

COUNCIL MEMBERS:

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



MINUTES
 Meeting of the Twin Falls City Council
Monday, October 24, 2011
 City Council Chambers
 305 3rd 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: Military Family Month

AGENDA ITEMS	Purpose	By:
I. <u>CONSENT CALENDAR:</u> 1. Consideration of accounts payable for October 17 – 24, 2011. 2. Consideration of the October 17, 2011, City Council Minutes. 3. Consideration of a request to approve the 21 st Annual Christmas in the Night Time Sky event sponsored by Kimberly Nurseries to be held at 2862 Addison Avenue East on November 25, 2011. 4. Consideration of a request for approval of the Annual Festival of Lights Parade, sponsored by the Times News, to be held on Friday, December 2, 2011.	<u>Action</u>	<u>Staff Report</u> Sharon Bryan L. Sanchez Dennis Pullin Dennis Pullin
II. <u>ITEMS FOR CONSIDERATION:</u> 1. Consideration of hiring Region IV Development Corporation to serve as a Grant Administrator for the City of Twin Falls on Idaho Community Development Block Grants and Federal Grants. 2. Consideration of an ordinance amending City Code 6-3-8(B) by requiring circulation of a petition for an animal permit to all households within 300 feet of the applicant's property. 3. Consideration of an Inspection Services Agreement between the City and the Idaho Division of Building Safety. 4. Discussion of possible action regarding redistricting commission proposals. 5. Public input and/or items from the City Manager and City Council.	Action Action Action Discussion	Travis Rothweiler Mitch Humble Mitch Humble Lance Clow
III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u>		
IV. <u>PUBLIC HEARINGS:</u> 6:00 – None.		
V. <u>ADJOURNMENT:</u>		

**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 A. Kezele, Greg Lanting, Rebecca Mills Sojka
Absent: None
Staff Present: City Manager Travis Rothweiler, City Attorney Fritz Wonderlich, Community Development Director Mitch Humble, Staff Sergeant Dennis Pullin, 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.

CONSIDERATION OF THE AMENDMENTS TO THE AGENDA: None.

PROCLAMATIONS: Military Family Month

Mayor Hall read the proclamation and presented it to Vice Mayor Lanting, Chairperson of the 116th Welcome Home Committee, accepted the Proclamation.

AGENDA ITEMS

I. CONSENT CALENDAR:

1. Consideration of accounts payable for October 18– 24, 2011, total: \$528,704.13. September, 2011, total: \$462,107.55.
2. Consideration of the October 17, 2011, City Council Minutes.
3. Consideration of a request to approve the 21st Annual Christmas in the Night Time Sky event sponsored by Kimberly Nurseries to be held at 2862 Addison Avenue East on November 25, 2011.
4. Consideration of a request for approval of the Annual Festival of Lights Parade, sponsored by the Times News, to be held on Friday, December 2, 2011.

MOTION:

Vice Mayor Lanting made a motion to approve the Consent Calendar as presented. The motion was seconded by Councilperson Craig 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 hiring Region IV Development Corporation to serve as a Grant Administrator for the City of Twin Falls on Idaho Community Development Block Grants and Federal Grants.

City Manager Rothweiler reviewed the request. The City of Twin Falls requested proposals from firms interested in providing planning, development, grant writing, and administration services on upcoming projects for a period of three years. It is the intent of the City to select a qualified professional or organization to provide services on various projects for the purposes of economic development, public facilities, senior/community center, and other public infrastructure projects.

Carleen Herring, Region IV, was present.

MOTION:

Councilperson Mills Sojka made a motion to approve hiring Region IV Development Corporation to serve as a Grant Administrator for the City of Twin Falls on Idaho Community Development Block Grants and Federal Grants. 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.

2. Consideration of an ordinance amending City Code 6-3-8(B) by requiring circulation of a petition for an animal permit to all households within 300 feet of the applicant's property.

Community Development Director Humble reviewed the request.

Discussion followed:

- Signatures and addresses will be verified.
- The language on the animal permit application will be updated.

MOTION:

Vice Mayor Lanting made the motion to suspend the rules and place Ordinance #3018, entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, AMENDING TWIN FALLS CITY CODE §6-3-8(B) BY REQUIRING CIRCULATION OF PETITIONS FOR ANIMAL PERMITS TO ALL HOUSEHOLDS WITHIN THREE HUNDRED FEET OF THE APPLICANT'S PROPERTY.

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 Clow made the motion to adopt Ordinance #3018, 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.

3. Consideration of an Inspection Services Agreement between the City and the Idaho Division of Building Safety.

Community Development Director Humble reviewed the request.

Staff recommends that the City Council approve the Inspection Services Agreement.

Discussion followed.

- Number of electrical, mechanical and plumbing inspections a month.
- State inspectors are based in Jerome.
- Budget if the State took over inspections. \$7,000 is in the budget to cover expenses.

City Manager Rothweiler stated when reductions were made in the staff; discussion was made to insure that citizens were receiving the levels of service they deserve through the building trades and building inspections.

Brad Wills, 222 Shoshone Street West, stated that dealing with inspections locally is preferred and spoke in favor of the request.

Councilperson Clow recommended that staff be sensitive to the appeal process.

Community Development Director Humble stated that staff has a series of hierarchy with the State. He also stated there is an appeal board.

MOTION:

Councilperson Johnson made the motion to approve the Inspection Services Agreement between the City and the Idaho Division of Building Safety as presented. The motion was seconded by Vice Mayor Lanting and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

4. Discussion of possible action regarding redistricting commission proposals.

Councilperson Clow stated that the redistricting commission made a recommendation regarding redistricting the legislative district for the State of Idaho. He gave an overview of the recommendation. He stated that he believes that the plan to divide Twin Falls County does not appear to be in compliance with the Constitution and statutory requirements.

Representative Steve Hartgen explained the recommendation.

An email received from Randy Hansen was entered into the record.

Council discussion followed.

Council directed staff to set up an Executive Session for November 7, 2011, to discuss possible action regarding the redistricting of L-87, with Grant Loeb, Twin Falls County.

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

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

IV. PUBLIC HEARINGS: 6:00 – None.

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V. ADJOURNMENT: The meeting adjourned at 6:30 P.M.

Leila A. Sanchez

Deputy City Clerk/Recording Secretary

Leila Sanchez - Fwd: Redistricting

From: Travis Rothweiler <trothweiler@tfid.org>
To: Lsanchez@tfid.org
Date: 10/22/2011 7:23 AM
Subject: Fwd: Redistricting
CC: williamk@cableone.net

Leila,
 Will you add the letter to the public record? Thanks.

Travis Rothweiler
 Sent from my iPhone

Begin forwarded message:

From: "William Kezele <williamk@cableone.net>" <williamk@cableone.net>
Date: October 21, 2011 11:36:25 PM MDT
To: "David Johnson" <Djohnson@tfid.org>, "Fritz Wonderlich" <Fwonderl@tfid.org>, "Greg Lanting" <Glanting@tfid.org>, "Rebecca Sojka" <RSojka@tfid.org>, "Trip Craig" <Teraig@tfid.org>, "Travis Rothweiler" <TRothweiler@tfid.org>, "Don Hall" <DHall@csi.edu>, "Lance Clow" <lance@lanceclow.net>
Subject: **Fwd: Redistricting**

Travis, here is a letter I received from Randy Hansen. Please include this as part of the public record to be viewed during Monday's Council Meeting.
 Thanks
 Will Kezele

----- Forwarded message -----

From: **Randy Hansen** <randyhansen@cableone.net>
Date: Fri, Oct 21, 2011 at 12:58 PM
Subject: Redistricting
To: William Kezele <williamk@cableone.net>

Dear Councilman Kezele, □

Thank you for contacting me and expressing your concerns regarding the redistricting of Twin Falls County and the loosing of representation. May I first state plainly the mandate that the commission was under and how this required our conclusion. When considering a plan for the entire State of Idaho not just a county we must 1. follow the requirements of the 14th Amendment of the United States Constitution which mandates that legislative districts be as equal in size as possible. The principle of one person/one vote is sacred in reapportionment. 2. The commission must follow the Idaho Constitution which mandates, in Article III, 5 that , "a county may be divided in creating districts only to the extent it is reasonable determined by statute that counties must be divided to create senatorial and representative districts". (Reference Bingham county v. Idaho Commission for Reapportionment "counties may not be divided unnecessarily." 3. We must respect traditional neighborhoods and communities of interest and avoid subordinating the interest of one group to those of another by unnecessarily combining dissimilar groups or regions. 4 No gerrymandering. □

Now that I have laid the foundation, I will say that we spent more time on south central Idaho than any location in the state. Because of the respect we have for Grant Lobbs we looked at his plan in every fashion and tried to implement his ideas in a plan that would meet our constitutional requirement of one vote for one person. I recognize that his plan was well thought out but did not meet the requirements of one vote for one person. There were many other concerns that effected which would divide counties even more counties to bring the plan presented by Mr. Lobbs in compliance with the 14th amendment. □

Now to address some concern that you have raised. The previous commission and this commission determined the Twin Falls County must be split. The reasoning is two fold. To make a district hit the magic number is 44,887. Twin Falls County has a total population of 77,230 . We are mandated to have one district within the county and part of another. I and my fellow commissioners were a little taken back that Twin Falls City is not elated to have their own representation. We made a concerted effort to include over 90% of the city within the district. All testimony we received and the previous commission said keep the cities in tact. Pocatello, Idaho Falls, Coeur D' Alene, Moscow, Lewiston, Nampa, Caldwell, Boise along with many small communities such as St Maries, and Mountain Home all pleaded that the cities be kept in whole to give the more metropolitan community a voice. Twin Falls is the only community we heard which asked the city to be split. Contrast that with the plea from the agricultural community which asked over and over that they not be

included with the cities for it dilutes their voice in the House of Representatives and the Senate. I would point out that not a single community is divided in L-87 and the voice of the ag is firmly entrenched. Take the division of Twin Falls County there now will be one Senator and two Representatives representing the City and two Senators and four members of the House of Representatives talking more about agricultural issues. I have trouble believing that we in Twin Falls County are that much out of step with the rest of the State. I would like to speak of the effort to clean up district lines and make it more conducive for the Clerks to make precincts. If you look at the plan district 35 (if I remember right) uses highway 93 on the west, the canyon on the north, Orchard and 3600n on the south and Hankins road on the east. These are clean lines to make new precincts. □

I must point out that the biggest challenge that faces Twin Falls County has to do with our neighbors. Take District 26 which combined us with Cassia and Power. Not a single member of the commission desired to put Twin Falls Agricultural with Cassia and Power County. The reality is that Cassia and Power Counties both lost population and Twin Falls grew at a fantastic rate. This requires previous districts to move east of west. Oneida County did not have sufficient population and we needed that to make Bannock County whole. You could go north to Minidoka County and you would have to much population so that would require you to divide Minidoka County another county split. The natural flow because Nevada is on the bottom is that the population must come from Twin Falls County. The same holds true from the west. Owyhee County is one of the the larger geographic counties in the State but there is no population. There are only three ways to go with adjoining counties. North into Ada or Canyon, north east into Elmore County (this option still left the district over 10,000 short and last of all Twin Falls County. Now you can see the indecencies we faced. Twin Falls County is 10,000 short of having a second district which requires it to be split. □

As concerning following the mandate by the courts of Idaho not to split counties Mr. Lobbs and I differ on interpretation of the splitting □ of Twin Falls county. Mr. Lobbs feels that the county is divided into three thus having two splits. I do respect his opinion on the matter for he is very astute in the matters. □ We as a commission did not take his concerns lightly but in my conversation with council we found a different conclusion. Because District 24 has a totally contained district within its boundaries technically there is only one split within the county that being between district 23 and 27 using highway 93 as a divider. □

Again I must say that I have the highest regard for those who have brought concerns before you and the council. We had conflicting testimony in Boise. Twin Falls representatives stood up and said they wanted to combine with Gooding. Shortly after someone representing Gooding County stood up and said they did not want to go with Twin Falls but Elmore County. This has been a hard process but we feel that keeping as few county splits, keeping communities together and most importantly one vote for one person was our priority. □

If I can be of more help please you and the fellow council members may feel free to call me.

Randy Hansen □