

COUNCIL MEMBERS:

LANCE	TRIP	DON	DAVID E.	WILLIAM A.	GREG	REBECCA
CLOW	CRAIG	HALL	JOHNSON	KEZELE	LANTING	MILLS SOJKA
			<i>Mayor</i>			<i>Vice Mayor</i>



Minutes

Meeting of the Twin Falls City Council
 January 10, 2011
 City Council Chambers
 305 3rd Avenue East Twin Falls, Idaho

CALL MEETING TO ORDER: 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:
<u>CONSENT CALENDAR:</u> 1. Consideration of accounts payable for January 4 – 10, 2011.	<i>Action</i>	<i>Staff Report</i> Sharon Bryan
II. ITEMS FOR CONSIDERATION: Declaration of emergency for expenditure of funds for repair of sewer manholes and lines in Rock Creek. Proposed Resolution 1862. 1. Consideration of a request to present POST Certificates to the following individuals before the Twin Falls City Council: Officer Simon Rodriguez, Jeremy Trump, Joel Woodward, Preston Stephenson, Cynthia Levings, and Staff Sergeant Anthony Barnhart. 2. Request for a Zoning District Change and Zoning Map Amendment from R-4 to C-1 Business Park PUD to develop a planned commercial development on 70 (+/-) acres located at the southeast corner of Pole Line Road and Washington Street North, <u>c/o Gerald Martens/EHM Engineering Inc. on behalf of BCM&W, KLS&M, and Canyon Vista Family Limited Partnership, Lazy J Ranch – Linda Wells. (app.2389)</u> <u>WITHDRAWN BY THE APPLICANT. TO BE HEARD AS A PUBLIC HEARING ON FEBRUARY 7, 2011 AT 6:00 P.M.</u> 3. Presentation of a proposal from the Twin Falls Rotary Club on the development of the CSI Connection Trail. 4. Consideration of a request to authorize the Mayor to sign a resolution supporting the project submittal packet to the Local Highway Technical Assistance Council (LHTAC). 5. Consideration of a request to authorize the City Attorney to proceed with the judicial confirmation process to determine if improvements to the wastewater system can be financed as an "ordinary and necessary" expense. 6. Public input and/or items from the City Manager and City Council.	Action Presentation Action Presentation Action Action	Jackie Fields Jim Munn/ Brian Pike Mitch Humble TFRC/ Dennis Bowyer Jacqueline Fields Tom Courtney Fritz Wonderlich
III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:		
IV. PUBLIC HEARINGS: 6:00 P.M. 1. Request for an Amendment to PUD Agreement #220, and for a Zoning District Change and Zoning Map Amendment by incorporating 2 acres (+/-) located west of the western boundary of the PUD Agreement #220 from R-4 to C-1 PUD to allow for a planned commercial development and to amend the land uses in PUD Agreement #220 to allow for commercial uses other than an automobile dealership or associated businesses on property located on the south side of the 600 block of Pole Line Road, <u>c/o Gerald Martens, EHM Engineering, Inc., on behalf of Capella Corp on behalf of the Crumb Group. (app.2407)</u> 2. Request for a Zoning District Change and Zoning Map Amendment from C-1 to C-1 PUD to develop a planned commercial development on 29 (+/-) acres located on the south side of the 1200 & 1300 blocks of Pole Line Road West, <u>c/o James & Anna McCormick, Gary Nelson, Blass, Inc., Gerald Martens, Evan Robertson, Dirk Gibson, Daniel Komen, Stephen George and Kirby Dahl. (app.2406)</u>	Action Action	Mitch Humble Mitch Humble
V. ADJOURNMENT:		

COUNCIL MEMBERS PRESENT: Lance W. Clow, Trip Craig, Don Hall, David Johnson, Will Kezele, Rebecca Mills Sojka

COUNCIL MEMBERS ABSENT: Gregory Lanting.

STAFF PRESENT: City Manager Tom Courtney, City Attorney Fritz Wonderlich, Assistant City Manager Travis Rothweiler, Community Development Director Mitch Humble, City Engineer Jacqueline Fields, Chief Jim Munn, Parks & Recreation Director Dennis Bowyer, Lieutenant Craig Stotts, Deputy City Clerk/Recording Secretary Leila Sanchez.

Mayor Hall called the meeting to order at 5:00 P.M. He invited all present, who wished to, to recite the Pledge of Allegiance to the Flag with him. Rachel Fields Girls Scouts Troop 6 sponsored by the Immanuel Lutheran Church led the Pledge of Allegiance. A quorum was present. Mayor Hall introduced City staff.

CONSIDERATION OF THE AMENDMENTS TO THE AGENDA: None

PROCLAMATION: 2011 Martin Luther King Jr. Day of Service

The Proclamation was read by Mayor Don Hall and presented to Kelly Johnson and Bruce Stevens from the College of Southern Idaho.

AGENDA ITEMS

I. CONSENT CALENDAR:

1. Consideration of accounts payable for January 4 – 10, 2011, total:\$219,402.04
Payroll, January 7, 2011, total: \$112,874.56.

MOTION:

Councilperson Kezele made the motion to approve the Consent Calendar as presented. The motion was seconded by Councilperson Johnson and roll call vote showed all members present voted in favor of the motion. Approved 6-0.

II. ITEMS FOR CONSIDERATION:

Declaration of emergency for expenditure of funds for repair of sewer manholes and lines in Rock Creek. Proposed Resolution 1862.

City Engineer Fields reviewed the request. The City of Twin Falls discovered that two manholes associated with sewer lines on the west side of Rock Creek are deteriorated and there is a danger of wastewater flowing into Rock Creek. The City Engineer has identified a method of repairing manholes and sewer lines. The Wastewater System Fund has sufficient reserves to pay the estimated costs of the necessary construction. Overhead projections of the project were shown and repairs explained.

Discussion followed:

-Causes of corrosion.

City Engineer Fields stated that the City is looking for alternate materials at the other locations.

-Councilperson Craig asked what the cost is of the repairs and where the money would come from.

City Manager Courtney stated that the intent is to divert money from the northeast sewer project and have the northeast sewer project come back in a year.

City Engineer Fields stated that the estimated costs of repairs are \$120,000. The design work has not been completed and will be done by Riedesel Engineering for the manhole off of Market Street and the other manhole design will be done in house. The City is in ownership of both manholes. The manholes are hard to access but typically manholes are inspected regularly.

MOTION:

Councilperson Johnson made the motion to adopt Resolution 1862, entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, DECLARING AN EMERGENCY TO PERMIT EXPENDITURE OF FUNDS TO REPAIR MANHOLES AND SEWER LINES IN ROCK CREEK CANYON. 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.

1. Consideration of a request to present POST Certificates to the following individuals before the Twin Falls City Council: Officers Simon Rodriguez, Jeremy Trump, Joel Woodward, Preston Stephenson, Cynthia Levings, and Staff Sergeant Anthony Barnhart.

Lieutenant Stotts reviewed the request.

Chief Jim Munn, Mayor Hall and Councilperson Johnson presented certificates.

2. Request for a Zoning District Change and Zoning Map Amendment from R-4 to C-1 Business Park PUD to develop a planned commercial development on 70 (+/-) acres located at the southeast corner of Pole Line Road and Washington Street North, c/o Gerald Martens/EHM Engineering Inc. on behalf of BCM&W, KLS&M, and Canyon Vista Family Limited Partnership, Lazy J Ranch – Linda Wells. (app.2389) **WITHDRAWN BY THE APPLICANT. TO BE HEARD AS A PUBLIC HEARING ON FEBRUARY 7, 2011 AT 6:00 P.M.**

3. Presentation of a proposal from the Twin Falls Rotary Club on the development of the CSI Connection Trail.

Chris Scholes reviewed the request. The Rotary Club proposes to construct a trail from North College Road to Pole Line Road and to have the City of Twin Falls accept the trail into their system and to maintain the trail. On overhead projection he showed the "Proposed Joint Use Trail."

The College of Southern Idaho Foundation has granted right of way access. Gary Young will be the Engineer on this project.

Disclosure to the City Attorney Wonderlich from the following Councilpersons.
Mayor Hall is employed by the College of Southern Idaho
Dave Johnson disclosed that he is a member of the Rotary Club.
Rebecca Will Sojka is part-time employed by the College of Southern Idaho.

Discussion followed:

Chris Scholes stated that the surface is to match what is existing on the Canyon Rim trail and the biggest cost item on the project is crossing the coulee.

Parks & Recreation Director Bowyer reviewed the request.

The Parks & Recreation Commission recommends that the City Council accepts this proposal from the Twin Falls Rotary Club to construct this trail section and to accept the trail into their system and maintain the trail. Staff concurs with the recommendation.

Discussion followed:

Chris Scholes stated that the Twin Falls Rotary Club has been working with the College of Southern Idaho Foundation.

The northern section of the trail would be a temporary trail as it will align between Lazy J and Fawnbrook Apartments which will become Harrison Street, south of Pole Line. Once there is development of the Lazy J property, the trail should align along the Perrine Coulee, which will connect with the tunnel under Pole Line at the coulee.

-Councilperson Johnson asked what obligations are placed on future development of the Lazy J property.

Community Development Director Humble stated that the property owners have an obligation to build a trail along the coulee if developed according to the Master Trail Plan.

Discussion followed on a flood plain along the coulee in the Lazy J Mobile Home Park.

MOTION:

Councilperson Craig made the motion to approve to accept the proposal from the Twin Falls Rotary Club to construct the trail section and the City to accept the trail into their system and maintain the trail. The motion was seconded by Councilperson Johnson.

Curtis Eaton stated for clarification that the proposed trail alignment is only conceptual at this time, exact alignment will be determined later.

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

4. Consideration of a request to authorize the Mayor to sign a resolution supporting the project submittal packet to the Local Highway Technical Assistance Council (LHTAC).

City Engineer Fields reviewed the request. The City of Twin Falls has been invited to submit a project application to LHTAC for prioritization and placement in the Local-Urban program of the State Transportation Investment Program (STIP). The funds that could be available to the City are \$3,117,833. The City's share is 7.34%. Specific requirements for the application of STIP funding were explained.

Approval of the resolution is required to make submittal for the federal aid project. If the project is successful and is placed in the STIP, the City will be responsible for providing the local match when design actions are intended to occur. The design year should be 2012 or 2013.

The resolution indicates that the City Council has knowledge of the application's submittal and of the estimated local share. Staff recommends that the Council approve the request as presented.

Discussion followed:

-Councilperson Mills Sojka asked how Eastland Drive would tie into the project.

City Engineer Fields stated that in order to get into the STIP, the concept is to look at a five year program. The projection from Hillcrest to past Addison will not make the five year condition.

MOTION:

Councilperson Johnson made a motion to adopt Resolution 1863, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, SUPPORTING THE PROJECT IDENTIFICATION SUBMITTAL FOR THE CONSTRUCTION OF POLELINE RD NE & EASTLAND DR N TO THE LOCAL HIGHWAY TECHNICAL ASSISTANCE COUNCIL (LHTAC). TOTAL PROJECT COST ESTIMATE IS \$3,178,000, WHICH WILL REQUIRE \$232,948 OF LOCAL MATCHING FUNDS AVAILABLE FROM THE CITY FOR TWIN FALLS, IDAHO.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, THAT THE MAYOR IS HEREBY AUTHORIZED AND DIRECTED TO SIGN THE PROJECT IDENTIFICATION PACKET AND SUBMIT TO LHTAC FOR PRIORITIZATION.

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

5. Consideration of a request to authorize the City Attorney to proceed with the judicial confirmation process to determine if improvements to the wastewater system can be financed as an "ordinary and necessary" expense.

City Manager Courtney reviewed the request.

He reviewed the Wastewater Fund Maintenance/Capital Replacement Projects

1. Replacement of the ultraviolet disinfection system. (\$2,659,000)
2. Replacement of sludge dewatering equipment. (\$1,706,000)
3. Construction of a redundant fine screen system at the headworks of the plant (\$289,000)
4. Updating of aeration systems in three basins (\$118,000)
5. Add backup system – Rock Creek Lift station (\$2,750,000)

Staff recommends the Council:

1. Authorize the City Attorney to proceed with the judicial confirmation process.
2. Instruct staff to work with the Finance Committee to develop funding options to cover project costs

These staff recommendations allow the City to continue working toward design and construction of the projects outlined above. Commitment of funds will not occur until the City Council awards bids to construct the improvements.

Discussion followed:

-City Attorney Wonderlich reviewed the judicial confirmation process.

City Manager Courtney stated that all of the equipment as discussed is essential for the operation of the treatment plant or the moving of wastewater in the south part of town in order not to violate EPA regulations.

Assistant City Manager Rothweiler reviewed the Idaho State Bond Bank commitment letter, required to allow the City to proceed with the judicial confirmation process.

The Citizen and Finance Committee will be reviewing the proposed project with a recommendation to the Council.

MOTION:

Councilperson Johnson made a motion to authorize the City Attorney to proceed with the judicial confirmation process to determine if improvements to the wastewater system can be financed as an "ordinary and necessary" expense and instructed staff to work with the Citizen Finance Planning Commission to develop funding options to cover project costs. The motion was seconded by Councilperson Kezele and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

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

Councilperson Clow gave an update on the Youth Council meeting on January 10, 2011. Instruction was given to staff to check monies available to allow some member of the Youth Council the opportunity to attend the AIC Conference.

Mayor Hall stated that the Twin Falls Today Sponsor - State of the City will be held on April 12, 2011. Details will be following

Council pictures will take place on February 7, 2011, at Addison Photography located at 2133 Addison Avenue East.

Recess at 6:30 P.M.

Reconvened at 6:40 P.M.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

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

1. Request for an Amendment to PUD Agreement #220, and for a Zoning District Change and Zoning Map Amendment by incorporating 2 acres (+/-) located west of the western boundary of the PUD Agreement #220 from R-4 to C-1 PUD to allow for a planned commercial development and to amend the land uses in PUD Agreement #220 to allow for commercial uses other than an automobile dealership or associated businesses on property located on the south side of

the 600 block of Pole Line Road, c/o Gerald Martens, EHM Engineering, Inc., on behalf of Capella Corp on behalf of the Crumb Group. (app.2407)

Gerald Martens, EHM Engineers, spoke on behalf of the applicant and explained the request. The applicants request the property to be rezoned from R-4 to C-1 to allow development as part of a commercial subdivision with adjacent property under the same ownership. The access restrictions and utility location made concurrent development essential. The request is compatible with the surrounding uses and in conformance with the City of Twin Falls Comprehensive Plan.

Community Development Director Humble reviewed the request.

On December 14, 2010, the Planning & Zoning Commission unanimously recommended approval 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 development meeting or exceeding C-1 District code requirements and requirement improvements (10-11-1 through 9).
4. Subject to completion of a minimum 6' sight obscuring screening fence along the entire southern boundary of the PUD property by June 1, 2011.
5. Subject to compliance with the Amended PUD Agreement #220.

Staff would ask to amend condition #5 to include the following: Subject to compliance with the "recorded" Amended PUD Agreement #220, to include a revised Master Development Plan, prior to approval and recordation of the final plat.

Discussion followed:

Gerald Martens said that the applicant would present a preliminary plat to the Planning & Zoning Commission.

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

Discussion followed on a screening fencing between commercial and residential property.

The public hearing is now closed

MOTION:

Councilperson Johnson made a motion to approve the Amendment to PUD Agreement #220, and for a Zoning District Change and Zoning Map Amendment by incorporating 2 acres (+/-) located west of the western boundary of the PUD Agreement #220 from R-4 to C-1 PUD to allow for a planned commercial development and to amend the land uses in PUD Agreement #220 to allow for commercial uses other than an automobile dealership or associated businesses on property located on the south side of the 600 block of Pole Line Road, c/o Gerald Martens, EHM Engineering, Inc., on behalf of Capella Corp on behalf of the Crumb Group. (app.2407) as presented with the following five 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 development meeting or exceeding C-1 District code requirements and requirement improvements (10-11-1 through 9).
4. Subject to completion of a minimum 6' sight obscuring screening fence along the entire southern boundary of the PUD property by June 1, 2011.
5. Subject to compliance with the "recorded" Amended PUD Agreement #220, to include a revised Master Development Plan, prior to approval and recordation of the final plat.

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

2. Request for a Zoning District Change and Zoning Map Amendment from C-1 to C-1 PUD to develop a planned commercial development on 29 (+/-) acres located on the south side of the 1200 & 1300 blocks of Pole Line Road West, c/o James & Anna McCormick, Gary Nelson, Blass, Inc., Gerald Martens, Evan Robertson, Dirk Gibson, Daniel Komen, Stephen George and Kirby Dahl. (app.2406)

Gerald Martens, EHM Engineers, representing the applicant explained the request. The request is to allow for rezone of the property and development of a master plan and development agreement that will allow the property to be developed in phases as a C-1 Planned Unit Development. The proposed use is in conformance with the City of Twin Falls Comprehensive Plan. Uses of the property will be limited to those uses appropriate to a C-1 zoning and as further restricted in the C-1 Planned Unit Development Agreement.

Community Development Director Humble stated that on December 14, 2010, the Planning & Zoning Commission unanimously recommended approval of this request 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 arterial and collector streets adjacent and with the property being dedicated to the City of Twin Falls and to be rebuilt or built to current City standards upon development of the property.
3. Subject to complete the design approval of Cheney Drive West being constructed to ½-width and per City Standards.

Staff would ask to add a condition #4: Subject to an approved and recorded PUD Agreement, to include a Master Development Plan, prior to approval and recordation of a final plat.

Discussion followed:

Councilperson Clow asked where the accesses are located on Fieldstream and signage.

Gerald Martens stated that the only access is in the northwest corner. Another alternative would go past the new private school. There would be a second access. The signage does follow the basic sign ordinances.

The public hearing was opened and closed with no input.

The public hearing was closed.

Councilperson Johnson made the motion to approve the Zoning District Change and Zoning Map Amendment from C-1 to C-1 PUD to develop a planned commercial development on 29 (+/-) acres located on the south side of the 1200 & 1300 blocks of Pole Line Road West, c/o James & Anna McCormick, Gary Nelson, Blass, Inc., Gerald Martens, Evan Robertson, Dirk Gibson, Daniel Komen, Stephen George and Kirby Dahl. (app.2406) 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 arterial and collector streets adjacent and with the property being dedicated to the City of Twin Falls and to be rebuilt or built to current City standards upon development of the property.
3. Subject to complete the design approval of Cheney Drive West being constructed to ½-width and per City Standards.
4. Subject to an approved and recorded PUD Agreement, to include a Master Development Plan, prior to approval and recordation of a final plat.

The motion was seconded by Councilperson Kezele and roll call vote showed all members present voted in favor of the motion.

V. **ADJOURNMENT:** The meeting adjourned at 7:02 P.M.