

**COUNCIL MEMBERS:**

SHAWN	DON	SUZANNE	GREGORY	JIM	REBECCA	CHRIS
BARIGAR	HALL	HAWKINS	LANTING	MUNN, JR.	MILLS SOJKA	TALKINGTON

*Vice Mayor*

*Mayor*



**AMENDED MINUTES**  
**Meeting of the Twin Falls City Council**  
**Monday, July 22, 2013**  
**City Council Chambers**  
**305 3<sup>rd</sup> Avenue East -Twin Falls, Idaho**

**5:00 P.M.**

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

AGENDA ITEMS	Purpose	By:
<b>I. <u>CONSENT CALENDAR:</u></b> 1. Consideration of a request to approve the accounts payable for the week of July 16 – 22, 2013, total: \$2,246,708.92; July 19, 2013, total: \$113,892.84 2. Consideration of a request to approve the July 1 and 8, 2013, City Council Minutes.	<u>Action</u>	<u>Staff Report</u> Sharon Bryan  Leila A. Sanchez
<b>II. <u>ITEMS FOR CONSIDERATION:</u></b> 1. Discussion and possible action regarding the assignment of Councilmembers to be liaisons to the Planning & Zoning Commission. 2. Continue discussion on the City Manager's Recommended Budget for the upcoming 2013-2014 fiscal year. 3. Public input and/or items from the City Manager and City Council.	Discussion/ Possible Action Discussion	Mitch Humble  Travis Rothweiler
<b>III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS</u></b>		
<b>IV. <u>PUBLIC HEARINGS: 6:00 p.m. - None</u></b>		
<b>V. <u>ADJOURNMENT:</u></b> 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.***

Present: Shawn Barigar, Don Hall, Suzanne Hawkins, Gregory Lanting, Jim Munn, Jr. Rebecca Mills Sojka, Chris Talkington  
Absent: None  
Staff Present: City Manager Travis Rothweiler, City Attorney Fritz Wonderlich, Chief Finance Officer Lorie Race,  
Budget Coordinator Pat Lehmann, City Engineer Jacqueline Fields, Assistant to the City Manager Mike Williams,  
Zoning & Development Manager Renee' Carraway, IS Project Coordinator Tami Lauda, Community Development Director  
Mitch Humble, PIO Josh Palmer, Public Works Coordinator Jon Caton, Finance Accountant Bill Baxter,  
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 and Boy Scouts from Troop 68. Mayor Lanting introduced staff.

**CONSIDERATION OF THE AMENDMENTS TO THE AGENDA:**

City Manager Rothweiler stated that the Mayor has requested the following item be added to the agenda:

67-2345(1)(e) To consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations.

**MOTION:**

Councilperson Talkington made a motion to approve to add to the agenda Executive Session 67-2345(1) (e) 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**

**I. CONSENT CALENDAR:**

1. Consideration of a request to approve the accounts payable for the week of July 16 – 22, 2013, total: \$2,246,708.92; July 19, 2013, total: \$113,892.84
2. Consideration of a request to approve the July 1 and 8, 2013, City Council Minutes.

Councilperson Mills Sojka asked to remove the accounts payable from the Consent Calendar. She stated that she discussed with Councilperson Hawkins the reimbursement to her for \$37.50, on the accounts payable and requested Councilperson Hawkins share the event that she attended.

Councilperson Hawkins stated she explained the reimbursement cost with Councilperson Mills Sojka prior to the meeting, and is planning to give a presentation on the Summer Festival that she attended on behalf of Mayor Lanting. The expenditure of \$37.50 was for a gift exchange with three countries and was purchased at the Visitor's Center.

Mayor Lanting stated that he deemed it appropriate to approve expenditure for a gift exchange.

**MOTION:**

Councilperson Barigar made a motion to approve the Consent Calendar 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.

**II. ITEMS FOR CONSIDERATION:**

1. Discussion and possible action regarding the assignment of Councilmembers to be liaisons to the Planning & Zoning Commission.

Community Development Director Humble explained that a concern was raised of Councilmembers acting as liaisons to the Planning & Zoning Commission. The Council indicated that it would be beneficial to have P&Z Manager Carraway and P&Z Chairman Frank attend the Council's discussion. We invited Chairman Frank, but unfortunately, he is out of town. He provided some comments on the topic in a letter to the Council. That letter is attached for Council's review. He also asked the Vice-Chairman, Lee DeVore, to attend in his place.

Vice Mayor Hall stated that he brought his concern to Council that Councilmembers acting as liaisons to the Planning & Zoning Commission are present for P&Z hearings and receiving information outside of the Council hearing on items where the Council is acting in a quasi-judicial role. Council liaison Hawkins had indicated that being involved and attending the P & Z meetings influences her differently from Council meetings, and Councilperson Barigar stated that input from Council liaisons influence his decision at the Council meetings. Council discussion followed.

- Other cities with P & Z liaisons
- Possible conflicts of interest

City Attorney Wonderlich explained that according to City Code there is not a conflict of interest because it is implied that the Council has the P & Z Commission's entire record. He confirmed that the City has a recording of the P & Z Commission meetings, as required by the Land Use Act.

Council discussion followed:

- Ex parte in a quasi-judicial role
- Appeal process

P & Z Vice Chair Lee Devore, 4128 Meadowridge Circle, on behalf of the P & Z Commission, spoke in favor of retaining the Council liaison positions.

City Manager Rothweiler stated that because of the City's Council/Managerial form of government, he is not sure if other cities have Council liaisons serving on committees.

City Attorney Wonderlich explained the statutory right to a reconsideration of a decision.

After Council discussion Vice Mayor Hall stated it appears that the Council is not ready to make a change, but wanted to bring to Council for discussion.

No action taken.

2. Continue discussion on the City Manager's Recommended Budget for the upcoming 2013-2014 fiscal year.

City Manager Rothweiler gave a PowerPoint presentation on the 2013-2014 fiscal year budget. He presented the following:

Enterprise Funds

Water Fund: Water supply, water distribution, pressurized irrigation, utility billing

Sewer Fund: Waste water treatment plant

Sanitation Fund: Sanitation and recycling program.

Dierkes/Shoshone Falls

Council discussion followed:

- Tax rate on all properties in 2014
- Arsenic fee of \$11.15 charged per meter
- Pressure irrigation fee and budget
- Blue Lakes pumps efficiencies
- Common areas metering

Chief Finance Officer Race explained that pressure irrigation revenues for the current year were \$491,000, and for next year has been projected at \$529,000. Expenses for FY 12 to 13 went from \$92,000 to \$97,000.

- Public Utilities Commission – 17% net increase
- Industrial sludge tank

Public Works Coordinator Caton explained that the existing sludge tank at Con Agra for pretreatment is failing. The cost of replacement is \$400,000.

- Expansion of the WWTP

City Engineer Fields stated that the draft facility plan for the waste water treatment plant is ready for submittal to DEQ. EPA will address the city's permit. The City is holding loads to the parameters that are currently in the permit.

- Auger Falls ponds

City Engineer Fields explained that the intent for Auger Falls is to create wetlands and park land. Project Engineer Lee Glaesemann will provide Council an update on Auger Falls project.

- Recycling incentive program
- Disposal of waste

City Manager Rothweiler stated that the public will provide information to customers who obtain a building permit or demolition permit, on the County code's disposal of waste.

- Council discussion followed:
- Landscaping at the pool
  - Impact fees

Recess at 6:37 p.m.

Reconvened at 6:42 p.m.

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

City Manager Rothweiler reported that the Employees Picnic will be held on Wednesday, July 24, 2013, at 5:00 p.m. at Candy Cane Park.

Vice Mayor Hall reported that National Night Out will be held on Tuesday, July 23, 2013, at 5:00 p.m. to 8:00 p.m. at the Twin Falls City Park.

Councilperson Hawkins reported on the following:

- o Municipal Band's annual picnic to be held on Thursday, August 1, 2013, at 6:00 p.m.
- o Twin Falls Public Library Rhyme Time will be held on Monday, July 29, 2013, at 10:30 a.m. She will be the guest reader.
- o On behalf of Mayor Lanting on July 17, 2013, at Canyon Ridge High School she was on the Welcoming Committee for the City of Twin Falls and hosted and emceed the event. The Summer Festival brought in singers from China, Israel and South Korea, and in addition, the Rocky Top Cloggers. In the gift exchange, the City purchased coffee mugs and posters of Shoshone Falls at a cost of \$37.50. The City received chopsticks from China, from Israel a postcard, banner and lapel pin, and masks from South Korean. The items will be displayed at City Hall in a display case.

Councilperson Mills Sojka reported that the Fire Department participated in Paint Magic. She stated that it demonstrates the City's motto of "People Serving People."

Liyah Babayan, citizen and business owner in downtown Twin Falls stated that she sent the Council a link to the Idaho Main Street Program. The Idaho Main Street Program is a state level entity that promotes and assists local downtown communities of various sizes to promote their efforts in revitalizing their downtown. The key function is to coordinate, assist and deliver technical services, help find local services, and train the participants to reach that goal. The underlying premise of the Main Street Program is to encourage economic development. The approach advocates a return to the community's self-reliance, empowerment, and the rebuilding of commercial districts based on traditional assets, unique architectural, personal services and local ownership, and a sense of community. She explained the details of the program.

- Council discussion followed.
- Details of request
  - Benefits of program

Liyah Babayan is requesting the Council endorse the program and allow the Mayor to sign the Main Street application. The application needs to be signed and mailed today. She also requested Council submit letters endorsing the accreditation program for the downtown merchants.

She clarified that she is not asking for funding. The participation rates will be raised by the downtown committee needed for the program. In the past six months the committee has raised \$600 to do collective marketing.

Services provided to the Main Street Program communities are based on the levels of participation. The program will involve initial visits and assessments, continual visit evaluations, Main Street 101 training sessions, assistance in hiring a program downtown manager, develop a mission statement, vision statement, board rules and board rules responsibility training, committee training, develop a first year work plan, assistance in creating a non-profit status if needed, 3 to 5 year work plans, resource team visits, telephone consultation, technical assistance, yearend program assessment, membership into the Main Street Program, and training sessions for those vested in the downtown area.

Councilperson Talkington stated that he would not endorse anything that would cause the expenditures of public money.

Liyah Babayan stated the downtown area needs to function on its own apart from city government.

Councilperson Barigar stated that the Level 3 application discusses having an adequate operating budget and a nonprofit status. He asked if the Old Town Inc. Non-Profit has a board of directors.

Liyah Babayan answered in the affirmative. The nonprofit status is established.

Councilperson Barigar stated that an application for a Level 2 is more appropriate for downtown than a Level 3 application. In the application it states, "A commitment to using the Main Street approach, yet not having developed all the resources needing to meet most or some of the ten national accreditation standards such as developing a broad base support, developing an adequate operating budget and non-profit status."

Liyah Babayan stated that downtown events are being conducted in a non-profit status. The program will assist in the hiring of paid professional and stated reasons why she is applying for a Level 3.

Councilperson Mills Sojka stated that she would like staff and the city attorney to review the application prior to endorsement.

City Manager Rothweiler stated that in speaking briefly with the City Attorney, he would like city staff and the City Attorney to review the application for accuracies. He commended Liyah Babayan and merchants for their efforts in revitalizing downtown.

Liyah Babayan stated that she received information from merchants, City agencies, and City employees. She stated that Economic Development Director Melinda Anderson brought the Main Street Program to her attention. Information on the application was received from Bill Baxter and Kelly Weeks. Sarah Taylor also helped gather information.

-The Main Street Program application deadline date of July 22, 2013.

Liyah Babayan stated that the next opportunity to apply for the Main Street Program would be 12 to 18 months from now. She will contact Jerry Miller to request an extension.

Councilperson Hawkins stated that she did not receive information from Ms. Babayan and did not have access to the information. She stated that she will need to review the information prior to endorsing.

Councilperson Munn, Vice Mayor Hall, and Mayor Lanting stated their concern that they have not seen a completed application, and therefore could not support her request at this time. The application would need to be reviewed by City staff and the City Attorney prior to endorsing.

No action taken.

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

### **IV. PUBLIC HEARINGS: 6:00 p.m. - None**

### **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.

(e) To consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations.

### **MOTION:**

Councilperson Talkington made a motion to adjourn to Executive Session 67-2345(1) (f) and 67-2345(1) (e) as presented. The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

The meeting adjourned at 7:40 p.m.