

6th 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, January 5, 2015
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: December 23, 2014 – January 5, 2015, total: \$495,989.96
Fire Payroll for December 31, 2014, total: \$53,879.29.
2. Consideration of a request to approve the December 15 and December 22, 2014, City Council Minutes.

Purpose:

Action

By:

Sharon Bryan

Action

Leila A. Sanchez

II. ITEMS FOR CONSIDERATION:

1. Swearing in ceremony for two new Twin Falls Police Department Officers and Mayor Don Hall to administer the Oath of Office to Officers Matthew Guzman and Tyler Smotherman.
2. Consideration of a request to authorize the Mayor to sign a resolution supporting the City's WaterSMART 2015 grant application.
3. Consideration of a request to partner with the Twin Falls Highway District on a project to install a signal at the intersection of Addison Ave. E. and Hankins Rd.
4. Consideration of a request to adopt an ordinance amending City Code 6-4-9 regarding the City official and department responsible for administering the City's kennel licensing process.
5. Discussion and possible action regarding the Council's prioritization of upcoming amendments to City Code, Title 10.
6. Public input and/or items from the City Manager and City Council.

Purpose:

Action

By:

Bryan Krear
Don Hall

Action

Mandi Thompson

Discussion/
Possible Action

Jacqueline Fields

Action

Mitchel Humble

Discussion/
Possible Action

Mitchel Humble

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

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

1. Requests for a Zoning Title Amendment to amend Title 10-Chapter 4-Section 8.2 (B) 3; by adding a land use; (c) outside storage yard and shop as an accessory use for a government facility by Special Use Permit and by adding a definition of Open and Outside Storage Yard and Shop to Title 10; Chapter 2.

Action/PH

Kent Taylor on behalf
of Twin Falls BLM, LLC
Jonathan
Spendlove

V. ADJOURNMENT:

1. Executive Session 67-2345 (1) (c) To conduct deliberations concerning labor negotiations or to acquire an interest in real property which is not owned by a public agency.

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.

Present: Shawn Barigar, Don Hall, Suzanne Hawkins, Gregory Lanting, Chris Talkington

Absent: Jim Munn, Rebecca Mills Sojka

Staff Present: City Manager Travis Rothweiler, City Attorney Fritz Wonderlich, Deputy City Attorney Shayne Nope, Deputy City Managers Mitchel Humble and Brian Pike, Interim Police Chief Bryan Krear, Grant Writer Mandi Thompson, City Engineer Jacqueline Fields, Planner 1 Jonathan Spendlove, Water Superintendent Rob Bohling, Public Works Director Jon Caton, Project Coordinator Tami Lauda, Deputy City Manager/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 is present.

CONSIDERATION OF THE AMENDMENTS TO THE AGENDA:

City Manager Rothweiler stated the December 22, 2014, City Council Minutes have been amended and in addition requested to remove the following from the agenda: Executive Session 67-2345 (1) (c) To conduct deliberations concerning labor negotiations or to acquire an interest in real property which is not owned by a public agency.

MOTION:

Councilmember Lanting moved to approve the amendments as presented. The motion was seconded by Councilmember Barigar. Roll call vote showed all members present voted in favor of the motion. Approved 5 to 0.

PROCLAMATION: None

GENERAL PUBLIC INPUT: None

AGENDA ITEMS

I. CONSENT CALENDAR:

1. Consideration of a request to approve the Accounts Payable for:
December 23, 2014 – January 5, 2015, total: \$495,989.96
December 31, 2014, Fire Payroll, total: \$53,879.29.
January 5, 2015, Prepay, total: \$430,312.71
January 2, 2015, Payroll, total: \$134,496.20
2. Consideration of a request to approve the December 15 and December 22, 2014, City Council AMENDED Minutes.

MOTION:

Councilmember Talkington motioned to approve the Consent Calendar as amended. The motion was seconded by Vice Mayor Hawkins. Roll call vote showed all members present voted in favor of the motion. Approved 5 to 0.

II. ITEMS FOR CONSIDERATION:

1. Swearing in ceremony for two new Twin Falls Police Department Officers and Mayor Don Hall to administer the Oath of Office to Officers Matthew Guzman and Tyler Smotherman.

Interim Police Chief Krear gave the presentation.

Mayor Hall administered the Oath of Office to Officers Matthew Guzman and Tyler Smotherman.

2. Consideration of a request to authorize the Mayor to sign a resolution supporting the City's WaterSMART 2015 grant application.

Grant Writer Thompson explained the request.

The U.S. Bureau of Reclamation sponsors the WaterSMART grant program, which was established to provide assistance on the efficient use of water and the coordination of water conservation activities.

This grant award would impact the 2015-16 budget. There is currently \$160,000 in the 2014-15 budget for AMR replacement, and a five year projection estimates \$169,000 in the 2015-16 budget. The WaterSMART program requires a 50% cost share from applicants. There will be no need for additional funds beyond the budgeted amount for match for this application. The application is requesting \$300,000 in federal funds.

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Grant Writer Thompson and Public Works Director Jon Caton recommend the City Council authorize the Mayor to sign the Resolution authorizing a WaterSMART application.

Discussion followed.
-Total budget impact.

City Manager Rothweiler stated that based on calculations for 2010 the cost to replace every meter was estimated at \$4.5M.

Water Superintendent Bohling explained the benefits and cost savings of reading meters 12 months out of the year.

Grant Writer Thompson explained that she will include in the proposed Resolution the grant is requested for "1600 automated residential water meters."

MOTION:

Councilmember Barigar moved to authorize the Mayor to sign Resolution 1939 as presented. The motion was seconded by Councilmember Lanting. Roll call vote showed all members present voted in favor of the motion. Approved 5 to 0.

3. Consideration of a request to partner with the Twin Falls Highway District on a project to install a signal at the intersection of Addison Ave. E. and Hankins Rd.

City Engineer Fields explained the request using overhead projections.

In the City of Twin Falls (City), local roads are maintained and improved by the City, unless they are private or State highways. Outside of the City limits, the roads are maintained by the Twin Falls Highway District (TFHD) unless they are private or State highway. There are locations where the TFHD and the City share jurisdiction. Over the years, we have agreed to share some maintenance activities as well. The jurisdiction of the intersection of Addison Ave. E and Hankins Rd. is shared. The D&B corner is within the City Limits and the remainder is within the TFHD jurisdiction.

This intersection has accidents, meets a signal warrant, and will continue to experience increasing delay associated with development. City and TFHD staff has discussed the possibility of partnering on a signal project as a potential Local Highway Safety Improvement Program (LHSIP) project.

The LHSIP currently is constrained so that right of way acquisition is not possible. This intersection's ability to function could be improved with the addition of a signal in its current geometry. Eventually there may be an opportunity to expand the intersection to address additional lanes. If the governing entities prefer to acquire right of way, this project application would not go forward at this time. It is probable that the project would need to be planned for a later date, potentially several years away. Staff did not discuss this alternative.

The intersection is considered, by ITD, to be in the TFHD jurisdiction and so the TFHD would need to be the sponsor with support from the City. However, the TFHD doesn't have staff to operate the signal. She discussed with Scott Allen the possibility of submitting a LHSIP project where TFHD is the sponsor providing the matching funds (about \$40,000) and the City supports the project by making the LHSIP application, acting as the liaison for the design contract, and ultimately operating the signal.

There was no discussion on how to address damages to the infrastructure. The outcome of such a discussion could come forward in the form of an Agreement between the TFHD and the City.

If the City and the TFHD agree that this, or a modified proposal, is acceptable, then City staff will prepare the application in conjunction with the TFHD.

Discussion followed.
-Acquisition of right of way and future widening of the road
-Partnering with the Twin Fall Highway District

City Engineer Fields provided a rough estimate of \$37,000 to \$40,000 for the project. The project would not be awarded until Spring/Summer 2016.

Scott Allen stated that the Twin Falls Highway District has money available for the project. The grant does not allow for acquisition of right of way and the TFHD does not have a project for the grant cycle. He is in favor of partnering with the City to go forward with the project.

City Engineer Fields stated the controller, signal heads, and pole can be reusable. The mast arm can be recycled.

City Engineer Fields stated that the new traffic signal at Addison Avenue and Carriage Lane is expected to be functional on Wednesday, January 7, 2015

MOTION:

Councilmember Lanting moved to proceed forward with the plan submitted by City Engineer Jacqueline Fields and Scott Allan, Twin Falls Highway District to partner on a project to install a signal at the intersection of Addison Ave. E. and Hankins Rd. The motion was seconded by Vice Mayor Hawkins. Roll call vote showed all members present voted in favor of the motion. Approved 5 to 0.

4. Consideration of a request to adopt an ordinance amending City Code 6-4-9 regarding the City official and department responsible for administering the City's kennel licensing process.

Deputy City Manager Humble explained the request.

The ordinance amends City Code 6-4-9 to remove this responsibility from the Sanitation Director and the Utility Billing Department and assigns the responsibility to the Code Enforcement Officer. The ordinance is a simple language correction to reflect the changes in personnel and responsibilities that have occurred over the last few years. The ordinance makes no substantive change to the kennel licensing process at all. Staff recommends adoption of the attached ordinance as presented.

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

MOTION:

Vice Mayor Hawkins moved to suspend the rules and place Ordinance 3085 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 5 to 0.

Deputy City Clerk Sanchez read Ordinance 3085 by title only, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, AMENDING TWIN FALLS CITY CODE §6-4-9 PROVIDING FOR KENNEL REGULATIONS.

MOTION:

Councilmember Talkington moved to adopt Ordinance 3085. The motion was seconded by Vice Mayor Hawkins. Roll call vote showed all members present voted in favor of the motion. Approved 5 to 0.

5. Discussion and possible action regarding the Council's prioritization of upcoming amendments to City Code, Title 10.

Deputy City Manager Humble explained the request.

The City Council has initiated several Title 10 City Code amendments over the last few years. Many of those amendments have been completed, but there are still many left on the list to work on. The list below contains those amendments that the Council or Planning & Zoning Commission has initiated, but that are not yet finished. Each item on the list includes a brief description of what the amendment includes.

1. **Public Hearing Notice** – review and amend as necessary the requirements for public hearing notices. The P&Z has finished reviewing a draft amendment. The public hearings for this amendment will begin at the 1/27/15 P&Z meeting.
2. **Design Standard for Alternative Landscaping** – P&Z initiated, provide some standard for what is acceptable as "alternative landscaping." May be a Code amendment or may create a stand-alone design guide.
3. **Urban Village/Urban Infill** – *Recommendation in the Comprehensive Plan.* Create a mixed-use zoning district with development guidelines, higher density housing, office, and retail.

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4. **Open Space Residential/Cluster Development** – *Recommendation in the Comprehensive Plan.* Create cluster development residential guidelines, similar densities, but on smaller lots with open space.
5. **Neighborhood Center Development** – *Recommendation in the Comprehensive Plan.* Review and possibly amend our Neighborhood Center Code content, uses and design.
6. **Xeriscaping/Landscape Requirements** – *Recommendation in the Comprehensive Plan.* Review landscape standards for appropriateness, include allowances for xeriscaping.
7. **Gateway Arterial Landscaping** – review gateway arterial landscaping requirements: some developers have suggested that they are too restrictive for in-fill or redevelopment projects.
8. **Land Uses** – update permitted use regulations, consider creating conditional uses, reduce the number of special uses, create definitions for all uses, and a use matrix.
9. **Downtown Zoning District(s)** – review and possibly amend the Code for downtown: facilitate redevelopment, parking, landscaping, architectural?
10. **Sign Code** – review Sign Code for needed adjustments since its 2009 adoption.
11. **Office District** – review and possibly create an Office zoning district, rather than the current overlay.
12. **New Residential District(s)** – review and possibly create residential zoning districts for single family between R-1 and R-2, duplex, and fourplex.

Staff recommends that the Council discuss and prioritize the potential code amendments listed above.

Discussion followed.

Councilmember Talkington spoke on prioritizing Public Hearing Notice and Land Uses.

Deputy City Manager Humble explained the Planning & Zoning Commission has finished reviewing a draft amendment of the Public Hearing Notice. The public hearings for this amendment will begin at the 1/27/15 Planning & Zoning meeting. He also stated that tonight's public hearing is to amend Land Use in Title 10.

Councilmember Lanting spoke on prioritizing Land Uses and New Residential District(s).

Vice Mayor Hawkins spoke on prioritizing Public Hearing, Land Uses, and Downtown Zoning District(s)

Councilmember Barigar asked if input was received from the development community and comprehensive plan recommendations.

Deputy City Manager Humble stated that in the past the development community stated concern with Gateway Arterial Landscaping, Design Standard for Alternative Landscaping and the Sign. The Comprehensive plan recommends Xeriscaping/Landscape Requirements, Neighborhood Center Development, Open Space Residential/Cluster Development, and Urban Village/Urban Infill.

Mayor Hall stated that the Council has voiced their concern for the following items: Public Hearing Notice, Land Uses, Downtown Zoning District(s), and New Residential District(s).

City Manager Rothweiler recommended review of the Public Hearing Notice, Land Uses, and Downtown Zoning District(s) and New Residential Districts. The Council concurred with his recommendation.

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

City Manager Rothweiler stated that the January 12, 2015, City Council Meeting, will begin at 4:00 p.m. to hear presentations from the Municipal Powers Outsource Grant (MPOG) Recipients.

Councilmember Talkington stated that the 125th Anniversary of the Great State of Idaho is coming up on July 3, 2015. He recommended tasking the City Manager with what the City can and should do and form a loose committee of the Chamber of Commerce and interested persons and making it a worthwhile event. Mayor Hall recommended engaging the Historic Preservation Committee. City Manager Rothweiler stated he and Deputy City Manager Humble will work collaboratively to get some ideas and suggestions. Any interested persons may contact the City Manager's Office.

Vice Mayor Hawkins reported on the upgrades of the Waste Water Treatment Plant.

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Councilmember Lanting asked if anywhere on the website there is a list of acronyms that are used by City staff. Deputy City Manager Humble stated that staff will look into creating a place on the website listing acronyms.

Mayor Hall stated he met with Jim Cully on 1310 KLIX Radio regarding participation on the radio show. The Council will appear at the radio station when invited or when there is something the Council would like to discuss on air.

Mayor Hall reported that he signed the documents for the purchase of the Banner Building for the New City Hall.

Recess at 6:25 p.m.

Reconvened at 6:32 p.m.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

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

1. Requests for a Zoning Title Amendment to amend Title 10-Chapter 4-Section 8.2 (B) 3; by adding a land use; (c) outside storage yard and shop as an accessory use for a government facility by Special Use Permit and by adding a definition of Open and Outside Storage Yard and Shop to Title 10; Chapter 2.

Kent Taylor, representing the applicant, explained the request. The request is a proposed amendment to allow the construction of an equipment storage building to allow for outside storage with respect to the surrounding area. If approved by the Council, the applicant will apply for a Special Use Permit. This is for the BLM project on Addison Avenue. They purchased the ground and when they submitted their plans they found out through a bit of confusion and misunderstandings the total use they wanted was not allowed in a C-1 zone. The City and the client worked together well to allow for partial building permits to start building the main structure. The project consists of the structure of the governmental facility consisting of offices, etc., and the second phase is the construction of some enclosed storage and water filling station, etc.

Planner 1 Spendlove explained the request. This request was initiated by Twin Falls BLM, LLC. This corporation is in the process of submitting for a building permit to construct and operate a new facility at 2862 Addison Ave West. This site is zoned C-1. Within the Land Use Category of Governmental Facility a governmental office is a permitted use. During the numerous discussions and reviews of the proposals with the representatives of the BLM staff discovered part of the BLM facility included an open, outside and partially enclosed area for the storage of vehicles, equipment and materials associated with BLM. Current City Code does not allow the use of an open storage yard or shop in the C-1 Zoning District for a governmental facility.

The proposed amendment modifies two sectors. The first would add a definition of "Open and Outside Storage and Wareyards" in City Code 10-2-1: Definitions. The Second would add a new "Use" in City Code 10-4-8: C-1, Commercial Highway District: Use Regulations: Special Uses: "Open and Outside Storage and Wareyards which are owned or leased by a governmental entity."

Possible Impacts: The amendment would allow for "storage yards" owned and operated by a Governmental Agency to apply for a Special Use Permit to operate in the C-1 Zone. This would allow for local governmental oversight and public input to the design and operation of storage yards in those areas Zoned C-1.

Currently, the "Open Storage Yard" use is permitted in the M-2 Zoning district, and requires an SUP in the M-1 Zoning District. A shop is permitted in both the M-1 & M-2. However, this use is also limited to City, County and Highway District owned and operated facilities.

If the Council is so moved to grant this request, staff recommends some modifications be made to the amendment in order to maintain consistency within the City Code. The staff recommended changes in Definition 10-2-1: Open Storage Yard, and 10-4-8.2(B)3 - Adding c: Local, State or Federal. These changes will maintain consistency throughout the code, and also shows a progression of Permitted and Special Uses from M-2 to M-1 to C-1.

City Manager Rothweiler stated that staff further recommends amending the language to include "Open Storage Yard... Adding *Government Open Storage Yard*". This will allow all government entities, local, state, and federal, the opportunity to use the Special Use Permit process.

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Discussion on changing the staff recommendation to include all government entities the ability to apply for a special use permit followed.

Following discussion, staff recommends the Code amendment read as follows:

10-2-1 Definitions: Government Open Storage Yard: storage of vehicles, equipment, and materials accessory to the operation of an owned or leased governmental facility.

10-4-8.2(B)3 – adding “c. Government open storage yard”

City Attorney Wonderlich stated this would not require a new hearing.

Planner I Spendlove stated that an additional code amendment for other sections will come before the Council in the future that will reflect what has been discussed in regards to eliminating the list of specific government entities and the land use designation of a “Shop” in the C-1 Zone.

On December 9, 2014, the Planning & Zoning Commission unanimously recommended approval of the request, as presented. The City Council may grant the amendment as requested or it may recommend a modification of the amendment requested (will require another public hearing before the Commission), or it may deny the amendment.

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

City Attorney Wonderlich clarified that a shop is not part of this application.
Mayor Hall closed the public hearing with no input.

Discussion followed.

MOTION:

Councilmember Talkington moved to amend Title 10-Chapter 4-Section 8.2 (B) 3; by adding a land use; (c) outside storage yard as an accessory use for a government facility by Special Use Permit and by adding a definition of Open and Outside Storage Yard to Title 10; Chapter 2. The motion was seconded by Councilmember Lanting . Roll call vote showed all members present voted in favor of the motion. Approved 5 to 0.

V. ADJOURNMENT:

1. Executive Session-2345 (1) (c) To conduct deliberations concerning labor negotiations or to acquire an interest in real property which is not owned by a public agency. (Removed from the Agenda)

The meeting adjourned at 6:45 p.m.

Leila A. Sanchez

Deputy City Clerk/Recording Secretary