

**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**  
**April 04, 2011**  
 City Council Chambers  
 305 3<sup>rd</sup> 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:** Child Abuse Prevention Month. Ruby Hite, Twin Falls Center Supervisor, CSI /Head Start/Early Head Start

AGENDA ITEMS	Purpose	By:
<b>I. <u>CONSENT CALENDAR:</u></b> 1. Consideration of accounts payable for March 29 – April 4, 2011. 2. Consideration of the March 28, 2011, Minutes. 3. Consideration of a request to accept a deferral agreement for curb, gutter, sidewalk and driveway improvements on property located at 3239 Addison Avenue East c/o Glen Leavitt. 4. Findings of Fact, Conclusions of Law, and Decision: a. Final Plat Application, Settler’s Ridge Subdivision No. 3. b. Final Plat Application, Pinnacle West Condominiums Subdivision c/o Plaza Building/Fran Florence.	<u>Action</u>	<u>Staff Report</u> S. Bryan L. Sanchez T. Vitek  Mitch Humble
<b>II. <u>ITEMS FOR CONSIDERATION:</u></b> 1. Presentation of a service plaque to John Bonnett in recognition of his service on the Parks & Recreation Commission. 2. Consideration of a request for the Twin Falls City Council to grant the Twin Falls City Code Enforcement Officer the authority to tag abandoned vehicles for tow. 3. Discussion and possible action on Citizen Finance Committee’s recommendation for the development of a ten-year capital expense and funding plan. 4. Consideration of a request to authorize staff to begin working on the creation of policies and procedures regulating the development and operation of community gardens. 5. Consideration of a request from Twin Falls County to waive the building permit fee for an addition to their building located at 239 3rd Ave. North. 6. Consideration of a request for approval of the final plat for Locust Grove Condominiums, six (6) condominium units on 1.75 acres on property legally described as Lot 6, Block 1, Locust Grove PUD Subdivision aka 1411 Falls Avenue East, Suite 1001 c/o EHM Engineers, Inc./ Gerald Martens. 7. Public input and/or items from the City Manager and City Council.	Presentation  Action  Discussion  Action  Action  Action	Dennis Bowyer  Dennis Pullin  Brandi Turnipseed Mitch Humble  Mitch Humble  Mitch Humble
<b>III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u></b>		
<b>IV. <u>PUBLIC HEARINGS:</u> <span style="float: right;">6:00 P.M. – None.</span></b>		
<b>V. <u>ADJOURNMENT:</u></b> to 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. <span style="color: red;">Executive Session 67-2345(1)(f) To consider and advise its legal representatives in pending litigation or where there is a general public awareness of probable litigation.</span>		

*\*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, William Kezele, Gregory Lanting, Rebecca Mills Sojka

Absent: None.

Staff Present: City Manager Travis Rothweiler, City Attorney Fritz Wonderlich, City Engineer Jackie Fields, Community Development Director Mitch Humble, Parks & Recreation Director Dennis Bowyer, Staff Sergeant Dennis Pullin, Deputy City Clerk/Recording Secretary Leila A. Sanchez.

CONSIDERATION OF THE AMENDMENTS TO THE AGENDA: None.

PROCLAMATIONS: Child Abuse Prevention Month. Ruby Hite, Twin Falls Center Supervisor, CSI /Head Start/Early Head Start Mayor Clow presented the Proclamation to Ruby Hite. Ruby Hite gave a brief summary of the resources given to families in the community.

### AGENDA ITEMS

#### I. CONSENT CALENDAR:

1. Consideration of accounts payable for March 29 – April 4, 2011, total: \$140,203.98  
Payroll April 1, 2011, total: \$103,648.56  
Fire Payroll, total: \$50,174.69
2. Consideration of the March 28, 2011, Minutes.
3. Consideration of a request to accept a deferral agreement for curb, gutter, sidewalk and driveway improvements on property located at 3239 Addison Avenue East c/o Glen Leavitt.
4. Findings of Fact, Conclusions of Law, and Decision:
  - a. Final Plat Application, Settler's Ridge Subdivision No. 3.
  - b. Final Plat Application, Pinnacle West Condominiums Subdivision c/o Plaza Building/Fran Florence.

#### MOTION:

Councilperson Clow made the motion to approve the Consent Calendar as presented. 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.

#### II. ITEMS FOR CONSIDERATION:

1. Presentation of a service plaque to John Bonnett in recognition of his service on the Parks & Recreation Commission.

Parks & Recreation Director Bowyer reviewed the request.

Staff recommends the City Council honor John Bonnett for his 6 years of service to the Parks & Recreation Commission and to the City of Twin Falls.

Mayor Hall and Councilperson Liaison Craig presented the plaque to John Bonnett.

2. Consideration of a request for the Twin Falls City Council to grant the Twin Falls City Code Enforcement Officer the authority to tag abandoned vehicles for tow.

Staff Sergeant Pullin reviewed the request.

The request is to ask the Twin Falls City Council to appoint Code Enforcement Officer Sean Standley to assist with tagging abandoned vehicles when he observes them while performing his normal duties or when citizens contact him. The assistance from Sean Standley will save the time of contacting City Dispatch and sending a Police Officer or a Community Service Officer to the scene when Sean is already there. Twin Falls Police Officers or Community Service Officers will handle the impounding of vehicles that Sean has tagged for the Police Department.

Discussion followed:

City Attorney Wonderlich stated that the officer would need to be appointed by the City Council.

**MOTION:**

Councilperson Clow made a motion to approve a change in city policy authorizing Twin Falls City Code Enforcement Officer Sean Standley to tag abandoned vehicles for tow according to Idaho Code Title 49 -18- 04 and 49- 102- 18. The motion was seconded by Vice Mayor Lanting and roll call vote showed all members present voted in favor of the motion.

3. Discussion and possible action on Citizen Finance Committee's recommendation for the development of a ten-year capital expense and funding plan.

Brandi Turnipseed, Chairperson for the Citizen Finance Committee, gave an overview of what the committee is and how the committee has come with the presentation tonight. The meeting was formed in 2010. The committee's mission is to advise the members of City Council in the areas of municipal finance, budgeting and long-term planning, and to serve as an advocate group for the citizens and city and to assess delivery methods and techniques and recommend best practice alternatives. The outcomes are to create openness and transparency of the city's government operations and to develop recommendations related to the city structure capital funding expenditures and public investments. These areas are not under the purview established by the city committee unless specifically assigned by the city council.

The committee has received great education from city staff and from Council Members and would like to thank Travis Rothweiler and Lorie Race for the education. That education has included some review of city finances and documentation and economic dashboards on a monthly basis. Those reviews have actually included four primary funds: general, street, capital and sewer funds. In January of 2011 a Special Meeting was held to provide the committee a task. The tasks involved city projects of Eastland Drive, the Wastewater Treatment Facility and the Harrison Reservoir project. At that time, the committee was charged at looking at those developments and moving forward a recommendation for City Council on how to proceed with those projects and have a recommendation of a possible finance structure. The committee actually held a Special Work Session, and at that time the committee was able to come together and look at the information presented to the committee by the City and also look at some of the financial information. Travis Rothweiler participated in the meeting as well to provide additional information. At that time the consensus of the committee that not enough information was provided to make a recommendation to the city on how to proceed with those projects. The committee could not see a snapshot of what the city looks like, what the plans of the city look like in five years or ten years, and how decisions would be made to go forward. At that time the committee unanimously passed the following motion:

"That the City Council request a comprehensive ten year capital expense and funding plan be submitted by City staff which forecasts all capital costs as a prerequisite to any decision to proceed or fund capital projects either by use of unrestricted cash or any debt instrument. To facilitate preparation of that plan the Citizens Finance committee is providing a "City of Twin Falls Ten Year Capital Expense and Funding Plan" template that defines in most terms the output product requested of staff."

Brent White stated that the process of managing the city's finances is a huge and complex challenge that the Council has. The Strategic Plan, the Five Year Plan, the Comprehensive Plan, and Water Plan are very well prepared through documents. The Council are the elected officials in charge of managing one of the largest, conglomerate, holding companies in Southern Idaho. Using a PowerPoint presentation he reviewed the Eastland Project, the water delivery system, the wastewater treatment plant, and various other projects. In conclusion things have changed in our economy and have impacted the city. Property tax revenues have decreased. The State may consider cutting municipal distribution of property tax or sales tax revenues to the City, which may impact the city in the future. Bond financing was also included in the discussion along with many scenarios of what might happen in future costs.

The committee believes that the Council has the capacity to handle the challenges and that the Council has to have the right tools. The recommendation is that the staff provide the projection of all costs of operating the city in a ten year period. On overhead projection he showed a "Summary of General Fund, Capital Costs for a Ten Year Period".

Discussion followed:

Councilperson Clow stated that the past year the Council has been presented by staff with a five year model which includes the 6 -10 year column which has many of the numbers the committee is discussing.

Brent White commented that the committee is responding to what was felt by the Council. There are surprises in the numbers. There are things that happen that are unpredicted. The committee feels that if the Council has to deal with something that is significant and surprising, something is wrong. The committee's goal is that the Council has everything possible so that is not the case.

Brent Jussel stated that from his perspective the five year plan that has been described to the committee identifies for the Council's benefit the things that are expected to be done in that five year period. What it isn't telling the Council is what is not getting done during the five year period.

Council Clow stated he struggled with the proposed motion included are the following word "all" and "pre-requisite".

Darrell Buffaloe stated that he made the comment of all. All would help to serve the citizens of Twin Falls better. There may be unexpected opportunities that fall in the City's lap.

Councilperson Clow stated that he feels comfortable with the five year term plan and the 6 to 10 year, because the economy changes so much. There are limits on how much can be collected. He is concerned that what is being proposed is too elaborate of a plan.

Councilperson Rothweiler explained that last year a five year document was developed. The five year planning document was the culmination of all the planning documents that the Council helped build. Staff is in the process of developing the five year plan called a Version 2. As shown on overhead projection the column on the right shows expenditures showing levels of service that have been established by the planning documents by planning directives and best practices, by staff, professional judgment and expertise. The column on the right will list resources. The intent the committee is asking for is for at least the first five years.

Councilperson Lanting asked the Finance Department that if the motion was passed would staff be able to handle the work that would be entailed.

Finance Director Race stated that the Finance Department is limited on time. Right now the department is working on audits, budget, and long term planning.

City Manager Rothweiler stated that one of the things is to get the Council involved in the budget process earlier than prior years. He gave a brief review of the budgeting schedule.

Councilperson Mills Sojka said that what she has heard tonight is to plan better and to have an idea of being more proactive and a list of projects that are important to the people.

Councilperson Johnson stated that the proposed motion needs to be fleshed out and discussed between staff and the committee. It may not have to come back to the Council. The committee has given the Council a directive with their proposed motion.

In conclusion extensive discussion was made on the development of a ten-year capital expense and funding plan.

No action taken.

4. Consideration of a request to authorize staff to begin working on the creation of policies and procedures regulating the development and operation of community gardens.

Mitch Humble reviewed the request.

At the February 28, 2011 Council meeting, there was a request scheduled for the Council to consider approval of a request to install and operate a community garden on a portion of Harrison Park. Staff removed that item from the agenda because we wanted to perform a larger scale review on the issue of community gardens. A group of employees and Parks & Recreation commissioners has met to discuss community gardens and the larger issues that may come up with community garden requests. We believe that community gardens can be a value to the City's residents. However, we also feel that there are several questions that should be considered prior to establishing a community garden, especially on public property.

Staff recommends that the Council authorize staff to begin work on the creation of policies and procedures regulating the development and operation of community gardens.

Discussion followed:

Councilperson Mills Sojka stated that this is a great idea to have a policy before getting deep into a situation before having guidelines.

Councilperson Clow stated Harrison Park was the initial request and there are valid questions that need to be addressed. He suggested that staff investigate what other cities' policies have in place.

Community Development Director Humble stated that other cities and national organizations have a community garden in place.

Councilperson Craig stated that Mr. Newman gave the presentation on a community garden. He stated that he would have liked Mr. Newman to discuss a community garden with City Attorney Wondelrich

Directed staff to begin work on the creation of policies and procedures regulating the development and operation of community gardens. Councilperson Mills Sojka and Councilperson Craig volunteered to serve on the committee.

5. Consideration of a request for approval of the final plat for Locust Grove Condominiums, six (6) condominium units on 1.75 acres on property legally described as Lot 6, Block 1, Locust Grove PUD Subdivision aka 1411 Falls Avenue East, Suite 1001 c/o EHM Engineers, Inc./ Gerald Martens.

Mitch Humble reviewed the request.

Twin Falls County is proposing to add a patio cover to their building at 239 3<sup>rd</sup> Ave. North. They recently submitted an application for a building permit to construct the addition. The County has submitted a letter requesting that the building permit fees be waived for this project. The fees for building permit application #1100561 are \$112.99.

Discussion followed:

Gerald Martens stated that the building has 3 ground floor units.

**MOTION:**

Vice Mayor Lanting made a motion to approve the final plat for Locust Grove Condominiums, six (6) condominium units on 1.75 acres on property legally described as Lot 6, Block 1, Locust Grove PUD Subdivision aka 1411 Falls Avenue East, Suite 1001 c/o EHM Engineers, Inc./ Gerald Martens, as presented, with the following conditions:

1. Subject to compliance with the building code for condominiums.

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.

6. Consideration of a request from Twin Falls County to waive the building permit fee for an addition to their building located at 239 3<sup>rd</sup> Ave. North.

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Councilperson Mills Sojka disclosed that Leon Mills with the County of Twin Falls is her father. She discussed this with City Attorney Wonderlich and there appears to be no conflict of interest.

Community Development Director Humble reviewed the request.

Twin Falls County is proposing to add a patio cover to their building at 239 3<sup>rd</sup> Ave. North. They recently submitted an application for a building permit to construct the addition. The County has submitted a letter requesting that the building permit fees be waived for this project. The fees for building permit application #1100561 are \$112.99.

Discussion followed:

Councilperson Clow asked if other fees had been waived for other Twin Falls County projects.

City Attorney Rothweiler stated that perhaps the city has a policy to develop that certain fees are appropriate to be waived and the County waive City fees in exchange.

**MOTION:**

Councilperson Clow made the motion to approve the waiver of \$112.99 plus have staff visit with the County Commissioners to establish a policy between the two entities for future considerations. 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.

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

City Manager Rothweiler stated that the City's petition for "ordinary and necessary" was approved by the Judge today.

Mayor Hall stated that Rebecca Mills Sojka will be attending the Idaho Department of Commerce "Idaho Rural Community Forums" on April 21, 2011, to be held at Idaho State Police office from 9:00 a.m. to 3:30 p.m.

Vice Mayor Lanting stated that ESGR Bosslift operation will be in June in Boise

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

**IV. PUBLIC HEARINGS: 6:00 P.M. – None.**

**V. ADJOURNMENT: to 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.**

Executive Session 67-2345(1)(f) To consider and advise its legal representatives in pending litigation or where there is a general public awareness of probable litigation.

**MOTION:**

Councilperson Lanting made the motion to adjourn to Executive Session as presented. The motion was seconded by Vice Mayor Lanting and roll call vote showed all members present voted in favor of the motion. Approve 7 to 0.

Adjourned at 7:03 PM.

Leila A. Sanchez  
Deputy City Clerk/Recording Secretary