

COUNCIL MEMBERS:

LANCE CLOW	TRIP CRAIG	DON HALL <i>Mayor</i>	DAVID E. JOHNSON	WILLIAM A. KEZELE	GREG LANTING <i>Vice Mayor</i>	REBECCA MILLS SOJKA
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**MINUTES**  
 Meeting of the Twin Falls City Council  
**Monday, September 26, 2011**  
 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 accounts payable for September 20-27, 2011, \$657,892.60. Prepaid September 20, 2011, \$5,227.66.	<u>Action</u>	<u>Staff Report</u> Sharon Bryan
2. Consideration of the September 19, 2011, City Council Minutes.		L. Sanchez Sharon Bryan
3. Alcohol License Application (Beer & Wine) for Mike Dougherty dba Saucy located at 1703 Addison Avenue East.		Troy Vitek
4. Consideration of a request to accept a curb, gutter, and sidewalk deferral agreement for improvements on property located at 1785 3 <sup>rd</sup> Avenue East c/o Kevin Ranalli.		Jackie Fields
5. Consideration of a request to rename Sun Terrace Street to Sun Terrace Drive.		
<b>II. <u>ITEMS FOR CONSIDERATION:</u></b>		
1. Consideration of a request to waive the fees as part of the in lieu of park land dedication for the Platinum Trio Subdivision.	Action	Dennis Bowyer
2. Consideration of the request to schedule a public hearing date of October 10, 2011, to consider a proposal to increase fees at the Twin Falls Golf Club.	Action	Dennis Bowyer
3. Consideration of adoption of an ordinance regarding a request for annexation and Zoning District Change and Zoning Map Amendment from R-2 to C-1 PUD on property located at 1631 Grandview Drive North and consideration of adoption of a PUD Agreement between the City of Twin Falls and the Twin Falls Reformed Church, c/o Mike Smit on behalf of the Twin Falls Reformed Church. (app.2458)	Action	Mitch Humble
4. Public input and/or items from the City Manager and City Council.		
<b>III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u></b>		
<b>IV. <u>PUBLIC HEARINGS:</u>       <b>6:00 P.M.</b></b>		
1. Consideration to adopt an Ordinance for the Amendment of the Fiscal Year 2010-11 Budget.	Public Hearing	Darren Huber
2. Consideration to adopt the Utility Rate Resolution for fiscal year 2011-2012, following a public hearing to increase: Water rates, Sewer rates, Garbage collection fees.	Public Hearing	Lorie Race
<b>V. <u>ADJOURNMENT:</u></b>		

*\*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: Lance Clow, Trip Craig, Don Hall, David E. Johnson, Greg Lanting, William A. Kezele, Rebecca Mills Sojka

Absent: None.

Staff Present: City Manager Travis Rothweiler, Chief Finance Director Lorie Race, Budget Coordinator Darren Huber, Assistant City Engineer Troy Vitek, Deputy City Clerk Sharon Bryan, City Engineer Jackie Fields, Community Development Director Mitch Humble, Public Works Director Jon Caton, Deputy City Clerk/Recording Secretary Leila A. 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. A quorum was present. Mayor Hall introduced staff.

**CONSIDERATION OF THE AMENDMENTS TO THE AGENDA: None.**

**PROCLAMATIONS: None.**

#### AGENDA ITEMS

##### **I. CONSENT CALENDAR:**

1. Consideration of accounts payable for September 20-27, 2011, \$657,892.60  
September 20, 2011, total: \$5,277.66.  
September 26, 2011, total: \$135,000.  
Prepaid September 20, 2011, \$5,227.66.
2. Consideration of the September 19, 2011, City Council Minutes.
3. Alcohol License Application (Beer & Wine) for Mike Dougherty dba Saucy located at 1703 Addison Avenue East.
4. Consideration of a request to accept a curb, gutter, and sidewalk deferral agreement for improvements on property located at 1785 3<sup>rd</sup> Avenue East c/o Kevin Ranalli.
5. Consideration of a request to rename Sun Terrace Street to Sun Terrace Drive.

##### **MOTION:**

Vice Mayor Lanting made the motion to approve the Consent Calendar as presented. The motion was seconded by Councilperson Clow and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

##### **II. ITEMS FOR CONSIDERATION:**

1. Consideration of a request to waive the fees as part of the in lieu of park land dedication for the Platinum Trio Subdivision.

Parks & Recreation Director Bowyer reviewed the request.

The Parks & Recreation Commission recommends that the City Council accept the developer's request to pay fees in lieu of park land dedication as part of the park ordinance and to waive those fees.

Discussion followed.

Council directed staff to review City Code Section 10-12-3(F) in regards to the in lieu formula. The formula appears to be discouraging in fill projects.

Councilperson Clow suggested that staff review the pressure irrigation regulations.

##### **MOTION:**

Vice Mayor Lanting made a motion to accept the in lieu application and to waive the in lieu payment amount of \$2,609.73 for the Platinum Trio Subdivision. The motion was seconded by Councilperson Johnson and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

2. Consideration of the request to schedule a public hearing date of October 10, 2011, to consider a proposal to increase fees at the Twin Falls Golf Club.

Park & Recreation Director Bowyer reviewed the request.

The Golf Advisory Commission formed a sub-committee to review the fees at the golf course. The sub-committee along with PGA Golf Pro Steve Meyerhoeffer and his assistant Travis Hofland met to discuss fees. The sub-committee developed a policy that stated three issues:

- 1) Simplified the rates by reducing the number of categories
- 2) Same green fee rates on weekends as weekdays
- 3) The couple's (adult & senior) season pass is \$250 added on to a single's season pass.

The daily green fees and the season passes are the only fees that are proposed to change for the 2012 season. Of the eight proposed changes in the fees, two are being reduced, two are below a 5% increase, and the other four range from a 6.67% to a 10% increase.

Staff recommends the City Council set October 10, 2011 at 6:00pm as the date and time for the public hearing to consider adopting the proposed fee changes recommended by the Golf Advisory Commission.

Staff was directed to have the Golf Advisory Commission along with PGA Pro Steve Meyerhoeffer review the fees at the Twin Falls Golf Club.

**MOTION:**

Councilperson Johnson made a motion to set October 10, 2011 at 6:00pm as the date and time for the public hearing to consider adopting the proposed fee changes recommended by the Golf Advisory Commission. The motion was seconded by Vice Mayor Lanting.

Discussion followed:

Councilperson Clow stated that he had suggested to the committee to no longer have the sales tax included in the rate (fee). He asked why it wasn't accepted. Councilperson Lanting stated that it was to ease convenience for the pro shop help.

City Manager Rothweiler stated that he would consult with the City Attorney in regards to sales tax prior to the public hearing.

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

3. Consideration of adoption of an ordinance regarding a request for annexation and Zoning District Change and Zoning Map Amendment from R-2 to C-1 PUD on property located at 1631 Grandview Drive North and consideration of adoption of a PUD Agreement between the City of Twin Falls and the Twin Falls Reformed Church, c/o Mike Smit on behalf of the Twin Falls Reformed Church. (app.2458)

Community Development Director Humble reviewed the request.

The ordinance and the PUD Agreement have been prepared as directed by the Council and are recommended for adoption as submitted.

Staff recommends that the Council adopt the attached ordinance and PUD Agreement as submitted.

**MOTION:**

Councilperson Johnson made the motion to suspend the rules and place Ordinance #3013, entitled:

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.

on third and final reading by title only. The motion was seconded by Councilperson Kezele 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:**

Councilperson Craig made the motion to adopt Ordinance #3013 as presented. The motion was seconded by Vice Mayor Lanting and roll call vote showed members present voted in favor of the motion. Approved 7 to 0.

**MOTION:**

Councilperson Kezele made the motion to approve the PUD Agreement for the Twin Falls Reformed Church PUD C-1 Planned Unit Development Agreement as presented. The motion was seconded by Councilperson Johnson and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

Councilperson Clow stated his concern that the retention pond at the Reformed Church is attracting mosquitoes and moss.

Community Development Director Humble stated that staff would take a look at the pond.

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

Councilperson Clow stated that the Citizen Finance Committee meeting is to be held on September 27, 2011. The following are members and terms of the Committee:

Darrell J. Buffalo	1 year term	Expired September 27 ,2011
Brent Jussel	1 year term	Expired September 27, 2011
Debbie Lattin	2 year term	Expires September 27, 2012
Brandi Turnipseed	2 year term	Expires September 27, 2012
Brent White	3 year term	Expires September 27, 2013

Recess: 5:32 P.M.  
Reconvened: 6:02 P.M.

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

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

1. Consideration to adopt an Ordinance for the Amendment of the Fiscal Year 2010-11 Budget.

Budget Coordinator Huber reviewed the request.

This is an end of the fiscal year formality to ensure compliance with the Appropriations Ordinance passed for the current fiscal year. All of the expenditures have been previously reviewed and approved by Council. Appropriations ordinance No. 2990 needs to be amended by \$14,529,776.

Discussion followed:  
-Fireworks fund.

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

Discussion followed:  
Councilperson Clow asked how much money remained in the sanitation fund in reserves after recycling costs were paid. Chief Finance Officer Race stated that \$400,000 was taken out of the \$1.1 million for recycling.

**MOTION:**

Councilperson Johnson made the motion to suspend the rules and place Ordinance #3014, entitled:  
AN ORDINANCE OF THE CITY OF TWIN FALLS, IDAHO, AMENDING ORDINANCE NO. 2990, THE APPROPRIATION ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2010, AND ENDING SEPTEMBER 30, 2011; APPROPRIATING ADDITIONAL MONIES THAT ARE TO BE RECEIVED BY THE CITY OF TWIN FALLS, IDAHO, IN THE SUM OF \$14,529,776; AND PROVIDING AN EFFECTIVE DATE.

on third and final reading by title only. The motion was seconded by Councilperson Kezele 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:**

Councilperson Johnson made the motion to adopt Ordinance #3014 as presented. The motion was seconded by Councilperson Clow and roll call vote showed members present voted in favor of the motion. Approved 7 to 0.

**MOTION:**

Councilperson Kezele made the motion to approve the PUD Agreement for the Twin Falls Reformed Church PUD C-1 Planned Unit Development Agreement as presented. The motion was seconded by Councilperson Johnson and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

2. Consideration to adopt the Utility Rate Resolution for fiscal year 2011-2012, following a public hearing to increase: Water rates, Sewer rates, Garbage collection fees.

Chief Finance Officer Race reviewed the request.

Staff recommends that the Council adopt the new utility rate resolution, effective October 1, 2011.

Discussion followed:

- Water Fund
- Sewer Fund
- Garbage Collection Fees
- Incentive based recycling program
- Twin Falls County Landfill Costs
- Pressure irrigation

The public testimony of the hearing was opened:

Jim Schouten, 229 Tyler Street, spoke against increased fees.

Pete Johnston, 312 Washington Street South, spoke against increased rates. He asked why the City does not buy 2-door trucks rather than 4-door trucks.

Lorene Dean, 253 Blue Lakes Blvd., stated that she is on a fixed income and cannot budget more increases.

LJ Muir, 776 Academic Drive, spoke against increased rates. He stated that taxpayers are getting less and paying more.

Lilas & Micahel Talley, 1351 7th Avenue East, submitted a letter into the record.

Public Works Director Caton stated that the Water and Street Department would share the water dump truck. Discussion has been made over 4-door trucks versus the purchase of 2-door trucks. 4-door trucks are kept over a perceived period of 15 years. After a truck is used in one department it is passed onto another department for use. The price difference between the trucks is not significant.

Chief Finance Officer Race stated that she could only speculate as to why water revenues are down.

City Manager Rothweiler explained the increase of the Southern Idaho Solid Waste District.

Councilperson Johnson stated that the recycling program was never presented as a cheaper or a no cost alternative.

The public hearing was closed at 7:49 P.M.

Recess: 7:50 P.M.

Reconvened at 8:02 P.M.

Deliberations.

**MOTION:**

Councilperson Clow made the motion to approve Resolution 1871, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, ESTABLISHING SEWER CONNECTION FEES AND USER CHARGES; ESTABLISHING WATER CONNECTION FEES AND USER CHARGES; ESTABLISHING PRESSURE IRRIGATION FEES; PROVIDING FOR COMMERCIAL CLASS USER RELIEF; ESTABLISHING GARBAGE AND RUBBISH COLLECTION FEES; PROVIDING FOR A POLICY ON DELINQUENT ACCOUNTS; AND PROVIDING FOR AN EFFECTIVE DATE.

The motion was seconded by Councilperson Lanting.

**MOTION:**

Councilperson Clow made the motion to amend the Resolution to increase the monthly water rate to 3% and the monthly pressurized irrigation user rate to 3%. The motion was seconded by Councilperson Lanting.

Discussion followed:

Chief Finance Officer Race stated that she will be monitoring revenues and if at any point the debt coverage ratio dips below 125% staff will come back to Council to increase rates.

City Manager Rothweiler stated for clarification that if \$110,000 to \$115,000 is cut out the budget, the same needs to be cut in the expenditure side of the budget.

**MOTION:**

Councilperson Johnson made the motion to table the amendment to the motion to increase the monthly water rate to 3% and the monthly pressurized irrigation user rate to 3% from the 5% presented. The motion was seconded by Councilperson Kezele. Roll call vote showed Councilpersons Craig, Hall, Johnson, Kezele, Lanting and Sojka voted in favor of the motion. Councilperson Clow voted against the motion. Approved 6 to 1.

**MOTION:**

Councilperson Clow made an amendment to the motion to Sanitation to increase to \$1.37 per household per month. The motion was seconded by Vice Mayor Lanting and roll call vote showed Councilpersons Clow, Craig, Hall, Kezele, Lanting and Sojka voted in favor of the motion. Councilperson Johnson voted against the motion. Approved 6 to 1.

**MOTION:**

Councilperson Clow made the motion to bring off the table the monthly water rate to 3% and the monthly pressurized irrigation user rate to 3% from the 5%. The motion was seconded by Vice Mayor Lanting. Councilperson Clow redacted his motion with the approval of his second Vice Mayor Lanting.

Roll call vote on the main motion as amended showed Councilperson Clow, Hall, Johnson, Lanting and Sojka voted in favor of the motion. Councilperson Craig and Kezele voted against the motion. Approved 5 to 2.

Council directed staff to schedule a meeting with the 2011 Recycling Committee to review the current Recyclebank Program.

V. **ADJOURNMENT:** The meeting adjourned at 8:58 P.M.

Leila A. Sanchez  
Deputy City Clerk/Recording Secretary