

COUNCIL MEMBERS:

Suzanne Hawkins	Jim Munn	Shawn Barigar	Chris Talkington	Gregory Lanting	Don Hall	Rebecca Mills Sojka
Vice Mayor					Mayor	



MINUTES
Meeting of the Twin Falls City Council
Monday, December 1, 2014
City Council Chambers
305 3rd Avenue East -Twin Falls, Idaho

5:00 P.M.

PLEDGE OF ALLEGIANCE TO THE FLAG
CONFIRMATION OF QUORUM
CONSIDERATION OF THE AMENDMENTS TO THE AGENDA
PROCLAMATION: None

GENERAL PUBLIC INPUT

AGENDA ITEMS

I. CONSENT CALENDAR:

1. Consideration of a request to approve the Accounts Payable for November 15 – December 1, 2014.
2. Consideration of a request to approve the November 10, 2014, City Council Minutes.

Purpose:

Action

By:

Sharon Bryan

Action

Leila A. Sanchez

II. ITEMS FOR CONSIDERATION:

1. Consideration of a request to adopt a resolution to procure goods and services on the open market for "The City of Twin Falls 2014 Modifications to the Canyon Springs Valves Project".
2. Consideration of a request to submit a roadway project for Local Urban funding.
3. Consideration of a request to adopt a resolution for a Comprehensive Plan Amendment from AG to Medium Density and to extend the Water Service Boundary Area which would amend The Future Land Use Map, 2-4 of the Twin Falls Vision 2030: A Comprehensive Plan for a Sustainable Future for 53 +/- acres located on the east side of the 500, 600, and 700 blocks of Hankins Road North.
4. Consideration of a request to adopt an ordinance for the annexation of 4.75 (+/-) acres with a zoning designation of C-1 and to proceed with the development of a municipal water storage facility on property located at 2951 Marie Avenue.
5. Public input and/or items from the City Manager and City Council.

Action

Jon Caton

Action

Jacqueline Fields

Action

Mitchel Humble

Action

Jonathan Spendlove

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

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

1. Request to allow Additional Building Height for new silos on property located at 236 Washington Street South.
2. Request for a Zoning Title Amendment to delete Title 10; Chapter 6; Section 1; Planned Unit Development Subdistrict and replace with a new section Title 10; Chapter 6; Section 1; Zoning Development Agreement, to add a definition of Zoning Development Agreement to Title 10; Chapter 2; Definitions and to amend Title 10; Chapter 2; definition of Planned Unit Development.

PH/Action

Steve Maughan
Glanbia USA

PH/Action

Jonathan Spendlove
% The City of Twin Falls

V. ADJOURNMENT:

Any person(s) needing special accommodations to participate in the above noticed meeting could contact Leila Sanchez at (208) 735-7287 at least two working days before the meeting. Si desea esta información en español, llame Leila Sanchez (208)735-7287.

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

Absent: None

Staff Present: City Manager Travis Rothweiler, City Attorney Fritz Wonderlich, Deputy City Prosecutor Shayne Nope, Community Development Director Mitchel Humble, Police Chief Brian Pike, City Engineer Jacqueline Fields, Planner I Jonathan Spendlove, Deputy City Clerk/Recording Secretary Leila A. Sanchez.

Mayor Hall 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.

CONSIDERATION OF THE AMENDMENTS TO THE AGENDA:

City Manager Rothweiler requested to add to the agenda an Executive Session 67-2345(1) (a) To consider hiring a public officer, employee, staff member or individual agent, wherein the respective qualities of individuals are to be evaluated in order to fill a particular vacancy or need. This paragraph does not apply to filling a vacancy in an elective office or deliberations about staffing needs in general.

MOTION:

Councilmember Talkington moved to add Executive Session 67-2345(1) (a) as presented. The motion was seconded by Councilmember Lanting. Roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

PROCLAMATION: None

GENERAL PUBLIC INPUT

AGENDA ITEMS

I. CONSENT CALENDAR:

1. Consideration of a request to approve the Accounts Payable for November 25 – December 1, 2014, total: \$1,530,779.49; December 1, 2014, Fire Payroll, total: \$56,093.16.
2. Consideration of a request to approve the November 10, 2014, City Council Minutes.

MOTION:

Councilmember Lanting moved to approve the Consent Calendar. The motion was seconded by Councilmember Barigar.

Discussion followed on the Accounts Payable.

- Waste Water Treatment Plant
- Lease Maintenance Agreement with Lytle Signs

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

II. ITEMS FOR CONSIDERATION:

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1. Consideration of a request to adopt a resolution to procure goods and services on the open market for "The City of Twin Falls 2014 Modifications to the Canyon Springs Valves Project".

Public Works Director Caton explained the request.

The City formally bid the project and received two bids substantially over the engineer's estimate: one bid for \$208,400 and another for \$370,639. Staff felt both of these bids were high and the difference between the two was concerning. Staff elected to reject both bids and try to procure this service on the open market. PMF Inc. has submitted a bid that is substantially lower than the engineer's estimate in the amount of \$157,436.

Staff recommends Council approve this resolution to procure goods and services from the open market.

Discussion followed.

City Attorney Wonderlich concurs with staff's recommendation.

MOTION:

Councilmember Mills Sojka moved to adopt Resolution 1935. The motion was seconded by Councilmember Lanting. Roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

2. Consideration of a request to submit a roadway project for Local Urban funding.

City Engineer Fields explained the request.

The City has an opportunity to apply for Local Urban funds to construct or develop local streets. Developing a project in this program is a long term project but local match is 7.34%. It is beneficial to present a project that addresses mobility, safety or economic opportunity. Since the project development takes several years, it is preferable when road has some pavement life left. Staff will also need to show that the roadway have logical termini for the environmental process.

The other alternative is to resubmit Poleline Road from Bridgeview to Candleridge Drive. This project segment is selected because the logical termini are from the state highway to the temple, as a destination. The actual construction may be reconstruction of the section between Blue lakes and Bridgeview, major widening from Bridgeview to about Meadowview extended and then any necessary retrofitting for ADA from Cheney to Candleridge. This project hasn't been estimated recently but could be approximately \$2.5M.

It appears that there is significant interest in developing the City's downtown area and that some of the improvements could be to address truck traffic through the area as well as the presence of the State Highway on the 2nd Avenues. There has been a somewhat continuous movement to "reroute the 2nds". It is difficult for a transportation agency to consider a "trade" when the alternate route is deficient. This is the case with the proposal to move US-30 onto Washington St, 6th and Minidoka (from West 5 points to E 5 points). If the City chooses to improve Washington, 6th and Minidoka to meet the capacity needs of US-30, then ITD may be able to consider the proposal. Regardless of whether or not ITD moves US-30, the roadway could be built to address truck volumes and result in a consistent roadway, both in width and depth. This project was estimated over 10 years ago and the figure was very large. If the City chose to go forward with this project, a new estimate would be established for the submittal and could be approximately \$5M.

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Improving Washington St, 6th and Minidoka to meet a state standard is a huge project with significant environmental analysis, public involvement, right of way acquisition, survey, utility, irrigation and finally construction impacts. It will take every bit of the 5 – 8 years. Finally, the project development will require analysis of viable alternatives. If the analysis doesn't affirm the initial scope, it may yield an equally acceptable alternative.

Discussion followed on the future development and subdivision of land on Pole Line Road.

Discussion followed on Washington St, 6th and Minidoka:

- Road resurfacing
- Economic Opportunities
- Safe truck route
- Removing truck traffic off of the Seconds
- ITD studies

The Council directed staff to submit a roadway project for Local Urban funding for Washington St, 6th and Minidoka.

Boy Scouts from Troop 59 introduced themselves to the Council.

3. Consideration of a request to adopt a resolution for a Comprehensive Plan Amendment from AG to Medium Density and to extend the Water Service Boundary Area which would amend The Future Land Use Map, 2-4 of the Twin Falls Vision 2030: A Comprehensive Plan for a Sustainable Future for 53 +/- acres located on the east side of the 500, 600, and 700 blocks of Hankins Road North.

Community Development Director Humble explained the request.

On November 17, 2014, the City Council granted the request to approve a Comprehensive Plan Amendment and to extend the water service boundary area.

MOTION:

Vice Mayor Lanting moved to approve Resolution 1936. The motion was seconded by Vice Mayor Hawkins. Roll call vote showed Councilmembers Hawkins, Munn, Barigar, Talkington, Lanting, and Hall voted in favor of the request. Councilmember Mills Sojka voted against the motion. Approved 6 to 1.

4. Consideration of a request to adopt an ordinance for the annexation of 4.75 (+/-) acres with a zoning designation of C-1 and to proceed with the development of a municipal water storage facility on property located at 2951 Marie Avenue.

Planner I Spendlove explained the request.

On November 10, 2014 the City Council held a public hearing on this request and approved the annexation of 4.75 (+/-) acres with a zoning designation of C-1 and to proceed with the development of a municipal water storage facility on property located at 2951 Marie Avenue.

As directed by the Council, staff has prepared an ordinance for Council's consideration. Staff recommends the City Council adopts the ordinance so it can be published and codified.

MOTION:

Councilmember Talkington moved to suspend the rules and place Ordinance 3081 on third and final reading by title only. The motion was seconded by Councilmember Barigar. Roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

Deputy City Clerk Sanchez read Ordinance title 3081, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, ANNEXING CERTAIN REAL PROPERTY BELOW DESCRIBED, PROVIDING THE ZONING CLASSIFICATION THEREFOR, AND ORDERING THE NECESSARY AREA OF IMPACT AND ZONING DISTRICTS MAP AMENDMENT.

MOTION:

Vice Mayor Hawkins moved to adopt Ordinance 3081. The motion was seconded by Councilmember Barigar. 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.

City Manager Rothweiler gave an update on the Citizens Committee for Facilities. The next meeting will be held on Thursday, December 4, 2014, at 11:30 a.m. in the Council Chambers.

The Downtown Advisory Committee meeting in conjunction with OTAK will meet in the PD Classroom on Monday, December 8, 2014, at 9:30 a.m. in the PD Classroom.

At the December 8, 2014, Council Meeting, a presentation of a preliminary downtown parking/traffic will be presented. The University of Virginia will be training employees the week of December 1, 2014.

Councilmember Barigar stated that the Parks & Recreation Department will host their kickoff on Wednesday at 6:00 p.m. in the Council Chambers for their Parks & Recreation Master Planning process.

Mayor Hall reported that the Festival of Lights Parade will be held at 6:00 p.m. Vice Mayor Hawkins stated that unwrapped toys will be collected.

Councilmember Talkington gave an update on an agreement between the City and County on how it operates at the Joslin Field Airport.

6. Executive Session 67-2345(1)(a) To consider hiring a public officer, employee, staff member or individual agent, wherein the respective qualities of individuals are to be evaluated in order to fill a particular vacancy or need. This paragraph does not apply to filling a vacancy in an elective office or deliberations about staffing.

MOTION:

Councilmember Lanting adjourned to Executive Session 67-2345(1) (a). The motion was seconded by Vice Mayor Hawkins. Roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

Adjourned at 5:53 p.m.

Reconvened at 6:04 p.m.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

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

1. Request to allow Additional Building Height for new silos on property located at 236 Washington Street South.

Steve Maughan explained the request.

Glanbia is planning to install additional processing and environmental equipment. The silos required to complement this equipment are planned to exceed 50' in height. The height is 70 ft. 9 inches.

Planner I Spendlove explained the request.

The property is currently Zoned M-2, and it can be reasonably assumed that this designation was implemented in 1981 when a comprehensive zoning title amendment occurred that effectively created the zones we use today. In February 2011, a non-conforming expansion permit was issued to Glanbia Foods for an expansion of their operations at this location.

This project is located in the M-2 Zoning District and therefore the applicant may apply for additional building height following the public hearing process outlined in City Code 10-14. This process will include a Public Hearing with the Planning and Zoning Commission with a recommendation forwarded to the City Council for a decision.

Staff does not foresee a significant negative impact on adjoining property owners for this requested item. The locations of the proposed silos are considerably set back from the current roadway, and from any nearby residential properties. The facility currently utilizes silos of similar size and height for their operation, and staff does not expect these proposed silos to cause an unreasonable visual impact to the area.

On November 25, 2014 the Planning & Zoning Commission held a public hearing on this request. They recommended approval subject to the following conditions:

1. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.
2. Subject to no more than three (3) silos at maximum heights of 70'9", as presented. Placement shall be as shown on the site plan submitted by the applicant.

The following condition was added by the Planning & Zoning Commission:

3. Subject to any structure used to enhance the safety of the silos may be added provided they do not exceed 80'.

Staff concurs with the Commission's recommendation.

Discussion followed.

-The expansion would create 8 additional jobs

Planner I Spendlove stated that one person who spoke against the request lives immediately south of Glanbia.

Mayor Hall opened the public testimony portion of the hearing with no input.

MOTION:

Vice Mayor Hawkins moved to allow Additional Building Height for new silos on property located at 236 Washington Street South subject to the following conditions:

1. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.
2. Subject to no more than three (3) silos at maximum heights of 70'9", as presented. Placement shall be as shown on the site plan submitted by the applicant.
3. Subject to any structure used to enhance the safety of the silos may be added provided they do not exceed 80'.

The motion was seconded by Councilmember Talkington. Roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

2. Request for a Zoning Title Amendment to delete Title 10; Chapter 6; Section 1; Planned Unit Development Subdistrict and replace with a new section Title 10; Chapter 6; Section 1; Zoning Development Agreement, to add a definition of Zoning Development Agreement to Title 10; Chapter 2; Definitions and to amend Title 10; Chapter 2; definition of Planned Unit Development.

Planner I Spendlove explained the request.

The proposed amendment will remove the current Title 10 Chapter 6 Section 1: PUD, Planned Unit Development in its entirety. The new section will be Title 10 Chapter 6 Section 1: Zoning Development Agreement. Changes to multiple other sections are for reference purposes only.

The most notable changes to this process include the following: (1) clear requirements for applicants in regards to the Conceptual Development Plans and documents needed, (2) stated criteria for conformance to the Conceptual Development Plan, and (3) a clear path of procedure for the ZDA Process.

(1) - The requirements for the Conceptual Development Plan have been described in detail for both residential and non-residential plans. Certain items are to be required of every plan; some prominent items include multi-use transportation pathways, density, parks and open space. Other items may be added by the commission and council as they determine to be essential to the certain area being applied for the ZDA.

(2) - The criteria for conformance to the conceptual development plan will assist staff in determining whether changes to a plan would need to be brought back through the process. These criteria focus on the land-use relationship between the proposed project and the existing developments in the area.

"Changes to any of the following items constitute a departure from the Conceptual Development Plan and/or development standards, thus changing the basic relationship of the proposed development to the adjacent property:

- (A) the permitted uses,
- (B) increase in density,
- (C) increase in building height,
- (D) increase in building coverage of the site,

- (E) reduction in the off-street parking ratio,
- (F) reducing the building setbacks provided at the boundary of the site,
- (G) reduction of any open space plans, or
- (H) Alteration of the overall design theme, primary architectural elements, or building materials."

(3) – The procedure section clarifies the process for these developments. The most prominent changes are clear requirements for the ZDA Written Commitment, and the requirement of a signed agreement being submitted prior to the City Council adopting the rezone ordinance. This fixes a loophole in the current system that left some agreements in limbo after the Council had approved Planned Unit Developments in the past.

On October 28, 2014 the Planning & Zoning Commission unanimously recommended approval of the amendment as presented.

This change could affect properties within the Area of Impact.

Staff concurs with the Commission's recommendation.

Discussion followed.

- PUD Process
- Definition of density
- Feedback from developer

Planner I Spendlove stated that he does not believe the density can be changed after the developer has signed the PUD. However, if the developer does not agree with the zoning he does not sign the agreement the zoning does not change. Work will be required from the developer upfront for them to decide as to what they want to do with property prior to coming to the public hearing including.

Councilmember Mills Sojka stated the Planning & Zoning Commission has been working with staff vetting the process. No negative comments were heard from developers or applicants. Katie Breckenridge had previously stated that improvements were not made at the DELL parking lot and believes the revisions will improve the process.

Planner 1 Spendlove stated density is typically defined as residential.

Community Development Director Humble stated density is more residential. An increase in building height and increase of building coverage at the site and they would be more of a nonresidential development. A plan will show a layout and the size of buildings and generally the layout needs to stay the same. An increase to the building coverage in a nonresidential setting is a very similar kind of a thing to an increase in density in a residential kind of plan.

Planner 1 Spendlove stated the primary goal was to eliminate flexibility for the developer.

The following was added by the Commission: "Changes to any of the following items constitute a departure from the Conceptual Development Plan and/or development standards, thus changing the basic relationship of the proposed development to the adjacent property:

- (A) the permitted uses,
- (B) increase in density,

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- (C) increase in building height,
- (D) increase in building coverage of the site,
- (E) reduction in the off-street parking ratio,
- (F) reducing the building setbacks provided at the boundary of the site,
- (G) reduction of any open space plans, or
- (H) Alteration of the overall design theme, primary architectural elements, or building materials."

- Process for enforcement
- Enforcement for berm at Williams Chiropractic
- No sidewalk on the northern end of Washington Street

City Attorney Wonderlich explained the process for enforcement and revocation of a Special Use Permit.

Community Development Director Humble stated that the sidewalk should have been on the northern end of Washington Street and staff will check to see if there was a deferral agreement.

Mayor Hall opened the public testimony portion of the hearing with no input.

MOTION:

Councilmember Talkington made a motion to instruct the staff to go forward and prepare an ordinance as presented. The motion was seconded by Councilmember Lanting. Roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

V. **ADJOURNMENT:** The meeting adjourned at 6:33 p.m.

Leila A. Sanchez
Deputy City Clerk/Recording Secretary