

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 MINUTES
 Meeting of the Twin Falls City Council
Monday, February 25, 2013
 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 February 20 – 25, 2013, total: \$486,223.44. 2. Consideration of a request to approve a Liquor License for Europe Bar and Deli LLC, 679 Filer Avenue.	<u>Action</u>	<u>Staff Report</u> Sharon Bryan Sharon Bryan
II. <u>ITEMS FOR CONSIDERATION:</u> 1. Presentation of Peace Officer Standards and Training Council Certificates to the following individuals before the Twin Falls City Council: Officer Justin Cyr, Officer Jaime Harper, Officer Aaron Nay, Officer Harbans Thiara, Detective Gregg Lockwood, and Detective Ben Mittlestadt. 2. Consideration of a request to approve an Air Service Agreement with SkyWest Airlines. 3. Consideration of a request to select Andritz Separation as the equipment supplier for the Twin Falls Wastewater Treatment Plant Dewatering Equipment project. 4. Consideration of a request to amend City Code 6-5-2 by the addition of a new subsection (C) providing for a civil penalty for damaged and junked equipment and vehicle violations. 5. Discussion regarding the purchase of a Ford SUV patrol vehicle to be used by a canine team and two Ford sedans for use by patrol officers. 6. Consideration of funding the construction of Baxter’s Park and the Community Garden. 7. Public input and/or items from the City Manager and City Council.	Presentation Action Action Action Discussion Action	Brian Pike Anthony Barnhart Bryan Krear Bill Carberry Lee Glaesemann Mitch Humble Anthony Barnhart Dennis Bowyer
III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u>		
IV. <u>PUBLIC HEARINGS:</u> 6:00 P.M. 1. Consideration of a request to adopt a resolution authorizing the Mayor to sign and submit an application to the Idaho Department of Commerce to partially finance improvements to the Twin Falls Senior Center.	Public Hearing	Jeannette Roe, Twin Falls Senior Center
V. <u>ADJOURNMENT:</u> Executive Session 67-2345(1)(f) to communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. The mere presence of legal counsel at an executive session does not satisfy this requirement.		

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

5:00 P.M.

Present: Shawn Barigar, Don Hall, Suzanne Hawkins, Greg 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, Assistant to the City Manager Mike Williams, Public Information Officer Josh Palmer, Police Chief Brian Pike, Parks & Recreation Director Dennis Bowyer, Captain Anthony Barnhart, Captain Bryan Krear, Airport Manager Bill Carberry, Zoning & Development Manager Rene'e V. Carraway, Project Engineer Lee Glaesemann, Code Compliance Officer Sean Standley, IS Project Coordinator Tami Lauda, 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 the removal of Executive Session 67-2345(1)(f).

MOTION:

Councilperson Munn made the motion to approve the amendment to the agenda 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.

PROCLAMATIONS: None

AGENDA ITEMS

I. CONSENT CALENDAR:

1. Consideration of a request to approve the accounts payable for February 20 – 25, 2013, total: \$486,223.44.
2. Consideration of a request to approve a Liquor License for Europe Bar and Deli LLC, 679 Filer Avenue.

MOTION:

Councilperson Hawkins 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.

II. ITEMS FOR CONSIDERATION:

1. Presentation of Peace Officer Standards and Training Council Certificates to the following individuals before the Twin Falls City Council: Officer Justin Cyr, Officer Jaime Harper, Officer Aaron Nay, Officer Harbans Thiara, Detective Gregg Lockwood, and Detective Ben Mittlestadt.

Captain Barnhart gave the presentation.

Mayor Lanting, Vice Mayor Hall, and Captain Bryan Krear presented certificates to Officer Justin Cyr, Officer Jaime Harper, Officer Aaron Nay, Officer Harbans Thiara, Detective Gregg Lockwood, and Detective Ben Mittlestadt.

2. Consideration of a request to approve an Air Service Agreement with SkyWest Airlines.

Airport Manager Carberry explained the request.

Staff recommends the City Council approve the air service agreement with SkyWest Airlines and authorize the Mayor to sign the agreement.

Council discussion followed.

Councilperson Talkington asked for an estimation of the subsidy in a flight basis that may be paid to SkyWest for the quarter as specified in the agreement.

Airport Manager Carberry stated that he is unable to anticipate an estimate of the subsidy. The agreement calls for quarterly reporting by the airline.

Councilperson Barigar explained that in addition to the \$10,000 from the Airport's marketing budget, the Chamber of Commerce is committed for \$55,000, for a marketing program to promote the new service, and the goal is to encourage everyone to use SkyWest's services.

MOTION:

Vice Mayor Hall made a motion to approve the air service agreement with SkyWest Airlines and authorize the Mayor to sign the agreement, 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.

3. Consideration of a request to select Andritz Separation as the equipment supplier for the Twin Falls Wastewater Treatment Plant Dewatering Equipment project.

Project Engineer Lee Glaesemann explained the request.

Staff recommends that Andritz Separation be selected and notified as the equipment supplier for the Twin Falls Wastewater Treatment Plant Dewatering Equipment Project.

Council discussion followed.

- Dewatering system's compatibility with future improvements made to the wastewater treatment plant if a bond is passed.
- Conditions of the contract

Project Engineer Glaesemann stated for clarification that the City is not entering into a contract to buy equipment, but Andritz Separation will provide the guarantee price for the dewatering system design. The project is anticipated to begin bidding June 2013 and to award the contract in July/August.

MOTION:

Councilperson Mills Sojka made the motion to select Andritz Separation as the equipment supplier for the Twin Falls Wastewater Treatment Plant Dewatering Equipment project in the amount of \$489,000, 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.

4. Consideration of a request to amend City Code 6-5-2 by the addition of a new subsection (C) providing for a civil penalty for damaged and junked equipment and vehicle violations.

Community Development Director Humble explained the request.

Approval of this request will allow Code Enforcement personnel to deal with junked vehicle and equipment violations with the same, more effective, process as is used for high weeds and grass violations. The end result will be greater compliance to the Code in a timelier manner.

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

Council discussion followed.

- Removal of weed and junk process.

City Attorney Wonderlich explained that under Idaho statute, the City is allowed to file a tax lien for the cost of removal of weeds only. The City is not allowed to remove junk off property. A criminal complaint will be filed if a resident refuses to comply.

Council discussion followed.

- Complaint process
- Effectiveness of monetary penalty
- Dismantled vehicles in a screened fenced yard

Code Enforcement Officer Sean Standley explained that the resident is given approximately two to three weeks to comply with City code before a fine is issued. He also explained that non-working vehicles are to be in an enclosed building and not a screened fenced yard.

Councilperson Mills Sojka stated that the Youth Council has a volunteer program that assists in cleanup. In addition, she stated the following concerns: The elderly, one man's junk is another man's treasure, the difficulty when the City is stating what you can and cannot store on personal property, the fines of \$100, \$200, and \$300 are not an insignificant amount for someone, and are the fines proportionate to the code violation if you have non-operating equipment or weeds. She wants to make sure the City is being fair and equitable.

Vice Mayor Don Hall stated that it appears that residents are now complying with weed violations since the civil penalty has been in place.

Community Development Director Humble stated that PSI will assist in picking up junk.

MOTION:

Councilperson Talkington made the motion to suspend the rules and place Ordinance 3047, entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, AMENDING TWIN FALLS CITY CODE §6-5-2 BY THE ADDITION OF A NEW SUBSECTION (C) PROVIDING FOR A CIVIL PENALTY FOR DAMAGED AND JUNKED EQUIPMENT AND VEHICLE VIOLATIONS.

on third and final reading by title only.

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

Deputy City Clerk Sanchez read the ordinance title.

MOTION:

Vice Mayor Hall made the motion to adopt Ordinance 3047, as presented. The motion was seconded by Councilperson Barigar and roll call vote 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.

5. Discussion regarding the purchase of a Ford SUV patrol vehicle to be used by a canine team and two Ford sedans for use by patrol officers.

Captain Barnhart discussed the request.

Purchasing the Ford SUV will be an advantage for the canine officer, giving him/her more workspace and providing a better environment for the team. It is also anticipated that moving to Ford vehicles will result in lower maintenance costs than those experienced with Dodge Chargers.

Council discussion followed.

- Vehicle costs
- Fuel economy
- Dodge maintenance costs
- Extra battery not needed - additional savings of \$500
- Disposal of Dodge Chargers

Captain Barnhart stated that the Ford vehicles would be purchased off the State bid and would be purchased locally. He believes the Ford vehicles are \$2,000 more per vehicle. The utility vehicle is \$27,000 and \$25,000 for the sedan vehicle.

City Manager Rothweiler explained that Norm Hatke, Shop Maintenance Supervisor, has been working with Police Department staff. The City has been spending approximately \$2,000 per vehicle per year for the maintenance of the Dodge vehicles. The Ford vehicle is designed and built only for police purposes.

Norm Hatke, Shop Maintenance Supervisor, explained that the Dodge Chargers can be sent to Boise for the auction process, rather than being sent to a local auction.

City Manager Rothweiler stated that he recommends allowing the Police Department to continue to work with Norm Hatke to find the best alternative vehicles that will match the long term needs for the department. The department would like to purchase three Ford Crossovers.

Council gave an overall consensus of approving the purchase of three Ford vehicles.

6. Consideration of funding the construction of Baxter's Park and the Community Garden.

Parks and Recreation Director Bowyer explained the cost estimates for the dog park and community garden, with the idea that the dog park will use all the property at Blake St. N. and Shoup Ave. W. and have the community garden at the recently donated property the City acquired along the north side of Filer Avenue West, in between Wendell St. and Grandview Dr. N. If the dog park uses all the property at Blake and Shoup, then the site would be divided up into three areas so one area would rest every third year to prevent overuse.

Staff is seeking direction from the City Council if the City will have funding available to construct the dog park and the community garden this budget year.

Council discussion followed.

- Greenhouse
- Two year deferral agreement for curb, gutter, sidewalk
- Bathrooms

Parks & Recreation Director Bowyer stated that the greenhouse located at the Blake and Shoup location is not fully functional. The Canyon View Hospital provided the water and power to greenhouse. The greenhouse could be moved to another site.

City Manager Rothweiler explained that he requested that staff present detailed costs of a dog park and community garden to the Council. This fiscal year the bulk of capital improvement money has been allocated to the Auger Falls Project. The Parks & Recreation Department is budgeted \$330,000, towards annual park capital improvements.

Vice Mayor Hall stated that Mike McClimans brought it to his attention that the City of Boise did a pilot program on unfenced dog parks.

Parks & Recreation Director Bowyer explained the details of the City of Boise 2011 Pilot Program that was tested at 6 to 8 sites, where dogs were allowed off leash at certain time periods. The results appeared to be successful. He explained that he has discussed a test pilot program in the City of Twin Falls with city staff, the Parks & Recreation Commission, and the Magic Valley Canine Social Club.

Mayor Lanting asked for clarification of the previous cost estimate of a dog park as discussed with Parks & Recreation Director Bowyer.

Parks & Recreation Director Bowyer explained that there is increased cost for the irrigation system and fencing. The cost for the bare minimum for a dog park is approximately \$52,800, of which \$17,000 has been raised by the Magic Valley Canine Social Club. Also, the Magic Valley Canine Social Club has applied for a Seagraves Foundation grant for \$45,000.

City Manager Rothweiler stated that he would recommend that the Council not defer the paving of the parking lot. This would add in \$4,000 to the dog park.

Parks & Recreation Director Bowyer explained the bare cost of a community garden would be approximately \$24,800.

Councilperson Munn stated his concern of discussing a capital improvement project outside the normal budgeting process.

Councilperson Mills Sojka stated that discussion has been made on the community garden and dog park for the past several years and both were requested by the citizens of Twin Falls. The last proposal on the community garden was a single location with access to the greenhouse.

Mayor Lanting explained that having the community garden at Filer Ave. W. would be a more suitable location.

Larry Davidson stated that either location for the community garden will work. His concern is the open canals on both properties. He stated he spoke with the University of Idaho's irrigation specialist, and on third of an acre, watering would be very minimal.

Council discussion followed.

- Sufficient water shares and availability of water at Blake and Shoup
- Fundraisers

Councilperson Barigar stated his concern of projects that have not been completed and the need for shelters, restrooms, and playground equipment in neighborhood parks. He suggested fundraising to both groups.

Councilperson Talkington proposed directing staff to come up with a plan to utilize existing parks, geographically located, for a one year trial basis for specified times, and the responsibility of dog owners to clean up waste.

Parks & Recreation Director Bowyer stated that he will present a proposal to the Parks & Recreation Commission and staff to discuss the pros and cons, and set up neighborhood meetings and explain what is being done and discuss their concerns.

7. Public input and/or items from the City Manager and City Council. None.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS: None.

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

1. Consideration of a request to adopt a resolution authorizing the Mayor to sign and submit an application to the Idaho Department of Commerce to partially finance improvements to the Twin Falls Senior Center.

Jeannette Roe, Twin Falls Senior Center, explained the request.

This is an application to help make necessary improvements to the Twin Falls Senior Center to better provide services to the users of the facility. No funds from the City are being requested. The Idaho Department of Commerce – Community Development Block Grant (ICDBG) program is designed to assist Senior Centers to modify or build infrastructure that will assist the community's low- and moderate-income residents. The proposed project will meet the guidelines and requirements of the ICDBG program. In order for the Senior Center to submit an application to the Idaho Department of Commerce, the Council must hold a public hearing on the application; and then determine if the Council will authorize the Mayor to sign and submit the application.

City Manager Rothweiler explained that the City's responsibilities are to hold a public hearing and to ensure that the City Council gives its authorization to approve improvements to the Senior Center, which is city-owned property.

The public hearing was opened for public input and was closed with no input.

MOTION:

Councilperson Barigar made a motion to adopt Resolution 1899 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.

V. ADJOURNMENT:

Executive Session 67-2345(1)(f) to communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. The mere presence of legal counsel at an executive session does not satisfy this requirement. (Approved to remove from the agenda.)

The meeting adjourned at 7:17 P.M.

Leila A. Sanchez
Deputy City Clerk/Recording Secretary