject to an approved and recorded PUD Agreement encompassing the entire project under one PUD Agreement.
7. Subject to replatting the property under one subdivision.
8. Prohibit any signage from being placed on the back of the buildings facing the canyon.

The motion was seconded by Councilperson Munn.

MOTION:

Councilperson Talkington made an amendment to the motion to change the following portion of the 5.D LANDSCAPING PLAN. "At least fifty percent (50%) of the shrubs and trees shall be evergreen." to change to "75% of non-deciduous plantings along the backside of the building facing the canyon rim on the proposed development."

The motion was seconded by Councilperson Mills Sojka.

Discussion followed:

Mr. Nielsen stated that the Council may want a different type or species of coniferous trees. The landscaping piece will be held to the highest standard and exceed it.

Roll call vote on the amendment to the motion showed all members present voted in favor of the motion.

Discussion followed on the main motion as amended.

-Mediation

Mayor Lanting stated his concern that parts of the development embraces the canyon but there are other places that do not. In addition, Chobani has created manufacturing jobs, raw materials are used, and the money goes back into the economy, and retail follows.

Roll call vote showed Councilperson Barigar, Hall, Hawkins, Munn and Talkington voted in favor of the motion. Councilpersons Lanting and Mills Sojka voted against the motion. Approved 5 to 2.

Item #8

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.

MOTION:

Councilperson Barigar made the motion to approve 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 with the following conditions and as presented:

1. Subject to final technical review and amendments as required by Building, Engineering, Fire, and 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 compliance with a "recorded" PUD Agreement, concurrent with approval of the final plat or prior to recordation of the final plat.
4. Subject to a note on the final plat regarding ownership and maintenance agreement of Fillmore Street (Private).
5. Subject to a recorded Maintenance and Unrestricted Access Easement Agreement along the proposed Fillmore Street (Private).
6. Subject to dedication of road right-of-way along the east side of Canyon Springs Road.
7. Subject to the valley gutter being reconstructed at the west side of the intersection of Canyon Springs Road and Fillmore Street.
8. Subject to an agreement between the Twin Falls Canal Company and the developer regarding the relocation and piping of Lateral #39.

9. Subject to final approval by the City Engineer of the Construction Plans

The motion was seconded by Councilperson Talkington.

Discussion followed.
-Dip on Canyon Springs Road

Gerald Martens will work with city staff to discuss traffic calming devices.

Amendment to the motion:

Vice Mayor Hall made an amendment to the main motion to put under condition 7. Add traffic calming devices that will ease and maintain the flow of traffic. The motion was seconded by Councilperson Barigar and roll call vote showed all members present voted in favor of the motion. The motion passed. Approved 7 to 0.

Roll call vote on the main motion as amended showed Councilpersons Barigar, Hall, Hawkins, Lanting, Munn, and Talkington voted in favor of the motion. Councilperson Mills Sojka voted against the motion. The motion passed. Approved 6 to 1.

Recess at 8:09 P.M.
Reconvened at 8:20 P.M.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS: None

IV. PUBLIC HEARINGS:

1. Consideration of a request to increase swimming pool daily rates and swimming pool annual and monthly swim passes.

Parks & Recreation Director Bowyer explained the request.

The Parks and Recreation Commission recommends to the City Council to approve the above proposed increases at the swimming pool.

The public hearing was opened and closed with no input.

MOTION:

Vice Mayor Hall made a motion to approve Resolution 1886, entitled: swimming pool daily rates and swimming pool annual and monthly swim. The motion was seconded by Councilperson Hawkins.

Discussion followed:
-Average of daily admissions to the door of pool non-members and YMCA members.
-Financial Assistance
-Demographics of those using the pool.

John Pauley stated he estimated 20,000 paying daily admissions to the pool and 40,000 YMCA and Pool Members. He also stated that the YMCA has a scholarship policy to provide financial assistance.

Vice Mayor Hall stated his concern of raising rates to the public.

MOTION:

Councilperson Talkington made the motion to increase the daily admission fee rate for adults only (\$4.00 to \$4.25), and to include the 3 and under category and ages 4 – 17. The motion was seconded by Councilperson Mills Sojka.

Discussion followed.
Councilperson Barigar stated that the increase only for adults and for children defeat the purpose of the increase.

John Pauley explained that the increased fees are to offset the increased cost the YMCA has in managing the swimming pool facility and programs. The difference would be paid by the YMCA if fees are not increased.

Roll call vote showed on the amendment showed Councilpersons Lanting, Mills Sojka, and Talkington voted in favor of the motion. Councilperson Barigar, Hall, Hawkins, Lanting and Munn voted against the motion. Failed 4 to 3.

Councilperson Munn asked for specifics from the YMCA if rates are not increased.

City Manager Rothweiler stated that a public hearing was conducted and the Council's obligation has been met. No action is required from the Council. Gary Ettenger will make a presentation to the City Council on June 18, 2012.

Council directed that John Pauley come back to the Council with information in regards to the impact of the proposed rate increases, the total pool ledger, and impact on rate increase on daily admissions.

Councilperson Hall made the motion to withdraw the main motion with approval of his second, Councilperson Hawkins agreed to withdraw.

V. ADJOURNMENT: The meeting adjourned at 8:51 P.M.

Leila A. Sanchez
Deputy City Clerk/Recording Clerk

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>			



Minutes
 Meeting of the Twin Falls City Council
Monday, June 11, 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
 CONSIDERATION OF THE AMENDMENTS TO THE AGENDA:
 PROCLAMATIONS: None

AGENDA ITEMS	Purpose	By:
I. <u>CONSENT CALENDAR:</u> 1. Consideration of a request to approve the accounts payable for June 5 – June 11, 2012. 2. Consideration of a request to approve the May 21, 2012 and May 29, 2012, City Council Minutes. 3. Consideration of a request from Big Smoke to transfer their Beer and Wine License to 659 Blue Lakes Blvd. North. 4. Consideration of a request from the "Magic Valley Citizens' 4 th of July" to approve the annual fireworks display held at the College of Southern Idaho on Wednesday, July 4, 2012. 5. Consideration of a request for a final 2-year extension of the approval of the Final Plat of Kelley Garden Subdivision, consisting of 6.35± acres and 8 commercial lots on property located north and east of the intersection of Addison Avenue East and Eastland Drive North aka Kelley Garden Center. 6. Information regarding staff action that may affect the Streets budget in the next fiscal year.	<u>Action</u>	<u>Staff Report</u> Sharon Bryan L. Sanchez Sharon Bryan Dennis Pullin Mitch Humble Jacqueline Fields
II. <u>ITEMS FOR CONSIDERATION:</u> 1. Consideration of a request to approve a professional service contract with Region IV Development Association, Inc., to provide grant administration services in connection with the second Idaho Community Development Block Grant (ICDBG) that was awarded to the City to support the Agro-Farma, Inc. (Chobani) development on Kimberly Road. 2. Consideration of a request to <i>reconsider</i> the Council's December 12, 2011, decision regarding downtown parking management. 3. Public input and/or items from the City Manager and City Council.	Action	Jeffrey McCurdy/ Region IV Development Assoc. Mitch Humble
III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u>		
IV. <u>PUBLIC HEARINGS:</u> 6:00 1. To comply with the requirements of the Idaho Community Development Block Grant program administered by the Idaho Department of Commerce regarding the electrical system improvements to support Agro-Farma, Inc.'s (Chobani) new dairy processing facility being constructed on Kimberly Road.	Public Hearing	Jeffrey McCurdy/ Region IV Development Assoc.
V. <u>ADJOURNMENT:</u>		

****Any person(s) needing special accommodations to participate in the above noticed meeting should contact Leila Sanchez at (208) 735-7287 at least two working days before the meeting.***

Present: Shawn Barigar, Don Hall, Suzanne Hawkins, Gregory Lanting, Jim Munn, Rebecca Mills Sojka, Chris Talkington

Absent: None

Staff Present: City Manager Travis Rothweiler, Community Development Director Mitch Humble, City Engineer Jacqueline Fields, Staff Sergeant Dennis Pullin, Jeffrey McCurdy/Region IV Development Association, Parks & Recreation Director Dennis Bowyer, 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. A quorum was present. Mayor Lanting introduced staff.

CONSIDERATION OF THE AMENDMENTS TO THE AGENDA: None.

PROCLAMATIONS: None

AGENDA ITEMS

I. CONSENT CALENDAR:

1. Consideration of a request to approve the accounts payable for June 5 – June 11, 2012, total: \$578,913.54
June 8, 2012, Payroll total: \$105,974.95
June 7, 2012, Prepay total: \$ 3,697.16
2. Consideration of a request to approve the May 21, 2012 and May 29, 2012, City Council Minutes.
3. Consideration of a request from Big Smoke to transfer their Beer and Wine License to 659 Blue Lakes Blvd. North.
4. Consideration of a request from the "Magic Valley Citizens' 4th of July" to approve the annual fireworks display held at the College of Southern Idaho on Wednesday, July 4, 2012.
5. Consideration of a request for a final 2-year extension of the approval of the Final Plat of Kelley Garden Subdivision, consisting of 6.35± acres and 8 commercial lots on property located north and east of the intersection of Addison Avenue East and Eastland Drive North aka Kelley Garden Center.
6. Information regarding staff action that may affect the Streets budget in the next fiscal year.

MOTION:

Councilperson Hall made the motion to approve the Consent Calendar as presented. The motion was seconded by Councilperson Talkington and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

II. ITEMS FOR CONSIDERATION:

1. Consideration of a request to approve a professional service contract with Region IV Development Association, Inc., to provide grant administration services in connection with the second Idaho Community Development Block Grant (ICDBG) that was awarded to the City to support the Agro-Farma, Inc. (Chobani) development on Kimberly Road.

City Manager Rothweiler introduced Jeff McCurdy. The City of Twin Falls was a recipient of two grants associated with the Chobani project. The first grant received is to assist the City with a power line extension project. The grant awarded was \$500,000. The second grant received is to assist with a portion of the water project improvements. The City was awarded a \$50,000 Director's Fund allocation. There was a surplus in the Director's Fund after payment was made for the power line extension project. Money then was shifted to cover the costs associated with the water project

Jeff McCurdy, Region IV Development Association, explained the request. The professional service contract with Region IV Development Association, Inc. is to provide grant administration services in connection with the second Idaho Community Development Block Grant (ICDBG) that was awarded to the City to support the Agro-Farma, Inc., development on Kimberly Road. The funds from the grant will be used to help finance municipal water system improvements.

Region IV is gathering income data from every applicant that applies for a position with Agro-Farma, and then Region IV will compare the information with the actual hires. Currently Region IV is reviewing 1500 applicants.

Discussion followed.

Councilperson Talkington asked what the work will entail for Region IV.

Jeff McCurdy stated Region IV has been working with the Department of Labor and explained the details of the work to be completed by Region IV.

MOTION:

Vice Mayor Hall made a motion to approve a professional service contract with Region IV Development Association, Inc., to provide grant administration services in connection with the second Idaho Community Development Block Grant (ICDBG) that was awarded to the City to support the Agro-Farma, Inc. (Chobani) development on Kimberly Road. The motion was seconded by Councilperson Barigar and roll call vote showed all members present voted in favor of the motion.

2. Consideration of a request to *reconsider* the Council's December 12, 2011, decision regarding downtown parking management.

Community Development Director Humble gave a history of downtown parking.

At the May 29, 2012, Council Meeting, Councilperson Barigar formally requested the reconsideration of the December 12, 2011, decision regarding downtown parking management.

Specifically, Councilperson Barigar requested the following.

1. To reconsider the recommendation of the Downtown Parking Task Force related to the removal of parking meters in downtown.
2. To consider a more efficient and effective management and enforcement for both the leased parking and free parking lots.
3. A prioritization of the need for public agencies, like the City and the Twin Falls Urban Renewal Agency, to develop appropriate parking strategies in downtown.

Staff recommends that Councilperson Barigar present his request to the Council and the Council considers the request and provides direction to staff on how to proceed.

Council discussion followed.

Councilperson Barigar listed the task force guiding principles used in their recommendations made to the Council on June 20, 2011.

He also listed the following principles: Customers come first, the City should be responsive to the customers' needs, and parking turnover is important for businesses.

Following are recommendations:

1. Remove the parking meters.
2. Retain the leased parking.
3. Regulate both on-street and public parking in the lots to posted time limits.
4. In regards to parking enforcement, he would ask staff to come back to Council within 30 days with a recommendation.
5. Reinforce the responsibility that the City in partnership with the Urban Renewal Agency of the City of Twin Falls have to define, create, and pursue parking where it needs to be downtown, not just as a concept but as a strategy.

Public input portion of the meeting:

Katy Bowman, 113 Main Avenue East, D & L Academy Hair Design, stated there is not enough free parking, did not favor eliminating leased parking, and recommended increasing the time limit to exceed more than three hours in the free parking lots.

Clark Parrish, 39 Canyon View in Jerome, requested that if the Council decides to remove parking meters, to continue reinforcement of customer parking, otherwise, employees will be utilizing the parking for customers.

Council discussion followed.

MOTION:

Councilperson Barigar made the motion to remove the parking meters, including the posts, cutting them off at ground level and filling the holes with cement in sidewalks in downtown Twin Falls and to implement time limits as appropriate to encourage customer service and parking turnover. The motion was seconded by Vice Mayor Hall.

AMENDMENT TO THE MOTION:

Councilperson Mills Sojka made an amendment to the main motion to not cut off the meters on Main Street and instead allow them to be resigned on the front to allow donations to non-profits. The motion failed due to the lack of a second.

Council discussion followed.
-Meters are antiquated

Mayor Lanting stated that he would like to have the meter poles remain and sign as free parking on the three blocks on Main Street (two blocks to the southeast of Shoshone Street and the one block on northwest of Main Street).

Roll call vote on the main motion showed Councilpersons Barigar, Hall, Hawkins, and Munn, and Talkington voted in favor of the motion. Councilpersons Lanting and Mills Sojka voted against the motion. The motion passed. Approved 5 to 2.

MOTION:

Councilperson Barigar made the motion to direct staff to bring back to Council a detailed plan within 30 days that maximizes free customer parking in the lots closest in proximity to businesses downtown that defines a leased parking program that meets business owner, manager, and employee needs, and defines a reasonable, effective, and efficient enforcement program for downtown parking. The motion was seconded by Vice Mayor Hall.

Council discussion followed.

Councilperson Mills Sojka asked for clarification regarding maximizing free parking near the businesses; would that be similar to the recommendation from the Town Hall meeting to take lease parking and place in the perimeters.

Councilperson Barigar stated that it would be one strategy, but suggested that some lots should have no leased parking and should be only free customer parking.

City Manager Rothweiler stated that staff will develop a plan in the next 30 days. Staff will come back to the Council and recommend a lease parking strategy that has flexibility as well as an appropriate level of enforcement that maximizes ground space available for parking today.

Councilperson Mills Sojka stated that at the downtown meeting that was hosted by the Ballroom, merchants expressed a need of parking spaces for a certain amount of time for clients. The sentiments of the merchants stated that they were willing to pay, and asked for the city to implement a lease program and enforcement. The merchants also stated that they would like Lot Orange for customer parking.

Councilperson Munn stated that signage downtown is not customer friendly and requested that staff review the signs.

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

Councilperson Barigar stated that the philosophy that the City and the Urban Renewal Agency of the City of Twin Falls need to cooperatively move forward and implement other parking in different places downtown.

MOTION:

Councilperson Talkington made the motion for the City to partner with the Urban Renewal Agency of the City of Twin Falls and seek grant opportunities to develop more public parking in appropriate areas. The motion was seconded by Councilperson Mills Sojka.

AMENDMENT TO THE MOTION:

Councilperson Barigar made an amendment to the main motion to add private property owners and private funding sources. The motion was seconded by Councilperson Munn and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

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

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

City Manager Rothweiler gave an update on the power loss at the Blue Lakes Well site.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

Councilperson Hawkins reported on the South Estates Park playground contribution from the Rotary Club.

Vice Mayor Hall stated he was approached by business owners stating interest in holding a sidewalk or parking lot sale, which is not allowed by City Code.

Council directed staff to review the possibility of amending the ordinance to provide for sidewalk or parking lot sales.

IV. PUBLIC HEARINGS: 6:00

1. To comply with the requirements of the Idaho Community Development Block Grant program administered by the Idaho Department of Commerce regarding the electrical system improvements to support Agro-Farma, Inc.'s (Chobani) new dairy processing facility being constructed on Kimberly Road.

Jeff McCurdy explained the request for a public hearing. Requirements of the ICDBG program require that the City hold a public hearing during the implementation phase of the project to allow the public an opportunity to comment on the project. No action by the Council is required.

The public input portion of the hearing was opened and closed with no input.

The public hearing was closed.

V. ADJOURNMENT: The meeting adjourned at 6:37 P.M.

Leila A. Sanchez
Deputy City Clerk/Recording Secretary

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>			



Minutes
 Meeting of the Twin Falls City Council
Monday, June 18, 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
 CONSIDERATION OF THE AMENDMENTS TO THE AGENDA:
 PROCLAMATIONS: None

AGENDA ITEMS	Purpose	By:
I. <u>CONSENT CALENDAR:</u> 1. Consideration of a request to approve the accounts payable for June 12 – June 18, 2012. 2. Consideration of a request to approve the June 4, 2012, City Council Minutes. 3. Consideration of a request to approve Liquor, Wine and Beer license renewals for the 2012/2013 year on the condition the applicant receives their State alcohol license.	<u>Action</u>	<u>Staff Report</u> Sharon Bryan L. Sanchez Sharon Bryan
II. <u>ITEMS FOR CONSIDERATION:</u> 1. Consideration of a request to adopt an ordinance repealing Twin Falls City Code 9-9-21: Use of Wireless Communications Devices. The State legislature passed a new statute regarding texting effective July 1, 2012. 2. Consideration of a request to accept a donation of real property located on the north side of Filer Avenue West. 3. Consideration of adoption of an ordinance transferring the City's 1/3 interest in approximately 20 acres of property located on the north side of Addison Avenue West, immediately west of Rock Creek, to the County of Twin Falls. 4. Consideration of a request to adopt an ordinance transferring approximately 0.29 acre of City owned property located at 156 3rd Avenue North to the Urban Renewal Agency. 5. Presentation of the City Pool Financial Report by Gary Ettenger, CEO of the YMCA. 6. Update of the status of the FY 2012-2013 Budget. 7. Public input and/or items from the City Manager and City Council.	Action Action Action Action Presentation Discussion	Anthony Barnhart Mitch Humble Mitch Humble Mitch Humble Dennis Bowyer/ Gary Ettenger Travis Rothweiler
III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u>		
IV. <u>PUBLIC HEARINGS:</u> 6:00 - None		
V. <u>ADJOURNMENT:</u>		

****Any person(s) needing special accommodations to participate in the above noticed meeting should contact Leila Sanchez at (208) 735-7287 at least two working days before the meeting.***

Present: Shawn Barigar, Don Hall, Suzanne Hawkins, Gregory Lanting, Jim Munn, Rebecca Mills Sojka, Chris Talkington

Absent: None

Staff Present: City Manager Travis Rothweiler, City Attorney Fritz Wonderlich, Community Development Director Mitch Humble, Chief Financial Officer Lorie Race, Captain Anthony Barnhart, Parks & Recreation Director Dennis Bowyer, 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. A quorum is present. Mayor Lanting introduced staff.

CONSIDERATION OF THE AMENDMENTS TO THE AGENDA:

City Manager Rothweiler requested the following amendments to the agenda:

1. Remove Consent Calendar Item 2. June 4, 2012, City Council Minutes. The minutes will be placed on the June 25, Council agenda.
2. Remove Item for Consideration 5. Presentation of the City Pool Financial Report by Gary Ettenger, CEO of the YMCA. To be heard at a later date.
3. Mayor Lanting named June 17, 2012, as the **BrookLynn Rose Hernandez Day**. BrookLynn Rose is Councilperson's Talkington's first grandchild.

MOTION:

Vice Mayor Hall made the motion to approve the amendments to the agenda as presented. The motion was seconded by Councilperson Munn and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

PROCLAMATIONS: None

AGENDA ITEMS

I. CONSENT CALENDAR:

1. Consideration of a request to approve the accounts payable for June 12 – June 18, 2012, \$182,125.40.
2. Consideration of a request to approve the June 4, 2012, City Council Minutes.
3. Consideration of a request to approve Liquor, Wine and Beer license renewals for the 2012/2013 year on the condition the applicant receives their State alcohol license.

MOTION:

Councilperson Barigar made a motion to approve the Consent Calendar with the exception of Consent Item 2. The motion was seconded by Councilperson Talkington and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

2. ITEMS FOR CONSIDERATION:

1. Consideration of a request to adopt an ordinance repealing Twin Falls City Code 9-9-21: Use of Wireless Communications Devices. The State legislature passed a new statute regarding texting effective July 1, 2012.

Captain Barnhart explained the request.

Staff and the City Attorney Wonderlich recommend approval of the request.

Council discussion followed.

MOTION:

Councilperson Barigar made the motion to suspend the rules and place Ordinance 3029, on third and final reading by title only, entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, REPEALING TWIN FALLS CITY CODE §9-9-21.

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.

Deputy City Clerk Sanchez read the ordinance title.

MOTION:

Vice Mayor Hall made a motion to adopt Ordinance 3029, as presented. The motion was seconded by Councilperson Talkington and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

2. Consideration of a request to accept a donation of real property located on the north side of Filer Avenue West.

Community Development Director Humble explained the request.

Gerald Martens owns approximately 3.12 acres of property located on the north side of Filer Avenue West, about 150 feet west of Wendell Street. The property includes a canal running along its entire east and north boundaries. Due to the volume and length of the canal, piping it represents a significant development expense. Mr. Martens approached City staff with the offer to donate the property to the City.

Staff recommends that the Council accept the donation of real property as presented.

Discussion followed.

MOTION:

Vice Mayor Hall made the motion to accept a donation of real property located on the north side of Filer Avenue West from Gerald Martens. The motion was seconded by Councilperson Hawkins.

Discussion followed.

Councilperson Talkington stated his concern of safety of the canal, funding of a park, and maintenance of the vacant property.

Councilperson Munn asked if an accident were to happen on the property would the City be liable.

City Attorney Wonderlich stated that in Idaho, the City has recreational immunity for all park properties. If a fee is not charged to the public for recreational purposes, theoretically there is immunity by State statute.

Discussion followed on:

- Cost to maintain the vacant lot
- In lieu of funds
- Community garden

Parks & Recreation Director Bowyer stated there would be costs for mowing and spraying weeds, and placing a temporary fence. In addition, there may be approximately \$2,000 of in lieu funds.

Community Development Director Humble stated that City ordinance allows the Council to expend "In-Lieu" funds within one mile of the boundaries of a project when the funds originated if no needs or facilities are identified in that square mile.

Roll call vote on the motion showed Councilperson Barigar, Hall, Hawkins, Lanting, Munn and Mills Sojka voted in favor of the motion. Councilperson Talkington voted against the motion. The motion passed. Approved 6 to 1.

3. Consideration of adoption of an ordinance transferring the City's 1/3 interest in approximately 20 acres of property located on the north side of Addison Avenue West, immediately west of Rock Creek, to the County of Twin Falls.

Community Development Director Humble explained the request.

Approval of this request will transfer ownership of the Addison Avenue West property to Twin Falls County.

Staff recommends that the Council adopt the attached ordinance as presented.

MOTION:

Councilperson Talkington made the motion to suspend the rules and place Ordinance 3030, on third and final reading by title only, entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, AUTHORIZING THE TRANSFER OR CONVEYANCE OF REAL PROPERTY OWNED BY THE CITY TO A TAX SUPPORTED GOVERNMENTAL UNIT.

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.

Deputy City Clerk Sanchez read the ordinance title.

MOTION:

Councilperson Mills Sojka made a motion to adopt Ordinance 3030, as presented. 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.

4. Consideration of a request to adopt an ordinance transferring approximately 0.29 acre of City owned property located at 156 3rd Avenue North to the Urban Renewal Agency.

Councilperson Talkington made a motion to suspend the rules and place Ordinance 3031, on third and final reading by title only, entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, AUTHORIZING THE TRANSFER OR CONVEYANCE OF REAL PROPERTY OWNED BY THE CITY TO A TAX SUPPORTED GOVERNMENTAL UNIT.

The motion was seconded by Councilperson Barigar 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.

MOTION:

Councilperson Barigar made a motion to adopt Ordinance 3031, as presented. The motion was seconded by Councilperson Mills Sojka and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

5. Presentation of the City Pool Financial Report by Gary Ettenger, CEO of the YMCA. To be heard at the June 25, 2012, City Council meeting.
6. Update of the status of the FY 2012-2013 Budget.

City Manager Rothweiler gave an update on the budget. He stated that staff will come back to Council on July 9, with a Preliminary Budget. Staff will request adoption of the budget after the public hearing is held on August 13, 2012.

Council discussion followed:

- Sanitation
- Recycling
- Landfill
- Backup generators

City Engineer Fields explained the cost of the generator depends on storage and backup power and, in addition, is a combination of how much risk the City wants to tolerate.

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

Community Development Director Humble will be serving as acting City Manager from June 20 – 22, 2012.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

Mayor Lanting gave an update on a Fire Ops 101 class he attended on June 12, 2012.

Councilperson Mills Sojka stated that the Municipal Band concerts are held on Thursday evenings starting at 8:00 pm at City Park.

Councilperson Barigar reported on the grant application for a Small Community Grant and the Visitor Center – Operation Facelift.

IV. PUBLIC HEARINGS: 6:00 – None

V. ADJOURNMENT: The meeting adjourned at 6:37 P.M.

Deputy City Clerk/Recording Secretary Leila A. Sanchez



MONDAY June 25, 2012

To: Honorable Mayor and City Council

From: Susan Ash, Director
Twin Falls Public Library

Request: The Library Board of Trustees will bring a recommendation that the Idaho Power Rebate Check for \$17,585.12, that was presented to the Twin Falls Public Library after finishing our current Interior Lighting Remodel, a Capital Improvements project, be used to finish some other projects in the Library. This includes some more lighting, a book/media return and the re-designing of bottom book shelves.

Background: The Library just finished remodeling the lighting fixtures as part of its FY2011/2012 Capital Improvements Project. Some are at least 20 years old, with many older than that. We were able to retrofit some fixtures and replace others that benefited the Library in the form of better lighting and savings in energy costs.

Budget Impact: The Idaho Rebate Check gives us the opportunity to use this money not only for the lighting project but for other projects in the Library that we may not have been able to accomplish in this current budget year.

Some change orders and improvements were made during the Interior Lighting Remodel that caused us to go over the allotted amount by \$8,190.84.

Recently, we had a power outage that lasted over an hour. Our Building/Grounds Supervisor felt that our emergency lighting did not light up some areas enough and that patrons would have a difficult time seeing to get out of the Library. The Library spent \$1,740.00 to add more emergency lighting to these dark areas.

Recently, with a grant from the Library Foundation, we were able to purchase three new book/media returns. We felt that four returns were needed in order to serve the public, and therefore, the Library purchased a fourth return for \$6,212.00.

After lowering our fiction stacks in accordance with fire code recommendations, we had to move books onto the bottom shelves. It is hard to see the titles and call numbers on the spines so our Building/Grounds Supervisor devised a way to angle each shelf making it easier for patrons to find their books. The bottom shelves are being bent by a local sheet fabrication company using \$1,442.28 out of this rebate money. More costs of this project will be coming out of the current operating budget lines.

Conclusion: The Library Board of Trustees asks that this recommendation be approved so that these items may be purchased and these projects finished for the benefit of the patrons of the Library.

Please see attached page.

Thank you and Take Time to Read!

TWIN FALLS PUBLIC LIBRARY
Idaho Power Incentive Rebate
May 2012

Check Amount:	\$ 17,585.12
Less:	
Lighting Update excess expense	(8,190.84)
Installation of Emergency Lighting	(1,740.00)
Library's share of Book/Media Returns	(6,212.00)
Re-design of bottom book shelves	<u>(1,442.28)</u>
	\$ 0



Date: Monday, June 25, 2012
To: Honorable Mayor and City Council
From: Melinda Anderson, Economic Development Director

Request:

Consideration of a request to appoint Dan Brizee and Neil Christensen to the City of Twin Falls Urban Renewal Agency Board.

Time Estimate:

The staff presentation will take approximately 2 minutes.

Background:

Tom Frank and Bill Koch were each appointed in 2006 to 3-year terms. They were reappointed in 2009 to 2nd 3-year terms. As they have completed both their full terms in office, they are not currently eligible to continue on as board members.

An interview panel, consisting of Mayor Greg Lanting, Vice-Mayor/URA Liaison Don Hall, URA Chairman Gary Garnand, and URA Executive Director Melinda Anderson, considered nine candidates who sent in their letters of interest. Candidates also submitted background check forms and were found to have no concerns regarding their service.

After much discussion the interview panel recommends two candidates – Dan Brizee and Neil Christensen. The candidate pool was very strong and it was challenging to only recommend two individuals. These two individuals will bring considerable business knowledge and personal commitment to the URA board.

Approval Process:

City Code 2-1-1 states that the board members be appointed by the Mayor and approved by the Council and can serve two 3-year terms along with completing an unfinished term.

Budget Impact:

There is no budget impact

Regulatory Impact:

Approval of this request will appoint Dan and Neil to three-year terms on the Board beginning July 1, 2012 and expiring June 30, 2015.

Conclusion:

The Mayor and interview panel recommend that the Council appoint Dan Brizee and Neil Christensen to the City of Twin Falls Urban Renewal Agency Board.

Attachments:

1. Dan Brizee letter of interest/resume
2. Neil Christensen letter of interest/resume

RECEIVED
MAY 01 2012
BY: _____

5/1/12
Twin Falls Urban Renewal

Please consider me for one of the positions opening up on the Twin Falls Urban Renewal Board. As you may know I have set on the Board before. It was one of the most enjoyable committees I have ever been involved with. When I resigned several years ago it was because of a conflict of interest. I was asking the Agency for funds to help with the construction of a new building with in the District.

There are a few items you should know about me.

- First, I am pro growth and pro business.
- Second, I know how to get things done
- Third, I love Downtown, and would like to see it continue to prosper.

Let me expand.

I have been at Brizee Heating for 30 years. In that time our business has grown by over 200%. From 7 employees in 1982 to a high of 39 in 2008 and now settling at 25 after the Great Recession. I believe I can say I know about running a business and meeting a payroll.

I have been fortunate to have been involved in may organizations over the past 30 years in Twin Falls. From being a charter member of Blue Lakes Rotary, to my involvement with The Chamber and The United Way, we saw much success with these organizations when I was involved.

Besides my children & wife, Downtown is very high on my priority list. This can be seen by my continued involvement in Downtown, The BID and Urban Renewal. My family has been in downtown Twin for 103 years. In the last 10 years we are one of 3 or 4 new construction project done with private money.

I understand the benefits of jobs and facilities to the long term stability of the region. I hope you will give me strong consideration for one of the open positions on the Twin Falls Urban Renewal Board.

Respect,
Dan Brizee

DANIEL B. BRIZEE (Dan)
3285 Highlawn Drive
Twin Falls, Idaho

hm: 208-734-5817
wk: 208-733-2624
cell: 208-280-1721
e-mail: dan@brizee.com

Education:

Eagle Scout
Twin Falls High 1976
The College of Idaho 1980
 B. A. Marketing & Management
 Minor in History

Stats:

Married to Jennie 1996
Daughter Samantha
Son Mitchell

Work History:

Summers of 1976-1979	Vaughn Const.	Built fence along I-84
Fall 1980	Brizee Insulation	10 Employees Insulated water heaters - Idaho Power
Fall 1982	Brizee Heating	Been Here Ever Since President & Major Share holder Payrole of \$1,000,000.00 per year

Professional Education:

March 1984 Design Application for Residential HVAC
April 1985 Service Training for HVAC Systems
Feb. 1986 Design Application for Light Commercial Systems
March 1987 Service Training for HVAC Systems (Level 2)
April 1995 Residential Service Management
April 1995 Medic First Aid including CPR
April 1996 Ward Flex Gas Pipe Training
Oct 1999 Roth Radiant Panel Certified Installer
March 2000 Plumbing Specialty Contractor & Journeyman License
May 2002 Passed EPA Exam for Type 1, and Universal Refrigeration
May 2006 Appointed to Division of Building Safety HVAC Board
Dec 2007 Completed 2006 IEC Code Updates
April 2009 Customized Comfort Specialist Training

Service & Community

Past Scout Master Troop 66 Twin Falls
Charter Member & Past President Blue Lakes Rotary
Past President United Way of Magic Valley
Past Vice President Twin Falls Chamber
Past President Twin Falls BID
Past Board Member Twin Falls Urban Renewal
Current Den Leader Pac 63 Twin Falls Catholic Church
Current Board Member Twin Falls City Building Advisory Board
Current Board Chairperson DBS Board HVAC Division State of Idaho

NEIL CHRISTENSEN

451 Eastland Dr Ste 1 • Twin Falls ID 83301 • 208-420-4144 • neil@allstate.com

OBJECTIVE

To serve in the community that I live in, love, and contribute

EDUCATION

Bachelor of Arts, *Business Administration: Marketing*
Utah State University

May 2005
Logan, UT

PROFESSIONAL BUSINESS EXPERIENCE

Agency Owner

Allstate Insurance Company

Nov. '05- Present

Twin Falls, ID

- Achieved top Allstate awards in 2006, 2007, 2008, 2009, 2010, and 2011: Honor Ring, and Chairman's Conference (Top 10% and 3% of 18,000 agents nationwide, respectively)
- Market Allstate products through different media including radio, TV, billboards, and mailers
- Recruit and manage staff
- Have grown business 450% through acquisitions and organic growth since purchasing business in 2005

Sales Manager/Marketing Director

Techna Glass Inc.

June '02- Nov. '05

Sandy, UT

- Grew regional sales 80% from the first quarter of 2005. \$321,256 to \$399,902 in the second quarter. Under my leadership sales increased 60% from \$130,636 in October of 2004 to \$247,346 in July of 2005.
- Recruit and manage 25 company sales representatives.
- Develop relationships with various new locations to sell and promote *Techna Glass* products through building personal relationships with local business owners.
- Promote *Techna Glass* products through different media including radio, mailers, and billboards
- Frequent travel in area (Idaho, Utah, Nevada) to supply and enhance relations with sales representatives and various accounts.
- Manage Jiffy Lube account, Midas account, Big O Tires account, and other similar accounts.
- Helping to develop marketing/sales strategies to sell franchises to new business owners.

ADDITIONAL SKILLS AND EXPERIENCE

- Speak and read Spanish language fluently.
- Served as a volunteer church representative in Montevideo, Uruguay from December 1998 to December of 2000.

COMMUNITY INVOLVEMENT

- Current President and past board member for NAIFA Southern Idaho (National Association of Insurance and Financial Advisors)
- Current board member and Head Pyro-- Twin Falls 4th of July event



MONDAY June 25, 2012
To: Honorable Mayor and City Council
From: Mitch Humble, Community Development Director

Request:

Consideration of a request to re-appoint members of the Twin Falls City Historic Preservation Commission.

Time Estimate:

The staff presentation will take approximately 2 minutes.

Background:

Ryan Horsley is at the end of his term on the Historic Preservation Commission. He was appointed to a 2-year partial term, and is eligible, and has requested to be re-appointed to his first full term.

Darrell Buffaloe is at the end of his first full term on the Historic Preservation Commission. He was appointed in April of 2009 and is eligible, and has requested to be re-appointed to a second full term.

Mayor Lanting, Council Liaison Hall, HPC Chairman Watson, and staff have reviewed the requests for reappointment. Ryan and Darrell had great attendance and have provided valuable input into the actions of the Committee. Based on their excellent attendance records and valuable contributions, the review committee recommends reappointing Ryan Horsley and Darrell Buffaloe to the Historic Preservation Commission.

Budget Impact:

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

Regulatory Impact:

Approval of this request will keep the Commission at full membership level. These appointments will be for three year terms beginning in July 2012 and expiring at the end of June 2015.

Conclusion:

The Mayor and review committee recommend that the Council reappoint Ryan Horsley and Darrell Buffaloe to the Twin Falls City Historic Preservation Commission.

Attachments:

None



Monday June 25, 2012 City Council Meeting

To: Honorable Mayor and City Council

From: Dennis J. Bowyer, Parks & Recreation Director

Request:

To consider a request from Twin Falls County Youth Baseball (TFCYB) to allow overnight camping at the Oregon Trail Youth Complex for youth baseball teams and their parents during their tournament on Thursday June 28th through Saturday June 30th.

Time Estimate:

The staff presentation will take approximately 5 minutes. Following the presentation, we expect some time for questions and answers.

Background:

The TFCYB is hosting a youth baseball tournament that will begin on the afternoon of Thursday June 28th and end Saturday June 30th. The tournament will be played on the ball fields located at the Oregon Trail Youth Complex and Harmon Park.

Their proposal is requesting to allow camping near the northeast section of the Oregon Trail Youth Complex park, near the tennis courts. They are also requesting to allow RVs to park in the paved parking lot adjacent to the tennis courts. A map of the park is attached with sites where approved vehicle and tent camping is recommended to be allowed.

TFCYB filled out the City's Special Events Application on Thursday June 14th and has received approval from City staff. Their request was reviewed by the Parks and Recreation Commission on Tuesday June 19th. The Parks and Recreation Commission unanimously recommends approval of their request with the following conditions:

- TFCYB will provide a portable toilet at their camp site since for security purposes all restrooms in the park system are locked up by 11pm.
- Lights out in their camp site will be at 10pm each night.
- All motorized vehicles are to be parked in the parking lot located along Highland Avenue next to the tennis courts and the basketball court.
- Only tent camping will be allowed in the park next to the parking lot and tennis courts.
- A \$150 security deposit to be paid to the City, if no damages or problems occurred, the security deposit will be returned.

Approval Process:

City Code 8-3-6: Recreation Activities: No person in a park shall: (F) Camping: Camp without prior permission of the director. Permission shall be limited to organized groups who will be given a designated area for camping.

Since this is a new request, staff felt that the Council should have an opportunity to review it prior to the Director granting permission to camp in the park. Therefore, staff directed the

TFCYB to receive approval through the Special Event Application process, receive a recommendation from the Parks and Recreation Commission, and then the request will be placed on the City Council's agenda for their consideration.

Budget Impact:

None

Regulatory Impact:

Approval of this request will allow overnight camping at the Oregon Trail Youth Complex on Thursday June 28th and Friday June 29th for some youth baseball teams and their parents.

Conclusion:

The Parks and Recreation Commission recommended that the City Council allow overnight camping at the Oregon Trail Youth Complex on Thursday June 28th and Friday June 29th with the following conditions:

- TFCYB will provide a portable toilet at their camp site since for security purposes all restrooms in the park system are locked up by 11pm.
- Lights out in their camp site will be at 10pm each night.
- All motorized vehicles are to be parked in the parking lot located along Highland Avenue next to the tennis courts and the basketball court.
- Only tent camping will be allowed in the park next to the parking lot and tennis courts.
- A \$150 security deposit to be paid to the City, if no damages or problems occurred, the security deposit will be returned.

Attachments:

1. Map of the Oregon Trail Youth Complex
2. Special Event Application
3. Facility Use Application

OREGON TRAIL YOUTH COMPLEX



STEPHAN, KVANVIG, STONE & TRAINOR

ATTORNEYS AT LAW

RUSSELL G. KVANVIG
LAIRD B. STONE
KEVIN F. TRAINOR

TELEPHONE 208-733-2721
FAX 208-733-3619

WELLS FARGO BANK BUILDING
102 MAIN AVENUE SOUTH, STE #3
P.O. BOX 83
TWIN FALLS, IDAHO 83303-0083

FRANK L. STEPHAN 1886-1952
DANIEL A. SLAVIN 1938-1987
ROBERT W. STEPHAN 1917-2003

E-MAIL: sks&t@idaho-law.com

June 14, 2012

Dennis Bowyer
Parks & Rec Director
PO Box 1907
Twin Falls, ID 83303

Re: Cal Ripken Tournament, June 28, 29 and 30th

Dear Dennis:

This letter is to serve the purpose for a special event application and permission to camp at Oregon Trail Park. The request is to be able to use the tennis court area and the grass between the fields and the tennis court for camping during the tournament June 28th through the 30th.

The RV's would be on the tennis court and there would be tent camping only on the grass.

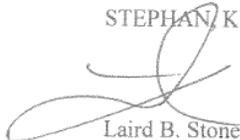
The lights would be out by 10:00 p.m. other than perhaps some in the trailers or campers.

Cal Ripken Baseball would provide a portable toilet as it is our understanding that the public access restroom would be locked by 10:00 p.m.

I have contacted Dennis Pullin and have provided them with the special use permit application and have attached a copy hereto.

Respectfully yours,

STEPHAN, KVANVIG, STONE & TRAINOR



Laird B. Stone

LBS:ar
Enclosure



**CITY OF TWIN FALLS
SPECIAL EVENTS APPLICATION**

DATE OF EVENT: 6/28/2012- 6/30/2012

TIME OF EVENT: Start: 6/28/2012 5:00 p.m. End: 6/30/2012 8:00 p.m.

LOCATION OF EVENT (Include business name, if applicable):

Oregon Trail Youth Complex

We would like to use the area by the tennis courts north of the baseball fields for RV parking and make use of the grass area between the tennis courts and the baseball fields for tents.

NUMBER OF PEOPLE IN ATTENDANCE: 50-100 using this area

WILL EVENT OCCUPY A PUBLIC STREET: Yes: ____ No: X
(If yes, please provide diagram of proposal.)

WILL ALCOHOL BE SERVED: Yes: ____ No: X

HAS CATERING PERMIT BEEN SECURED Yes: ____ No: X
(If yes, attach copy of permit to application.)

*For the safety of event participants and law enforcement personnel, it is required that paper or plastic containers be used for alcoholic beverages.

NAME OF APPLICANT Twin Falls County Youth Baseball
ADDRESS 2154 Bitterroot Drive Twin Falls
HOME TELEPHONE 208-731-5477 (Kim)
BUSINESS PHONE 208-731-5477 (Kim)

NAME OF RESPONSIBLE PARTY/CONTACT PERSON Brent Jussell
ADDRESS Twin Falls
HOME PHONE 208-293-2719
BUSINESS PHONE 732-5730 ext 3006

DESCRIPTION OF EVENT:

Twin Falls County Youth Baseball is hosting a baseball tournament for 9 to 12 year olds.

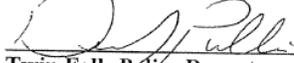
I, Twin Falls County Youth Baseball, APPLICANT FOR THE ABOVE EVENT,
AUTHORIZE Kim Pullin TO APPLY FOR THE PERMIT ON MY BEHALF.

Kim Pullin
APPLICANT'S SIGNATURE

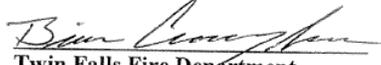
6/14/2012
DATE

**** EVENT APPLICATIONS MUST BE SUBMITTED NO LATER THAN 45 DAYS PRIOR TO THE EVENT OR THE PERMIT MAY BE DENIED.**

REVIEWED BY:


Twin Falls Police Department

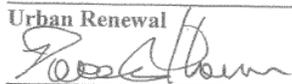
Approved Denied


Twin Falls Fire Department

Approved Denied

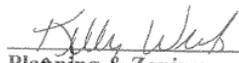

Parks & Recreation Department

Approved Denied

Urban Renewal

Building Department

Approved Denied

Approved Denied


Planning & Zoning

Approved Denied


Information Service

Approved Denied



TWIN FALLS PARKS AND RECREATION

136 Maxwell Ave. • PO Box 1907 • Twin Falls, ID 83303 • Phone: 208-736-2265 • Fax: 208-736-1548

FACILITY USE APPLICATION

Shelter reservation fees are \$25 per shelter, per 5-hour time block. Time blocks are listed below. Tables can be reserved at City Park, Dierkes Lake and Shoshone Falls for \$10 per 5-hour time block. Reservations are not confirmed until a completed form has been received and approved by the Parks and Recreation Office. Fees should accompany reservation forms unless previous arrangements have been made.

Contact Information:

Applicant/Organization: Date:
Contact Person: Phone Number:
Address:

Facility Information:

Day(s) of Event: Date(s) of Event:
Time Block: 6 am - 11 am 12 pm - 5 pm 6 pm - 11 pm
Park Requested: Shelter/Tables Requested items:
Event Description:

Details on your event (Please check all that apply):

<input type="checkbox"/> Food Concessions/Vendors	<input type="checkbox"/> Merchandise Vendors
<input type="checkbox"/> Broadcast Music/Sound	<input type="checkbox"/> Merchandise Vendors
<input checked="" type="checkbox"/> Canopies/Tents	<input type="checkbox"/> Live Band(s) (City Park Only)
<input type="checkbox"/> Alcohol**	<input type="checkbox"/> Catered Food
<input type="checkbox"/> Open to the Public	<input type="checkbox"/> Vehicles on Lawn (Permission is required)
<input type="checkbox"/> Animals	<input type="checkbox"/> Electricity Needed
<input type="checkbox"/> Softball Field Needed (\$25 prep)	<input checked="" type="checkbox"/> Other Please List: <input type="text" value="Overnight Camping"/>

** Kegs or Party Balls require a Permit (\$50 refundable deposit) from the Parks and Recreation office. No glass containers are allowed in any park. NO ALCOHOL ALLOWED AT DIERKES LAKE!

Estimated Attendance: 0 - 50 51 - 100 101 - 150 151 - 200 201 - 250
 251 - 499 ** 500 and over **

** Any event with an expected large attendance, having vendors or selling merchandise must have a pre-event meeting with the Parks and Recreation Director at least ten (10) days prior to the event to determine full fee schedule and requirements. Depending on the size of the event, you may be required to provide: Portable toilets, Dumpsters, Liability Insurance and Security.

The Benefits are Endless...

City Park Events Only

<input type="checkbox"/> Electricity (\$50 per day for all outlets or \$5 per outlet)	Total Number of Days: <input type="text"/>
Outlets Needed: (See map) <input type="text"/>	
<input type="checkbox"/> Band Shell Use (\$50 for 1st day and \$15 each additional days)	Total Number of Days: <input type="text"/>
<input type="checkbox"/> Microphone for PA System (\$15 per day **)	Total Number of Days: <input type="text"/>
<input type="checkbox"/> Band Shell Keys Needed	
<input type="checkbox"/> Band Shell Electricity Needed	Total Cost: <input type="text"/>

** No amplified sound or music in the band shell before 12:15 PM on Sundays.

Weddings at Shoshone Falls:

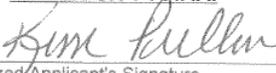
Weddings are typically held on the upper park loop area of the park. We do not have a way to post a reservation sign at the site. You are welcome to post your own sign and mark off the area you have reserved with tape, ribbon, etc. There is no electricity available at Shoshone Falls Park. We do not charge a reservation fee to use the area. Table reservations are available for an additional charge. For additional information please call Parks and Recreation at (208) 736-2265.

Shoshone Falls and Dierkes Lake Park Entrance Fee Information:

There is a \$3/ vehicle entrance fee charged at Shoshone Falls and Dierkes Lake from April to September. Coupon books of 20 tickets are available for \$30 at the Parks and Recreation Office. You will be responsible for distributing the tickets to your group. Ticket booth personnel cannot hold them at the booth for your guests. You may also pay ahead at the Parks and Recreation office for a specific number of vehicles at \$3/ vehicle and personnel at ticket booth will track your numbers.

Please read the following, sign and date:

1. The above named Applicant/ Organization, in consideration of its use of Twin Falls Parks and Recreation facilities, agrees to release, indemnify and defend the City of Twin Falls, and its agents, employees and representatives, from any and all claims, demands or lawsuits arising out of the Applicants/ Organizations use of said facilities.
2. Groups, individuals and applicants further agree that they have received the City's policies, rules and regulations governing use of said facility and agree to be bound by the same.
3. **DOGS ARE NOT ALLOWED AT DIERKES LAKE PARK (except in the dog training area northwest of the parking lot). DOGS MUST BE ON LEASHES AT ALL TIMES IN ANY OTHER CITY PARK.**


6/15/12

 Authorized Applicant's Signature Date

Payment Method (payable to: City of Twin Falls)

Check #	<input type="text"/>	Amount:	<input type="text"/>
Cash:	<input type="text"/>	Amount:	<input type="text"/>
Credit Card #:	<input type="text"/>	Exp. Date:	<input type="text"/>
		Amount:	<input type="text"/>
Signature: (if faxing)	<input type="text"/>		



Monday June 25, 2012 City Council Meeting

To: Honorable Mayor and City Council

From: Dennis J. Bowyer, Parks & Recreation Director

Request:

Update regarding a proposed Recreation Center for Twin Falls.

Time Estimate:

Staff presentation will take approximately 5 minutes. Following the presentation, we expect some time for questions and answers.

Background:

At the Monday January 23, 2012, the Recreation Center Committee presented to the City Council their plans for a Recreation Center and seeking direction on the size of the center. After the presentation and discussion among the Council, the Council gave the following directions for the Committee:

1. The size of the facility would be the 50,000-55,000 sq ft with an expandable building and site.
2. A report back to the City Council in 120 days, with a 5 year Maintenance & Operation estimates and project revenues.
3. The facility should have minimum conflict of amenities with private providers.
4. Recommendation of multiple funding options as part of the report.

The Council additionally said they would like to see no additional tax burden to the taxpayers of the City.

Soon after the January meeting, it was recommended for the Recreation Center Committee worked with the Citizen Finance and Planning Committee to develop the financial aspects of the final recommendations. With the logistics of planning two separate committees, an additional month was granted to prepare the final recommendations.

Since the early part of February the two committees formed three smaller sub-committees to gather information. Those sub-committees have been meeting on their own assembling information on how to fund the center; some of those ideas were: bonding, override, private fund raising, formation of a recreation district, and grants. To figure out M & O estimates, other recreation centers were contacted to review their M & O, programming needs of the facility was reviewed, and a national contractor's estimator was used.

The Committees began to focus on a partnership with another entity, such as the YMCA or the Boys & Girls Club, as the most likely development and operation scenario. Some effort was then dedicated to exploring partnership opportunities. The Boys & Girls Club recently indicated the potential desire to work with the City as a partner in the recreation center project and invited staff to attend their Wednesday June 20th Board of Directors meeting. However, this opportunity has not yet been fully explored. Therefore, when the two committees met on June 15th to finalize the details of this report to

the Council, the committees determined that we were not ready for a full report as the Council expected. Rather, the committees said it was a great idea for City staff and a Council liaison to meet with the Boys & Girls Club Board of Directors to explore the idea of a partnership with them.

On Wednesday June 20th, Shawn Barigar, Mitch Humble, and Dennis Bowyer met with the Board of Directors from the Boys and Girls Club of Magic Valley. Their Board is interested in developing a partnership with the City of Twin Falls for the development and operation of a Recreation Center. However, the City and the Club need to spend some time working out the details of a partnership that can then be presented to the Council for consideration. So, the committee recommends that the Council allow staff and the committee to pursue this partnership opportunity with the Boys & Girls Club.

Approval Process:

There is no approval required on this item. It is a presentation to the Council regarding the status of the committee's work on the recreation center project. Though, the committee would appreciate any direction the Council has to offer on this project.

Budget Impact:

None at this time.

Regulatory Impact:

None at this time.

Conclusion:

No action is necessary. However, the committee is interested in any feedback the Council may have regarding the plan to develop a proposed partnership with the Boys and Girls Club of Magic Valley for a Recreation Center in Twin Falls.

Attachments:

None



Date: June 25, 2012, City Council Meeting

To: Honorable Mayor and City Council

From: Lieutenant Craig Stotts

Request:

Consideration of a request to approve the lowest bid received for radio equipment proposed by All Wireless Communications, Burley, Idaho. The radio equipment will be purchased with grant dollars; therefore, there will be no cost to the City.

Time:

Approximately five (5) minutes.

Background:

Jackie Frey, Twin Falls County Department of Emergency Services, has provided grant funds to the City of Twin Falls for interoperability communications. The grant funds will be used to buy radio communications equipment to replace aging equipment.

Idaho Statute 67-2806 (1) was followed in order to comply with the proper procurement procedures. The solicitation for bids was supplied to the following vendors by electronic delivery: All Wireless Communications, Teton Communications, and White Cloud Communications. A copy of the request for bids is attached. Also attached are the written bids I received from White Cloud Communications and All Wireless Communications. Teton Communications did not submit a bid.

Budget Impact:

None.

Regulatory Impact:

N/A

Conclusion:

Staff recommends that the Council approve the request as presented.

Attachments:

1. Copy of letter requesting bids for radio communications equipment
2. Copy of bids submitted by White Cloud Communications and All Wireless Communications
3. Copy of Idaho Statute 67-2806 (1)

CS:aed



TWIN FALLS POLICE DEPARTMENT

356 3RD AVENUE EAST
 P.O. BOX 3027
 TWIN FALLS, ID 83303-3027

TELEPHONE: (208) 735-4357
 FAX: (208) 733-0876
 www.tfid.org

June 7, 2012

BRIAN PIKE
 CHIEF OF POLICE
 (208) 735-7210

To Whom It May Concern:

Please consider this letter as an official request for bids for radio communication equipment. Bids shall be sent via e-mail to cstotts@tfid.org and must be received on or before Friday, June 15, 2012, by 5:00 p.m. The Twin Falls Police Department is seeking to purchase the following:

KENWOOD

QUANTITY	MODEL NUMBER	DESCRIPTION
50	TK-5320K2-LKP	UHF Li-Ion Battery Package Limited Keypad (Portable) with Charger and Belt Clip
50	KRA-27M2	UHF Whip Antenna
50	KMC-41M	MIL-Spec Speaker Mic Noise Canceling
50	KLH-148K2	Heavy Duty Leather Case
50	KLH-6SW	Swivel Belt Loop
50	KNB-47L	1950 mAh Li-Ion Battery

MATT HICKS
 CAPTAIN
 ADMIN. SERVICES
 (208) 735-7204

BRYAN KREAR
 CAPTAIN
 INVESTIGATIONS
 (208) 735-7243

ANTHONY BARNHART
 CAPTAIN
 PATROL
 (208) 735-7242

Programming for radios should **not** be included in the bid as we will do the programming. Also, please indicate the individual price per item listed above.

If you have any questions, please feel free to contact Lieutenant Stotts at (208) 735-7263 or via e-mail at cstotts@tfid.org

CRAIG STOTTS
 LIEUTENANT
 COMMUNICATIONS
 (208) 735-7263

Sincerely,

BRIAN PIKE
 Chief of Police

CRAIG STOTTS
 Lieutenant, Communications

CS:aed

All Wireless Communications

1112 Oakley Avenue
 Burley, ID 83318
 208-878-3537

Estimate

Date	Estimate #
6/12/2012	77

Name / Address
Twin Falls Police Dept. P. O. Box 3027 Twin Falls, ID 83303

Project

Description	Qty	Total
TK-5320K2-LKP, TK-5320K2 portable radio package, with rapid charger, 1950 mAH Li-Ion battery, belt clip. Price each is \$725.40	50	36,270.00
KRA-27M2 Antenna, Kenwood UHF,450-520 MHz, Whip Price each is \$10.00	50	500.00
KMC-41M Speaker Mic, Kenwood TK-380, Noise Canceling Price each is \$65.00	50	3,250.00
KLH-148K Case, Kenwood TK-5320K, NX-200/300 Leather w/o DTMF Price each is \$35.50	50	1,775.00
KLH-6SW Belt Loop Swivel, Kenwood Leather Case Price each is \$18.00	50	900.00
KNB-47L Battery, Kenwood TK-5320 Portable Radio 1900 mAh Price each is \$63.00	50	3,150.00
Pricing determined and contingent upon quantity order of 50 per item. Radio pricing includes special discounting along with All Wireless Communication quantity discount. Price estimate good until June 27, 2012, order must be placed by that time to secure pricing.		
Subtotal		\$45,845.00
Sales Tax (6.0%)		\$0.00
Total		\$45,845.00

White Cloud Communications / Auto Phone

WO#

Sales Order

Quotation XXXXXXXX

Invoice # _____

Twin Falls
663 Main Ave East., Twin Falls, ID 83301
PO Box 466, Twin Falls, ID 83303
(208) 733-5470, FAX: (208) 735-1778

Boise
4732 Fenton St., Garden City, ID 83714
(208) 362-8700, FAX: 208-362-8900

Burley
712 Albion Ave., Burley, ID 83318
(208) 678-8991

Ketchum
1141 Airport Wy. #5, Hailey, ID 83333
(208) 726-3242

Prepared For: TWIN FALLS PD	Attention: Craig Stotts	Work Phone & Cell Phone: 208-735-4357	Date: 06/14/12	Sales Rep: Ken
Address: 356 3rd Avenue East Twin Falls, ID 83303	e-mail Address: cstotts@tfid.org	Fax #: 208-733-0876		

Qty	Model #	Description	Serial #	Unit Price	Extended Price
50	TK- 5320K2-LKP	Uhf Li-ion Battery Package Limited Keypad / Portable	List: 1209.00	735.36	36,768.00
50	KRA-27M2	Uhf Whip Antenna	List: 14.00	9.80	490.00
50	KMC-41M	Mil-Spec Speaker Mic Noise Cancelling	List: 96.50	67.55	3,377.50
50	KLH-148K2	Heavy Duty Leather Case (Swivel)	List: 44.25	30.98	1,549.00
50	KLH-6SW	Swivel Belt Loop	List: 22.00	15.40	770.00
50	KNB-47L	1950 Mah Li-Ion Battery	List: 105.00	73.50	3,675.00
Special Pricing good till June 27th, 2012					
Duplicate					

TWIN FALLS PD

Special and/or Billing Instructions:
10% Additional Quantity Discount.
8% Quantity Discount Available To Us On Every Order.
Per Dell Grower
06-14-2012

Total Equipment	46,629.50
Sales Tax	6.00%
Programming	
Installation	
Freight	
Shipping	
TOTAL	46,629.50

Customer Acknowledgement of Receipt	Date	Customer P.O.
-------------------------------------	------	---------------

Acceptance of Sales Order / Quotation

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to order the above items and/or authorize the the described labor. Payment will be made according to invoiced terms. Any alteration or deviation from the above Sales Order / Quotation involving extra costs shall be executed only upon written orders and shall become an extra charge over and above this Sales Order / Quotation.

Date of Acceptance

Authorized Signature

Quotations are valid for 30 days

From: "TCI" <tcit@tetoncommunications.com>
To: <CSTOTTS@tfid.org>
Date: 6/20/2012 11:15 AM
Subject: RE: Fwd: Kenwood Radio Bid

-----Original Message-----

From: Tony [mailto:tony@tetoncommunications.com]
Sent: Friday, June 15, 2012 8:54 AM
To: 'TCI'
Subject: RE: Fwd: Kenwood Radio Bid

Hi Craig - Thank you for the opportunity to bid the new radios. Given the miles between us, we don't feel comfortable about being able to provide the level of service we normally commit to our customers. That said, please keep us on your list as there may come a day we have closer service than IF.

Tony Hafla 208-522-0750

President - Teton Communications Inc.

545 Utah Circle

Idaho Falls, Id 83402

-----Original Message-----

From: TCI [mailto:tcit@tetoncommunications.com]
Sent: Friday, June 15, 2012 8:51 AM
To: Tony
Subject: FW: Fwd: Kenwood Radio Bid

-----Original Message-----

From: Craig Stotts [mailto:CSTOTTS@tfid.org]

Sent: Tuesday, June 12, 2012 9:24 AM

To: tci@tetoncommunications.com

Subject: Re: Fwd: Kenwood Radio Bid

Hello,

I spoke to you on Friday regarding radio bid. Since the email wasn't going through to tony@tetoncommunications.com I was told to send it to the email listed above, which you received and confirmed on the phone. Please advise if you intend to submit a bid, which are due on Friday, June 15, 2012 by 5:00 PM. Thank you.

Craig Stotts, Lieutenant

Twin Falls Police Department

P.O. Box 3027

Twin Falls, ID 83303-3027

Office (208) 735-7263

Fax (208) 733-0876

email: cstotts@tfid.org

web: www.tfid.org

>>> Craig Stotts 6/8/2012 11:06 AM >>>

Here you go.

Craig Stotts, Lieutenant

Twin Falls Police Department

P.O. Box 3027

Twin Falls, ID 83303-3027

Office (208) 735-7263

Fax (208) 733-0876

email: cstotts@tfid.org

web: www.tfid.org

>>> Craig Stotts 6/7/2012 5:18 PM >>>

Please see attached regarding official request for bids for radio communications equipment. Per Idaho Statute 67-2806 (1) the lowest bid will be awarded.

Thanks,

Craig Stotts

Craig Stotts, Lieutenant

Twin Falls Police Department

P.O. Box 3027

Twin Falls, ID 83303-3027

Office (208) 735-7263

Fax (208) 733-0876

email: cstotts@tfid.org

web: www.tfid.org



LEGISLATURE



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Idaho Statutes

[Printer Friendly Version](#)

TITLE 67
STATE GOVERNMENT AND STATE AFFAIRS

CHAPTER 28
PURCHASING BY POLITICAL SUBDIVISIONS

67-2806. PROCURING SERVICES OR PERSONAL PROPERTY. (1) When a political subdivision contemplates an expenditure to purchase or lease personal property or to procure services, other than those services excluded pursuant to section 67-2803, Idaho Code, valued in excess of twenty-five thousand dollars (\$25,000) but not to exceed fifty thousand dollars (\$50,000), the procurement procedures of this subsection (1) shall apply.

(a) The solicitation for bids shall be supplied to no fewer than three (3) vendors by written means, either by electronic or physical delivery. The solicitation shall describe the personal property or services to be purchased or leased in sufficient detail to allow a vendor dealing in such goods or services to understand what the political subdivision seeks to procure.

(b) The solicitation for bids shall describe the electronic or physical delivery method or methods authorized to submit a bid, the date and time by which a bid proposal must be received by the clerk, secretary or other authorized official of the political subdivision, and shall provide a reasonable time to respond to the solicitation, provided that except in the event of an emergency, such time shall not be less than three (3) business days.

(c) Written objections to specifications or bid procedures must be received by the clerk, secretary or other authorized official of the political subdivision at least one (1) business day before the date and time upon which bids are scheduled to be received.

(d) When written bids have been received, by either physical or electronic delivery, they shall be compiled and submitted to the governing board or governing board-authorized official which shall approve the responsive bid proposing the lowest procurement price or reject all bids and publish notice for bids, as before.

(e) If the political subdivision finds that it is impractical or impossible to obtain three (3) bids for the proposed procurement, the political subdivision may acquire the property in any manner the political subdivision deems best from a qualified vendor quoting the lowest price. When fewer than three (3) bids are considered, a description of the efforts undertaken to procure at least three (3) bids shall be documented by the political subdivision and such documentation shall be maintained for at least six (6) months after any such procurement is made. If two (2) or more price quotations are the same and the lowest responsive bids, the authorized decision maker may accept the one (1) it chooses.

(2) When a political subdivision contemplates an expenditure to purchase or lease personal property or to procure services, other than those services excluded pursuant to section 67-2803, Idaho Code, valued in excess of fifty thousand dollars (\$50,000), the procurement procedures of this subsection (2) shall apply.

(a) The purchase or lease shall be made pursuant to an open competitive sealed bid process with the procurement to be made from the qualified bidder submitting the lowest bid price complying with bidding procedures and meeting the specifications for the goods and/or services sought to be procured.

(b) The request for bids shall set a date, time and place for the opening of bids. Two (2) notices soliciting bids shall be published in the official newspaper of the political subdivision. The first notice shall be published at least two (2) weeks before the date for opening bids, with the second notice to be published in the succeeding week at least seven (7) days before the date that bids are scheduled to be opened. The notice shall succinctly describe the personal property and/or service to be procured. Copies of specifications, bid forms, bidder's instructions, contract documents, and general and special instructions shall be made available upon request by any interested bidder.



June 25th, 2012 City Council Meeting

To: Honorable Mayor and City Council

From: Bill Carberry, Airport Manager

Request: Consideration of an Airport Grant Offer from ITD, Division of Aeronautics, in the amount of \$20,000.

Background: As a means to assist with some of the cost of airport capital improvements, the ITD Division of Aeronautics has offered the attached \$20,000 grant offer.

Budget Impact: The status of the State's Airport Aid Program has been under review this year so the grant offer from the State of Idaho is a pleasant surprise and one the airport did not budget for this fiscal year. Although the City of Twin Falls is listed as the sponsor, both the City and County are the beneficiaries of the grant award.

Approval Process: *The City Council is required to ratify the Grant Agreement and the City Resolution and have the clerk attest to the Resolution.*

Regulatory Impact: The Grant Offer will be subject to the standard assurances associated with State Division of Aeronautics grant agreements. The airport confirm its grant eligibility by providing the State with documentation that the City/County has invested at least \$40,000 toward FAA AIP projects. This will be done through the local 5% match money associated with recent FAA projects.

Conclusion: Staff recommends acceptance of the Idaho Transportation Department's Division of Aeronautics Grant Offer in the amount of \$20,000.00. The Council will need to ratify both the Grant Agreement and the City Resolution, authorizing the Mayor to sign both.

Attachments:

Copy of the ITD, Div of Aero Grant Agreement

Copy of the City Resolution Accepting the Grant Offer.



IDAHO TRANSPORTATION DEPARTMENT
P.O. Box 7129
Boise ID 83707-1129

(208) 334-8000
itd.idaho.gov

June 11, 2012

Greg Lanting, Mayor
City of Twin Falls
PO Box 1907
Twin Falls, ID 83303-1907

IDAHO AIRPORT AID PROGRAM
FY-12 Grant Offer for the
Joslin Field, Magic Valley Regional Airport
IAAP Program Number: LNS8TWF
IAAP Project Number: TWF-2012 (3-16-0036-029,-030,-031)

Project Description: Wildlife Hazard Assessment, Pavement Maintenance, and Master Plan Report.
This grant is in the amount of \$20,000.00 to match \$40,000.00 from the City of Twin Falls.

Dear Mayor,

Enclosed are two (2) copies each of the Grant Agreement and City Resolution for the above referenced project. Please have the City Council ratify both the Grant Agreement and the City Resolution, as Mayor please sign both copies of each, and have the Clerk attest to the resolution. Please retain one set for your local records and return one set to me. Please complete these actions by July 13, 2012, as noted on page 2 of the grant. These funds will be available for reimbursement upon receipt of the ratified agreement in this office.

I look forward to working with the City on this project. If you have any questions call me at (208) 334-8784.

Sincerely,

A handwritten signature in black ink that reads "William P. Statham".

William P. Statham
Airport Planning and Development Manager

**IDAHO TRANSPORTATION DEPARTMENT
DIVISION OF AERONAUTICS**

GRANT AGREEMENT

TO: City of Twin Falls, Idaho
(Hereinafter referred to as the "SPONSOR")

FROM: The State of Idaho, acting through the IDAHO TRANSPORTATION DEPARTMENT,
DIVISION OF AERONAUTICS
(Hereinafter referred to as the "STATE")

WHEREAS, the SPONSOR has submitted to the STATE an application for assistance from the Idaho Airport Aid Program for development of the (AIRPORT) Airport, together with the planning proposal or plans and specifications for the project. This project application has been approved by the STATE and is hereby incorporated herein and made a part thereof;

WHEREAS, the Idaho Transportation Board has approved a project for development of the airport consisting of the following described airport development:

Project Description: Wildlife Hazard Assessment, Pavement Maintenance, and Master Plan Report.
Program Number: LNS8TWF
Project Number: TWF-2012 (3-16-0036-029,-030,-031)

NOW THEREFORE, for the purpose of carrying out the provisions of the Uniform State Aeronautics Department Act of 1947, as amended, and in consideration of the SPONSOR acceptance of this offer, as hereinafter provided, the STATE hereby agrees to pay, as its share of the costs incurred in accomplishing the project, not more than \$20,000.00.

This Grant is made with the following terms and conditions:

1. The maximum obligation of the STATE payable under this Grant shall be \$20,000.00.
2. The SPONSOR shall:
 - A. Certify the availability of at least \$40,000.00 to match STATE participation in said project.
 - B. Diligently and expeditiously complete this project and likewise pursue appropriate measures as may be agreed upon by the SPONSOR and the STATE to remedy project delays, including but not limited to litigation or condemnation.
 - C. Carry out and complete the project in accordance with the plans, specifications, and property map, incorporated herein, as they may be revised or modified, with approval of the STATE.
 - D. All contracts for construction involved in this project shall be bid competitively in accordance with bidding procedures otherwise authorized for public entities.

- E. In connection with the acquisition of real property for the project, the SPONSOR shall secure at least two written appraisals by licensed appraisers. The SPONSOR shall not pay in excess of the highest appraisal without the written consent of the STATE or except as directed by a court of competent jurisdiction after a contested trial and a judgment not resulting from agreement between the parties.
 - F. No STATE funds will be paid to the SPONSOR in any case until it certifies in writing that it has funds available and will spend at least the amount designed in Paragraph (A) above, solely for the project in question.
 - G. The SPONSOR agrees to hold said airport open to the flying public for the useful life of the facilities developed under this project. The SPONSOR shall grant no exclusive use or operating agreements, to any person, company, or corporation; that failure to abide by such agreement shall automatically obligate the immediate and full return of all State of Idaho money expended in behalf of the project to the State of Idaho.
- 3. The allowable costs of the project shall not include any costs determined by the STATE to be ineligible.
 - 4. The STATE reserves the right to amend or withdraw this offer at any time prior to its acceptance by the SPONSOR.
 - 5. This offer shall expire and the STATE shall not be obligated to pay any part of the costs of the project unless this agreement has been accepted by the SPONSOR on or before July 13, 2012 or such subsequent date as may be prescribed in writing by the STATE.

Except for those projects receiving both State and Federal Aid (submit copies of FAA documents), the following inspection schedule and reporting system will be required:

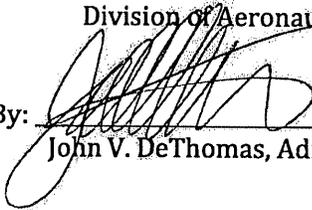
6. Inspection Schedule and Reporting System:

Inspection Schedule and Reporting System will vary for each project. The SPONSOR will be required to make reports and be inspected on the following schedule:

- A. SPONSOR shall report project commencement date.
- B. SPONSOR shall make periodic progress reports as appropriate.
- C. SPONSOR shall receive approval prior to any change in the scope of the project
- D. SPONSOR shall report project completion date and request final inspection and payment.
- E. STATE may make final inspection and shall sign off project as completed.
- F. STATE may arrange for audit of account in accordance with regularly scheduled audit program.

The SPONSOR'S acceptance of this offer and ratification and adoption of the project application incorporated herein shall be evidenced by execution of this instrument by the SPONSOR, as hereinafter provided. Said offer and acceptance shall comprise allocation agreement, constituting the obligation and rights of the State of Idaho and the SPONSOR with respect to the accomplishment of the project and the operation and the maintenance of the airport. Such allocation agreement shall become effective upon the SPONSOR acceptance of this offer and shall remain in full force and effect throughout the useful life of the facilities developed under the project but in any event not to exceed twenty (20) years from the date of acceptance.

STATE OF IDAHO, ITD
Division of Aeronautics

By: 
John V. DeThomas, Administrator

ACCEPTANCE

THE SPONSOR DOES HEREBY RATIFY AND ADOPT ALL STATEMENTS, representations, warranties, covenants, and agreements contained in the project application and incorporated materials referred to in the foregoing offer and does hereby accept said offer and by such acceptance agrees to all of the terms and conditions thereof.

Executed this ____ day of _____, 2012.

By: _____
Greg Lanting, Mayor
City of Twin Falls

ATTEST:

Sharon Bryan, Deputy City Clerk

I, Sharon Bryan, Deputy City Clerk do hereby certify that the foregoing is a full, true, and correct copy of Resolution No. _____ adopted at a regular meeting of the City Council held on the ____ day of _____, 2012, and that the same is now in full force and effect. IN WITNESS WHEREOF, I have hereunto set my hand and impressed the official seal of the City, this ____ day of _____, 2012.

Sharon Bryan, Deputy City Clerk

City Resolution

Exact from the minutes of a regular meeting
of the City Council of City of Twin Falls, Idaho
Held on _____, 2012.

The following Resolution was introduced by Councilman _____, read in full,
considered and adopted:

Resolution number _____ of City of Twin Falls, Idaho accepting the Grant Offer of
the State of Idaho through the Idaho Transportation Department, Division of Aeronautics, in the
maximum amount of \$20,000.00 to be used under the Idaho Airport Aid Program, Program
number: LNS8TWF, Project number: TWF-2012 (3-16-0036-029,-030,-031) in the development of
the Joslin Field, Magic Valley Regional Airport; and

Be it resolved by the Mayor and City Council of City of Twin Falls, Idaho (herein referred to as the
"City") as follows:

Sec. 1. That the City shall accept the Grant Offer of the State of Idaho in the amount of \$20,000.00,
for the purpose of obtaining State Aid under Program Number: LNS8TWF, Project Number: TWF-
2012 (3-16-0036-029,-030,-031) in the development of the Joslin Field, Magic Valley Regional
Airport; and

Sec. 2. That the Mayor of the City of Twin Falls is hereby authorized and directed to sign the
statement of Acceptance of said Grant Offer (entitled Acceptance) on behalf of the City. The City
Clerk is hereby authorized and directed to attest the signature of the Mayor and to impress the
official seal of the City on the aforesaid statement of Acceptance; and

Sec. 3. A true copy of the Grant Agreement referred to herein be attached hereto and made a part
thereof.

Passed by the City Council and approved by the Mayor this _____ day of _____,
2012.

Greg Lanting, Mayor

ATTEST:

Sharon Bryan, Deputy City Clerk

CERTIFICATE

I, Sharon Bryan, Deputy City Clerk do hereby certify that the foregoing is a full, true, and correct
copy of Resolution No. _____ adopted at a regular meeting of the City Council held
on the _____ day of _____, 2012, and that the same is now in full force and effect.
IN WITNESS WHEREOF, I have hereunto set my hand and impressed the official seal of the City, this
_____ day of _____, 2012.

Sharon Bryan, Deputy City Clerk



Date: Monday, June 25, 2012
To: Honorable Mayor and City Council
From: Lee Glaesemann, Staff Engineer

Request:

Consideration of a request to approve a Resolution and Cooperative Agreement for an Encroachment Permit for State Highway: US-30 / Kimberly Road.

Time Estimate:

The staff presentation will take approximately 5 minutes.

Background:

The City of Twin Falls has begun the bid process for the 2012 Kimberly/Highland Water Extension Project. This project includes the installation of waterlines to improve the water supply to the Southeast part of the City which includes the southeast industrial zone and Chobani. The work consists of the installation of a new 24" waterline from the intersection of Kimberly Road and Eastland Drive to the Hankins Pump Station and an 18" waterline from the intersection of Highland Ave at Madrona Street to the intersection of Eastland Drive and Wright Ave.

A portion of the 2012 Kimberly/Highland Water Extension Project runs down the south side of Kimberly Road (U.S. Highway 30) to Meadowview Lane. This work includes trenching within the southern lane of Kimberly Road for the installation of the waterline and the repair of the road section affected by the work. Since Kimberly Road, is State right-of-way under the jurisdiction of the Idaho Transportation Department (ITD), the City must obtain a permit to work within their right-of way.

The ITD permit specifies the conditions for the waterline installation work in ITD right-of-way, which includes the requirement to replace and maintain the asphalt lane and shoulder along the proposed route of the waterline installation. The City may request pavement maintenance acceptance by the State after five years or upon completion of an overlay or more significant road construction performed by the State. This agreement and associated requirements are similar to the agreements required by ITD when the City constructed the Arsenic Waterline projects and the Northeast Sewer projects where work was performed within the State right-of-way.

Approval Process:

ITD requires certified copies of a Resolution that authorizes the Mayor to execute the Cooperative Agreement and the Mayor-signed Cooperative Agreement.

Budget Impact:

Multiple routes for the waterline work were evaluated to determine the least cost alternative. The Kimberly Road route was found to be the most economical alignment for the needed work. There is potential for City

or contract maintenance forces to perform maintenance activities as required in the permit. This project attempts to minimize that potential through approved design, specifications, and inspection.

Regulatory Impact:

Approval of this request will result in issuance of ITD Encroachment permits that allows for the installation of the waterline in ITD right-of-way on US-30.

Conclusion:

Staff recommends that the Council approve the Resolution and Cooperative Agreement for an Encroachment Permit for State Highway: US-30.

Attachments:

1. Cooperative Agreement for Issuance of Encroachment Permit
2. Resolution
3. Vicinity Map

**COOPERATIVE AGREEMENT
FOR
ISSUANCE OF ENCROACHMENT PERMIT
CITY OF TWIN FALLS**

PARTIES

THIS AGREEMENT is made and entered into this _____, day of _____, _____, by and between the Idaho Transportation Board, by and through the Idaho Transportation Department, hereafter called the State, and the City of Twin Falls, hereafter called the City.

PURPOSE

The City has applied for an encroachment permit (Permit) for the construction, operation, and maintenance of a water main line on U.S. Highway 30 between approximate milepost 219.74 and 220.45 (about 300 east of Eastland Drive to Meadowview Lane). A copy of the permit is attached hereto marked Exhibit A. The City has agreed to provide maintenance of the roadway within this section. This Agreement will set out the responsibilities of the parties related to this action.

THE PARTIES AGREE AS FOLLOWS:

1. The State agrees to grant the City an Encroachment Permit for the purpose of installing a water main line within the eastbound lane and shoulder of U.S. Highway 30 (Kimberly Road) from milepost 219.74 to 220.45.
2. The City agrees to assume all duties and responsibilities as it relates to the Permit.
3. The City shall be responsible for the maintenance of the water main line installed under the permit.
4. The City shall be responsible for maintenance of U.S. Highway 30 (Kimberly Road), as follows:
 - a. Replace and maintain asphalt lane and shoulder along the route of the proposed water main line installation from the intersection of the concrete and asphalt pavement sections in U.S. Highway 30 (approximately 300 feet east of the intersection of Eastland Drive and Kimberly Road) for approximately 3,750 ft to the east near the intersection of U.S. Highway 30 (Kimberly Road) and Meadowview Lane.
 - b. Provide surface repair, including but not limited to potholes, settling, and cracking, including crack sealing.

The City may request pavement maintenance acceptance by the State after five (5) years or upon completion of an overlay or more significant road construction performed by the State.

5. The City further agrees that as consideration for the Agreement the City agrees to indemnify and hold harmless the State from any and all claims of any kind, character, or nature arising out of the operation of the City's water main line, including but not limited to, the introduction of hazardous chemicals or substances in the water main line. This provision for indemnification shall include, in addition to any damages which may be claimed or result, reimbursement for reasonable attorney fees and the cost of defense incurred by the State.

EXECUTION

This Agreement is executed for the State by its District Engineer, and executed for the City by its Mayor, attested to by the City Clerk, with the imprinted corporate seal of the City of Twin Falls.

IDAHO TRANSPORTATION DEPARTMENT

Approved By:

Approved As To Form:



Deputy Attorney General



District Engineer

Attest:

CITY OF TWIN FALLS

City Clerk

Mayor

RESOLUTION

WHEREAS, the Idaho Transportation Department, hereafter called the State and the City of Twin Falls, hereafter called the City, wish to enter into an agreement for construction of a water main line within U.S. Highway 30 from milepost 219.74 to 220.45;

NOW, THEREFORE, BE IT RESOLVED:

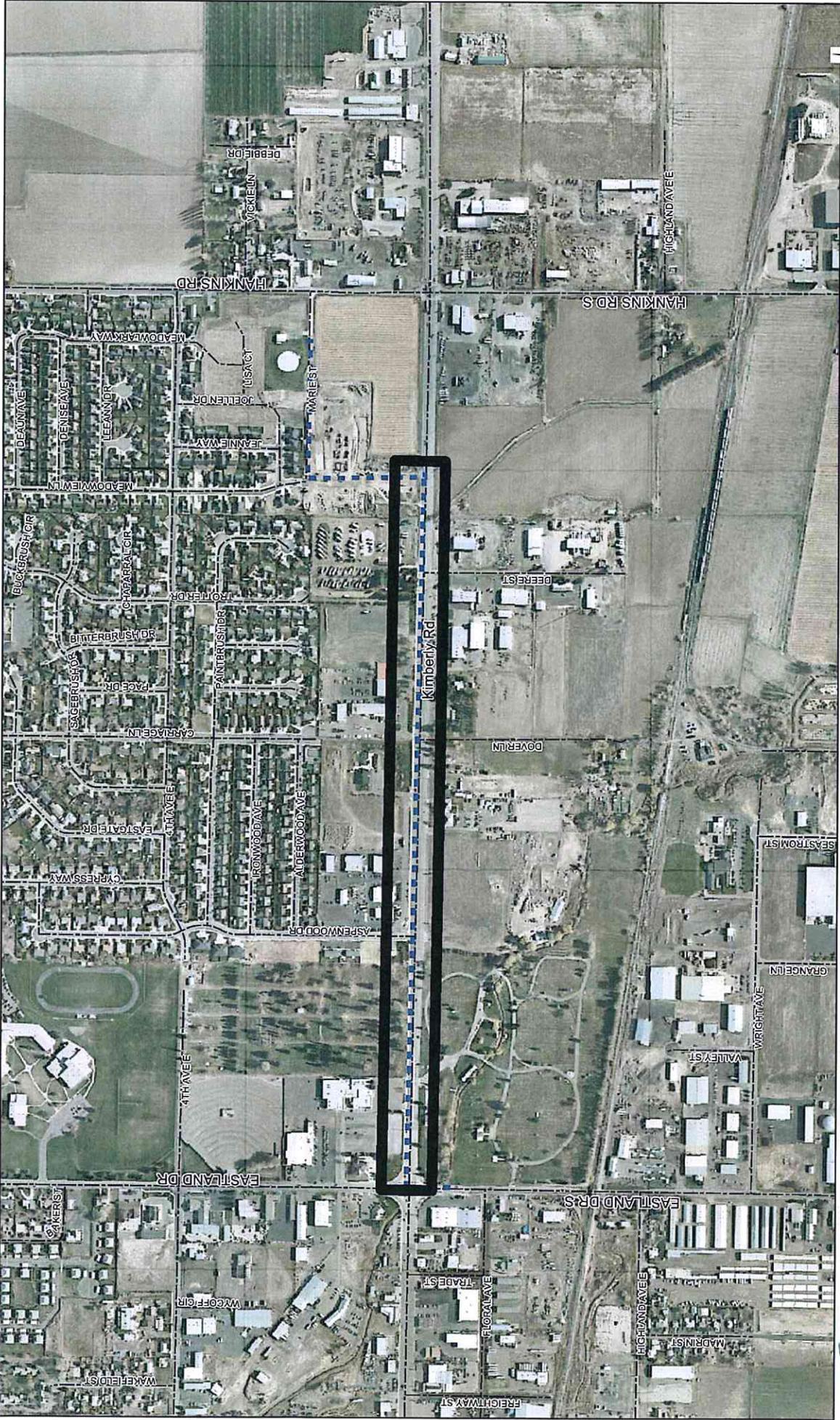
1. That the Agreement for construction of a water main line within U.S. Highway 30 from milepost 219.74 to 220.45 is hereby approved.
2. That the Mayor and the City Clerk are hereby authorized to execute the Agreement on behalf of the City.
3. That duly certified copies of the Resolution shall be furnished to the Idaho Transportation Department.

C E R T I F I C A T I O N

I hereby certify that the above is a true copy of a Resolution passed at a regular, duly called special (cross-out non-applicable terms) meeting of the City Council, City of Twin Falls, held on _____, 20____.

(Seal)

City Clerk



0 225 450 900 Feet

FIGURE 1: SELECTED PIPELINE ROUTE



DATE June 25, 2012 City Council Meeting

To: Honorable Mayor and City Council

From: Jon Caton, Public Works Director

Request:

Request Council to consider the installation of backup power generation for the Blue Lakes Well pumps.

Time Estimate:

The staff presentation will take approximately 10 minutes.

Background:

On the evening of Monday June 4, 2012 the city lost electrical power to its primary water source at Blue Lakes Springs. This is not the first time we have lost power at Blue Lakes; however, in the past there has been a consistent record of immediate response from Idaho Power. This time it was different, the total outage lasted approximately 14 hours.

It is the City's intent to address the potential risk of unavailable water supply in two phases. Phase I shall, upon approval, commence immediately and will address the specific risk we experienced during the recent power outage. Phase II will be the development of a long term, comprehensive plan to identify and mitigate other potential risks to the City's water supply system.

Phase I: Will include the installation of stand-by power generation. In this particular case, if a generator had been available, the city would not have had to require its industries to shut down and may have avoided a City Declaration of Emergency.

Phase II: Should involve high level planning that should include a new Water Facilities Plan (currently budgeted for FY13), the Strategic Plan and the 5-Year Capital Improvement Plan. The results of the technical analysis of the facility plan coupled with the guidance established by the Strategic Planning Committee will drive the 5-Year Capital Improvement Plan and guide the long term solution. Phase II will evaluate water storage, stand-by power, redundant distribution/transmission and potentially new water sources all as methods to mitigate the risk of a water outage.

Approval Process:

This agenda item will require council approval.

Budget Impact: This project is unbudgeted, estimated to be up to \$150,000 and could be funded from Water Fund reserves.

Regulatory Impact: NA

Conclusion: I recommend that Council approve the installation of standby power generation for the Blue Lakes Well pumps.

Attachments: None



DATE: MONDAY -- JUNE 25, 2012

To: Honorable Mayor and City Council

From: Mitch Humble, Community Development Director

AGENDA ITEM II-

Request: Consideration of adoption of one (1) ordinance(s) regarding a request for a partial Vacation of the Pillar Falls Subdivision, A PUD, Phase I.

Ordinance # _____

Time Estimate:

Staff presentation may be approximately two (2) minutes.

Approval Process:

State Code: Idaho Code 50-1306A

City Code: Title 10; Chapter 16

Budget Impact:

Approval of this request will not impact the City budget.

Regulatory Impact:

The Council's adoption of the ordinance will allow a portion of the Pillar Falls Subdivision, a PUD, Phase I to be vacated, as approved.

History:

On February 14, 2012, the Planning & Zoning Commission unanimously recommended approval of this request, as presented, subject to the following conditions:

1. Subject to amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to letters of approval from each of the utility companies impacted by this vacation.
3. Subject to maintenance of a recorded easement for Intermountain Gas company facilities on the property.

and on April 09, 2012 the City Council unanimously approved the request as presented subject to the three conditions as recommended by the Commission and including the additional four conditions:

1. The public road right-of-way for the fifty eight feet (58') strip of land located north of the centerline of Poleline Road East shall not be vacated.
2. The fifteen feet (15') wide public utility easement along the northerly boundary of the Poleline Road East right of way, and the twenty feet (20') wide public utility, landscape and public access easement along the easterly border of the subject property, shall not be vacated.
3. Tracts A and B shall not be vacated. The Applicant shall execute a deed to the City for Tracts A and B, to clear the title to said property, prior to the execution of this ordinance.
4. That the 24.4 shares of Twin Falls Canal Company shares delivered to the City to be held in trust for use in the City's secondary irrigation system, related to this development, be returned and signed over to the Applicant.

Analysis:

The ordinance has been prepared as directed by the Council and are recommended for adoption as submitted. Upon adoption and publication, the recorded Pillar Falls Subdivision, Phase I, shall vacate the platted lots and retain the recorded & dedicated easements and the dedicated rights of way and public trails.

Conclusion:

Staff recommends that the Council adopt the attached ordinance as submitted.

Attachments:

1. Ordinance
2. Portion of the March 13, 2012 P&Z minutes
3. Portion of the April 09, 2012 City Council minutes

ORDINANCE NO. _

AN ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, PARTIALLY VACATING THE SUBDIVISION DESCRIBED BELOW.

WHEREAS, UMPQUA BANK (hereafter "Applicant") has made application for partial vacation of the Pillar Falls Subdivision No. 1, in the City of Twin Falls; and,

WHEREAS, the City Planning and Zoning Commission for the City of Twin Falls, Idaho, held a Public Hearing as required by law on the 14th day of February, 2012, to consider the vacation request; and,

WHEREAS, the City Planning and Zoning Commission has made recommendations to the City Council for the City of Twin Falls, Idaho; and,

WHEREAS, the City Council for the City of Twin Falls, Idaho, held a Public Hearing to consider the same matter on the 12th day of March, 2012.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO:

SECTION 1. That portion of the plat consisting of Lots 1-7, Block 1, and Tract C of the Pillar Falls Subdivision No. 1 be and the same are hereby vacated, except as provided below, and subject to the following conditions:

1. The public road right-of-way for the fifty eight feet (58') strip of land located north of the centerline of Poleline Road East shall not be vacated.
2. The fifteen feet (15') wide public utilities, drainage, landscaping and irrigation easement along the northerly boundary of the Poleline Road East right of way, and the twenty feet (20') wide public utilities, drainage, irrigation and bike pathway easement along the easterly border of the subject property, shall not be vacated.
3. Tracts A and B shall not be vacated. The Applicant shall execute a deed to the City for Tracts A and B, to clear the title to said property, prior to the execution of this ordinance.

SECTION 2. That the 24.4 shares of Twin Falls Canal Company shares delivered to the City to be held in trust for use in the City's secondary irrigation system, related to this development, be returned and signed over to the Applicant.

SECTION 3. That the City Clerk immediately upon the passage and publication of this Ordinance as required by law certify a copy of the same and deliver said certified copy to the County Recorder's Office for indexing and recording, in the same manner as other instruments affecting the title to real property, as required by Idaho Code 50-1324(2).

PASSED BY THE CITY COUNCIL

June , 2012

SIGNED BY THE MAYOR

June , 2012

Mayor

ATTEST:

Deputy City Clerk

PUBLISH: Thursday, , 2012.



MINUTES
Twin Falls City Planning & Zoning
Commission
Tuesday, February 14, 2012-6:00 PM
City Council Chambers
305 3rd Avenue East Twin Falls, ID 83301

PLANNING & ZONING COMMISSION MEMBERS

CITY LIMITS:

Wayne Bohrn Kevin Cope Jason Derricott Terry Ihler V. Lane Jacobson Jim Schouten Chuck Sharp

Chairman Vice-Chairman

AREA OF IMPACT:

Lee DeVore R. Erick Mikesell

CITY COUNCIL LIAISON

Rebecca Mills Sojka Jim Munn

ATTENDANCE

PLANNING & ZONING MEMBERS

PRESENT:

Bohrn
Cope
Derricott
Schouten
Sharp

ABSENT:

Ihler
Jacobson

AREA OF IMPACT MEMBERS

PRESENT:

ABSENT:

DeVore
Mikesell

CITY COUNCIL MEMBERS PRESENT:

Mills Sojka

CITY STAFF PRESENT: Reeder, Vitek, Weeks

AGENDA ITEMS FOR CONSIDERATION AND PUBLIC HEARING

I. CALL MEETING TO ORDER:

Chairman Borhn called the meeting to order at 6:00 P.M. He then reviewed the public meeting procedures with the audience, confirmed there was a quorum present and introduced City Staff present.

II. CONSENT CALENDAR:

1. Approval of Minutes from the following meeting(s):
2. Approval of Findings of Fact and Conclusions of Law:

January 24, 2012

NONE

MOTION:

Commissioner Schouten made a motion to approve the consent calendar. Commissioner Cope seconded the motion. All members present voted in favor of the motion.

III. ITEMS OF CONSIDERATION:

None

IV. PUBLIC HEARING ITEMS

4. Request for the Vacation of Pillar Falls Subdivision, a PUD, Phase I, consisting of 8.64 (+/-) acres located northwest of the intersection of Eastland Drive North and Pole Line Road East, c/o Sam Teyema, VP on behalf of UMPQUA Bank. (app. 2501)

APPLICANT PRESENTATION:

Mike Bideganeta, of Grubb-Ellis, spoke on behalf of UMPQUA Bank. He stated that UMPQUA Bank acquired Pillar Falls by virtue of a nonjudicial foreclosure. Attempts to sale have not been successful. Umpqua's intent is to vacate the whole subdivision to make it easier to sell.

STAFF PRESENTATION:

Planner I Weeks gave history on the property. In June of 2006 the City Council approved a request for annexation of 25 acres with a zoning district change and zoning map amendment from SUI CRO

to C-1 CRO PUD. In August of 2007 the preliminary plat for Pillar Falls PUD Subdivision was approved by the Planning & Zoning Commission. On July 22, 2008 the Planning & Zoning Commission granted a one year extension of the preliminary plat. The final plat for phase 1 of the subdivision was approved by the City Council on May 18, 2009 with bonding on the improvements. The improvements have not been completed.

The plat was recorded on June 29, 2009. The applicant is requesting to vacate recorded property lines for seven lots and three tracts. There have not been any improvements constructed or installed at this point by the following utility providers: Idaho Power, Cable One, Qwest/Century Link, and the Twin Falls Canal Company. Intermountain Gas has facilities in some of the designated public utility easements and requests that their easements be maintained. The Twin Falls Canal Company does not have any facilities but recommends that the water shares dedicated to the City be returned to the owner. The City Engineering Department will work with the owner on what the arrangement will be for the water shares. The lots and tracts as indicated are requested to be vacated but this would not affect the right-of-way of Pole Line Rd E. Right-of-way was dedicated concurrently with the platting process but is a separate action and would not be affected by the vacation request.

If approved, the area that has a final plat will be returned to one parcel with the full property and the preliminary plat will be void. This will not affect the zoning of the property, which is C-1 CRO PUD und the Pillar Falls PUD. The PUD Agreement still establishes the zoning and any future plats would have to be consistent with the zoning and approved Master Development Plan. If a different development concept was desired in the future the property would have to go through the process for a zoning district change or PUD amendment.

The vacation process requires a public hearing before the planning & zoning Commission. After receiving a recommendation from the Commission, the City Council holds an additional public hearing and if the request is approved an ordinance is adopted and published.

In conclusion, staff recommends the following conditions:

1. Subject to amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to letters of approval from each of the utility companies impacted by this vacation.
3. Subject to maintenance of a recorded easement for Intermountain Gas company facilities on the property.

P&Z COMMENTS/QUESTIONS:

none

PUBLIC HEARING: OPENED

- Rick Geisler, 2191 Pole Line Rd E. Mr. Geisler said that he lives immediately east of property. He has been cooperative, but the development has cut off irrigation water that is supposed to be flowing to his property and would like to get that matter resolved.
- David Sparks, 1999 Pole Line Rd E. His property is by the rim to the west of subject property. He has 6 or so acres. He is not concerned about change but has a question. Mr. Berg, who owned the property before kept cattle there in the summer and the grazing kept down the forage. The forage and weeds now get to 16"-2' high and dries out. Owners of the property to the south spray their weeds to keep them down but this property gets tall weeds.

PUBLIC HEARING: CLOSED

CLOSING STATEMENTS:

- Mr. Bideganeta asked if Twin Falls County have weed abatement requirements?
- Assistant City Engineer Vitek stated that they did.
- Mr. Bideganeta said that there was a lot of rock and previous developers moved a great amount of dirt onto the property. Umpqua Bank would address that. As for the water delivery, he doesn't know what intent was but thought that pressurized irrigation was being put in.
- Assistant City Engineer Vitek said that pressurized irrigation isn't free and is put in by the developer. Owners will have to resolve problem.
- Mr. Bideganeta said that the bank is not a landholder; their intent is to sell the property. They will work to resolve the issues. The road right-of-way will make sure access goes to the city.

DELIBERATIONS FOLLOWED:

- Commissioner Schouten said that a bare piece of property may be better to sell then a plot that may not work with what a prospective buyer wants to do.

MOTION:

Commissioner Schouten made a motion to approve the request, as presented. Commissioner Cope seconded the motion. All members present voted in favor of the motion.

RECOMMENDED FOR APPROVAL TO THE CITY COUNCIL, AS PRESENTED WITH THE FOLLOWING CONDITIONS

1. Subject to amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to letters of approval from each of the utility companies impacted by this vacation.
3. Subject to maintenance of a recorded easement for Intermountain Gas company facilities on the property.

V. PUBLIC INPUT AND/OR ITEMS FROM THE ZONING DEVELOPMENT MANAGER AND/OR THE PLANNING & ZONING COMMISSION:

VI. UPCOMING MEETINGS:

Next Planning & Zoning Commission public meeting is scheduled for **Tuesday, February 28, 2012**

VII. ADJOURN MEETING:

Chairman Borhn adjourned the meeting at 8:30 pm.



Amber Reeder
Planner I
Community Development Department

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
March 12, 2012
City Council Chambers
305 3rd Avenue East -Twin Falls, Idaho

5:30 P.M.

PLEDGE OF ALLEGIANCE TO THE FLAG
CONFIRMATION OF QUORUM
INTRODUCTION OF STAFF
CONSIDERATION OF THE AMENDMENTS TO THE AGENDA:
PROCLAMATIONS: 2012 Girl Scout Week Proclamation – Representative Susan Baisch

AGENDA ITEMS	Purpose	By:
I. <u>CONSENT CALENDAR:</u> 1. Consideration of accounts payable for March 6 – 12, 2012. 2. Consideration of the March 5, 2012, City Council Minutes. 3. Consideration of a request to approve blocking off spaces in the 100 Block of 2 nd Avenue North for the Twin Falls High School Junior/Senior Prom on Friday, April 6, 2012, from 7:00 p.m. until 11:00 p.m. 4. Consideration for the adoption of the W.S.&V. R-6 PRO PUD Agreement consisting of 20 (+/-) acres to allow the development of a mixed-use medical/professional office and residential development on property located between the 1300-1450 blocks of Field Stream Way and Creekside Way, c/o Doug Vollmer on behalf of W. S. & V., LLC. (app. 2386) Proposed PUD No. 263	<u>Action</u>	Staff Report Sharon Bryan L. Sanchez Dennis Pullin Mitch Humble
II. <u>ITEMS FOR CONSIDERATION:</u> 1. Presentation of a service plaque to Patty Lee in recognition of her service on the Golf Advisory Commission. 2. Presentation of O&M Rebate from CH2M HILL for 2010-2011. 3. Public input and/or items from the City Manager and City Council.	Presentation Presentation	Dennis Bowyer Shawn Moffitt
III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u>		
IV. <u>PUBLIC HEARINGS:</u> 6:00 P.M. 1. Request for the Vacation of Pillar Falls Subdivision, a PUD, Phase I, consisting of 8.64 (+/-) acres located northwest of the intersection of Eastland Drive North and Pole Line Road East, c/o Sam Teyema on behalf of Umpqua Bank. (app. 2501) 2. Request for a Zoning District Change and Zoning Map Amendment from R-2 to R-2 NCO PUD for 5.6(+/-) acres to allow for a planned development consisting of a combination of neighborhood commercial uses on property located at the northwest corner of Addison Avenue East and Eastland Drive North, c/o Todd Meyers/Maverik, Inc. on behalf of Thomas J. Arledge and Cheryl A. Arledge . (app. 2498) This public hearing item has been withdrawn by the applicant and rescheduled for April 2, 2012.	Public Hearing Public Hearing	Mitch Humble Withdrawn by Applicant
V. <u>ADJOURNMENT</u>		

****Any person(s) needing special accommodations to participate in the above noticed meeting should contact Leila Sanchez at (208) 735-7287 at least two working days before the meeting.***

Present: Lance Clow, Jim Munn, Jr., Shawn Barigar, Chris Talkington, Gregory Lanting, Don Hall

Absent: Rebecca Mills Sojka

Staff Present: City Attorney Fritz Wonderlich, Community Development Director Mitch Humble, Staff Sergeant Dennis Pullin, Parks & Recreation Director Dennis Bowyer, Deputy City Clerk Sharon Bryan, Recording Secretary Leila A. Sanchez

Mayor Lanting called the meeting to order at 5:30 P.M. He then invited all present, who wished to, to recite the Pledge of Allegiance to the Flag with him. A quorum was present. Mayor Lanting introduced staff.

CONSIDERATION OF THE AMENDMENTS TO THE AGENDA: None.

PROCLAMATIONS: 2012 Girl Scout Week Proclamation – Representative Susan Baisch

Mayor Lanting read the proclamation and presented it to the Girl Scouts.

Agenda Items

I. CONSENT CALENDAR:

1. Consideration of accounts payable for March 6 – 12, 2012, \$276,794.58
2. Consideration of the March 5, 2012, City Council Minutes.
3. Consideration of a request to approve blocking off spaces in the 100 Block of 2nd Avenue North for the Twin Falls High School Junior/Senior Prom on Friday, April 6, 2012, from 7:00 p.m. until 11:00 p.m.
4. Consideration for the adoption of the W.S.&V. R-6 PRO PUD Agreement consisting of 20 (+/-) acres to allow the development of a mixed-use medical/professional office and residential development on property located between the 1300-1450 blocks of Field Stream Way and Creekside Way, c/o Doug Vollmer on behalf of W. S. & V., LLC. (app. 2386) Proposed PUD No. 263

MOTION:

Vice Mayor Hall made a motion to approve the Consent Calendar as presented. The motion was seconded by Councilperson Barigar and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

Councilperson Talkington referred to Consent Calendar Item 4. W.S. & V. R-6 PUD Agreement and asked why condition 4. "*Subject to an approved/recorded PUD agreement prior to development,*" was struck out.

Councilperson Humble stated that City Code requires approval of a PUD agreement prior to development; therefore the condition was not needed.

II. ITEMS FOR CONSIDERATION:

1. Presentation of a service plaque to Patty Lee in recognition of her service on the Golf Advisory Commission.

Parks & Recreation Director Bowyer, Mayor Hall and Councilperson Clow presented Patty Lee with a plaque to honor her for her 6 years of service to the Golf Advisory Commission and to the City of Twin Falls.

2. Presentation of O&M Rebate from CH2M HILL for 2010-2011.

Shawn Moffitt, CH2M Hill, presented the City an Operations and Maintenance Rebate Check for 2010-2011, in the amount of \$24,429.80.

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

On March 12, 2012, the Urban Renewal Agency of the City of Twin Falls approved a contractor bid for the demolishing of the future Glanbia site.

March 13, 2012, at 9:00 A.M., at the Shiloh Inn, Chobani will give a presentation on the status of the project.

The Strategic Planning consultant interviews will be conducted on March 16, 2012, to be held in the City Hall Council Chambers.

Recess at 5:47 P.M.

MINUTES

March 12, 2012

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Reconvened at 6:00 P.M.

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

IV. **PUBLIC HEARINGS: 6:00 P.M.**

1. Request for the Vacation of Pillar Falls Subdivision, a PUD, Phase I, consisting of 8.64 (+/-) acres located northwest of the intersection of Eastland Drive North and Pole Line Road East, c/o Sam Teyema on behalf of Umpqua Bank. (app. 2501)

Mike Bideganeta, Grubb & Ellis /Catalyst, 398 South 9th Street, Suite 260, Boise, Idaho, representing the applicant, explained the request. It is Umpqua Bank's intent to vacate the entire subdivision as platted and filed by record at the Twin Falls County.

At the February 14, 2012, Planning & Zoning Commission meeting Mr. David C. Sparks stated his concern regarding the noxious and non noxious weeds, and weed abatement and control on the entire parcel. On February 24, 2012, Mountain View Spray Service, sprayed the property, and will make another spray application if needed.

At the February 14, 2012, Rick Giesler, a neighbor to the east of Pillar Falls Subdivision stated his concern for delivery of irrigation water which he claims he lost at some point in time either before or during the site development of the subdivision. Umpqua Bank had no knowledge of any subdivision preconstruction site work that might have damaged or prevented water delivery to any of the neighboring properties, nor has the bank known of any agreements to remove, repair, or replace any ditch features on the Pillar Falls property in which we provide water delivery or drainage to the neighboring properties. Umpqua Bank is currently investigating the Twin Falls Canal Company records and consulting with the Twin Falls City Engineer to gather historical and current information as it pertains to water delivery to both the Pillar Falls property and Mr. Giesler's property.

UMPQUA Bank is requesting the vacation of Pillar Falls as platted and to clear title by removing the following: Improvement Agreement for Developers filed on June 8, 2009, Instrument Number 2009-012920; Planned Unit Development Agreement for Pillar Falls Plaza PUD filed January 6, 2009, Instrument Number 2009-014762, off plat recorded Utility Easement filed July 21, 2009, instrument number 2009-016662 and the 24.4 shares of water rights revert to Umpqua Bank as the landlord. In addition, within the Pillar Falls Subdivision there is a 58' strip of land located along the south line of the subdivision, which is a right of way for Pole Line Road East, Upon the City's approval to vacate all of Pillar Falls Subdivision and clear the title issues as mentioned, Umpqua Bank will deed the south 58' to the City of Twin Falls for public use.

Community Development Director Humble reviewed the request.

On February 14, 2012, the Commission unanimously recommended approval of the request, as presented, subject to the following conditions:

1. Subject to amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to letters of approval from each of the utility companies impacted by this vacation.
3. Subject to maintenance of a recorded easement for Intermountain Gas company facilities on the property.

City Engineer Jacqueline Fields is supportive of doing something that gets the Gieslers back to their historic water right.

Community Development Director Humble gave a brief history of the Pillar Falls Subdivision.

Council discussion followed:

-Vice Mayor Hall asked for the history of the water delivery to the Giesler property.

Community Development Director Humble stated that it appears that when the subdivision was approved and recorded, grading work had begun, and it appeared that this disrupted historic water to the adjacent properties. Had the development continued to its conclusion, the delivery of water, in its final form, would have been provided to the adjacent property. The development stopped after the flow was disrupted, but before new flow was constructed.

-Vice Mayor Hall asked for the history of the property.

Community Development Director Humble stated that a hotel was planned on the Master Development Plan. A future phase, not phase 1, was where the hotel was discussed. A height variance was discussed but a request had not been made. The vacation requested would vacate only the final plat of phase 1. There is still an approved preliminary plat. The dates have to be checked for approval. The plat may have expired or may soon expire. In the PUD approved in 2006, the zoning does not expire. The PUD has the Master Development Plan document. This document shows the hotel, retail stores, and residential condos. The uses and the zoning stay on the property and do not go away with the approval of the vacation.

- Councilperson Barigar asked if it is a typical process to deed back to the property owner the 24.4 shares of water rights.

Community Development Director Humble stated the owners are requesting the water rights back. It is typical that the City would require the dedication of water shares when the plat is recorded. The Canal Company is recommending that the City return the shares to the property owner. City Attorney Wonderlich agrees that the shares be returned. Conversation has not been made with City Engineer Fields and he hesitates to make a recommendation.

-Councilperson Talkington asked if the setback standards changed from the original platting or public easement requirement.

Community Development Director Humble stated that the setback requirements are found in the zoning for the property. If the plat goes away the zoning stays in place. This is the same for setbacks. Changes have not been made to the Canyon Rim Overlay District since the property was platted or zoned or any changes to the PUD.

-Councilperson Clow asked if Tract A of the plat will go away with the vacation of the plat. This is where a trail could potentially be placed. The City has recently been in the process of acquiring a property of land one-half mile to the east; are we vacating this as well?

Community Development Director Humble stated that this is part of the plat that would revert back to the owner. The requirement to dedicate and build the trail is in the PUD and won't go away but will be delayed until a future developer acquires and develops the property.

-Councilperson Clow asked for clarification of the request by the applicant regarding the PUD Agreement and Development Agreement to be vacated.

Mike Bideganeta, Grubb & Ellis /Catalyst, stated that the request is for the zoning to stay the same but to have the PUD vacated for the subdivision, so the property can go back to an unplatted 24.4 acres. In regards to the trail, whoever buys the property, he is hopeful that the City makes a condition that the trail is kept in place.

Community Development Director Humble stated there is a Development Agreement that is tied to the plat and the PUD Agreement is tied to the zoning. The applicants are requesting that both of the agreements be vacated. The process before the Council is about the vacation of the plat. To make the PUD Agreement go away the property would have to be rezoned.

-Mayor Lanting stated there was a comment made to dedicate the 58' of right of way along Pole Line Road. He asked if the vacation is accepted does this limit us in any way to have a future developer build the improvements which we would require.

Community Development Director Humble stated that the statement of the staff report is that the vacation of the plat would not affect the dedication of the right of way along Pole Line Road. He stated that the Council could place the condition to vacate the plat subject to dedication of the 58' from Pole Line Road. If the road is not built to City standards at the time the property does develop it could be required that the standard be met regardless if right of way is being dedicated or not.

Public input portion of the hearing was opened.

David Sparks, 1999 Pole Line Road East, stated that the applicant has addressed the weed problem on the property.

Todd Blass, 2007 Pole Line Road East, spoke in support of the request. He gave a brief history of the project. He requested that the Canyon Trail Easement Agreement would stay on the property.

Rick Giesler, 2191 Pole Line Road East, requested that if the vacation is approved that the Council place a condition that this be subject to an agreement being made so he could receive his water.

The public comment portion of the hearing was closed.

Rebuttal:

Mike Bideganeta, Grubb & Ellis /Catalyst, stated that he has contacted the Twin Falls Canal Company to research how water was delivered to Mr. Giesler's property. Mr. Bideganeta stated that Umpqua Bank does not have any knowledge of an agreement with Rick Giesler in regards to him receiving water.

Rick Giesler stated that he plans to use water at the present time.

Community Development Director Humble stated that he recalls a PI station coming down to the LDS Temple as shown on overhead projection. The previous developers would have been required to develop with PI water and would have tapped in at the point and distributed across the property.

Mike Bideganeta, Grubb & Ellis /Catalyst, requested that the water rights be returned to the bank. He stated that the bank does not seek any relief from Mr. Blass's easement.

City Attorney Wonderlich stated that he and Community Development Director Humble agree that if the vacation is approved conditions should not be placed regarding returning water to the Giesler property. It is unclear where the water came from for the property.

The public hearing was closed.

Deliberations:

- Water rights.
- Water delivery to the Giesler property.
- Landscape buffer on the Blass property is in the PUD Agreement.
- Canyon Rim Trail.

MOTION:

Councilperson Talkington Made A Motion To Approve The Vacation Of Pillar Falls Subdivision, A PUD, Phase I, Consisting Of 8.64 (+/-) Acres Located Northwest Of The Intersection Of Eastland Drive North And Pole Line Road East, C/O Sam Teyema On Behalf Of Umpqua Bank. (App. 2501) Subject To The Provision That It **Includes Returning The Water Rights To The Property.** Does Not Include Acknowledgement Or Responsibility For Water To Mr. Giesler's Property But Directs The City Attorney To Direct Request To Up Gravity Property Developers To The West Concerning Their Complexity And Interruption In The Water. The Motion Was Seconded By Vice Mayor Hall.

AMENDMENT TO THE MAIN MOTION:

Vice Mayor Hall Made The Motion To Add A Dedication Of 58' Easement Along Pole Line Road And A Dedication Of Easement To Match The Trail Shown On The Master Development Plan To Allow For Future Trail Construction. The Motion Was Seconded By Councilperson Barigar.

Councilperson Barigar Stated That He Understands That The Trail Is Not Only On The Canyon Rim And Connects To Pole Line Road. He Asked If The Motion Made Encompass The Entire Easement. City Attorney Wonderlich Answered In The Affirmative.

Roll Call Vote Showed All Members Present Voted In Favor Of The Motion. Approved 6 To 0.

AMENDMENT TO THE MAIN MOTION:

Councilperson Barigar made the motion to include the following conditions presented by staff and recommended by the Planning and Zoning Commission:

1. Subject to amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to a letters of approval from each of the utility companies impacted by this vacation.
3. Subject to maintenance of a recorded easement for Intermountain Gas Company facilities on the property.

The motion was seconded by Councilperson Clow and roll call vote showed all members present voted in favor of the motion. **Approved 6 to 0.**

Councilperson Barigar asked for clarification if the main motion is to 1- vacate the plat and 2-direct staff to assist in water delivery issue and third **3-to return the water rights to the property owner.**

Councilperson Talkington stated that the vacation is the primary motion, **return water rights to the property owner** and although not accepting City responsibility for the non delivery of water, direct City Attorney to make inquiry into the up gravity water developers to the west, of their involvement in the alleged interruption to Mr. Giesler's property.

Roll call vote on the main motion showed all members present voted in favor of the motion. **Approved 6 to 0.**

MINUTES

March 12, 2012

Page 7 of 7

2. Request for a Zoning District Change and Zoning Map Amendment from R-2 to R-2 NCO PUD for 5.6(+/-) acres to allow for a planned development consisting of a combination of neighborhood commercial uses on property located at the northwest corner of Addison Avenue East and Eastland Drive North, c/o Todd Meyers/Maverik, Inc. on behalf of Thomas J. Arledge and Cheryl A. Arledge . (app. 2498) **This public hearing item has been withdrawn by the applicant and rescheduled for April 2, 2012.**

V. ADJOURNMENT

The meeting adjourned at 7:20 P.M.

Leila A. Sanchez
Deputy City Clerk/Recording Secretary

Leila A. Sanchez
Deputy City Clerk/Recording Secretary



DATE: MONDAY -- JUNE 25, 2012

To: Honorable Mayor and City Council

From: Mitch Humble, Community Development Director

AGENDA ITEM II-

Request: Consideration of adoption of one (1) ordinance(s) regarding a request for a Zoning Title Amendment to amend Twin Falls City Code 10-4-13.2 (OT Zone) by requiring a Special Use Permit for Residential - dwellings-multiple household (5 units or more); amending 10-4-7.2 (CB Zone) and 10-4-13.2 (OT Zone) by requiring a Special Use Permit for Residential dwellings-attached single dwellings-attached single household; dwellings-duplex; dwellings-triplex and four-plex.

Ordinance # _____

Time Estimate:

Staff presentation may be approximately two (2) minutes.

Approval Process:

State Code: Idaho Code 67-6509

City Code: Title 10; Chapter 14

Budget Impact:

Approval of this request will not impact the City budget.

Regulatory Impact:

The Council's adoption of the ordinance will allow the code to be amended as approved.

History:

On March 13, 2012, the Planning & Zoning Commission unanimously recommended approval of this request, as presented.

On April 09, 2012 the City Council unanimously approved the request as presented.

Analysis:

The ordinance and the PUD Agreement has been prepared as directed by the Council and are recommended for adoption as submitted.

Conclusion:

Staff recommends that the Council adopt the attached ordinance as submitted.

Attachments:

1. Ordinance
2. Portion of the March 13, 2012 P&Z minutes
3. Portion of the April 09, 2012 City Council minutes

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, THAT TWIN FALLS CITY CODE §§10-4-7.2(B)(9) AND 10-4-13.2(B)(7) BE AMENDED TO PERMIT ADDITIONAL RESIDENTIAL USES IN THE CB CENTRAL BUSINESS AND OT OLD TOWN ZONING DISTRICTS BY SPECIAL USE PERMIT.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF TWIN FALLS, IDAHO:

Section 1: That Twin Falls City Code §10-4-7.2(B)(9) is amended as follows:

“10-4-7.2: Use Regulations:

...

(B) Special Uses:

...

9. Residential:

a. Dwellings – attached single household dwellings.

b. Dwellings – duplex.

c. Dwellings – triplex and fourplex.

d. ~~a.~~ Detached accessory buildings (more than 1,000 square feet) i.e., garages and other accessory buildings.

e. ~~b.~~ Shelter Homes.”

Section 2: That Twin Falls City Code §10-4-13.2(B)(7) is amended as follows:

“10-4-13.2: Use Regulations:

...

(B) Special Uses:

...

7. Residential:

a. Dwellings – attached single household dwellings.

b. Dwellings – duplex.

c. Dwellings – triplex and fourplex.

d. Dwellings – multiple household (5 units or more).

e. ~~a.~~ Motels and transient hotels.

f. ~~b.~~ Nursing homes and rest homes.

g. ~~e.~~ Residence halls, residence hotels, rooming houses.

h. ~~d.~~ Shelter homes.”

PASSED BY THE CITY COUNCIL,

, 2012.

SIGNED BY THE MAYOR

, 2012.

MAYOR

ATTEST:

DEPUTY CITY CLERK



MINUTES
Twin Falls City Planning & Zoning Commission
Tuesday, March 13, 2012-6:00 PM
City Council Chambers
305 3rd Avenue East Twin Falls, ID 83301

PLANNING & ZONING COMMISSION MEMBERS

CITY LIMITS:

Wayne Bohrn Jason Derricott Tom Frank Kevin Grey Terry Ihler V. Lane Jacobson Chuck Sharp
Chairman

AREA OF IMPACT:

Lee DeVore Steve Woods
Vice-Chairman

CITY COUNCIL LIAISON

Rebecca Mills Sojka Jim Munn

ATTENDANCE

PLANNING & ZONING MEMBERS

PRESENT:

Bohrn
Frank
Grey
Jacobson
Sharp

ABSENT:

Derricott
Ihler

AREA OF IMPACT MEMBERS

PRESENT:

DeVore
Woods

ABSENT:

CITY COUNCIL MEMBERS PRESENT:

Jim Munn

CITY STAFF PRESENT:

Anderson, Carraway, Reeder, Vitek, Wonderlich

AGENDA ITEMS FOR CONSIDERATION AND PUBLIC HEARING

IV. ITEMS OF CONSIDERATION: None.

V. PUBLIC HEARINGS:

1. Request for a Zoning District Change and Zoning Map Amendment from C-1 PUD and SUI PUD to C-1 CRO PUD for 25 (+/-) acres to allow for a commercial mixed use development on property located west and north of the 1800-1990 blocks of Blue Lakes Boulevard North, east of the 875-900 blocks of Canyon Springs Road and south of the Snake River Canyon Rim, c/o Gerald Martens, EHM Engineers, Inc on behalf of Tina Luper / Canyon Park Development, LLC (app. 2508)
2. Request for the Vacation of the 2000-2190 blocks of Fillmore Street c/o Gerald Martens, EHM Engineers, Inc on behalf of Tina Luper / Canyon Park Development, LLC (app. 2509)
3. Requests for a Special Use Permit to operate a permitted retail business outside the permitted retail hours of 7:00 am to 10:00 pm on property located at 132 Main Avenue North c/o Aretam Petrosyan (app. 2507)
WITHDRAWN
4. Request for the Commission's recommendation on the zoning designation for property being requested for annexation, consisting of 37 (+/-) acres, located approximately 565' west of the western boundary of 3767 North 3300 East, c/o John Winnie, Chobani Director of Operations on behalf of Agro Farma. (app. 2506)
5. Request for a Zoning Title Amendment which would amend Twin Falls City Code 10-4-13.2 (OT Zone) by requiring a Special Use Permit for Residential - dwellings-multiple household (5 units or more); amending 10-4-7.2 (CB Zone) and 10-4-13.2 (OT Zone) by requiring a Special Use Permit for Residential - dwellings-attached single household; dwellings-duplex; dwellings-triplex and four-plex, c/o Twin Falls Urban Renewal Agency. (app. 2505)

IV. PUBLIC HEARING ITEMS

5. Request for a Zoning Title Amendment which would amend Twin Falls City Code 10-4-13.2 (OT Zone) by requiring a Special Use Permit for Residential - dwellings-multiple household (5 units or more); amending 10-4-7.2 (CB Zone) and 10-4-13.2 (OT Zone) by requiring a Special Use Permit for Residential - dwellings-attached single household; dwellings-duplex; dwellings-triplex and four-plex, c/o Twin Falls Urban Renewal Agency. (app. 2505)

APPLICANT PRESENTATION:

Melinda Anderson, Economic Development Director and Executive Director of the City of Twin Falls Urban Renewal Agency. Several years ago the Urban Renewal Agency started looking at continuing revitalization of downtown and Old Town. They looked at putting new uses into the downtown area- such as new employment, open space, restaurant, retail uses. They recently discovered that there is no new housing allowed in the OT zone and very limited in the CB zone. Ms. Anderson oriented the Commission to the location of the CB zone and OT zone. The agency is very interested in its revitalization efforts to ask the Commission allow for new housing. It could be single-family attached housing, condominiums, apartments, tri-plex and four-plexes. The agency wants to promote them in the downtown. It is also part of the City's Comprehensive Plan adopted in 2009, it does conform with that plan.

STAFF PRESENTATION:

Zoning & Development Manager Carraway reviewed stated this is a request for a Zoning Title Amendment which if approved would amend Twin Falls City Code Title 10; Chapter 4; Section 13- which is the Old Town Zone by requiring a Special Use Permit for multi-household residential dwellings consisting of 5 residential units or more; and also amending Title 10; Chapter 4; Section 7- which is the Central Business Zone and Title 10; Chapter 4; Section 13- Old Town Zone by requiring a Special Use Permit for attached single household residential dwellings, duplex residential dwellings and triplex and/or 4-plex residential dwellings. Multi-household residential dwellings consist of 5 residential units or more is currently a permitted use in the CB Zone. Presently the other types of new residential construction are not permitted in these zones.

You have just heard the presentation by Melinda Anderson that there is interest in these types of uses in the area. There are sections of the Comprehensive Plan included in the staff report packet. This request is supported by the City's Comprehensive Plan which was amended and adopted in 2009. It states that: "The greater downtown area should encourage new development that recognizes existing uses and patterns, while allowing for positive redevelopment opportunities" (pg. 2-37). This includes high-density residential.

A goal of the Comp Plan is to encourage the re-establishment of downtown Twin Falls as the "heart" of the community and some stated policies within the Comp Plan include promoting and encouraging new and appropriate downtown housing opportunities, including lofts, downtown infill, and other urban residential/commercial opportunities as part of mixed use development.

This request is in conformance with the direction of the Comprehensive Plan to modify existing ordinances and codes to allow and encourage mixed use residential/commercial development in the downtown area.

This is the first step of the Zoning Title Amendment approval procedure. A request for a Zoning Title Amendment is initially made to the Commission. The Planning and Zoning Commission holds a public hearing to evaluate the request and to determine the extent and nature of the amendment. Upon conclusion of the public hearing the Commission makes a recommendation to the City Council on whether or not to approve the request as presented, deny the request, or approve the request with conditions and/or modifications. If the Commission recommends approval they shall assure the request is compatible with the comprehensive plan.

This request is also in conformance with a list approved by the City Council last year of the top 10 potential Title 10 code amendments to be reviewed and presented through the public hearing process. Downtown redevelopment to consider mixed uses such as additional residential household development is listed as #4 on the list of top 10 priorities to be considered.

Once the Commission makes a recommendation, the City Council shall then hold an additional public hearing where they may approve the application as recommended by the Commission, deny the application, or remand the application back to the Commission for further proceedings.

If approved, an ordinance is prepared and at a later public meeting is adopted by the City Council. Once the ordinance is published the City Code is officially amended.

Upon conclusion, Staff recommends that the Commission recommend approval of the code amendment as presented this evening.

P&Z COMMENTS/QUESTIONS:

- Commissioner Woods- Since this request is looking at putting family housing in the downtown area, has staff looked at parking for additional residences, enhanced sewer and water, and fire department concerns of a residence above a business?
- Planning and Development Manager Carraway- In both of these zones the parking requirements are minimal to encourage development. As these changes are requiring Special Use Permits it would allow each individual development to come to you separately and for conditions to be placed as seen appropriate. Any type of development would have to meet current fire codes and would be reviewed. Infrastructure would also be addressed at the point of new and reviewed.

PUBLIC HEARING: OPENED

- Tom Frank, 1060 Pahsimeroi Dr– He stepped down from the Commission as he is currently the Vice Chairman of the Twin Falls Urban Renewal Agency. Housing is very important to the long term viability of our downtown. If you have people living downtown it can spur mom-and-pop type businesses. They have been pitching the idea and have had interest. It is part of the long-term viability of the area. You start to develop an actual community there and so they think it is important to have this type of possibility.

PUBLIC HEARING: CLOSED

DELIBERATIONS FOLLOWED:

- Chairman Bohrn- He is a true believer of people living downtown to make it viable.
- Commissioner Grey- He asked if they are actively seeking proposals from developers?
- Tom Frank-Representing the Twin Falls Urban Renewal Agency addressed the question and stated yes. The dream would be for professionals, especially young professionals at the St. Luke's office and the proposed Glanbia facility to be able to walk to work. There are always people for looking.
- Commissioner Grey- Has this come to the P&Z before?
- Tom Frank- No, there were talks about reviewing code. He is happy to see it taking place- the time is now. The economy is taking an up-tick. We want to maintain momentum of what the Agency is trying to do in the downtown.

MOTION:

Commissioner Sharp made a motion to recommend approval of this request to the City Council as presented. Commissioner Woods seconded the motion. All members present voted in favor of the motion.

RECOMMENDED FOR APPROVAL TO THE CITY COUNCIL, AS PRESENTED
CITY COUNCIL PUBLIC HEARING SCHEDULED FOR APRIL 9, 2012

AGENDA ITEMS

IV. PUBLIC HEARINGS: 6:00

1. For a Zoning Title Amendment which would amend Twin Falls City Code 10-4-13.2 (OT Zone) by requiring a Special Use Permit for Residential - dwellings-multiple household (5 units or more); amending 10-4-7.2 (CB Zone) and 10-4-13.2 (OT Zone) by requiring a Special Use Permit for Residential dwellings-attached single dwellings-attached single household; dwellings-duplex; dwellings-triplex and four-plex, c/o Twin Falls Urban Renewal Agency. (app. 2505)

Economic Development Director Anderson explained the request. The URA is requesting the Council to approve the change to the zoning codes for both zones in Old Town and Central Business to allow for new housing options.

Council discussion followed.

-Special Use Permit and Outright Permitted uses.

Community Development Director Humble explained the request.

On March 13, 2012, the Planning & Zoning Commission unanimously recommended approval of this request, as presented.

Staff concurs with the Commission's recommendation for approval of the code amendment as presented.

Public testimony opened and closed with no public input.

Rebuttal: None.

The public hearing was closed.

Councilperson Talkington made the motion to approve a Zoning Title Amendment which would amend Twin Falls City Code 10-4-13.2 (OT Zone) by requiring a Special Use Permit for Residential - dwellings-multiple household (5 units or more); amending 10-4-7.2 (CB Zone) and 10-4-13.2 (OT Zone) by requiring a Special Use Permit for Residential dwellings-attached single dwellings-attached single household; dwellings-duplex; dwellings-triplex and four-plex, c/o Twin Falls Urban Renewal Agency. The motion was seconded by Councilperson Clow and roll call vote showed all members present voted in favor of the motion. **Approved 7 to 0.**