

COUNCIL MEMBERS:

SHAWN	LANCE	TRIP	GLENDA	DON	DAVID E.	GREG
BARIGAR	CLOW	CRAIG	DWIGHT	HALL	JOHNSON	LANTING
	<i>Mayor</i>		<i>Vice Mayor</i>			



MINUTES

Meeting of the Twin Falls City Council
MONDAY, JANUARY 07, 2008
City Council Chambers
305 3rd Avenue East Twin Falls, Idaho

PLEDGE OF ALLEGIANCE TO THE FLAG

CALL MEETING TO ORDER: 5:00 P.M.

AGENDA ITEMS

OLD BUSINESS:

I. CONSENT CALENDAR:

1. Consideration of accounts payable: 12-18-2007 TO 1-07-2008.
2. Consideration of the December 17, 2007, Minutes.

Reorganization of the City Council.

NEW BUSINESS:

I. CONSENT CALENDAR:

1. Consideration of approval of the Planned Unit Development Agreement for River Vista PUD
2. Consideration of approval of the Planned Unit Development Agreement for Canyon Ridge High School PUD
3. Findings of Fact, Conclusions of Law, and Decision:
 - a. Rezone Application, Mike Ajeti c/o EHM Engineering
4. Consideration of a request to approve the Improvement Agreement for Developments for:
 - a. Canyon Properties, LLC, Canyon Trails Subdivision No. 7
 - b. Canyon Properties, LLC, Canyon Trails Subdivision No. 8
 - c. Canyon Properties, LLC, Canyon Trails Subdivision No. 9
5. Curb-Gutter Improvement Deferral Agreements for Easterday Rental, LLP, 2129 Eldridge Avenue.
6. Driveway Improvement Deferral Agreements for:
 - a. Highland Investments, LLC, 2107 Eldridge Avenue.
 - b. Easterday Rental, LLP, 2139 Eldridge Avenue.

II. ITEMS FOR CONSIDERATION:

1. Consideration of a request to approve the 2008 Certified Local Government grant application to the Idaho State Historical Society from the Twin Falls City Historic Preservation Commission.
2. Consideration for an appeal of the Planning & Zoning Commission's decision regarding the requirement of arterial and collector streets adjacent and within the property being rebuilt or built to current City standards upon development of the property as a condition of approval of the preliminary plat for Southern Comfort Subdivision, 6 lots on 3 (+/-) acres, for property located at the southeast corner of Harrison Street South and Orchard Drive by Tensco c/o Gerald Martens.
3. Public input and/or items from the City Manager and City Council.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

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

1. Consideration for an appeal of the Planning & Zoning Commission's decision to deny a special use permit to establish a retail automobile sales business on property located at 353 Main Avenue East c/o Victor Pozdnyakov. (app. 2172)
2. Request for a Zoning District Change and Zoning Map Amendment for 142.50 (+/-) acres from SUI and OS to OS to allow for uses compatible with open space along the Snake River Canyon Rim and north of Meadow Ridge Circle, c/o City of Twin Falls. (app. 2179)

V. ADJOURNMENT:

Present:

Lance Clow
Trip Craig
Don Hall
Lee Heider
David Johnson
William Kezele
Gregory Lanting

Absent:

Glenda Dwight
Shawn Barigar

CITY STAFF PRESENT:

City Manager Tom Courtney, City Attorney Fritz Wonderlich, Community Development Director Mitch Humble, City Engineer Jackie Fields, Economic Development Director Melinda Anderson, Deputy City Clerk Sharon Bryan, Deputy City Clerk Leila Sanchez.

Mayor Clow 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. He stated that Shawn Barigar and Glenda Dwight were unable to attend. A quorum is present.

AGENDA ITEMS

OLD BUSINESS:

I. CONSENT CALENDAR:

1. Consideration of accounts payable:
December 31, 2007, prepay: \$175,479.30.
December 18, 2007 to January 7, 2008, total: \$1,113,258.21.
2. Consideration of the December 17, 2007, Minutes.

MOTION:

Councilperson Johnson made the motion to approve the Consent Calendar, as presented. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. The motion passed.

Reorganization of the City Council.

Deputy City Clerk Sharon Bryan swore in newly elected Councilpersons Trip Craig, David E. Johnson, Lee Heider, and Will Kezele.

At this time nominations were taken for the Mayor position.

Councilperson Hall made a motion to re-appoint Mayor Clow to the Mayor position. The motion was seconded by Councilperson Johnson and roll call vote showed all members present voted in favor of the nomination.

Mayor Clow then requested Council approval to appoint Councilperson David E. Johnson as Vice-Mayor. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the appointment. Councilperson Johnson abstained from voting.

Mayor Clow thanked Glenda Dwight and Shawn Barigar for years of service and dedication on the City Council.

NEW BUSINESS:

I. CONSENT CALENDAR:

1. Consideration of approval of the Planned Unit Development Agreement for River Vista PUD
2. Consideration of approval of the Planned Unit Development Agreement for Canyon Ridge High School PUD
3. Findings of Fact, Conclusions of Law, and Decision:
 - a. Rezone Application, Mike Ajeti c/o EHM Engineering
4. Consideration of a request to approve the Improvement Agreement for Developments for:
 - a. Canyon Properties, LLC, Canyon Trails Subdivision No. 7
 - b. Canyon Properties, LLC, Canyon Trails Subdivision No. 8

MINUTES

January 7, 2008

Page 3

- c. Canyon Properties, LLC, Canyon Trails Subdivision No. 9
5. Curb-Gutter Improvement Deferral Agreements for Easterday Rental, LLP, 2129 Eldridge Avenue.
6. Driveway Improvement Deferral Agreements for:
 - a. Highland Investments, LLC, 2107 Eldridge Avenue.
 - b. Easterday Rental, LLP, 2139 Eldridge Avenue.

MOTION:

Councilperson Lanting made the motion to approve the Consent Calendar, as presented. The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. The motion passed.

II. ITEMS FOR CONSIDERATION:

1. Consideration of a request to approve the 2008 Certified Local Government grant application to the Idaho State Historical Society from the Twin Falls City Historic Preservation Commission.

Economic Development Director Anderson reviewed the request. The Historic Preservation Commission submitted a CLG application for historic preservation activities. For 2007, the application was approved to produce three new brochures for walking tours of commercial and residential structures downtown and old town. For 2008 the Historic Preservation Commission has submitted a budget for \$3,000 to create a new historic district downtown. This is a grant which requires a one to one match.

Staff recommends that the Council approve the Historic Preservation Commission 2008 grant application, budget, and Memo of Agreement, as presented.

Council discussion followed:

- Boundaries of a new historic district downtown.
- Potential of property owners allowed to opt out of the district.
- The property owner appeal process.

MOTION:

Vice Mayor Johnson made the motion to approve the Historic Preservation Commission 2008 grant application, budget, and Memo of Agreement, as presented. The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. The motion passed.

Mayor Clow stated that the property owner would benefit with a tax credit.

Economic Development Director Anderson stated that Leland Consulting will be meeting with the Main Avenue property owners between Gooding and Idaho Streets on January 16 and 17, 2008.

2. Consideration for an appeal of the Planning & Zoning Commission's decision regarding the requirement of arterial and collector streets adjacent and within the property being rebuilt or built to current City standards upon development of the property as a condition of approval of the preliminary plat for Southern Comfort Subdivision, 6 lots on 3 (+/-) acres, for property located at the southeast corner of Harrison Street South and Orchard Drive by Tensco c/o Gerald Martens.

Community Development Director Humble reviewed the request. On December 11, 2007, the Planning and Zoning Commission approved the preliminary plat of the Southern Comfort Subdivision by a vote of 6 for and 1 against. Approval was subject to the following three conditions:

1. Subject to site plan amendments as required by Building, Engineering, Fire and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to arterial and collector streets adjacent and within the property being rebuilt or built to current City standards upon development of the property.
3. Subject to completion of requirements, as stated in a letter from Assistant City Engineer Chuck Collins dated November 16, 2007, regarding Southern Comfort Preliminary Plat review Letter #3.

The developer is appealing condition #2.

Gerald Martens, the applicant, explained the request. The condition requiring reconstruction of 730 feet of Orchard Street and Harrison Street makes the project unfeasible. The right of way dedication eliminates 27 percent of the property. At the

MINUTES

January 7, 2008

Page 4

time the property was purchased, the City required the developer to complete roadway widening. Subsequent to the purchase, the requirement was extended to include reconstruction of at least half of the road. He proposed the following three options as possible solutions to the problem:

1. Proceed with pavement widening, new curbs & gutters and sidewalk.
2. Defer all widening until the entire intersection could be constructed in an efficient and effective manner. Any street related impact fees paid by Southern Comfort would apply towards the estimated proportionate share. Right of way would be dedicated at the time the plat is recorded. The terms could be established in a modified Development Agreement.
3. Pull the project at this time and sell the home and acreage.

Council discussion:

- Clarification of condition #2, in the preliminary plat.
- The change of policy was due to growth in which annexing County roads were not built to current standards.
- Condition #2 in the preliminary plat was a condition on the annexation.
- Status of surrounding properties.
- Results of approving the deferral

City Manager Courtney asked how the City would legally bind the developer and future owners in completing the deferral improvements.

Gerald Martens stated that the developer's agreement is a contract and he would be a party to the contract.

Discussion followed:

- Extensive discussion followed on the enforcement of the deferral agreement.
- Currently the City does not impose impact fees.
- Tabling the request.

MOTION:

Councilperson Lanting made the motion to table the request and directed staff to work with the developer on a proposed deferral agreement. The motion was seconded by Vice Mayor Johnson and roll call vote showed all members present voted in favor of the motion. The motion passed.

3. Public input and/or items from the City Manager and City Council. None

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

Mayor Clow discussed Council liaison opportunities.

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

1. Consideration for an appeal of the Planning & Zoning Commission's decision to deny a special use permit to establish a retail automobile sales business on property located at 353 Main Avenue East c/o Victor Pozdnyakov. (app. 2172)

Withdrawn by the applicant.

2. Request for a Zoning District Change and Zoning Map Amendment for 142.50 (+/-) acres from SUI and OS to OS to allow for uses compatible with open space along the Snake River Canyon Rim and north of Meadow Ridge Circle, c/o City of Twin Falls. (app. 2179)

Community Development Director Humble reviewed the request. The request is to change the zoning district and amend the zoning map designation for property located along the Snake River Canyon Rim and within the canyon from Hankins Road extended to approximately Canyon Ridge Drive in the City's Area of Impact. The City is requesting a change from the current zoning designations of SUI, Suburban-Urban Interface, and OS, Open Space, to designate the entire area OS.

Surrounding property is open space and rural residential. The Open Space zone allows primarily for agricultural, open space, and public recreational uses. The zone change request is to match the existing use of property and preserve the canyon rim community open space uses.

This request is compatible with the Comprehensive Plan Map. Rezoning of the property to OS would be appropriate and would not be a spot zone as it is adjacent to OS zoning.

A request for a Zoning District Change and Zoning Map Amendment are initially made to the Commission. The Planning and Zoning Commission shall hold a public hearing to evaluate the request and to determine if the request is compatible with the comprehensive plan. The Commission shall then make a recommendation to the City Council on whether or not to approve the request as presented, deny the request or approve the request with conditions.

On November 27, 2007, the Planning and Zoning Commission unanimously recommended approval of the request.

The City Council shall make a recommendation to the Board of County Commissioners.

Council discussion followed:

- The request generated from City staff.
- Possible emergency communication cell site tower at location.
- Extensive discussion on the pros and cons of potential land swap.

The public hearing comment portion of the meeting was opened.

-Don Acheson, 629 Megan Court, stated that he did not see a provision for "residential" in the OS zone or in the CRO designation.

The public hearing comment portion was closed.

A letter from Alan Horner dated January 7, 2008, was read into the record stating "that a rezone decision on the above property be delayed until all issues and options involving the trail and use of city land at Shoshone Falls are fully understood and explored."

City Attorney Wondelrich explained the Zoning District Change and Zoning Map Amendment procedures.

Vice Mayor Johnson stated that he had received an email from Alex Sinclair asking for the request to be tabled.

The public hearing was closed.

MOTION:

Vice Mayor Johnson made the motion to table the request. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. The motion passed.

V. **ADJOURNMENT:** The meeting adjourned at 6:50 pm.

Leila Sanchez
Deputy City Clerk

COUNCIL MEMBERS:

LANCE	TRIP	DON	LEE	DAVID E.	WILLIAM A.	GREG
CLOW	CRAIG	HALL	HEIDER	JOHNSON	KEZELE	LANTING

Mayor

Vice Mayor



MINUTES

Meeting of the Twin Falls City Council
MONDAY, January 14, 2008
City Council Chambers
305 3rd Avenue East Twin Falls, Idaho

PLEDGE OF ALLEGIANCE TO THE FLAG

Presentation of the Final Report of the Facilities Plan Update for the Twin Falls Wastewater Treatment Plant by Bill Leaf, CH2M Hill. **Postponed. Will be rescheduled.**

CALL MEETING TO ORDER: 5:00 P.M.

I. CONSENT CALENDAR:

1. Consideration of accounts payable: January 8 – January 14, 2008.
2. Consideration of the January 7, 2008, Minutes.
3. Consideration of Curb-Gutter and Sidewalk Improvement Deferral Agreement for Jennifer Hirai – 213 Jackson Street.
4. Alcohol License Application – Transfer of Ownership: Windriders, 600 Main Avenue North.

II. ITEMS FOR CONSIDERATION:

1. The Animal Shelter Advisory Commission has drafted an update to City Code Section § 6-4-1 and Section §6-4-9 to set standards for businesses that want to operate as an animal kennel.
2. Consideration of bids for the 2007 Shoshone Falls Parking Lot Project.
3. Consideration of a request to destroy semi permanent and temporary records.
4. Introduction of an ordinance modifying the Franchise Agreement with Idaho Power Company.
5. Consideration of the request of Steve Shotwell for a second 1-year extension of the approval of the Final Plats of Northern Passage Subdivision, No. 3 & No. 4.
6. Request for approval of the final plat of the Quail Ridge Subdivision, 70.67 (+/-) acres with 41 lots, located west of 3400 East and south of the Snake River Canyon Rim, c/o Property Acquisition, LLC / Gary Perron.
7. Consideration of bids for a model 420 E Tractor Loader Backhoe.
8. Public input and/or items from the City Manager and City Council.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

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

1. Consideration of a request to set new Recreation Fees for the Twin Falls Parks & Recreation Department.
RESCHEDULED FOR JANUARY 22, 2008.

V. ADJOURNMENT:

Present:

Lance Clow
Trip Craig
Lee Heider
William Kezele
Gregory Lanting

Absent:

Don Hall
David E. Johnson

CITY STAFF PRESENT:

City Manager Tom Courtney, City Attorney Fritz Wonderlich, Community Development Director Mitch Humble, City Engineer Jackie Fields, Management Assistant Gretchen Scott, Parks and Recreation Director Dennis Bowyer, Deputy City Clerk Sharon Bryan, Public Works Coordinator Jon Caton, Deputy City Clerk Leila Sanchez.

Mayor Clow 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.

Presentation of the Final Report of the Facilities Plan Update for the Twin Falls Wastewater Treatment Plant by Bill Leaf, CH2M Hill. **Postponed. Will be rescheduled.**

I. CONSENT CALENDAR:

1. Consideration of accounts payable: January 8 – January 14, 2008, total: \$429,280.92.
2. Consideration of the January 7, 2008, Minutes.
3. Consideration of Curb-Gutter and Sidewalk Improvement Deferral Agreement for Jennifer Hirai – 213 Jackson Street.
4. Alcohol License Application – Transfer of Ownership: Windriders, 600 Main Avenue North.

MOTION:

Councilperson Craig made the motion to approve the Consent Calendar as presented. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. The motion passed.

II. ITEMS FOR CONSIDERATION:

1. The Animal Shelter Advisory Commission has drafted an update to City Code Section § 6-4-1 and Section §6-4-9 to set standards for businesses that want to operate as an animal kennel.

Management Assistant Scott gave a review of ordinance changes drafted by the Animal Shelter Advisory Commission on City Code Section § 6-4-1 and Section §6-4-9, to set standards for businesses that want to operate as an animal kennel. Changes to the code include an increased fee for application from \$25.00 to \$100.00, a revised process to apply for a kenneling license and places the Sanitation Director in charge of issuing the license.

By increasing the standards that regulate kennels and by reviewing the current kenneling licensing practice, the Council will limit the potential for another incident similar to the Rocky Mountain Cat Resort. The Commission believes the drafted requirements to be fair and not an undue burden on business operators.

Discussion followed:

- Definition of "Kennel" to amend to "four (4) dogs or four (4) cats."
- Ordinance enforcement.
- Contacting kennel businesses and vet offices.
- Increase fee application to \$100 for a kenneling license.
- Kennels not allowed in residential areas.
- Dog fighting is not addressed in City Code.

MINUTES

January 14, 2008

PAGE 3

Management Assistant Scott stated that Tom Trail is proposing legislation to make dog fighting illegal. She also stated that Chief Jim Munn has not seen any of this type of criminal activity.

City Attorney Wonderlich stated that the City can have a statute on dog fighting.

- Domestic vs. commercial kennel.
- Applicant appeal process.

Management Assistant Scott stated that she will update the Animal Shelter Advisory Commission on the Council's following concerns: 1. If whether or not the veterinary offices should be included under the kenneling code. 2. The number of animals per residence that are allowed.

A public hearing would be scheduled in the future.

2. Consideration of bids for the 2007 Shoshone Falls Parking Lot Project.

Parks and Recreation Director Bowyer reviewed the request. As part of the re-licensing of the power plant at Shoshone Falls, the City of Twin Falls and Idaho Power Company signed a settlement agreement in 1999. One of the major sections of this agreement was for each entity to contribute \$500,000 for improvements at Shoshone Falls.

On December 27, 2007, a total of six bids were received for the 2007 Shoshone Falls Parking Lot Project.

Staff recommends the City Council award the lowest acceptable bid to S. Erwin Excavation in the amount of \$156,607.02 by using the Shoshone Falls/Dierkes Lake's reserves to fund this construction project.

Discussion followed:

- Durham Excavation was incomplete. Cost of rock removal was not listed in bid.
- Cost of the kiosks including installation is approximately \$61,500.
- \$217,000 is in reserves as of December 28, 2007.
- Idaho Power will reimburse the City for half of the expenditures.
- Engineer's Estimate from the Land Group.

Stephen Anderson, The Land Group, explained the bid summary.

MOTION:

Councilperson Lanting made the motion to accept the bid of S. Erwin Excavation for the 2007 Shoshone Falls Parking Lot Project in the amount of \$156,607.02. The motion was seconded by Councilperson Craig and roll call vote showed all members present voted in favor of the motion. The motion passed.

3. Consideration of a request to destroy semi permanent and temporary records.

Deputy City Clerk Bryan reviewed the request. Adoption of the proposed resolution will comply with Idaho State Code 50-907. Permission has been received from the Idaho State Historical Society.

Councilperson Craig made the motion to adopt Resolution 1794, as presented. The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. The motion passed.

4. Introduction of an ordinance modifying the Franchise Agreement with Idaho Power Company.

City Manager Courtney reviewed the request. One of the objectives in our strategic plan is to identify and aggressively pursue new funding opportunities. Over the last 18 months the City increased the tax levy to absorb the foregone amount,

MINUTES

January 14, 2008

PAGE 4

increased water and sewer rates to accumulate capital reserves, and entered into a consulting contract to develop a plan for impact and connection fees. One of the sub-objectives under this objective is to increase the electrical franchise fee from one percent of electrical sales within the City to three percent of electrical sales within the City. Idaho Code allows cities to charge water, gas and electrical utilities a franchise fee for the use of public rights-of-ways not to exceed three (3%) percent of gross sales.

The City's existing franchise agreement with Idaho Power Company was approved in June 1999. The term of the agreement is 25 years. The associated franchise fee is one (1%) percent of gross sales.

The draft agreement is for a term of 25 years and provides for a franchise fee of three (3%) percent. The balance of the agreement is essentially the same as the current franchise agreement. The agreement is in the form of an ordinance.

The first step in the approval process is the introduction of the agreement / ordinance. The process to adopt the ordinance is different than the City's normal procedure. By State Code, there must be a 30 day period between the introduction and adoption of the ordinance. Since the proposed fee is three times the existing fee (1% to 3%), state law requires the City to hold a separate public hearing to implement the new fee. The intention is to schedule the public hearing for the date the ordinance is scheduled for adoption. We are also required to publish the ordinance once after it is introduced and again after it is adopted.

The agreement allows Idaho Power Company the right to construct, operate and maintain facilities on public rights of way and streets that are necessary to supply electricity to the residents of the City. It also allows Idaho Power the right to locate and maintain various communication facilities for the Company or other parties. The agreement grants no additional rights or regulatory authority to either the Company or the City other than what is provided for in the existing agreement.

The Council should place the ordinance on first reading by title only. Final consideration of the ordinance will be scheduled for the February 19, 2008 Council Meeting.

Discussion followed:

-Relocation Cost Responsibility

City Manager Courtney reviewed the following Section of the proposed Ordinance:

SECTION 4. Where Company facility relocations are required because of right-of-way improvements partially funded by the city of Twin Falls, the following terms shall apply:

A. Relocation Cost Responsibility. The responsibility for costs associated with the relocation of Company facilities shall be assigned as follows:

(1) Where the City requires that any Company facility be relocated from its existing location to a new location within the public right-of-way, the Company shall be responsible for that portion of the relocation costs that equals the percentage of the City's participation in the right-of-way improvement costs. The remaining Company relocation costs shall be the responsibility of the individual, firm or entity that provides for the balance of the right-of-way improvement costs.

(2) If the Company has facilities located on private property, with a right-of-way occupancy other than its right to locate in a public right-of-way, and the City requires any facility so located to be relocated, the actual costs for such relocation shall be the responsibility of the City and the individual, firm or entity providing funds to accomplish the improvements within the public right-of-way. Such costs shall be exclusive of profit allowances.

-Relocation of poles to underground cost would be borne by the City.

-Cost of the removal of the pole at the intersection of Washington and Falls.

MINUTES

January 14, 2008

PAGE 5

Dan Olmstead, representative for Idaho Power, stated that Idaho Power moved the pole.

-Revenue received from the increase.

City Manager Courtney stated that Idaho Code is restrictive and provides few opportunities for the City to raise revenue. Revenue received from the increase will be used for capital improvement projects.

MOTION:

Councilperson Lanting made the motion to place Ordinance 2927, on first reading by title only. The motion was seconded by Councilperson Heider.

Discussion followed:

Councilperson Craig stated his concern in the increase of taxes.

Roll call vote on the motion showed Mayor Lance Clow, Councilpersons Heider and Lanting voted in favor of the motion. Councilpersons Craig and Kezele voted against the motion. The motion passed with a vote of 3 to 2.

Deputy City Clerk Sanchez read Ordinance 2927, by title only.

"AN ORDINANCE IN ACCORDANCE WITH IDAHO CODE 50-328, 50-329 AND 50-329A GRANTING A FRANCHISE TO IDAHO POWER COMPANY, A CORPORATION, AND TO ITS SUCCESSORS AND ASSIGNS, TO CONSTRUCT, MAINTAIN AND OPERATE IN AND UPON THE PRESENT AND FUTURE STREETS, HIGHWAYS AND OTHER PUBLIC PLACES WITHIN THE CORPORATE LIMITS OF THE CITY OF TWIN FALLS, IDAHO, ELECTRIC UTILITY PROPERTY AND FACILITIES FOR SUPPLYING ELECTRICITY AND ELECTRIC SERVICE TO THE CITY, THE INHABITANTS THEREOF, AND OTHERS FOR A TERM OF TWENTY FIVE (25) YEARS, INCLUDING THE NONEXCLUSIVE RIGHT TO PHYSICALLY LOCATE AND MAINTAIN TELEPHONE, CABLE, FIBER OPTICS OR OTHER COMMUNICATIONS FACILITIES; SETTING FORTH AN AGREEMENT NOT TO COMPETE, RESERVING POWER OF EMINENT DOMAIN; PROVIDING FOR THE PAYMENT OF FRANCHISE FEES; AND SPECIFYING OTHER LIMITATIONS, TERMS AND CONDITIONS GOVERNING THE EXERCISE OF SAID FRANCHISE."

A public hearing will be held on February 19, 2008, for a request to implement the new fee and for the adoption of Ordinance 2927.

5. Consideration of the request of Steve Shotwell for a second 1-year extension of the approval of the Final Plats of Northern Passage Subdivision, No. 3 & No. 4.

Community Development Director Humble reviewed the request.

On December 11, 2006, the developer was granted a one year extension as Phases 3 and 4 would not have been filed and recorded prior to the January 30, 2008, expiration date. The approval was subject to the following conditions:

1. Subject to Engineering Department final technical review.
2. Requirement of a combined minimum 4-acre park as negotiated with staff.
3. A new water modeling will be required prior to the recoding of the final plat of Phase 3 or 4.
4. The extensions expire on January 30, 2008.

The developer is requesting a second one year extension as the final plats will not be filed and recorded prior to the January 30, 2008, deadline. If the Council does approve the extension of the final plat, staff recommends the original conditions should apply and the Council may wish to consider adding a requirement that the developers are to conform to current City Code and Development Standards. This would mean that these phases could be required to contribute to the cost of the PI station that the City is currently planning to place in the area and the City would not pay for the upsizing of the distribution system in these phases. The City has also increased the adjacent street reconstruction standards.

Discussion followed:

-Changes in the City Code and Development Standards have occurred since the approval of the preliminary and final plat.

MINUTES

January 14, 2008

PAGE 6

City Attorney Wonderlich stated that the Council may approve the extension of the final plat with additional conditions.

-PI station.

City Engineer Fields stated that the City is currently working on implementing the City Code for new development. The City currently has a commitment for one half of the subdivision for a pressure irrigation system.

Steve Shotwell explained the request for the second one year extension of the approval of the final plats of Northern Passage Subdivision No. 3 and No. 4. He stated his objection of additional conditions that may be placed if the extension of the final plats is approved, primarily being required to contribute to the cost of the PI station.

-Final plat extensions.

Community Development Director Humble stated that Treasure Meadows was approved a final plat extension and required to conform to current City Code and Development Standards. He stated that the previous code required the cost of the distribution line to be paid by the developer. In a recent code change, the cost of the distribution line and pressure irrigation system is paid by the developer.

Steve Shotwell stated that it is a matter of principal that he objects to the pressure irrigation condition.

-Possibly tabling the request.

-Staff work with the developer.

-Pressure irrigation system not being built in a timely manner.

City Manager Courtney stated that staff will work with the developer if directed by the Council. He stated that the Council may choose to allow the plat to expire or to extend the plat. The City has an opportunity to meet the conditions that are in City Code. The project could be out five to ten years.

Council directed staff to work with the developer. No action was taken. The request will be brought to the Council on January 22, 2008.

6:20 p.m. Councilperson Kezele had a previous commitment and recused himself at this time.

6. Request for approval of the final plat of the Quail Ridge Subdivision, 70.67 (+/-) acres with 41 lots, located west of 3400 East and south of the Snake River Canyon Rim, c/o Property Acquisition, LLC / Gary Perron.

Community Development Director Humble reviewed the request. On July 24, 2007, the Planning and Zoning Commission approved the preliminary plat of Quail Ridge Estates Subdivision, subject to the following conditions:

1. Subject to final technical review by the City Engineering Department and Zoning Officials to ensure compliance with all applicable City Code Requirements and Standards.
2. Subject to full compliance with the parks in-lieu approval by the City Council dated May 15, 2006.
3. Subject to final approval of the PUD Agreement.

Councilperson Lanting made a motion to recommend for approval to the Twin Falls County Board of Commissioners, as presented, subject to the following conditions:

1. Subject to final technical review by the City Engineering Department and Zoning Officials to ensure compliance with all applicable City Code Requirements and Standards.
2. Subject to full compliance with the parks in-lieu approval by the City Council dated May 15, 2006.
3. Subject to final approval of the PUD Agreement.

The motion was seconded by Councilperson Heider.

MINUTES

January 14, 2008

PAGE 7

Discussion followed:
-Wells/septic system.

Mayor Clow stated that he originally voted against the request but the developer followed the wishes of the Council.

Roll call vote showed all members present voted in favor of the motion. The motion passed.

To be heard on January 16, 2008, Twin Falls County Board of Commissioners.

7. Consideration of bids for a model 420 E Tractor Loader Backhoe.

Pubic Works Manager Caton reviewed the request. The FY 2008 budget includes \$73,000 to purchase a new Tractor Loader Backhoe. Currently the Water Department has three backhoes; two are with the crews and one is staged at the bulk gravel site. The purchase will allow the Water Department to field a third fully equipped service crew.

Staff recommends that the Council award the bid of \$72,677.38 to Western States Equipment.

Councilperson Craig made a motion to approve a bid for a model 420E Tractor Loader Backhoe to Western States Equipment for the amount of \$72,677.38. The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. The motion passed.

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

Brad Wills, Chairman of the MVBA Developers Council, requested that the Council consider the Developers Council recommendation of names given to Mayor Clow to serve on the Impact Fee Citizen Advisory Board.

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

Mayor Clow reviewed the following Twin Falls City Council Assignments:

Council Member	Specific Assignments	Shared Assignments
Lance W. Clow Mayor	Finance and Audit So. Idaho Economic Dev Organization Magistrate Commission City Administrative Offices Association of Idaho Cities Comprehensive Aquifer Management Plan	Public Relations Committee Budget Committee Strategic Planning Committee Youth Council
Trip Craig	Urban Renewal Library Board of Trustees Chamber of Commerce & Beautification Park & Recreation Commission Pool Advisory Board	Public Relations Committee Budget Committee Strategic Planning Committee Youth Council
Don Hall	Police Department / Community Council Traffic Safety Commission Business Improvement District Sign Ordinance Task Force	Public Relations Committee Budget Committee Strategic Planning Committee Youth Council
Lee Heider	Airport Advisory Board Building Department Historic Preservation Planning and Zoning	Public Relations Committee Budget Committee Strategic Planning Committee Youth Council
Will Kezele	Planning and Zoning Fire Department Finance and Audit Committee Public Works	Public Relations Committee Budget Committee Strategic Planning Committee Youth Council

MINUTES

January 14, 2008

PAGE 8

	Greater Twin Falls Transportation	
Dave Johnson Vice Mayor	Finance and Audit Committee Animal Shelter Advisory Board Sign Ordinance Task Force Information Systems City Administrative Offices	Public Relations Committee Budget Committee Strategic Planning Committee Youth Council
Greg Lanting	Golf Advisory Board Tree Commission Magic Valley Arts Council Trans IV Sign Ordinance Task Force	Public Relations Committee Budget Committee Strategic Planning Committee Youth Council

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

2. Consideration of a request to set new Recreation Fees for the Twin Falls Parks & Recreation Department.
RESCHEDULED FOR JANUARY 22, 2008.

V. ADJOURNMENT: 6:53 P.M.

Leila Sanchez
Deputy City Clerk

COUNCIL MEMBERS:

LANCE	TRIP	DON	LEE	DAVID E.	WILLIAM A.	GREG
CLOW	CRAIG	HALL	HEIDER	JOHNSON	KEZELE	LANTING

Mayor

Vice Mayor

MINUTES

Meeting of the Twin Falls City Council

TUESDAY, January 22, 2008

City Council Chambers

305 3rd Avenue East Twin Falls, Idaho



PLEDGE OF ALLEGIANCE TO THE FLAG
CONFIRMATION OF QUORUM

CALL MEETING TO ORDER: **5:00 P.M.**

AGENDA ITEMS

I. CONSENT CALENDAR:

1. Consideration of accounts payable:
January 15 – 22, 2008, total: \$540,414.66
Prepay total: \$423.63
2. Consideration of the January 14, 2008, Minutes.
3. Improvement Agreement for Developments for Gary Perron, Cornerstone Industries, L.L.C. –
Quail Ridge Estates.
4. Multi-Year Improvement Deferral Agreement for Twin Falls Reformed Church.

II. ITEMS FOR CONSIDERATION:

1. Presentation to award the following Water Certification Licenses to Roger Horton, Melvin Sanderson, Jeff Lohr, Rick Hammond, Shawn Shropshire, Jeff Malina.
2. Consideration of a request from Steve Shotwell for a second 1-year extension of the approval of the final plats of Northern Passage Subdivision No. 3 and No. 4.
3. Consideration of the conveyance plat of Garnand Subdivision consisting of 2 lots on 3 (+/-) acres for property located north of the Perrine Coulee at the northwest intersection of Eastland Drive and Kimberly Road.
4. Monthly finance report for December 31, 2007.
5. Public input and/or items from the City Manager and City Council.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

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

1. Public hearing to consider proposed increases in Recreation and Pool Admission fees.

Immediately following the public hearing a presentation of the Final Report of the Facilities Plan Update for the Twin Falls Wastewater Treatment Plant by Bill Leaf, CH2M Hill.

V. ADJOURNMENT:

COUNCIL MEMBERS PRESENT: Lance Clow, Trip Craig, Don Hall, Lee Heider, David E. Johnson, William A. Kezele, Greg Lanting.

COUNCIL MEMBERS ABSENT: None

STAFF PRESENT: City Manager Tom Courtney, City Attorney Fritz Wonderlich, City Engineer Jackie Fields, Community Development Director Mitch Humble, Finance Director Gary Evans, Parks and Recreation Director Dennis Bowyer, Deputy City Clerk Leila Sanchez.

PLEDGE OF ALLEGIANCE TO THE FLAG
CALL MEETING TO ORDER 5:00 P.M.

Mayor Clow 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.

CONFIRMATION OF QUORUM: A quorum was present.

Added to the agenda: Alcohol Application for Tori's Eatery, 1924 Addison Avenue.

AGENDA ITEMS

II. CONSENT CALENDAR:

1. Consideration of accounts payable:
January 15 – 22, 2008, total: \$540,414.66
Prepay total: \$423.63
2. Consideration of the January 14, 2008, Minutes.
3. Improvement Agreement for Developments for Gary Perron, Cornerstone Industries, L.L.C. – Quail Ridge Estates.
4. Multi-Year Improvement Deferral Agreement for Twin Falls Reformed Church.
5. Alcohol Application for Tori's Eatery, 1924 Addison Avenue

MOTION:

Councilperson Hall made the motion to approve the Consent Calendar, with the addition of the Alcohol Application for Tori's Eatery, 1924 Addison Avenue, as presented. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. The motion passed.

II. ITEMS FOR CONSIDERATION:

1. Presentation to award the following Water Certification Licenses to Roger Horton, Melvin Sanderson, Jeff Lohr, Rick Hammond, Shawn Shropshire, Jeff Malina.

Presentation made by Water Superintendent Schroeder awarding the following with Water Certification Licenses:

Jeff P. Malina – Drinking Water Operator Distribution – Class IV
Jeffrey T. Lohr – Drinking Water Operator Distribution – Class 1
Rick Dean Hammond – Drinking Water Operator Distribution – Class II
M. Shawn Shropshire – Drinking Water Operator Distribution – Class III

2. Consideration of a request from Steve Shotwell for a second 1-year extension of the approval of the final plats of Northern Passage Subdivision No. 3 and No. 4.

Community Development Director Humble reviewed the request.

City staff and the developer have agreed to the following conditions if the Council approves the second 1-year extension of the final plats for Northern Passage Subdivision No. 3 and No. 4:

1. Subject to Engineering Department final technical review.
2. Requirement of a combined minimum 4-acre park as negotiated with staff.
3. A new water model being submitted and approved prior to the recording of the final plat of phase 3 or 4.

MINUTES

January 22, 2008

Page 3

4. The extension expires on January 30, 2009.
5. Subject to arterial and collector streets adjacent and within the property being rebuilt or built to current City Standards upon development of the property.

Discussion followed:

- Delay in the construction of a pressure irrigation system by the City of Twin Falls.
- Is this setting precedence on future extensions?
- When do we apply new rules?
- Regional pressure irrigation systems.

MOTION:

Councilperson Lanting made the motion to approve the second 1-year extension of the final plats for Northern Passage Subdivision No. 3 and No. 4 as presented:

1. Subject to Engineering Department final technical review.
2. Requirement of a combined minimum 4-acre park as negotiated with staff.
3. A new water modeling being submitted and approved prior to the recording of the final plat of phase 3 or 4.
4. The extension expires on January 30, 2009.
5. Subject to arterial and collector streets adjacent and within the property being rebuilt or built to current City Standards upon development of the property.

The motion was seconded by Councilperson Craig and roll call vote showed all members present voted in favor of the motion. The motion passed.

3. Consideration of the conveyance plat of Garnand Subdivision consisting of 2 lots on 3 (+/-) acres for property located north of the Perrine Coulee at the northwest intersection of Eastland Drive and Kimberly Road.

Community Development Director Humble reviewed the request.

Approval of the conveyance plat will allow the plat to be recorded and only then may the sale of property occur. The plat indicates right of way reserved for the widening and future development of Eastland Drive. The developer is aware that preliminary plat, final plat, and construction plan approval and subsequent recordation of the final plat shall be required prior to the development.

Staff recommends approval of the conveyance plat as presented:

1. Subject to final technical review by the City Engineering Department and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to arterial and collector streets adjacent and within the property being dedicated to the City of Twin Falls and to be rebuilt or built to current City Standards upon development of the property.

Discussion followed:

- Road development requirements.
- Canal Co. requirements.

Roger Kruger, EHM Engineers, explained the request.

MOTION:

Vice Mayor Johnson made the motion to approve the conveyance plat of Garnand Subdivision consisting of 2 lots on 3 (+/-) acres for property located north of the Perrine Coulee at the northwest intersection of Eastland Drive and Kimberly Road as presented:

1. Subject to final technical review by the City Engineering Department and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to arterial and collector streets adjacent and within the property being dedicated to the City of Twin Falls and to be rebuilt or built to current City Standards upon development of the property.

The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. The motion passed.

MINUTES

January 22, 2008

Page 4

4. Monthly finance report for December 31, 2007.

Finance Director Evans gave a monthly finance report for December 31, 2007.

Discussion followed:

- Revenue sharing state/county.
- Airshow expenses.

Finance Director Evans discussed some potential impacts to the City with the current changes in the economy.

- Property taxes.
- Local Option Sales Tax.
- E911. Landline and Wireless.
- Court Revenue.
- Traffic School.

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

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

Mayor Clow stated that a presentation by the FAA and Landrum & Brown will be held to discuss the regional airport concept and airport sponsorship on February 13, 2008, 7:00 p.m. to 9:00 p.m. at the College of Southern Idaho's Herrett Center in the Rick Allen Room.

Parks and Recreation Director Bowyer stated that staff is working on building an ice rink pond at Jason Woodland Hills Park.

MOTION:

Vice Mayor Johnson made the motion to move to Executive Session at 5:57 p.m. (c) To conduct deliberations concerning labor negotiations or to acquire an interest in real property which is not owned by a public agency. The motion was seconded by Councilperson Craig and roll call vote showed all members present voted in favor of the motion. The motion passed.

The meeting reconvened at 6:10 P.M.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

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

1. Public hearing to consider proposed increases in Recreation and Pool Admission fees.

Parks and Recreation Director Bowyer reviewed the request to set new Recreation Fees for the Twin Falls Parks and Recreation Department.

Staff's comments in italic.

The Parks and Recreation Commission recommends the following:

1. Youth sports programs administered by the City (baseball, softball, basketball, and soccer) should increase fees from \$12 to \$15 and non-resident fees from \$15 to \$25.

These proposed increases would generate approximately \$13,000 to \$14,000 in additional revenue and staff supports this recommendation.

2. The fee to purchase a jersey should be increased from \$5 per jersey to \$10 per jersey for all sizes.

This proposed increase would generate approximately \$4,500 in additional revenue and staff supports this recommendation.

3. Youth sports programs administered by private organizations that use City facilities be charged a per prep fee (to prepare softball/baseball fields) of \$25.

Staff has some concerns with this proposal. The Parks and Recreation Department would like the City Council to consider whether or not youth sports programs sponsored by private organizations should pay their full cost to the City or should the City be subsidizing these programs, and if so, how much? If not, it may be that implementing a per game fee, similar to what the City charges the private adult organizations would help to better recover costs.

- 4. Adult sports programs – The City run Men’s softball fee to be increased from \$122 per game to \$150 per game. The per game fees for both basketball and privately run softball should remain the same at \$75 and \$42 respectively.

Staff has concerns that if the fee is increased there is a possibility that fewer teams will participate, which would account for less expenditures and revenue overall.

Parks and Recreation Director Bowyer reviewed the request to increase admission fees for the Municipal Swimming Pool.

The YMCA maintains and operates the municipal swimming pool under agreement with the City of Twin Falls. On December 7, 2007, the City Council approved a new management agreement with the YMCA. The term of the agreement is three years. Section 9 of the agreement allows the YMCA to set admission and pass fees not to exceed maximum fees set forth in Exhibit A of the agreement. The Y is planning to charge the following prices:

Daily Admissions: (Includes Tax)	
Infant (under 4)	1.25
Youth	2.25
Adult	3.25
Annual Pass/Monthly: (Plus Tax)	
Youth Pass (8 yrs – 17 yrs)	\$165
Adult Pass	\$185
Family Pass	\$250
Summer Only Pass Discount (June 1 thru August 31)	
Youth Pass	\$110
Adult Pass	\$124
Family Pass	\$166
Pool Rental Rates: (Minimum 2 Hours)**	
Pool Only	\$110
Floating Toys	\$25

Staff recommends that the Council adopt the maximum fee schedule as provided for in Exhibit A of the agreement.

The public comment portion of the hearing was opened:

Parks and Recreation Commission Chairman Mitch Watkins, 4038 North Canyon Ridge Drive, and Vice Chairman John Bonnett, 973 O’Leary Way, explained the recommendations made by the Parks and Recreation Commission. Both spoke in favor of the Commission’s recommendations.

Parks and Recreation Commission Member Brent Jussel, 935 Meadowview Lane, spoke in favor of the Commission’s recommendations.

Parks and Recreation Commission Member Bill Merritt, 333 Cedarpark Circle, spoke in favor of the Commission’s recommendations.

Parks and Recreation Commission Member Paula Brown Sinclair, 2146 Addison East, spoke in favor of the Commission’s recommendations.

The public comment portion of the hearing was closed.

MINUTES

January 22, 2008

Page 6

Council deliberations:

-YMCA contract rate increase.

City Manager Courtney stated that the City does not anticipate that the YMCA will immediately adopt the maximum rates shown in the agreement. The City anticipates that the Y will incrementally increase rates over the term of the agreement based on attendance and financial projections.

-Waiving individual registration fees

-Adult sports programs. The City run Men's softball fee to be increased from \$122 per game to \$150 per game.

Parks and Recreation Director Bowyer stated that the Commission had been provided a worksheet from staff to work from that was not current. The worksheet showed the cost of the Men's Softball Program at a higher per game cost than the actual cost.

Parks and Recreation Commission Chairman Mitch Watkins and Parks and Recreation Director Bowyer both agreed to keep the Men's softball fee at \$122 per game, as it is currently.

MOTION:

Vice Mayor Johnson made the motion to adopt Resolution No. 1795 as presented. The motion was seconded by Councilperson Hall.

MOTION:

Vice Mayor Johnson made the motion to amend Resolution No. 1795 to adjust the Adult Sports – Men's Softball – City run fee to \$122.00. The motion was seconded by Councilperson Hall.

MOTION:

Councilperson Lanting made the motion to amend Resolution No. 1795 to adjust the Field prep fee for private youth organizations (baseball/softball) to \$37.50. The motion failed due to a lack of second on the motion.

Roll call vote on the amendment to the motion showed all members present voted in favor of the motion. The motion passed.

Roll call vote on the main motion as amended showed all members present voted in favor of the motion. The motion passed.

Recess: 7:19 P.M.

Reconvened: 7:27 P.M.

Immediately following the public hearing a presentation of the Final Report of the Facilities Plan Update for the Twin Falls Wastewater Treatment Plant by Bill Leaf, CH2M Hill.

City Engineer Fields introduced Bill Leaf of CH2M Hill. Also in attendance were John Keady and John Wyneska, CH2M Hill-OMI, and Greg Misbach with the Department of Environmental Quality was also present.

Bill Leaf, CH2M Hill, gave a PowerPoint presentation on the Twin Falls Wastewater Treatment Plan Facility Plan Update. The following was outlined:

- Background Information
- Wastewater Flow and Loads
- Existing Facility Evaluation
- Expansion Alternative Evaluation
- Alternative Cost Opinion
- Implementation Plan

Discussion followed:

- Auger Falls.
- Phosphorous.
- Land application.
- UASB.

MINUTES
January 22, 2008
Page 7

-Drinking water in Orange County.
-PI system.

V. ADJOURNMENT: Meeting adjourned at 8:15. p.m.

Leila Sanchez
Deputy City Clerk

COUNCIL MEMBERS:

LANCE	TRIP	DON	LEE	DAVID E.	WILLIAM A.	GREG
CLOW	CRAIG	HALL	HEIDER	JOHNSON	KEZELE	LANTING

Mayor

Vice Mayor

MINUTES

Meeting of the Twin Falls City Council

MONDAY, January 28, 2008

City Council Chambers

305 3rd Avenue East Twin Falls, Idaho



PLEDGE OF ALLEGIANCE TO THE FLAG
CONFIRMATION OF QUORUM

CALL MEETING TO ORDER: 4:00 P.M.

Update on the Drinking Water Arsenic Compliance and Supply Improvement Project

AGENDA ITEMS

I. CONSENT CALENDAR:

1. Consideration of accounts payable: January 23 – 28, 2008.
2. Consideration of the January 22, 2008, Minutes.
3. Transmittal of response to traffic related requests for the following:
 - a. Traffic Study – Washington Street North.
 - b. Traffic Study – Stadium Blvd., Locust Street to Eastland Drive.

II. ITEMS FOR CONSIDERATION:

1. Presentation of O & M Rebate from CH2M Hill-OMI for 2006-2007.
2. Consideration of a Business Improvement District Board Ordinance.
3. Public input and/or items from the City Manager and City Council.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

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

V. ADJOURNMENT:

MINUTES

January 28, 2008

Page 2

COUNCIL MEMBERS PRESENT: Lance Clow, Trip Craig, Don Hall, Lee Heider, David E. Johnson, William A. Kezele, Greg Lanting.

COUNCIL MEMBERS ABSENT: None

STAFF PRESENT: City Manager Tom Courtney, City Attorney Fritz Wonderlich, City Engineer Jackie Fields, Finance Director Gary Evans, Executive Assistant Tracy Reed.

PLEDGE OF ALLEGIANCE TO THE FLAG

Mayor Clow called the meeting to order at 4:00 P.M. He invited all present, who wished to, to recite the Pledge of Allegiance to the Flag with him.

CONFIRMATION OF QUORUM: A quorum was present.

CALL MEETING TO ORDER: 4:00 P.M.

Update on the Drinking Water Arsenic Compliance and Supply Improvement Project

City Manager Courtney introduced JUB to give the council an update of the three options with pricing. The goal is to bring this to a conclusion within the next three weeks to be in compliance with the Arsenic Compliance Agreement with DEQ by 2011. Mark Holtzen of JUB gave presentation and explained options available. Chuck Brockway spoke to the Mayor's question about water management and that the IDWR is resistant to large scale storage of existing rights. Mark continued the presentation, stating the only real water source the City has at this point, is the Low Line Canal through a treatment plant or PI. He explained the A4 option. Councilperson Kezele asked about removing the arsenic at the treatment facility and Mark explained it will treat all water sources. The A8 option was prepared using regional pump stations. This option would blend the South well and Blue Lakes well waters. The A9 option is more of a hybrid option with a PI retrofit and combines a little bit of both the previous options. Mark stated that for new water supplies we will have to purchase additional shares from Twin Falls Canal Company. Mayor Clow asked about the production amount from both wells in 2008 versus the year 2035. Hankins wells look like they have a higher concentration than the South wells. Councilperson Lanting asked what the arsenic level was on the Blue Lakes section and Mark answered about 2 ppb. City Manager, Courtney stated that on peak days in the summer, we use 17-19 mgd for potable for irrigation water. In the non-monetary criteria comparison, Mark explained the problems associated with each option versus the benefit. Councilperson Kezele questioned water classification which is more associated with wastewater. Councilperson Lanting asked which option would produce the best tasting water for the City. Mark explained that the treatment won't change the taste. Mayor Clow asked what the typical household would have to retrofit to take advantage of the new system. Bill Block spoke to this question as he lives in the Desert View neighborhood where they have hooked up. He felt it could be a big expense, depending where the lines were and that it is very likely people would have to make changes to hook in. There were no changes to the sprinkler heads themselves as the City filters out all large particles. Councilperson Craig asked what this estimate did for the residents. City Manager Courtney explained that the presentation JUB is giving will bring the lines to the property line and the resident will have to spend the rest to hook into his property and adjust his system to work with a lower pressure. Councilperson Heider asked City Engineer Fields about the meter system. Mark Holtzen explained the meters are all included in his estimates. Councilperson Craig asked about backflow devices, and City Manager Courtney explained that if the lines are cross-connected, there will need to be a backflow device installed. Mayor Clow confirmed that JUB's price does not include bringing PI to the resident and just to the curb of each property. A4 costs for phases 1 and 2 are \$66.08M. A8 costs for phases 1 and 2 are \$54.69M for 8000 homes. A9 costs for phases 1 and 2 are \$59.82M for 4000 homes. Councilperson Hall asked how many homes are not on PI now and City Engineer Fields answered around 14,000 at this time. Councilperson Hall asked how we will procure land for these PI retrofit applications and Mark said we will have to purchase. Councilperson Kezele questioned that if we tear up the roads, then we really have a mess and who would fix the road afterwards. He also asked if the treatment plant would solve our arsenic problems to comply with the DEQ and if so, how soon do we need to make the decision. Mark explained that it takes about 3 years to construct a treatment plant. City Manager Courtney said option A9 brings us into compliance quickly, adds new water supply, and gives us time before we have to commit a big amount of funding. Councilperson Lanting asked how long the design process will take and City Manager

MINUTES

January 28, 2008

Page 3

Courtney stated that we are at least a year away from bidding this project. He also stated that given the water supply in Southern Idaho, he feels we should purchase all the water we can. Mark explained his handouts to the Council stating they show about 14 months for design and 18 months for construction. The estimates do not include purchase price of the land for PI station sites. Mark then explained the cost to the monthly user; stating that it will nearly double the present monthly water rates, no matter which option is chosen. Mayor Clow told the Council and City Manager Courtney that they should have a work session to set a value on the different options. Councilperson Hall agreed that the meeting sounds like a great idea as this is such a big decision and is going to be so expensive.

AGENDA ITEMS

Mayor Clow called meeting to order at 5:26 and set a time for the work session with Council, JUB and City Staff to discuss the water arsenic compliance and supply issues for February 11, 2008, from 2-5 PM before the City Council meeting.

II. CONSENT CALENDAR:

1. Consideration of accounts payable: January 23 – 28, 2008, \$371,630.75.
2. Consideration of the January 22, 2008, Minutes.

Councilperson Johnson moved to approve the consent calendar and Councilperson Hall seconded the motion to approve all items on consent calendar. Councilperson Kezele asked that Item #3 be removed from the Consent Calendar and put on Items for Consideration as Item #1. Items #1 and #2 were approved as presented by a unanimous vote.

II. ITEMS FOR CONSIDERATION:

1. Transmittal of response to traffic related requests for the following:
 - a. Traffic Study – Washington Street North.

Councilperson Craig asked City Engineer Fields how we would enforce the new speed limit from 45 mph to 35 mph on Federation Road and if we had the manpower to do it. City Engineer Fields explained that the police force is spread to where they are needed during different times of day. Councilperson Lanting spoke of Canyon Crest Drive and how quickly it is building up at Washington Street, saying that the bulk of drivers are still going under 45 mph even though it is not posted. Councilperson Hall spoke to the fact that on the Traffic Safety Commission they decided to leave it at 45 mph until the school is constructed. Councilperson Kezele does not want to change the limit in one year and asked that the City make the choice and leave it the same from now on. Councilperson Johnson would like the flip over signs that change depending on the time of day.

Councilperson Johnson moved to approve Item 1a and Councilperson Heider seconded the motion. Councilperson Lanting feels 45 mph is just too fast and he was against this motion. Councilperson Craig asked that we don't turn into a town known for its speed traps like some other Idaho towns. The motion was approved 5-2, with Councilpersons Kezele and Lanting voting against.

- b. Traffic Study – Stadium Blvd., Locust Street to Eastland Drive

Councilperson Johnson approves of this speed study, saying he felt very safe and comfortable in this area. Councilperson Kezele asked City Engineer Fields about the location of this study and where the speed limits will change. Mayor Clow asked if people coming into town check the green 25 mph speed limit sign or is the placement of this sign arbitrary? City Engineer Fields stated she feels that people don't use the signs for safety, that they drive whatever speed they feel is safe. Councilperson Johnson moved to approve Item 3b and Councilperson Hall seconded the motion. It was approved unanimously.

2. Presentation of O & M Rebate from CH2M Hill-OMI for 2006-2007.

MINUTES

January 28, 2008

Page 4

Presentation by John Keady of CH2M Hill-OMI on direct costs, repairs rebate and utility rate adjustments for contract year October 1, 2006, through September 30, 2007. A rebate check was presented to the City of Twin Falls in the amount of \$59,862. John explained that this was not OMI's fees but supplies and labor to run the treatment plant. This rebate includes a direct cost rebate of \$132,990, repair rebate (payment) of (\$51,504), and an electrical rebate (payment) amount of (\$21,624). John explained that they are currently filling positions and that the rebate relates directly to vacant positions in the past year. Discussion followed about the budget approval process between OMI and the City. Mayor Clow thanked OMI for the rebate.

3. Consideration of a Business Improvement District Board Ordinance.

City Attorney Wonderlich reviewed the request. Councilperson Hall spoke of the ordinance in the council packet and the City Attorney's explanation. Councilperson Hall explained that the BID has been led by the Chamber of Commerce as they were not in compliance with the original ordinance. The BID Commission reviewed this ordinance 1/22/08 and voted to recommend adoption of the ordinance by Council. City Attorney Wonderlich explained that as this becomes code, anyone can look online and peruse the code and all the details included in the ordinance. (A limit of 2 terms which would be staggered, per Mayor Clow.) Councilperson Hall introduced Ryan Horsley as head of BID Commission to speak to the Council regarding this ordinance. Mr. Horsley explained that the frustration of the downtown district is mainly being tied up with parking and landscaping. He feels the other areas have been neglected as the parking and landscaping speaks to a 2-3 block area only, not the entire BID area. He would like the City to take a new direction and have the BID Commission lead. Councilperson Hall outlined that Mr. Horsley wanted the City to take over the parking and landscaping problems as well as approve the ordinance for BID. City Attorney Wonderlich spoke to the Council regarding the budget and directing the use of the funds. Councilperson Johnson approved this ordinance.

David Woodhead, 251 5th Avenue East, feels the BID has not done anything to date. He feels landscaping and parking were needed anyway and that the City should be responsible for the BID areas as well. He wants to get rid of BID and start from scratch with a new promotional organization, i.e. Downtowner's Association. He also feels the Leland Group is finally getting something done in this area and feels there really isn't any purpose for the BID.

Mayor Clow said that the reason the City doesn't do the landscaping and parking is that the BID asked to take those items over. Councilperson Lanting asked what kind of assessment and budget the City gives for BID. Ryan Horsley stated that .0275 is the current assessment which works out to about \$160/quarter or approximately \$600/year for his business. The city allows BID to retain parking revenues from meters and citations per City Manager Courtney.

Ted Eisenbarth has run a business downtown for 21 years, Magic Valley Auto Parts. He doesn't understand the marketing portion – the City will market part of the town but not all? He feels the BID should be dissolved as he feels it's a conflict of interest for the City to market part, but not all, of the town. Mayor Clow explained that the City does not market for BID – that they have the Chamber and other entities do that for them. Mr. Eisenbarth also wanted to know where the assessment fees would come from and if it would be like double taxation. Mayor Clow answered that if you dissolve the BID the assessment would be null and void.

Steve Garner, owner of a downtown vehicle repair shop, said that the downtown merchants really took a hit, mainly because of the landscaping and parking issues. He felt that BID can hire a few people to take care of the parking, thus creating more jobs. He also would like a commitment to get sprinklers fixed.

Mayor Clow stated that we may need to invest in new parking meters and turn around the money to support the BID. Councilperson Heider felt maybe we should get rid of all parking meters. Councilperson Hall said that the new meters with a push button would be a better idea than getting rid of the meters altogether.

Councilperson Johnson moved for third and final reading of Ordinance ~~#2927~~ (Corrected Ordinance #2928) and Councilperson Hall seconded. The motion was approved unanimously.

In the discussion that followed, Councilperson Heider asked for benefits to each party. Mayor Clow said the City benefits as this management will strengthen the downtown district. For BID, it will create economies that are not currently here.

Councilperson Johnson moved for approval of Ordinance ~~#2927~~ (Corrected Ordinance #2928) and Councilperson Hall seconded. Ordinance was approved unanimously.

MINUTES

January 28, 2008

Page 5

Motion made by Councilperson Johnson to authorize staff to contract with Land Group to landscape plan the BID. Councilperson Johnson moved to approve and Councilperson Hall seconded the motion. The motion was approved unanimously.

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

Councilpersons Heider, Kezele, and Hall will be serving on assisting on the upcoming Airport Show.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

- IV. **PUBLIC HEARINGS:** 6:00 P.M. – None.
- V. **ADJOURNMENT:** 7:00 P.M.

Tracy Reed
Executive Assistant

COUNCIL MEMBERS:

LANCE	TRIP	DON	LEE	DAVID E.	WILLIAM A.	GREG
CLOW	CRAIG	HALL	HEIDER	JOHNSON	KEZELE	LANTING

Mayor

Vice Mayor



AMENDED MINUTES
Meeting of the Twin Falls City Council
MONDAY, February 4, 2008
City Council Chambers
305 3rd Avenue East Twin Falls, Idaho

AGENDA ITEMS

PLEDGE OF ALLEGIANCE TO THE FLAG
CONFIRMATION OF QUORUM

CALL MEETING TO ORDER: **4:00 P.M.**

**Discuss the progress of the Sign Code Amendment and provide feedback to the amendment Committee.
Staff report by Mitch Humble, Community Development Director.**

I. CONSENT CALENDAR:

1. Consideration of accounts payable: January 29 – February 4, 2008.
2. Consideration of the January 28, 2008, Minutes.
3. Summary of Idaho Power Franchise Ordinance – public notice.

II. ITEMS FOR CONSIDERATION:

1. Presentation by CGI Communications of a Summary of Community Video Showcase Program.
2. Revised digester lining recommendation.
3. Public input and/or items from the City Manager and City Council.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

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

1. A request for annexation of 80 (+/-) acres for property located at the southwest corner of Grandview Drive North and Falls Avenue West by Grandview Farms, LLC. (app. 2186)
2. A request for a Zoning District Change and Zoning Map Amendment for 1.08 (+/-) acres of land within the Area of Impact from AG to M-2 for property located at 3249 East 3700 North, aka Orchard Drive, by Dell P. Smith. (app. 2185)

V. ADJOURNMENT:

COUNCIL MEMBERS PRESENT: Lance Clow, Trip Craig, Don Hall, Lee Heider, David E. Johnson, William A. Kezele, Greg Lanting.

COUNCIL MEMBERS ABSENT: None

STAFF PRESENT: City Manager Tom Courtney, City Attorney Fritz Wonderlich, City Engineer Jackie Fields, Utility Service Director Sherry Jeff, Code Compliance Officer Sean Standley, Deputy City Clerk Leila Sanchez.

CALL MEETING TO ORDER: Mayor Clow called the meeting to order at 4:00 P.M.

CONFIRMATION OF QUORUM: A quorum was present.

AGENDA ITEMS

**Discuss the progress of the Sign Code Amendment and provide feedback to the amendment Committee.
Staff report by Mitch Humble, Community Development Director.**

Community Development Director Humble discussed the progress of the Sign Code Amendment.

For over a year a committee has been working with staff to prepare an amendment to the City's Sign Code. Early on, the committee decided to throw out the entire current sign code and re-write a new code from the ground up. At their last meeting on December 17th, the Committee requested that the Planning and Zoning Commission and the City Council review their progress on the amendment and provide feedback. The Committee is concerned that they are putting a lot of work into an amendment that could get significantly changed through the public hearing process by Planning and Zoning and/or Council. The committee would like the feedback from the Council so they can determine whether or not they are on the right track.

The Planning and Zoning Commission reviewed the amendment at their Work Session on January 22nd. Generally, the Planning and Zoning Commission was complimentary of the work so far. They made a few comments about items that they would like to see changed. Some of those concerns were regarding the licensed contractor requirement, the length of a banner sign permit, the proposed message center sign standards, the use of new pole signs, and existing pole signs.

There are several sections that the committee has not yet prepared. There are also potential Committee changes within the sections that are included. However, the Committee wanted the Council to see what they have done. Staff recommends that the Council review the Committee's current amendment progress and provide direction to the committee regarding their continued efforts.

Council discussion followed on the proposed changes to the Sign Code Amendment.

PLEDGE OF ALLEGIANCE TO THE FLAG

Mayor Clow invited all present, who wished to, to recite the Pledge of Allegiance to the Flag with him.

I. CONSENT CALENDAR:

1. Consideration of accounts payable: January 29 – February 4, 2008, total: \$193,032.44.
2. Consideration of the January 28, 2008, Minutes.
3. Summary of Idaho Power Franchise Ordinance – public notice.

MOTION:

Councilperson Hall made the motion to approve the Consent Calendar as presented. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. The motion passed.

II. ITEMS FOR CONSIDERATION:

1. Presentation by CGI Communications of a Summary of Community Video Showcase Program.

To be rescheduled.

2. Revised digester lining recommendation.

To be rescheduled.

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

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

Discussion continued on the progress of the Sign Code Amendment and to provide feedback to the amendment Committee.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

Councilperson Heider gave an update on the Historic Preservation Commission.

Councilperson Hall gave an update on the City Police Department.

Recess: 5:58 P.M.

Reconvened at 6:05 P.M.

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

1. A request for annexation of 80 (+/-) acres for property located at the southwest corner of Grandview Drive North and Falls Avenue West by Grandview Farms, LLC. (app. 2186)

Gary Slette, representing the applicant, explained the request.

Community Development Director Humble reviewed the request.

On January 8, 2008 the Commission held a public hearing and expressed concerns with R-2 sized lots butting up against the SUI zoned property with 1 acre + lots bordering on the western boundary of the site. They felt there should be a buffering for the existing development to the west. The Commission, by a vote of 6 for and 1 against, recommended that the zoning designation for the portion of the 80 acres currently zoned SUI (45 +/- acres) be rezoned to R-1 VAR and the portion currently zoned R-2 (35 +/- acres) remain R-2 for property located at the southeast corner of Falls Avenue West and Grandview Drive North with the following conditions:

1. Subject to amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable City Code requirements and Standards.
2. Subject to arterial and collector streets adjacent and within the property being rebuilt or built to current City standards upon development of the property.

Discussion followed.

Gary Slette stated that he would like incorporated in to the record:

MINUTES

February 4, 2008

Page 5

1. The Minutes of the 2006 Planning and Zoning Commission.
2. The Findings of Fact and Conclusions of Law of the Planning and Zoning Commission.
3. The Minutes of the 2006 Council Meetings.
4. The Findings of Fact and Conclusions of Law of the City Council.
5. Ordinance 2864.

Discussion followed:

-Arterial and collector streets adjacent and within the property being rebuilt or built to current City Standards upon development of the property.

City Engineer Fields stated that there would be realigning at the intersection on Falls as well as both sides.

Mayor Clow opened up the public comment portion of the hearing:

Brent Nielsen, 824 Rim View Lane, stated his concerns on the density of homes and traffic problems on Falls and Grandview.

Dennis Crawford, 681 Creekside Way, requested that the Council uphold the Planning and Zoning recommendations.

The public comment portion of the hearing was closed

Gary Slette stated that if the Council pursued as condition of the developments a deed restriction, he would request a minimum of 12,000 square feet in size.

Don Acheson explained the request.

Discussion followed:

- Access from Falls Avenue.
- Septic system.
- R-2 zoning.
- Deed restrictions.
- Grandview.
- Zoning of surrounding areas.
- PUD agreement.

City Attorney Wonderlich stated that what was being held tonight was a brand new hearing.

-Proposed park.

The public hearing was closed.

MOTION:

Councilperson Lanting made the motion to approve the request for annexation of 80(+/-) acres for property located at the southwest corner of Grandview Drive North and Falls Avenue West by Grandview Farms, LLC. (app. 2186), with the following Planning and Zoning Commission recommendations and to add condition #3.

1. Subject to amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable City Code Requirements and Standards.
2. Subject to arterial and collector streets adjacent and within the property being rebuilt or built to current City Standards upon development of the property.
3. A deed restriction being filed on the property that the lots to be developed on the west side proposed Creek side Street to have a minimum lot size of 16,000 square feet and a 3 acre park be developed in the southwest corner of the property.

Discussion followed:

-Park.

City Attorney Wonderlich stated that discussion on the park on the southwest corner should wait until the development plan is brought to the City Council.

Councilperson Lanting withdrew the following verbiage from conditions 3. "and a 3 acre park be developed in the southwest corner of the property."

The motion was seconded by Councilperson Craig and roll call vote showed all members present voted in favor of the motion. The motion passed.

2. A request for a Zoning District Change and Zoning Map Amendment for 1.08 (+/-) acres of land within the Area of Impact from AG to M-2 for property located at 3249 East 3700 North, aka Orchard Drive, by Dell P. Smith. (app. 2185)

Dell P. Smith, applicant, explained the request.

Community Development Director Humble reviewed the request.

On January 8, 2008 the Commission unanimously recommended approval of the requested zoning designation of M-2, subject to the following conditions:

1. Subject to amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable City Code requirements and Standards.
2. Subject to arterial and collector streets adjacent and within the property being rebuilt or built to current City standards upon development of the property.

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

Councilperson Kezele made the motion to recommend for approval to the Twin Falls Board of County Commissioners the request for a Zoning District Change and Zoning Map Amendment for 1.08 (+/-) acres of land within the Area of Impact from AG to M-2 for property located at 3249 East 3700 North, aka Orchard Drive, by Dell P. Smith. (app. 2185) as presented, with the following Planning and Zoning recommendations:

1. Subject to amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable City Code requirements and Standards.
2. Subject to arterial and collector streets adjacent and within the property being rebuilt or built to current City standards upon development of the property.

The motion was seconded by Councilperson Craig and roll call vote showed all members present voted in favor of the motion. The motion passed.

- V. **ADJOURNMENT:** 7:29 P.M. to Executive Session to conduct deliberations concerning labor negotiations or to acquire an interest in real property which is not owned by a public agency. 67-2345 (c).

MOTION:

Vice Mayor Johnson made the motion to move to Executive Session as presented. The motion was seconded by Councilperson Craig and roll call vote showed all members present voted in favor of the motion. The motion passed.

Leila Sanchez
Deputy City Clerk

COUNCIL MEMBERS:

LANCE	TRIP	DON	LEE	DAVID E.	WILLIAM A.	GREG
CLOW	CRAIG	HALL	HEIDER	JOHNSON	KEZELE	LANTING

Mayor

Vice Mayor



MINUTES

Meeting of the Twin Falls City Council
MONDAY, February 11, 2008
City Council Chambers
305 3rd Avenue East Twin Falls, Idaho

AGENDA ITEMS

**PLEDGE OF ALLEGIANCE TO THE FLAG
CONFIRMATION OF QUORUM**

CALL MEETING TO ORDER: 5:00 P.M.

I. CONSENT CALENDAR:

1. Consideration of accounts payable: February 5 to February 11, 2008, total: February 5 – 11, 2008, \$513,701.18.
2. Consideration of the February 4, 2008, Minutes.
3. Multi-Year Improvement Deferral Agreement for The Community Christian Church, Inc. located at 315 Grandview Drive.
4. Improvement Agreement for Developments – R & J Development – Pheasant Meadows Subdivision II (To be developed in sub-phases 2B.)

II. ITEMS FOR CONSIDERATION:

1. Consideration of a request for the re-appointments of Tony Brand and Bill Manker to the Tree Commission for three year terms starting March 2008.
2. Update on the Drinking Water Arsenic Compliance and Supply Improvement Project.
3. Consideration of a request to approve parking consultant Phase I proposal for BID Parking Management Study.
4. Public input and/or items from the City Manager and City Council.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

IV. PUBLIC HEARINGS: 6:00 P.M. - None

V. ADJOURNMENT:

COUNCIL MEMBERS PRESENT: Lance Clow, Trip Craig, Don Hall, Lee Heider, David E. Johnson, William A. Kezele, Greg Lanting.

COUNCIL MEMBERS ABSENT: None

STAFF PRESENT: City Manager Tom Courtney, City Attorney Fritz Wonderlich, City Engineer Jackie Fields, Deputy City Clerk Leila Sanchez.

CALL MEETING TO ORDER: Mayor Clow called the meeting to order at 5:00 P.M.

CONFIRMATION OF QUORUM: A quorum was present.

AGENDA ITEMS

I. CONSENT CALENDAR:

1. Consideration of accounts payable total: February 5 – 11, 2008, \$513,701.18.
2. Consideration of the February 4, 2008, Minutes.
3. Multi-Year Improvement Deferral Agreement for The Community Christian Church, Inc. located at 315 Grandview Drive.
4. Improvement Agreement for Developments – R & J Development – Pheasant Meadows Subdivision II (To be developed in sub-phases 2B.)

MOTION:

Vice Mayor Johnson made the motion to approve the Consent Calendar as presented. The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. The motion passed.

II. ITEMS FOR CONSIDERATION:

1. Consideration of a request for the re-appointments of Tony Brand and Bill Manker to the Tree Commission for three year terms starting March 2008.

Parks and Recreation Director Bowyer reviewed the request.

Tony Brand's first term on the Tree Commission is from January 2005 to February 2008. At the January 22nd Commission meeting, the Commission unanimously approved to recommending to the City Council that Tony be reappointed for another three year term. That term would begin March 2008 and end February 2011.

Bill Manker's first term was a partial term on the Tree Commission as he filled in a vacancy. That partial term is from December 2006 to February 2008. Also at the January 22nd Commission meeting, the Commission unanimously approved to recommending to the City Council that Bill be reappointed for another three year term. That term would begin March 2008 and end February 2011.

MOTION:

Vice Mayor Johnson made the motion to approve the re-appointments of Tony Brand and Bill Manker to the Tree Commission for three year terms starting March 2008. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. The motion passed.

Parks and Recreation Director Bowyer gave an update on the Tree Enhancement Program.

MINUTES

February 11, 2008

Page 2

2. Consideration of a request to approve parking consultant Phase I proposal for BID Parking Management Study.

Economic Development Director Anderson reviewed the request.

The Police Department has prepared a short-term plan to manage metered and leased parking downtown. For continued downtown development success it is very important that the City also develop a long-term parking management strategy. Parking manager and consultant Dan Brame was referred to the City by Leland Consulting Group who has successfully utilized Mr. Brame's services in the past.

Mr. Brame expects to be in Twin Falls on February 22, 2008 to audit what the City does have and to gain a better understanding of downtown development strategy. From that visit and audit he will give the City a proposal for a potential Phase II long-term parking strategy. It's possible he may be able to complete his work with this one visit.

This proposal is for \$2,400 for Phase I plus expenses (approximately \$500 depending on airfare/car rental). Staff requested the funds come from the Historic Downtown Business Improvement District budget as it impacts that geographic area.

Staff recommends that the Council approve the parking management study Phase I.

Council discussion followed:

- The most recent parking model is approximately ten years old.
- Tom Hudson's report did not include a parking management strategy.
- Status of the parking meters in the downtown area.
- City Manager Courtney stated that the parking system in existence today was established in the 1970's. With Mr. Brame's expertise it may be possible to increase revenue and efficiency.
- Councilperson Hall strongly recommended communicating with the BID Board regarding the parking downtown.

MOTION:

Vice Mayor Johnson made the motion to approve the proposed project from Dan Brame to approve the parking consultant Phase I proposal for BID Parking Management Study. The motion was seconded by Councilperson Hall.

Discussion followed:

- Funds to come out of the BID budget.
- Taking over the following responsibilities not anticipated by the City of Twin Falls: Parking, landscaping and administrative work.
- Councilpersons Craig, Heider and Kezele stated their concern of Mr. Brame's associated costs and future unknown costs regarding a downtown parking study.
- Lease parking areas.
- Memo of the Police Department's estimation on meter parking.

ROLL CALL VOTE:

Roll call vote on the motion showed Mayor Clow, Councilpersons Hall, Johnson and Lanting voted in favor of the motion. The motion was opposed by Councilpersons Craig, Heider, and Kezele. The motion passed with a vote of 4 to 3.

Economic Development Director Anderson gave an update on the progress of the 4-block project on Main Street.

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

Vicky Stone, 275 Lincoln, expressed her concerns regarding panhandlers in the City of Twin Falls and a lack of a City Ordinance prohibiting panhandling.

City Wonderlich stated that he would do research on her concerns.

Break – 5:55 P.M.

Reconvened: 6:03 P.M.

4. Update on the Drinking Water Arsenic Compliance and Supply Improvement Project.

City Manager Courtney stated that J-U-B will present an update on the City of Twin Falls Drinking Water Improvement Project. He also stated that the pressure irrigation system did not include cost of land and hooking up to pressure irrigation systems for sprinklers.

Mark Holtzen gave the following PowerPoint presentation, dated February 11, 2008, on the City of Twin Falls Drinking Water Improvement Project:

PI Retrofit-Homeowner Costs

- For Homes with NO Sprinkler Systems
 - Disconnection from Potable System/Connection to PI System
 - Two Hose Bids (Front & Back of House)
 - \$700 per Home
- For Homes with a Sprinkler System
 - Disconnection from Potable System/Connection to PI System
 - Two Hose Bids (Front & Back of House)
 - Additional Costs to Upgrade Sprinkler System Dependent on Pressure Differential Between Potable and PI Systems.
 - Potable System Pressures: 50-100 psi
 - PI System Pressure: 45-60 psi
 - \$1,000 to \$2,000 per Home is Typical
 - Extreme Could be UP to \$3,000
- Overall Costs to Homeowners
 - Inventory of Sprinkler Systems is Needed for Accurate Costs
 - Use Average of \$1,500 per Home
 - Each Phase of Proposed Improvements is 1,014 Acres
 - Assume 4 Homes per Acre
 - Option A8
 - Phase 1 – 4,056 Lots = \$6.08 million
 - Phase 2 - 4,056 Lots = \$6.08 million
 - Option A9
 - Phase 2 – 4,056 Lots = \$6.08 million

PI Retrofit – Pump Station Land Costs

- Assumption
 - Each PI Pump Station Serves 100 Acres
 - Each Phase of Proposed Improvements is 1,014 Acres
 - - 10 PI Pump Stations per Phase
 - Each PI Pump Station Requires 1 acre for Siting/Construction
 - Land Acquisitions Costs: \$100,000 per Acre
- Option A8
 - Phase 1 - \$1.0 million
 - Phase 2 - \$1.0 million
- Option A9
 - Phase 2 - \$1.0 million

Discussion followed:

- 12,000 to 13,000 homes on the pressure irrigation system.
- Homes not on pi – 12 to 13,000.
- Pressure irrigation system conversion.
- A preliminary design would need to be done on new development.
- Financing of retrofitting.
- Land acquisitions cost
- Possibly placing stations in public right of way, edge of parks, new neighborhoods to make the retrofitting cost effective.
- Thompson Park is on a pressure irrigation system.

MINUTES

February 11, 2008

Page 2

- Discussions made with the Twin Falls Canal Company.
- Pond size.
- Idaho law is very restrictive in what is allowed in recycling water.

City Manager Courtney provided the Council with a summary of options on overhead projections

Discussion followed:

- Projected future needs that are contracted and future demands.
- Costs – PI systems
- Arsenic.
- Educating the community on water conservation.
- Building a filter plant.
- Provide incentives to those planning xeriscape landscaping.
- Conservation methods
- Industrial partners.

MOTION:

Vice Mayor Johnson made the motion to direct staff to proceed with the 7.5 A-9, without the plan for retrofitting. The motion was seconded by Councilperson Hall and roll call vote showed all members voted in favor of the motion. The motion passed.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

IV. PUBLIC HEARINGS: 6:00 P.M. – None

V. ADJOURNMENT: 7:28 P.M.

**Leila Sanchez
Deputy City Clerk**

COUNCIL MEMBERS:

LANCE	TRIP	DON	LEE	DAVID E.	WILLIAM A.	GREG
CLOW	CRAIG	HALL	HEIDER	JOHNSON	KEZELE	LANTING

Mayor

Vice Mayor



MINUTES

Meeting of the Twin Falls City Council
 February 19, 2008 (TUESDAY)
 City Council Chambers
 305 3rd Avenue East Twin Falls, Idaho

PLEDGE OF ALLEGIANCE TO THE FLAG
 CONFIRMATION OF QUORUM

CALL MEETING TO ORDER: 5:00 P.M.

AGENDA ITEMS

	Purpose	By:
I. <u>CONSENT CALENDAR:</u> 1. Consideration of accounts payable: February 12 – 19, total: \$609,674.34. 2. Consideration of the February 11, 2008, Minutes. 3. Street Improvement Deferral Agreement: Premier Woodworking, LLC, 2010 Floral Avenue. 4. Curb-Gutter Improvement Deferral Agreement: Premier Woodworking, LLC, 2010 Floral Avenue.	Action	Staff Report
II. <u>ITEMS FOR CONSIDERATION:</u> 1. Consideration of a request to approve the Pump Station Skid and Enclosures Bid. 2. Consideration of a request to pay fees in lieu of park dedication for the Pioneer Estates Subdivision. 3. Consideration of a request to amend City Code, Title 2 to create a Chapter 10: Development Impact Fee Advisory Committee and to appoint nine members of that Committee. 4. Public input and/or items from the City Manager and City Council.	Action Action Action	Mike Trabert Dennis Bowyer Mitch Humble
III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u>		
IV. <u>PUBLIC HEARINGS:</u> 6:00 P.M. 1. Public hearing on proposal to increase the Idaho Power Franchise Fee by more than 105% and consideration of Ordinance #2927 adopting the revised franchise agreement with Idaho Power Company.	Action	Tom Courtney
V. <u>ADJOURNMENT:</u>		

COUNCIL MEMBERS PRESENT: Lance Clow, Trip Craig, Don Hall, Lee Heider, David E. Johnson, William A. Kezele *arrived at 6:00 p.m.*, Greg Lanting.

COUNCIL MEMBERS ABSENT: None

STAFF PRESENT: City Manager Tom Courtney, City Attorney Fritz Wonderlich, City Engineer Jackie Fields, Community Development Director Mitch Humble, Management Assistant Gretchen Scott, Mike J. Trabert, P.E., Deputy City Clerk Leila Sanchez.

CALL MEETING TO ORDER: Mayor Clow called the meeting to order at 5:00 P.M.

CONFIRMATION OF QUORUM: A quorum was present.

Management Assistant Scott discussed the scheduling of a lap top computer training class for councilmembers. A class will be scheduled in the near future.

AGENDA ITEMS

I. CONSENT CALENDAR:

1. Consideration of accounts payable: February 12 – 19, total: \$609,674.34.
2. Consideration of the February 11, 2008, Minutes.
3. Street Improvement Deferral Agreement: Premier Woodworking, LLC, 2010 Floral Avenue.
4. Curb-Gutter Improvement Deferral Agreement: Premier Woodworking, LLC, 2010 Floral Avenue.

MOTION:

Councilperson Hall made the motion to approve the Consent Calendar, to include the amendment to accounts payable: February 12 -19, total: \$609,674.34. The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

II. ITEMS FOR CONSIDERATION:

1. Consideration of a request to approve the Pump Station Skid and Enclosures Bid.

Mike Trabert, P.E., reviewed the request. He stated that approval of the request will allow the City to purchase pump skids for various subdivision pressure irrigation service areas. The total acreage being serviced will be approximately 350 acres. The bid will also allow the City to purchase additional pump skids through the next full calendar year as additional service areas are developed.

Discussion followed:

-The bidding process.

MOTION:

Vice Mayor Johnson made the motion to approve the Precision Pumping Systems bid as presented. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

2. Consideration of a request to pay fees in lieu of park dedication for the Pioneer Estates Subdivision.

Parks and Recreation Director Bowyer reviewed the request.

The applicant is requesting to pay fees in lieu of the required park land dedication. The applicant has indicated that an appraisal will be completed at the time of final plat. The value of the land, as determined through that appraisal, and the cost of developing an acre of park land (\$31,700) will then be applied to the required dedication of 0.42 acre to generate

MINUTES

February 19, 2008

Page 3

the actual dollar amount of the fees to be paid to the City. The City already has two neighborhood parks located within the same square mile as this subdivision, Jason's Woodland Hills Park and Morning Sun Park (under construction). Therefore, staff believes that paying fees in lieu of dedication is preferable to accepting more park land in this square mile.

The subject property is bisected by a coulee. The applicant plans to dedicate the land around the coulee to the City. The City already owns the land around the coulee to the north of this site. It was dedicated with the development of the Morning Sun Subdivision. There is also an existing hike and bike trail within that property to the north. The applicant is requesting to spend their in lieu fees to construct a linear mini-park and an extension of the Morning Sun hike and bike trail along the east side of the coulee that would connect the existing trail to Filer Avenue across their subdivision. Staff supports this request to pay fees in lieu of park land dedication and believes that the proposed linear mini-park and hike and bike trail extension would be a good use of the fees.

At their February 12, 2008, meeting, the Parks and Recreation Commission voted unanimously to recommend that the Council accept the payment of fees in lieu of park land dedication and allow the applicant to spend those fees to construct the proposed linear mini-park and hike and bike trail extension.

Approval of this request will have no immediate budget impact, as the request includes spending the in lieu fees on the proposed linear mini-park and hike and bike trail extension. However, upon acceptance of the improvements, the long term maintenance of the park and trails will become the responsibility of the Parks and Recreation Department. These maintenance costs will have to be included in future maintenance budgets for the department. However, the applicant intends to use low water/low maintenance materials, which would help to keep future maintenance costs down.

The Parks and Recreation Commission recommends that the City Council accept the applicant's request to pay fees in lieu of park land dedication and to spend their fees on the construction of a linear mini-park and hike and bike trail extension across the property.

Staff concurs with the Commission's recommendation with the following two conditions:

1. Staff approval of the landscape plans.
2. Open fencing is required for lots located adjacent to the proposed walking paths.

Discussion followed:

- Consideration of parks in the area.
- Property currently used as a detention area.

Community Development Director Humble stated that the developer owes the City .42 acres of park land and has requested to exchange the .42 acres into an in-lieu fee, which is to be applied to improvements.

MOTION:

Councilperson Lanting made the motion to approve fees for the in lieu of park land dedication and to spend fees on the construction of a linear mini-park and hike and bike trail extension across the property as presented, subject to the following conditions:

1. Staff approval of the landscape plans.
2. Open fencing is required for lots located adjacent to the proposed walking paths.

The motion was seconded by Councilperson Craig.

Discussion followed:

- Trail currently dead ends north of the subject property.

VOTE:

Roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

3. Consideration of a request to amend City Code, Title 2 to create a Chapter 10: Development Impact Fee Advisory Committee and to appoint nine members of that Committee.

Community Development Director Humble reviewed the request.

The City has hired a consultant to assist with the creation of an impact fee ordinance for the city. The consultant has now completed a final draft of the proposed impact fee report. The process that the State requires for adopting development impact fees requires that cities appoint a Development Impact Fee Advisory Committee. This Committee is the first body to officially review the proposed impact fees so that they can make a recommendation to the Planning and Zoning Commission and City Council regarding the impact fees and the associated capital improvement plans. Twin Falls does not have such a committee at this time. Therefore, one must be created and committee members appointed.

Most of the City's boards and committees are provided for in Title 2 of the City Code. Therefore, staff has prepared an amendment to Title 2 that creates "Chapter 10: Development Impact Fee Advisory Committee." The ordinance establishes this committee much like other City committees. It is proposed to have nine members appointed by the Mayor and confirmed by the Council that serve three year terms. The Committee's purpose and duties are those that are required by the State. The State also requires that the Committee have at least five members and that at least two members shall be active in the business of development, building or real estate. Staff recommends adoption of the ordinance as presented.

The second portion of this request is to actually appoint the nine members of this committee. Staff had compiled a list of 20 people who indicated a desire to serve on this committee. A selection panel made up of Mayor Clow, Vice Mayor Johnson, Councilman Heider, Tom Courtney, and Mitch Humble recently reviewed the list of potential committee members. After reviewing the names and their qualifications, the selection panel is recommending the following nine people, listed in alphabetical order, to serve on the committee:

Name	Resident	Related Profession	
1.	John Bonnet	Yes	No
2.	Gary Burkett	No	Yes, Engineer
3.	Kent Collins	Yes	Yes, Realtor
4.	Glenda Dwight	Yes	No
5.	Jeff Gooding	Yes	Yes, Builder
6.	Tony Hughes	Yes	Yes, Builder
7.	Bonnie Lezamiz	Yes	Yes, Realtor
8.	Dusty Tenney	No (Area of Impact)	No
9.	Doug Vollmer	Yes	Yes, Developer

City Code 2-1-1 states, "The members of all advisory commissions established under this title shall be residents of the city unless this residency requirement is specifically waived by the council." Since Gary Burkett and Dusty Tenney are not City residents, the Council will have to specifically waive their residency requirement. Also, to establish an orderly future reappointment process, three of the nine should be appointed for 1 year, three for 2 years, and three for 3 years. The Council will have to specify the terms of office for each of the nine appointees as well.

Discussion followed:

-State law on the proposed ordinance.

MOTION:

Vice Mayor Johnson made the motion to suspend the rules and place Ordinance #2929, entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, AMENDING TITLE 2 OF THE TWIN FALLS CITY CODE BY PROVIDING FOR A DEVELOPMENT IMPACT FEE ADVISORY COMMITTEE.

on third and final reading by title only. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

Deputy City Clerk Sanchez read the ordinance title.

MOTION:

Councilperson Craig made the motion to adopt Ordinance #2929 as presented. The motion was seconded by Councilperson Hall.

MOTION:

Councilperson Johnson made the following amendment to the main motion:

2-10-3: MEMBERSHIP:

- A. There shall be (9) voting members of said Committee, to be appointed by the Mayor and confirmed by the City Council. Four (4) or more members shall be active in the business of development, building or real estate.

The amendment to the motion was seconded by Councilperson Hall. Roll call vote showed Mayor Clow, Councilpersons Craig, Hall, Vice Mayor Johnson, and Councilperson Lanting voted in favor of the motion. Councilperson Heider voted against the motion. The motion passed with a vote of 5 to 1.

MOTION:

Roll call vote on the motion as amended showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

Discussion followed:

- Terms of candidates.

MOTION:

Vice Mayor Johnson made the motion to approve the Development Impact Fee Advisory Committee appointments and terms, and to waive the residency requirement for Gary Burkett and Dusty Tenney as presented:

Member	Term
1. John Bonnet	2 years
2. Gary Burkett	2 years
3. Kent Collins	3 years
4. Glenda Dwight	1 year
5. Jeff Gooding	3 years
6. Tony Hughes	2 years
7. Bonnie Lezamiz	1 year
8. Dusty Tenney	1 year
9. Doug Vollmer	3 years

The motion was seconded by Councilperson Craig and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

- 4. Public input and/or items from the City Manager and City Council. None

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

Councilperson Lanting stated that the Tree Commission is accepting applications for an alternate position on the Commission. He also stated that applications are being received for the Tree Enhancement program.

Councilperson Heider stated that the City of Hailey is requesting a new airport to replace the Friedman Memorial Airport. He also stated that the Air Show is scheduled on July 26 and 27, 2008.

Councilperson Craig gave an update on the Pool Advisory Committee and Strategic Planning Committee.

RECESS at 5:51 P.M.
RECONVENED AT 6:02 P.M.

Mayor Clow welcomed and introduced Troop 68, sponsored by the Immanuel Lutheran Church.

Councilperson Kezele took his seat at 6:00 P.M.

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

1. Public hearing on proposal to increase the Idaho Power Franchise Fee by more than 105% and consideration of Ordinance #2927 adopting the revised franchise agreement with Idaho Power Company.

One of the objectives in our strategic plan is to identify and aggressively pursue new funding opportunities. Over the last 18 months we have increased our tax levy to absorb the foregone amount, increased water and sewer rates to accumulate capital reserves and entered into a consulting contract to assess impact and connection fees. One of the sub-objectives under this objective is to increase our electrical franchise fee from one percent of electrical sales within the City limits to three percent of electrical sales within the City limits. Idaho Code allows cities to charge water, gas and electrical utilities a franchise fee for the use of the public rights-of-way not to exceed three percent of gross sales.

The existing franchise agreement with Idaho Power Company was approved in June 1999. The term of the agreement is 25 years and the franchise fee is one percent of gross sales. The proposed agreement is for a period of 25 years with a franchise fee of three percent. The agreement is in the form of an ordinance.

The current franchise agreement generates revenue in the amount of approximately \$230,000 per year. The revenue is used to offset the cost of street lights. Increasing the fee to three percent will generate an additional \$450,000 to \$500,000 per year. The intent is to use the revenue for improvements to public rights-of-way and City streets. A consumer with a monthly electrical bill of \$100 currently pays a franchise fee of \$1.00. Under the proposed agreement, the franchise fee for an electrical bill of \$100 will increase to \$3.00.

This should be considered a significant new funding source for City streets and street programs. Over the last three years, the City has spent about \$1,000,000 per year on street construction projects including design and right-of-way purchases for the Washington Street project. If implemented, the fee will allow us to increase construction expenditures by about 45 to 50 percent. The recent impact fee study identified \$52,844,500 in capital projects (arterial streets and traffic signals only) to be completed over the next 10 years. Of that total, \$29,257,171 would be funded through state and city general revenues and the balance through impact fees. While the increase in franchise fees will not fund the City's share of projected capital needs, it is a piece of the funding puzzle.

Dan Olmstead representing Idaho Power explained the request.

Discussion followed:

- Revenues generated by the agreement.
- Relocation of power lines on Blue Lakes and Washington Street North.

Dan Olmstead stated that Idaho Power pays for the cost of overhead to overhead, with no expense to the City. If the City requests underground power lines the City would be charged the difference between an overhead power line and an underground power line. Underground power lines are not considered the standard. He also stated that transmission lines on Washington Street North are high powered and would not go underground. Distribution lines on Blues Lakes Blvd. could possibly be placed underground.

The public comment portion of the meeting was opened and closed with no input.

Deliberations:

- Money received would be placed in reserves.
- The County does not have franchise agreements.

MOTION:

Vice Mayor Johnson made the motion to suspend the rules and place Ordinance #2927, entitled:

AN ORDINANCE IN ACCORDANCE WITH IDAHO CODE 50-328, 50-329 AND 50-329A GRANTING A FRANCHISE TO IDAHO POWER COMPANY, A CORPORATION, AND TO ITS SUCCESSORS AND ASSIGNS, TO CONSTRUCT, MAINTAIN AND OPERATE IN AND UPON THE PRESENT AND FUTURE STREETS, HIGHWAYS AND OTHER PUBLIC PLACES WITHIN THE CORPORATE LIMITS OF THE CITY OF TWIN FALLS, IDAHO, ELECTRIC UTILITY PROPERTY AND

MINUTES

February 19, 2008

Page 7

FACILITIES FOR SUPPLYING ELECTRICITY AND ELECTRIC SERVICE TO THE CITY, THE INHABITANTS THEREOF, AND OTHERS FOR A TERM OF TWENTY FIVE (25) YEARS, INCLUDING THE NONEXCLUSIVE RIGHT TO PHYSICALLY LOCATE AND MAINTAIN TELEPHONE, CABLE, FIBER OPTICS OR OTHER COMMUNICATIONS FACILITIES; SETTING FORTH AN AGREEMENT NOT TO COMPETE, RESERVING POWER OF EMINENT DOMAIN; PROVIDING FOR THE PAYMENT OF FRANCHISE FEES; AND SPECIFYING OTHER LIMITATIONS, TERMS AND CONDITIONS GOVERNING THE EXERCISE OF SAID FRANCHISE."

on third and final reading by title only. The motion was seconded by Councilperson Hall. Roll call vote showed Mayor Clow, Councilpersons Hall, Heider, Vice Mayor Johnson, Councilpersons Kezele and Lanting voted in favor of the motion. Councilperson Craig voted against the motion. The motion passed with a vote of 6 to 1.

Deputy City Clerk Sanchez read the ordinance title.

MOTION:

Councilperson Hall made the motion to adopt Ordinance #2927 as presented. The motion was seconded by Vice Mayor Johnson.

Discussion followed:

- Concerns of increasing fees.
- Federal funding projects.

ROLL CALL:

Roll call vote showed Mayor Clow, Councilpersons Hall, Heider, Vice Mayor Johnson, Councilpersons Kezele and Lanting voted in favor of the motion. The motion was opposed by Councilperson Craig. The motion passed with a vote of 6 to 1.

V. ADJOURNMENT: 6:34 P.M.

Leila Sanchez
Deputy City Clerk

COUNCIL MEMBERS:

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



MINUTES
 Meeting of the Twin Falls City Council
 February 25, 2008
 City Council Chambers
 305 3rd Avenue East Twin Falls, Idaho

**PLEDGE OF ALLEGIANCE TO THE FLAG
CONFIRMATION OF QUORUM**

CALL MEETING TO ORDER: 5:00 P.M.

AGENDA ITEMS

	Purpose	By:
I. <u>CONSENT CALENDAR:</u> 1. Consideration of accounts payable: February 20 – February 25, 2008 2. Consideration of the February 19, 2008, Minutes. 3. Consideration of a Curb-Gutter and Sidewalk Improvement Deferral Agreement for Chris Grata, 1093 Kenyon Road. 4. Consideration of an Improvement Deferral Agreement for Sto-N-Go Subdivision. 5. Consideration of a request to approve the annual Saint Patrick's Day Parade Special Events Application. 6. Consideration of approval for: a. Traffic Study - Orchard Avenue, east and west of Washington. b. Traffic Study – Stadium Blvd., Eastland Drive to Hankins Road. c. Stop Sign Study – Stadium Blvd., and Blue Lakes Blvd. North.	Action	Staff Report
II. <u>ITEMS FOR CONSIDERATION:</u> 1. Consideration of a request to appoint members to the Twin Falls Planning & Zoning Commission. 2. Consideration of a request to appoint members to the Twin Falls Historic Preservation Commission. 3. Consideration of a request to initiate a public hearing to consider amending City Code Title 10, Chapter 4 regarding the creation of a Section 23, Commercial Historic Overlay District and an amendment to Section 22, Warehouse Historic Overlay District. 4. Consideration of a request to approve the bid proposals for the 2008 Waterworks Supplies. 5. Consideration of adoption of a resolution expressing the support for legislation amending the Regional Transportation Authority Act to permit local option authority for transportation enhancements. 6. Report to the Council regarding the progress of the improvements being made to the new Development Services Building on Hansen Street East. 7. Public input and/or items from the City Manager and City Council.	Action Action Action Action Action Report	Mitch Humble Paul Smith Paul Smith Mike Schroeder Lance Clow Mitch Humble
III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u>		
IV. <u>PUBLIC HEARINGS:</u> 6:00 P.M. - None 1. Request for annexation of 29 (+/-) acres with a Zoning Designation as R-4 PUD for property located southwest of 2850 East 3600 North, by Bos'ero Development, LLC. (app. 2193)	Action	Mitch Humble
V. <u>ADJOURNMENT:</u> to Executive Session to conduct deliberations concerning labor negotiations or to acquire an interest in real property which is not owned by a public agency. 67-2345 (c)		

**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.*

- COUNCIL MEMBERS PRESENT:** Lance Clow, Trip Craig, Don Hall, Lee Heider, David E. Johnson, William A. Kezele, Greg Lanting *arrived at 6:00 p.m.*
- COUNCIL MEMBERS ABSENT:** None
- STAFF PRESENT:** City Manager Tom Courtney, City Attorney Fritz Wonderlich, City Engineer Jackie Fields, Community Development Director Mitch Humble, Water Superintendent Mike Schroeder, Deputy City Clerk Leila Sanchez.

CALL MEETING TO ORDER: Mayor Clow called the meeting to order at 5:00 P.M.

CONFIRMATION OF QUORUM: A quorum was present.

AGENDA ITEMS

I. CONSENT CALENDAR:

1. Consideration of accounts payable: February 20 – February 25, 2008:
Prepay 2/22/2008 = \$102,971.22
A/P 2/30-35 = \$293,061.98
2. Consideration of the February 19, 2008, Minutes.
3. Consideration of a Curb-Gutter and Sidewalk Improvement Deferral Agreement for Chris Grata, 1093 Kenyon Road.
4. Consideration of an Improvement Deferral Agreement for Sto-N-Go Subdivision.
5. Consideration of a request to approve the annual Saint Patrick's Day Parade Special Events Application.
6. Consideration of approval for:
 - a. Traffic Study - Orchard Avenue, east and west of Washington.
 - b. Traffic Study – Stadium Blvd., Eastland Drive to Hankins Road.
 - c. Stop Sign Study – Stadium Blvd., and Blue Lakes Blvd. North.

MOTION:

Councilperson Hall made the motion to approve the Consent Calendar as presented. The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

II. ITEMS FOR CONSIDERATION:

1. Consideration of a request to appoint members to the Twin Falls Planning & Zoning Commission.

Community Development Director Humble reviewed the request.

Wayne Bohrn, Lee DeVore, Tato Munoz, and Bonnie Lezamiz were in attendance.

MOTION:

Vice Mayor Johnson made the motion to approve the following appointments to the Planning & Zoning Commission as presented:

1. Reappoint Gerardo (Tato) Munoz and Bonnie Lezamiz to second three-year terms on the Commission,
2. Recommend to the Twin Falls County Commissioners to appoint Lee DeVore to the Commission, and
3. Appoint Wayne Bohrn to a two-year term on the Commission.

The motion was seconded by Councilperson Craig and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

2. Consideration of a request to appoint members to the Twin Falls Historic Preservation Commission.

Paul Smith, representing the Twin Falls Historic Preservation Commission, reviewed the request. Under City Code 2-7-3, the Historic Preservation Commission is required to have ten members. The Commission recommends the appointments of Jan Brumbach and Sheri Aiello.

Community Development Director Humble reviewed the request. The Historic Preservation Commission recommends that the Council appoint additional members to the Commission. Should the Council decide to proceed with the appointment of additional commissioners, staff recommends that the City initiate the typical commission selection process, that is to notify the three vacancies, convene a selection committee, interview the applicants, and then have the Council appoint the recommended individuals to the Commission.

Discussion followed:

- Commission member requirement.
- Two applications received by the Historic Preservation Committee.
- Selection process.

Paul Smith explained the Certified Local Government grant is \$3,200 for 2008.

Councilperson Hall made the motion to open up the interview process and advertise for the Twin Falls Historic Preservation Commission. The motion was seconded by Councilperson Kezele and roll call vote showed all members present voted in favor of the motion. The motion passed.

Council directed staff to inform all commissions and committees to adhere to a selection process.

3. Consideration of a request to initiate a public hearing to consider amending City Code Title 10, Chapter 4 regarding the creation of a Section 23, Commercial Historic Overlay District and an amendment to Section 22, Warehouse Historic Overlay District.

Paul Smith, representing the Historic Preservation Commission, explained the request. The Commission is requesting that the Council consider initiating a public hearing to amend City Code Title 10, Chapter 4 to create another historic overlay district. If the Council does approve the request, the Commission would then petition to have the area become a City of Twin Falls Historic District and to adopt guidelines with regard to the exterior design of that area.

Community Development Director Humble reviewed the request.

This request is simply to initiate a public hearing process to consider the proposed Code amendments. If the Council approves the request, then a public hearing process will begin. Final drafts of the proposed amendments will be prepared by staff and the Commission. Those drafts will be presented to the Planning and Zoning Commission in a public hearing for their recommendation to the Council. The Council will then hold a public hearing to decide whether or not to adopt the proposed Code amendments. If the Code amendments are adopted, the newly created overlay district will be on the books, but there will not yet be any property zoned with that overlay. There will have to be another zoning process to consider actually applying the new overlay district to a specifically defined property. So, this process, if approved, will not actually rezone anyone's property with this new overlay; it will only create the overlay and make it available for application.

The proposed language is similar to the Warehouse Historic Overlay language in that it would require the Commission to issue a "certificate of appropriateness" prior to any building permit being issued for a property within a Commercial Historic Overlay District. The language also references compliance with a prepared design standards document as criteria for the issuance of a certificate of appropriateness.

In preparing the draft amendments for the Commercial Historic Overlay District, the Commission felt that some minor amendments were also needed in Section 22, Warehouse Historic Overlay Commission. The amendments proposed are

MINUTES

February 25, 2008

Page 2

mostly formatting changes. The draft of these proposed amendments is also attached. However, Section 22 does not currently reference the prepared design standards document for the Warehouse Historic Overlay District. The Commission feels that it is important that the Code reference this document and is requesting this amendment to Section 22 to make that reference.

Staff is asking for Council direction.

Discussion followed:

-Impact of the redevelopment of downtown.

City Manager Courtney stated that in speaking with Dave Leland, Mr. Leland was very supportive of encouraging people to maintain historic buildings. He was not supportive of creating new historic districts because of regulatory issues.

-Noticing requirements.

-Tentative boundaries.

Paul Smith stated the tentative boundaries would be what the National Parks recognize. He also stated the request is in accordance with the Twin Falls Comprehensive Plan.

-Opportunity for a property owner in the district to opt out.

Paul Smith stated that it would be up to the City Council to exempt buildings. Property owners would not have the right to exempt their own buildings.

MOTION:

Councilperson Heider made the motion to initiate a public hearing to consider amending City Code Title 10, Chapter 4 regarding the creation of a Section 23, Commercial Historic Overlay District and an amendment to Section 22, Warehouse Historic Overlay District, with the following condition as presented. The motion was seconded by Councilperson Hall.

MOTION:

Councilperson Craig made an amendment to the main motion to require a notice to the property owners in the initial district (Commercial Historic Overlay District) at the time of review of the ordinance. The motion was seconded by Councilperson Kezele and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

Roll call vote on the amended main motion showed all Councilpersons present voted in favor of the motion. The motion passed.

4. Consideration of a request to approve the bid proposals for the 2008 Waterworks Supplies.

Water Superintendent Schroeder reviewed the request.

MOTION:

Vice Mayor Johnson made the motion to approve the bid proposals for the 2008 Waterworks Supplies Contract to Ferguson, HD Supply, and United Pipe & Supply as presented. The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

5. Consideration of adoption of a resolution expressing the support for legislation amending the Regional Transportation Authority Act to permit local option authority for transportation enhancements.

Mayor Clow stated that he has been asked to be Co-Chairman of the Moving Idaho Forward Coalition. The local option authority will give Idaho citizens an opportunity to decide for themselves what kind of local transportation improvements the City is willing to pay for in their communities.

Discussion followed:

-Local option sales tax.

MOTION:

Vice Mayor Johnson made the motion to adopt Resolution #1796 as presented: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, EXPRESSING THE SUPPORT OF THE TWIN FALLS CITY COUNCIL FOR LEGISLATION AMENDING THE REGIONAL TRANSPORTATION AUTHORITY ACT TO PERMIT LOCAL OPTION AUTHORITY FOR TRANSPORTATION ENHANCEMENTS. The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

6. Report to the Council regarding the progress of the improvements being made to the new Development Services Building on Hansen Street East.

Report given by Community Development Director Humble.

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

Carey Moser, 3785 N. 3200 E., explained that he applied for a building permit in November of 2007. He stated his concern about the required 13 parking spaces required.

Community Development Director Humble stated that he would contact Mr. Moser on the status of his project.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

Councilperson Craig gave an update on the Pool Commission.

BREAK: 6:21 P.M.
RECONVENED: 6:26 P.M.

IV. PUBLIC HEARINGS: 6:00 P.M. - None

1. Request for annexation of 29 (+/-) acres with a Zoning Designation as R-4 PUD for property located southwest of 2850 East 3600 North, by Bos'ero Development, LLC. (app. 2193)

Councilperson Craig disclosed that he was contacted by Tom Billington. Upon City Attorney Wonderlich's advice, he did not discuss the request with Mr. Billington.

Devon Elison, Harper Leavitt, representing the applicant reviewed the request. He stated that he has spoken with Tom Billington, owner of cattle feed operation adjacent to the proposed location, and stated that he is aware of Mr. Billington's concerns.

Community Development Director Humble reviewed the request. On January 29, 2008, the Planning and Zoning Commission unanimously recommended an R-4 PUD zoning designation as appropriate and if the City Council approves annexation of the site, staff recommends the following conditions:

1. Subject to amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable City Code requirements and Standards.
2. Subject to arterial and collector streets adjacent and within the property being rebuilt or built to current City standards upon development of the property.
3. The PUD Agreement be amended to include:
 - a. Attachment of nuisance waivers to the sale of lots in the development.
 - b. The undeveloped buffer area, Parcel 1, shown on the west side of the property shall remain as a buffer until the adjacent cattle operation ceases to operate and a Master Development Plan amendment is approved for the development.
 - c. Upon development of Parcel 1, a berm and trees included on the west side of the property.

Discussion followed:
-Buffer Zone

MINUTES

February 25, 2008

Page 2

Mayor Clow reviewed the public hearing process.

The public hearing was opened:

Tom Billington, 3564 N. 2800 E., stated that he owns an approved feed lot on 300 plus acres adjacent to the proposed subdivision. His concerns included the following: Liability for the public who use the road along the canal, drinking water issues, and smells from his operation.

Mayor Clow reviewed a letter dated February 21, 2008, to the Twin Falls City Council from Travis L. Thompson, BARKER ROSHOLT & SIMPSON LLP, representing Greg and Darla Vierstra.

Discussion followed:

- Odor and smells from the cattle feed operation.
- Nuisance waivers.

City Attorney Wondelrich stated that the nuisance waiver would not be enforced by the City.

- Comprehensive plan.

The public hearing was closed.

Deliberations:

- Possible creation of a nuisance area.
- Right to farm.

MOTION:

Vice Mayor Johnson made the motion approve the annexation of 29 (+/-) acres with a Zoning Designation as R-4 PUD for property located southwest of 2850 East 3600 North, by Bos'ero Development, LLC. (app. 2193) as presented, with the following conditions:

1. Subject to amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable City Code requirements and Standards.
2. Subject to arterial and collector streets adjacent and within the property being rebuilt or built to current City standards upon development of the property.
3. The PUD Agreement be amended to include:
 - a. Attachment of nuisance waivers to the sale of lots in the development.
 - b. The undeveloped buffer area, Parcel 1, shown on the west side of the property shall remain as a buffer until the adjacent cattle operation ceases to operate and a Master Development Plan amendment is approved for the development.
 - c. Upon development of Parcel 1, a berm and trees included on the west side of the property.

The motion was seconded by Councilperson Lanting. Roll call vote showed Mayor Clow, Councilpersons Hall, Heider, Kezele, and Lanting voted in favor of the motion. Councilperson Craig and Vice Mayor Johnson voted against the motion. The motion passed with a vote of 5 to 2

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

Councilperson Craig made the motion to adjourn to Executive Session at 7:30 P.M. The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

Leila Sanchez
Deputy City Clerk

COUNCIL MEMBERS:

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



MINUTES
Meeting of the Twin Falls City Council
March 3, 2008
City Council Chambers
305 3rd Avenue East Twin Falls, Idaho

PLEDGE OF ALLEGIANCE TO THE FLAG
CONFIRMATION OF QUORUM
INTRODUCTION OF STAFF

CALL MEETING TO ORDER: 5:00 P.M.

AGENDA ITEMS		Purpose	By:
I. <u>CONSENT CALENDAR:</u> 1. Consideration of accounts payable: February 26 – March 3, 2008. 2. Consideration of the February 25, 2008, Minutes. 3. Multi-Year Improvement Deferral Agreement for Orlan Stearns, 1916 and 1922 Floral Avenue. 4. Report on the Finance Committee Meeting of February 22, 2008.		Action	Staff Report
II. <u>ITEMS FOR CONSIDERATION:</u> 1. Consideration of the reappointment of Doug Pollow to the Board of Commissioners of the Twin Falls Housing Authority for a term starting February 12, 2008. 2. Consideration of a request to waive the green fees for the 16th annual "Scramble for Books" golf tournament sponsored by the Twin Falls Library Foundation on Saturday, September 13, 2008. 3. Consideration of the request to waive the green fees for the 11th annual "Fly Like an Eagle" golf tournament sponsored by the College of Southern Idaho on Saturday, May 31, 2008. 4. Consideration of a request for the reappointment of Gale Kleinkopf and Ed Prater to the Golf Advisory Commission for three-year terms starting March 2008. 5. Consideration of a request for the reappointment of John Bonnett to the Parks & Recreation Commission for a three-year term starting March 2008. 6. Consideration of an Airport Advertising Agreement with the Younger Agency. 7. Public input and/or items from the City Manager and City Council.		Action	Penny Earl
		Action	Dennis Bowyer
		Action	Bill Carberry
III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u>			
IV. <u>PUBLIC HEARINGS:</u> 6:00 P.M. - None			
V. <u>ADJOURNMENT</u> to Executive Session: 1. To consider hiring a public officer, employee, staff member or individual agent. This paragraph does not apply to filling a vacancy in an elective office. 67-2345 (a) 2. To conduct deliberations concerning labor negotiations or to acquire an interest in real property which is not owned by a public agency. 67-2345 (c)			

COUNCIL MEMBERS PRESENT: Lance Clow, Trip Craig, Don Hall, Lee Heider, David E. Johnson, William Kezele, Greg Lanting

COUNCIL MEMBERS ABSENT: William Kezele

STAFF PRESENT: City Manager Tom Courtney, Community Development Director Mitch Humble, Deputy City Clerk Leila Sanchez.

CALL MEETING TO ORDER: Mayor Clow called the meeting to order at 5:00 P.M.

CONFIRMATION OF QUORUM: A quorum was present.

CALL MEETING TO ORDER **5:00 P.M.**

Mayor Clow 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 Clow introduced City staff.

AGENDA ITEMS

I. CONSENT CALENDAR:

1. Consideration of accounts payable: February 26 – March 3, 2008, total: \$148,439.48.
2. Consideration of the February 25, 2008, Minutes.
3. Multi-Year Improvement Deferral Agreement for Orlan Stearns, 1916 and 1922 Floral Avenue.
4. Report on the Finance Committee Meeting of February 22, 2008.

MOTION:

Councilperson Lanting made the motion to approve the Consent Calendar as presented. The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

II. ITEMS FOR CONSIDERATION:

1. Consideration of the reappointment of Doug Pollow to the Board of Commissioners of the Twin Falls Housing Authority for a term starting February 12, 2008.

Penny Earl, Twin Falls Housing Authority, reviewed the request.

MOTION:

Vice Mayor Johnson made the motion to approve the reappointment of Doug Pollow to the Board of Commissioners of the Twin Falls Housing Authority for a term starting February 12, 2008 as presented. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

2. Consideration of a request to waive the green fees for the 16th annual "Scramble for Books" golf tournament sponsored by the Twin Falls Library Foundation on Saturday, September 13, 2008.

Parks and Recreation Director Bowyer reviewed the request.

MOTION:

Vice Mayor Johnson made the motion to waive the green fees for the 16th annual "Scramble for Books" golf tournament sponsored by the Twin Falls Library Foundation on Saturday, September 13, 2008. The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

3. Consideration of the request to waive the green fees for the 11th annual "Fly Like an Eagle" golf tournament sponsored by the College of Southern Idaho on Saturday, May 31, 2008.

Parks and Recreation Director Bowyer reviewed the request.

Joel Bate, College of Southern Idaho Athletic Director, explained the request.

MOTION:

Councilperson Heider made the motion to waive the green fee for the 11th annual "Fly Like an Eagle" golf tournament sponsored by the College of Southern Idaho on Saturday, May 31, 2008. The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

4. Consideration of a request for the reappointment of Gale Kleinkopf and Ed Prater to the Golf Advisory Commission for three-year terms starting March 2008.

Parks and Recreation Director Bowyer explained the request.

MOTION:

Councilperson Lanting made the motion to approve the reappointments of Gale Kleinkopf and Ed Prater to the Golf Advisory Commission for three-year terms, which would begin March 2008 and end February 2011. The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

5. Consideration of a request for the reappointment of John Bonnett to the Parks and Recreation Commission for a three-year term starting March 2008.

Parks and Recreation Director Bowyer reviewed the request.

MOTION:

Councilperson Craig made the motion to approve the reappointment of John Bonnett to the Parks and Recreation Commission for a three-year term starting March 2008. The motion was seconded by Councilperson Johnson and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

6. Consideration of an Airport Advertising Agreement with the Younger Agency.

Airport Manager Carberry introduced Sandy Clark, Director of Sales for the Younger agency.

Sandy Clark explained the request.

MOTION:

Vice Mayor Johnson made the motion to approve the Airport Advertising Agreement with the Younger Agency as presented. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

7. Public input and/or items from the City Manager and City Council. None.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS: None

IV. PUBLIC HEARINGS: 6:00 P.M. - None

V. ADJOURNMENT to Executive Session:

1. To consider hiring a public officer, employee, staff member or individual agent. This paragraph does not apply to filling a vacancy in an elective office. 67-2345 (a)
2. To conduct deliberations concerning labor negotiations or to acquire an interest in real property which is not owned by a public agency. 67-2345 (c)

MOTION:

MINUTES
MARCH 3, 2008
PAGE 4

Councilperson Heider made the motion to approve to adjourn to Executive Session as presented. The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

The meeting adjourned at 5:38 P.M.

Leila Sanchez
Deputy City Clerk

COUNCIL MEMBERS:

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



MINUTES
Meeting of the Twin Falls City Council
MONDAY, March 10, 2008
City Council Chambers
305 3rd Avenue East Twin Falls, Idaho

PLEDGE OF ALLEGIANCE TO THE FLAG
CONFIRMATION OF QUORUM
INTRODUCTION OF STAFF

Proclamations: Girl Scout Week Proclamation – Katy Kulesa-Girl Scouts of Silver Sage Council
Dilettante Group of Magic Valley Proclamation – Sandy Hacking

CALL MEETING TO ORDER: 5:00 P.M.

AGENDA ITEMS	Purpose	By:
I. <u>CONSENT CALENDAR:</u> 1. Consideration of accounts payable: March 4 – 11, 2008, total: \$175,832.68. March 7, 2008, prepay total: \$103,148.13 2. Consideration of the March 3, 2008, Minutes. 3. Consideration of the Quail Ridge PUD Agreement between the City of Twin Falls and Property Acquisition, Inc.	Action	Staff Report
II. <u>ITEMS FOR CONSIDERATION:</u> 1. Presentation of the Annual Jim A. Mildon Traffic Safety Award by Traffic Safety Commission Chairman Dave Snelson. 2. Presentation of POST Certificates to the following Officers: Officer Kevin Loosli, Detective Alaina Sidwell, and Sergeant Ryan Howe. 3. Consideration of the reappointment of Shelly Brulotte and Bonnie Spencer to the Animal Shelter Advisory Commission. 4. Consideration of the adoption of proposed Ordinance #2930, for a request for a Zoning District Change and Zoning Map Amendment for 1.08 (+/-) acres of land within the Area of Impact from AG to M-2 for property located at 3249 East 3700 North, aka Orchard Drive, by Dell P. Smith. 5. Consideration of approval of an agreement for the installation of "wifi" appurtenances on Twin Falls signal structures and adoption of proposed Resolution 1797. 6. Public input and/or items from the City Manager and City Council.	Action Action Action Action Action	Dennis Pullin Jim Munn/ Bryan Krear Gretchen Scott Mitch Humble Tom Courtney
III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u>		
IV. <u>PUBLIC HEARINGS:</u> 6:00 P.M. 1. Amendment of the Kenneling Code Section §6-4-1 and §6-4-9; fee increase of Kenneling license from \$25.00 to \$100.00	Action	Gretchen Scott
V. <u>ADJOURNMENT:</u>		

COUNCIL MEMBERS PRESENT: Trip Craig, Don Hall, Lee Heider, David E. Johnson, William Kezele, Greg Lanting

COUNCIL MEMBERS ABSENT: Lance Clow

STAFF PRESENT: City Manager Tom Courtney, City Attorney Fritz Wonderlich, Community Development Director Mitch Humble, Police Chief Jim Munn, Captain Bryan Krear, Staff Sergeant Dennis Pullin, Management Assistant Gretchen Scott, Network Specialist Eli Searle, Deputy City Clerk Leila Sanchez.

CALL MEETING TO ORDER 5:00 P.M.

Acting Mayor Johnson 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. Acting Mayor Johnson introduced City staff.

Proclamations:

Girl Scout Week Proclamation – Katy Kulesa-Girl Scouts of Silver Sage Council

Vice Mayor Johnson read the proclamation.

Katy Kulesa thanked the Council for their continued support.

Dilettante Group of Magic Valley Proclamation – Sandy Hacking

Vice Mayor Johnson read the proclamation.

Sandy Hacking introduced the Dilettante Group of the Magic Valley.

David Mead, 2045 Hillcrest Drive, gave a brief history on the origination of the group.

AGENDA ITEMS

I. CONSENT CALENDAR:

1. Consideration of accounts payable:
March 4 – 11, 2008, total: \$175,832.68.
March 7, 2008, prepay total: \$103,148.13.
2. Consideration of the March 3, 2008, Minutes.
3. Consideration of the Quail Ridge PUD Agreement between the City of Twin Falls and Property Acquisition, Inc.

MOTION:

Councilperson Hall made the motion to approve the Consent Calendar as presented. The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

II. ITEMS FOR CONSIDERATION:

1. Presentation of the Annual Jim A. Mildon Traffic Safety Award by Traffic Safety Commission Chairman Dave Snelson.

Dave Snelson, Chairman of the Traffic Safety Commission, introduced the Commission and family members of Jim A. Mildon.

Bill Kyle, Traffic Safety Commission member, presented Rebecca Duke with The Jim A. Mildon Safety Award.

2. Presentation of POST Certificates to the following Officers: Officer Kevin Loosli, Detective Alaina Sidwell, and Sergeant Ryan Howe.

Captain Krear, Councilperson Hall, Vice Mayor Johnson and Chief Munn presented the following with POST Certificates: Officer Kevin Loosli, Sergeant Ryan Howe, and Detective Alaina Sidwell.

3. Consideration of the reappointment of Shelly Brulotte and Bonnie Spencer to the Animal Shelter Advisory Commission.

Management Assistant Scott reviewed the request.

MOTION:

Councilperson Lanting made the motion to approve the reappointment of Shelly Brulotte and Bonnie Spencer to the Animal Shelter Advisory Commission for a four-year term beginning April 2008 as presented. The motion was seconded by Councilperson Kezele and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

4. Consideration of the adoption of proposed Ordinance #2930, for a request for a Zoning District Change and Zoning Map Amendment for 1.08 (+/-) acres of land within the Area of Impact from AG to M-2 for property located at 3249 East 3700 North, aka Orchard Drive, by Dell P. Smith.

Community Development Director Humble reviewed the request.

MOTION:

Councilperson Lanting made the motion to suspend the rules and place Ordinance #2930, entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, REZONING 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 Hall and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

Deputy City Clerk Sanchez read the ordinance title.

MOTION:

Councilperson Craig made the motion to adopt Ordinance #2930 as presented. The motion was seconded by Councilperson Kezele and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

5. Consideration of approval of an agreement for the installation of "wifi" appurtenances on Twin Falls signal structures and adoption of proposed Resolution 1797.

Network Specialist Searle reviewed the request.

Discussion followed:

- Wifi enhancements.
- Grant funding and costs.
- Security measures.

MOTION:

Councilperson Hall made the motion to approve the Memorandum of Agreement between The Idaho Transportation Department and The City of Twin Falls for the installation of "wifi" appurtenances on Twin Falls signal structures and adopted Resolution 1797 as presented. Councilperson Heider seconded the motion and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

6. Public input and/or items from the City Manager and City Council. None.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

Councilperson Craig gave an update on the Urban Renewal Agency and Library Board Trustees meetings.

Councilperson Lanting gave an update on the Golf Advisory Board meeting.

Network Specialist Searle gave an update on the City website.

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

1. Amendment of the Kenneling Code Section §6-4-1 and §6-4-9; fee increase of Kenneling license from \$25.00 to \$100.00.

Management Assistant Scott reviewed the request.

Discussion followed:

- Number of cats and dogs allowed.
- Non-compliance violations.
- Appeal process.
- Infractions.
- Kennel runs.

Acting Mayor Johnson reviewed the public hearing process.

The public hearing was opened:

Sherry Olsen –Frank, 1060 Pahsimeroi Drive, spoke in favor of the request.

Sandie Hemingway, 2304 Eldridge Avenue, stated her concern of the fees being raised from \$25.00 to \$100.00. She also stated that she would like to review the HSUS standards and asked staff who would be enforcing the regulations.

Dan Chatterton, 700 W. Shoshone, stated that he was not aware that a kenneling license was required for his Windswept Kennels. He stated that the vet clinics are given an advantage over the kennel business.

Jody Hawkins, 671 Monte Vista Drive, Animal Shelter Advisory Board, spoke in favor of the request.

Tara Martens, 796 Carriage Lane North, Animal Shelter Advisory Board, reviewed and spoke in favor of the request.

Cheryle Becker, 2630 Indian Trail, Animal Shelter Advisory Board, spoke in favor of the request.

Management Assistant Scott reviewed the following:

- Regulations outlined in the ordinance.
- Enforcement by the Code Enforcement Officer, Animal Control, Fire, and Police Department.
- The ordinance outlines the minimum regulations that the City is willing to accept.

Discussion followed:

- Fees increasing from \$25 to \$100.
- Inspection of vet clinics.
- Vet and Kennels have different zoning.
- Enforcement of regulations.
- The American Breeding Association versus the HSUS Standards.
- Inspection of kenneling licenses.

City Attorney Wonderlich stated that the Board of Vet Medicine highly regulated vet clinics.

- Inspection will be done when a complaint is received.

The public input portion of the hearing was closed.

Deliberations followed.

MOTION:

Councilperson Lanting made the motion to approve the amendment of the Kenneling Code Section §6-4-1 and §6-4-9; fee increase of Kenneling license from \$25.00 to \$100.00, and amending Ordinance 2931, as follows:

1. Delete Section II (B) paragraph.
2. Delete Section II. (C) 7. sentence "All kennel runs shall be fenced (chain link or welded wire) such fence to be separate and apart from property boundary fence.)

The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

MOTION:

Councilperson Heider made the motion to adhere to American Boarding Association Regulations instead of the HSUS Regulations. Councilperson Kezele seconded the motion.

Discussion followed:

-Clarification of regulations.

City Attorney Wonderlich stated that the purpose of the request is to increase the kenneling fee from \$25 to \$100, only, but the Council can accept clarification on the proposed ordinance.

Debbie Blackwood, Animal Shelter, stated that the standards are in the proposed ordinance.

Councilperson Heider withdrew his motion. Councilperson Kezele withdrew his second on the motion.

MOTION:

Councilperson Kezele made the motion to amend the proposed ordinance as follows:

1. Delete Section II. (C) 4. wording "in accordance with HSUS standards."

The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

MOTION:

Councilperson Lanting made the motion to suspend the rules and place Ordinance 2931, as amended entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, AMENDING CHAPTER 4 OF TITLE 6 OF THE TWIN FALLS CITY CODE REGULATING KENNELS.

on third and final reading by title only. The motion was seconded by Councilperson Hall.

Roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

MOTION:

Councilperson Lanting made the motion to adopt Ordinance 2931 as amended. The motion was seconded by Councilperson Hall.

Deputy City Clerk Sanchez read the ordinance title.

Roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

V. **ADJOURNMENT:** Adjourned at 7:17 P.M.

Leila A. Sanchez
Deputy City Clerk

COUNCIL MEMBERS:

LANCE	TRIP	DON	LEE	DAVID E.	WILLIAM A.	GREG
CLOW	CRAIG	HALL	HEIDER	JOHNSON	KEZELE	LANTING

Mayor

Vice Mayor



MINUTES

Meeting of the Twin Falls City Council
MONDAY, March 17, 2008
 City Council Chambers
 305 3rd Avenue East Twin Falls, Idaho

PLEDGE OF ALLEGIANCE TO THE FLAG
 CONFIRMATION OF QUORUM
 INTRODUCTION OF STAFF

CALL MEETING TO ORDER: 5:00 P.M.

AGENDA ITEMS		Purpose	By:
I.	<u>CONSENT CALENDAR:</u> 1. Consideration of accounts payable: March 11-17, 2008, total: \$416,081.65. 2. Consideration of the March 10, 2008, Minutes.	Action	Staff Report
II.	<u>ITEMS FOR CONSIDERATION:</u> 1. Approval of the design and financing plan for construction of a new public works complex to house a centralized public office building, golf maintenance shop and water maintenance shop. 2. Consideration of a request to allow greater than standard building height for a proposed new transient hotel to be constructed on property located at 1552, 1578 and 1598 Fillmore Street in accordance with Twin Falls City Code 10-7-3. (app.2201) 3. Consideration of the final plat of Perrine Point PUD Subdivision consisting of 264 single family residential lots and 12 acres of neighborhood commercial development on 77 acres (+/-) located northwest of the intersection of Falls Avenue West and Grandview Drive North. 4. Public input and/or items from the City Manager and City Council.	Action Action Action	Gretchen Scott Mitch Humble Mitch Humble
III.	<u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u>		
IV.	PUBLIC HEARINGS: 6:00 P.M. – None		
V.	<u>ADJOURNMENT:</u>		

COUNCIL MEMBERS PRESENT: Lance Clow, Trip Craig, Don Hall, Lee Heider, David E. Johnson, William Kezele,
COUNCIL MEMBERS ABSENT: Greg Lanting
STAFF PRESENT: Acting City Manager Gary Evans, City Attorney Fritz Wonderlich, Management Assistant Gretchen Scott, Network Specialist Eli Searle, City Engineer Jackie Fields, Acting Deputy City Clerk Tracy Reed.

CALL MEETING TO ORDER **5:00 P.M.**

Mayor Clow 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 Clow introduced City staff.

AGENDA ITEMS

I. CONSENT CALENDAR:

1. Consideration of accounts payable:
March 11-17, 2008, total: \$416,081.65.
2. Consideration of the March 10, 2008, Minutes.

MOTION:

Councilperson Hall 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. The motion passed with a vote of 6 to 0.

II. ITEMS FOR CONSIDERATION:

1. Approval of the design and financing plan for construction of a new public works complex to house a centralized public office building, golf maintenance shop and water maintenance shop.

Gretchen Scott gave a small presentation including history of the public works department and how well a centralized office would work and that this is a good time to do something. Russ Lively did a study a few years ago to see how all departments would fit into property. His recommendation noted staging of building the departments. The water shop is the most strapped at the moment and would be the first to move. The study came to a halt until Region IV contacted the City through Melinda Anderson, who thinks there might be a conduit to get this completed. Gretchen asked the Council if they are still committed to move forward on this project at this time, probably in the 2009-2010 budget year. Gretchen showed pictures (indoor and outdoor) of the golf shop and water shop. Russ Lively, project architect, spoke to the Council explaining that he was making water works a little bit bigger and moving them a little bit to the south. That most of this proposal was created in June 2006 and since then the needs for the departments have been redefined. Discussion followed. Mayor Clow asked that the original estimate included paving but does not now and Russ responded that everything has been revamped since that original study. The study and design should provide service for 15-20 years of growth. Councilperson Johnson noted that this really isn't a very long time, and asked Mr. Lively what if we looked at 50 years into the future. Mr. Lively responded that he did not know. Councilperson Johnson then asked Staff if we would recoup some of the investment if we ever left the property. Gretchen Scott replied that the golf shop would be demolished and that the water building would still be functional for some things, including the street department. He also asked City Attorney Wonderlich why we are using a 40 year lease with a 20 year loan. Region IV leases the property back for 20 years and then terminate the lease. City Attorney Wonderlich and Mayor Clow responded with the details, mainly to do with banking procedures. Councilperson Hall added that Staff should share this information with the Police Department for the security issues they are encountering. Gretchen Scott spoke again that it was Region IV who was bidding the project but they want confirmation from the Council that they are behind them. The finance data was discussed by Gary Evans. The total for this project is around \$235,000. \$199,000 for the water side and \$38,000 for the golf side, which is about \$1.10/month more in the water bill, and about \$1.00/round more at the golf course. Mayor Clow asked about cost recovery. There won't be a markup on this project. City Attorney Wonderlich stated that the city won't bid this job out. Councilperson Heider thinks we may not be able to afford this project right now with all the water supply problems we are faced with. Gretchen Scott answered that in order to do the job that needs done, the departments must grow. The two departments that are in question right now both have revenue that will help pay for these changes. Discussion on the motion followed.

MOTION:

Councilperson Heider made the motion to approve as presented. The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

2. Consideration of a request to allow greater than standard building height for a proposed new hotel to be constructed on property located at 1552, 1578 and 1598 Fillmore Street in accordance with Twin Falls City Code 10-7-3. (app.2201)

Community Development Director Humble explained the item to Council. Code allows a 35' roof. The SUP was approved with a flat roof of 35'. Now they would like to add a pitch in the roof which makes it close to 48'. Scott Allen, The Land Group representing Southern Hospitality, expressed the reason for the request. The Holiday Inn Express has a standard look about it, but with the flat roof, it will look just like the Hampton Inn next door. The reason for the height increase is to follow the prototype for Holiday Inn Express not to be able to see it from Blue Lakes Boulevard North. This hotel will take 2.5 lots and the rest will be for parking lot or something else small in the northernmost lot. The hotel will not be allowed to put a pole sign up any higher than city standards.

MOTION:

Councilperson Johnson made the motion to approve as presented. The motion was seconded by Councilperson Craig and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

3. Consideration of the final plat of Perrine Point PUD Subdivision consisting of 264 single family residential lots and 12 acres of neighborhood commercial development on 77 acres (+/-) located northwest of the intersection of Falls Avenue West and Grandview Drive North.

Community Development Directory spoke regarding the final plat that is the same as the preliminary plat that P&Z approved about 1 year ago. He requests that the final plat be approved with the following conditions: 1. Subject to final technical review. 2. Subject to arterial and collector streets being constructed. 3. Subject to complete compliance with the PUD agreement.

Scott Allen spoke to the Council referencing the phasing plan and that they would try to get a stop sign at the intersection of Grandview Drive North and Falls Avenue West as soon as Phase 1 was constructed, that being the NCO portion. There are 9 potential phases. He explained the phases and completion order for them to the Council. Staff recommended approval.

MOTION:

Councilperson Hall made the motion to approve as presented with the following conditions: 1. Subject to final technical review. 2. Subject to arterial and collector streets being constructed. 3. Subject to complete compliance with the PUD agreement. The motion was seconded by Councilperson Craig and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

4. Public input and/or items from the City Manager and City Council - None.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

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

V. ADJOURNMENT: Adjourned at 6:45 P.M.

Tracy Reed
Engineering Executive Assistant

COUNCIL MEMBERS:

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



MINUTES
Meeting of the Twin Falls City Council
March 24, 2008
City Council Chambers
305 3rd Avenue East Twin Falls, Idaho

PLEDGE OF ALLEGIANCE TO THE FLAG
CONFIRMATION OF QUORUM
INTRODUCTION OF STAFF

CALL MEETING TO ORDER: 5:00 P.M.

AGENDA ITEMS		Purpose	By:
I. <u>CONSENT CALENDAR:</u>		Action	Staff Report
1. Consideration of accounts payable for March 25 – March 31, 2008			
2. Consideration of the March 17, 2008, Minutes.			
3. Curb-gutter and sidewalk improvement deferral agreement for Howard Berger, 1800 Shoup Avenue East.			
II. <u>ITEMS FOR CONSIDERATION:</u>			
1. To recognize the service of John Miller for serving on the Parks and Recreation Commission by presenting him with a plaque.		Action	Dennis Bowyer
2. To recognize the service of Earleen Peterson for serving on the Tree Commission by presenting her with a plaque.		Action	Dennis Bowyer
3. Consideration of a request by Snake Harley-Davidson to approve a customer appreciation day on April 18, 2008, to be catered by the Pioneer Club.		Action	Officer Lou Coronado
4. Air show progress report by Air Magic Valley Chairman, Phil Hafer.		Discuss	Bill Carberry; Phil Hafer
5. Consideration of the conveyance plat of the ZeBarth Subdivision consisting of 2 lots on 4.8 (+/-) acres located at 3953 North 3300 East, c/o Tim ZeBarth.		Action	Mitch Humble
6. Public input and/or items from the City Manager and City Council.			
III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u>			
IV. <u>PUBLIC HEARINGS:</u> 6:00 P.M. –			
1. Request for a Zoning District Change and Zoning Map Amendment from R-4 to R-6 PUD for property located at 1354 Washington Street South, c/o Boise Housing Corporation (app. 2205)		Action	Mitch Humble
2. Request for a Comprehensive Plan Amendment to amend the Land Use Map from Urban Residential to Commercial/Retail for property located on the east side of the 500 block of Grandview c/o Gregg Olsen (app. 2204)		Action	Mitch Humble
3. Request for annexation of 37 (+/-) acres of land located southwest of 3250 Kimberly Road-undeveloped, c/o Gerald Martens on behalf of Kimberly Road Partners, LLC (app. 2202)		Action	Mitch Humble
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.*

COUNCIL MEMBERS PRESENT: Lance Clow, Trip Craig, Don Hall, Lee Heider, David E. Johnson, William Kezele, Greg Lanting

COUNCIL MEMBERS ABSENT: None

STAFF PRESENT: City Manager Tom Courtney, City Attorney Fritz Wonderlich, Community Development Director Mitch Humble, City Engineer Jackie Fields, Parks and Recreation Director Dennis Bowyer, Airport Manager Bill Carberry, Officer Lou Coronado, Acting Deputy City Clerk Tracy Reed.

CALL MEETING TO ORDER **5:00 P.M.**

Mayor Clow 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 Clow introduced City staff.

AGENDA ITEMS

I. CONSENT CALENDAR:

1. Consideration of accounts payable for March 25 – March 31, 2008
2. Consideration of the March 17, 2008, Minutes.
3. Curb-gutter and sidewalk improvement deferral agreement for Howard Berger, 1800 Shoup Avenue East.

MOTION:

Councilperson Hall made the motion to approve the Consent Calendar as presented. The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

Mayor Clow added two alcohol license requests to the Consent Calendar.

4. Consideration of 2 Alcohol Licenses:
 - a. The "O", LLC
 - b. Canyon Crest Dining

MOTION:

Councilperson Johnson made the motion to approve as presented and Councilperson Craig seconded the motion. Councilperson Kezele asked that the approvals are contingent on State and County final approvals. A roll call vote showed all members present voted in favor of the motion 6 to 0, less 1 abstention, Don Hall. Councilperson Hall abstained from the vote as he is involved in this licensing procedure. Both liquor licenses were approved on the condition that they will be approved by State and County.

II. ITEMS FOR CONSIDERATION:

1. To recognize the service of John Miller for serving on the Parks and Recreation Commission by presenting him with a plaque.

Councilperson Johnson and Parks and Recreation Director Bowyer presented the plaque. John Miller made a short speech thanking the City for their involvement.

2. To recognize the service of Earleen Peterson for serving on the Tree Commission by presenting her with a plaque.

Ms. Peterson was not able to attend so Council did not present the award.

3. Consideration of a request by Snake Harley-Davidson to approve a customer appreciation day on April 18, 2008, to be catered by the Pioneer Club.

Officer Lou Coronado gave a presentation and explained the event. Councilperson Johnson asked about mitigation of the evening noise and to verify that last year really went off without a hitch. Officer Coronado explained that last year did go well. Councilperson Kezele is concerned about alcohol guidelines to be sure people don't drive after drinking. Mayor Clow asked

Council if the Consent Calendar would be okay for this type of event and Council concurred it would be fine unless there had been a previous problem, then it would be appealed.

MOTION:

Councilperson Johnson made the motion to approve as presented. The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

4. Air show progress report by Air Magic Valley Chairman, Phil Hafer.

Councilperson Johnson spoke for the County and let Council know that they would not like to be involved in the air show. Airport Manager Carberry gave a progress report on the show and explained that the budget is much larger than it has been in the past. Mr. Phil Hafer, Air Show Director, explained the \$312,000 budget to Council. Most additions are for the Blue Angels. Mr. Hafer also spoke about security for all events at the airport and asked for any questions. Councilperson Kezele asked about budget differences in comparison with Bozeman, MT. Mr. Hafer answered that Twin Falls Airport budget is very much the same as Bozeman, as the populations are close to the same. Councilperson Johnson asked how much was the original budget for Air Show. City Manager Courtney said that between the City and County, we would contribute \$15,000. The original budget was \$65,000, \$50,000 being covered from gate revenues. Councilperson Heider explained that the board handles these events quite well and hopes to break even this year, as well, possibly even make some money. Councilperson Lanting asked about parking. Jim O'Donnell spoke to the Council and explained that planning for parking is a big job. They are expecting about 20,000+ per day, for two days. They will be using satellite parking at the raceway and possibly other places, along with land adjacent to the airport, to park around 4500 cars per day. Have also brought on 50 buses to keep people moving, 233 people per bus/per hour, 3 round trips per hour. Councilperson Johnson asked Mr. Hafer about contracts that the Airport has in place with sponsors in the area. So far, they have 25 sponsors and they have assured Mr. Hafer this will be a great event. Councilperson Kezele congratulated Mr. Hafer for pulling this all together. Mayor Clow asked about the insurance costs and if they include weather insurance as well. Airport Manager Carberry explained that the insurance covers all liability.

MOTION:

Councilperson Heider made the motion to sustain and support the air show committee with those who have been appointed to organize and run the air show as presented with the following conditions: The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

5. Consideration of the conveyance plat of the ZeBarth Subdivision consisting of 2 lots on 4.8 (+/-) acres located at 3953 North 3300 East, c/o Tim ZeBarth.

Community Development Director Mitch Humble presented the conveyance plat to Council. He explained that last fall the property was rezoned to SU1. It is adjacent to future alignment of Filer Avenue. He asked the Council to recommend to County Commissioners to approve this plat with 3 conditions:

1. Final Technical Review,
2. Subject to Right of Way.
3. Dedication of Filer Avenue R/W.

Roger Kruger, Surveyor/EHM, spoke to the Council and explained why he is requesting this conveyance plat. He had not heard of the R/W dedication on Filer Avenue. If the City takes R/W, the two machine shops are in the way. City Attorney Wonderlich explained that this dedication would be to the Twin Falls Highway District as the property is outside the City limits. The Highway District generally uses street easements rather than right-of-way. Therefore, the easement dedication should not take the buildings at this time, only after Twin Falls Highway District decides to build the road. City Engineer Fields said she probably should have asked for the R/W but did not on this plat.

MOTION:

Councilperson Johnson made the motion to approve the plat as presented with the following conditions:

1. Subject to final technical review by the City Engineering Department and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to right-of-way for the perimeter street, as shown on the plat, being dedicated prior to recordation.

3. Dedication of a street easement for Filer Avenue (half of collector). The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 1, Councilperson Kezele voted against the motion.

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

City Manager asked Council if they would like to participate in a Ribbon Cutting for the Hansen Street Building. Council concurred and Mayor Clow asked that Chamber of Commerce be invited.

III. **ADVISORY BOARD REPORTS/ANNOUNCEMENTS:** None

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

1. Request for a Zoning District Change and Zoning Map Amendment from R-4 to R-6 PUD for property located at 1354 Washington Street South, c/o Boise Housing Corporation (app. 2205).

Fred Shoemaker, Attorney for Boise Housing Corporation, spoke to the Council. The corporation is a non profit organization and was formed in Boise in 1995. Washington Park Apartments was developed in 1974 as a Farm Home project. There are some restrictions on the property because of this fact and it is a low income rental property, 80 units. Publicly financed and should stay in the public domain. Boise Housing is just seeking to build a 1700+ square foot community center on this property but could not get a building permit without rezoning the property to eliminate the non-conforming status of the property. In reviewing the zoning request, staff indicated that the applicant may have to develop Atlantic Street as it passes by the property on the southwest property line. Mr. Shoemaker is requesting that the Council to approve the zoning request without improving Atlantic Street.

Councilperson Lanting asked if R-4 to R-6 gives them more density. The answer from Community Development Director Humble was no. Councilperson Kezele asked about what happens at a Community Center, parties, receptions, etc. He also asked about parking during these events. Mr. Shoemaker said that these events may bring more cars but only for a short time. Councilperson Johnson asked about the housing project to the West and the Subdivision (Magic Valley Ranch West) to the South. City Engineer Fields explained that the City has been getting complaints about Atlantic Street and the lacking pavement. Mr. Shoemaker explained that cars are parked out in the tract now. Councilperson Johnson asked about the City putting barricades up and blocking the unpaved part. City Engineer Fields explained that the barricades don't really work. Councilperson Craig asked when the existing part of Atlantic was built, no City staff nor Boise Housing staff had the answer.

Community Development Director Mitch Humble explained that this request is for a zoning change and PUD to cover the SUP for the building. On February 26, 2008 Planning and Zoning Commission recommended that City Council approve this request with the following conditions:

1. Subject to amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to a parking analysis being submitted prior to final approval.
3. Subject to approval of a PUD agreement.
4. Atlantic Street adjacent to the property being rebuilt or built to current City standards upon future development or redevelopment of the property.

Public Hearing was opened by Mayor Clow. There was no public comment.

Jim Tomlinson spoke for Boise Housing and said they could not afford to build Atlantic Street. They would agree to an LID and will shoulder the cost of their half plus 6 feet, costing \$22,000-\$26,000, even though they do not have these funds at this time. Boise Housing will do whatever they can so they can get governmental funding over time to cover these costs. Mayor Clow asked if a deferral agreement had been discussed with Boise Housing and Community Development Director Mitch Humble answered, it had not.

MOTION:

Councilperson Lanting made the motion to approve the request for a Zoning District Change and Zoning Map Amendment from R-4 to R-6 PUD for property located at 1354 Washington Street South, c/o Boise Housing Corporation (app. 2205) as presented with the following conditions:

1. Subject to amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
1. Subject to a parking analysis being submitted prior to final approval.
2. Subject to approval of a PUD agreement.

Councilperson Hall seconded the motion.

Councilperson Johnson amended the motion to include the following condition:

4. Atlantic Street adjacent to the property being rebuilt or built to current City standards upon future development or redevelopment of the property.

The amended motion was seconded by Councilperson Heider.

Discussion followed on a deferral agreement.

Roll call vote on the amended motion showed Councilpersons Heider and Johnson voted in favor of the motion. Councilpersons Clow, Craig, Hall, Kezele and Lanting voted against the motion. The motion failed with a vote of 2 to 5.

Councilperson Lanting amended the main motion to include the following condition:

4. Atlantic Street adjacent to the property being rebuilt or built to current City standards upon future development or redevelopment of the property would be deferred until:
 - a. Activity is shown on the development to the west, or
 - b. Deferred for ten years, or
 - c. The sale of the property.

Roll call vote on the amendment to the motion showed Councilperson Hall, Johnson, Kezele and Lanting voted in favor of the motion. Councilperson Clow, Craig and Heider voted against the motion. The motion passed with a vote of 4 to 3.

Roll call vote on main motion as amended showed Councilpersons Clow, Craig, Hall, Johnson, Kezele, and Lanting voted in favor of the motion. Councilperson Heider voted against the motion. The motion passed with a vote of 6 to 1.

2. Request for a Comprehensive Plan Amendment to amend the Land Use Map from Urban Residential to Commercial/Retail for property located on the east side of the 500 block of Grandview c/o Gregg Olsen (app. 2204).

Gregg Olson explained his request so he can proceed with commercial construction at 500 block of Grandview.

Community Development Director Mitch Humble explained the request. This went to the Planning and Zoning Commission on 2/26/08 and they recommended denial of this request since the overall comprehensive plan is currently being amended. The P&Z supported the overall amendment process and would like to see the applicant work with the Comp Plan steering committee to get his change included in the overall amendment. Since that time, staff has received a draft of the overall amended comp plan. The current draft of the comp plan amendment designates this property as urban infill. The applicant's request may conform with the draft of the new Comp Plan amendment. If the Council approves this request, Mr. Olson would still have to come back with a rezone request to build the mini storage units he is proposing. Staff recommends that if the Council desires to amend the comp plan as requested, that the applicant be directed to submit a PUD rezone request.

Public Hearing was opened by Mayor Clow.

Carol Hill, 515 Grandview, spoke as her property is directly across Grandview from the current property. She asked that the Council please consider leaving this residential.

Floyd Miller, 1050 Welch Lane, spoke to the Council. He has been there for 27 years. He owns Rock Creek Mobile Home Park and has done a lot to develop this area. He asked that the Council please consider keeping this residential.

Mr. Olson spoke to Council and requested, strongly, as a custodian of the environment, to make this Comp Plan amendment. He explained that building homes in this area will just not work financially.

Councilperson Lanting asked City Engineer Fields about requirements we would ask Mr. Olson to adhere to. Community Development Director Humble answered about finishing interior as well as exterior roads to be completed as well as water and sewer infrastructure. City Engineer Fields told Council it is possible there is no sewer there at this time, and fire suppression needs that are required depending on what he is going to build there.

MOTION:

Councilperson Hall made the motion to approve as presented with the statement that the Council strongly encourages the applicant to submit a PUD rezoning request. The motion was seconded by Councilperson Lanting and roll call vote showed all members present, except Mayor Clow, voted in favor of the motion. Mayor Clow voted against the motion. The motion passed with a vote of 6 to 1.

3. Request for annexation of 37 (+/-) acres of land located southwest of 3250 Kimberly Road-undeveloped, c/o Gerald Martens on behalf of Kimberly Road Partners, LLC (app. 2202).

The applicant, Gerald Martens, spoke in favor of the request.

Community Development Director Mitch Humble reviewed the request. On February 26, 2008 The Commission unanimously recommended the current C-1 & M-2 zoning designations, as presented, as appropriate zoning designations, subject to the following conditions:

1. Subject to amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable city code requirements and standards.
2. Subject to arterial and collector streets adjacent and within the property being rebuilt or built to current city standards upon development of the property.

Mayor Clow opened up for public comment. There were none.

MOTION:

Councilperson Johnson made the motion to approve the request as presented. The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

- V. **ADJOURNMENT:** Adjourned at 8:12 P.M.

Tracy Reed
Engineering Executive Assistant

COUNCIL MEMBERS:

LANCE	TRIP	DON	LEE	DAVID E.	WILLIAM A.	GREG
CLOW	CRAIG	HALL	HEIDER	JOHNSON	KEZELE	LANTING

Mayor

Vice Mayor



MINUTES

Meeting of the Twin Falls City Council

April 7, 2008

City Council Chambers

305 3rd Avenue East Twin Falls, Idaho

PLEDGE OF ALLEGIANCE TO THE FLAG
 CONFIRMATION OF QUORUM
 INTRODUCTION OF STAFF

CALL MEETING TO ORDER: 5:00 P.M.

PROCLAMATION: Fair Housing Month

AGENDA ITEMS		Purpose	By:
I. <u>CONSENT CALENDAR:</u> 1. Consideration of accounts payable: March 25 to April 7, 2008. 2. Consideration of the March 24, 2008, Minutes. 3. Curb-Gutter and Sidewalk Improvement Deferral Agreement for Evangelical-Lutheran Immanuel's Congregation of Twin Falls Inc., 2055 Filer Avenue East. 4. Report on the Finance Committee Meeting of March 24, 2008.		Action	Staff Report
II. <u>ITEMS FOR CONSIDERATION:</u> 1. Presentation of a plaque by the Tree Commission to Earleen Peterson for her service on the Tree Commission. 2. Consideration to appoint a member to the Parks and Recreation Commission. 3. Consideration to reappoint members to the Traffic Safety Committee. 4. Consideration to approve and support implementing an alcohol ban at Dierkes Lake effective Saturday, April 18, 2008. 5. Consideration of a plan for the City to take over the functions of the Downtown Business Improvement District. 6. Summary of Downtown Parking Consultant's Report. 7. Presentation and discussion by Civil Science on the Transportation Master Plan. 8. Public input and/or items from the City Manager and City Council.		Presentation Action Action Action Action Summary Presentation	Dennis Bowyer Dennis Bowyer Jackie Fields Dennis Bowyer Mitch Humble Dan Brame Civil Science
III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u>			
IV. <u>PUBLIC HEARINGS:</u> 6:00 P.M. - None.			
V. <u>ADJOURNMENT:</u> Executive Session to conduct deliberations concerning labor negotiations or to acquire an interest in real property which is not owned by a public agency. 67-2345 (c)			

COUNCIL MEMBERS PRESENT: Trip Craig, Don Hall, Lee Heider, David E. Johnson, William Kezele, Greg Lanting

COUNCIL MEMBERS ABSENT: Lance Clow

STAFF PRESENT: City Manager Tom Courtney, City Attorney Fritz Wonderlich, Community Development Director Mitch Humble, Economic Development Director Melinda Anderson, City Engineer Jackie Fields, Parks and Recreation Director Dennis Bowyer, Finance Director Gary Evans, Staff Sergeant Dennis Pullin, Captain Bryan Krear, Deputy City Clerk Leila A. Sanchez.

CALL MEETING TO ORDER 5:00 P.M.

Acting Mayor Johnson 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. Acting Mayor Johnson introduced City staff.

PROCLAMATION: Fair Housing Month

Acting Mayor Johnson read the proclamation.

AGENDA ITEMS

I. CONSENT CALENDAR:

1. Consideration of accounts payable: March 25 to April 7, 2008.
2. Consideration of the March 24, 2008, Minutes.
3. Curb-Gutter and Sidewalk Improvement Deferral Agreement for Evangelical-Lutheran Immanuel's Congregation of Twin Falls Inc., 2055 Filer Avenue East.
4. Report on the Finance Committee Meeting of March 24, 2008.

MOTION:

Councilperson Hall made the motion to approve the Consent Calendar as presented. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

II. ITEMS FOR CONSIDERATION:

1. **Presentation of a plaque to Earleen Peterson for her service on the Tree Commission.**

Presentation of a plaque by Parks and Recreation Director Bowyer, Councilperson Lanting, and Acting Mayor Johnson to Earleen Peterson for her service on the Tree Commission since January 2002.

Earleen Peterson stated that Arbor Day will be held on April 25, 2008.

Councilperson Lanting stated applications will be accepted for the Tree Commission.

2. **Consideration to appoint a member to the Parks and Recreation Commission.**

Parks and Recreation Director Bowyer reviewed the request.

MOTION:

Councilperson Kezele made the motion to appoint Jeff Blick to the Twin Falls Parks and Recreation Commission for a three year term beginning April 2008 to March 2011 and to waive the resident requirement as presented. The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

3. **Consideration to reappoint members to the Traffic Safety Committee.**

Staff Sergeant Pullin reviewed the request.

The terms for Page Geske, Rob Storm and Dave Snelson expired in March of 2008. These individuals have been dedicated and reliable members of the Committee. They have indicated a willingness to serve a two-year term at the discretion of the Council.

There has been some indication from a Council member that 4 year terms would be better. The Committee members, in general, were amenable to longer terms.

Staff recommends that the Council appoint Page Geske, Rob Storm and Dave Snelson to a four year term on the Traffic Safety Commission.

Discussion followed:

- Membership terms.
- Amending the current city ordinance.

Council directed City Attorney Wonderlich to draft an amendment to Twin Falls City Code § 2-5-3(C) to increase the terms of voting members of the Traffic Safety Commission to three years.

MOTION:

Councilperson Craig made the motion to table the request until April 14, 2008. The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

4. Consideration to approve and support implementing an alcohol ban at Dierkes Lake effective Saturday, April 18, 2008.

Parks and Recreation Director Bowyer reviewed the request.

At the November 13, 2007, Commission meeting, the Parks & Recreation Commission sub-committee presented their recommendation to the full commission to ban alcohol based on the following:

- The need to improve the family atmosphere of Dierkes Lake
- The fact that alcohol and a body of water near by are a safety issue
- Staff does not want Dierkes Lake to be known as a haven for alcohol consumption by minors

After some discussion, the recommendation to ban alcohol at Dierkes Lake was approved by the full Commission with a recommendation to be forwarded to the City Council.

Staff supports the recommendation of the Parks & Recreation Commission to implement an alcohol ban at Dierkes Lake. Staff is recommending implementing the ban on Saturday April 18, 2008.

Discussion followed:

- No code change needed to implement ban, only posting of signs.
- Current ordinance at Shoshone Falls.

Parks and Recreation Director Bowyer stated that the Twin Falls County Sheriff Department patrols the waterway.

- Expense to carry out the ban to include Shoshone Falls.
- Security at the park.

Captain Krear stated that communications at Dierkes Lake and Shoshone has been problematic. Information Services has been working on the right radio solution for that area.

MOTION:

Councilperson Heider made the motion to approve to ban alcohol at Dierkes Lake effective Saturday, April 18, 2008, as presented. The motion was seconded by Councilperson Craig.

MOTION:

Councilperson Kezele made a motion to amend to approve the ban to include the Shoshone Falls boat dock area. The motion was seconded by Councilperson Heider. Roll call vote showed Councilpersons Craig, Heider, Kezele, and Lanting voted in favor of the motion. Councilperson Hall and Johnson voted against the motion. The motion passed with a vote of 4 to 2.

Roll call vote on the main motion as amended showed Councilperson Craig, Hall, Heider, Kezele, and Lanting voted in favor of the motion. Councilperson Johnson voted against the motion. The motion passed with a vote of 5 to 1.

Item for Consideration 6. was heard prior to Item 5.

6- 5. Summary of Downtown Parking Consultant's Report.

Economic Development Director Anderson reviewed the summary of alternative work plans.

Alternative 1: Alternative Work Plans

Two basic alternatives should be considered for restoring the parking system. Both alternatives focus on providing a well-managed parking system to make available adequate and convenient public parking in support of downtown businesses, as well as provide reasonable employee parking. While employee parking is just as important as customer parking in many ways, priority in terms of convenience should always be given to the short-term (2 hours or less) parker or customer. In a well-managed system, both short term and employee parking are accommodated, with a longer walking distance for employees.

The first alternative requires a consulting firm. They would conduct a detailed study and do the majority of the work necessary for assisting the City to make good decisions on how to move forward with downtown parking. This approach will consider a total revamp of the existing parking system, including consideration of new technology to replace the existing meters, expansion of the areas covered by on-street meters, new parking rates, and new parking policies. The second alternative is to attempt to fix the existing system in a limited fashion and delay the major study until the system is stabilized.

Alternative 1

The approach to start over "with a clean sheet of paper" and completely revamp the existing system begins with a detailed parking study that will evaluate and recommend the new program. Extensive public involvement should be included in this approach.

Alternative 2

The second alternative is to attempt to fix the existing system with a more modest approach than described in Alternative 1. This approach utilizes as many of the existing parking meters as possible. City staff will do the majority of the work, with limited assistance from the consultant.

Discussion followed:

-Dave Leland from the Leland Consulting Group recommended that the City hire Dan Brame to implement Alternative #2 on the summary.

5- 6.Consideration of a plan for the City to take over the functions of the Downtown Business Improvement District.

Community Development Director Humble reviewed the request.

Recently, the Council decided to have City staff take over many of the functions of the Downtown Business Improvement District. After doing so, the Council asked staff to prepare a plan detailing how the City would accomplish this task. Staff has prepared the plan. It has been split into three areas of responsibility: Administration, parking, and landscaping. The parking portion of the plan is further broken down into an interim plan and a permanent plan. Each of the three plan components was prepared by the department that will have the primary responsibility for each portion of the plan. Economic Development prepared the administration portion of the plan, Police prepared the parking portion of the plan, and Parks and Recreation prepared the landscaping portion of the plan.

Staff recommends that the Council approve the attached BID transition plans and authorize staff to begin performing the BID functions and proceed with the hiring of two new full time and one seasonal employee.

Discussion followed:

- Parking is not being currently enforced.
- Fix and replace meters with existing inventory parts.
- Upgrading of meters.

MOTION:

Councilperson Lanting made the motion to approve the BID transition plans as presented and authorize staff to begin performing the BID functions and proceed with the hiring of two new full time and one seasonal employee. The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

Councilperson Kezele dismissed himself to attend a scheduled meeting.

6:21 P.M. (Break)

6:28 P.M. (Reconvened)

7. Presentation and discussion by Civil Science on the Transportation Master Plan.

Presentation made by Mike Pepper, KMP Planning, Kyle Komer and Rob Ramsey of Civil Science.

The Transportation Master Plan meeting is scheduled on April 14, 2008, from 7:00 P.M. to 9:00 P.M. in the Taylor Building, Room 276 2nd Floor.

8. Public input and/or items from the City Manager and City Council. None.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

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

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

Councilperson Hall made the motion to adjourn to Executive Session to conduct deliberations concerning labor negotiations or to acquire an interest in real property which is not owned by a public agency. 67-2345 (c) The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 5 to 0.

The meeting adjourned at 7:33 P.M.

Leila A. Sanchez
Deputy City Clerk

COUNCIL MEMBERS:

LANCE	TRIP	DON	LEE	DAVID E.	WILLIAM A.	GREG
CLOW	CRAIG	HALL	HEIDER	JOHNSON	KEZELE	LANTING

Mayor

Vice Mayor



MINUTES
 Meeting of the Twin Falls City Council
 April 14, 2008
 City Council Chambers
 305 3rd Avenue East Twin Falls, Idaho

AGENDA ITEM I.2.

PLEDGE OF ALLEGIANCE TO THE FLAG
 CONFIRMATION OF QUORUM
 INTRODUCTION OF STAFF

CALL MEETING TO ORDER: 5:00 P.M.

PROCLAMATION: National Library Week – Susan Ash, Twin Falls Public Library Director

AGENDA ITEMS		Purpose	By:
I. <u>CONSENT CALENDAR:</u>		Action	Staff Report
1. Consideration of accounts payable: April 8 – 14, 2008.			
2. Consideration of the April 7, 2008, Minutes.			
3. Consideration of a Multi-Year Improvement Deferral Agreement for Dean A. and Linda M. Johnson, 1777 Highland Avenue East.			
4. Consideration of a dedication by Evangelical-Lutheran Immanuel's Congregation of Twin Falls, Idaho, Inc., of an additional two feet of right-of-way on the north side of Filer Avenue, east of Mountain View Drive.			
5. Consideration of a Sidewalk Improvement Deferral Agreement for Ferguson Enterprises, Inc., located at 2150 Eldridge Avenue East.			
6. Consideration of the Washington Park Apartments PUD agreement between the City of Twin Falls and Boise Housing Corporation.			
7. Consideration to approve a summer concert for Kruser's Night Life			
II. <u>ITEMS FOR CONSIDERATION:</u>		Action	Olivia Rowe
1. Consideration of a request by Olivia Rowe of the Greater Twin Falls Association of Realtors and Southern Idaho Fireworks Chairman, for the annual fireworks display held at the College of Southern Idaho.		Action	Melinda Anderson
2. Consideration to appoint seven members for the Historic Downtown Business Improvement District (BID) Board.		Action	Mitch Humble
3. Consideration of an extension of the final plat of Laurelwood Subdivision, No. 2, 12 (+/-) acres, to develop a 9 lot single family residential subdivision, located on the north side of the 3200-3400 blocks of Falls Avenue East.		Action	Fritz Wondelrich
4. Consideration of adoption of the following ordinance: a. Amending Twin Falls City Code §2-5-3(C) by increasing the terms of voting members of the traffic safety commission to three years. Proposed Ordinance # 2932		Action	Jackie Fields
5. Consideration to reappoint members to the Traffic Safety Committee.		Action	Dennis Bowyer
6. Consideration to waive the green fees for the 1st annual "Twin Falls Municipal Golf Course Fundraiser" for special projects on Saturday, July 12, 2008.		Action	Mitch Humble
7. Consideration of adoption of the following three (3) ordinances: a. Request for a Zoning District Change and Zoning Map Amendment from R-4 to R-6 PUD for property located at 1354 Washington Street South, c/o Boise Housing Corporation (app. 2205) Proposed Ordinance #2933. b. Request for a Comprehensive Plan Amendment to amend the Land Use Map from Urban Residential to Commercial/Retail for property located on the east side of the 500 block of Grandview c/o Gregg Olsen (app. 2204) Proposed Ordinance #2934. c. Request for annexation of 37 (+/-) acres of land located southwest of 3250 Kimberly Road-undeveloped, c/o Gerald Martens on behalf of Kimberly Road Partners, LLC (app. 2202) Proposed Ordinance #2935.			
8. Public input and/or items from the City Manager and City Council.			
III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u>			
IV. <u>PUBLIC HEARINGS:</u> 6:00 P.M. – None.			
V. <u>ADJOURNMENT:</u> Executive Session to conduct deliberations concerning labor negotiations or to acquire an interest in real property which is not owned by a public agency. 67-2345 (c)			

COUNCIL MEMBERS PRESENT: Lance Clow, Trip Craig, Don Hall, Lee Heider, David E. Johnson, Greg Lanting

COUNCIL MEMBERS ABSENT: William Kezele

STAFF PRESENT: City Manager Tom Courtney, City Attorney Fritz Wonderlich, Community Development Director Mitch Humble, Economic Development Director Melinda Anderson, City Engineer Jackie Fields, Parks and Recreation Director Dennis Bowyer, Staff Sergeant Dennis Pullin, Deputy City Clerk Leila A. Sanchez.

CALL MEETING TO ORDER **5:00 P.M.**

Mayor Clow 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 Clow introduced City staff.

The following changes were added to the Consent Calendar:

I.8. Alcohol License Applications:

- a. Gregory Kadlec, M.D. D.B.A. Bowladrome, 220 Eastland Drive.
- b. Transfer of Owner: Lynwood Market, 1201 Filer Avenue East subject to the following condition:
 - a. Requirement of State and County License.

AGENDA ITEMS

I. CONSENT CALENDAR:

- 1. Consideration of accounts payable: April 8 – 14, 2008, total: \$151,361.50.
- 2. Consideration of the April 7, 2008, Minutes.
- 3. Consideration of a Multi-Year Improvement Deferral Agreement for Dean A. and Linda M. Johnson, 1777 Highland Avenue East.
- 4. Consideration of a dedication by Evangelical-Lutheran Immanuel's Congregation of Twin Falls, Idaho, Inc., of an additional two feet of right-of-way on the north side of Filer Avenue, east of Mountain View Drive.
- 5. Consideration of a Sidewalk Improvement Deferral Agreement for Ferguson Enterprises, Inc., located at 2150 Eldridge Avenue East.
- 6. Consideration of the Washington Park Apartments PUD agreement between the City of Twin Falls and Boise Housing Corporation.
- 7. Consideration to approve a summer concert for Kruser's Night Life.
- 8. *Alcohol License Applications:*
 - a. *Gregory Kadlec, M.D. D.B.A. Bowladrome, 220 Eastland Drive.*
 - b. *Transfer of Owner: Lynwood Market, 1201 Filer Avenue East subject to: a. Requirement of State and County License.*

MOTION:

Councilperson Heider made the motion to approve the Consent Calendar as presented, with the exception of I.7. Consideration to approve a summer concert for Kruser's Night Life. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

PROCLAMATION:

Mayor Clow read the proclamation. Mayor Clow and Councilperson Craig presented the Proclamation to Susan Ash, Library Board Director.

- 7. Consideration to approve a summer concert for Kruser's Night Life.

Staff Sergeant Pullin reviewed the request.

Discussion followed:

MINUTES

April 14, 2008

Page 3

-Impact on the City.

-Security.

Kurt Kruzer, 1542 Lawndale Drive, applicant, explained the request.

MOTION:

Councilperson Heider made the motion to approve a summer concert for Kruzer's Night Life for Saturday, May 31, 2008. The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

II. ITEMS FOR CONSIDERATION:

1. Consideration of a request by Olivia Rowe of the Greater Twin Falls Association of Realtors and Southern Idaho Fireworks Chairman, for the annual fireworks display held at the College of Southern Idaho.

Olivia Rowe explained the request. Southern Idaho Fireworks is requesting \$8,000 from the City for the fireworks display.

Discussion followed:

-Fireworks cost \$30,000.

-Clean up cost.

-Budget.

-City personnel involved.

-Food vendors.

-Funding.

Mayor Clow pledged \$200 to the fund.

MOTION:

Councilperson Lanting made the motion to approve up to \$8,000 to Southern Idaho Fireworks for the fireworks display. The motion was seconded by Councilperson Craig and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

2. Consideration to appoint seven members for the Historic Downtown Business Improvement District (BID) Board.

Economic Development Director Anderson reviewed the request. She thanked past members for their work on the BID Board. The interview panel consisting of Mayor Clow, Councilperson Hall, and Melinda Anderson interviewed each of the 12 applicants over three days. The panel recommends that the Council approve the following:

3-year terms: Tim Obenchain (Obenchain Insurance), Jeff Bulkley (Cain's), and Kathy Schroeder (Beacon Burger)

2-year terms: Dan Brizee (Brizee Heating) and Greg Edson (First Federal)

1-year terms: Kevin Dane (Magic Valley Bank) and Greg Wills (Wills Toyota)

Councilperson Johnson made the motion to approve the following to the Historic Downtown Business Improvement District (BID) Board:

3-year terms: Tim Obenchain, Jeff Buckley, and Kathy Schroeder

2-year terms: Dan Brizee and Greg Edson

1-year terms: Kevin Dane and Greg Wills

The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

The next BID meeting will be held on April 22, 2008, at 8:30 a.m.

Jim Wagenman, stated that many of the downtown merchants believe that they have lost control of the downtown area. The merchants were not happy with the interview board.

MINUTES

April 14, 2008

Page 4

Shannon Gnesa, 120 Main Avenue North, Desktop by Design, stated her concern of the requirement to pay assessment taxes. She also stated that she would like to have an itemized statement from the BID.

Mayor Clow stated that her concerns are covered in an ordinance. He suggested that she present her ideas to the Board.

3. Consideration of an extension of the final plat of Laurelwood Subdivision, No. 2, 12 (+/-) acres, to develop a 9 lot single family residential subdivision, located on the north side of the 3200-3400 blocks of Falls Avenue East.

Community Development Director Humble reviewed the request.

Staff recommends approval of a one-year extension of the filing requirement on the final plat for Laurelwood Subdivision, No. 2, subject to final technical review by the City Engineering Department. This will automatically be scheduled for consideration by the County Commissioners with the City Council's recommendation.

Discussion followed:

-No significant changes have been made in the area.

MOTION:

Councilperson Johnson made the motion to recommend for approval a one-year extension to the final plat for Laurelwood Subdivision, No. 2., subject to final technical review by the City Engineering Department. The motion was seconded by Councilperson Lanting

Discussion followed:

-Lot bordering future development on Laurelwood.

-Paving.

Roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

4. Consideration of adoption of the following ordinance:
 - a. Amending Twin Falls City Code §2-5-3(C) by increasing the terms of voting members of the traffic safety commission to three years. Proposed Ordinance # 2932

MOTION:

Councilperson Johnson made the motion to suspend the rules and place Ordinance #2932, entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, AMENDING TWIN FALLS CITY CODE §2-5-3(C) BY INCREASING THE TERMS OF VOTING MEMBERS OF THE TRAFFIC SAFETY COMMISSION TO THREE YEARS.

On third and final reading by title only. The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

Deputy City Clerk Sanchez read the ordinance title.

MOTION:

Councilperson Hall made the motion to adopt Ordinance #2932 as presented. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

5. Consideration to reappoint members to the Traffic Safety Committee.

Staff Sergeant Pullin reviewed the request.

Staff recommends that the Council appoint Page Geske, Rob Storm and Dave Snelson to a three -year term on the Traffic Safety Commission.

MOTION:

Councilperson Hall made the motion to approve to appoint Page Geske, Rob Storm and Dave Snelson to a three-year term on the Traffic Safety Commission. The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

6. Consideration to waive the green fees for the 1st annual "Twin Falls Municipal Golf Course Fundraiser" for special projects on Saturday July 12, 2008.

Parks and Recreation Director Bowyer reviewed the request.

The Golf Advisory Commission recommends that the Council approve the request to waive the green fees for the 1st annual "Twin Falls Municipal Golf Course Fundraiser" for July 12, 2008, and to use these funds for the improvement projects listed. Staff concurs with the recommendation.

Discussion followed:

- Councilperson Lanting explained the request.
- Physical improvement projects on the Golf Course.
- Councilperson Hall directed staff to have written guidelines on the disbursement of funds.
- Mayor Clow suggested that checks be made to the Twin Falls Community Foundation with a reference to the project the funds would be applied toward.

MOTION:

Councilperson Craig made the motion to waive the green fees for the 1st annual "Twin Falls Municipal Golf Course Fundraiser" for special projects on Saturday July 12, 2008, and to use these funds for the improvement projects listed. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

7. Consideration of adoption of the following three (3) ordinances:
 - a. Request for a Zoning District Change and Zoning Map Amendment from R-4 to R-6 PUD for property located at 1354 Washington Street South, c/o Boise Housing Corporation (app. 2205) Proposed Ordinance #2933.
 - b. Request for a Comprehensive Plan Amendment to amend the Land Use Map from Urban Residential to Commercial/Retail for property located on the east side of the 500 block of Grandview c/o Gregg Olsen (app. 2204) Proposed Ordinance #2934.
 - c. Request for annexation of 37 (+/-) acres of land located southwest of 3250 Kimberly Road-undeveloped, c/o Gerald Martens on behalf of Kimberly Road Partners, LLC (app. 2202) Proposed Ordinance #2935.

MOTION:

Councilperson Lanting made the motion to suspend the rules and place Ordinance #2933, #2934, and #2935, entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, REZONING REAL PROPERTY BELOW DESCRIBED; PROVIDING THE ZONING CLASSIFICATION THEREFOR; AND ORDERING THE NECESSARY AREA OF IMPACT AND ZONING DISTRICTS MAP AMENDMENT.
Ordinance #2933

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, ORDERING AN AMENDMENT TO THE REVISED AREA OF IMPACT AND COMPREHENSIVE PLAN LAND USE MAP.
Ordinance #2934

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.
Ordinance #2935

on third and final reading by title only. The motion was seconded by Councilperson Johnson and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

Deputy City Clerk Sanchez read the ordinance title #2933.

MOTION:

Councilperson Heider made the motion to adopt Ordinance #2933 as presented. The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

Deputy City Clerk Sanchez read the ordinance title #2934.

MOTION:

Councilperson Lanting made the motion to adopt Ordinance #2934 as presented. The motion was seconded by Councilperson Craig and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

Deputy City Clerk Sanchez read the ordinance title #2935.

MOTION:

Councilperson Hall made the motion to adopt Ordinance #2933 as presented. The motion was seconded by Councilperson Johnson and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

8. Public input and/or items from the City Manager and City Council. None.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

Mayor Clow stated that he received a letter from Darrell J. Buffalo, Idaho State University, requesting to be placed on the agenda to discuss a student commuter bus between Twin Falls and Pocatello. The request will be placed on the April 21, 2008, Council Agenda.

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

V. ADJOURNMENT:

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

MOTION:

Councilperson Craig made the motion to approve to adjourn to Executive Session to conduct deliberations concerning labor negotiations or to acquire an interest in real property which is not owned by a public agency. 67-2345 (c) The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

The meeting adjourned at 6:20 P.M.

Leila A. Sanchez
Deputy City Clerk

COUNCIL MEMBERS:

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



MINUTES
Meeting of the Twin Falls City Council
April 21, 2008
City Council Chambers
305 3rd Avenue East Twin Falls, Idaho

PLEDGE OF ALLEGIANCE TO THE FLAG
CONFIRMATION OF QUORUM
INTRODUCTION OF STAFF

CALL MEETING TO ORDER: 5:00 P.M.

PROCLAMATION: Arbor Day

AGENDA ITEMS	Purpose	By:
I. <u>CONSENT CALENDAR:</u> 1. Consideration of accounts payable for April 15 – 21, 2008, total: \$641,854.80. 2. Consideration of the April 14, 2008, Minutes. 3. Consideration of a request to approve three on-street parking spaces for the First Baptist Church at 9 th Avenue East and Shoshone Street as ADA Accessible Parking.	Action	Staff Report
II. <u>ITEMS FOR CONSIDERATION:</u> 1. Presentation of certificates to Ryan Horsley and Dusty Tenney for their service on the Planning and Zoning Commission. 2. Presentation by Darrell J. Buffaloe, Associate Vice President, Facilities Services, Idaho State University, on the operation of a student commuter bus between Twin Falls and Pocatello 3. Consideration to appoint two members for the Historic Preservation Commission. 4. Consideration to use asset forfeiture funds to purchase an additional drug-detection canine in the fiscal year. 5. Consideration of the conveyance plat of the Sackett Farm Subdivision consisting of 2 lots on 58 (+/-) acres located east of the 500, 600, and 700 blocks of Hankins Road North aka 3200 East Road, <u>c/o Twin Falls School District #411.</u> 6. Consideration to appeal the Planning & Zoning Commission's decision on April 8, 2008, to amend the Urban Renewal Agency's Special Use Permit requirement regarding Washington Street Improvements for the Jayco facility. 7. Consideration to approve an agreement for the purchase of Pristine Springs. 8. Public input and/or items from the City Manager and City Council.	Action Presentation Action Action Action Action	Mitch Humble Darrell Buffaloe Melinda Anderson Brian Pike Mitch Humble Lance Clow Tom Courtney/ Fritz Wonderlich
III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u>		
IV. <u>PUBLIC HEARINGS:</u> 6:00 P.M. - 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.*

COUNCIL MEMBERS PRESENT: Lance Clow, Trip Craig, Don Hall, Lee Heider, David E. Johnson, William Kezele, Greg Lanting

COUNCIL MEMBERS ABSENT: None.

STAFF PRESENT: City Manager Tom Courtney, City Attorney Fritz Wonderlich, Community Development Director Mitch Humble, Economic Development Director Melinda Anderson, City Engineer Jackie Fields, Sergeant Ryan Howe, Captain Bryan Krear, Finance Director Gary Evans, Captain Brian Pike, Deputy City Clerk Leila A. Sanchez.

Guest: Bill Block, J-U-B Engineers and Sharon Block, State Representative.

CALL MEETING TO ORDER **5:00 P.M.**

Mayor Clow 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 Clow introduced City staff.

PROCLAMATION: Arbor Day

Parks and Recreation Director Bowyer stated that Arbor Day will be held at Morning Sun Park on April 25, 2008 at 4:00 P.M.

Mayor Clow read the Arbor Day Proclamation.

AGENDA ITEMS

I. CONSENT CALENDAR:

1. Consideration of accounts payable for April 15 – 21, 2008, total: \$641,854.80.
2. Consideration of the April 14, 2008, Minutes.
3. Consideration of a request to approve three-on street parking spaces for the First Baptist Church at 9th Avenue East and Shoshone Street as ADA Accessible Parking.

MOTION:

Councilperson Heider made the motion to approve the Consent Calendar. The motion was seconded by Councilperson Hall and roll call vote showed all members present voted. The motion passed with a vote of 7 to 0.

II. ITEMS FOR CONSIDERATION:

1. Presentation of certificates to Ryan Horsley and Dusty Tenney for their service on the Planning and Zoning Commission.

Mayor Clow and Councilpersons Heider and Kezele presented service certificates to Ryan Horsley and Dusty Tenney.

2. Presentation by Darrell J. Buffaloe, Associate Vice President, Facilities Services, Idaho State University, on the operation of a student commuter bus between Twin Falls and Pocatello.

Darrell J. Buffaloe gave a presentation. He stated that Idaho State University has operated a student commuter bus between Twin Falls and Pocatello for years. However, for the past two years the operating costs have increased and the number of riders has declined. The presentation was to inform the Council of the situation.

3. Consideration to appoint two members for the Historic Preservation Commission.

Economic Development Director Anderson reviewed the request. She served on the interview panel consisting of Mayor Clow, Councilperson Heider, and Historic Preservation Commission Chairman Paul Smith.

The interview panel recommends that Ray Hendrix and Jan Brumbach serve a three year term beginning April 21, 2008.

Ray Hendrix was present.

MOTION:

Councilperson Johnson made the motion to appoint Ray Hendrix and Jan Brumbach to serve on the Historic Preservation Commission for a three year term beginning April 21, 2008. The motion was seconded by Councilperson Kezele and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

4. Consideration to use asset forfeiture funds to purchase an additional drug-detection canine in the fiscal year.

Sergeant Howe reviewed the request.

Staff recommends that the Council allow the use of \$13,700 from asset forfeiture funds to assist with expenditures incurred in the purchase of an additional canine and with the training of a canine and handler, not the original \$12,500 requested in the staff report.

Discussion followed:

-The City of Twin Falls holds the Forfeiture Funds in reserve.

Councilperson Hall made the motion to approve up to \$13,700 from asset forfeiture funds to assist with expenditures incurred in the purchase of a canine and with the training of a canine and handler for the fiscal year. The motion was seconded by Councilperson Kezele and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

5. Consideration of the conveyance plat of the Sackett Farm Subdivision consisting of 2 lots on 58 (+/-) acres located east of the 500, 600, and 700 blocks of Hankins Road North aka 3200 East Road, c/o Twin Falls School District #411.

Community Development Director Humble reviewed the request.

On April 16, 2007, the City Council approved Ordinance #2901 that amended the definition of "subdivision" to consider the dividing of an original lot/tract/parcel of land into two (2) or more parts as a subdivision. Ordinance #2901 also added a new section to Title 10; 10-12-2.5; Conveyance Plats to the city code. A conveyance plat may be used for the purpose of subdividing land, not to exceed two (2) lots, and the recording of same. A conveyance plat may be used to convey property or interests; however, a conveyance plat does not constitute approval for development. A conveyance plat is an interim step in the subdivision and development of land.

Staff recommends approval of the conveyance plat of Sackett Farm Subdivision as presented with the following conditions:

1. Subject to final technical review by the City Engineering Department and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to right-of-way for the perimeter street, as shown on the plat, being dedicated prior to recordation.

MOTION:

Councilperson Johnson made the motion to recommend for approval to the Board of Commissioners the conveyance plat of the Sackett Farm Subdivision consisting of 2 lots on 58 (+/-) acres located east of the 500, 600, and 700 blocks of Hankins Road North aka 3200 East Road, c/o Twin Falls School District #411 as presented with the following conditions:

1. Subject to final technical review by the City Engineering Department and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to right-of-way for the perimeter street, as shown on the plat, being dedicated prior to recordation.

Discussion followed:

-Dedication for Filer and Hankins does not include Stadium.

Councilperson Heider stated that he would like the school dedication to include Stadium.

MINUTES

April 21, 2008

Page 4

The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

6. Consideration to appeal the Planning & Zoning Commission's decision on April 8, 2008, to amend the Urban Renewal Agency's Special Use Permit requirement regarding Washington Street Improvements for the Jayco facility.

Mayor Clow reviewed the request. The decision upon the Planning and Zoning Commission's April 8, 2008, decision places the general costs with the City of Twin Falls, rather than Urban Renewal Agency and the City of Twin Falls. Mayor Clow proposed to reconsider the Planning and Zoning Commission's decision.

Discussion followed:

- The City Council to review the appeal as a secondary body.
- Responsibility of the cost of the road.

Councilperson Kezele made the motion to consider appealing the Planning and Zoning Commission's decision of April 8, 2008, to amend the Urban Renewal Agency's Special Use Permit. Councilperson Hall seconded the motion and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

7. Consideration to approve an agreement for the purchase of Pristine Springs.

City Manager Courtney reviewed the request.

Discussion followed:

- The water rights are equal; groundwater users would have first use, the City of Twin Falls would have secondary use.
- The City of Twin Falls has the canal company rights. The intent would be to lease the excess water.
- The Sunnybrook Spring water rights total 41.7 CFS. The spring is measured at 6.5 CFS.
- Water conservation program and pressure irrigation system.
- Financing of the purchase as an ordinary and necessary expense issue; if not, we will have to go for a bond issue.
- Tom Courtney stated the board is working with D L Evans bank.

City Attorney Wonderlich reviewed the Agreement for the Purchase and Sale of Rights to the Use of Water, The Pristine Springs Trust for Water Right No. 36-2603C, and License Agreement.

Discussion followed:

- No termination date on the trust agreement.
- Development cost for new wells and pipeline.

City Manager Courtney stated that a meeting is set to discuss the ordinary and necessary expense and/or bond issue to finance the project.

Councilperson Lanting made the motion to approve the agreement for the sale of Pristine Springs and to authorize the Mayor to sign the Agreement for the Purchase and Sale of Rights to the Use of Water, The Pristine Springs Trust for Water Right No. 36-2603C, and License Agreement. The motion was seconded by Councilperson Craig.

Discussion followed:

- Possible flooding of the bridge.
- Continued negotiations will continue to explore water options.

Roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

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

Kent Just stated that the purchase of Pristine Springs is a historical event.

Councilperson Hall made the motion to reconsider the decision made by the City Council on April 7, 2008, to ban alcohol at Dierkes Lake effective Saturday, April 18, 2008. The motion was seconded by Councilperson Johnson. Roll call vote

showed Mayor Clow, Councilperson Hall, Johnson, and Lanting voted for the motion. Councilperson Craig, Heider, and Kezele voted against the motion. The motion passed with a vote of 4 to 3.

III. **ADVISORY BOARD REPORTS/ANNOUNCEMENTS: None.**

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

IV. **ADJOURNMENT:** to Executive Session to consider hiring a public officer, employee, staff member or individual agent. This paragraph does not apply to filling a vacancy in an elective office. 67-2345 (a).

Councilperson Johnson made the motion to adjourn to Executive Session as presented. The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

The meeting adjourned at 6:22 P.M.

Leila Sanchez
Deputy City Clerk

COUNCIL MEMBERS:

LANCE	TRIP	DON	LEE	DAVID E.	WILLIAM A.	GREG
CLOW	CRAIG	HALL	HEIDER	JOHNSON	KEZELE	LANTING

Mayor

Vice Mayor



MINUTES

Meeting of the Twin Falls City Council

April 28, 2008

City Council Chambers

305 3rd Avenue East Twin Falls, Idaho

3:00 P.M.

Strategic Plan Update 2008

City Council / Sr. Staff Work Session

PLEDGE OF ALLEGIANCE TO THE FLAG
 CONFIRMATION OF QUORUM
 INTRODUCTION OF STAFF

PROCLAMATION: National Volunteer Week

5:00 P.M.
AGENDA ITEMS

Purpose	By:
Action	Staff Report
Action	Dennis Pullin Rosa Paiz
Action	Dennis Bowyer
Action	Dennis Bowyer
Action	Jackie Fields
Action	Dennis Bowyer

- I. CONSENT CALENDAR:
 1. Consideration of accounts payable for April 21 – 28, 2008, total: \$464,199.86
 2. Consideration of the April 21, 2008, Minutes.
- II. ITEMS FOR CONSIDERATION:
 1. Consideration by Rosalinda Paiz to approve the 19th Annual Mother's Day and Latin Fiesta to be held at the City Park.
 2. Consideration to award the bid of five pieces of golf maintenance equipment to Turf Equipment of Idaho and to authorize the Mayor to sign the lease agreement of said equipment.
 3. Consideration to pay fees in lieu of park land dedication for the Parkwood # 4 Subdivision.
 4. Consideration of a shared maintenance agreement between the City and the School District for the Riverhawk pressurized irrigation station.
 5. The City Council requested to review its April 7th decision to ban alcohol at Dierkes Lake and the boat dock area at Shoshone Falls.
 6. Public input and/or items from the City Manager and City Council.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

IV. PUBLIC HEARINGS: 6:00 P.M. - None

V. ADJOURNMENT:

COUNCIL MEMBERS PRESENT: Lance Clow, Trip Craig, Don Hall, Lee Heider, David E. Johnson, William Kezele, Greg Lanting

COUNCIL MEMBERS ABSENT: None

STAFF PRESENT: City Manager Tom Courtney, City Attorney Fritz Wonderlich, City Engineer Jackie Fields, Parks and Recreation Director Dennis Bowyer, Staff Sergeant Dennis Pullin, Deputy City Clerk Leila A. Sanchez.

CALL MEETING TO ORDER 5:00 P.M.

Mayor Clow 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 Clow introduced City staff.

The following item was added to the Consent Calendar by City Manager Tom Courtney:
Alcohol License Application (Beer and Wine) for Pasta Roma Café and Grill, 611 Blue Lakes N. Blvd., subject to the following condition:

1. Upon Twin Falls County approval.

PROCLAMATION: National Volunteer Week

Mayor Clow read and presented the National Volunteer Week Proclamation to Patricia Hansen, Director of the United Way, John Sexton, The Mustard Seed Community Wellness Clinic, Heidi Walker, Idaho Home Health and Hospice.

I. CONSENT CALENDAR:

1. Consideration of accounts payable for April 21 – 28, 2008, total: \$464,199.86
2. Consideration of the April 21, 2008, Minutes.

MOTION:

Councilperson Heider made the motion to approve the Consent Calendar with the addition of the following item:
Alcohol License Application (Beer and Wine) for Pasta Roma Café and Grill, 611 Blue Lakes N. Blvd., subject to the following condition: 1. Upon Twin Falls County approval.

The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

II. ITEMS FOR CONSIDERATION:

1. Consideration by Rosalinda Paiz to approve the 19th Annual Mother's Day and Latin Fiesta to be held at the City Park.

Staff Sergeant Pullin reviewed the request.

Staff recommends that the City Council approve the Special Events Application submitted for the 19th Annual Mother's Day and Latin Fiesta based on the information provided.

Discussion followed:

- Music will begin at 1:30 p.m.
- Cost of Twin Falls Police Department and private security.

Councilperson Hall asked for consistency regarding security policy.

City Manager Courtney asked for direction from the Council.

Rosa Paiz reviewed the request. She stated that she would prefer to hire private security.

-Twin Falls Police Department security cost would be approximately \$800.

City Attorney Wonderlich stated that the City could allow the applicant to post a bond for the recovery of costs incurred by the City.

Staff Sergeant Pullin stated that experience shows that when having live music and alcohol problems do occur. It is unknown what events are going to be problematic thus the Police Department would like to be prepared. The administrative staff has concerns with safety issues.

-Upcoming Western Days event.

Staff Sergeant Pullin stated that staff will recommend that the Western Days event be required to have Police Department security.

Councilperson Heider stated the Air Show event has an established procedure that any overtime costs will be paid by the applicant.

MOTION:

Councilperson Craig made the motion to approve the Special Events Application submitted for the 19th Annual Mother's Day and Latin Fiesta as presented. The motion was seconded by Councilperson Hall and roll call vote showed that all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

2. Consideration to award the bid of five pieces of golf maintenance equipment to Turf Equipment of Idaho and to authorize the Mayor to sign the lease agreement of said equipment.

Parks and Recreation Director Bowyer reviewed the request.

Staff recommends for the City Council to award the bids for all pieces of the golf maintenance equipment to Turf Equipment of Idaho and to authorize for the Mayor to sign the lease agreement.

Discussion followed:

- The City has close to 20 pieces of equipment and 4 to 5 pieces of tractor type equipment.
- Replacing mowers.
- Protecting and storage of equipment.
- Buying equipment.
- Burks Tractor Company and Pettemac Inc. did not meet technical specifications.

Councilperson Johnson made the motion to award the bid of five pieces of golf maintenance equipment to Turf Equipment of Idaho and to authorize the Mayor to sign the lease agreement as presented. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

3. Consideration to pay fees in lieu of park land dedication for the Parkwood # 4 Subdivision.

Parks and Recreation Director Bowyer reviewed the request.

The Parks and Recreation Commission recommend that the City Council accept the developer's request to pay fees in lieu of park land dedication as part of the parks ordinance. Staff concurs with the recommendation.

MOTION:

Councilperson Johnson made the motion to approve the request by High Desert Holdings LLC to pay fees in lieu of park land dedication for the Parkwood #4 Subdivision as presented. The motion was seconded by Councilperson Craig and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0

4. Consideration of a shared maintenance agreement between the City and the School District for the Riverhawk pressurized irrigation station.

City Engineer Fields reviewed the request.

Staff recommends that the Council approve the Shared Maintenance Agreement subject to the following conditions:

1. The School Board's approval of the agreement.
2. Final review of the Share Maintenance Agreement by the City Attorney.

Discussion followed:

- Regulating of water usage.
- Alternative to the proposed agreement.

City Manager Courtney stated that the City of Twin Falls and the District have had a successful history of working together and does not foresee any future problems with the agreement.

City Engineer Fields stated that installing water meters is expensive and does not see the need for them at this time. If the agreement is not approved, the school will build its own pressure irrigation station. The city is incapable to provide service in the area in the near future.

Councilperson Lanting made the motion to approve the Shared Maintenance Agreement as presented subject to the following conditions:

1. The School Board's approval of the agreement.
2. Final review of the Share Maintenance Agreement by the City Attorney.

Councilperson Heider seconded the motion and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

5. The City Council requested to review its April 7th decision to ban alcohol at Dierkes Lake and the boat dock area at Shoshone Falls.

The Council chose to allow the public to comment.

Parks and Recreation Director Bowyer reviewed the request.

On November 13, 2007, the Parks and Recreation Commission sub-committee recommended to the full Parks and Recreation Commission. After discussion, the Parks and Recreation Commission recommended to the City Council to ban alcohol at Dierkes Lake. On April 7, 2008, the City Council implemented the alcohol ban at Dierkes Lake and the boat dock area at Shoshone Falls effective Saturday April 19, 2008.

Mayor Clow stated that the motion was back on the floor for discussion:

Discussion followed:

- Parks and Recreation Director Bowyer stated that the security person stated that more families were at Dierkes Lake the past weekend.
- Estimated total budget impact.

Parks and Recreation Director stated that the estimated cost would be \$13,110 due to extending security hours to implement the ban. The security person spends a majority of time at Dierkes Lake.

Public Input:

Mike Sirucek, 310 Cayuse Creek, Kimberly, spoke in favor of the ban at the boat dock and suggested banning alcohol at the entire park.

Council discussion:

Councilperson Craig stated that the intent of the motion was to enforce no alcohol consumption in the dock area. The County of Twin Falls has the burden of patrolling the waterway park.

Councilperson Johnson agreed with the Parks and Recreation Commission recommendation of banning alcohol at Dierkes Lake.

Councilperson Kezele agreed on the Parks and Recreation Commission reasons for banning alcohol at Dierkes and why the ban should include the boat dock area for the same reasons:

1. The need to improve the family atmosphere of Dierkes Lake.
2. The fact that alcohol and a body of water near by are a safety issue.
3. Staff does not want Dierkes Lake to be known as a haven for alcohol consumption by minors.

Councilperson Heider stated that he was the owner of Intermountain Dive Rescue Team for about 15 years and a member of Dive Rescue International and stated the fact about 84% of drownings in Idaho was alcohol related. The intent of the motion was not to allow drinking at Dierkes Lake Park and the Shoshone Falls dock area. Closed containers to the boat are appropriate. He stated that the motion passed by the City Council be maintained.

Councilperson Lanting asked if the City could actually control the docks.

Parks and Recreation Director Bowyer stated that the City has a formal agreement with the Twin Falls County. He stated that he believed the docks are regulated by the County.

Councilperson Hall stated that he supported the alcohol ban at Dierkes Lake. He stated that the compromise of illegal consumption in the boat dock area is a reasonable accommodation.

Mayor Clow asked if the Parks and Recreation Commission sub-committee, in their deliberations, made mention of the boat dock area at Shoshone Falls.

Paula Brown Sinclair stated that she did not serve on the sub-committee but she said the topic of Shoshone Falls came up, but the boat dock area did not come up specifically.
-RV Parking.

Parks and Recreation Director Bowyer on overhead projection showed the parking area.

MOTION:

Councilperson Lanting made the amendment to the main motion to ban alcohol at Dierkes Lake and to ban alcohol consumption at the Shoshone Falls boat dock area. The motion was seconded by Councilperson Craig and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

Councilperson Johnson made the motion to approve to ban alcohol at Dierkes Lake and to ban alcohol consumption at the Shoshone Falls boat dock area as amended. The motion was seconded by Councilperson ___ and roll call vote

showed. Councilpersons Clow, Craig, Hall, Heider, Kezele and Lanting voted in favor of the motion. Councilperson Johnson voted against the motion. The motion passed with a vote of 6 to 1.

City Attorney Wonderlich presented a proposed ordinance to reflect the amendment to the motion as passed.

Councilperson Lanting made the motion to suspend the rules and place Ordinance #2936, entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, AMENDING TWIN FALLS CITY CODE §8-3-7(A) BY PROHIBITING CONSUMPTION OF ALCOHOL IN PUBLIC PARKS WHERE PROHIBITED BY POSTING.

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. The motion passed with a vote of 7 to 0.

Mayor Clow read the ordinance title.

MOTION:

Councilperson Johnson made the motion to adopt Ordinance #2936 as presented. The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

6. Public input and/or items from the City Manager and City Council. None

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS: None

IV. PUBLIC HEARINGS: 6:00 P.M. - None

V. ADJOURNMENT: The meeting adjourned at 6:44 p.m.

Leila Sanchez
Deputy City Clerk

COUNCIL MEMBERS:

LANCE	TRIP	DON	LEE	DAVID E.	WILLIAM A.	GREG
CLOW	CRAIG	HALL	HEIDER	JOHNSON	KEZELE	LANTING

Mayor

Vice Mayor



MINUTES

Meeting of the Twin Falls City Council

May 5, 2008

City Council Chambers

305 3rd Avenue East Twin Falls, Idaho

PLEDGE OF ALLEGIANCE TO THE FLAG
 CONFIRMATION OF QUORUM
 INTRODUCTION OF STAFF

CALL MEETING TO ORDER: 5:00 P.M.

PROCLAMATION: AMERICAN LEGION AUXILIARY POPPY DAYS

AGENDA ITEMS		Purpose	By:
I.	<u>CONSENT CALENDAR:</u> 1. Consideration of accounts payable for April 29 – May 5, 2008. 2. Consideration of the April 27, 2008, Minutes 3. Consideration of a request by Deborah Gabardi, Crisis Center of Magic Valley, for the adoption of a Resolution to publicly support the mission and objectives of the Crisis Center of Magic Valley, Inc. Proposed Resolution #1798. 4. Consideration of a Curb-Gutter and Sidewalk Improvement Deferral Agreement for Roger and Melody Lester, 348 Elaine Avenue.	Action	Staff Report
II.	<u>ITEMS FOR CONSIDERATION:</u> 1. Consideration of a request for a 1-year extension of the approval of the final plat of Canyon Falls Subdivision, No. 2, consisting of 2 lots on approximately 10 (+/-) acres located on the west side of the 1800-1900 blocks of Harrison Street North. 2. Consideration of a request for a 1-year extension of the approval of the final plat of Home Towne Subdivision consisting of 136 lots on 38.04 (+/-) acres located at the southeast corner of Grandview Drive North and Canyon Rim Road. 3. Consideration of the final plat for Eagle Parke Subdivision consisting of 30.47 acres (+/-) with 74 residential lots on property located at the southwest corner of Falls Avenue East and Hankins Road (also known as 3200 East), excluding the Boy Scout property. 4. Public input and/or items from the City Manager and City Council.	Action Action Action	Mitch Humble Mitch Humble Mitch Humble
III.	<u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u>		
IV.	<u>PUBLIC HEARINGS:</u> 6:00 P.M. – None.		
V.	<u>ADJOURNMENT:</u>		

COUNCIL MEMBERS PRESENT: Lance Clow, Trip Craig, Don Hall, Lee Heider, David E. Johnson, William Kezele, Greg Lanting

COUNCIL MEMBERS ABSENT: None

STAFF PRESENT: City Manager Tom Courtney, City Attorney Fritz Wonderlich, City Engineer Jackie Fields, Community Development Director Mitch Humble, Deputy City Clerk Leila A. Sanchez.

CALL MEETING TO ORDER **5:00 P.M.**

Mayor Clow 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 Clow introduced City staff.

The following item was added to the Items for Consideration as:

II.4. Update on the General Capital Lease on the Golf Course by Finance Director Gary Evans.

PROCLAMATION: American Legion Auxiliary Poppy Days

The proclamation was read and presented by Mayor Clow and Councilperson Johnson.

PROCLAMATION: Foster Care Month

The proclamation was read and presented to Jeremy Sasser-Collins by Mayor Clow.

Jeremy Sasser-Collins gave an update on upcoming events for the month of May.

AGENDA ITEMS

I. CONSENT CALENDAR:

1. Consideration of accounts payable for April 29 – May 5, 2008.
2. Consideration of the April 28, 2008, Minutes
3. Consideration of a request by Deborah Gabardi, Crisis Center of Magic Valley, for the adoption of a Resolution to publicly support the mission and objectives of the Crisis Center of Magic Valley, Inc. Proposed Resolution #1798.
4. Consideration of a Curb-Gutter and Sidewalk Improvement Deferral Agreement for Roger and Melody Lester, 348 Elaine Avenue.

MOTION:

Councilperson Johnson made the motion to approve the Consent Calendar as presented and with the following change to page 5 of the April 28, 2008, minutes:

Roll call vote on the amended main motion showed Councilpersons Clow, Craig, Hall, Heider, Kezele and Lanting voted in favor of the motion. Councilperson Johnson voted against the motion. The motion passed with a vote of 6 to 1.

The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

II. ITEMS FOR CONSIDERATION:

1. Consideration of a request for a 1-year extension of the approval of the final plat of Canyon Falls Subdivision, No. 2, consisting of 2 lots on approximately 10 (+/-) acres located on the west side of the 1800-1900 blocks of Harrison Street North.

Community Development Director Humble reviewed the request.

Approval of this request will allow the applicant to record the final plat without going back through the process. If approved the final plat would expire on June 4, 2009.

Staff recommends approval of a one-year extension of the filing requirement on the final plat for Canyon Falls Subdivision, No. 2, subject to the following original conditions of approval:

1. Provide a looped water line system approved by the City Engineering Department. A storm water retention system to be submitted and approved by the City Engineering Department.
2. Install curb, gutter, and sidewalk adjacent to all street frontages.
3. Maintain easements for public utilities and storm water.
4. Subject to final technical review by the City Engineering Department.
5. Subject to compliance with the PUD agreement.
6. Subject to arterials and collector streets adjacent to and on the property being built or rebuilt to current City standards upon development of the property.
7. Subject to final technical review by the City Engineering Department and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.

MOTION:

Councilperson Hall made the motion to approve a one-year extension (June 4, 2009), of the filing requirement on the final plat for Canyon Falls Subdivision, No. 2, subject to the following original conditions of approval:

1. Provide a looped water line system approved by the City Engineering Department. A storm water retention system to be submitted and approved by the City Engineering Department.
2. Install curb, gutter, and sidewalk adjacent to all street frontages.
3. Maintain easements for public utilities and storm water.
4. Subject to final technical review by the City Engineering Department.
5. Subject to compliance with the PUD agreement.
6. Subject to arterials and collector streets adjacent to and on the property being built or rebuilt to current City standards upon development of the property.
7. Subject to final technical review by the City Engineering Department and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.

The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

2. Consideration of a request for a 1-year extension of the approval of the final plat of Home Towne Subdivision consisting of 136 lots on 38.04 (+/-) acres located at the southeast corner of Grandview Drive North and Canyon Rim Road.

Community Development Director Humble reviewed the request.

Approval of this request will allow the applicant to record the final plat without going back through the process. If approved the final plat would expire on May 14, 2009.

Staff recommends approval of a one-year extension of the filing requirement on the final plat for Home Towne Subdivision, subject to the following original conditions of approval:

1. Subject to final technical review by the City Engineering Department and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to the development of a minimum four (4) acre park as per attached Letter of Commitment approved by the City Council on September 27, 2004.

The following two conditions were not included in the Council staff report but have been discussed with the developer.

3. Arterial and collector streets adjacent and within the property being rebuilt or built to current city standards upon development of the property.
4. A new water model will be required prior to the recoding of a final plat for any subsequent phases.

Brad Wills, applicant, stated that he was agreeable to the two additional conditions recommended by staff.

MOTION:

Councilperson Johnson made the motion to approve the one-year extension of the filing requirement on the final plat for Home Towne Subdivision, subject to the following conditions of approval:

1. Final technical review by the City Engineering Department and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
2. Development of a minimum four (4) acre park as per attached Letter of Commitment approved by the City Council on September 27, 2004
3. Arterial and collector streets adjacent and within the property being rebuilt or built to current city standards upon development of the property.
4. A new water model will be required prior to the recoding of a final plat for any subsequent phases.

The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

3. Consideration of the final plat for Eagle Parke Subdivision consisting of 30.47 acres (+/-) with 74 residential lots on property located at the southwest corner of Falls Avenue East and Hankins Road (also known as 3200 East), excluding the Boy Scout property.

No action taken; will be scheduled for consideration at a future Council meeting.

4. Update on the General Capital Lease on the Golf Course.

Finance Director Evans stated that on April 28, 2008, City Council approved to award the bid of five pieces of golf maintenance equipment to Turf Equipment of Idaho and to authorize the Mayor to sign the lease agreement as presented. He gave an overview of alternate Golf Maintenance Equipment Lease Options on overhead projection.

City Attorney Wonderlich reviewed the alternate options presented by Finance Director Evans, and recommended that the Council move forward with the original lease without modification.

The City Council chose not to revise the lease option. No action was taken.

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

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

City Manager Courtney stated that on Thursday, May 8, 2008, a tour with the State Water Board and representatives of the Groundwater Districts will begin at 2:00 at the Red Lion Canyon Springs Inn and will move to the Pristine Springs property.

MINUTES
May 5, 2008
Page 5 of 5

- IV. PUBLIC HEARINGS: 6:00 P.M. – None.
- V. ADJOURNMENT: The meeting adjourned at 5:57 P.M.

Leila Sanchez
Deputy City Clerk

COUNCIL MEMBERS:

LANCE	TRIP	DON	LEE	DAVID E.	WILLIAM A.	GREG
CLOW	CRAIG	HALL	HEIDER	JOHNSON	KEZELE	LANTING

Mayor

Vice Mayor



NOTICE AND AGENDA
 Meeting of the Twin Falls City Council
 May 12, 2008
 City Council Chambers
 305 3rd Avenue East Twin Falls, Idaho

PLEDGE OF ALLEGIANCE TO THE FLAG
 CONFIRMATION OF QUORUM
 INTRODUCTION OF STAFF

CALL MEETING TO ORDER: 5:00 P.M.

PROCLAMATION: National Police Week Proclamation

AGENDA ITEMS	Purpose	By:
I. <u>CONSENT CALENDAR:</u> 1. Consideration of accounts payable for May 6 – 12, 2008 2. Consideration of a Curb-Gutter Sidewalk Improvement Deferral Agreement for Stan Bird, 587 Gardner Avenue. 3. Consideration of the Perrine Point PUD Agreement between the City of Twin Falls and Greenridge Development, LLC. 4. Consideration of the Perrine Point Developer's Agreement and Trust Agreement between City of Twin Falls and Greenridge Development, LLC.	Action	Staff Report
II. <u>ITEMS FOR CONSIDERATION:</u> 1. Consideration to extend the lease on the management of the Municipal Golf Course with Mike Hamblin to December 31, 2008, and to authorize the Mayor to sign said extension. 2. Consideration from the Western Days Committee to approve the annual Twin Falls Western Days parade and festivities beginning May 30, 2008, and concluding on June 1, 2008. 3. Consideration to initiate a public hearing to consider amending City Code 10-12-3-11 to potentially expand the spending boundaries of in-lieu contributions. 4. Public input and/or items from the City Manager and City Council.	Action Action Action	Dennis Bowyer Dennis Pullin Mitch Humble
III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u>		
IV. <u>PUBLIC HEARINGS:</u> 6:00 P.M. 1. Request for a PUD modification to allow a PA system to be used for home football games and outside field events and to allow outside lighting to be used to illuminate night games, parking lots and storage areas on property located at 960 Eastland Drive c/o Lighthouse Christian Fellowship (app. 2212) 2. Request for a Zoning District Change and Zoning Map Amendment for 142.50 (+/-) acres from SUI and OS to OS to allow for uses compatible with open space along the Snake River Canyon Rim and north of Meadow Ridge Circle, c/o City of Twin Falls. (app. 2179)	Action Action	Mitch Humble Mitch Humble
V. <u>ADJOURNMENT:</u> Executive Session to conduct deliberations concerning labor negotiations or to acquire an interest in real property which is not owned by a public agency. 67-2345 (c)		

**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.*

COUNCIL MEMBERS PRESENT: Lance Clow, Trip Craig, Lee Heider, David E. Johnson, William Kezele, Greg Lanting.

COUNCIL MEMBER ABSENT: Don Hall.

STAFF PRESENT: City Manager Tom Courtney, City Attorney Fritz Wonderlich, Community Development Director Mitch Humble, City Engineer Jackie Fields, Parks & Recreation Director Dennis Bowyer, Captain Brian Pike, Sergeant Dennis Pullin, Acting Deputy City Clerk Tracy Reed.

CALL MEETING TO ORDER **5:00 P.M.**

Mayor Clow 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 Clow introduced City staff.

PROCLAMATION: National Police Week

Mayor Clow read the National Police Week Proclamation. He will read it again on Saturday, May 17, 2008 at the City Park for the people of the City of Twin Falls to observe the dedicated service of all law enforcement agencies and those who lost their lives in the service of law enforcement. Justin Hendricksen, City of Twin Falls Police Department, accepted the proclamation.

AGENDA ITEMS

I. CONSENT CALENDAR:

1. Consideration of accounts payable for May 6 – 12, 2008
2. Consideration of a Curb-Gutter Sidewalk Improvement Deferral Agreement for Stan Bird, 587 Gardner Avenue.
3. Consideration of the Perrine Point PUD Agreement between the City of Twin Falls and Greenridge Development, LLC.
4. Consideration of the Perrine Point Developer's Agreement and Trust Agreement between City of Twin Falls and Greenridge Development, LLC.

MOTION:

Councilperson Kezele made the motion to approve the Consent Calendar. The motion was seconded by Councilperson Johnson and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

II. ITEMS FOR CONSIDERATION:

1. Consideration to extend the lease on the management of the Municipal Golf Course with Mike Hamblin to December 31, 2008, and to authorize the Mayor to sign said extension.

Dennis Bowyer discussed the lease agreement. There is no budget impact and staff recommends that the lease be extended. Discussion followed. There may need to be a budget revision to change the due date.

MOTION:

Councilperson Lanting made the motion to approve as presented. The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

2. Consideration from the Western Days Committee to approve the annual Twin Falls Western Days parade and festivities beginning May 30, 2008, and concluding on June 1, 2008.

Sergeant Dennis Pullin presented the timeframe for all events. Officers will be required for security in the evenings of May 30, 31 and the day of June 1, 2008. Overtime costs for officers are approximately \$5940 for the parade itself. Security for the event is going to cost \$5200. The Street Department will assist with road barriers and other miscellaneous items. Sergeant Pullin stated that the permits and requirements are in place to allow Western Days to proceed as planned.

Councilperson Lanting asked who pays for the security costs. Sergeant Pullin said he cannot recommend who is responsible for payment and that in prior years, the City has covered this cost. Councilperson Heider asked if the Western Days Committee can afford to pay the security fees of \$5200.

Lisa Cuellar from the Western Days Committee explained their budget. She is trying to raise enough money to cover Western Days and lobbied City Council to waive a portion of the security costs. They also hire private security, 24 hours a day, to augment the City Police.

Mayor Clow asked Sergeant Pullin if the Police Department counted the private security as part of the plan when he did his budget, and Sergeant Pullin answered yes.

Captain Brian Pike spoke about uniforms required for the private security and the City Police security force for this event. This is the first year the city is requiring police officers at the event and not just the parade. He has decided that 6 officers should be enough per shift. Generally, non profit events don't get charged for security. The City Police Department is prepared to staff the event and absorb the cost.

City Manager Tom Courtney, explained that there are no funds in the budget to cover this cost. He would prefer to offset the cost with revenue or with payment from the sponsor of the event.

Marvin Pierce spoke regarding catering permits, alcohol and the need for so much security. He feels the cost for security for this event is very high.

Councilperson Johnson asked for a listing of times and calls received by the Police Department last year. Sergeant Pullin answered with the times and the calls from 2007. Lisa Cuellar feels there must be security there 24 hours a day and possibly next year they won't need as much.

MOTION:

Councilperson Johnson made the motion to approve as presented. The motion was seconded by Councilperson Craig.

Councilperson Heider made a second motion to approve with one change, that the city charges 50% of the fee this year and then the full fee next year and following years. Councilperson Craig asked if Council gave Mother's Day event a break on the security fees and Councilperson Kezele answered, they did not get a break. Motion failed due to lack of a second.

Councilperson Johnson amended the main motion to approve with a coop of the fees, between City and Western Days, each pay \$2600. Councilpersons Craig and Lanting feel the City should charge the full fee to be consistent with other public events. Roll call shows the amended motion fails, 3 to 3, with Councilperson's Kezele, Lanting and Craig voting against.

Councilperson Lanting made amendment to the main motion that Western Days pay full price of \$5200 for their event security. Councilperson Craig seconded the motion. Roll call vote showed all members but Councilperson Johnson present voted in favor of the amended motion. The motion passed with a vote of 5 to 1.

Councilperson Craig made motion to cover the costs of the parade as usual. Councilperson Johnson seconded the motion and roll call vote passed with a vote of 6 to 0.

3. Consideration to initiate a public hearing to consider amending City Code 10-12-3-11 to potentially expand the spending boundaries of in-lieu contributions.

Parks & Recreation Director Dennis Bowyer explained his request to expand the spending boundaries for in-lieu contributions. The City is expanding and trying to keep neighborhood parks in all areas. Possibly Parks Commission and Council will have to look at the per acre figure that the City is requiring to be sure it will still cover the costs associated with building a park.

MOTION:

Councilperson Johnson made the motion to approve as presented as well as including that the cost of park development be discussed at the hearing. The motion was seconded by Councilperson Craig and the vote showed all members voted unanimously in favor of the motion.

4. Public input and/or items from the City Manager and City Council. None.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS: None.

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

1. Request for a PUD modification to allow a PA system to be used for home football games and outside field events and to allow outside lighting to be used to illuminate night games, parking lots and storage areas on property located at 960 Eastland Drive c/o Lighthouse Christian Fellowship (app. 2212).

Kevin Newbry, Lighthouse Christian Fellowship, spoke regarding the public address system. Lighthouse Christian Fellowship did decibel checks on the speakers. There will be three speakers on the home side only. The sound the PA system will generate is 90 Db. The wind will generate 90 Db when it is really blowing.

Ron Heath, Lighthouse Christian Fellowship, spoke regarding the lighting system. He explained the three key areas of the lighting system: to light the field (not neighboring properties), to minimize glare, and to maintain the natural beauty of night sky and stars. They will have 4 poles at 60' high if approved.

Community Development Director Humble presented the staff report. LCF is located in the old Anderson Lumber building. In February 2007, the PUD Agreement was approved with several conditions. Two of the conditions were that no PA system nor any field lighting be permitted. Staff recommends an amendment to the PUD to allow the PA system for home games and to allow the lighting system.

Community Development Director Humble explained the conditions that the P&Z Commission made on previous special use permits.

- Subject to site plan review.
- Outside noise levels not to exceed 78 Db.
- No public gatherings should occur before 10 AM or after 10 PM.
- Field lighting should be turned off by 10PM and glare minimized.
- Outside night events limited to 12 per year.

Councilperson Lanting feels 10 PM is not late enough to encompass night football games. Mr. Newbry explained that 10 PM is very close to when all games are finished.

Councilperson Kezele asked about concerts and large gatherings.

Councilperson Johnson asked about the conditions on the original PUD agreement. Community Development Director Humble explained that the fence was the only special condition other than usual conditions.

Mayor Clow opened meeting for public input.

Paul Ostyn, 945 Greentree Way, spoke regarding the support of the athletic events and the sound and lights for LCF. He also explained that Harmon Park and Twin Falls High School both have 11 PM curfews and the same conditions should be put on LCF.

Royce McCullough, 950 Cypress Way, spoke in support of the request to amend LCF PUD. He feels this would be a benefit for the community and he compared this to TFHS Bruins.

Nick Karavedos, 964 Aspenwood Lane, spoke in support of the request to amend LCF PUD, as he is the football coach at LCF. He also explained he can hear TDK's PA system every day.

MINUTES

May 12, 2008

Page 5

Travis Pierce, 878 Holly Ann Court, explained his is the first lot directly across from the football field. He is concerned about the PA system as during the testing, he felt it was very loud. He would like a limit to the PA events allowed at the field if this passes.

Darrel Morgan, 879 Holly Ann Court, is very happy with LCF as a neighbor except for a few things; there is a lot of traffic that he is concerned with, as well as the noise issue with the PA system. Also, the light in the LCF parking lot shines right into his home all night.

Emilee Williams, 790 Holly Ann Court, is concerned with traffic at 9th Avenue East and Holly Ann Court. In her opinion, this is a very dangerous intersection.

Brent Wallin, 3783 E. 4000 N., Kimberly, LCF's engineer working on the lighting system and the sound system, spoke in strong support of the PUD amendment.

David Mead, 2045 Hillcrest Drive, lives ¾ miles away. He feels that the LCF field is intruding on the south and west areas with both noise and lighting. He feels that area was not zoned for lights or noise and is against the PUD amendment. He feels enforcement of whatever the City of Twin Falls approves will be a problem.

Curtis Webb, 2158 Addison Avenue East, supports the 12 event limit as the lights shine into his front windows already just from Kmart. Also, he is concerned who is going to enforce the changes if City Council allows them.

Brad Williams, 790 Holly Ann Court, supports the 12 event limit as well. He also feels limitations should be made to help LCF be good neighbors. He believes the traffic at Holly Ann Court and 9th Avenue East is dangerous as well.

Bryan Devore, 4128 Meadowridge Circle, spoke on behalf of the LCF students. In order to get the full range of the high school experience, LCF asks that Council give consideration to this amendment and that they be treated as the rest of the schools that have fields.

Kristy Webb, 2158 Addison Avenue East, is very concerned about the lighting, parking and security of the storage area. She also feels the noise level gets too high sometimes. She would like restrictions put on the PUD amendment if it passes.

Marlene Burnett, 2195 Alta Vista Drive, is happy with the LCF as neighbors. She is concerned that no one will control how many events they have on the football field.

Community Development Director Humble showed a letter to City Council that he received from The Caring Place, a 5-bed palliative care home, Idaho Home Health and Hospice.

Mr. Newbry clarified that there was no false pretense. LCF was not prepared to do the lighting or sound system when the PUD was approved. There is no sign stating they will rent the facility/field. Mr. Heath explained that the vendors for the lighting and sound system are local entities and are aware of the area needs and concerns. He, also, is aware of the traffic issue at 9th Avenue East and Holly Ann Court and feels that possibly the City would red line the curb there to eliminate parking at the corner. He feels the security lights in the building are adequate.

Councilperson Johnson asked about the direction of the sound. Mr. Newbry answered that the speakers were facing southward and in towards the field.

Mayor Clow closed the public hearing.

MOTION:

Councilperson Lanting made the motion to approve as presented including the 5 conditions placed by P&Z Commission. The motion was seconded by Councilperson Johnson to include the following conditions:

- Subject to site plan review.
- Outside noise levels not to exceed 78 Db.
- No public gatherings should occur before 10 AM or after 10 PM.
- Field lighting should be turned off by 10PM and glare minimized.

- Outside night events limited to 12 per year.

Discussion followed. Councilperson Kezele feels LCF should have requested sound system and lighting when the original PUD came through. Councilperson Heider feels the night traffic at this location is truly dangerous and would like to prohibit parking on 9th Avenue East if the PUD amendment passes. Councilperson Lanting approves the amendment but is not comfortable with the conditions because of the protection of the neighborhood.

Mayor Clow said that if the games run later than 10 PM, LCF could possibly start earlier in the evening. He is in favor of the PA System and the good sounds that come from the football games. Councilperson Johnson feels condition #2 is too limiting. Councilperson Craig supports LCF but wishes they would have brought these items forward with original PUD.

Roll call vote failed with a vote of 3 to 3 with Councilpersons Kezele, Craig, and Heider voting against the motion. The request was denied.

2. Request for a Zoning District Change and Zoning Map Amendment for 142.50 (+/-) acres from SUI and OS to OS to allow for uses compatible with open space along the Snake River Canyon Rim and north of Meadow Ridge Circle, c/o City of Twin Falls. (app. 2179).

Community Development Director Humble spoke to the Council and said that a local appraiser stated that the value should remain the same regardless of the zoning. He also stated that we need a cell tower in this area which would be allowed with this new zoning. This is in the area of impact and this approval would just be a recommendation to the County Planning and Zoning for approval.

Mayor Clow opened the floor for public hearing and since Al Gouzene was signed up to speak but left early, he closed the public hearing.

MOTION:

Councilperson Johnson made the motion to approve as presented. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

Mayor Clow appointed the AIC Delegate as Lee Heider and Alternate as Trip Craig for this year.

ADJOURNMENT: The meeting adjourned at 8:00 P.M.

Tracy Reed
Acting Deputy City Clerk

COUNCIL MEMBERS:

LANCE	TRIP	DON	LEE	DAVID E.	WILLIAM A.	GREG
CLOW	CRAIG	HALL	HEIDER	JOHNSON	KEZELE	LANTING

Mayor *Vice Mayor*



CORRECTED MINUTES
 Meeting of the Twin Falls City Council
 May 19, 2008
 City Council Chambers
 305 3rd Avenue East Twin Falls, Idaho

4:30 P.M.

City Council Chambers Overflow Room

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

PLEDGE OF ALLEGIANCE TO THE FLAG
 CONFIRMATION OF QUORUM
 INTRODUCTION OF STAFF

CALL MEETING TO ORDER: 5:00 P.M.

AGENDA ITEMS	Purpose	By:
I. CONSENT CALENDAR:	Action	Staff Report
1. Consideration of accounts payable for May 12 -May 19, 2008. 2. Consideration of the May 5 and 12, 2008, Minutes. 3. Curb-Gutter and Sidewalk Improvement Deferral Agreement for Travis Price, 990 Washington Street South.		
II. ITEMS FOR CONSIDERATION:		
1. Presentation by Nancy Choker, Moss Greenhouses, of a Landscape Award to First Federal located at 886 Blue Lakes Blvd. North, Tim Zearth, Manager.	Presentation	Nancy Choker
2. Consideration to waive the green fees for the annual Ladies Inter-City Golf Tournament at the Twin Falls Municipal Golf Course.	Action	Dennis Bowyer
3. Consideration of a request to approve a logo change for the Twin Falls Urban Renewal Agency.	Action	Melinda Anderson
4. Consideration of a contract to Murray, Smith & Associates, Inc., (MSA) for miscellaneous engineering services and task orders.	Action	Jackie Fields
5. Consideration of adoption of proposed Ordinance #2937, a request for annexation of 80 (+/-) acres for property located at the southwest corner of Grandview Drive North and Falls Avenue West by Grandview Farms, LLC. (app 2186)	Action	Mitch Humble
6. Consideration of the final plat for Eagle Parke Subdivision consisting of 30.47 acres (+/-) with 74 residential lots on property located at the southwest corner of Falls Avenue East and Hankins Road. (AKA 3200 East), excluding the Boy Scout property.	Action	Mitch Humble
7. Consideration of the final plat of Eagle Pointe Subdivision consisting of 5 (+/-) acres with 4 lots on property located on the south side of the 400 block of Falls Avenue, c/o Gerald Martens/EHM Engineers, Inc.	Action	Mitch Humble
8. Consideration of the approval of the final plat for Parkwood Subdivision #4 consisting of 1.7 (+/-) acres with 9 residential lots on property located east of Washington Street South and south of Park Avenue, c/o Gary Wolverton.	Action	Mitch Humble
9. Public input and/or items from the City Manager and City Council.		
III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:		

<p>IV. PUBLIC HEARINGS: 6:00 P.M.</p> <ol style="list-style-type: none"> 1. Request for annexation of 71 (+/-) acres with a zoning designation of CSI PUD Zone to allow for the expansion of the College of Southern Idaho on property located on the north side of the 100-400 blocks of North College Road, c/o College of Southern Idaho. (app.2213) 2. Request for a zoning district change and zoning map amendment from R-2 to R-2 PRO for property located at 2133 Addison Avenue East, c/o Jim Fort. (app. 2218) 3. Request for annexation of 6.44 acres (+/-) with a zoning designation of C-1 PUD to allow for the development of a mini-storage facility on property located east of the 500 block of Grandview Drive, c/o Greg Olsen. (app. 2220) 4. Request of the Twin Falls City Council to reconsider the Planning and Zoning Commission's decision of April 8, 2008, to amend the Urban Renewal Agency's Special Use Permit requirement regarding Washington Street improvements for the Jayco facility. (app. 2217) 	<p>Action</p> <p>Action</p> <p>Action</p> <p>Action</p>	<p>Mitch Humble</p> <p>Mitch Humble</p> <p>Mitch Humble</p> <p>Mitch Humble</p>
<p>V. ADJOURNMENT:</p>		

COUNCIL MEMBERS PRESENT: Lance Clow, Trip Craig, Don Hall, Lee Heider, David E. Johnson, William Kezele, Greg Lanting

COUNCIL MEMBERS ABSENT: William Kezele arrived at 5:59 P.M.

STAFF PRESENT: City Manager Tom Courtney, City Attorney Fritz Wonderlich, City Engineer Jackie Fields, Community Development Director Mitch Humble, Deputy City Clerk Leila A. Sanchez.

4:30 P.M. - City Council Chambers Overflow Room

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

CALL MEETING TO ORDER: 5:00 P.M.

Mayor Clow called the meeting to order at 5:03 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 Clow introduced City staff.

AGENDA ITEMS

I. CONSENT CALENDAR:

1. Consideration of accounts payable for May 13 -May 19, 2008, total: \$410,701.75.
2. Consideration of the May 5 and 12, 2008, Minutes.
3. Curb-Gutter and Sidewalk Improvement Deferral Agreement for Travis Price, 990 Washington Street South.

MOTION:

Councilperson Heider made the motion to approve the Consent Calendar as presented. The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

II. ITEMS FOR CONSIDERATION:

1. Presentation by Nancy Choker, Moss Greenhouses, of a Landscape Award to First Federal located at 886 Blue Lakes Blvd. North, Tim Zearth, Manager.

Nancy Choker presented a Business is Blooming Industrial Division Award to Tim Zearth, Manager of First Federal.

2. Consideration to waive the green fees for the annual Ladies Inter-City Golf Tournament at the Twin Falls Municipal Golf Course.

Parks and Recreation Director Bowyer reviewed the request.

The Twin Falls Golf Advisory Commission recommends to the City Council to waive the green fees for the annual Ladies Inter-City Golf Tournament at the Twin Falls Municipal Golf Course to take place on September 30 or October 2, 2008.

MOTION:

Councilperson Lanting made the motion to approve the green fees for the annual Ladies Inter-City Golf Tournament at the Twin Falls Municipal Golf Course to take place on September 30 or October 2, 2008. The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

3. Consideration of a request to approve a logo change for the Twin Falls Urban Renewal Agency.

Tom Frank, Board Member of the Urban Renewal Agency, explained the request.

MINUTES

May 19, 2008

Page 4 of 12

Economic Development Director Anderson stated that staff recommends approval of the Urban Renewal Agency logo as presented.

MOTION:

Councilperson Craig made the motion to approve the Urban Renewal Agency logo as presented. The motion was seconded by Councilperson Lanting and voice vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

4. Consideration of a contract to Murray, Smith & Associates, Inc., (MSA) for miscellaneous engineering services and task orders.

Shad Roundy, MSA, using a PowerPoint presentation explained that the master wastewater collection process is to analyze and recommend actions for specific problem areas. Immediate problem areas stand out and are proposed in Task Order No. 08-01 to analyze needed upgrades to the Rock Creek Lift Station, and Task Order No. 08-02, and upgrades to the wastewater collection system upstream and downstream of the Rock Creek Lift Station.

Brad Wills, 222 Shoshone Street West, stated that Shad Roundy gave a presentation to the Developer's Group and their concern is how long the process is going to take.

Shad Roundy stated that the push line alternative is in the contract and they will be looking at a near term solution as well as a long term solution.

City Engineer Fields stated that MSA's first contract is to continue modeling of subdivisions. The second contract is to look at Rock Creek Lift Station and to do an alternative analysis. The scope of work is to look at our existing pumps and see what we can do right now to increase capacity without wasting money, review expanding the existing facility to increase capacity, discuss possibility of building a new lift station and abandoning the existing lift station, and analyze looking at a phased approach. The product of this review is a report from MSA. She explained Task Order No. M08-01 Rock Creek Lift Station Alternative Analysis, and Task Order No. M08-02 Conveyance Upgrades and Satellite WWTP Feasibility Analysis.

Discussion followed:

- Possibility of fast tracking the project.
- Length of the MSA contract is 6 months.
- Cost of pressure line alternative versus a gravity line.
- Comprehensive look at the south part of town.
- Industrial treatment plant that separates industrial waste from household waste.

Shad Roundy discussed the costs of placing a pressure line and gravity line.

City Engineer Fields stated that a diversion of large industrial flows into a second treatment facility idea has been discussed.

MOTION:

Councilperson Johnson made the motion to approve the agreement for Miscellaneous Professional Engineering Services, Task Order No. M08-01 Rock Creek Lift Station Alternative Analysis, and Task Order No. M08-02 Conveyance Upgrades and Satellite WWTP Feasibility Analysis. The motion was seconded by Councilperson Lanting.

Mayor Clow stated that an email was received from Don Acheson, Riedesel Engineering, and Councilperson Craig read the letter into the record.

Discussion followed:

City Manager Fields stated that the model was created by MSA and the City owns the model.

Roll call vote on the motion showed all present voted in favor of the motion. The motion passed with a vote of 6 to 0.

Doug Vollmer, 210 6th Avenue East, asked if the project is phased.

Shad Roundy explained the phasing of the project.

5. Consideration of adoption of proposed Ordinance #2937, a request for annexation of 80 (+/-) acres for property located at the southwest corner of Grandview Drive North and Falls Avenue West by Grandview Farms, LLC. (app 2186)

Community Development Director Humble reviewed the request.

On February 4, 2008, the City Council held a public hearing and approved the request with the following conditions:

1. Subject to amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable City code requirements and standards.
2. Subject to arterial and collector streets adjacent and within the property being rebuilt or built to current City standards upon development of the property.
3. A deed restriction being filed on the property that the lots to be developed on the west side proposed Creek Side Street to have a minimum lot size of 16,000 square feet and a 3 acre park be developed in the southwest corner of the property.

The ordinance has been prepared as directed by the Council and is recommended for adoption as submitted.

Councilperson Johnson made the motion to suspend the rules and place Ordinance #2937, entitled:
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, AND 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 Lanting and roll call vote showed all present voted in favor of the motion. The motion passed with a vote of 6 to 0.

Deputy City Clerk Sanchez read the ordinance title.

MOTION:

Councilperson Lanting made the motion to adopt Ordinance #2937 as presented. The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

6. Consideration of the final plat for Eagle Parke Subdivision consisting of 30.47 acres (+/-) with 74 residential lots on property located at the southwest corner of Falls Avenue East and Hankins Road. (AKA 3200 East), excluding the Boy Scout property.

Community Development Director Humble reviewed the request.

Staff recommends that if the City Council approves the final plat as presented, it should be subject to the following conditions:

1. Subject to final technical review by the City Engineering Department and Zoning Officials to ensure compliance with all applicable City code requirements and standards.
2. Subject to arterial and collector streets adjacent and within the property being rebuilt or built to current City standards upon development of the property.

Gerald Martens, EHM Engineers, representing the applicant, explained the request.

Councilperson Kezele arrived at 5:59 P.M.

Councilperson Johnson made the motion to approve the final plat for Eagle Parke Subdivision with the following conditions:

1. Subject to final technical review by the City Engineering Department and Zoning Officials to ensure compliance with all applicable City code requirements and standards.
2. Subject to arterial and collector streets adjacent and within the property being rebuilt or built to current City standards upon development of the property.

Councilperson Craig seconded the motion.

Discussion followed:

- Long range plans of the corner intersection at the Boy Scout center.
- The Boy Scout building is excluded in the request.

Gerald Martens stated that the Boy Scout building and acreage in the triangular portion as presented is not part of the subdivision. It is the existing Boy Scout building and grounds. He presented a letter for the record from the City where the City has agreed to participate in the improvements on the frontage.

Roll call vote showed Councilpersons Clow, Craig, Hall, Heider, Johnson and Lanting voted in favor of the motion. Councilperson Kezele abstained. The motion passed with a vote of 6 to 0.

7. Consideration of the final plat of Eagle Pointe Subdivision consisting of 5 (+/-) acres with 4 lots on property located on the south side of the 400 block of Falls Avenue, c/o Gerald Martens/EHM Engineers, Inc.

Community Developer Director Humble reviewed the request.

On May 13, 2008, the Planning and Zoning Commission approved the preliminary plat subject to the following conditions:

1. Subject to site plan amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable City code requirements and standards.
2. Subject to arterial and collector streets adjacent and within the property being rebuilt or built to current City standards upon development of the property.

Gerald Martens, EHM Engineers, representing the applicant, explained the request.

MOTION:

Councilperson Johnson made the motion to approve the final plat of Eagle Pointe Subdivision consisting of 5 (+/-) acres with 4 lots on property located on the south side of the 400 block of Falls Avenue, c/o Gerald Martens/EHM Engineers, Inc., subject to staff conditions. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

8. Consideration of the approval of the final plat for Parkwood Subdivision #4 consisting of 1.7 (+/-) acres with 9 residential lots on property located east of Washington Street South and south of Park Avenue, c/o Gary Wolverton.

Community Development Director Humble reviewed the request.

On May 13, 2008, the Planning and Zoning Commission approved the preliminary plat with the following conditions:

1. Subject to final technical review by the City Engineering Department and zoning officials to ensure compliance with all applicable City code requirements and standards.
2. Subject to arterial and collector streets adjacent and within the property being rebuilt or built to current City standards upon development of the property.
3. Subject to single family residential development only.

David Thibault, EHM Engineers, representing the applicant, explained the request.

Discussion followed:

- Detached sidewalks are not required.
- Lot size meets the zoning requirements.

MOTION:

Councilperson Johnson made the motion to approve the final plat for Parkwood Subdivision #4 consisting of 1.7 (+/-) acres with 9 residential lots on property located east of Washington Street South and south of Park Avenue, c/o Gary Wolverton, subject to staff conditions. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

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

Mayor Clow stated that the Council received a letter from Ron Heath, to reconsider the City Council's denial of a planned unit development amendment request by the Lighthouse Christian Fellowship Church for their facility located at the northeast corner of 9th Avenue East and Eastland Drive. The request will be presented at the May 27, 2008, City Council meeting.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

Councilperson Heider stated that the Historic Preservation Commission toured the original jail site in Twin Falls. The Commission suggested purchasing the site for a park.

Community Development Director Humble will review the request.

6:26 P.M. Recess

6:34 P.M. Reconvened.

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

1. Request for annexation of 71 (+/-) acres with a zoning designation of CSI PUD Zone to allow for the expansion of the College of Southern Idaho on property located on the north side of the 100-400 blocks of North College Road, c/o College of Southern Idaho. (app.2213)

Mike Mason, Vice President of Administration for the College of Southern Idaho, explained the request. CSI is in agreement with most of the Planning and Zoning Commission's recommendations but opposes the following condition: 5. Subject to an overhead crosswalk being constructed as part of Phase 2.

Community Development Director Humble reviewed the request.

On April 22, 2008, the Planning and Zoning Commission unanimously recommended the CSI PUD zoning designation as appropriate subject to the following conditions:

1. Subject to amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable City code requirements and standards.
2. Subject to arterial and collector streets adjacent and within the property being rebuilt or built to current City standards upon development of the property.
3. Subject to an approved PUD Agreement.
4. Subject to the PUD Agreement to include:
 - a) Development criteria including a "Height" section that indicates that the height of development within the project may be a maximum thirty-seven feet (37') tall.
 - b) Development criteria indicating there may be multiple buildings on lots and the development of utilities and roadways.
 - c) Phasing of the project may be allowed and also a statement that Cheney Road/North College Road bypass is completed prior to a second phase being approved.
 - d) Development criteria regarding utility/infrastructure.
5. Subject to an overhead cross-walk being constructed as part of Phase 2.

Staff recommends that condition 5, "Subject to an overhead crosswalk being constructed as part of Phase 2" not be included in the Council's approval of the request.

Discussion followed:

- The Canal Co. ditch will eventually be piped.
- Discussion of giving North College Road back to the College for an interior campus road and rerouting Cheney and North College.

City Engineer Fields stated that the College previously made the request but the City was not ready to give up North College Road. She stated there is a high volume of traffic in the area. Also, the modeling does not support letting go North College Road for the City's long term future.

- Light plan for North College Road.

City Engineer Fields stated that a signal is warranted at the location and planned as part of the Washington Street Phase III project.

- Clarification of the approval process.

MINUTES

May 19, 2008

Page 8 of 12

- Councilperson Heider stated his concern with the plans for North College Road and Cheney Drive.
- Funding.

Mike Mason stated that CSI has requested federal funding for the development of Cheney Drive, but is not guaranteed.

- Councilperson Craig asked staff if the CSI request has been before the Traffic Safety Commission.

City Engineer Fields stated that this zoning request has not been shown to the Traffic Safety Commission.

The public comment portion of the hearing was opened:

Linda Wills, 2011 Oakwood Drive, read a letter into the record stating the following issues need to be resolved prior to CSI proceeding with their final plans in reconstruction.

1. Exact location of Cheney Drive and schedule for the construction of Cheney Drive.
2. Access policy and access locations of Cheney Drive.
3. Roadway classification for Cheney Drive.
4. Future of Harrison Street.
5. Access to Lazy J Ranch from Cheney Drive.
6. What are the signal plans and signal financing plans for Cheney and Washington and North College Road and Cheney intersections?
7. Is the land for the rezone request for educational purposes only?

The public comment portion of the hearing was closed.

Mike Mason stated that CSI has worked with the City on the Cheney bypass for the good of everyone, but if the consensus is not good for everyone, than it does not do any good for CSI to construct the road and/or apply for federal funding. It is his understanding that North College Road could be a four lane road or a collector street in the middle of campus; if it is going to be four lane road, CSI would be better off building a bridge or tunnel and working around the thoroughfare in the middle of campus. It would be CSI's preference to go through the route of Cheney bypass.

Councilperson Heider asked for a timetable for Phase 2 or future construction for this part of the campus.

Mike Mason stated that at this time CSI did not have a timeframe for phase 2. The road construction as a bypass would be a priority before a second building or further development.

City Engineer Fields stated that federal funds are allocated but never yours until the money is spent. The concept of Cheney as a bypass is a misnomer. Cheney is a collector street. There will be an opportunity for driveways to the north of the centerline of the road. The actual location of Cheney is not confirmed except for the intersection of Washington Street and Cheney. The signal plans at Cheney and Washington Street North are to be constructed as part of the North Haven Development project. The future of Harrison is off the property in its entirety and runs through the endowment property.

Discussion followed:

- Connection of Cheney.
- Road configuration is approved by the City Council.
- Harrison Street extension.

The public hearing was closed.

MOTION:

Councilperson Johnson made the motion to approve the annexation of 71 (+/-) acres with a zoning designation of CSI PUD Zone to allow for the expansion of the College of Southern Idaho on property located on the north side of the 100-400 blocks of North College Road, c/o College of Southern Idaho. (app.2213) with the following conditions:

1. Subject to amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable City code requirements and standards.
2. Subject to arterial and collector streets adjacent and within the property being rebuilt or built to current City standards upon development of the property.
3. Subject to an approved PUD Agreement.
4. Subject to the PUD Agreement to include:

MINUTES

May 19, 2008

Page 9 of 12

- a. Development criteria including a "Height" section that indicates that the height of development within the project may be a maximum thirty-seven feet (37') tall.
 - b. Development criteria indicating there may be multiple buildings on lots and the development of utilities and roadways.
 - c. Phasing of the project may be allowed and also a statement the Cheney Drive/North College Road bypass is completed prior to a second phase being approved.
 - d. Development criteria regarding utility/infrastructure.
5. Subject to an overhead cross-walk being constructed as part of Phase 2.

The motion was seconded by Councilperson Heider.

MOTION:

Councilperson Johnson made an amendment to the main motion to omit the following conditions:

3. Subject to an approved PUD Agreement.
5. Subject to an overhead cross-walk being constructed as part of Phase 2;

and to include the following language to condition 4. Subject to the approved PUD agreement to include:

The motion was seconded by Councilperson Lanting.

Roll call vote on the amended motion showed all present voted in favor of the motion. The motion passed with a vote of 7 to 0.

MOTION:

Councilperson Heider made the motion to add the following condition:

Future development must be approved by City Staff and City Council prior to commencement.

Councilperson Heider withdrew his motion.

MOTION:

Councilperson Johnson made the motion to add the following condition:

Subject to the attached exhibit titled "CSI Phase 1" being adopted as the approved Master Development Plan.

The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

Roll call vote on the main motion as amended showed Mayor Clow, and Councilperson Craig, Hall, Heider, Johnson, and Lanting voted in favor of the motion. Councilperson Kezele voted against the motion. The motion passed with a vote of 6 to 1.

2. Request for a zoning district change and zoning map amendment from R-2 to R-2 PRO for property located at 2133 Addison Avenue East, c/o Jim Fort. (app. 2218)

Jim Fort, applicant, explained the request.

Community Development Director Humble reviewed the request.

On April 22, 2008, the Planning and Zoning Commission recommended the R-2 PRO zoning designation, as presented, as appropriate with the following conditions:

1. Subject to amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable City code requirements and standards.
2. Subject to arterial and collector streets adjacent and within the property being dedicated to the City of Twin Falls and to be rebuilt or built to current City standards upon development of the property.

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

The public hearing was closed.

MOTION:

Councilperson *Hall* made the motion to approve a zoning district change and zoning map amendment from R-2 to R-2 PRO or property located at 2133 Addison Avenue East, c/o Jim Fort. (app. 2218) with the following conditions:

1. Subject to amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable City code requirements and standards.
2. Subject to arterial and collector streets adjacent and within the property being dedicated to the City of Twin Falls and to be rebuilt or built to current City standards upon development of the property.

The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

3. Request for annexation of 6.44 acres (+/-) with a zoning designation of C-1 PUD to allow for the development of a mini-storage facility on property located east of the 500 block of Grandview Drive, c/o Greg Olsen. (app. 2220)

Greg Olson, applicant, explained the request.

Community Development Director Humble reviewed the request.

On April 22, 2008, the Planning and Zoning Commission recommended the C-1 PUD zoning as appropriate with the following conditions:

1. Subject to amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable City code requirements and standards.
2. Subject to arterial and collector streets adjacent and within the property being dedicated to the City of Twin Falls and to be rebuilt or built to current City standards upon development of the property.
3. Subject to the planting of a 6 foot tree for every 30 lineal feet of the building wall along Grandview Drive.

The public comment portion of the hearing was opened.

Floyd Miller, 1050 Welch Lane, stated his concern of whether or not the mini-storage facility would be aesthetically pleasing to neighbors.

Greg Olson stated that the facility would compliment the area.

Discussion followed:

- Landscaping of the facility.
- Decorative tilt-wall concrete.

The public hearing was closed.

MOTION:

Councilperson Johnson made the motion to approve the annexation of 6.44 acres (+/-) with a zoning designation of C-1 PUD to allow for the development of a mini-storage facility on property located east of the 500 block of Grandview Drive, c/o Greg Olsen. (app. 2220) with the following conditions:

1. Subject to amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable City code requirements and standards.
2. Subject to arterial and collector streets adjacent and within the property being dedicated to the City of Twin Falls and to be rebuilt or built to current City standards upon development of the property.
3. Subject to the planting of a 6 foot tree for every 30 lineal feet of the building wall along Grandview Drive.
4. Subject to the buildings along the west and south property lines being constructed of decorative tilt-wall concrete.

The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

4. Request of the Twin Falls City Council to reconsider the Planning and Zoning Commission's decision of April 8, 2008, to amend the Urban Renewal Agency's Special Use Permit requirement regarding Washington Street improvements for the Jayco facility. (app. 2217)

Community Development Director Humble gave a staff report.

MINUTES

May 19, 2008

Page 11 of 12

The site is located in M-1, manufacturing zoning district. In this zoning district a recreational vehicle manufacturing plant requires a Special Use Permit. Special Use Permit #0898 was issued November of 2004, and amended in August 2006. A condition of approval from this amended Special Use Permit is still pending. The request is to amend SUP #0898 to delete Condition #3, which states:

"Construct curb, gutter, arterial approaches, and street widening to 37' from center line on Washington St. S. by September 30, 2006. On August 29, 2006, the Commission granted a one-year extension."

Changes in City personnel did not allow for the design, permitting, bidding, and construction of the project within the initial time frame. A one-year extension was allowed to the permit. The project was designed and engineered and notified for construction bid submittal, but no bids were submitted. The budget for the project was set for the project based on 2004 cost projections. The Urban Renewal Agency set aside funding for this project based on those projections. However, the engineer's estimate at the time bids were requested was nearly four times more than initial projections.

The project would also require modifications to the use and frontage of the JayCo facility, and JayCo would like to continue using the area that would be taken up by the expansion of the roadway and turning lane. This area will still be addressed in the future as long-range plans call for a Washington Street South to be a five (5) lane section which would include a left-hand turn lane.

The URA would like to be in compliance with the Special Use Permit. There have not been any other changes to the use on the property or concerns with any other conditions. There would not be any change to the operation or impacts of the manufacturing facility due to the removal of this condition. As efforts to comply with condition #3 have not been successful, the improvements are not desired at this time by JayCo, and the roadway will be addressed by future transportation planning, the URA is requesting that the condition be deleted.

On April 8, 2008, the Planning and Zoning Commission unanimously approved the request to remove condition #3 from Amended Special Use Permit #0897.

Mayor Clow explained the reason why he encouraged the City Council to reconsider the request. He also referred to a letter from Tom Mikesell, which alluded to the fact that we have to live up to any requirements that we put upon any developer. Mayor Clow stated that when the City Council approved the original project, the URA committed to funding the project and the City stepped in to help finance the project, but he does believe it's appropriate to relieve the URA of their commitment, and he believes it could be handled in the form of a deferral agreement.

Discussion followed:

-Left turn bay and widening of road.

City Engineer Fields stated that Washington Street South would eventually be a five lane section.

George Cunningham, 513 Washington Street South, stated that if Tom Mikesell submits his resignation, it should be accepted.

Shirley Goold, 287 Clinton Drive, stated her concern of traffic congestion on Clinton Drive.

The public comment portion of the hearing was closed.

Mayor Clow stated that he had a conflict of interest and took his seat in the audience.

Discussion followed:

-Time period of deferral agreement.

City Attorney Wonderlich explained a deferral agreement.

-Money for the project.

Community Development Director Humble stated that the URA does have money in the budget but it is not enough to cover the engineer's estimate of the project's cost.

The public hearing was closed.

MOTION:

Councilperson Heider made the motion to overturn the Planning and Zoning Commission's decision by reinstating Special Use Permit condition 3, but amended to read as follows:

3. Construct curb, gutter, arterial approaches, and street widening to 37' from centerline on Washington Street South; however, the City Council will consider approval of a deferral agreement for these improvements.

The motion was seconded by Councilperson Craig and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote to 6 to 0.

- V. **ADJOURNMENT:** The meeting adjourned at 8:56 P.M.

Lella A. Sanchez
Deputy City Clerk

COUNCIL MEMBERS:

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



CORRECTED MINUTES

Meeting of the Twin Falls City Council
 Tuesday, May 27, 2008
 City Council Chambers
 305 3rd Avenue East Twin Falls, Idaho

PLEDGE OF ALLEGIANCE TO THE FLAG CONFIRMATION OF QUORUM INTRODUCTION OF STAFF CALL MEETING TO ORDER:	5:00 P.M.
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AGENDA ITEMS	Purpose	By:
I. <u>CONSENT CALENDAR:</u> 1. Consideration of accounts payable for May 19 – 27, 2008. 2. Consideration of the May 19, 2008, minutes. 3. Consideration to approve a Multi-Year Improvement Deferral Agreement for Randy and Judy Cliett, for 2370 Warren Avenue. 4. Consideration to approve a Utility Improvement Deferral Agreement for Chardonnay LLC for Franham Subdivision No. 2, 1049 Carriage Lane. 5. Consideration to establish a property line boundary between the City of Twin Falls and Bertine L. Paynter in a portion of Lots 5 and 6, Block 161, "Twin Falls Townsite."	Action	Staff Report
II. <u>ITEMS FOR CONSIDERATION:</u> 1. Confirmation of an appointment to the position of Assistant City Manager. 2. Consideration of bids for the 2008 North College Road Waterline Replacement Project. 3. Consideration of a request to reconsider the City Council's denial of a planned unit development amendment request by the Lighthouse Christian Fellowship church for their facility located at the northeast corner of 9th Avenue East and Eastland Drive. 4. Consideration to amend City Code §7-8-14, regarding the watering schedule for neighborhoods using Twin Falls Canal Company water in pressurized irrigation systems. 5. Consideration of adoption of the following ordinances: a. Request for the annexation of 6.44 acres (+/-) with a zoning designation of C-1 PUD to allow for the development of a mini-storage facility on property located east of the 500 block of Grandview Drive, c/o Gregg Olsen. (app. 2220) Proposed Ordinance #2938 b. Request for a Zoning District Change and Zoning Map Amendment from R-2 to R-2 PRO for property located at 2133 Addison Avenue East, c/o Jim Fort. (app. 2218) Proposed Ordinance #2939 6. Consideration of a second extension of the final plat of Robbins PUD Subdivision, 1.5 (+/-) acres, to develop a multi-family (4-plex) housing project, with a total of 24 residential units, located on the south side of the 200 block of Robbins Avenue West. 7. Consideration of a fourth extension of the final plat of Americana (formerly Syringa) Subdivision, 2.88(+/-) acres, to develop 12 residential lots and 2 tracts, located at the north side of the 600 block of Falls Ave West. 8. Discussion concerning the proposed alignment of Cheney Drive from the intersection with North College Road to Washington Street North. 9. Public input and/or items from the City Manager and City Council.	Action Action Action Action Action Action Action Action Action Action	Tom Courtney Jackie Fields Mitch Humble Jackie Fields Mitch Humble Mitch Humble Mitch Humble Tom Courtney/ Jackie Fields
III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u>		
IV. <u>PUBLIC HEARINGS:</u> 6:00 P.M. - None.		
V. <u>ADJOURNMENT:</u>		

COUNCIL MEMBERS PRESENT: Lance Clow, Trip Craig, Don Hall, Lee Heider, David E. Johnson, William Kezele, Greg Lanting

COUNCIL MEMBERS ABSENT: None

STAFF PRESENT: City Manager Tom Courtney, City Attorney Fritz Wonderlich, City Engineer Jackie Fields, Community Development Director Mitch Humble, Personnel Director Susan Harris, Water Superintendent Mike Schroeder, Deputy City Clerk Leila A. Sanchez.

CALL MEETING TO ORDER: 5:00 P.M.

Mayor Clow 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 Clow introduced City staff.

I. CONSENT CALENDAR:

1. Consideration of accounts payable for May 20 – 27, 2008, total \$471,345.66.
2. Consideration of the May 19, 2008, minutes.
3. Consideration to approve a Multi-Year Improvement Deferral Agreement for Randy and Judy Cliett, for 2370 Warren Avenue.
4. Consideration to approve a Utility Improvement Deferral Agreement for Chardonnay LLC for Franham Subdivision No. 2, 1049 Carriage Lane.
5. Consideration to establish a property line boundary between the City of Twin Falls and Bertine L. Paynter in a portion of Lots 5 and 6, Block 161, "Twin Falls Townsite."

MOTION:

Councilperson Kezele made the motion to approve the Consent Calendar excluding item 2. Consideration of the May 19, 2008, Minutes. The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

II. ITEMS FOR CONSIDERATION:

1. Confirmation of an appointment to the position of Assistant City Manager.

City Manager Courtney reviewed the request. The request is to confirm the appointment of Travis Rothweiler to the position of Assistant City Manager.

MOTION:

Councilperson Lanting made the motion to confirm the appointment of Travis Rothweiler to the position of Assistant City Manager. The motion was seconded by Councilperson Johnson and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

Travis Rothweiler was present.

Mayor Clow stated that Travis Rothweiler would not be starting until September.

2. Consideration of bids for the 2008 North College Road Waterline Replacement Project.

City Engineer Fields reviewed the request.

Staff recommends that the 2008 North College Road Waterline Replacement Project be awarded to Doug McCoy Construction in the amount of \$92,220.00.

MOTION:

Councilperson Johnson made the motion to approve the 2008 North College Road Water Project be awarded to Doug McCoy Construction in the amount of \$92,220.00. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

3. Consideration of a request to reconsider the City Council's denial of a planned unit development amendment request by the Lighthouse Christian Fellowship church for their facility located at the northeast corner of 9th Avenue East and Eastland Drive.

Community Development Director Humble reviewed the request.

At their May 12, 2008, meeting, the Council denied a request to amend the planned unit development (PUD) for the Lighthouse Christian Fellowship church located at the northeast corner of 9th Avenue East and Eastland Drive by a vote of 3 – 3. The denial was based on concerns regarding how lighting and a public address system at the football field would negatively impact the adjacent property owners. The applicant has submitted a letter requesting that the item be reconsidered by the full Council. Councilperson Hall was absent from the meeting at which the request was denied, and, in this case, one more vote would have broken the tie creating a clear majority one way or the other.

This agenda item is not a public hearing or an actual reconsideration of the PUD amendment request. Therefore, no information regarding the PUD amendment request should be considered at this meeting. This request is only on whether or not to schedule another public hearing to reconsider the PUD amendment at a future meeting.

City Attorney Wonderlich stated that emails have been sent to Council members and asked that the emails not influence their decision on the request presented. He asked that the Council forwarded the emails to Community Development Director Humble.

Councilmembers Hall, Clow, and Craig and Mayor stated that they had received emails.

Discussion followed:

Councilperson Johnson stated that if a hearing is granted, it is not a guarantee that the next hearing would not have a 3 to 3 decision.

Mayor Clow stated that a 3 to 3 decision is not an approved request and a 3 to 4 would be a denial. State law requires a majority vote.

MOTION:

Councilperson Lanting made the motion to approve the request to reconsider the City Council's denial of a planned unit development amendment request by the Lighthouse Christian Fellowship church for their facility located at the northeast corner of 9th Avenue East and Eastland Drive. The motion was seconded by Councilperson Hall.

MOTION:

Councilperson Kezele made an amendment to the motion to include the following conditions prior to scheduling a public hearing:

1. Subject to notifying property owners within 1,000 feet.
2. Subject to two town hall type meetings for surrounding property owners prior to the Council's reconsideration.
3. Subject to notifying Idaho Home & Hospice *and* the Twin Falls Care Center.

The motion was seconded by Councilperson Heider.

Councilperson Kezele's condition 1. Subject to notifying property owners within 1,000 feet was originally stated as 1. Subject to notifying property owners within 1,000 yards, but he revised it to 1,000 feet after comments from other Council and approval from his second, Councilperson Heider.

Roll call vote showed Councilpersons Craig, Hall, Heider, Kezele and Lanting voted in favor of the motion. Mayor Clow and Councilperson Johnson voted against the motion. The motion passed with a vote of 5 to 2.

MOTION:

Roll call vote on the main motion as amended showed all present voted in favor of the motion. The motion passed with a vote of 7 to 0.

4. Consideration to amend City Code §7-8-14, regarding the watering schedule for neighborhoods using Twin Falls Canal Company water in pressurized irrigation systems.

City Engineer Fields reviewed the request.

The Twin Falls Canal Company (TFCC) delivers water at a constant rate and is not set up to address large, regularly recurring changes in delivery. The City originally attempted to store water to cover peak demand. The City has moved away from the large ponds primarily because the ponds are additional construction costs and, more importantly, public perception is poor regarding safety and disease control. Storage will only be planned when the TFCC indicates that the delivery rates are unstable on a supply source. The City and the TFCC agree that the City needs to provide for the opportunity to exercise the full water right. In order to do this without creating large ponds or tanks, the watering schedule needs to allow for use of the water 7 days/week and 24 hours/day during the irrigation season. The stations are currently designed to deliver the water right without storage.

In order to provide citizens with more opportunity to find an acceptable watering schedule without over-consumption of the water right, staff recommends using an odd-even watering day schedule. Addresses that are odd-numbered will water on odd-numbered days; even numbered addresses, even numbered days.

Staff recommends for the City Council to adopt proposed Ordinance #2940 amending City Code §7-8-14 regarding the watering schedule for neighborhoods using Twin Falls Canal Company water in pressurized irrigation systems.

Discussion followed:

-Clarification of proposed Ordinance page 2. 1. Stage 1. and 2. State 2.

MOTION:

Councilperson Johnson made the motion to suspend the rules and place Ordinance #2940, entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO. AMENDING TWIN FALLS CITY CODE §7-8-14.

on third and final reading by title only. The motion was seconded by Councilperson Lanting and roll call vote showed all present voted in favor of the motion. The motion passed with a vote of 7 to 0.

Deputy City Clerk Sanchez read the ordinance title.

MOTION:

Councilperson Johnson made the motion to adopt Ordinance #2940 as presented. The motion was seconded by Councilperson Kezele and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

5. Consideration of adoption of the following ordinances:
 - a. Request for the annexation of 6.44 acres (+/-) with a zoning designation of C-1 PUD to allow for the development of a mini-storage facility on property located east of the 500 block of Grandview Drive, c/o Gregg Olsen. (app. 2220) Proposed Ordinance #2938
 - b. Request for a Zoning District Change and Zoning Map Amendment from R-2 to R-2 PRO for property located at 2133 Addison Avenue East, c/o Jim Fort. (app. 2218) Proposed Ordinance #2939

MOTION:

Councilperson Johnson made the motion to suspend the rules and place Ordinance #2938 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.

Ordinance #2939 entitled:

AN ORDINANCE OF THE CITY OF THE CITY OF TWIN FALLS, IDAHO, REZONING REAL PROPERTY BELOW DESCRIBED PROVIDING THE ZONING CLASSIFICATION THEREFOR; AND ORDERING THE NECESSARY AREA OF IMPACT AND ZONING DISTRICTS MAP AMENDMENT.

Deputy City Clerk Sanchez read the Ordinance #2938 title.

MOTION:

Councilperson Lanting made the motion to adopt Ordinance #2938 as presented. The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

Deputy City Clerk Sanchez read the Ordinance #2939 title.

MOTION:

Councilperson Hall made the motion to adopt Ordinance #2939 as presented. The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

6. Consideration of a second extension of the final plat of Robbins PUD Subdivision, 1.5 (+/-) acres, to develop a multi family (4-plex) housing project, with a total of 24 residential units, located on the south side of the 200 block of Robbins Avenue West.

Community Development Director Humble reviewed the request.

Staff recommends approval of a 2nd 1-year extension of the filing requirement on the final plat for Robbins Street PUD Subdivision subject to the following conditions:

1. Subject to site plan amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable City code requirements and standards.
2. Subject to arterial and collector streets adjacent and within the property being rebuilt or built to current City standards upon development of the property.
3. A Weed Management Plan approved by City staff.

MOTION:

Councilperson Johnson made the motion to approve a 2nd 1-year extension of the filing requirement on the final plat for Robbins Street PUD Subdivision subject to the following conditions:

1. Subject to site plan amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable City code requirements and Standards.
2. Subject to arterial and collector streets adjacent and within the property being rebuilt or built to current City standards upon development of the property.
3. A Weed Management Plan approved by City staff.

The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

7. Consideration of a fourth extension of the final plat of Americana (formerly Syringa) Subdivision, 2.88(+/-) acres, to develop 12 residential lots and 2 tracts, located at the north side of the 600 block of Falls Ave West.

Community Development Director Humble reviewed the request.

Staff recommends approval of a 4th 1-year extension of the filing requirement on the final plat for Americana Subdivision (formerly Syringa Subdivision) subject to the following conditions:

1. Subject to site plan amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable City code requirements and standards.
2. Subject to arterial and collector streets adjacent and within the property being rebuilt or built to current City standards upon development of the property.
3. A Weed Management Plan approved by City staff.

MOTION:

Councilperson Johnson made the motion to approve the 4th 1-year extension of the filing requirement on the final plat for Americana Subdivision (formerly Syringa Subdivision) subject to the following conditions:

1. Subject to site plan amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable City code requirements and standards.
2. Subject to arterial and collector streets adjacent and within the property being rebuilt or built to current City standards upon development of the property.
3. A Weed Management Plan approved by City staff.

The motion was seconded by Councilperson Craig and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

7. Discussion concerning the proposed alignment of Cheney Drive from the intersection with North College Road to Washington Street North.

City Manager Courtney stated that CSI would like to get approval of the tentative alignment for CSI, with the understanding that the City staff will review both the intersection detail and pedestrian safety improvements with the City Council at a future date. If the City can finalize the proposed alignment, CSI will be able to commit the funding; if not, CSI will have to shift available funds to another project.

City Engineer Fields explained the proposed alignment of Cheney Drive and the conceptual downgrading of North College Road using overhead projections.

Discussion followed:

- 2030 Master Street Plan.
- Traffic calming devices.
- Traffic volumes.
- Pedestrian safety.

MOTION:

Councilperson Johnson made the motion to approve the conceptual alignment of Cheney Drive and the conceptual downgrading of North College Road as presented. The motion was seconded by Councilperson Hall and voice vote showed all present voted in favor of the motion. The motion passed with a vote of 7 to 0.

8. Public input and/or items from the City Manager and City Council. None.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

Mayor Clow reported on the upcoming Western Days activities and parade.

MINUTES
May 27, 2008
Page 7 of 7

IV. PUBLIC HEARINGS: 6:00 P.M. - None.

V. ADJOURNMENT: The meeting adjourned at 6:45 P.M.

Leila Sanchez
Deputy City Clerk



CITY OF TWIN FALLS, IDAHO

COUNCIL MEETING

CANCELLATION NOTICE

* * * *

The regular scheduled Council Meeting of Monday, June 2, 2008, has been cancelled.

Leila A. Sanchez
Deputy City Clerk

COUNCIL MEMBERS:

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



MINUTES
Meeting of the Twin Falls City Council
June 9, 2008
City Council Chambers
305 3rd Avenue East Twin Falls, Idaho

PLEDGE OF ALLEGIANCE TO THE FLAG
CONFIRMATION OF QUORUM
INTRODUCTION OF STAFF
CALL MEETING TO ORDER: 5:00 P.M.

AGENDA ITEMS		Purpose	By:
I. <u>CONSENT CALENDAR:</u>		Action	Staff Report
<ol style="list-style-type: none"> 1. Consideration of accounts payable for May 28 – June 9, 2008. 2. Consideration of the May 19, and May 27, 2008, Minutes. 3. Consideration of a request to approve the curb-gutter and sidewalk and driveway improvement deferral agreement for: <ol style="list-style-type: none"> a. Jesus Lopez, 260 Highland Avenue. b. Sean Ludlow, 303 Polk Street. 4. Consideration of Alcohol License Application (Beer and Wine) for AmeriTel Inns, Inc., 539 Pole Line Road. 5. Findings of Fact, Conclusions of Law, and Decision for: <ol style="list-style-type: none"> a. Comprehensive Plan Amendment, Application, Gregg Olsen, applicant. b. Zoning District Change & Zoning Map Amendment, Application, Boise Housing Corporation c/o James Tomlinson, applicant. c. Annexation, Kimberly Road Partners, LLC c/o Gerald Martens, applicant. 6. Consideration of acceptance and payment of right-of-way and associated with property development at 1971 Heyburn Avenue East. 7. Consideration to accept right-of-way for Washington Street from the Twin Falls School District #411. 			
II. <u>ITEMS FOR CONSIDERATION:</u>		Action	Jeff Bulkley/Chair of the BID Board
<ol style="list-style-type: none"> 1. Consideration to approve Business Improvement District expenditure of \$22,350 for 150 36" holiday sprays for downtown outdoor Christmas holiday decoration. 2. Consideration to appoint Carl Legg and LeWayne Jungert to the Swimming Pool Advisory Board starting June 2008. 3. Consideration to appoint A. Lacy Johnson to the Twin Falls Tree Commission as an alternate member starting June 2008. 4. Consideration of the Final Plat of Farnham Subdivision, No. 2 consisting of 1.4 (+/-) acres and 1 lot on property located on the west side of Carriage Lane North and north of Thompson Park, c/o Gerald Martens/EHM Engineers, Inc. 5. Public input and/or items from the City Manager and City Council. 	Action	Dennis Bowyer	
		Action	Mitch Humble
III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u>			
IV. <u>PUBLIC HEARINGS:</u> 6:00 P.M.		Action	Mitch Humble
<ol style="list-style-type: none"> 1. Request for annexation of .42 (+/-) acres of land located at 717 Lee Court, c/o Steve and Kathy Sayers. (app.2226) 2. Request for a Zoning Title Amendment which would amend Twin Falls City Code 10-4-18.2(b) by adding the allowance of household units in the same building as an allowed use and occupied by owner or an employee of the allowed use by Special Use Permit and by adding the allowance of a photography studio by Special Use Permit, c/o Jim & Mary Fort. (app.2224) 	Action	Mitch Humble	
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.*

COUNCIL MEMBERS PRESENT: Lance Clow, Trip Craig, Don Hall, David E. Johnson, William Kezele, Greg Lanting

COUNCIL MEMBERS ABSENT: Lee Heider

STAFF PRESENT: City Manager Tom Courtney, City Attorney Fritz Wonderlich, City Engineer Jackie Fields, Community Development Director Mitch Humble, Parks & Recreation Director Dennis Bowyer, Deputy City Clerk Leila A. Sanchez.

CALL MEETING TO ORDER: 5:00 P.M.

Mayor Clow 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 Clow introduced City staff.

AGENDA ITEMS

I. CONSENT CALENDAR:

1. Consideration of accounts payable for May 27 – June 9, 2008, total: \$393,989.40
2. Consideration of the May 19, and May 27, 2008, Minutes.
3. Consideration of a request to approve the curb-gutter and sidewalk and driveway improvement deferral agreement for:
 - a. Jesus Lopez, 260 Highland Avenue.
 - b. Sean Ludlow, 303 Polk Street.
4. Consideration of Alcohol License Application (Beer and Wine) for AmeriTel Inns, Inc., 539 Pole Line Road.
5. Findings of Fact, Conclusions of Law, and Decision for:
 - a. Comprehensive Plan Amendment, Application, Gregg Olsen, applicant.
 - b. Zoning District Change & Zoning Map Amendment, Application, Boise Housing Corporation c/o James Tomlinson, applicant.
 - c. Annexation, Kimberly Road Partners, LLC c/o Gerald Martens, applicant.
6. Consideration of acceptance and payment of right-of-way and associated with property development at 1971 Heyburn Avenue East.
7. Consideration to accept right-of-way for Washington Street from the Twin Falls School District #411.

MOTION:

Councilperson Hall made the 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. The motion passed with a vote of 6 to 0.

II. ITEMS FOR CONSIDERATION:

1. Consideration to approve Business Improvement District expenditure of \$22,350 for 150 36" holiday sprays for downtown outdoor Christmas holiday decoration.

Jeff Bulkley, Chair of the BID Board, explained the request.

The sprays will be attached to light poles throughout the district and would light up at night. Blaine Pope presented a proposal for \$22,350 to the BID Board to purchase, install, remove, and store the 150 decorative sprays. The Board unanimously approved the purchase at a Special Meeting on June 4, 2008, at which all members and Don Hall, Council Liaison were present.

Discussion followed:

-Mayor Clow stated that he counted 200 lamps in the downtown area, but the request by the BID Board is for 150 holiday sprays that will spread throughout downtown.

- Terms of the contract. Jeff Bulkley stated that the cost of \$22,350 will be for the installation, takedown, and storage of the holiday sprays. The first year is the buying and installation of the sprays.

- Councilperson Craig, Liaison to the Urban Renewal Agency, stated that a presentation was made to the URA on June 4, 2008.
- Jeff Bulkley explained the 2008 BID marketing budget.
- Mayor Clow stated that he did receive written quotes from two other companies. The quotes ranged from \$175 – \$195 per spray with discounts expiring early March. The quotes did not include installation, take down, and storage.

Dan Olmstead, representing Idaho Power, discussed the LED program and incentives available to the City.

Mayor Clow clarified that what is currently required for the purchase of the sprays is 50% of the cost of the quote.

MOTION:

Councilperson Johnson made the motion to approve the proposal presented by Blaine Pope of Christmas Décor for \$22,350 for the purchase of 150 36" sprays for downtown outdoor Christmas holiday decoration and to include the installation, take down and storage of product. The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

2. Consideration to appoint Carl Legg and LeWayne Jungert to the Swimming Pool Advisory Board starting June 2008.

Parks & Recreation Director Bowyer reviewed the request.

The interview committee recommends that City Council approve the appointments of Carl Legg and LeWayne Jungert to the Pool Advisory Board starting June 2008.

MOTION:

Councilperson Johnson made the motion to appoint Carl Legg (term June 2008 through December 2009) and LeWayne Jungert (starting June 2008 through December 2008) to the Swimming Pool Advisory Board as presented. The motion was seconded by Councilperson Kezele and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

3. Consideration to appoint A. Lacy Johnson to the Twin Falls Tree Commission as an alternate member starting June 2008.

Parks & Recreation Director Bowyer reviewed the request.

The interview committee recommends that City Council approve the appointment of A. Lacy Johnson (term June 2008 to February 2011) to the Tree Commission as the alternate member.

Discussion followed:

-Parks & Recreation Director Bowyer stated that there are five full Commission members. The alternate member has been codified.

MOTION:

Councilperson Johnson made the motion to appoint A. Lacy Johnson (term June 2008 through February 2011) to the Twin Falls Tree Commission as the alternate member as presented. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

4. Consideration of the Final Plat of Farnham Subdivision, No. 2 consisting of 1.4 (+/-) acres and 1 lot on property located on the west side of Carriage Lane North and north of Thompson Park, c/o Gerald Martens/EHM Engineers, Inc.

Community Development Director Humble reviewed the request.

On May 28, 2008, the Planning & Zoning Commission unanimously approved the preliminary plat as presented with the following conditions:

1. Subject to site plan amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable City code requirements and standards.

2. Subject to arterial and collector streets adjacent and within the property being rebuilt or built to current City standards upon development of the property.
3. Subject to a Deferral Agreement approved by the City Council of improvements on Addison Avenue East and Carriage Lane for Lot 2, Block 1 of the Farnham Subdivision, until such time that the northern property Lot 2, Block 1 of the Farnham Subdivision, owned by St. Luke's is developed.
4. Subject to a Deferral Agreement approved by City Council for Lot 1, Block 1 of the Farnham Subdivision No 2, to install a 10" replacement water main on the property's Carriage Lane frontage until such time the existing 6" main in Carriage Lane is replaced from 9th Avenue East to Trotter Drive.

Discussion followed:

- Deferral of the installation of a 10" replacement water main on the property's Carriage Lane frontage.
- Replacement costs of the water main.

Community Development Director Humble stated that the developer will pay for their portion of the overall project. Gerald Martens stated that the installation of the 10" replacement line will depend on what is developed in the surrounding area. It is a possibility that the replacement may not happen. He also stated that the developer concurs with staff recommendations.

Councilperson Kezele stated his concern of the deferral's being approved.

Community Development Director Humble stated that the deferral is for the street and is just for the adjacent lot to the north. The applicant will widen the street adjacent to their property.

Gerald Martens, EHM Engineers, Inc., representing the applicant, explained the request.

MOTION:

Councilperson Lanting made the motion to approve the Final Plat of Farnham Subdivision, No. 2 consisting of 1.4 (+/-) acres and 1 lot on property located on the west side of Carriage Lane North and north of Thompson Park, c/o Gerald Martens/EHM Engineers, Inc. as presented with the following conditions:

1. Subject to site plan amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable City code requirements and standards.
2. Subject to arterial and collector streets adjacent and within the property being rebuilt or built to current City standards upon development of the property.
3. Subject to a Deferral Agreement approved by the City Council of improvements on Addison Avenue East and Carriage Lane for Lot 2, Block 1 of the Farnham Subdivision, until such time that the northern property Lot 2, Block 1 of the Farnham Subdivision, owned by St. Luke's, is developed.
4. Subject to a Deferral Agreement approved by City Council for Lot 1, Block 1 of the Farnham Subdivision No 2, to install a 10" replacement water main on the property's Carriage Lane frontage until such time the existing 6" main in Carriage Lane is replaced from 9th Avenue East to Trotter Drive.

The motion was seconded by Councilperson Johnson and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

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

Councilperson Craig stated that the Urban Renewal Agency approved the purchase of Red's Trading Post on June 9, 2008.

He also stated that the Parks & Recreation Commission meeting will be held on June 10, 2008, at 11:30 A.M. at the Parks & Recreation Conference Room, and the Library Board Meeting will be held on June 10, 2008, at 4:30 P.M. at the Public Library.

Councilperson Johnson proposed that the Council discuss deferral agreements in the future.

Councilperson Craig stated that the Golf Advisory Board will be meeting on June 19, 2008, at 11:00 A.M.

Mayor Clow stated that Riedesel Engineering scheduled a public hearing for July 1, 2008, for an open forum on the Washington Street North Project No. STP-7072 (101), Key No. 08469.

Break at 5:43 P.M.
Reconvened at 6:00 P.M.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

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

1. Request for annexation of .42 (+/-) acres of land located at 717 Lee Court, c/o Steve and Kathy Sayers. (app.2226)

Steve and Kathy Sayers asked that Community Development Director Humble explain the request with his staff report.

Community Development Director Humble reviewed the request.

On May 13, 2008, the Planning & Zoning Commission unanimously recommended R-2 as an appropriate zoning designation if this property is annexed with the following conditions:

1. Subject to amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable city code requirements and standards.
2. Subject to arterial and collector streets adjacent and within the property being rebuilt or built to current City standards upon development of the property.

Discussion followed:
-Annexation.

City Attorney Wonderlich stated that the rules have changed on annexation.

Community Development Director Humble stated that City staff is reviewing the annexation of small holes within the City of Twin Falls.

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

The public hearing was closed.

MOTION:

Councilperson Hall made the motion to approve the annexation of .42 (+/-) acres of land located at 717 Lee Court, c/o Steve and Kathy Sayers. (app.2226) as presented with the following conditions:

1. Subject to amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable city code requirements and standards.
2. Subject to arterial and collector streets adjacent and within the property being rebuilt or built to current City standards upon development of the property.

The motion was seconded by Councilperson Kezele and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

2. Request for a Zoning Title Amendment which would amend Twin Falls City Code 10-4-18.2(b) by adding the allowance of household units in the same building as an allowed use and occupied by owner or an employee of the allowed use by Special Use Permit and by adding the allowance of a photography studio by Special Use Permit, c/o Jim & Mary Fort. (app.2224)

Jim Fort explained the request.

Community Development Director Humble reviewed the request.

On May 13, 2008, the Planning & Zoning Commission unanimously recommended approval as presented with the following condition:

1. Subject to the change(s) shall be limited to the corridor on Addison Avenue East between Eastland Drive and Sunrise Boulevard.

Community Development Director Humble requested that Council examine condition #1. placed by the Planning and Zoning Commission.

Discussion followed:

-Title 10 Zoning & Subdivision Regulations 10-4-18.2. Use Regulations.

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

The public hearing was closed.

MOTION:

Councilperson Lanting made the motion to approve the Zoning Title Amendment which would amend Twin Falls City Code 10-4-18.2(b) by adding the allowance of household units in the same building as an allowed use and occupied by owner or an employee of the allowed use by Special Use Permit and by adding the allowance of a photography studio by Special Use Permit, c/o Jim & Mary Fort. (app.2224) as presented, excluding the condition #1 proposed by the Planning & Zoning Commission.

The motion was seconded by Councilperson Johnson and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

- V. **ADJOURNMENT:** The meeting adjourned at 6:24.

Leila A. Sanchez
Deputy City Clerk

COUNCIL MEMBERS:

LANCE	TRIP	DON	LEE	DAVID E.	WILLIAM A.	GREG
CLOW	CRAIG	HALL	HEIDER	JOHNSON	KEZELE	LANTING

Mayor

Vice Mayor



MINUTES

Meeting of the Twin Falls City Council

June 16, 2008

City Council Chambers

305 3rd Avenue East Twin Falls, Idaho

PLEDGE OF ALLEGIANCE TO THE FLAG

CONFIRMATION OF QUORUM

INTRODUCTION OF STAFF

CALL MEETING TO ORDER: 5:00 P.M.

AGENDA ITEMS

Purpose

By:

I. CONSENT CALENDAR:

Consideration of accounts payable for June 10 – 16, 2008.

Consideration of the June 9, 2008, Minutes.

3. Curb-Gutter and Sidewalk Improvement Deferral Agreement and Driveway Improvement Deferral Agreement for A & G Enterprises, 1083 Kenyon Road.
4. Curb-Gutter and Sidewalk Improvement Deferral Agreement for Michael Lynch, 181 Buena Vista.
5. Multi-Year Improvement Deferral Agreement for:
 - a. Jose Fernando & Diane Salinas for 3700 N. 3220 E. /Orchard Drive East.
 - b. David S. Flowers, 1160 Florence.
6. Alcohol License Renewals from July 1, 2008 to June 30, 2009.
7. Findings of Fact, Conclusions of Law, and Decision for:
 - a. Final Plat Application, Perrine Point Subdivision Applicant.
 - b. PUD Modification Application, Lighthouse Christian Fellowship.
 - c. Annexation Application, Grandview Farms, LLC.
 - d. Final Plat Application, Eagle Pointe Subdivision % EHM Engineering.
 - e. Zoning District Change & Zoning Map Amendment Application, Jim Fort.
 - f. Final Plat, Application, Eagle Parke Subdivision.
 - g. Final Plat Application, Parkwood #4 Subdivision % Gary Wolverton.
 - h. Conveyance Plat Application, Garnand Subdivision % Gary Garnand.
 - i. Annexation Application, Gregg Olsen.

Action

Staff Report

II. ITEMS FOR CONSIDERATION:

1. Presentation by Stacy Madsen, Magic Valley Arts Council, of a Landscape Award to Darsi Mason of The Party Center located at 1703 Addison Avenue East.
2. Presentation of POST Certificates by the Twin Falls Police Department to Department Specialist Julie Oppedyk, Officer Matt Gonzales, and Detective Todd Rudner.
3. Consideration of a Special Events Application for the 9th Annual Twin Falls Tonight Concert Series.
4. Consideration for Juan Escudero-Santos for a waiver of the nonconforming building expansion permit to allow the expansion of a non-conforming residence at 330 Jackson Street.
5. Consideration of adoption of the following ordinances:
 - a. Request the annexation of 71 (+/-) acres with a zoning designation of CSI PUD Zone to allow or the expansion of the College of Southern Idaho on property located on the north side of the 100-400 blocks of North College Road, c/o College of Southern Idaho. (app.2213) Proposed Ordinance #2941.
 - b. Request for annexation of .42 (+/-) acres of land located at 717 Lee Court, c/o Steve and Kathy Sayers. (app.2226) Proposed Ordinance 2942.
 - c. Request for a Zoning Title Amendment which would amend Twin Falls City Code 10-4-18.2(b) by adding the allowance of household units in the same building as an allowed use and occupied by owner or an employee of the allowed use by Special Use Permit and by adding the allowance of a photography studio by Special Use Permit, c/o Jim & Mary Fort. (app.2224) Proposed Ordinance #2943.

Presentation

Stacy Madsen

Presentation

Jim Munn
Bryan Krear
Dennis Pullin

Action

Action

Action

Mitch Humble

Mitch Humble

6. Public input and/or items from the City Manager and City Council.		
III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u>		
IV. <u>PUBLIC HEARINGS:</u> 6:00 P.M. - 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.*

COUNCIL MEMBERS PRESENT: Lance Clow, Trip Craig, Don Hall, Lee Heider, William Kezele, Greg Lanting

COUNCIL MEMBERS ABSENT: Dave Johnson

STAFF PRESENT: City Manager Tom Courtney, City Attorney Fritz Wonderlich, Community Development Director Mitch Humble, Police Chief Jim Munn, Deputy City Clerk Leila A. Sanchez.

CALL MEETING TO ORDER: 5:00 P.M.

Mayor Clow 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 Clow introduced City staff.

AGENDA ITEMS

I. CONSENT CALENDAR:

1. Consideration of accounts payable for June 10 – 16, 2008.
2. Consideration of the June 9, 2008, Minutes.
3. Curb-Gutter and Sidewalk Improvement Deferral Agreement and Driveway Improvement Deferral Agreement for A & G Enterprises, 1083 Kenyon Road.
4. Curb-Gutter and Sidewalk Improvement Deferral Agreement for Michael Lynch, 181 Buena Vista.
5. Multi-Year Improvement Deferral Agreement for:
 - a. Jose Fernando & Diane Salinas for 3700 N. 3220 E. /Orchard Drive East.
 - b. David S. Flowers, 1160 Florence.
6. Alcohol License Renewals from July 1, 2008 to June 30, 2009.
7. Findings of Fact, Conclusions of Law, and Decision for:
 - a. Final Plat Application, Perrine Point Subdivision Applicant.
 - b. PUD Modification Application, Lighthouse Christian Fellowship.
 - c. Annexation Application, Grandview Farms, LLC.
 - d. Final Plat Application, Eagle Pointe Subdivision % EHM Engineering.
 - e. Zoning District Change & Zoning Map Amendment Application, Jim Fort.
 - f. Final Plat, Application, Eagle Parke Subdivision.
 - g. Final Plat Application, Parkwood #4 Subdivision % Gary Wolverton.
 - h. Conveyance Plat Application, Garnand Subdivision % Gary Garnand.
 - i. Annexation Application, Gregg Olsen.

MOTION:

Councilperson Hall made the motion to approve the Consent Calendar excluding Item 7.b., as presented. The motion was seconded by Councilperson Kezele and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

II. ITEMS FOR CONSIDERATION:

1. Presentation by Stacy Madsen, Magic Valley Arts Council, of a Landscape Award to Darsi Mason of The Party Center located at 1703 Addison Avenue East.

Stacy Madsen presented the award to Darsi Mason of The Party Center.

2. Presentation of POST Certificates by the Twin Falls Police Department to Department Specialist Julie Oppedyk, Officer Matt Gonzales, and Detective Todd Rudner.

Police Lieutenant Stotts, Police Chief Munn, Councilperson Hall and Mayor Clow presented POST Certificates to Officer Matt Gonzales, Detective Todd Rudner and Department Specialist Julie Oppedyk,

3. Consideration of a Special Events Application for the 9th Annual Twin Falls Tonight Concert Series.

Staff Sergeant Pullin reviewed the request.

Staff recommends that the City Council approve the Special Events Application submitted for the Twin Falls Tonight events to be held every Wednesday beginning June 18, 2008, through July 23, 2008, as presented.

MOTION:

Councilperson Heider made the motion to approve the Special Events Application for the 9th annual Twin Falls Tonight Concert Series, as presented. The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

4. Consideration for Juan Escudero-Santos for a waiver of the nonconforming building expansion permit to allow the expansion of a non-conforming residence at 330 Jackson Street.

Community Development Director Humble reviewed the request.

Staff recommends that the Council grant the request as presented with the following conditions:

1. Subject to site plan amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable City code and requirements and standards.

Juan Escudero-Santos was available for any questions from Council.

MOTION:

Councilperson Hall made the motion to approve the waiver of the nonconforming building expansion permit to allow the expansion of a non-conforming residence at 330 Jackson Street with the following condition:

1. Subject to site plan amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable City code and requirements and standards.

The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

5. Consideration of adoption of the following ordinances:
 - a. Request the annexation of 71 (+/-) acres with a zoning designation of CSI PUD Zone to allow for the expansion of the College of Southern Idaho on property located on the northside of the 100-400 blocks of North College Road, c/o College of Southern Idaho. (app.2213) Proposed Ordinance #2941.
 - b. Request for annexation of .42 (+/-) acres of land located at 717 Lee Court, c/o Steve and Kathy Sayers. (app.2226) Proposed Ordinance 2942.
 - c. Request for a Zoning Title Amendment which would amend Twin Falls City Code 10-4-18.2(b) by adding the allowance of household units in the same building as an allowed use and occupied by owner or an employee of the allowed use by Special Use Permit and by adding the allowance of a photography studio by Special Use Permit, c/o Jim & Mary Fort. (app.2224) Proposed Ordinance #2943.

Community Development Director Humble reviewed the request.

MOTION:

Councilperson Lanting made the motion to suspend the rules and place Ordinances #2941, #2942, and #2943, entitled:

ORDINANCE NO. 2941

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.

ORDINANCE NO. 2942

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.

ORDINANCE NO. 2943

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO. AMENDING TWIN FALLS CITY CODE §10-4-18.2 BY PERMITTING HOUSEHOLD UNITS IN THE SAME BUILDING AS AN ALLOWED USE AND OCCUPIED BY AN OWNER OR EMPLOYEE OF THE ALLOWED USE BY SPECIAL USE PERMIT, AND BY PERMITTING PHOTOGRAPHY STUDIOS BY SPECIAL USE PERMIT, IN THE PROFESSIONAL OVERLAY ZONE.

on third and final reading by title only. The motion was seconded by Councilperson Craig and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

Deputy City Clerk Sanchez read the title to Ordinance 2941.

MOTION:

Councilperson Craig made the motion to adopt Ordinance 2941 as presented. The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

Deputy City Clerk Sanchez read the title to Ordinance 2942.

MOTION:

Councilperson Lanting made the motion to adopt Ordinance 2942 as presented. The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

Deputy City Clerk Sanchez read the title to Ordinance 2943.

MOTION:

Councilperson Hall made the motion to adopt Ordinance 2943 as presented. The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

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

Community Development Director Humble stated that hard copies of the Comprehensive Plan are available if needed and that the following meetings have been scheduled:

- Impact Fee Committee Meeting, Hansen Building, 324 Hansen Street East, 11:30 A.M. – 1:30 A.M., June 17, 2008
- Steering Committee Meeting, Hansen Building, 324 Hansen Street East, 11:00 A.M. – 2:00 P.M., June 18, 2008.
- Comprehensive Plan Public Open House, Twin Falls Public Library, 201 4th Avenue East, 7:00 P.M. – 9:00 P.M., June 18, 2008.

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

Council directed staff to follow up on a complaint received regarding the fence line on the north side of Lowe's parking lot.

Councilperson Kezele gave an update on the Magic Valley Air Show.

Council directed staff to give a report on June 30, 2008, on the placement of banners for the Magic Valley Air Show.

Councilperson Craig stated that the following have been scheduled:

- Chamber of Commerce Meeting, Twin Falls Chamber of Commerce, 1:30 P.M., June 17, 2008.
- Beautification Meeting, Twin Falls Chamber of Commerce, 10:00 A.M., June 19, 2008
- Pool Advisory Board, Council Chambers, 4:00 P.M., June 19, 2008

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

V. **ADJOURNMENT:** The meeting adjourned at 5:41 P.M.

Leila Sanchez
Deputy City Clerk



CITY OF TWIN FALLS, IDAHO

CITY COUNCIL

CITY COUNCIL CHAMBERS

305 THIRD AVENUE EAST

The regularly scheduled Council Meeting of Monday, June 23, 2008, has been cancelled and will be rescheduled for June 30, 2008, at 5:00 P.M. in the City Council Chambers located at 305 Third Avenue East.

Leila A. Sanchez
Deputy City Clerk

COUNCIL MEMBERS:

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



MINUTES
Meeting of the Twin Falls City Council
June 30, 2008
City Council Chambers
305 3rd Avenue East Twin Falls, Idaho

PLEDGE OF ALLEGIANCE TO THE FLAG
CONFIRMATION OF QUORUM
INTRODUCTION OF STAFF

CALL MEETING TO ORDER: 5:00 P.M.

AGENDA ITEMS	Purpose	By:
I. <u>CONSENT CALENDAR:</u> 1. Consideration of accounts payable for June 17– 30, 2008. 2. Consideration of the June 16, 2008, Minutes. 3. Trust Agreement for the Stone Ridge Estates Subdivision. 4. Consideration of the following agreements: a. Renewal of the Improvement Agreement for Developments, Assurance of Construction for Subdivision Improvements, and Engineer’s Estimate to Gary N. Nelson & Co. and John Houser for Cedar Park #9. b. Improvement Agreement for Developments, Assurance of Construction for Subdivision Improvements, and Engineer’s Estimate to Eagle Parke Developers, LLC, for Eagle Parke Subdivision. c. Improvement Agreement for Developments, Assurance of Construction of Subdivision of Improvements, and Engineer’s Estimate to Ensign Point, LLC, for Ensign Point Subdivision. d. Improvement Agreement for Developments and Engineer’s Estimate to High Desert Holdings, LLC, for Parkwood Subdivision #4. e. Improvement Agreement for Developments, Irrevocable Letter of Credit #514, and Engineer’s Estimate to SIDCO, Inc., River Ridge Estates #4. f. Curb-Gutter and Sidewalk Improvement Deferral Agreement to Dale Snow for 223 Bell Street. g. Multi-Year Improvement Deferral Agreement and Street Improvement Deferral Agreement to Boise Housing Corporation for 1354 Washington Street South. h. Multi-Year Improvement Deferral Agreement and Sidewalk Improvement Deferral Agreement to Paul & Carol Ransom for 2826 Addison Avenue East. 5. Consideration of corrected Ordinances #2903 and #2904, to correct errors within the legal descriptions vacating unused easements and right-of-way in Bowlin Addition and Vanassche Subdivisions.	Action	Staff Report
II. <u>ITEMS FOR CONSIDERATION:</u> 1. Presentation of certificates: Twin Falls Fire Department Level II Firefighter Certification to Tristan Jones and Tom Bloxham, Twin Falls Fire Department Level III Firefighter Certification to Tom Bloxham, and Twin Falls Fire Department Drivers Academy Certificate to Rod Dixon. 2. Consideration to appoint Cindy Bond, Kent Cramer, and Tony Prater to the City of Twin Falls Urban Renewal Agency. 3. Consideration of the Special Events Application to Southern Idaho Fireworks for the annual fireworks display to be held at the College of Southern Idaho on July 4, 2008. 4. Consideration of overtime funding for the Blue Angels Air Show being sponsored by the Air Magic Valley Air Show Committee. 5. Consideration to place non-commercial community events signs advertising the upcoming Blue Angels Air Show.	Presentation Action Action Action Action	Ron Clark Melinda Anderson Dennis Pullin Dennis Pullin Mitch Humble

MINUTES

June 30, 2008

Page 2 of 8

6. Consideration to award the 2008 North Ridge Restroom Project.	Action	Mitch Humble
7. Consideration of the final draft of the update to the City's Strategic Plan for FY 2008-2012.		Tom Courtney
8. Consideration of additional building height in accordance with Twin Falls City Code 10-7-3, on property located at 1708 Kimberly Road, c/o Gerald Martens/EHM Engineers, Inc., on behalf of White, White & Lawley I.	Action	Mitch Humble
9. Consideration of the Final Plat for Ameritel Subdivision, 3.64 (+/-) acres, consisting of 2 commercial lots on property located at the northeast corner of Harrison Street North and Pole Line Road, c/o Ameritel Inn Twin Falls, LLC.	Action	Mitch Humble
10. Consideration of the American Geotechnics, Inc., Engineering Services Agreement.	Action	Jackie Fields
11. Discussion on the multi-year capital improvements plan for streets (Streets CIP).	Action	Jackie Fields
12. Presentation on the Washington Street North Phase III Project by Riedesel Engineering, Inc.	Presentation	Jackie Fields/ Riedesel Eng.
13. Public input and/or items from the City Manager and City Council.		
III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u>		
IV. <u>PUBLIC HEARINGS:</u> 6:00 P.M.		
1. Request for the vacation of the public utilities, irrigation and drainage easement along the northern boundary of Lots 1 through 4 Block 3 of the Ripley Subdivision, located at 2311-2387 Eldridge Avenue, c/o Rydan Investments LLC. (app.2229)	Action	Mitch Humble
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.*

COUNCIL MEMBERS PRESENT: Lance Clow, Trip Craig, Don Hall, Lee Heider, Dave Johnson, William Kezele

COUNCIL MEMBERS ABSENT: Greg Lanting

STAFF PRESENT: City Manager Tom Courtney, City Attorney Fritz Wonderlich, Community Development Director Mitch Humble, Fire Chief Ron Clark, Economic Development Director Melinda Anderson, Staff Sergeant Dennis Pullin, Travis Rothweiler, Deputy City Clerk Leila A. Sanchez.

CALL MEETING TO ORDER: 5:00 P.M.

Mayor Clow 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 Clow introduced City staff.

CALL MEETING TO ORDER: 5:00 P.M.

AGENDA ITEMS

I. CONSENT CALENDAR:

1. Consideration of accounts payable for June 17– 30, 2008.
2. Consideration of the June 16, 2008, Minutes.
3. Trust Agreement for the Stone Ridge Estates Subdivision.
4. Consideration of the following agreements:
 - a. Renewal of the Improvement Agreement for Developments, Assurance of Construction for Subdivision Improvements, and Engineer's Estimate to Gary N. Nelson & Co. and John Houser for Cedar Park #9.
 - b. Improvement Agreement for Developments, Assurance of Construction for Subdivision Improvements, and Engineer's Estimate to Eagle Parke Developers, LLC, for Eagle Parke Subdivision.
 - c. Improvement Agreement for Developments, Assurance of Construction of Subdivision of Improvements, and Engineer's Estimate to Ensign Point, LLC, for Ensign Point Subdivision.
 - d. Improvement Agreement for Developments and Engineer's Estimate to High Desert Holdings, LLC, for Parkwood Subdivision #4.
 - e. Improvement Agreement for Developments, Irrevocable Letter of Credit #514, and Engineer's Estimate to SIDCO, Inc., River Ridge Estates #4.
 - f. Curb-Gutter and Sidewalk Improvement Deferral Agreement to Dale Snow for 223 Bell Street.
 - g. Multi-Year Improvement Deferral Agreement and Street Improvement Deferral Agreement to Boise Housing Corporation for 1354 Washington Street South.
 - h. Multi-Year Improvement Deferral Agreement and Sidewalk Improvement Deferral Agreement to Paul & Carol Ransom for 2826 Addison Avenue East.
5. Consideration of corrected Ordinances #2903 and #2904, to correct errors within the legal descriptions vacating unused easements and right-of-way in Bowlin Addition and Vanassche Subdivisions.

MOTION:

Councilperson Heider made the motion to approve the Consent Calendar as presented with the following additions:

6. a. Alcohol License Application Transfer for Gertie's Brick Oven Cookery, 602 2nd Avenue South.
- b. Alcohol License Application Beer, Wine, Transfer for Janitzio Family, 164 Main Avenue North.

The motion was seconded by Councilperson Kezele and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

II. ITEMS FOR CONSIDERATION:

1. Presentation of certificates: Twin Falls Fire Department Level II Firefighter Certification to Tristan Jones and Tom Bloxham, Twin Falls Fire Department Level III Firefighter Certification to Tom Bloxham, and Twin Falls Fire Department Drivers Academy Certificate to Rod Dixon.

Fire Chief Clark, Mayor Clow, and Councilperson Hall presented certificates to Tristan Jones and Tom Bloxham.

2. Consideration to appoint Cindy Bond, Kent Cramer, and Tony Prater to the City of Twin Falls Urban Renewal Agency.

Economic Development Director Anderson reviewed the request.

The interview panel recommends Cindy Bond, Kent Cramer, and Tony Prater be appointed to the Urban Renewal Agency for a three year term beginning July 1, 2008.

MOTION:

Councilperson Johnson made the motion to appoint Cindy Bond, Kent Cramer, and Tony Prater to three year terms beginning July 1, 2008, to the Twin Falls Urban Renewal Agency. The motion was seconded by Councilperson Craig and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

3. Consideration of the Special Events Application to Southern Idaho Fireworks for the annual fireworks display to be held at the College of Southern Idaho on July 4, 2008.

Staff Sergeant Pullin reviewed the request.

Staff recommends approval of the Special Events Application for the Southern Idaho Fireworks Event to be held Friday, July 4, 2008, beginning at 8:00 p.m. – 11:00 p.m, at the College of Southern Idaho.

Discussion followed:

-Overtime of \$2,560 is included in the Patrol Division's 2007 – 2008 overtime budget.

MOTION:

Councilperson Hall made the motion to approve the Special Events Application to Southern Idaho Fireworks for the annual fireworks display to be held at the College of Southern Idaho on July 4, 2008, as presented. The motion was seconded by Councilperson Craig and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

4. Consideration of overtime funding for the Blue Angels Air Show being sponsored by the Air Magic Valley Air Show Committee.

Staff Sergeant Pullin reviewed the request.

Staff recommends the approval of costs incurred by the Twin Falls Police Department to cover overtime costs involved in providing security, crowd control, and traffic control.

Discussion followed:

-Schedule.

-Other agencies involved.

-Fire suppression services.

Staff Sergeant Pullin stated that adjustment of the proposed schedule will be made depending on crowds and traffic flow. The Twin Falls Sherriff's Department is in charge of the traffic plan.

Air Magic Valley Air Show Committee member Jim O'Donnell explained the fire suppression services and traffic plan.

MOTION:

Councilperson Craig made the motion to approve the overtime funding for the Blue Angels Air Show being sponsored by the Air Magic Valley Air Show Committee as presented. The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

Jim O'Donnell stated that he would follow-up with radio stations.

Airport Manager Carberry stated that one flight per day has been cancelled during the event.

5. Consideration to place non-commercial community events signs advertising the upcoming Blue Angels Air Show.

Community Development Director Humble reviewed the request.

Staff recommends that the City Council discuss the regulation of non-commercial community events signs and provide direction to staff regarding the placement of several temporary community event signs announcing the upcoming air show.

City Attorney Wonderlich stated that other organizations will have free will to hang non-commercial signs.

Discussion followed:

- Non-profit events.
- Permission from property owners.
- Political signs are not allowed on City right of way.

City Attorney Wonderlich stated that the County Fair is not a commercial event, but other commercial events are held at the Fair Grounds. He stated that the signs will require a sign permit. The City does not allow signs on City right of way. Triangles are not City right of way but City property.

MOTION:

Councilperson Kezele made the motion to approve placing four to six non-commercial community events signs advertising the upcoming Blue Angels Air Show as presented, subject to review and approval of a sign permit. The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

6. Consideration to award the 2008 North Ridge Restroom Project.

Community Development Director Humble reviewed the request.

Staff recommends to award the bid for Northern Ridge Park restroom to Stanley & Associates in the amount of \$79,775. The current year budget shows \$70,000. The City received an in lieu of contribution from the Northern Sky Subdivision in the amount of \$57,667.29 on November 20, 2007. Staff proposes to use \$9,775.00 of these in lieu of funds to make up the difference from the budget amount to the bid amount.

MOTION:

Councilperson Hall made the motion to award the 2008 North Ridge Restroom Project to Stanley Associates, Inc., for \$79,775.00, as presented. The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

The Public Hearing was presented at 6:06 P.M.

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

1. Request for the vacation of the public utilities, irrigation and drainage easement along the northern boundary of Lots 1 through 4 Block 3 of the Ripley Subdivision, located at 2311-2387 Eldridge Avenue, c/o Rydan Investments LLC. (app.2229)

Scott Allen, The Land Group, Inc., explained the request.

Community Development Director Humble reviewed the request.

On May 28, 2008, the Planning & Zoning Commission recommended for approval the vacation of the public utilities, irrigation and drainage easement along the northern boundary of Lots 1 through 4 Block 3 of the Ripley Subdivision, located at 2311-2387 Eldridge Avenue, c/o Rydan Investments LLC. (app.2229) with the following conditions:

1. Subject to site plan amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable City code requirements and standards.

MINUTES

June 30, 2008

Page 6 of 8

2. Subject to the remnant parcel and Lots 1, 2, 3, and 4 of Block 3, Ripley Subdivision being combined into one lot to include dedication of rights-of-way on Eldridge and dedication of easements as required at the time of development or platting of property.

Discussion followed:

-Ownership of parcels.

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

MOTION:

Councilperson Johnson made the motion to approve the vacation of the public utilities, irrigation and drainage easement along the northern boundary of Lots 1 through 4 Block 3 of the Ripley Subdivision, located at 2311-2387 Eldridge Avenue, c/o Rydan Investments LLC. (app.2229) as presented with the following conditions:

1. Subject to site plan amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable City code requirements and standards.
2. Subject to the remnant parcel and Lots 1, 2, 3, and 4 of Block 3, Ripley Subdivision being combined into one lot to include dedication of rights-of-way on Eldridge and dedication of easements as required at the time of development or platting of property.

The motion was seconded by Councilperson Craig and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

The Items for Consideration continued after the Public Hearing in the following order:

7. Consideration of additional building height in accordance with Twin Falls City Code 10-7-3, on property located at 1708 Kimberly Road, c/o Gerald Martens/EHM Engineers, Inc., on behalf of White, White & Lawley I.

Community Development Director Humble reviewed the request.

On June 10, 2008, the Planning & Zoning Commission granted a special use permit to operate a wholesale distribution and warehouse facility on property located at 1708 Kimberly Road with the following conditions:

1. Subject to site plan amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable City code requirements and standards, otherwise site plan and elevation as presented.
2. Subject to full compliance with City Code 10-4-8.3; Development Standards, 10-7-12; Gateway Arterial Landscaping and City Code 10-11-1 thru 9; Required Improvements.
3. Subject to full compliance of the appliance repair business located in a portion of the existing building submitting a Special Use Permit application within 30 days.

Staff recommends that the Council grant the request for additional building height, as presented, subject to the conditions of the special use permit granted on June 10, 2008.

MOTION:

Councilperson Johnson made the motion to approve the additional building height in accordance with Twin Falls City Code 10-17-3, on property located at 17098 Kimberly Road, c/o Gerald Martens/EHM Engineers, Inc., on behalf of White, White & Lawley I as presented and with the following conditions:

1. Subject to site plan amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable City code requirements and standards, otherwise site plan and elevation a presented.
2. Subject to full compliance with City Code 10-4-8.3; Development Standards, 10-7-12; Gateway Arterial Landscaping and City Code 10-11-1 thru 9; Required Improvements.
3. Subject to full compliance of the appliance repair business located in a portion of the existing building submitting a Special Use Permit application with 30 days.

The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

MINUTES

June 30, 2008

Page 7 of 8

Gerald Martens, EHM Engineers, Inc., representing the applicant, stated for clarification that the 36 foot building height would be measured from the base of the building rather than the adjacent curb.

Councilperson Johnson added to his motion with his second's and Council's approval to add the following condition for clarification:

4. The 36 foot building height to be measured from the base of the building rather than the adjacent curb.
8. Consideration of the Final Plat for Ameritel Subdivision, 3.64 (+/-) acres, consisting of 2 commercial lots on property located at the northeast corner of Harrison Street North and Pole Line Road, c/o Ameritel Inn Twin Falls, LLC.

Community Development Director Humble reviewed the request.

On June 10, 2008, the Planning & Zoning Commission approved the preliminary plat for Ameritel Subdivision, 3.64 (+/-) acres, consisting of 2 commercial lots on property located at the northeast corner of Harrison Street North and Pole Line Road, c/o Ameritel Inn Twin Falls, LLC., with the following conditions:

1. Subject to amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable City code requirements and standards.
2. Subject to a retaining wall being constructed on the west property line to retain any and all land products from falling onto the adjacent property.

Troy Vitek, EHM Engineers, Inc., representing the applicant, explained the request. He also stated that the owner has been in contact with Katie Breckenridge and she is in agreement with a retaining wall being constructed when the restaurant is constructed or by her request.

MOTION:

Councilperson Johnson made the motion to approve the Final Plat for Ameritel Subdivision 3.64 (+/-) acres consisting of 2 commercial lots on property located at the northeast corner of Harrison Street North and Pole Line Road, c/o Ameritel Inn Twin Falls, LLC, as presented and with the following conditions:

1. Subject to amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable City code requirements and standards.
2. Subject to a retaining wall being constructed on the west property line to retain any and all land products from falling onto the adjacent property.

The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

Councilperson Craig asked if Katie Breckenridge is in agreement with the request.

Troy Vitek stated yes.

9. Consideration of the American Geotechnics, Inc., Engineering Services Agreement.

City Engineer Fields reviewed the request.

Eastland Drive handles a significant amount of truck traffic and is one of the City's important north-south arterial roads. While the standard specifications identify a road section for the City's collector roads, arterials require study to identify a meaningful typical section. The typical section is the depth of the pavement and underlying base.

Staff believes a pavement design for Eastland that will address the truck traffic and ever-increasing vehicular traffic is appropriate. This agreement will allow for the design of the typical section.

Staff recommends that the Council approve the agreement with American Geotechnics in the amount of \$45,772.21.

Discussion followed:
-Bidding process.

City Engineer Fields stated that she asked American Geotechnics, Inc. for a bid price.

- Idaho Transpiration Standards and Specifications.
- Time frame of the project.

City Engineer Fields stated that the time frame of the project would depend if the City is committed or not. The City can choose to use a collector street or commit resources to somewhere in the CIP list, or choose to move to reduce the loads on that road.

- Budget.

MOTION:

Councilperson Johnson made the motion to approve the American Geotechnics, Inc., Engineering Services Agreement as presented. The motion failed for the lack of a second. The motion failed.

10. Discussion on the multi-year capital improvements plan for streets (Streets CIP).

City Engineer Fields reviewed information on the multi-year capital improvements plan for streets.

Finance Director Gary Evans reviewed the financial aspect of the multi-year capital improvements plan for streets.

City Manager Courtney stated that the purpose of the presentation is to show how projects are paid and future projects. Steve Tonks with the Idaho Transportation Department would like information from the City by July 7, 2008.

11. Presentation on the Washington Street North Phase III Project by Riedesel Engineering, Inc.

Aaron Wert, Riedesel & Engineering, gave a PowerPoint presentation on the Washington Street North Phase III Project.

Discussion followed:

- Underground utilities on Blue Lakes Boulevard.

A public hearing is scheduled to be held on July 1, 2008, at the College of Southern Idaho, Taylor Building, at 5:00 P.M.-7:00 P.M.

Councilperson Johnson was not present at the time of the following Item for Consideration:

12. Consideration of the final draft of the update to the City's Strategic Plan for FY 2008-2012.

City Manager Courtney reviewed the request.

MOTION:

Councilperson Hall made the motion to adopt the City's Strategic Plan for FY 2008-2012. The motion was seconded by Councilperson Craig and roll call vote showed Mayor Clow, Councilpersons Craig, Hall, Heider, and Kezele voted for the motion. Councilperson Johnson was absent at the time of voting. The motion passed with a vote of 5 to 0.

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

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

Mayor Clow announced the upcoming events:

Executive Seminar on Leadership, Canyon Crest Dining and Event Center, 330 Canyon Crest Drive, on Thursday, July 17, 2008, 9:00 A.M. – 4:00 P.M.

2009 Host Town Program for the 2009 Special Olympics World Winter Games.

- V. ADJOURNMENT:** The meeting adjourned at 8:06 P.M.

Leila A. Sanchez
Deputy City Clerk

COUNCIL MEMBERS:

LANCE	TRIP	DON	LEE	DAVID E.	WILLIAM A.	GREG
CLOW	CRAIG	HALL	HEIDER	JOHNSON	KEZELE	LANTING

Mayor

Vice Mayor



AMENDED MINUTES
 Meeting of the Twin Falls City Council
 July 7, 2008
 City Council Chambers
 305 3rd Avenue East Twin Falls, Idaho

PLEDGE OF ALLEGIANCE TO THE FLAG
 CONFIRMATION OF QUORUM
 INTRODUCTION OF STAFF

CALL MEETING TO ORDER: 5:00 P.M.

AGENDA ITEMS		Purpose	By:
I. <u>CONSENT CALENDAR:</u> 1. Consideration of accounts payable for June 30 – July 6, 2008. 2. Consideration of the June 30, 2008, Minutes. 3. Consideration of a Street and Utility Improvement Deferral Agreement to St. Luke's/ Kent Loosli for Farnham Subdivision, 2550 Addison Avenue East. 4. Consideration of a Trust Agreement for Hometowne Subdivision No. 4. 5. Consideration of an Improvement Agreement for Developments to Industrial Development L.L.C. for Eagle Pointe Subdivision. 6. Consideration of the acceptance of Lot 2 of the Sackett Farms Subdivision from the Twin Falls School District #411, for a pressure irrigation station.		Action	Staff Report
II. <u>ITEMS FOR CONSIDERATION:</u> 1. Presentation by Nancy Choker, Moss Greenhouses, Inc., of a Landscape Award to L E Duke Hair & Body Salon, 1411 Falls Avenue East, Suite 401, and an Extra Mile Award to Randy's Jewelry, Historic Downtown, 127 Main Avenue East. 2. Consideration from Gretchen Scott and the Junior Club of Magic Valley to approve the 21 st Annual Bite of Magic Valley at Twin Falls City Park on August 6, 2008. 3. Consideration by Roger Moore to approve the 28 th Annual Falls Brand/Budweiser Door Slammer Softball Tournament to be held at Harmon Park. 4. Consideration of a proposed ordinance to allow code enforcement personnel to issue Idaho Uniform Citations. 5. Consideration of the estimate for placing the utilities underground in conjunction with the Blue Lakes reconstruction between Falls Avenue and Pole Line Road. 6. Public input and/or items from the City Manager and City Council.		Presentation Action Action Action Action	Nancy Choker Dan McAtee Dan McAtee Sherry Jeff Jackie Fields
III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u>			
IV. <u>PUBLIC HEARINGS:</u> 6:00 P.M. 1. Request for a PUD Modification to allow a P A System to be used for home football games and outside field events and to allow outside lighting to be used to illuminate night games, parking lots, and storage areas on property located at 960 Eastland Drive c/o Lighthouse Christian Fellowship. (app.2212)		Action	Mitch Humble
V. <u>ADJOURNMENT:</u>			

COUNCIL MEMBERS PRESENT: Lance Clow, Trip Craig, Don Hall, Lee Heider, Dave Johnson, Greg Lanting, William Kezele

COUNCIL MEMBERS ABSENT: None

STAFF PRESENT: City Manager Tom Courtney, City Attorney Fritz Wonderlich, City Engineer Jackie Fields, Finance Director Gary Evans, Captain Brian Pike, Staff Sergeant Dan McAtee, Captain Matt Hicks, Sanitation Inspector Sherry Jeff, Deputy City Clerk Leila Sanchez.

Mayor Clow 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 Clow introduced City staff.

CALL MEETING TO ORDER: 5:00 P.M.

AGENDA ITEMS

I. CONSENT CALENDAR:

1. Consideration of accounts payable for June 30 – July 7, 2008, \$344,036.72.
2. Consideration of the June 30, 2008, Minutes.
 1. Consideration of a Street and Utility Improvement Deferral Agreement to St. Luke's/Magic Valley Regional Medical Center.
 2. Kent Loosli for Farnham Subdivision, 2550 Addison Avenue East.
 3. Consideration of a Trust Agreement for Hometowne Subdivision No. 4.
 4. Consideration of an Improvement Agreement for Developments to Industrial Development L.L.C. for Eagle Pointe Subdivision.
 5. Consideration of the acceptance of Lot 2 of the Sackett Farms Subdivision from the Twin Falls School District #411, for a pressure irrigation station.

MOTION:

Councilperson Hall made the motion to approve the Consent Calendar with the clarification of I.4. Consideration of a Trust Agreement for Hometowne Subdivision. The motion was seconded by Councilperson Heider and roll call vote showed all members voted in favor of the motion. The motion passed with a vote of 7 to 0.

II. ITEMS FOR CONSIDERATION:

1. Presentation by Nancy Choker, Moss Greenhouses, Inc., of a Landscape Award to L E Duke Hair & Body Salon, 1411 Falls Avenue East, Suite 401, and an Extra Mile Award to Randy's Jewelry, Historic Downtown, 127 Main Avenue East.

Presentation of a Landscape Award to L E Duke Hair & Body Salon. Randy's Jewelry was presented a Special Recognition Award.

2. Consideration from Gretchen Scott and the Junior Club of Magic Valley to approve the 21st Annual Bite of Magic Valley at Twin Falls City Park on August 6, 2008.

Staff Sergeant McAtee reviewed the request.

Staff recommends that the City Council approve the Special Application submitted for the 21st Annual Bite of Magic Valley on August 6, 2008, based on the information provided.

Gretchen Scott, applicant, explained the request.

MOTION:

Councilperson Johnson made the motion to approve the Special Events Application for the Junior Club of Magic Valley for the 21st Annual Bite of Magic Valley at Twin Falls City Park to be held on August 6, 2008. The motion was seconded by Councilperson Craig and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

3. Consideration by Roger Moore to approve the 28th Annual Falls Brand/Budweiser Door Slammer Softball Tournament to be held at Harmon Park.

Staff Sergeant McAtee reviewed the request.

Staff recommends that the Council approve the Special Events application as submitted for the 28th Annual Falls Brand/Budweiser Door Slammer Tournament to be held on August 24-24, 2008.

Roger Moore, applicant, reviewed the request.

MOTION:

Councilperson Hall made the motion to approve the Special Events Application for the 28th Annual Falls Brand/Budweiser Door Slammer Softball Tournament at Harmon Park to be held on August 22-24, 2008. The motion was seconded by Councilperson Johnson and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

4. Consideration of a proposed ordinance to allow code enforcement personnel to issue Idaho Uniform Citations.

Sanitation Inspector Jeff reviewed the request.

Staff recommends approval of the proposed ordinance by providing for a code enforcement officer and authorizing issuance of uniform citations.

Discussion followed:

- Clarification of fines not exceeding \$1,000.
- Code Enforcement Officer is not limited to one person.
- The proposed ordinance is supported by the Police Department.
- The Code Enforcement Officer will have a uniform and identification.

MOTION:

Councilperson Johnson made the motion to suspend the rules and place Ordinance #2944 entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, REZONING 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 Heider and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

Deputy City Clerk Sanchez read the ordinance.

MOTION:

Councilperson Hall made the motion to adopt Ordinance # 2944 as presented. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

5. Consideration of the estimate for placing the utilities underground in conjunction with the Blue Lakes reconstruction between Falls Avenue and Pole Line Road.

City Engineer Fields reviewed the request.

At the June 30, 2008, Council Meeting, the Council requested that staff prepare an estimate of costs in writing to place overhead utilities underground. She reviewed the "Estimate for undergrounding utilities on the Falls-Poleline project on Blue Lakes Blvd."

Finance Director Gary Evans reported on the financing of the project.

Discussion followed:

- Moving utilities ½ block off of Blue Lakes Blvd. onto Locust Street.
- Reimbursement or incentives for illumination costs.

Dan Olmstead, Idaho Power representative explained the estimate. He stated that he would review the franchise agreement with the City of Twin Falls.

-Boring.

Dan Olmstead stated that the cost for boring underneath the sidewalk would cause very little disturbance. Moving the utilities onto private easement would delay the project.

City Engineer Fields stated that boring and illumination on the project does not have to be done together.

-Cable One trenches.

City Engineer Fields stated Cable One and Idaho Power would be a joint trench effort.

-Power pole movement.

-Qwest.

Dan Olmstead stated that he would check on how many poles are to be moved. He stated that Qwest has an underground system.

City Manager reviewed the request.

The Council requested additional information from City Staff and Idaho Power.

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

The City Council will meet on July 14, 2008, at 2:00 P.M. to discuss the preliminary budget for 2008-2009.

Fred Grabos Jr., 109 Sweet Briars Wood, Hailey, Idaho explained his concerns on an occurrence that happened on November 7, 2006, this resulted in a formal complaint against officer of the Twin Falls Police Department.

City Manager Courtney explained that On April 4, 2007, the Administrative Staff reviewed the investigative reports, witness statements, and transcripts and concluded that the allegations would be classified as "Exonerated."

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

Councilperson Hall reported that the Business Improvement District, gave an update on upcoming activities. He also reported that the Oktoberfest would not be held this year.

Councilperson Craig reported on the upcoming meetings:
The Parks and Recreation Commission, July 8, 2008, at 11:30 a.m.,
The Library Board, meeting, July 9, 2008.
Urban Renewal Agency Meeting, July 14, 2008, at 12:00 p.m.

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

MINUTES

July 7, 2008

Page 5 of 9

RECESS: 6:02 P.M.

RECONVENED AT 6:01 P.M.

1. Request for a PUD Modification to allow a P A System to be used for home football games and outside field events and to allow outside lighting to be used to illuminate night games, parking lots, and storage areas on property located at 960 Eastland Drive c/o Lighthouse Christian Fellowship. (app.2212)

Ron Heath, applicant, explained the request.

Kevin Newbry, applicant, explained the request and stated that the Idaho Home and Hospice and Twin Falls Care Center were both contacted.

Community Development Director Humble reviewed the request.

On May 12, 2008, the City Council held a public hearing on the request and by a vote of 3 to 3 the request was denied. The Lighthouse Christian Fellowship submitted a request for the City Council to reconsider the application for a PUD Amendment.

On May 27, 2008, the City Council approved the request to reconsider their denial. Prior to scheduling the public hearing the following conditions must be met:

1. Subject to contacting property owners within 1,000 feet.
2. Subject to two town hall type meetings for surrounding property owners.
3. Subject to contacting Idaho Home & Hospice as well as Twin Falls Care Center.

On April 8, 2008, the Planning & Zoning Commission recommended for approval by a vote of 4 to 3 with the following conditions:

1. Subject to site plan amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable City code requirements and standards.
2. During outside events noise level is not to exceed 78 decibels at any point outside property lines.
3. No public address system shall commence earlier than 10 A.M. or continue later than 10 P.M. on any day of the week.
4. Field lighting to be turned off no later than 10 P.M. and all outside lighting to be positioned so that it eliminates glare to adjacent properties.
5. Subject to the number of outside night events being limited to 12 per year.

Discussion followed:

- Decibels readings and limiting the hours on the lights.
- Neighbor complaints.

City Attorney Wonderlich stated that the night time nuisance does not come into effect.

- Planning & Zoning conditions placed on the application compared to other schools.

Community Development Director Humble stated that out of the five conditions placed by the Planning & Zoning Commission in April 8, 2008, the following condition would be applied to schools:

1. Subject to site plan amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable City code requirements and standards.

-The original PUD states the following restrictions:

- a. No exterior public address or music will be allowed.
- b. All lighting of parking and storage areas shall be directed to the interior of the PUD, thereby decreasing glare to adjacent properties.

Ron Heath, applicant, stated that at the time of the original request the Lighthouse Church did not have resources or sufficient information to give neighbors information on lights or PA system.

- P A system.

Kevin Newbry stated that 95% of activities at the Lighthouse Church are to be held in the sanctuary.

-Special Events application needed for an outdoor event.

The public comment portion of the meeting was opened:

Email from Ryan Horsley, 783 Hollyann Court, showed support for the request.

Councilperson Hall stated that he received a phone call from Paula Brown Sinclair in support of the request.

Councilperson Craig read emails from Tim and Mellissa Busher and Suzanne Craig, 2769 9th Avenue East, in support of the request.

Jim Gibson, 925 O'Leary Way, spoke against the request.

Email from Ann Trotter showed support of the request.

Paul E. Ostyn, 945 Green Tree Way, spoke in favor of the request.

John H. Bonnett, 973 O'Leary Way, spoke in favor of the request.

Brad Williams, 790 Hollyann Ct., spoke in favor of the request.

Email from Amy Mingo showed support for the request.

Email from Steve Deuel, showed support for the request.

David Mead, 2045 Hillcrest Drive, spoke against the request.

Email from Brandy Bartholomew, showed support for the request.

Alannah Horsley, 783 Hollyann Ct., spoke in favor of the request.

Email from Joy Karavedas, 964 Aspenwood Lane, showed support for the request.

Brayden Horsley, 783 Hollyann Ct., spoke in favor of the request.

Email from Cindy Pherigo showed support for the request.

Bryan Devore, 4128 Meadow Ridge Circle, spoke in favor of the request.

Allison Hamilton, 1974 Tamarack, spoke in favor for the request.

Email from Miah Horsley, showed support for the request.

Letter from Rita Leininger showed support for the request.

Email from Nick Karavedas showed support for the request.

Travis Pierce, 878 Hollyann Ct., spoke in favor of the request.

Email from John H. Bonnett, 639 Washington Street North, showed support for the request.

Danika Swene on behalf of Idaho Health and Hospice, 826 Eastland Drive, spoke in favor of the request.

Email from Michael Wall showed support for the request.

Ryan Horsley, 783 Hollyann Ct., spoke in favor of the request.

MINUTES

July 7, 2008

Page 7 of 9

Email from Betty Mitton, 1943 Stadium, showed support for the request.

Violet Rowe, 1060 Cypress Way, spoke against the request.

Letter from Paula Brown Sinclair showed support in favor for the request.

RECESS AT 7:30 P.M.

RECONVENED AT 7:44 P.M.

Michelle Thomas, 795 Walnut Street N., spoke in favor of the request.

Email from Mary Shaw, showed support for the request.

Email from Scott & Tammy Bartlett showed support for the request.

Kimberly Kasinatis, 658 Ping Ct., spoke in favor of the request.

Email from Darrell and Sondra Morgan, 879 Hollyann Ct., showed disfavor for the request.

Traci Wallin, 3527 E. 4000 N., Kimberly, Idaho, spoke in favor of the request.

Email from Elisa Pierce showed disfavor for the request.

Joy Karavedas, 964 Aspenwood Lane, spoke in favor of the request.

Email from Janel Williams, 790 Hollyann Court, showed disfavor for the request.

Marsah Holloway, 1224 Alder Drive, spoke in favor of the request.

Email from Ralph & Veneta Jenkins showed disfavor for the request.

Jerry Mottern, 849 Monroe Street, spoke in favor of the request.

Fax from Eric and Maggie Watte, 782 Hollyann Ct., showed disfavor for the request.

Walt Hess spoke in favor of the request.

Susan Hatch, 374 8th Avenue E., spoke in favor of the request.

Closed the public comment portion of the hearing.

Kevin Newbry stated the Lighthouse Church has the same buffer zone as Robert Stuart Junior High and O'Leary Junior High.

Laird Stone, 275 Lincoln Street, attorney for the applicant, spoke in favor of the request.

The public hearing was turned over to the City Council.

Discussion followed:

-Use of the field.

Jim Gibson stated his concern that there is no control over access to the field. He asked who would be liable.

-Idaho Home and Hospice.

Danika Swene, Idaho Health and Hospice, stated that she had no issues with the request.

-Special events Application

City Attorney Wonderlich explained the need and process of a Special Events Application.

-Clarification of recommended condition 5. *Subject to the number of outside night events being limited to 12 per year.*

The public hearing was closed.

MOTION:

Councilperson Lanting made the motion to approve a PUD Modification to allow a P A System to be used for home football games and outside field events and to allow outside lighting to be used to illuminate night games, parking lots, and storage areas on property located at 960 Eastland Drive c/o Lighthouse Christian Fellowship. (app.2212) as presented with the following conditions:

1. Subject to site plan amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable City code requirements and standards.
2. During outside events noise level is not to exceed 78 decibels at any point outside property lines.
3. No public address system shall commence earlier than 10 A.M. or continue later than 10 P.M. on any day of the week.
4. Field lighting to be turned off no later than 10 P.M. and all outside lighting to be positioned so that it eliminates glare to adjacent properties.
5. Subject to the number of outside night events being limited to 12 per year.

The motion was seconded by Councilperson Johnson.

MOTION:

Councilperson Johnson made an amendment to the motion to eliminate conditions:

2. During outside events noise level is not to exceed 78 decibels at any point outside property lines.
3. No public address system shall commence earlier than 10 A.M. or continue later than 10 P.M. on any day of the week.
4. Field lighting to be turned-off no later than 10 P.M. and all outside lighting to be position so that it eliminates glare to adjacent properties.
5. Subject to the number of outside night events being limited to 12 per year.

The motion was seconded by Councilperson Hall.

Mayor Clow recommended that the Council address condition 2., 3., and 4., and 5. be considered and voted on as individual items.

Councilperson Johnson and his second Councilperson Hall agreed on the recommendation by Mayor Clow and asked that conditions 2. 3., 4., and 5. be considered and voted on as individual items.

Consideration of condition 2. During outside events noise level is not to exceed 78 decibels at any point outside property lines.

MOTION:

Councilperson Hall made the motion to approve the following condition:

2. During outside events, noise level of the public address system is not to exceed 78 decibels at any point outside property lines.

Councilperson Lanting seconded the motion and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

-Consideration of condition 3. No public address system shall commence earlier than 10 A.M. or continue later than 10 P.M. on any day of the week.

MOTION:

Councilperson Kezele made the motion to approve the following condition:

3. Use of the public address system shall not commence earlier than 10 A.M. or continue later than 10 P.M. on any day of the week with the exception of athletic events extended due to overtime play or injury delays.

The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

-Consideration of condition 4. Field lighting to be turned off no later than 10 P.M. and all outside lighting to be positioned so that it eliminates glare to adjacent properties.

MOTION:

Councilperson Johnson made the motion to approve the following condition:

4. Field lighting to be turned off no later than 10 P.M. with the exception of athletic events extended due to overtime play or injury delays, and all outside lighting to be positioned so that it minimizes glare to adjacent properties.

The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

-Consideration of condition 5. Subject to the number of outside night events being limited to 12 per year.

MOTION:

Councilperson Johnson made the motion to condition 5. Subject to the number of outside night events be limited to 12 per year and a Special Events Application be required for evening events such a concerts and so forth. Councilperson Hall seconded the motion.

Councilperson Johnson withdrew his motion with approval from his second, Councilperson Hall.

MOTION:

Councilperson Lanting made the motion to eliminate condition 5. The motion was seconded by Councilperson Hall. Roll call vote showed Mayor Clow, Councilperson Hall, Vice Mayor Johnson and Councilperson Lanting voted in favor of the motion. Councilperson Craig, Heider, and Kezele voted against the motion. The motion passed with a vote of 4 to 3.

MOTION:

Councilperson Kezele made the motion to add to condition 5. "limited to use of the field for school sponsored events in the evenings related to the PA and lights unless a Special Events Application is issued. The motion was seconded by Councilperson Heider. Roll Call vote showed Councilpersons Craig, Heider, and Kezele voted in favor of the motion. Mayor Clow, Councilperson Hall, Vice Mayor Johnson, Councilperson Lanting ~~Councilperson Kezele~~ voted against the motion. The motion failed with a vote of 3 to 4.

MAIN MOTION AS AMENDED:

Councilperson Lanting made the motion to approve the main motion as amended with the following conditions:

1. Subject to site plan amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable City code requirements and standards.
2. During outside events, noise level of the public address system is not to exceed 78 decibels at any point outside property lines.
3. Use of the public address system shall not commence earlier than 10 A.M. or continue later than 10 P.M. on any day of the week with the exception of athletic events extended due to overtime play or injury delays.
4. Field lighting to be turned off no later than 10 P.M. with the exception of athletic events extended due to overtime play or injury delays, and all outside lighting to be positioned so that it minimizes glare to adjacent properties.

The motion was seconded by Councilperson Johnson and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

V. ADJOURNMENT: The meeting adjourned at 9:25 P.M.

Leila Sanchez
Deputy City Clerk

COUNCIL MEMBERS:

LANCE	TRIP	DON	LEE	DAVID E.	WILLIAM A.	GREG
CLOW	CRAIG	HALL	HEIDER	JOHNSON	KEZELE	LANTING

Mayor *Vice Mayor*



AMENDED MINUTES
Meeting of the Twin Falls City Council
July 14, 2008
City Council Chambers
305 3rd Avenue East Twin Falls, Idaho

2:00 P.M.

The purpose of the meeting is to discuss the Preliminary Budget for Fiscal Year 2008-2009.

COUNCIL MEMBERS PRESENT: Lance Clow, Don Hall, Lee Heider

Trip Craig joined the meeting at 3:00 P.M.

Dave Johnson joined the meeting at 5:00 P.M.

COUNCIL MEMBERS ABSENT: William Kezele and Greg Lanting

STAFF PRESENT: City Manager Tom Courtney, City Attorney Fritz Wonderlich, Community Development Director Mitch Humble, Assistant City Manager Travis Rothweiler, City Engineer Jackie Fields, Deputy City Clerk Leila A. Sanchez.

Mayor Clow 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 Clow introduced City staff.

AGENDA ITEMS

I. CONSENT CALENDAR:

1. Consideration of accounts payable for July 8 - 14, 2008, total: \$373,876.49.
2. Consideration of the July 7, 2008, Minutes.
3. Consideration of a Sidewalk Improvement Deferral Agreement and a Multi-Year Improvement Deferral Agreement for Bergen Adams Properties, LLC, 417 Shoup Avenue West.
4. Consideration of the following Findings of Fact, Conclusions of Law, and Decision:
 - a. Annexation Application for College of Southern Idaho c/o Mike Mason
 - b. Annexation Application for Steve and Kathy Sayer
 - c. Final Plat Application for Farnham Subdivision No. 2, c/o EHM Engineering
 - d. Conveyance Plat Application for Garnand Subdivision, c/o Gary Garnand
 - e. PUD Modification Application for Lighthouse Christian Fellowship

MOTION:

Councilperson Johnson made the motion to approve the Consent Calendar with the exception of *1.2. Consideration of the July 7, 2008, Minutes*. The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. The motion passed.

Mayor Clow moved Item for Consideration II. 3. to II. 1.

II. ITEMS FOR CONSIDERATION:

1. Consideration of the estimate for placing the utilities underground in conjunction with the Blue Lakes Blvd. reconstruction between Falls Avenue and Pole Line Road.

City Engineer Fields gave an update to the City Council on the relocation of power poles onto Locust Street.

Dan Olmstead, Idaho Power, stated that there are no programs at this time offered for LED lighting.

Discussion followed:

- Cost of placing poles underground.
- Relocating poles onto Locust Street.

Mayor Clow directed staff to notify the ITD that we are not intending to proceed with underground utilities as part of the Blue Lakes Project and suggested the Beautification Committee consider other ways to enhance the entrances to the City.

Consensus of the Council that we are not prepared to make the investment to place the utilities underground. The benefits would not justify the \$2,600,000 price tag.

Mayor Clow stated that the general consensus of Council to move of power poles on Locust is not favorable.

2. Consideration of the adoption of the following ordinance:
 - a. Request for the vacation of the public utilities, irrigation and drainage easement along the northern boundary of Lots 1 through 4, Block 3, of the Ripley Subdivision located at 2311-2387 Eldridge Avenue, c/o Rydan Investments, LLC. (app. 2229) Proposed Ordinance No. 2945.

Community Development Director Humble reviewed the request.

On June 30, 2008 the City Council unanimously approved the vacation of the public utilities, irrigation, and drainage easement along the northern boundary of Lots 1 through 4 Block 3 of the Ripley Subdivision, located at 2311-2387 Eldridge Avenue, as presented, and with the following conditions:

1. Subject to site plan amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable City code requirements and standards.
2. Subject to the remnant parcel and Lots 1, 2, 3, and 4 of Block 3, Ripley Subdivision being combined into one lot to include dedication of rights-of-way on Eldridge and dedication of easements as required at the time of development or platting of property.

MOTION:

Councilperson Johnson made the motion to suspend the rules and place Ordinance #2945 entitled:

AN ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, VACATING THE REAL PROPERTY DESCRIBED BELOW AND PROVIDING FOR VESTING OF TITLE TO THE PROPERTY SO VACATED.

on third and final reading by title only. The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 5 to 0.

Deputy City Clerk Sanchez read the ordinance.

MOTION:

Councilperson Johnson made the motion to adopt Ordinance #2945 as presented. The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 5 to 0.

2. Consideration of a request for a 1-year extension of the approval of the final plat of North Haven PUD Subdivision Phase 2, consisting of 9 lots on 29.1 ± acres located at the southeast corner of Pole Line Road West and Park View Drive.

Community Development Director Humble reviewed the request.

On September 24, 2007, the City Council approved the final plat of the North Haven PUD Subdivision, Phase 2, as presented, subject to conditions. Being aware the plat would not be recorded by the one year deadline, the developer/owner has requested a 1-year extension.

Staff recommends approval of a one-year extension of the filing requirement on the final plat for North Haven PUD Subdivision Phase 2, with the following original conditions of approval:

1. Subject to final technical review by the Engineering Department.
2. Subject to the City Engineer's approval of phased construction plans.
3. Subject to the following 4 of the original 10 plat conditions that apply to Phase 2, amended as below to accommodate the phased development of the subdivision:
 1. Dedication of eighty feet (80') of right-of-way for Cheney Drive adjacent to North Haven Subdivision Phase 2. The south half of this right-of-way dedication will be accomplished upon recordation of the plat for the Riverhawk Subdivision-PUD. – recorded 01-14-2008
 2. Dedication of two pieces of 15' x 200' right-of-way for right turn lanes on the north side of Cheney Drive at Sparks Street (Parkview Drive) and the driveway entrance for westbound right turn lanes.
 3. Provide financial assurance acceptable to the City of Twin Falls for construction of full pavement width of right-of-way on Cheney Drive adjacent to North Haven Subdivision Phase 2, including right turn lanes, curb, gutter, sidewalk, and landscaped medians and drainage facilities. Construction of the sidewalk on the south side of Cheney Drive is not required.
 4. Provide financial assurance acceptable to the City of Twin Falls for construction of all other public facilities shown on the City approved construction plans for North Haven Subdivision Phase 2.

MOTION:

Councilperson Johnson made the motion to approve the 1-year extension of the approval of the final plat of North Haven PUD Subdivision Phase 2, consisting of 9 lots on 29.1 ± acres located at the southeast corner of Pole Line Road West and Park View Drive to September 24, 2009, as presented with the following conditions:

1. Subject to final technical review by the Engineering Department.
2. Subject to the City Engineer's approval of phased construction plans.
3. Subject to the following 4 of the original 10 plat conditions that apply to Phase 2, amended as below to accommodate the phased development of the subdivision:
 1. Dedication of eighty feet (80') of right-of-way for Cheney Drive adjacent to North Haven Subdivision Phase 2. The south half of this right-of-way dedication will be accomplished upon recordation of the plat for the Riverhawk Subdivision-PUD. – recorded 01-14-2008
 2. Dedication of two pieces of 15' x 200' right-of-way for right turn lanes on the north side of Cheney Drive at Sparks Street (Parkview Drive) and the driveway entrance for westbound right turn lanes.
 3. Provide financial assurance acceptable to the City of Twin Falls for construction of full pavement width of right-of-way on Cheney Drive adjacent to North Haven Subdivision Phase 2, including right turn lanes, curb, gutter, sidewalk, and landscaped medians and drainage facilities. Construction of the sidewalk on the south side of Cheney Drive is not required.
 4. Provide financial assurance acceptable to the City of Twin Falls for construction of all other public facilities shown on the City approved construction plans for North Haven Subdivision Phase 2

The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 5 to 0.

Community Development Director Humble gave an update on the Wal-mart project. He stated that the building permit has been submitted and they are now proceeding with construction plans.

Todd Blass, 2007 Pole Line Road East, member of the LLC, gave an update on the North Haven Phase 2 project.

4. Public input and/or items from the City Manager and City Council. None.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

Councilperson Craig stated that the following meetings are scheduled:

AMENDED MINUTES

July 14, 2008

Page 4 of 5

Chamber of Commerce Board Meeting on July 15, 2008, at 1:15 p.m.
Beautification Committee Meeting on July 16, 2008, at 10:00 a.m.

Councilperson Heider gave an update on the upcoming Air Show to be held on July 26 and 27 at the Twin Falls Airport.

Mayor Clow received a letter from the IRS that stated that 897 stimulus package returns have not been filed.

Recess at 5:30 p.m.

Meeting reconvened at 6:00 P.M.

Mayor Clow reviewed the public hearing procedures.

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

Request for a PUD Modification of the Northbridge PUD for a Zoning District Change and Zoning Map Amendment for 1.5 acres ± located at the northeast corner of Washington Street North and Pole Line Road from R-4 PRO to C-1 to allow for commercial development, c/o Hawkins Companies. (app.2221)

Brandon Whallon, 855 Broad Street, Suite 300, Boise, ID, representing Hawkins Companies, explained the request.

Community Development Director Humble reviewed the request.

On May 28, 2008, the Planning & Zoning Commission unanimously recommended approval of the PUD Amendment as presented and with the following conditions:

1. Subject to site plan amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to omitting any reference to the R-4 PRO portion of the development within the Northbridge PUD Agreement.

Staff recommends approval of the request.

Discussion followed:

-Letter from Mrs. Marilyn Day with concerns regarding the access point on Washington Street North being directly across from her driveway.

Community Development Director Humble stated that this would have to be addressed at the time of development.

Brandon Whallon explained the proposed access.

Public comment portion was opened and closed with no input.

Deliberations: None.

-Mrs. Day's access to her property.

Community Development Director Humble stated that the street will line up with the project's driveway. Her personal driveway will not align with any on the east side of Washington.

-Widening of Washington Street.

Community Development Director Humble stated that widening will be necessary to a certain extent.

Brandon Whallon stated that ITD improvements defined the curb cut. One condition of the Northbridge PUD is to enhance landscaping on Washington Street. He believes this would help mitigate Mrs. Day's concerns.

Closed the public hearing.

AMENDED MINUTES

July 14, 2008

Page 5 of 5

MOTION:

Councilperson Johnson made the motion to approve the PUD Modification of the Northbridge PUD for a Zoning District Change and Zoning Map Amendment for 1.5 acres ± located at the northeast corner of Washington Street North and Pole Line Road from R-4 PRO to C-1 to allow for commercial development, c/o Hawkins Companies. (app.2221) with the following conditions:

1. Subject to site plan amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to omitting any reference to the R-4 PRO portion of the development within the Northbridge PUD Agreement.

The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 5 to 0.

V. **ADJOURNMENT:** 6:19 P.M.

Leila A. Sanchez
Deputy City Clerk

COUNCIL MEMBERS:

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



MINUTES
 Meeting of the Twin Falls City Council
 July 21, 2008
 City Council Chambers
 305 3rd Avenue East Twin Falls, Idaho

PLEDGE OF ALLEGIANCE TO THE FLAG
 CONFIRMATION OF QUORUM
 INTRODUCTION OF STAFF

CALL MEETING TO ORDER: 5:00 P.M.

AGENDA ITEMS		Purpose	By:
I.	CONSENT CALENDAR: 1. Consideration of accounts payable for July 15 – 21, 2008. 2. Consideration of the July 7 and 14, 2008, Minutes. 3. Consideration of an Aviation Easement for Ritchie Lowe.	Action	Staff Report
II.	ITEMS FOR CONSIDERATION: 1. Presentation to recognize the service of Dexter Ball and David Woodhead for having served on the Twin Falls Urban Renewal Agency. 2. Consideration from Silvia Renova-Gaxiola and the Hispanic Heritage Fiesta Committee to approve the Annual Hispanic Heritage Fiesta to be held at the Twin Falls City Park on August 9 and 10, 2008. 3. Consideration of a request to pay fees in lieu of park land dedication for the Shoshone Heights subdivision. 4. Consideration to partner with the Urban Renewal Agency for approval of a professional services contract with Leland Consulting Group for the Twin Falls downtown redevelopment and implementation proposal. 5. Consideration for Wanda L. Nelson for waiver of the non-conforming building expansion permit process to allow the expansion of a non-conforming residence at 1962 Poplar Avenue 6. Consideration of the Final Plat of Golden Eagle Subdivision No. 3, Phase 1, consisting of 22 (±) acres and 80 residential lots on property located at the southwest corner of Pheasant Road and Harrison Street South, c/o V, S & N Developers, LLC. 7. Public input and/or items from the City Manager and City Council. 8. Executive Session to conduct deliberations concerning labor negotiations or to acquire an interest in real property which is not owned by a public agency. 67-2345. 9. Further discussion on the preliminary budget for Fiscal Year 2008-2009.	Presentation Action Action Action Action Action	Melinda Anderson Dan McAtee Dennis Bowyer Melinda Anderson Mitch Humble Mitch Humble
III.	ADVISORY BOARD REPORTS/ANNOUNCEMENTS:		
IV.	PUBLIC HEARINGS: 6:00 P.M. - None		
V.	ADJOURNMENT:		

**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.*

COUNCIL MEMBERS PRESENT: Lance Clow, Trip Craig, Don Hall, Lee Heider, David E. Johnson, Greg Lanting.

William Kezele joined in via telephone conference at 5:15 p.m.

COUNCIL MEMBERS ABSENT: None.

STAFF PRESENT: City Manager Tom Courtney, City Attorney Fritz Wonderlich, Community Development Director Mitch Humble, Economic Development Director Melinda Anderson, Finance Manager Gary Evans, Assistant Finance Director Lorie Race, Assistant City Manager Travis Rothweiler, Deputy City Clerk Leila A. Sanchez.

Mayor Clow 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 Clow introduced City staff.

AGENDA ITEMS

I. CONSENT CALENDAR:

1. Consideration of accounts payable for July 15 – 21, 2008, total: \$506,702.48.
2. Consideration of the July 7 and 14, 2008, Minutes.
3. Consideration of an Aviation Easement for Ritchie Lowe.

MOTION:

Councilperson Heider made the motion to approve the Consent Calendar as presented. The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

Councilperson Kezele joined the meeting at this time via telephone conference.

II. ITEMS FOR CONSIDERATION:

1. Presentation to recognize the service of Dexter Ball and David Woodhead for having served on the Twin Falls Urban Renewal Agency.

Economic Development Director Anderson presented Dexter Ball and David Woodhead plaques to recognize having served on the Twin Falls Urban Renewal Agency.

2. Consideration from Silvia Renova-Gaxiola and the Hispanic Heritage Fiesta Committee to approve the Annual Hispanic Heritage Fiesta to be held at the Twin Falls City Park on August 9 and 10, 2008.

Staff Sergeant McAtee reviewed the request.

Staff recommends that the City Council approve the Special Events Application for the Annual Hispanic Heritage Fiesta to be held on August 9 and 10, 2008, based on the information provided and with the stipulated Beer Garden service and Band Shell entertainment as follows:

Beer Garden Hours -All alcoholic beverages will be served at an established Beer Garden where wristbands will be required and IDs will be checked prior to issuing.

-Saturday, August 9, 2008, from 2:00 p.m. to 9:15 p.m.

-Sunday, August 10, 2008, from 2:00 p.m. to 8:00 p.m.

Band Shell Hours - -Live music will be performed in the Band Shell by a variety of bands and groups.

-Saturday, August 9, 2008 from 10:00 a.m. until 9:45 p.m.

-Sunday, August 10, 2008 from 12:15 p.m. until 8:00 p.m.

Silvia Renova-Gaxiola explained the request. She requested that the Beer Garden hours be extended as follows:
-Saturday, August 9, 2008, from 1:00 p.m. to 9:15 p.m.
-Sunday, August 10, 2008, from 1:00 pm. to 8:00 p.m.

She also requested the Band Shell hours be extended on Saturday, August 9, 2008, from 10:00 a.m. to 10:00 p.m.

Discussion followed:

- Western Days Beer Garden
- Security Cost.
- Rupert Police Department.
- Band shell hours.

Sylvia Renova-Gaxiola stated that the extra cost for security would be paid for by the Committee.

Staff Sergeant McAtee stated that contact would be made with the Rupert Police Department to hire 2 security persons to attend the event.

Parks & Recreation Director Bowyer reviewed the band shell regulations and hours.

MOTION:

Councilperson Hall made the motion to approve the Annual Hispanic Heritage Fiesta to be held at the Twin Falls City Park on August 9, and 10, 2008, as presented with the following Beer Garden hours:

- Saturday, August 9, 2008, from 1:00 p.m. to 9:15 p.m.
- Sunday, August 10, 2008, from 1:00 p.m. to 8:00 p.m.

The motion was seconded by Councilperson Craig and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

3. Consideration of a request to pay fees in lieu of park land dedication for the Shoshone Heights Subdivision.

Parks & Recreation Director Bowyer reviewed the request.

On July 8, 2008, the Parks & Recreation Commission voted unanimously to recommend that the Council accept the payment of fees in lieu of park land dedication.

Staff concurs with the Commission's recommendation.

Discussion followed:

- Parking area at the Evel Knievel jump site.

Community Development Director Humble stated that the City has a land trade agreement with the owner of this property to acquire the jump site property in exchange for City property adjacent to the proposed development. This land trade gives the City the Evel Knievel jump site, land for parking, access road to these sites, and continuation of the canyon rim trail a little further west. The City would give land adjacent to the Centennial Trail along the canyon rim. **Approval of the in-lieu request will not jeopardize the fulfillment of the land exchange.**

MOTION:

Councilperson Lanting made the motion to approve the fees in lieu of park land dedication for the Shoshone Heights Subdivision as presented. The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. The motion passed.

4. Consideration to partner with the Urban Renewal Agency for approval of a professional services contract with Leland Consulting Group for the Twin Falls downtown redevelopment and implementation proposal.

MINUTES

July 21, 2008

Page 4 of 5

Leland Consulting Group asked that the request be tabled and be heard at a future date.

MOTION:

Councilperson Craig made the motion to table the request. The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the request. The motion passed with a vote of 7 to 0.

5. Consideration for Wanda L. Nelson for waiver of the non-conforming building expansion permit process to allow the expansion of a non-conforming residence at 1962 Poplar Avenue

Community Development Director Humble reviewed the request.

Chase Quesnell, 160 Juniper Street North, explained the request.

MOTION:

Councilperson Craig made the motion to approve the waiver of the non-conforming building expansion permit process to allow the expansion of a non-conforming residence at 1962 Polar Avenue to Wanda L. Nelson as presented with the following conditions:

1. Subject to site plan amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable City Code requirements and standards.

The motion was seconded by Councilperson Johnson and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

6. Consideration of the Final Plat of Golden Eagle Subdivision No. 3, Phase 1, consisting of 22 (±) acres and 80 residential lots on property located at the southwest corner of Pheasant Road and Harrison Street South, c/o V, S & N Developers, and LLC.

Community Development Director Humble reviewed the request.

On October 10, 2006, the Planning & Zoning Commission unanimously approved the preliminary plat as presented subject to the following conditions:

1. Perimeter streets are brought up to current City standards upon development.
2. Subject to final technical review by the City Engineering Department and Zoning Officials to ensure compliance with all applicable City code requirements and standards.

MOTION:

Councilperson Lanting made the motion to approve the Final Plat of the Golden Eagle Subdivision No. 3, Phase 1, consisting of 22 (±) acres and 80 residential lots on property located at the southwest corner of Pheasant Road and Harrison Street South, c/o V, S & N Developers, LLC. as presented with the following conditions:

1. Perimeter streets are brought up to current City standards upon development.
2. Subject to final technical review by the City Engineering Department and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.

The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

7. Public input and/or items from the City Manager and City Council. None.
8. Executive Session to conduct deliberations concerning labor negotiations or to acquire an interest in real property which is not owned by a public agency. 67-2345.

MOTION:

Councilperson Johnson made the motion to adjourn to Executive Session to conduct deliberations concerning labor negotiations or to acquire an interest in real property which is not owned by a public agency. 67-2345 (c). The motion was seconded by Councilperson Craig and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

No action taken.

6:00 p.m. Councilperson Kezele was unable to connect via telephone conference and participate in the Executive Session at this time.

6:52 p.m. The meeting reconvened at this time and Councilperson Kezele joined the meeting via telephone conference.

9. Further discussion on the preliminary budget for Fiscal Year 2008-2009.

City Manager Courtney, Finance Director Evans, and Assistant Finance Director Race continued discussion with the Council on the preliminary budget for Fiscal Year 2008-2009.

A meeting will be held at the July 28, 2008, Council Meeting.

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

Mayor Clow stated that The Digital TV Transmission has asked support for the FCC-MAYORS' DIGITAL TELEVISION INITIATIVE. Mayor Clow will send out a letter stating the City of Twin Falls will join with the FCC in efforts to inform the public about DTV transition.

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

V. **ADJOURNMENT:** The meeting adjourned at 8:31 p.m.

Leila A. Sanchez
Deputy City Clerk

COUNCIL MEMBERS:

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



MINUTES
Meeting of the Twin Falls City Council
July 28, 2008
City Council Chambers
305 3rd Avenue East Twin Falls, Idaho

PLEDGE OF ALLEGIANCE TO THE FLAG
CONFIRMATION OF QUORUM
INTRODUCTION OF STAFF

CALL MEETING TO ORDER: 5:00 P.M.

AGENDA ITEMS	Purpose	By:
I. <u>CONSENT CALENDAR:</u> 1. Consideration of accounts payable for July 22 – 28, 2008. 2. Consideration of the July 21, 2008, Minutes. 3. Consideration of a Public Right of Way Construction Permit for Bergen Adams Properties, LLC. 4. Consideration of a Developer's Agreement, Engineer's Estimate, Assurance of Guarantee for North Haven Phase I/Wal Mart located at Washington and Cheney.	Action	Staff Report
II. <u>ITEMS FOR CONSIDERATION:</u> 1. Presentation of POST Certificates to the following officers: Officer Dusty Solomon, Officer Ben Mittelstadt, and Detective Ken Rivers. 2. Consideration of a Special Events Application for the 2008 Hot August Nite at Twin Falls City Park on August 14, 2008. 3. Consideration of a Cooperative Agreement for Project No NH-23901 (149) Falls Avenue to Pole Line Road and adoption of proposed Resolution 1799. 4. Consideration of bids for the 2008 Seal Coat Project. 5. Consideration of bids for the 2008 Digester Lining Project. 6. Consideration of a landscaping proposal of the southwest corner at Falls Avenue and Fillmore Street from Conservation, Seeding, and Restoration (CSR). 7. Further discussion on the preliminary budget for Fiscal Year 2008-2009. 8. Public input and/or items from the City Manager and City Council.	Action Action Action Action Action Action	Jim Munn/ Bryan Krear Dan McAtee Chuck Collins/ Steve Tonks Lee Glaesemann Jon Caton Dennis Bowyer
III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u>		
IV. <u>PUBLIC HEARINGS:</u> 6:00 P.M. - 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.*

COUNCIL MEMBERS PRESENT: Lance Clow, Trip Craig, Don Hall, Lee Heider, David E. Johnson, William Kezele, Greg Lanting.

COUNCIL MEMBERS ABSENT: None.

STAFF PRESENT: City Manager Tom Courtney, Community Development Director Mitch Humble, Chief Jim Munn, Captain Bryan Krear, Staff Sergeant Dan McAtee, Assistant City Engineer Chuck Collins, Project Coordinator Lee Glaesemann, Public Works Manager Jon Caton, Parks & Recreation Director Dennis Bowyer, Deputy City Clerk Leila A. Sanchez.

Mayor Clow 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 Clow introduced City staff.

AGENDA ITEMS

I. CONSENT CALENDAR:

1. Consideration of accounts payable for July 22 – 28, 2008, total: \$544,311.45.
2. Consideration of the July 21, 2008, Minutes.
3. Consideration of a Public Right of Way Construction Permit for Bergen Adams Properties, LLC.
4. Consideration of a Developer's Agreement, Engineer's Estimate, Assurance of Guarantee for North Haven Phase I/Wal Mart located at Washington and Cheney.

MOTION:

Councilperson Hall 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. The motion passed with a vote of 7 to 0.

II. ITEMS FOR CONSIDERATION:

1. Presentation of POST Certificates to the following officers: Officer Dusty Solomon, Officer Ben Mittelstadt, and Detective Ken Rivers.

Presentation of POST Certificates by Captain Krear, Chief Munn, Mayor Clow, and Councilperson Hall to Officer Dusty Solomon, Officer Ben Mittelstadt, and Detective Ken Rivers.

2. Consideration of a Special Events Application for the 2008 Hot August Nite at Twin Falls City Park on August 14, 2008.

Staff Sergeant McAtee reviewed the request.

Staff recommends that the City Council approve the Special Events Application submitted for the 2008 Hot August Nite on Thursday, August 14, 2008, based on the information provided by the applicant.

Shawn Barigar, President of the Twin Falls Area Chamber of Commerce, explained the request.

MOTION:

Councilperson Craig made the motion to approve the Special Events Application for the 2008 Hot August Nite at Twin Falls City Park on August 14, 2008, as presented. The motion was seconded by Councilperson Kezele and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

3. Consideration of a Cooperative Agreement for Project No. NH-23901 (149) Falls Avenue to Pole Line Road and adoption of proposed Resolution 1799.

MINUTES

July 28, 2008

Page 3 of 5

Assistant City Engineer Collins reviewed the request. The purpose of the agreement is to set the terms and conditions for relocating the City's water lines during construction of Blue Lakes (from Falls Avenue to Poleline Road), as well as updating traffic signals and relocation of a timber light pole.

Staff recommends that the City Council approve the Cooperative Agreement and adoption of Resolution 1799, as presented.

Steve Tonks, Project Manager, Idaho Transportation Department, explained the request.

MOTION:

Councilperson Johnson made the motion to approve the Cooperative Agreement for Project No. NH-23901 (149) Falls Avenue to Poleline Road, Twin Falls, Twin Falls County, Key No. 06961, and adoption of Resolution 1799, as presented.

Discussion followed:

-City cost for the project (excluding City force work) is approximately \$40,000.

The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

4. Consideration of bids for the 2008 Seal Coat Project.

Project Coordinator Glaesemann reviewed the request.

On July 18, 2008, bids were opened for the 2008 Seal Coat Project. The low bidder was Emery Inc., of Filer, Idaho, in the amount of \$214,295.12.

Staff recommends that the City Council award the bid for the Seal Coat Project to Emery Inc.

Discussion followed:

-Emery's bid came in under the Engineer's Estimate.

-Seal Coating should begin between 3 to 4 weeks.

MOTION:

Councilperson Johnson made the motion to award the Seal Coat Project to Emery, Inc., in the amount of \$214,295.12, as presented. The motion was seconded by Councilperson Lanting.

Discussion followed:

-Councilperson Craig asked which streets would be added to the original list if additional seal coating is done up to the budgeted amount of \$418,000.

-Budget.

City Manager Courtney stated that the 2007-2008 City budget includes \$418,000 in the Street Department's budget for seal coating. The money that is not used in the 2007-2008 would be carried over to the 2008-2009 Streets Department budget.

Project Coordinator Glaesemann stated that seal coats are now on an eight year cycle.

-Priority list of streets.

-Increase cost of street work.

-Request for backlog of streets and miles of road from City Staff

Councilperson Johnson modified his motion to approve the contract with Emery Inc, in the amount of \$214,295.12, and that the Engineering Department provides additional information regarding seal coating and which streets need seal coating. Councilperson Johnson's second, Councilperson Lanting gave his approval on the modification.

MOTION:

Councilperson Lanting amended the main motion to authorize the Engineering Department to perform additional seal coat up to the budgeted \$418,000. The motion was seconded by Councilperson Hall. Roll call vote showed Mayor Clow, Councilperson Hall, Vice Mayor Johnson, Councilpersons Kezele and Lanting voted in favor of the amended motion. Councilpersons Craig and Heider voted against the motion. The motion passed with a vote of 5 to 2.

Discussion followed:
-Status of City streets.

Project Coordinator Glaesemann recommended approval to spend excess amount on the seal coat project.

City Manager Courtney explained the seal coat project is a maintenance activity.

Roll call vote showed Mayor Clow, Councilperson Hall, Vice Mayor Johnson, Councilpersons Kezele and Lanting voted in favor of the amended motion. Councilpersons Craig and Heider voted against the motion. The motion passed with a vote of 5 to 2.

5. Consideration of bids for the 2008 Digester Lining Project.

Public Works Manager Caton reviewed the request.

On July 17, 2008, bids were opened for the 2008 Digester Lining Project. The low bidder was Matheson Painting Inc., of Pasco, WA, in the amount of \$123,648.08.

Assistant Finance Director Race stated that the City has funds in the current year's Wastewater Treatment and Wastewater Collection budget that will not be completed this year.

Staff recommends that the 2008 Digester Lining Project be awarded to Matheson Painting Inc., in the amount of \$123,648.08.

Discussion followed:
-Cost difference in bids.

Project Works Manager Caton stated Matheson Paintings Inc., visited the site and confirmed that the bid given was accurate.

-Sherwin Williams warranty.
-Deferred projects in the current year.
-Repair of the secondary digester.

MOTION:

Councilperson Johnson made the motion to award the 2008 Digester Lining Project to Matheson Painting Inc., in the amount of \$123,648.08, as presented. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

6. Consideration of a landscaping proposal of the southwest corner at Falls Avenue and Fillmore Street from Conservation, Seeding, and Restoration (CSR).

Parks & Recreation Director Bowyer reviewed the request. When the City implemented the water conservation program, staff felt like this property would be a good place to use as a sample area for drought tolerant plantings with information for the community to see a well landscaped yard while conserving water. The City has met with CSR on this project and other similar new landscaping projects the City will be installing soon. CSR has prepared a landscape plan showing a drought tolerant/native landscaping demonstration area on the property.

Should the City Council direct staff to proceed with this project, staff will request bids for the work. Selection of a contractor based on the bids received will be scheduled at a future City Council meeting.

Steve Paulsen gave a PowerPoint presentation of a landscape plan for the Falls and Fillmore property and reviewed a cost estimate of the proposed project. The estimates do not include the installation of curb and gutter along the west side of Fillmore. The cost estimates are in the range that will require an open bidding process to select an installation contractor. Mr. Paulsen stated that CSR is a licensed public works contractor and plans to submit a bid for the work should the Council direct staff to proceed with the project.

Discussion followed:
-Parking area paved or gravel paths.

MINUTES

July 28, 2008

Page 5 of 5

- Signage and website.
- Budget.

City Manager Courtney stated that staff proposed to use Water Supply's Conservation project funding to pay for the project.

- Plans for the fire station located on Falls.

MOTION:

Councilperson Johnson made the motion to direct staff to begin working on the bid process to implement the landscape project, using the Water Supply's Conservation project funding to pay for the project. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

7. Further discussion on the preliminary budget for Fiscal Year 2008-2009.

Discussion on the preliminary budget for Fiscal Year 2008-2009.

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

Airport Manager Carberry reported on the Blue Angels Air Show.

III. **ADVISORY BOARD REPORTS/ANNOUNCEMENTS: None.**

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

V. **ADJOURNMENT:** 7:45 p.m.

Leila Sanchez
Deputy City Clerk

COUNCIL MEMBERS:

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



MINUTES
Meeting of the Twin Falls City Council
August 4, 2008
City Council Chambers
305 3rd Avenue East Twin Falls, Idaho

PLEDGE OF ALLEGIANCE TO THE FLAG
CONFIRMATION OF QUORUM
INTRODUCTION OF STAFF

CALL MEETING TO ORDER: 5:00 P.M.

AGENDA ITEMS		Purpose	By:
<u>CONSENT CALENDAR:</u> 1. Consideration of accounts payable for July 29 – August 4, 2008. 2. Consideration of the July 28, 2008, Minutes. 3. Consideration to accept a sewer, water, irrigation and utility easement to Poleline Road.		Action	Staff Report
II. <u>ITEMS FOR CONSIDERATION:</u> 1. Consideration to complete the necessary utility improvements required for temporary facility for the Water Department. 2. Consideration to hold the Annual Muscular Dystrophy Fill the Boot on August 15, 2008, from 10 a.m. to 6:00 p.m. at the intersection of Addison Avenue East and Locust Street. 3. Consideration of a second extension of the final plat of Canyon Trails PUD Subdivision #6, #7, #8 & #9, 47 (±) acres to develop 153 residential lots located south of Federation Road and west of Park View Drive (formerly Wendell Street North). 4. Consideration of the final plat for Calistoga Springs Subdivision, Phase 1, 17 (±) acres with 66 residential lots located at the southeast corner of Orchard Drive and Harrison Street South, c/o EHM Engineers, on behalf of New Providence Group, LLC. 5. Council review and direction for the Municipal Powers Outsource Grants process for fiscal year 2008-2009. 6. Adopt preliminary budget and set August 18, 2008, at 6 p.m. as the date and time for the budget hearing. 7. Public input and/or items from the City Manager and City Council.		Action Action Action Action Action Action	Gretchen Scott Randy Lammers Mitch Humble Mitch Humble Lorie Race Lorie Race
III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u>			
IV. <u>PUBLIC HEARINGS:</u> 6:00 P.M. 1. Request for a Zoning Title Amendment which would amend Twin Falls City Code 10-10-3(A) by increasing the required number of parking spaces for tri-plex, four-plex, and/or multifamily residential dwellings c/o City of Twin Falls. (app.2246) 2. Request for a Zoning District Change and Zoning Map Amendment from R-4 to R-4 PRO for property located at 875 Monroe Street c/o M & D Property, Inc. (app. 2238)		Action Action	Mitch Humble Mitch Humble
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.*

COUNCIL MEMBERS PRESENT: Lance Clow, Trip Craig, Don Hall, David E. Johnson, William Kezele,

COUNCIL MEMBERS ABSENT: Lee Heider, Greg Lanting

STAFF PRESENT: Acting City Manager Gary Evans, City Attorney Fritz Wonderlich, Community Development Director Mitch Humble, Finance Assistant Lorie Race, Management Assistant Gretchen Scott, Captain Randy L. Lammers, Assistant City Manager Travis Rothweiler, Deputy City Clerk Leila A. Sanchez.

Mayor Clow 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 Clow introduced City staff.

AGENDA ITEMS

I. CONSENT CALENDAR:

1. Consideration of accounts payable for July 29 – August 4, 2008, total \$174,873.33.
2. Consideration of the July 28, 2008, Minutes.
3. Consideration to accept a sewer, water, irrigation and utility easement to Poleline Road.

MOTION:

Councilperson Hall 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. The motion passed with a vote of 5 to 0.

II. ITEMS FOR CONSIDERATION:

1. Consideration to complete the necessary utility improvements required for temporary facility for the Water Department.

Management Assistant Scott reviewed the request.

In April 2008, the Water Department staff suspected a mold problem existed within the offices where the department administration is housed. They hired a residential inspector to perform tests and identify a black substance found around baseboards of the office. During the inspection a significant quantity of mold was found within the Water Department building. A second commercial inspector has confirmed the existence of mold and has made some recommendations for remediation.

In consideration of the working environment the Water Department administration staff was moved to City Hall in May until such time as the mold in the building could be addressed. Discussions over the past three months have led staff to the conclusion that putting significant money back into the existing building for clean up and rebuilding the offices would be a poor use of resources and inconsistent with the future plans for the department..

City Hall is currently under remodel and additional staff has been placed in vacant offices and there is no longer room for the Water Department administration. Staff is recommending that the Water Department administration be housed in a portable building similar to the unit used by the Street Department.

The building would be located out at the 420 Victory Avenue location. This location would be able to house associated vehicles and equipment, complies with zoning restrictions, and has access to necessary utilities. The costs of providing utilities to this facility are estimated to be \$9,780. The set up fees associated with the installation of the building are \$3,669. The lease amount for the building is \$696 per month or \$8,352 per year.

The building at 207 6th Avenue West will have to be cleaned and the mold removed. Staff has discussed tearing out the contaminated office, cleaning up the mold and leaving the remaining space for additional indoor parking.

Staff recommends the approval of the utility improvements and lease for a portable building.

Discussion followed:
-Other options.

Management Assistant Scott stated that the Police Department is planning to move to City Hall lower level. An option would be to move the Water Department administration to City Hall lower level. She also stated that Economic Development Director Melinda Anderson stated that there is no available warehouse space.

Councilperson Kezele asked if staff has looked into renting a facility downtown town.

Management Assistant Scott stated that staff has not looked into this option.

-Street Department temporary building.

Acting City Manager Evans stated that the City purchased the building.

-Budget.
-Timeline.
-Buying the building.

MOTION:

Councilperson Johnson made the motion to complete the necessary utility improvements required for a temporary facility for the Water Department as presented. The motion was seconded by Councilperson Hall.

Discussion followed:
-Alternatives to rent in the community.
-Long range plan.
-Lease versus buying a trailer.

Management Assistant Scott stated that the temporary facility is not expected to be long term. A public works park is still under discussion.

Roll call vote showed Mayor Clow, Councilpersons Craig, Hall, and Vice Mayor Johnson voted in favor of the motion. Councilperson Kezele voted against the motion. The motion passed with a vote of 4 to 1.

Discussion followed:
-Councilperson Kezele stated that he would approve the request if other alternatives have been investigated.

Council directed staff to investigate additional options prior to leasing a temporary facility.

2. Consideration to hold the Annual Muscular Dystrophy Fill the Boot on August 15, 2008, from 10 a.m. to 6:00 p.m. at the intersection of Addison Avenue East and Locust Street.

Randy Lammers, President of the Local 1556, Twin Falls Fire Fighters Association, explained the request.

MOTION:

Councilperson Johnson made the motion to hold the Annual Muscular Dystrophy Fill the Boot on August 15, 2008, from 10 a.m. to 6 p.m. at the intersection of Addison Avenue East and Locust Street. The motion was seconded by Councilperson Kezele and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 5 to 0.

3. Consideration of a second extension of the final plat of Canyon Trails PUD Subdivision #6, #7, #8 & #9, 47 (±) acres to develop 153 residential lots located south of Federation Road and west of Park View Drive (formerly Wendell Street North).

Tim Vawser, EHM Engineering Inc., representing the applicant explained the request. He requested that condition *Subject to arterial and collector streets adjacent and within the property being rebuilt or built to current City standards upon development of the property*, be left off the approval of the final plat extension.

MINUTES

August 4, 2008

Page 4 of 7

Community Development Director Humble reviewed the request.

On August 27, 2007, the City Council approved a 1-year extension of the final plat of Canyon Trails PUD Subdivision #6, #7, #8 & #9 until August 28, 2008, with the following conditions:

1. Subject to plat amendments as necessary due to final technical approval by the City of Twin Falls Engineering Department.
2. Subject to full compliance with the PUD agreement.

Staff is recommending approval of a second 1-year extension with the original conditions and the addition of the following condition:

3. Subject to arterial and collector streets adjacent and within the property being rebuilt or built to current City standards upon development of the property.

Gary Nelson, applicant, explained the request.

MOTION:

Councilperson Johnson made the motion to approve the second extension of the final plat of Canyon Trails PUD Subdivision #6, #7, #8 & #9, 47 (±) acres to develop 153 residential lots located south of Federation Road and west of Park View Drive (formerly Wendell Street North) with the final plat to expire on August 28, 2009 as presented and with the following conditions:

1. Subject to plat amendments as necessary due to final technical approval by the City of Twin Falls Engineering Department.
2. Subject to full compliance with the PUD agreement.
3. Subject to arterial and collector streets adjacent and within the property being rebuilt or built to current City standards upon development of the property.

The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 5 to 0.

The Council also encouraged the developer to continue to work with City staff regarding the construction of a regional pressure irrigation station for the area.

4. Consideration of the final plat for Calistoga Springs Subdivision, Phase 1, 17 (±) acres with 66 residential lots located at the southeast corner of Orchard Drive and Harrison Street South, c/o EHM Engineers, on behalf of New Providence Group, LLC.

Community Development Director Humble reviewed the request.

On August 29, 2006, the Planning & Zoning Commission approved the preliminary plat for Calistoga Springs Subdivision with the following conditions:

1. Subject to final technical review by the City of Twin Falls Engineering Department.
2. Subject to the applicant's testimony that they will work with Parks and Recreation to address park bathroom locations and parking access to the park.
3. Subject to compliance with City Code 10-12-3.11 (Parks and Storm Water Retention/Detention) prior to final plat approval.

On August 27, 2007, the Planning & Zoning Commission approved a 1-year extension of the preliminary plat subject to the original three conditions. The extension expires on August 29, 2008.

Staff is recommending approval of a final plat with the original conditions and the addition of the following condition:

4. Subject to arterial and collector streets adjacent and within the property being rebuilt or built to current City standards upon development of the property.

Gary Burkett, EHM Engineers, representing the applicant explained the request.

MOTION:

Councilperson Hall made the motion to approve the final plat for Calistoga Springs Subdivision, Phase 1, 17 (±) acres with 66 residential lots located at the southeast corner of Orchard Drive and Harrison Street South, c/o EHM Engineers, on behalf of New Providence Group, LLC. as presented with the following conditions:

1. Subject to final technical review by the City of Twin Falls Engineering Department.
2. Subject to the applicant's testimony that they will work with Parks and Recreation to address park bathroom locations and parking access to the park.

MINUTES

August 4, 2008

Page 5 of 7

3. Subject to compliance with City Code 10-12-3.11 (Parks and Storm Water Retention/Detention) prior to final plat approval.
4. Subject to arterial and collector streets adjacent and within the property being rebuilt or built to current City standards upon development of the property.

The motion was seconded by Councilperson Johnson and roll call vote showed all present voted in favor of the motion. The motion passed with a vote of 5 to 0.

5. Council review and direction for the Municipal Powers Outsource Grants process for fiscal year 2008-2009.

Mayor Clow explained the request.

Discussion followed:

- Application guidelines and process.
- Place on website and advertise.

Assistant Finance Director Race explained the request.

City Attorney Wonderlich stated that guidelines are a service that a city could legally provide.

Council directed staff to proceed with the Municipal Powers Outsource Grants process for fiscal year 2008-2009.

6. Adopt preliminary budget and set August 18, 2008, at 6 p.m. as the date and time for the budget hearing.

Assistant Finance Director Race explained the request.

Councilperson Johnson made the motion to adopt the preliminary budget for FY 2008-09, not to exceed \$50,090,102 and set August 18, 2008, at 6 p.m. as the date and time for the budget hearing. The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. The motion passed.

Gary Evans showed budget changes for 2008-2009.

7. Public input and/or items from the City Manager and City Council. None.

Recess at 6:33 p.m.

Reconvened at 6:44

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS: None.

Mayor Clow explained the public hearing process.

IV. PUBLIC HEARINGS: 6 P.M.

1. Request for a Zoning District Change and Zoning Map Amendment from R-4 to R-4 PRO for property located at 875 Monroe Street c/o M & D Property, Inc. (app. 2238)

Mike Hutchins, applicant, explained the request.

Community Development Director Humble reviewed the request.

On July 8, 2008, the Planning and Zoning Commission unanimously recommended approval of the request as presented with the following conditions:

1. Subject to amendments as required by Building, Engineering, Fire, and Zoning officials to ensure compliance with all applicable City code requirement and standards.
2. Subject to arterial and collector streets adjacent and within the property being dedicated to the City of Twin Falls and to be rebuilt or built to current City standards upon development or change of use of the property.

The public comment portion of the meeting was opened and closed with no input.

The public hearing was closed.

MOTION:

Councilperson Johnson made the motion to approve the Zoning District Change and Zoning Map Amendment from R-4 to R-4 PRO for property located at 875 Monroe Street c/o M & D Property, Inc. (app. 2238) as presented with the following conditions:

1. Subject to amendments as required by Building, Engineering, Fire, and Zoning officials to ensure compliance with all applicable City code requirement and standards.
2. Subject to arterial and collector streets adjacent and within the property being dedicated to the City of Twin Falls and to be rebuilt or built to current City standards upon development or change of use of the property.

The motion was seconded by Councilperson Craig and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 5 to 0.

2. Request for a Zoning Title Amendment which would amend Twin Falls City Code 10-10-3(A) by increasing the required number of parking spaces for tri-plex, four-plex, and/or multifamily residential dwellings c/o City of Twin Falls. (app.2246)

Community Development Director Humble reviewed the request.

On July 8, 2008, the Planning & Zoning Commission unanimously recommended approval of the changes to the City Council by amending City Code Title 10, Chapter 10 by increasing the required number of parking spaces for tri-plex, four-plex, and/or multifamily residential dwellings.

Staff recommends approval of the request.

Discussion followed:

- Advertised in the Times News.
- State requirements have been filled.
- The Magic Valley Builder's Association was not involved in the proposed change.
- Carriage Lane is a collector street and parking is not allowed.
- Rivercrest is a collector street and is designed for some street parking.

The public comment portion of the hearing was opened.

Community Development Humble read a letter from Tom Frank showing favor for the request.

The public hearing was closed.

Councilperson Kezele made the motion to approve the request for a Zoning Title Amendment which would amend Twin Falls City Code 10-10-3(A) by increasing the required number of parking spaces for tri-plex, four-plex, and/or multifamily residential dwellings as presented:

Multifamily Parking Amendment

Single Family Detached	2 Spaces Per Unit
Single Family Attached	2 Spaces Per Unit
Duplex	2 Spaces Per Unit

TRI- AND FOUR-PLEX 2 SPACES PER UNIT, PLUS 1 ADDITIONAL SPACE PER BUILDING FOR GUESTS

A TYPICAL 2-STORY 4-PLEX WOULD HAVE ONE (1) ADDITIONAL PARKING SPACE

MULTI-FAMILY (5 units or more) 2 SPACES PER UNIT, PLUS 0.25 ADDITIONAL SPACES PER UNIT (1 space for every 4 units) FOR GUESTS

A TYPICAL 2-STORY 6-PLEX (3 apartments up and 3 apartments at ground level) WOULD HAVE ONE AND ONE-HALF (1 ½) ADDITIONAL PARKING SPACES (THIS WOULD EQUATE TO 2 SPACES)

A TYPICAL 2-STORY 8-PLEX (4 apartments up and 4 apartments at ground level) WOULD HAVE TWO (2) ADDITIONAL PARKING SPACES

The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 5 to 0.

V. ADJOURNMENT: The meeting adjourned at 7:13 p.m.

Lella A. Sanchez
Deputy City Clerk



MEETING CANCELLATION NOTICE

CITY OF TWIN FALLS, IDAHO

CITY COUNCIL
CITY COUNCIL CHAMBERS
305 THIRD AVENUE EAST

The regularly scheduled Council Meeting of Monday, August 11, 2008,
has been canceled.

Leila A. Sanchez
Deputy City Clerk

COUNCIL MEMBERS:

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



MINUTES
Meeting of the Twin Falls City Council
August 18, 2008
City Council Chambers
305 3rd Avenue East Twin Falls, Idaho

PLEDGE OF ALLEGIANCE TO THE FLAG
CONFIRMATION OF QUORUM
INTRODUCTION OF STAFF

CALL MEETING TO ORDER: 5:00 P.M.

AGENDA ITEMS	Purpose	By:
I. <u>CONSENT CALENDAR:</u> 1. Consideration of accounts payable for August 4 – 18, 2008. 2. Consideration of the August 4, 2008, Minutes. 3. Consideration of a Curb-Gutter and Sidewalk Improvement Deferral Agreement for Tom Collins, 818 Cento Drive. 4. Consideration from Timberlake Village Limited Partnership to vacate an existing 64.00 foot utility easement on the east side of Meadowview Lane, on their property south of Marie Street, and dedication of the street right-of-way and 15 foot utility easement for Meadowview Lane through their property on the final plat for the Timberlake Village Subdivision.	Action	Staff Report
II. <u>ITEMS FOR CONSIDERATION:</u> 1. Consideration of the Conveyance Plat of the Thiebert Subdivision consisting of 2 lots on 2 (+/-) acres located at 1575 Falls Avenue West within the Area of Impact, c/o John Thiebert. 2. Consideration of adoption of the following ordinance(s): a. Request for a Zoning District Change and Zoning Map Amendment for 142.50 (+/-) acres from SUI and OS to OS to allow for uses compatible with open space along the Snake River Canyon Rim and north of Meadow Ridge Circle, c/o City of Twin Falls. (app. 2179) <i>Proposed Ordinance #2946</i> b. Request for a Zoning District Change and Zoning Map Amendment from R-4 to R-4 PRO for property located at 875 Monroe St, c/o M & D Property, Inc. (app. 2238) <i>Proposed Ordinance #2947</i> 3. Consideration of the Conveyance Plat of the Parker's Pond Subdivision consisting of 2 lots on 55 (+/-) acres located at 3249 East 3700 North within the Area of Impact, c/o Dell P. Smith. 4. Consideration of the Final Plat of Timberlake Village Subdivision, 4.75(+/-) acres consisting of two lots located south of Marie Street, extended, and east and west of the 100 -200 blocks of Meadowview Lane, extended, c/o DCI Engineers. 5. Public input and/or items from the City Manager and City Council.	Action Action Action Action	Mitch Humble Mitch Humble Mitch Humble Mitch Humble
III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u>		
IV. <u>PUBLIC HEARINGS:</u> 6:00 P.M. - 1. Request for a Zoning District Change and Zoning Map Amendment from R-2 to C-1 on property located at 926 Lincoln St. c/o Violet and Gary Nahapet. (app. 2248) 2. Public Hearing – Budget for FY 2008-2009.	Action Action	Mitch Humble Tom Courtney
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.*

COUNCIL MEMBERS ABSENT: Lance Clow, Trip Craig, Don Hall, Lee Heider, David E. Johnson, Gregory Lanting.

William Kezele via telephone.

STAFF PRESENT: City Manager Tom Courtney, City Attorney Fritz Wonderlich, Community Development Director Mitch Humble, Finance Director Gary Evans, Assistant Finance Director Lorie Race, Assistant City Manager Travis Rothweiler, Deputy City Clerk Leila A. Sanchez.

Mayor Clow 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 Clow introduced City staff.

AGENDA ITEMS

I. CONSENT CALENDAR:

1. Consideration of accounts payable:
August 11, 2008, Prepaid Total: \$111,196.35.
August 5 – 18, total: \$892,644.04.
2. Consideration of the August 4, 2008, Minutes.
3. Consideration of a Curb-Gutter and Sidewalk Improvement Deferral Agreement for Tom Collins, 818 Cento Drive.
4. Consideration from Timberlake Village Limited Partnership to vacate an existing 64.00 foot utility easement on the east side of Meadowview Lane, on their property south of Marie Street, and dedication of the street right-of-way and 15 foot utility easement for Meadowview Lane through their property on the final plat for the Timberlake Village Subdivision.

MOTION:

Vice Mayor Johnson made the motion to approve the Consent Calendar as presented. The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

II. ITEMS FOR CONSIDERATION:

1. Consideration of the Conveyance Plat of the Thiebert Subdivision consisting of 2 lots on 2 (+/-) acres located at 1575 Falls Avenue West within the Area of Impact, c/o John Thiebert.

Community Development Director Humble reviewed the request.

Approval of this request will allow the applicant to proceed with the recordation of the conveyance plat and the selling of the property as two lots.

Staff recommends approval of the conveyance plat of Thiebert Subdivision as presented with the following conditions:

1. Subject to final technical review by the City Engineering Department and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to easements and right-of-way for the perimeter street, as shown on the plat, being dedicated.

Discussion followed:

-Roads.

MOTION:

Vice Mayor Johnson made the motion to recommend to the Twin Falls County Commissioners to approve the conveyance plat of Thiebert Subdivision consisting of 2 lots on 2 (+/-) acres located at 1575 Falls Avenue West within the Area of Impact, c/o John Thiebert as presented with the following conditions:

1. Subject to final technical review by the City Engineering Department and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to easements and right-of-way for the perimeter street, as shown on the plat, being dedicated.

The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

2. Consideration of adoption of the following ordinance(s):
 - a. Request for a Zoning District Change and Zoning Map Amendment for 142.50 (+/-) acres from SUI and OS to OS to allow for uses compatible with open space along the Snake River Canyon Rim and north of Meadow Ridge Subdivision, c/o City of Twin Falls. (app. 2179) *Proposed Ordinance #2946*
 - b. Request for a Zoning District Change and Zoning Map Amendment from R-4 to R-4 PRO for property located at 875 Monroe St, c/o M & D Property, Inc. (app. 2238) *Proposed Ordinance #2947*

Community Development Director Humble reviewed the request.

Background:

- a. *Request for a Zoning District Change and Zoning Map Amendment for 142.50 (+/-) acres from SUI and OS to OS to allow for uses compatible with open space along the Snake River Canyon Rim and north of Meadow Ridge Subdivision, c/o City of Twin Falls. (app. 2179) Proposed Ordinance #2946*

On June 19, 2008, the Board of County Commissioners held a public hearing and approved this request as presented.

- b. *Request for a Zoning District Change and Zoning Map Amendment from R-4 to R-4 PRO for property located at 875 Monroe St, c/o M & D Property, Inc. (app. 2238) Proposed Ordinance #2947*

On August 4, 2008, the City Council held a public hearing and approved this request as presented subject to the following conditions:

1. Subject to amendments as required by Building, Engineering, Fire, and Zoning officials to ensure compliance with all applicable City Code Requirement and Standards.
2. Subject to arterial and collector streets adjacent and within the property being dedicated to City of Twin Falls and to be rebuilt or built to current City standards upon development or change of use of the property.

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

MOTION:

Vice Mayor Johnson made the motion to suspend the rules and place Ordinance #2946 and #2947, entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, REZONING REAL PROPERTY BELOW DESCRIBED; PROVIDING THE ZONING CLASSIFICATION THEREFOR; AND ORDERING THE NECESSARY AREA OF IMPACT AND ZONING DISTRICTS MAP AMENDMENT.

and,

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, REZONING REAL PROPERTY BELOW DESCRIBED; PROVIDING THE ZONING CLASSIFICATION THEREFORE; 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 Heider and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

Deputy City Clerk Sanchez read the title to Ordinance #2946.

MOTION:

Councilperson Lanting made the motion to adopt Ordinance #2946. The motion was seconded by Councilperson Johnson and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

Deputy City Clerk Sanchez read the title to Ordinance #2947.

MOTION:

Vice Mayor Johnson made the motion to adopt Ordinance #2947. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

3. Consideration of the Conveyance Plat of the Parker's Pond Subdivision consisting of 2 lots on 55 (+/-) acres located at 3249 East 3700 North within the Area of Impact, c/o Dell P. Smith.

Community Development Director Humble reviewed the request.

Approval of this request will allow the applicant to proceed with the recordation of the conveyance plat and the selling of the property as two lots.

Staff recommends approval of the conveyance plat of the Parker's Pond Subdivision consisting of 2 lots on 55 (+/-) acres located at 3249 East 3700 North within the Area of Impact, c/o Dell P. Smith as presented with the following conditions:

1. Subject to final technical review by the City Engineering Department and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to easements and right-of-way for the perimeter street, as shown on the plat, being dedicated.

MOTION:

Councilperson Lanting made the motion to recommend to the County Commissioners to approve the conveyance plat of the Parker's Pond Subdivision consisting of 2 lots on 55 (+/-) acres located at 3249 East 3700 North within the Area of Impact, c/o Dell P. Smith as presented with the following conditions:

1. Subject to final technical review by the City Engineering Department and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to easements and right-of-way for the perimeter street, as shown on the plat, being dedicated.

The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

4. Consideration of the Final Plat of Timberlake Village Subdivision, 4.75(+/-) acres consisting of two lots located south of Marie Street, extended, and east and west of the 100 -200 blocks of Meadowview Lane, extended, c/o DCI Engineers.

Community Development Director Humble reviewed the request.

On November 26, 2007, the City Council approved the preliminary plat as presented for the Timberlake Village Subdivision subject to the following conditions:

1. Subject to site plan amendments as required by Building, Engineering, Fire, and Zoning officials to ensure compliance with all applicable City Code requirements and Standards.
2. Subject to arterial and collector streets adjacent and within the property being rebuilt or built to current City standards upon development of the property.
3. Full development of Meadowview Lane to Kimberly Road
4. The easement, known as Marie Street, to the north of the property shall be landscaped and maintained to meet minimum landscaping standards by the owner/developer as part of this project.
5. Subject to site plan amendments described as presented with the exception of the crosswalk.

Should the Council approve the final plat of Timberlake Village Subdivision as presented staff recommends approval be subject to the five conditions of approval placed on the preliminary plat.

Discussion followed:

- Ownership of Marie Street.
- Landscaping on Marie Street to be used as a buffer zone for residents.

Community Development Director Humble stated that the County has ownership of Marie Street. Landscaping on Marie Street was a mitigating factor for residents. The County has been discussing placing an ambulance dispatch center in the area.

City Attorney Wonderlich confirmed that the County owns the underlying property.

Councilperson Kezele suggested tabling the request.

Chris Collette stated that the buffer and trees are provided on the Timberlake Village Subdivision property line to block the apartments away to the backyard and there will be no trees in the actual easement.

MOTION:

Vice Mayor Johnson made the motion to approve the Final Plat of Timberlake Village Subdivision, 4.75(+/-) acres consisting of two lots located south of Marie Street, extended, and east and west of the 100 -200 blocks of Meadowview Lane, extended, c/o DCI Engineers as presented with the following conditions:

1. Subject to site plan amendments as required by Building, Engineering, Fire, and Zoning officials to ensure compliance with all applicable City Code requirements and Standards.
2. Subject to arterial and collector streets adjacent and within the property being rebuilt or built to current City standards upon development of the property.
3. Full development of Meadowview Lane to Kimberly Road
4. The easement, known as Marie Street, to the north of the property shall be landscaped and maintained to meet minimum landscaping standards by the owner/developer as part of this project.
5. Subject to site plan amendments described as presented with the exception of the crosswalk.

The motion was seconded by Councilperson Lanting and roll call vote showed Mayor Clow, Councilpersons Craig and Hall, Vice Mayor Johnson, and Councilperson Lanting voted in favor of the motion. Councilpersons Heider and Kezele voted against the motion. The motion passed with a vote of 5 to 2.

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

II. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

Mayor Clow stated that "Stand-up" for Kids presenting Michael Prichard will be held on August 21, 2008, at 7 p.m. in the Roper Auditorium, and on September 6, 2008, the Twin Falls Armory Changing of Command Ceremony will be held at 3:30 p.m.

Recess at 5:45 p.m.

Reconvened at 6 p.m.

The Mayor explained the public hearing process.

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

1. Request for a Zoning District Change and Zoning Map Amendment from R-2 to C-1 on property located at 926 Lincoln St. c/o Violet and Gary Nahapet. (app. 2248)

The applicants were not present.

Community Development Director Humble reviewed the request.

The request is to change the zoning district and amend the zoning map designation for property located at 926 Lincoln Street. The applicant is requesting a change from the current zoning designation of R-2, Residential Single Household or Duplex district to C-1, Commercial Highway district designation. In order to change the zoning district the City Council must determine the request is in conformance with the Comprehensive Plan. The Comprehensive Plan Land Use map designates this area along Blue Lakes Boulevard North as Commercial/Retail and Urban Residential to the west, however the map is not meant to be interpreted precisely. The Comprehensive Plan document calls out areas along major arterials to be established as Commercial / Retail areas and so the designation may be directed more towards properties that have frontage to Blue Lakes Boulevard rather than a residential neighborhood.

On July 22, 2008, by a vote of 1 for and 5 against, the Planning and Zoning Commission voted to recommend denial of the request.

Discussion followed:

MINUTES

August 18, 2008

Page 6 of 7

- Explanation of an in-home business.
- SUP requirements for a residential home.
- Confirming the affidavit of mailing to surrounding homeowners within 300'.

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

MOTION:

Councilperson Heider made the motion to request for a Zoning District Change and Zoning Map Amendment from R-2 to C-1 on property located at 926 Lincoln St. c/o Violet and Gary Nahapet. (app. 2248). The motion was seconded by Councilperson Hall. Roll call vote showed Councilperson Heider voted in favor of the motion. Mayor Clow, Councilpersons Craig, Hall, Vice Mayor Johnson and Councilpersons Kezele and Lanting voted against the request. The motion failed with a vote of 1 to 6.

2. Public Hearing – Budget for FY 2008-2009.

Mayor Clow read into the record a petition from residents of Falls Avenue West against the road widening of Falls Avenue West from two lanes to four lanes.

City Manager Courtney reviewed the request.

The budget for FY 2008-2009 focuses on maintaining high quality municipal services and implementing capital projects that have been in the development state for several years. The net proposed budget is \$50,090,102. This represents an increase of \$8,897,592 or 21.6%. The budget is divided into two sections, operations and capital improvements. The operating budget covers costs associated with day to day municipal services. The capital budget covers costs associated with major projects and the purchase of equipment with a long service life. The primary reason the budget is increasing by 21.6% is the commitment to capital projects that are required to assure full compliance with federal environmental programs, provide adequate drinking water and fund programmed improvements to city infrastructure. The capital budget is increasing by 77.8%. The City does recognize the proposed increase in the budget is significantly higher than normal but have tried to plan and schedule in a manner that will minimize the impact on the residents.

The purpose of the hearing is to give the public an opportunity to comment on the proposed budget. The Council may adopt the appropriation ordinance or defer a decision to a later meeting. The budget must be approved by Tuesday, September 2, 2008.

Discussion followed:

- Financing of the WWTP ABF Tower.
- Grant and appropriation monies available to the City.

The public input portion of the meeting was opened.

Adrian Arp, 415 Filer Avenue West, commented on the following:

- Requirement to comply with the EPA regarding arsenic in the City's drinking water
- LID at Filer Avenue West for curb and gutter.
- Petition against the 4 lanes on Falls.
- Leaving Filer as a two lane, with a turn lane.
- Speed limit.
- 8.5% increase for water.
- How much is salary increase for City employees?
- Do we really need an assistant City Manager and an Assistant Economic Developer?

Dennis Crawford, 681 Creekside Way, commented on the following:

- Need for impact fees.
- Improvements needed on the sewer system.

Steve Gardner, 264 Main Avenue North, commented on the following:

- Downtown foundation in need of repairs.
- Requested details of the BID budget.
- Request for update on the landscaping plan by the Land Group.

MINUTES

August 18, 2008

Page 7 of 7

The public comment portion of the hearing was closed.

Discussion followed:

- Employee salary increase could be up to 4%
- The City Council believes that a position is needed.
- The Assistant Economic Director is an Administrative Assistant Position.

Assistant Finance Director Race explained the BID budget and stated that Mr. Garner could contact her office to get more detailed information.

City Manager Courtney stated that the Impact Fee Committee is close to making a recommendation on impact fees.

-LID requirements were discussed.

Mayor Clow stated that in purchasing Pristine Springs one of the goals is to deal with arsenic and preserve and maintain the water for future years.

-The Land Group is a local company looking at the entire landscape design.

Adrian Arp stated that a park at the northwest part of Twin Falls is in need of park space.

City Manager Courtney stated that the design on Falls Avenue West number of lanes has not yet been decided. Options would be 4 lanes, 2 lane road sections with a turning lane and include curb-gutter and sidewalk on one side of the street. He stated that while the Council did not make a final decision, it appeared that the Council favored the second option over the first.

The public hearing was closed.

Councilperson Heider made the motion to suspend the rules and place proposed Ordinance 2948 on third and final reading. The motion was seconded by Councilperson Lanting. Councilpersons Hall, Heider, Vice Mayor Johnson, and Councilperson Lanting voted in favor of the motion. Mayor Clow, Councilpersons Craig and Kezele voted against the motion. Since a motion to place an ordinance on third and final reading requires five votes in the affirmative to pass, the motion failed with a vote of 4 to 3.

Further discussion on the Budget for FY 2008-2009, will be placed on the August 25, 2008, agenda.

V. ADJOURNMENT:

Vice Mayor Johnson made the motion to approve to adjourn to Executive Session to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public school student. 76-2345(b). The motion was seconded by Councilperson Lanting. Roll call vote showed Mayor Clow, Councilpersons Craig, Hall, and Heider, Vice Mayor Johnson, and Councilperson Lanting voted in favor of the motion. Councilperson Kezele abstained from voting. The motion passed with a vote of 6 to 0 and one abstained.

The meeting adjourned at 7:23 p.m.

Leila Sanchez
Deputy City Clerk

COUNCIL MEMBERS:

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



MINUTES
Meeting of the Twin Falls City Council
August 25, 2008
City Council Chambers
305 3rd Avenue East Twin Falls, Idaho

PLEDGE OF ALLEGIANCE TO THE FLAG
CONFIRMATION OF QUORUM
INTRODUCTION OF STAFF

CALL MEETING TO ORDER: 5:00 P.M.

AGENDA ITEMS	Purpose	By:
I. <u>CONSENT CALENDAR:</u> 1. Consideration of accounts payable for August 18 - 25, 2008 2. Consideration of the August 18, 2008, Minutes. 3. Consideration to approve the Improvement Agreement for Developments, Engineer's Estimate, Assurance of Guarantee for Stone Ridge Estates Subdivision for Stone Ridge Estates, LLC. 4. Consideration to accept a public utility easement from Lighthouse Christian Fellowship to install a public water line.	Action	Staff Report
II. <u>ITEMS FOR CONSIDERATION:</u> 1. Presentation of certificates of appreciation to Airport employees for their dedication and outstanding effort in hosting the 2008 Air Magic Valley Air Show. 2. Consideration to expend in-lieu funds to purchase and install playground equipment at the mini-park in the Ensign Point Subdivision. 3. Consideration to modify the Tree Enhancement Program. 4. Consideration of a 2nd extension of the final plat of Grandview Estates Subdivision, 40 (+/-) acres, to develop 133 residential lots and 2 tracts, located at the southeast corner of Grandview Drive North and Federation Road, c/o Troy Vitek, EHM Engineers, Inc. 5. Request for a Zoning Title Amendment which would amend Twin Falls City Code 10-10-3 (A) by increasing the required number of parking spaces for tri-plex, four-plex, and/or multifamily residential dwellings c/o City of Twin Falls (app. 2246) Proposed Ordinance #2948. 6. Continue discussion on the Budget for FY 2008-2009. 7. Public input and/or items from the City Manager and City Council.	Presentation Action Action Action Action Discussion	Bill Carberry Dennis Bowyer Dennis Bowyer Mitch Humble Mitch Humble Tom Courtney
III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u>		
IV. <u>PUBLIC HEARINGS:</u> 6:00 P.M. - 1. Consideration for an appeal of the Planning & Zoning Commission's decision to approve a Special Use Permit to operate an in-home daycare service on property located at 894 Rose Street North, Appellant: Arlene Schmidt. (app. 2252)	Action	Mitch Humble
V. <u>ADJOURNMENT:</u> to Executive Session to conduct deliberations concerning labor negotiations or to acquire an interest in real property which is not owned by a public agency. 67-2345(c)		

COUNCIL MEMBERS ABSENT: Lance Clow, Trip Craig, Don Hall, Lee Heider David E. Johnson, William Kezele, Gregory Lanting.

STAFF PRESENT: City Manager Tom Courtney, City Attorney Fritz Wonderlich, Community Development Director Mitch Humble, Finance Director Gary Evans, Assistant Finance Director Lorie Race, Parks and Recreation Director Dennis Bowyer, Airport Manager Bill Carberry, Deputy City Clerk Leila A. Sanchez.

Mayor Clow 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 Clow introduced City staff.

The following was added to the agenda:

Executive Session to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public school student. 67-2345(b)

AGENDA ITEMS

I. **CONSENT CALENDAR:**

1. Consideration of accounts payable for August 18 - 25, 2008
2. Consideration of the August 18, 2008, Minutes.
3. Consideration to approve the Improvement Agreement for Developments, Engineer's Estimate, Assurance of Guarantee for Stone Ridge Estates Subdivision for Stone Ridge Estates, LLC.
4. Consideration to accept a public utility easement from Lighthouse Christian Fellowship to install a public water line.

MOTION:

Councilperson Heider made the motion to approve the Consent Calendar as presented. The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

II. **ITEMS FOR CONSIDERATION:**

1. Presentation of certificates of appreciation to Airport employees for their dedication and outstanding effort in hosting the 2008 Air Magic Valley Air Show.

Airport Manager Carberry, Mayor Clow and Councilperson Heider presented certificates of appreciation to Airport employees for their dedication and outstanding effort in hosting the 2008 Air Magic Valley Air Show.

Donna Newbry, Robert Thuren, Matt Barnes, and Gary Woodland were present to accept their certificates. Bob Lyman and Ed Lang were unable to attend.

Mayor Clow and Councilperson Heider presented Airport Manager Carberry a certificate and expressed thanks to Phil Hafer and Jim O'Donnell.

2. Consideration to expend in-lieu funds to purchase and install playground equipment at the mini-park in the Ensign Point Subdivision.
Parks & Recreation Director Bowyer reviewed the request.

MINUTES

August 25, 2008

Page 3 of 10

The Parks & Recreation Commission recommends that the City Council allow the expenditure of in-lieu funds to purchase and install playground equipment at the Ensign Point mini-park. Staff concurs with the Commission's recommendation.

Discussion followed:

-Access points to the mini-park.

Parks & Recreation Director Bowyer stated that access to the park would be through Cheney Drive but he would talk to the property owner regarding access through the cul-de-sac.

Councilperson Heider stated that Dell Smith owns the property and in place is a brick raised area and the access would be only through Cheney.

-Stoneybrook Subdivision guarantee of a park.

Mayor Clow explained that when the Stoneybrook Subdivision was being planned, sometime after 1994, it had one common ownership; the City Council approved the PUD agreement for the subdivision with the condition of a dedication of 3.0 acres of park. He believes that there was no time line for the park.

-.6 acres mini-park.

Councilperson Lanting stated that the mini-park concept is to eliminate eyesores at water retention areas and to provide a place for children to play.

Parks & Recreation Director Bowyer stated that the plan is to place a 3.0 acre park when the property is donated to the City.

-Budget impact.

Mayor Clow stated his concern that the Parks & Recreation Director Department is requesting the Council to make a decision for a budget that is not yet approved for next year's budget. He asked for a breakdown of \$30,333 requested.

Parks & Recreation Director stated that the \$30,000 is for playground equipment, installation, and surface material.

City Manager Courtney stated that there is no rush to approve the request. A budget amendment is not needed at this time. There's a chance there may be sufficient money when time comes around next year to install equipment. The request allows the Parks Department to plan to develop the project and buy the equipment.

Mayor Clow stated that he would like to find out what is the commitment on the Stoneybrook PUD agreement for the 3.0 acre park, is the park identified for location, is there a time line that the City can request from the developer to move ahead, and what leverage does the City have to get the full park developed someday

-In-lieu guidelines.

Parks & Recreation Director Bowyer stated that the in lieu guidelines are being reviewed by the Parks & Recreation Commission with recommendations to be forwarded to the Planning & Zoning Commission. He also stated that discussion was made to expand outside the arterial streets.

Councilperson Heider stated that he would like to see what future development is going to be present as far as a future park in the area, review Stoneybrook's commitment for a 3.0 acre park, and he would like to use the money in lieu of funds to help a fund a future park that is bigger and nicer for the community.

MOTION:

Councilperson Heider made the motion to table the expenditure of the in-lieu funds to purchase and install playground equipment at the mini-park in the Ensign Point Subdivision. The motion was seconded by Councilperson Hall and roll call vote showed all present voted in favor of the motion. The motion passed with a vote of 7 to 0.

MINUTES

August 25, 2008

Page 4 of 10

3. Consideration to modify the Tree Enhancement Program.

Parks & Recreation Director Bowyer reviewed the request.

On July 22, 2008, the Tree Commission unanimously recommended to the City Council the following changes in the program:

1. Expand the boundaries to the City limits.
2. The tree must be planted within 25' of the curb in the front yard.
3. Start advertising for the program in November.

The process will remain the same. The Tree Commission will review all applications and choose 10 applicants to receive the free trees. These guidelines then would become the new guidelines for the Commission to follow:

1. Applicant must live within the boundaries of map.
2. Homeowner must live at the property.
3. Tree must be planted within 25' of the curb or edge of pavement.
4. Limit of one tree per year per family.
5. Selection of tree.
6. Application due date.
7. Tree will be planted at no cost to the homeowner.
8. The owner will sign the application stating he/she will provide proper care of the tree.

The Tree Commission recommends for the City Council to approve the new guidelines for the Tree Enhancement Program.

MOTION:

Councilperson Heider made the motion to modify the Tree Enhancement Program guidelines as presented. The motion was seconded by Councilperson Johnson and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

4. Consideration of a 2nd extension of the final plat of Grandview Estates Subdivision, 40 (+/-) acres, to develop 133 residential lots and 2 tracts, located at the southeast corner of Grandview Drive North and Federation Road, c/o Troy Vitek, EHM Engineers, Inc.

Community Development Director Humble reviewed the request.

Staff recommends approval of a 2nd 1-year extension of the filing requirement on the final plat of Grandview Estates Subdivision subject to the following conditions of approval for the 1st extension:

1. Subject to final technical review by the Engineering Department.
2. Proposed park area to comply with new park ordinance and to provide adequate off street parking as per City standards.
3. To encourage developer to work with City staff to provide a pressurized irrigation system.

Upon Engineering review and to be consistent with other similar requests staff believes it would be appropriate to add the following conditions:

1. Subject to site plan amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable City code requirements and standards.
2. Subject to arterial and collector streets adjacent and within the property being rebuilt or built to current City standards upon development of the property.
3. A Weed Management Plan approved by City staff.

Troy Vitek, EHM Engineers, representing the applicant, concurs with all recommendations.

MOTION:

Councilperson Johnson made the motion to approve the 2nd extension of the final plat of Grandview Estates Subdivision, 40 (+/-) acres, to develop 133 residential lots and 2 tracts, located at the southeast corner of Grandview Drive North and Federation Road, c/o Troy Vitek, EHM Engineers, Inc. to expire August 28, 2009, as presented with the following conditions:

MINUTES

August 25, 2008

Page 5 of 10

1. Subject to final technical review by the Engineering Department.
2. Proposed park area to comply with new park ordinance and to provide adequate off street parking, as per City standards.
3. To encourage developer to work with City staff to provide a pressurized irrigation system.
4. Subject to site plan amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable City code requirements and standards.
5. Subject to arterial and collector streets adjacent and within the property being rebuilt or built to current City standards upon development of the property.
6. A Weed Management Plan approved by City staff.

The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

5. Request for a Zoning Title Amendment which would amend Twin Falls City Code 10-10-3 (A) by increasing the required number of parking spaces for tri-plex, four-plex, and/or multifamily residential dwellings c/o City of Twin Falls (app. 2246) Proposed Ordinance #2948.

Community Development Director Humble reviewed the request.

On August 4, 2008, the City Council held a public hearing and approved this request as presented.

MOTION:

Councilperson Johnson made the motion to suspend the rules and place Ordinance #2948, entitled:
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, AMENDING TWIN FALLS CITY CODE §10-10-3(A)(RESIDENTIAL USES) BY INCREASING THE NUMBER OF REQUIRED PARKING SPACES.

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. The motion passed with a vote of 7 to 0.

Deputy City Clerk Sanchez read the title to Ordinance #2948.

MOTION:

Councilperson Hall made the motion to adopt Ordinance #2948 as presented. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

Recess at 5:54 p.m.

Reconvened at 6:02 pm.

Mayor Clow stated that the Public Hearings would be heard prior to the following:

6. Continue discussion on the Budget for FY 2008-2009.
7. Public input and/or items from the City Manager and City Council. None.

Mayor Clow explained the public hearing procedures.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

IV. PUBLIC HEARINGS: 6:00 P.M. –

1. Consideration for an appeal of the Planning & Zoning Commission's decision to approve a Special Use Permit to operate an in-home daycare service on property located at 894 Rose Street North, Appellant: Arlene Schmidt. (app. 2252)

Samantha Thomas, applicant, addressed appellant Arlene Schmidt's, concerns:

-Traffic along Falls Avenue West.

She stated that most traffic will utilize Pole Line Road, Washington and Spark and it would be hard to speculate where traffic will go.

MINUTES

August 25, 2008

Page 6 of 10

-Proposed widening of Falls.

She stated that she spoke with Mike Trabert, Engineering Department, regarding the time line of the widening of Falls. He stated that there is not a schedule for the widening, which has not been engineered as of yet. He believes it would be a year or two out. Ms. Thomas also stated that she is planning to have a home built and will be moving her day care out of the neighborhood.

-Traffic and bus situation made before and after school.

She stated that she contacted Western States Bus Co., and spoke to John Crandall. Mr. Crandall stated that there is absolutely no buses that use Rose Street North in the morning and two buses run in the afternoon between at 3:15 – 3:18. She also contacted Trans IV, Head Start, Migrant Council and Safe Kids coalition and they stated they do not use Rose Street on their route.

Samantha Thomas stated that she would ask parents not to pick up their children at that time.

-Children walking to and from street on Rose Street, with no sidewalks

She stated that most children use Sparks Street where the only crossing guards and crosswalks are available. She will ask parents to enter using Falls to eliminate any issues with pedestrians.

-Parents using Rose Street for dropping off and picking up children.

It is the School District's policy to drop off and pick up from Sparks and exit on to Caswell.

-Congestion of the day care on a busy corner.

She stated that she can only have 10 more children in her care with a special use permit and foresees only 5 vehicles daily.

-Noise buffer in backyard.

She stated that her property on the south side has a 5' wood fence, on the east side there is a chain link fence and a row of 12 mature trees, on the north side is Falls Avenue, and on the west side is her house on Rose Street.

-Children climbing the fence.

She stated that children will never be outside without adult supervision and to eliminate this concern and she would be willing to build a fence play area within the fenced area if the Council finds that it is necessary.

-Concern of neighbor's bedroom window bordering the driveway.

She stated that her husband, owner of Rock Star Masonry, proposed to the neighbor to build her a noise barrier on the property owner. The neighbor refused.

-Applicant is not the property owner.

She stated the property is family owned.

Community Development Director Humble reviewed the request.

On July 22, 2008, by a roll call vote of 4 for and 2 against the Planning & Zoning Commission approved this request as presented with the following conditions:

1. Subject to site plan amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable City code requirements and standards.
2. A maximum of twelve (12) children may be cared for under this permit.
3. One (1) additional caregiver may be employed on site.
4. Subject to the driveway being left clear for customer parking during day care operating hours.
5. Comply with all state and local requirements to establish a day care facility, including receiving certification from the Idaho State Department of Health and Welfare and a Day Care Center License from the City of Twin Falls Fire Department.
6. Apply and receive a Certificate of Occupancy from the City of Twin Falls Building Department for the in-home day care.

He did state that the applicant is not the property owner and is leasing the residence from her grandmother, Roberta Kelly; a building permit application would be required from the applicant.

The public comment portion of the hearing was opened:

MINUTES

August 25, 2008

Page 7 of 10

Arlene Schmidt, 823 Rose Street North, appellant, spoke against the request. Her concerns include children safety, excessive noise, lack of sidewalks, bus stops, and traffic congestion. She stated that the applicant has three vehicles in her driveway. Traffic would increase with the proposed widening of Falls Avenue. She stated that she was unclear as to how many children would be taken care of.

Discussion followed:

-Safety issues involving the operation of a day care.

Community Development Director Humble stated that the potential lack of sidewalks on Rose Street can be a safety issue, but other daycares have been approved with similar circumstances.

-Parking situation at the residence.

Samantha Thomas stated that there is 2,200 sq. ft. of driveway.

Community Development Director Humble stated that the driveway has a potential to fit four vehicles.

-Clarification of buses.

Arlene Schmidt stated that the school buses pull up on Rose and Falls waiting for traffic to clear.

Public comments:

Crystal Cox submitted a letter dated August 25, 2008, that was submitted for the record indicating support for the request.

Karen Nedbalek, 876 Rose Street North, spoke against the request. Her concerns are children safety, lack of driveway parking, and buses in the area. She stated that her driveway is 10' away from her bedroom window and no buffer in between the houses. She also stated that all neighbors signed a petition against the request.

Roberta Kelly, 617 Monte Vista, owner of the property and grandmother of the applicant, stated that the special use permit requested is temporary, noise level would be minimal, bus stops infrequent, and drop off will be primarily *between* 7:30 a.m. to 8 p.m.

James Hoepker, 682 Sunrise Blvd., spoke against the request. His concerns are lack of adult supervision, existing fence is 35 to 40 years old, and he believed that a circular driveway is required.

Lyn Longford, 875 Rosewood Drive, spoke against the request. He stated that location is not the right place for a daycare center.

George Haney, 838 Filer Avenue West, stated that the neighbors need to protect the current zoning to protect traffic density. He stated that as an expert witness, daycares affect property values.

Harold Richter, 845 Rose Street North, spoke against the request. His concerns are pedestrian safety, bus stops, lack of sidewalks, children in the street, and traffic congestion.

Linda Rountree, 864 Rose Street North, spoke against the request. Her concerns are safety issues with buses, lack of sidewalk, pedestrian safety, and applicant's driveway not suitable.

Tom Kelly, 850 Rose Street North, spoke against the request. His concern is excessive noise.

Derrick Furukawa, 894 Rose Street North, spoke in favor of the request.

Phillip Lively, 859 Rosewood Drive, spoke against the request. His concerns are excessive noise and traffic.

Todd Hebdon, 893 Rosewood Drive, spoke against the request. His concerns are traffic congestion and children conflicting with his pets.

MINUTES

August 25, 2008

Page 8 of 10

Justin Carlson, 2671 E. 4269 N., spoke in favor of the request.

Brenda Kitchin, 864 Rosewood Drive, spoke against the request. Her concerns are toys going over the fence and traffic congestion.

Linda Richter, spoke against the request. She stated that Rose Street and Falls Avenue are not adequate for an in-home daycare.

The public comment portion of the hearing was closed.

Samantha Thomas stated that she is in the process of cleaning up her yard and has passed safety inspections. She also stated that her portion of Rosewood Street does have a sidewalk.

Council discussion followed:

-Buses.

Councilperson Lanting asked staff to contact the School District regarding the buses using Rosewood Street rather than using Sparks, as required.

-Ages of children.

-Pick up times.

-Parking area.

-Possible time line of the special use permit.

-Fencing.

-Falls Avenue.

City Manager Courtney stated that a three and four lane configuration have been discussed. His recollection is that the Council favored the 3 lane configuration but instructed staff to do the engineering study and to bring back that information. That information has not been developed at this point. Staff is now soliciting proposal from engineering firms to begin the design process which would include the development of the configuration of the road. At this point a decision has not been made. The City Council has favored the 3 lane configuration.

-SUP revocation process.

-Policy handbook.

Samantha Thomas reviewed the handbook she would be using.

The public hearing was closed.

MOTION:

Councilperson Heider made the motion to uphold the Planning & Zoning Commission's decision to approve a Special Use Permit to operate an in-home daycare service on property located at 894 Rose Street North (app. 2252) as presented with the following conditions:

1. Subject to site plan amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable City code requirements and standards.
2. A maximum of twelve (12) children may be cared for under this permit.
3. One (1) additional caregiver may be employed on site.
4. Subject to the driveway being left clear for customer parking during day care operating hours.
5. Comply with all state and local requirements to establish a day care facility, including receiving certification from the Idaho State Department of Health and Welfare and a Day Care Center License from the City of Twin Falls Fire Department.
6. Apply and receive a Certificate of Occupancy from the City of Twin Falls Building Department for the in-home day care.

The motion was seconded by seconded by Councilperson Hall.

MOTION:

MINUTES

August 25, 2008

Page 9 of 10

Councilperson Craig made an amendment to the motion to require the applicant to build a masonry fence in the backyard area. The motion died with a lack of a second.

MOTION:

Councilperson Craig made the motion to have the special use permit for a term of one year from the issuance of the Certificate of Occupancy. The motion was seconded by Councilperson Johnson. Mayor Clow and Councilperson Craig voted in favor of the motion. Councilpersons Hall, Heider, Vice Mayor Johnson, Councilpersons Kezele and Lanting voted against the motion. The motion was defeated with a vote of 2 to 5.

Roll call vote on the main motion showed Mayor Clow, Councilpersons Hall, Heider, Johnson, Kezele and Lanting voted in favor of the motion. Councilperson Craig voted against the motion. The motion passed with a vote of 6 to 1.

Recess at 7:40 p.m.

Reconvened at 7:47 p.m.

Item for Consideration was heard at this time.

6. Continue discussion on the Budget for FY 2008-2009.

Mayor Clow asked the question what the cost for financing the wastewater treatment plant would be versus paying cash. The thought was to reserve the cash for something that may not qualify for ordinary and necessary expense. The City is not locked into an actual rate increase but will give the flexibility to the City. The City does not know if heavy costs are in the future that may require a bond election and the rate increase.

City Manager Courtney stated we do have money in the budget to pay for the chemically enhanced primary treatment system which will replace the active biofilter at the plant. From that standpoint, we believe it would be an ordinary and necessary expense and if the Council would choose to finance that versus paying cash, it can be done, following a judicial confirmation process.

Mayor Clow stated that sewer and water rates would be established.

City Manager Courtney stated that the wastewater increase, since it is 3%, would not require a public hearing.

-Judicial confirmation process.

MOTION:

Councilperson Johnson made the motion to suspend the rules and place Ordinance #2949, entitled:

AN ORDINANCE OF THE CITY OF TWIN FALLS, IDAHO, APPROPRIATING THE VARIOUS SUMS OF MONEY DEEMED NECESSARY TO DEFRAY ALL NECESSARY EXPENSES AND LIABILITIES OF THE CITY OF TWIN FALLS, IDAHO, DESIGNATING AND SPECIFYING THE DIFFERENT FUNDS TO WHICH ALL REVENUE SHALL ACCRUE AND FROM WHICH SUCH APPROPRIATIONS SHALL BE MADE FOR THE FISCAL YEAR BEGINNING ON THE FIRST DAY OF OCTOBER, 2008, AND ENDING ON THE 30TH DAY OF SEPTEMBER, 2009, TO BE KNOWN AS THE ANNUAL APPROPRIATION BILL OF F.Y. 2009.

on third and final reading by title only. The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

Deputy City Clerk Sanchez read the title to Ordinance #2949.

MOTION:

Councilperson Johnson made the motion to adopt Ordinance #2949 as presented. The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

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

MINUTES

August 25, 2008

Page 10 of 10

Executive Session to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public school student. 67-2345(b)

MOTION:

Councilperson Lanting made the motion to adjourn to Executive Session to: Conduct deliberations concerning labor negotiations or to acquire an interest in real property which is not owned by a public agency. 67-2345(c), and; to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public school student. 67-2345(b). The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

The meeting adjourned at 8:09 p.m.

*Leila Sanchez
Deputy City Clerk*

COUNCIL MEMBERS:

LANCE	TRIP	DON	LEE	DAVID E.	WILLIAM A.	GREG
CLOW	CRAIG	HALL	HEIDER	JOHNSON	KEZELE	LANTING

Mayor **Vice Mayor**



MINUTES
Meeting of the Twin Falls City Council
September 8, 2008
City Council Chambers
305 3rd Avenue East Twin Falls, Idaho

PLEDGE OF ALLEGIANCE TO THE FLAG
CONFIRMATION OF QUORUM
INTRODUCTION OF STAFF
CALL MEETING TO ORDER: 5:00 P.M.

PROCLAMATION: "COMMUNITY BIKE WEEK"

AGENDA ITEMS	Purpose	By:
<p>I. <u>CONSENT CALENDAR:</u></p> <ol style="list-style-type: none"> 1. Consideration of accounts payable for August 26-September 8, 2008. 2. Consideration to approve the August 25, 2008, Minutes. 3. Consideration to approve the improvement agreement for Golden Eagle III Subdivision for V & S, LLC. 4. Consideration to approve the improvement agreement, engineer's estimate, and assurance of construction for Farnham Subdivision No. 2, Chardonay LLC. 5. Consideration to approve the improvement agreement and engineer's estimate for Calistoga Springs, Phase 1. 6. Approval of Findings of Fact, Conclusions of Law, and Decisions for: <ol style="list-style-type: none"> a. Final Plat Application, Ameritel Subdivision. b. Zoning District Change & Zoning Map Amendment, Application, M & D Property c/o Mike Hutching. c. Final Plat Application, Calistoga Springs Subdivision Phase 1. d. Final Plat Application, Golden Eagle Subdivision No. 3 Phase 1, c/o Doug Vollmer. e. PUD Modification, Application, Hawkins Companies c/o Brandon Whallon. 	Action	Staff Report
<p>II. <u>ITEMS FOR CONSIDERATION:</u></p> <ol style="list-style-type: none"> 1. Presentation of POST Certificates to Officer Tim Schlund and Officer Luke Allen. 2. Consideration of appointing Jim O'Donnell to the Airport Advisory Board. 3. Consideration to pay fees in lieu of park land dedication for the Sugarsweet Subdivision for RE Investors LLC. 4. Consideration to complete the necessary utility improvements required for a portable building for the Water Department. 5. Consideration of the request of Miles and Nikki Daisher for waiver of the non-conforming building expansion permit process to allow the addition of a non-conforming attached accessory building at 204 7th Avenue North. 6. Consideration of the request of James & Sylvia Horning for waiver of the non-conforming building expansion permit process to allow the expansion of a non-conforming detached accessory building at 1225 6th Avenue East. 7. Consideration of an amended plat for Breckenridge Estates Subdivision, Block 2, Lots 25 & 26 for the purpose of correcting a rear yard setback and adjusting the common lot line between the two lots. The applicants are Gerald and Barbara Beck. 8. Consideration to adopt an ordinance amending City Code 4-2-2, 	Presentation Action Action Action Action Action Action	Jim Munn Bill Carberry Dennis Bowyer Gretchen Scott Mitch Humble Mitch Humble Mitch Humble Dwayne Thomson

COUNCIL PRESENT: Lance W. Clow, Trip Craig, Don Hall, Lee Heider, David E. Johnson, William A. Kezele, Greg Lanting.

COUNCIL ABSENT: None.

CITY STAFF PRESENT: City Manager Tom Courtney, Assistant City Manager Travis Rothweiler, City Attorney Fritz Wonderlich, Finance Director Gary Evans, City Engineer Jackie Fields, Community Development Director Mitch Humble, Assistant City Engineer Chuck Collins, Police Chief Jim Munn, Airport Manager Bill Carberry, Parks & Recreation Director Dennis Bowyer, Building Official Dwaine Thompson, Electrical Inspector Raub Owens, and Deputy City Clerk Leila Sanchez.

Mayor Clow 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 Clow introduced City staff.

Mayor Clow read the Community Bike Week Proclamation.

AGENDA ITEMS

I. CONSENT CALENDAR:

1. Consideration of accounts payable for August 26-September 8, 2008, \$1,050,686.12.
2. Consideration to approve the August 25, 2008, Minutes.
3. Consideration to approve the improvement agreement for Golden Eagle III Subdivision for V & S, LLC.
4. Consideration to approve the improvement agreement, engineer's estimate, and assurance of construction for Farnham Subdivision No. 2, Chardonay LLC.
5. Consideration to approve the improvement agreement and engineer's estimate for Calistoga Springs, Phase 1.
6. Approval of Findings of Fact, Conclusions of Law, and Decisions for:
 - a. Final Plat Application, Ameritel Subdivision.
 - b. Zoning District Change & Zoning Map Amendment, Application, M & D Property c/o Mike Hutching.
 - c. Final Plat Application, Calistoga Springs Subdivision Phase 1.
 - d. Final Plat Application, Golden Eagle Subdivision No. 3 Phase 1, c/o Doug Vollmer.
 - e. PUD Modification, Application, Hawkins Companies c/o Brandon Whallon.

MOTION:

Councilperson Hall 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. The motion passed with a vote of 7 to 0.

II. ITEMS FOR CONSIDERATION:

1. Presentation of POST Certificates to Officer Tim Schlund and Officer Luke Allen.

Captain Pike explained the presentation.

Chief Munn, Mayor Clow, and Councilperson Hall presented a certificate to Officer Tim Schlund.

Officer Luke Allen was unable to attend the meeting.

2. Consideration of appointing Jim O'Donnell to the Airport Advisory Board.

Airport Manager Carberry stated that the Airport Board unanimously voted to recommend Jim O'Donnell be appointed to the Board for his first official term.

Staff recommends the City Council consider the appointment of Jim O'Donnell to his first 3 year term on the Airport Advisory Board.

MOTION:

Vice Mayor Johnson made the motion to appoint Jim O'Donnell to his first 3 -year term on the Airport Advisory Board as presented. The motion was seconded by Councilperson Kezele and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

3. Consideration to pay fees in lieu of park land dedication for the Sugarsweet Subdivision for RE Investors LLC.

Parks & Recreation Director Bowyer reviewed the request. Approval of the request will allow the developer to pay fees in lieu of park land dedication. The land was valued at \$83,328 per acre and that added with the cost of developing an acre of park land (\$31,700) multiplied by .01 equals \$1,150.28, the amount of the in lieu of fees. These fees will be used at Harrison Park or the Pierce Street Tennis Court.

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. Staff concurs with the recommendation.

Discussion:

-Proposed activities: Pickle Ball Court.

MOTION:

Vice Mayor Johnson made the motion to approve the request to pay fees in lieu of park land dedication for the Sugarsweet Subdivision as presented. The motion was seconded by Councilperson Craig and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

4. Consideration to complete the necessary utility improvements required for a portable building for the Water Department.

Rescheduled to be heard at the September 15, 2008, Council Meeting.

5. Consideration of the request of Miles and Nikki Daisher for waiver of the non-conforming building expansion permit process to allow the addition of a non-conforming attached accessory building at 204 7th Avenue North.

Community Development Director Humble reviewed the request.

He stated that the Daishers would like to build an attached garage that will not encroach any further into the front yard building setback on Gooding Street North. The building would be in compliance with the minimum building setback of 5' from the property line on the alley.

Staff recommends that the Council grant the request as presented with the following condition:

1. Subject to site plan amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable City code requirements and standards.

Discussion followed:

-Community Development Director Humble stated that the house is non-conforming. The setback is 3.5'.

MOTION:

Vice Mayor Johnson made the motion to approve the request of Miles and Nikki Daisher for waiver of the non-conforming building expansion permit process to allow the addition of a non-conforming attached accessory building at 204 7th Avenue North as presented with the following condition:

1. Subject to site plan amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable City code requirements and standards.

The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

6. Consideration of the request of James & Sylvia Horning for waiver of the non-conforming building expansion permit process to allow the expansion of a non-conforming detached accessory building at 1225 6th Avenue East.

Community Development Director Humble reviewed the request.

He stated that the detached accessory building/garage is non-conforming and is 5' from the property line. There is an existing shed on the property that the Hornings plan to remove in order to add onto this garage. The proposed addition will not encroach any further into the front yard building setback on Elizabeth Boulevard.

Staff recommends that the Council grant the request as presented with the following condition:

1. Subject to site plan amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable City code requirements and standards.

Discussion followed:

- Community Development Director Humble stated that the house is conforming, but the garage is non-conforming.

MOTION:

Councilperson Heider made the motion to approve the request of James & Sylvia Horning for waiver of the non-conforming building expansion permit process to allow the expansion of a non-conforming detached accessory building at 1225 6th Avenue East as presented with the following conditions:

1. Subject to site plan amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable City code requirements and standards.

The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

7. Consideration of an amended plat for Breckenridge Estates Subdivision, Block 2, Lots 25 & 26 for the purpose of correcting a rear yard setback and adjusting the common lot line between the two lots. The applicants are Gerald and Barbara Beck.

Community Development Director Humble reviewed the request.

He stated that the requested setback complies with City requirements and still maintains the desired staggered rear yard setbacks. The applicant has had approval of changes from their homeowners' association architectural committee. Approval of this amended plat will not cause either lot to fall out of compliance with all minimum lot development standards or the overall character of the subdivision. Therefore, staff recommends approval of the amended plat as presented with the following condition:

1. Site plan and/or plat amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable City code requirements and standards.

Vice Mayor Johnson made the motion to approve the amended plat for Breckenridge Estates Subdivision, Block 2, and Lots 25 & 26 for the purpose of correcting a rear yard setback and adjusting the common lot line between the two lots for Gerald and Barbara Beck as presented with the following condition:

1. Site plan and/or plat amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable City code requirements and standards.

The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

8. Consideration to adopt an ordinance amending City Code 4-2-2, Supervision of Electrical Installations, regarding projects that require an electric permit.

Building Official Thomson and Electrical Inspector Owens reviewed the request.

Recently, inspections staff received complaints from area electricians about a competitor electrician not following the National Electric Code with the installation of a fire alarm system on a Twin Falls School District project. Upon investigation of the complaints, it was determined that the installation job was only a 50 watt job and, therefore, did not require issuance of a permit. Inspections staff talked to the electrician and they are revising their work to comply with the Code. In this particular case, a violation could lead to serious life safety risks for children at the school facility. Had the wiring continued to be installed incorrectly, the system could have eventually failed, and a fire alarm that fails to work when needed could be disastrous.

Staff proposes amending City Code 4-2-2 to require these types of alarm system installations to obtain permits. Currently, the Code requires the City's electrical inspector to inspect all electrical installations with the following two exceptions:

(A) Electrical public utilities companies in the installation and maintenance of their own lines and equipment.

(B) All signal and communication circuits of less than one hundred (100) volt amperes.

The second exception includes fire and other alarm systems as "signal circuits." Staff proposes to simply strike "signal circuits" as an allowed exception. Also, the term "volt amperes" is a relatively obscure term that is not commonly used. The commonly used measurement is watts. Staff recommends that both these items be revised and that the second exception read as follows:

(B) All communication circuits of less than one hundred (100) watts.

Approval of this request will increase the amount of projects that require electric permits. Therefore, electric permit revenue will be increased. Electric permit costs are directly related to the overall value of the project. A permit for the project discussed above would have cost about \$65.

Approval of this request will expand the type of electrical jobs that require an electrical permit. As discussed above fire and other alarm system installations, regardless of size, will now be required to obtain a permit. More importantly, the City's electrical inspector will be able to inspect these projects for Code compliance.

Staff recommends that the Council adopt the proposed ordinance, entitled, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, AMENDING TWIN FALLS CITY CODE §4-2-2 BY EXCEPTING REQUIRED ELECTRICAL INSPECTIONS FOR COMMUNICATIONS CIRCUITS OF LESS THAN 100 WATTS.

Discussion followed:

-Minimum requirements on a commercial building.

-Cost.

Electrical Inspector Owens stated that the ordinance does not exclude residential requirements and the cost would be charged on a percentage basis of the installation cost.

He stated that if a building permit is not in place, the contractor would in fact have to purchase a separate permit.

Mayor Clow stated that the state establishes the National Electric Code.

Robin Olszynsky of Jerome, Idaho, spoke in favor of the request.

Mayor Clow asked if the City should follow the state's guidelines.

The Council directed staff to rework the proposed ordinance. No action taken.

9. Consideration of adoption of the following ordinance: Request for annexation of 117.4± acres located south of the intersection of Harrison Street South and 3600 North Road and north of the Low Line Canal, with a zoning designation of R-2, currently zoned R-1 VAR, c/o Gary Wolverton. (app.2044) Proposed Ordinance #2950.

Community Development Director Humble reviewed the request.

On October 29, 2007, the City Council unanimously approved the request for annexation of 117.4± acres located south of the intersection of Harrison Street South and 3600 North Road and north of the Low Line Canal, with a zoning designation of R-2, currently zoned R-1 VAR, c/o Gary Wolverton. (app.2044) as presented with the following deed restrictions:

1. The PUD substantially as presented to the Council, with the same lot layout, types of homes, location of the Church, open space, and landscaping on 3600 North.
2. The lot density will be less than 4 lots per acre.
3. There will not be any duplexes allowed on the project.
4. The property cannot be developed until a PUD Agreement has been approved through the normal process.
5. Subject to arterials and collector streets within or adjacent to the property being built/rebuilt to current City standards upon development of the property.

Staff recommends that the Council adopt the ordinance as presented.

MOTION:

Vice Mayor Johnson made the motion to suspend the rules and place Ordinance #2950, 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 Hall and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

Deputy City Clerk Sanchez read the title to Ordinance #2950.

MOTION:

Councilperson Hall made the motion to adopt Ordinance #2950 as presented. The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

10. Presentation of the Airport's 5 year FAA Capital Improvement Plan (CIP).

Airport Manager Carberry gave a presentation on estimated costs for the 5 year CIP and an illustration of Ramp Area Projects for FY 09-FY14.

Discussion followed:

Councilperson Heider had questions on the deicing facility.

Airport Manager Carberry stated that deicing is a good concept, and it may need to be addressed in the future.

No action taken.

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

Councilperson Kezele stated that he has noticed a great deal of truck traffic on Eastland.

Discussion followed:

-City Engineer Fields stated that Eastland is not a designated truck route or an anti-truck route.

-City Manager Courtney explained the importance of a study to be done of Eastland.

-City Attorney Wonderlich stated that *a public highway agency may limit the application of the weights authorized in this section as to certain highways with its jurisdiction which it determines have limited structural capacity of pavements, bridges, or other appurtenances.*

Council directed staff to bring back to the Council to consider an agreement to perform a pavement investigation and to determine if load limits are necessary.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

IV. PUBLIC HEARINGS: 6:00 P.M. –

1. Request for a zoning title amendment which would amend Twin Falls City Code §10-11-9 and 10-12-5.8 to update the flood plain regulations to comply with FEMA regulations and to repeal Resolution 1128; and to amend Twin Falls City Code §10-17-4(G) by allowing written comments, including e-mail, for public hearings until 12 p.m. on the day of the hearing, c/o City of Twin Falls. (app.2253)

Assistant City Engineer Collins reviewed the request.

The City Council approved Ordinance 2012 on July 6, 1981, which replaced Title 10 of the Twin Falls City Code in its entirety.

Code Sections 10-11-9 Flood Plain Regulations and 10-12-5.8 Subdivision within a Flood Plain were amended by the City Council on November 5, 1984, with ordinance 2128. It added references to the Flood Insurance Rate Maps (FIRM) and a few other adjustments. The code sections were amended again on January 1, 1988, with the adoption of Ordinance 2226. This zoning title amendment added clarification for determining base flood elevation data and added additional requirements for building permits in a flood plain hazard zone. The last time the Flood Plain code was changed was May 1, 1995, with City Council Ordinance 2481. This ordinance added reference to the drainage requirements in 10-11-8 under Required Improvements. It also took out the runoff factors from code and established the water retention facility volume requirements. Since that time the factors and policy have been by letter from the City Engineer.

Code Section 10-17-4 was amended by City Council adoption of Ordinance 2835 on September 12, 2005. It added five (5) rules to the "Twin Falls Rules of Procedure" for conduct of a public hearing. Some of the modifications included time limitations for presentations, testimony, and rebuttal and clarifying the format of motions.

The changes to the Flood Plain code sections 10-11-9 and 10-12-5.8 are in response to the Engineering Department's receipt of new Flood Insurance Rate Maps (FIRM) and a flood study. To maintain flood insurance the City must adopt the new FIRM maps and new flood study by September 26, 2008. To meet this requirement some modifications are being proposed to the code that would remove any

reference to the Federal Insurance Administration (FIA) or F.I.A. Flood Insurance Rate Map (FIRM) and replace it with FEMA Flood Insurance Rate Map and Flood Insurance Study. It is also being proposed that wherever there is a reference allowing for finished floor elevations to be at the 100-year storm water surface elevation that it will be changed to two (2) feet above the 100-year storm water surface elevation.

The zoning title amendment request to change City Code section 10-17-4 The Procedure for the Conduct of Public Hearings is specifically regarding the portion of part "G" which states: "Written comments, including e-mail, shall be either read into the record or displayed to the public on the overhead projector at the completion of public comment."

The following modification is proposed: "No written comments, including e-mail, received after 12:00 o'clock noon on the date of the hearing will be accepted for consideration by the hearing body. Written comments, including e-mail, received by 12:00 o'clock noon on the date of the hearing shall be either read into the record or displayed to the public on the overhead projector at the completion of public comment."

At the August 12, 2008, the Planning & Zoning Commission unanimously recommended approval of the amendment as proposed.

Discussion followed:

-Flood Plain regulations on the City website.

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

Council discussion followed:

-Public comments received.

The public hearing was closed.

MOTION:

Councilperson Heider made the motion to acknowledge and adopt the request for a zoning title amendment for § 10-11-9 and 10-12-5-8 to update the floodplain regulations to comply with FEMA regulations; and repealing Resolution 1128 and to amend §10-17-4(G) by allowing written comments, including e-mail, for public hearings until 12:00 o'clock noon on the day of the hearing. The motion was seconded by Councilperson Kezele and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

MOTION:

Councilperson Johnson made the motion to suspend the rules and place the following:

Ordinance #2951, entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, AMENDING TWIN FALLS CITY CODE §10-17-4(G) BY ALLOWING WRITTEN COMMENTS, INCLUDING E-MAIL, FOR PUBLIC HEARINGS UNTIL 12:00 O'CLOCK NOON ON THE DAY OF THE HEARING.

Ordinance #2952, entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, AMENDING TWIN FALLS CITY CODE §§10-11-9, AND 10-12-5.8 TO UPDATE THE FLOOD PLAIN REGULATIONS TO COMPLY WITH FEMA REGULATIONS; AND REPEALING RESOLUTION 1128.

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. The motion passed with a vote of 7 to 0.

Deputy City Clerk Sanchez read Ordinance #2951.

MOTION:

Councilperson Lanting made the motion to adopt Ordinance #2951, entitled:
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, AMENDING TWIN
FALLS CITY CODE §10-17-4(G) BY ALLOWING WRITTEN COMMENTS, INCLUDING E-MAIL, FOR
PUBLIC HEARINGS UNTIL 12:00 O'CLOCK NOON ON THE DAY OF THE HEARING.

The motion was seconded by Councilperson Craig and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

Deputy City Clerk Sanchez read Ordinance #2952.

MOTION:

Councilperson Craig made the motion to adopt Ordinance #2952, entitled:
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, AMENDING TWIN
FALLS CITY CODE §§10-11-9, AND 10-12-5.8 TO UPDATE THE FLOOD PLAIN REGULATIONS TO
COMPLY WITH FEMA REGULATIONS; AND REPEALING RESOLUTION 1128.

The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

V. **ADJOURNMENT:** The meeting adjourned at 6:40 p.m.

Leila Sanchez
Deputy City Clerk

COUNCIL MEMBERS:

LANCE	TRIP	DON	LEE	DAVID E.	WILLIAM A.	GREG
CLOW	CRAIG	HALL	HEIDER	JOHNSON	KEZELE	LANTING

Mayor

Vice Mayor



MINUTES

Meeting of the Twin Falls City Council
 September 15, 2008
 City Council Chambers
 305 3rd Avenue East Twin Falls, Idaho

PLEDGE OF ALLEGIANCE TO THE FLAG
 CONFIRMATION OF QUORUM
 INTRODUCTION OF STAFF

CALL MEETING TO ORDER: 5:00 P.M.

AGENDA ITEMS	Purpose	By:
I. <u>CONSENT CALENDAR:</u> 1. Consideration of accounts payable for September 9 – 15, 2008. 2. Consideration of Curb-Gutter and Sidewalk Improvement Deferral Agreement for Daniel Hoover for property located at 3076 Vickie Lane. 3. Consideration of Multi-Year Improvement Deferral Agreement for 191 Pioneer Exchange Accommodation Titleholder LLC, for property located at 624 Grandview Drive South. 4. Consideration of Findings of Fact, Conclusions of Law, and Decisions: Vacation Application, Rydan Investments, LLC, c/o Scott Allen, applicant. 6. Consideration of Summary of Ordinance No. 2952 amending City Code 10-11-9 and 10-12-5.8 and repealing Resolution 1128.	Action	Staff Report
II. <u>ITEMS FOR CONSIDERATION:</u> 1. Consideration of the Final Plat of Farnham Subdivision, No. 3 consisting of 3.39 (+/-) acres and 2 lots on property located at the southwest corner of Carriage Lane North and Addison Avenue East, c/o Gerald Martens/EHM Engineers, Inc. 2. Consideration of a real estate exchange agreement between the City of Twin Falls and the Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter Day Saints. 3. Consideration to enter into a lease agreement for the initial term of 1 year for Water Department office space located at 702 Fairfield St W. 4. Discussion on employee health insurance options. 5. Public input and/or items from the City Manager and City Council 6. Presentation by Landmark Design, Inc. and City staff on the Comprehensive Plan and Transportation Master Plan. No staff report.	Action Action Presentation Discussion Presentation	Mitch Humble Mitch Humble Gretchen Scott Susan Harris Mitch Humble
III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u>		
IV. <u>PUBLIC HEARINGS:</u> 6:00 P.M. - None.		
V. <u>ADJOURNMENT:</u>		

COUNCIL PRESENT: Lance W. Clow, Trip Craig, Don Hall, Lee Heider, David E. Johnson, William A. Kezele, Greg Lanting.

COUNCIL ABSENT: None.

CITY STAFF PRESENT: City Manager Tom Courtney, Assistant City Manager Travis Rothweiler, City Attorney Fritz Wonderlich, Finance Director Gary Evans, City Engineer Jackie Fields, Community Development Director Mitch Humble, Personnel Administrator Susan Harris, Management Assistant Gretchen Scott, City Clerk Leila Sanchez.

Mayor Clow 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 Clow introduced City staff.

AGENDA ITEMS

II. CONSENT CALENDAR:

1. Consideration of accounts payable for September 9 – 15, 2008, \$408,818.46.
2. Consideration of Curb-Gutter and Sidewalk Improvement Deferral Agreement for Daniel Hoover for property located at 3076 Vickie Lane.
3. Consideration of Multi-Year Improvement Deferral Agreement for 191 Pioneer Exchange Accommodation Titleholder LLC, for property located at 624 Grandview Drive South.
4. Consideration of Findings of Fact, Conclusions of Law, and Decision: Vacation Application, Rydan Investments, LLC, c/o Scott Allen, applicant.
6. Consideration of Summary of Ordinance No. 2952 amending City Code 10-11-9 and 10-12-5.8 and repealing Resolution 1128.

MOTION:

Councilperson Heider made the motion to approve the Consent Calendar as presented. The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

II. ITEMS FOR CONSIDERATION:

1. Consideration of the Final Plat of Farnham Subdivision, No. 3 consisting of 3.39 (+/-) acres and 2 lots on property located at the southwest corner of Carriage Lane North and Addison Avenue East, c/o Gerald Martens/EHM Engineers, Inc.

Community Development Director Humble reviewed the request.

On August 26, 2008, the Planning & Zoning Commission unanimously approved the preliminary plat of Farnham #3 Subdivision with the following conditions:

1. Subject to site plan amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable City code requirements and standards.
2. Subject to arterial and collector streets adjacent and within the property being rebuilt or built to current City standards upon development of the property.
3. Subject to a Deferral Agreement approved by City Council, for Lot 1, Block 1 of the Farnham Subdivision No 3, to relocate the existing 24" irrigation line in Addison Avenue East to within the property line of Lot 1, Block 1, Farnham Subdivision #3 at such time it is necessary.

Vice Mayor Johnson made the motion to approve the Final Plat of Farnham Subdivision, No. 3 consisting of 3.39 (+/-) acres and 2 lots on property located at the southwest corner of Carriage Lane North and Addison Avenue East, c/o Gerald Martens/EHM Engineers, Inc. as presented with the following conditions:

1. Subject to site plan amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable City code requirements and standards.
2. Subject to arterial and collector streets adjacent and within the property being rebuilt or built to current City standards upon development of the property.

MINUTES

September 15, 2008

Page 3 of 5

3. Subject to a Deferral Agreement approved by City Council, for Lot 1, Block 1 of the Farnham Subdivision No 3, to relocate the existing 24" irrigation line in Addison Avenue East to within the property line of Lot 1, Block 1, Farnham Subdivision #3 at such time it is necessary.

The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

2. Consideration of a real estate exchange agreement between the City of Twin Falls and the Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter Day Saints.

Community Development Director Humble reviewed the request.

Discussion followed:

- Covenants will be the same as any City park.
- Use of reserves of \$30,000 or reprioritizing next year's budget.

City Manager Courtney stated that the Council can choose to reprioritize existing projects rather than paying for the project out of reserves.

-Name change of park.

Councilperson Lanting received a suggestion to call the park Oregon Trail.

MOTION:

Vice Mayor Johnson made the motion to approve the exchange agreement between the City of Twin Falls and the Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter Day Saints as presented, and; bring back options for the remaining \pm \$33,000.

The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

3. Consideration to enter into a lease agreement for the initial term of 1 year for Water Department office space located at 702 Fairfield St W.

Management Assistant Scott reviewed the request. She stated that the lease agreement would provide the following:

- 5 offices, meeting room, break room with kitchenette
- No ADA access.
- Located within one block of the current water department building.
- Adequate parking for staff and crew
- \$500 per month
- Estimated cost for communication improvements - \$13,823.68
- \$9,900 of the cost is recoverable.
- Painting of offices - \$25 per month per office if owner completes work; or the City could complete the work.

Discussion followed:

Councilperson Craig stated that he would favor a portable building with connections to City utilities.

Management Assistant Scott stated there is no ADA access to the offices, but arrangements would be made for the public to meet at City Hall.

City Manager Courtney stated that a lease allows the City time to plan a more permanent solution.

Councilperson Craig stated that he again favored the option of a portable building or repairing the Water building.

Mayor Clow asked if the lease had a renewable term option.

MINUTES

September 15, 2008

Page 4 of 5

Management Assistant Scott stated that the lease agreement has not been drafted at this time but can place the option of a renewable lease.

Councilperson Heider made the motion to approve to enter into a lease agreement for the initial term of 1 year for Water Department office space located at 702 Fairfield St W. as presented with the following conditions:

1. The City of Twin Falls would paint offices.
2. Option of a renewable lease.

The motion was seconded by Vice Mayor Johnson

Councilperson Lanting stated that he favored the portable building option.

Roll call vote showed Mayor Clow, Vice Mayor Johnson, Councilpersons Hall, Heider, and Kezele voted in favor of the motion. Councilpersons Craig and Lanting voted against the motion. The motion passed with a vote of 5 to 2.

4. Discussion on employee health insurance options.

Councilperson Heider recused himself from discussion and voting for the Item for Consideration.

Councilperson Johnson disclosed that his employer does business with Premier Insurance Co.

Personnel Administrator Harris stated that the City has two strong carriers with bids and would like to receive Council direction.

Debbie Hetherington, representative of Premier Insurance Co., reviewed the request. For clarification she stated that she works for the City of Twin Falls to provide the best benefit for the city and employees. A quote was received from both Blue Cross of Idaho and Regence Blue Shield of Idaho and she personally does not favor one over the other. Both carriers at this time offer the same rates.

Councilperson Kezele asked the cost of premiums if the deductible were raised from \$500 to \$750/\$1000.

Debbie Hetherington stated that she would need to know who would be the carrier.

Mayor Clow stated that Blue Cross of Idaho did not provide any PPO providers in town and no pediatricians that participate in PPO Blue Cross of Idaho.

Debbie Hetherington stated that Regence Blue Shield has a network of PPO providers. She also explained the experience ratio.

Councilpersons Kezele and Johnson asked if staff had been involved in the process.

City Manager Courtney stated that staff had not been involved, and that at this point, senior staff has reviewed information that is different from what is currently being discussed. He stated that he is looking for Council direction.

Personnel Administrator Harris stated that the plans are comparable with other municipalities.

Councilperson Kezele stated that he would like bids to come back for a \$750 to \$1000 deductible.

Discussion followed:

- Employer/employee contribution.
- Employee survey.

Council gave direction to staff to bring back to the September 22, 2008, Council meeting for review.

5. Public input and/or items from the City Manager and City Council. None.

Recess 6:32 p.m.

Reconvened at: 6:43 p.m.

Planning & Zoning Commission Chairman Carl Younkin called the Planning & Zoning Commission's special meeting to order.

COMMISSION MEMBERS PRESENT: Carl Younkin, Lee Devore, Tato Munoz, Erik Mikesell, and Wayne Bohrn.

5. Presentation by Landmark Design, Inc. and City staff on the Comprehensive Plan and Transportation Master Plan. No staff report.

Presentation by Mark Vlassic of Landmark Design, Inc., on the Final Draft of Twin Falls Vision 2030 A Comprehensive Plan for Sustainable Future.

Presentation by Mike Pepper of KMP Planning on the Transportation Master Plan on behalf of Civil Science.

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

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

V. **ADJOURNMENT:** The meeting adjourned at 8:00 p.m.

Leila Sanchez
Deputy City Clerk

COUNCIL MEMBERS:

LANCE	TRIP	DON	LEE	DAVID E.	WILLIAM A.	GREG
CLOW	CRAIG	HALL	HEIDER	JOHNSON	KEZELE	LANTING

Mayor

Vice Mayor



MINUTES

Meeting of the Twin Falls City Council
 September 22, 2008
 City Council Chambers
 305 3rd Avenue East Twin Falls, Idaho

PLEDGE OF ALLEGIANCE TO THE FLAG
 CONFIRMATION OF QUORUM
 INTRODUCTION OF STAFF

CALL MEETING TO ORDER: 5:00 P.M.

AGENDA ITEMS

Purpose

By:

I. CONSENT CALENDAR:

1. Consideration of accounts payable for September 16-22, 2008.
2. Consideration of Alcohol License Application for Happy Hearts, Inc., dba The Garden Café to add liquor to their current alcohol licensing, 2221 Addison Ave. West.
3. Consideration of a request to accept Lots 9 and 10, Block 1 of Pheasant Meadows Subdivision from R&J Development.
4. Consideration of a request to accept an irrigation easement from Chardonnay, LLC.
5. Consideration of a request to approve a 24" gravity irrigation adjacent to Addison Avenue East improvement deferral agreement for St. Luke's, MVRMC, LTD, (Farnham #3), 2580 Addison Ave. E.
6. Consideration of a request to accept public right of way for the extension of Meadowview Lane and a right turn lane for westbound traffic on Kimberly Road from Dirk Parkinson, on behalf of Fred Cornforth, Idaho Development and Housing Organization, Inc.
7. Consideration of a request to approve the improvement agreement and engineer's estimate for Timberlake Village Subdivision.
8. This item moved to #7 in II. Items for Consideration.

Action

Staff Report

II. ITEMS FOR CONSIDERATION:

1. Presentation by Nancy Choker, Moss Greenhouses, Inc., of a Landscape Award to The Caring Place at Idaho Home & Hospice located at 870 Eastland Drive, and a Business is Blooming traveling trophy to The Music Center located at 221 Main Avenue East.
2. Consideration of a request to appoint Bob Richards to a 2-year 9-month term for the Urban Renewal Agency Board.
3. Consideration of a request by Kathy Schroeder, BID District Event Committee, to approve the Historic Downtown Oktoberfest.
4. Consideration of the Twin Falls Tonight Committee's request to approve its application for the season's final Main Avenue concert.
5. Consideration of proposals for Employee Health Insurance.
6. Consideration of the Agreement between the City of Twin Falls and American Geotechnics, Inc. to perform a pavement investigation and design a road section that will handle heavy truck traffic.
7. Consideration of a request from Doug Vollmer to vacate 5' of an existing 30' street right of way on the east side of Pierce Street and fronting his residence.
8. Consideration of Falls Avenue West Widening RFP.
9. Consideration of bids for the 2008 20 lb. on-site sodium hypochlorite generation station (OSHGS) on Hankins.
10. Consideration of bids for the 2008 Standby Diesel Generator for the Wills Booster Station.
11. Discussion concerning Enterprise Funds and funding for the Golf Course.
12. Public input and/or items from the City Manager and City Council.

Presentation

Nancy Choker

Action

Melinda Anderson

Action

Dennis Pullin

Action

Dan McAtee

Action

Susan Harris

Action

Jackie Fields

Action

Jackie Fields

Action

Jackie Fields

Action

Jon Caton

Action

Jon Caton

Action

Greg Lanting

MINUTES

September 22, 2008

Page 2 of 9

III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u>		
IV. <u>PUBLIC HEARINGS:</u> 6:00 P.M. 1. Consideration of the adoption of Resolution Number 1800, establishing sewer connection fees and user charges; establishing water connection fees and user charges, establishing pressure irrigation fees, establishing garbage collection fees, providing for a policy on delinquent accounts and providing for an effective date.	Action	Gary Evans
V. <u>ADJOURNMENT:</u>		

MINUTES

September 22, 2008

Page 3 of 9

COUNCIL PRESENT: Lance W. Clow, Don Hall, Lee Heider, David E. Johnson, William A. Kezele, Greg Lanting

COUNCIL ABSENT: Trip Craig

CITY STAFF PRESENT: City Manager/Finance Director Gary Evans, City Attorney Fritz Wonderlich, City Engineer Jackie Fields, Personnel Administrator Susan Harris, Management Assistant Gretchen Scott, Economic Development Director Melinda Anderson, Staff Sergeant Dennis Pullin, Staff Sergeant Dan McAtee, Captain Brian Pike, Public Works Coordinator Jon Caton, City Clerk Leila Sanchez.

Mayor Clow 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 Clow introduced City staff.

Changes to the Agenda:

Acting City Manager/Finance Director Gary Evans stated the following change to the agenda: Consideration of bids for the 2008 80 lb. on-site sodium hypochlorite generation station (OSHGS) (Canyon Springs 2008)

Mayor Clow moved up Item for Consideration #7 to Item #3.

AGENDA ITEMS

I. CONSENT CALENDAR:

1. Consideration of accounts payable for September 16-22, 2008, \$854,084.67.
2. Consideration of Alcohol License Application for Happy Hearts, Inc., dba The Garden Café to add liquor to their current alcohol licensing, 2221 Addison Ave. West.
3. Consideration of a request to accept Lots 9 and 10, Block 1 of Pheasant Meadows Subdivision from R&J Development.
4. Consideration of a request to accept an irrigation easement from Chardonnay, LLC.
5. Consideration of a request to approve a 24" gravity irrigation adjacent to Addison Avenue East improvement deferral agreement for St. Luke's, MVRMC, LTD, (Farnham #3), 2580 Addison Ave. E.
6. Consideration of a request to accept public right of way for the extension of Meadowview Lane and a right turn lane for westbound traffic on Kimberly Road from Dirk Parkinson, on behalf of Fred Cornforth, Idaho Development and Housing Organization, Inc.
7. Consideration of a request to approve the improvement agreement and engineer's estimate for Timberlake Village Subdivision.
8. This item moved to #7 in II. Items for Consideration.

MOTION:

Vice Mayor Johnson made the motion to approve the Consent Calendar as presented. The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

II. ITEMS FOR CONSIDERATION:

1. Presentation by Nancy Choker, Moss Greenhouses, Inc., of a Landscape Award to The Caring Place at Idaho Home & Hospice located at 870 Eastland Drive, and a Business is Blooming traveling trophy to The Music Center located at 221 Main Avenue East.

Presentation of a Landscape Award by Nancy Choker to Rhonda Sickles with The Caring Place; and presentation of the Business is Blooming traveling trophy to Jenny Wilcox of The Music Center.

2. Consideration of a request to appoint Bob Richards to a 2-year 9-month term for the Urban Renewal Agency Board.

Community Development Director Anderson reviewed the request.

Staff recommends Bob Richards' appointment to the Urban Renewal Agency Board and the Industrial Development Board as presented.

MINUTES

September 22, 2008

Page 4 of 9

MOTION:

Councilperson Heider made the motion to appoint Bob Richards to a 2-year 9-month term (expiring June 2011) to the Urban Renewal Agency Board and the Industrial Development Board as presented. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

3. Consideration of a request from Doug Vollmer to vacate 5' of an existing 30' street right of way on the east side of Pierce Street and fronting his residence.

City Engineer Fields reviewed the request. The request is to vacate 5' of an existing 30' street right of way on the east side of Pierce Street and fronting his residence. Mr. Vollmer would like to add onto the front of his existing garage but is unable to as the existing garage meets front yard setback and the addition would not.

If the Council approves this request, staff recommends a condition that approval is subject to either retaining utility easement or release by all the utility companies prior to an ordinance/deed being granted. Without this condition, it is not clear that the City will be releasing property free of utilities.

Doug Vollmer, applicant, explained the request. The current street width is 60' (30' on each side of the street) where the Street Master Plan only calls for a 50' (25' on each side of the street.) The intention is to add onto the front of the garage to get it to a modern day depth. In order to do that a portion of the extra 5' requested would need to be vacated.

Discussion followed:

City Attorney Wonderlich stated that vacating right of way in this area would be preferable than vacating the entire area at one time.

MOTION:

Councilperson Lanting made the motion to approve the request from Doug Vollmer to vacate 5' of an existing 30' street right of way on the east side of Pierce Street and fronting his residence as presented with the following condition:

1. Subject to either retaining a utility easement on the vacated portion or securing releases from all the utility companies prior to approval of the ordinance or grant of deed.

The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

4. Consideration of a request by Kathy Schroeder, BID District Event Committee, to approve the Historic Downtown Oktoberfest.

Staff Sergeant Pullin reviewed the request.

An outdoor concert providing live music was requested by Kurt Handley, owner of Pandora's, between the hours of 5 p.m. to 9 p.m. Alcohol would be served by Pandora's at this event. The proposed location for the concert would be in the triangle parking lot by Woody's and Pandora's between Minidoka Avenue and the intersection of 5th Avenue South and Hansen Street South. The event sponsor indicated that the area would be fenced off in an effort to contain the crowd within the designated areas in order to avoid pedestrians in the roadway of Minidoka Avenue. This area does not provide for adequate parking for this event. Because of this, it is anticipated that people would be parking on the south side of Minidoka next to the railroad tracks. This would cause people to have to cross the street to get back and forth from the concert site. It is anticipated that noise will be an issue for the residential areas on the south side of Rock Creek Canyon. Staff recommends that the on-duty supervisor be given authority to order event organizers to mitigate the sound of amplified music. If the noise complaints become habitual, the Patrol Supervisor shall be granted the authority to order the music to be terminated. The three businesses adjacent to the concert will be serving alcohol which would also add to concerns for the safety of the citizens attending the event.

The event sponsor has planned for four deputies to provide security and staff recommends a minimum of six deputies in order to provide adequate security and traffic control. Because of these concerns, staff does not recommend the approval of the concert in the area of Pandora's and Woody's.

If the concert is approved by City Council, the hours for the event on Saturday, October 4, 2008, would be extended until 9 p.m.

Staff recommends that the City Council approve the Special Events application submitted for the Historic Downtown Oktoberfest, except the requested concert, based on the information provided.

MINUTES

September 22, 2008

Page 5 of 9

Kathy Schroeder explained the request.

Kurt Handley explained the plans for the concert. He stated his concern of music possibly not being allowed because of complaints received on the Woody's establishment. The concert would end at 9 p.m. In regards to the noise issue, the noise ordinance starts at 10 p.m. and the concert would end at 9 p.m. He would like to have a family friendly event.

Discussion followed:

-Councilperson Hall asked about the fencing proposed by Kurt Handley and setting up of the stage.

Kurt Handley stated that orange barrier fencing would be placed along Minidoka to minimize people parking along there. The setting of the stage would be facing northeast towards the Woody's building. He stated that he would not hesitate to rent orange cones or barricades and place those along that parking area.

-Councilperson Hall asked Kurt Handley if he took the information regarding barricading to staff.

Staff Sergeant Pullin stated that fencing was recommended to the applicant. The concern is that people will park as close as they can to the event and would be crossing Minidoka to get to and leave from the event. He stated that staff had noise concerns.

Captain Pike stated that staff does not feel comfortable with the plan and the venue presented by the applicant but believes it can be done. He would have to look at controlling parking and officers monitoring and crossing Minidoka.

Staff Sergeant Pullin stated that Minidoka cannot be closed since it is part of the truck route. The BID will be billed for security at the event. He asked that if the concert is approved that the supervisor be allowed to terminate concert if noise complaints are received.

Kurt Handley stated that he would be willing to take care of the crosswalk issue out of his own budget. He is aware that the BID is on a extremely tight budget. He stated that he and Dave Woodhead are willing to pay for the extra security requested by the Police Department.

MOTION:

Vice Mayor Johnson made the motion to approve the concept of the Historic Downtown Oktoberfest to be held on October 3 - 4, 2008, as presented with the concert being approved but working out the final security and traffic safety issues and pedestrian issues with the Police Department as presented. The motion was seconded by Councilperson Lanting. Roll call vote showed Mayor Clow, Councilperson Hall, Vice Mayor Johnson, and Councilperson Lanting voted in favor of the motion. Councilpersons Heider and Kezele voted against the motion. The motion passed with a vote of 4 to 2.

5. Consideration of the Twin Falls Tonight Committee's request to approve its application for the season's final Main Avenue Concert.

Staff Sergeant McAtee reviewed the request.

The concert is a one-night extension of the Twin Falls Tonight events had been held for the last nine years and were approved this year from June 18 through July 23, 2008. The event will be held on Main Avenue East and Main Avenue South from Shoshone Street to Idaho Street East. The 100 Block of Hansen Street East will also be occupied. The event will include vendors set up on Main Avenue near the fountain and live music. The band stage will be on Hansen Street East. Alcohol will be served by Soran's and/or the Beacon, identification will be checked by the Twin Falls Tonight committee members.

Staff recommends that the City Council approve the Special Events Application submitted for the Twin Falls Tonight event to be held on September 27, 2008.

MOTION:

Councilperson Heider made the motion to approve the Twin Falls Tonight event to be held on September 22, 2008. The motion was seconded by Vice Mayor Johnson and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

6. Consideration of proposals for Employee Health Insurance.

MINUTES

September 22, 2008

Page 6 of 9

Councilperson Heider recused himself from discussion and vote.

Personnel Administrator Harris reviewed the request.

The insurance proposals were discussed at the City Council meeting on September 15, 2008. The proposals for employee health insurance were discussed with senior staff on September 16. Senior staff recommends renewing with Blue Cross.

A meeting was held with a larger group of departmental managers and employee representatives on Wednesday, September 17, 2008. There were 38 employees in attendance which represents about 15% of our workforce. The group voted unanimously to renew with Blue Cross.

Both Blue Cross and Regence Blue Shield are good companies. The health plans offered by Blue Cross and Regence Blue Shield are basically identical. Regence has a more comprehensive network of physicians. Blue Cross reimburses at lower reimbursement rates. Assuming the claim history is identical with either company, it is believed the experience rate will be higher with Blue Shield because their reimbursement rates are higher. In an attempt to control cost and premiums in future years, it is recommended that the contract be renewed with Blue Cross using the PPO program and allow employees the option of selecting the Blue Cross Traditional plan with the employee paying the additional cost.

Councilperson Hall recommended staff to discuss the employee health insurance to the Council on a yearly basis.

MOTION:

Councilperson Lanting made the motion to approve to renew the program with Blue Cross using the PPO program and allow employees the option of selecting the Blue Cross Traditional plan at the renewal rate of 3.67% increase. The motion was seconded by Councilperson Hall and roll call vote showed all present voted in favor of the motion. The motion passed by a vote of 5 to 0 with Councilperson Heider abstaining from the vote.

7. Consideration of the Agreement between the City of Twin Falls and American Geotechnics, Inc. to perform a pavement investigation and design a road section that will handle heavy truck traffic.

City Engineer Fields reviewed the request. She stated that Eastland Drive handles a significant amount of truck traffic and is one of the City's important north-south arterial roads. Sections of the roadway are showing stress due to the traffic loads and at present, the life of the pavement is unknown. While the standard specification identifies a road section for the City's collector roads, arterials require a study to identify a meaning typical section. The typical section is the depth of the pavement and underlying base.

Pavement investigation will extend from Pole Line Road to Orchard Drive, except for the existing concrete section near Filer Avenue and intersection of Kimberly Road and Eastland Drive. This intersection was reconstructed in concrete several years ago. The analysis will look at four different rehabilitation/reconstruction methods and will suggest, by life cycle, the most appropriate for our future. It will also project the existing pavements' remaining life with and without the projected growth in truck traffic.

The contract does not include discussion with the Council on any portion of the data or the recommendations at any time, and therefore, would ask that the contract, if approved, not exceed \$50,000, to allow the consultant to make presentations.

Discussion followed:

Councilperson Heider, for clarification, asked if the traffic control for boring operation would be paid by the city or is it included in the proposed contract.

City Engineer Fields stated that the cost is not in the contract and would be paid by the City and is estimated at \$3,000. The intent is to use Road Work Ahead.

Councilperson Kezele stated that we need to have research done to regulate the road on weights.

MINUTES

September 22, 2008

Page 7 of 9

Mayor Clow, for clarification, stated that the report will show without any change what the road can handle. Also to make recommendations as to what new construction standards could be used on that road necessary to meet the master highway plan and/or anticipate a traffic plan.

Councilperson Heider referred to Section G paragraph 5 in the agreement and asked if the City is aiming to reduce the truck load or increase the pavement life.

City Engineer Fields stated that there is no plan on reducing the truck load this year. The state highways that are built to make truck load are US 30 and Highway 50. She stated that it is appropriate to rebuild the road to something that actually works for the design length of the pavement and right now includes trucks. Once it is determined the depth of the pavement then it can be figured how deep that pavement gets and the estimated costs. She stated that the plan she is to gather data and not making a recommendation at this time.

Councilperson Heider asked if the reason for the study is to have the road, gravel and pavement thickness determined for us.

City Engineer Fields stated that the study is to determine a pavement depth for the City.

Councilperson Heider stated that is known how big a road will need to be built to handle truck traffic. The specifications are available through ITD. He also stated that it is a fact that Pole Line Road and the first part of Eastland were built to handle truck traffic.

City Engineer Fields stated that Pole Line Road and Eastland were built to collector specifications and not as a truck route.

Councilperson Heider asked why it was not built to handle truck traffic.

City Engineer Fields stated that it was built to the road specifications on hand. A study of the road was not made to determine what was truly appropriate. The roads were built to a standard collection specification. It was not deemed appropriate to guess and a study was not required to make that determination.

Councilperson Kezele stated that the study was anticipated to be done by June 1 and asked if the contract costs changed.

City Engineer Fields stated the escalation between then and now is reflected in the costs.

Councilperson Heider asked if the study will be done while Blue Lakes is being resurfaced.

City Engineer Fields stated that the plan is to do the road closures now.

Councilperson Kezele asked the longevity of the study.

City Engineer stated that she is expecting the study to stand firm at least five years, and hopefully ten years. The projection for pavement life is for 20 and 40 years if it is concrete.

MOTION:

Councilperson Lanting made the motion to approve the agreement with American Geotechnics in the amount not to exceed \$50,000. The motion was seconded by Vice Mayor Johnson. Roll call vote showed Mayor Clow, Councilperson Hall, Vice Mayor Johnson, Councilpersons Kezele and Lanting voted in favor of the motion. Councilperson Heider voted against the motion. The motion passed with a vote of 5 to 1.

8. Consideration of Falls Avenue West Widening RFP.

City Engineer Fields reviewed the request.

MOTION:

Vice Mayor Johnson made the motion to approve to enter negotiations with JUB Engineers to design Falls Avenue West from Washington Street to Grandview Drive. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

9. Consideration of bids for the 2008 20 lb. on-site sodium hypochlorite generation station (OSHGS) on Hankins.

MINUTES

September 22, 2008

Page 8 of 9

Public Works Coordinator Caton reviewed the request.

MOTION:

Councilperson Heider made the motion to approve the 2008 20lb. On Site Sodium Hypochlorite Generation Station (OSHGS) Hankins to be awarded to Process Solutions Inc., of Campbell, CA, in the amount of \$62,500. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

10. Consideration of bids for the 2008 80 lb. on-site sodium hypochlorite generation station (OSHGS) (Canyon Springs 2008)

Public Works Coordinator Caton reviewed the request.

MOTION:

Councilperson Heider made the motion to approve the 2008 80lb. On site Sodium Hypochlorite Generation Station (OSHGS) Canyon Springs be awarded to Process Solutions Inc., of Campbell, CA in the amount of \$110,700. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

11. Consideration of bids for the 2008 Standby Diesel Generator for the Wills Booster Station.

Public Works Coordinator Caton reviewed the request.

MOTION:

Vice Mayor Johnson made the motion to approve the approve the 2008 Standby Diesel Generator contract for the Wills Booster Station to Western States Equipment in the amount of \$52,289.00. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

11. Discussion concerning Enterprise Funds and funding for the Golf Course.

Councilperson Lanting gave an informational presentation on the funding of the Golf Course. He stated that through discussion with the Golf Advisory Board the question came up as to why the Golf Course Fee is on the Enterprise Fund while other similar entities in the City are no longer in that category, the pool being one and portions of the Parks & Department. He stated that during discussions with City Manager Courtney, he was convinced that the Golf Course needs to be remaining on an Enterprise Fund.

For informational purposes, it came to his attention about a month ago during discussion with Parks & Recreation Director Bowyer and City Manger Courtney how the junior programs in the City of Twin Falls are subsidized, and it occurred to him that this is being done in a defacto manner with the Golf Course. The Golf Course appears to be losing money. If the Golf Course is subsidizing in the same manner like any other junior program in the city, the tally would show a profit over the years. Regarding the Junior Program of Twin Falls Municipal Golf Course, there is no equivalent. The suggestion is to start looking as to how to subsidize the junior golf program.

Ray White, Golf Advisory Board member, spoke to support the Golf Course. He stated that major concerns as a board are to be self sustained and to be able support the course to make it better.

Lynn Hedberg, spoke in favor of the Junior Golf Program.

No action taken.

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

Councilperson Kezele stated that he would like to get direction from City Council to give to staff to look into a public information officer.

Mayor Clow suggested that Councilperson Kezele speak to City Manager Courtney regarding the prospect of a public information officer.

Recess at 7:07 p.m.
Reconvened at 7:15 p.m.

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

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

1. Consideration of the adoption of Resolution Number 1800, establishing sewer connection fees and user charges; establishing water connection fees and user charges, establishing pressure irrigation fees, establishing garbage collection fees, providing for a policy on delinquent accounts and providing for an effective date.

Acting City Manager/Finance Director Evans reviewed the request.

MOTION:

Councilperson Lanting made the motion to adopt Resolution 1800, entitled;

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, ESTABLISHING SEWER CONNECTION FEES AN UNDER CHARGES; ESTABLISHING WATER CONNECTION FEES AND USER CHARGES; ESTABLISHING PRESSURE IRRIGATION FEES; PROVIDING FOR COMMERCIAL AND NON-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 Hall and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

V. **ADJOURNMENT:** The meeting adjourned at 7:34 p.m.

Leila Sanchez
Deputy City Clerk

COUNCIL MEMBERS:

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



MINUTES
Meeting of the Twin Falls City Council
September 29, 2008
City Council Chambers
305 3rd Avenue East Twin Falls, Idaho

PLEDGE OF ALLEGIANCE TO THE FLAG
CONFIRMATION OF QUORUM
INTRODUCTION OF STAFF

CALL MEETING TO ORDER: 5:00 P.M.

AGENDA ITEMS	Purpose	By:
I. <u>CONSENT CALENDAR:</u> 1. Consideration of accounts payable for September 23-29, 2008. 2. Consideration of the 09-08-2008 and 09-15-2008, Minutes. 3. Consideration of Findings of Fact, Conclusions of Law and Decisions for: a. Zoning District Change & Zoning Map Amendment application for Gary & Violet Nahapet. b. Final Plat application for Timberlake Village Subdivision c/o CDI Engineers. c. Annexation application for Gary Wolverton. 4. Consideration of a Curb-Gutter and Sidewalk Improvement Deferral Agreement for Ray Perron for property located at 470 Oak Street. 5. Consideration of an Improvement Agreement for Developments, Assurance of Construction, and Engineer's Estimate for St. Luke's Magic Valley Regional Medical Center for the Farnham Subdivision #3 development.	Action	Staff Report
II. <u>ITEMS FOR CONSIDERATION:</u> 1. Consideration of a Commercial Lease Agreement with Gus Bowman and City of Twin Falls, Water Department for property located at 702 Fairfield Street West. 2. Consideration of the 2008-2009, Contract Amendment No. 7, for the CH2M Hill OMI Contract. 3. Consideration of a final plat for Sugarsweet Subdivision, 0.32± acre with two (2) lots located at 557 Jefferson Street, c/o J-U-B Engineers on behalf of RE Investors, LLC. 4. Executive Session to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public school student. 67-2345(b) 5. Public input and/or items from the City Manager and City Council.	Action Action Action	Gretchen Scott John Waynetska/ Lori Smith Mitch Humble
III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u>		
IV. <u>PUBLIC HEARINGS:</u> 6:00 P.M. – 1. Public hearing to amend the 2007-2008, Budget.		
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.*

COUNCIL PRESENT: Lance W. Clow, Don Hall, Lee Heider, David E. Johnson, William A. Kezele, Greg Lanting.

COUNCIL ABSENT: Trip Craig

CITY STAFF PRESENT: City Manager Tom Courtney, Assistant City Manager Travis Rothweiler, Finance Director Gary Evans, Assistant Finance Director Lorie Race, Budget Coordinator Darren Huber, City Attorney Fritz Wonderlich, Community Development Director Mitch Humble, Management Assistant Gretchen Scott, Deputy City Clerk Lella Sanchez.

Mayor Clow 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 Clow introduced City staff.

Changes to the agenda:

The following Item for Consideration will be rescheduled at a later date.

2. *Consideration of the 2008-2009, Contract Amendment No. 7, for the CH2M Hill OMI Contract.*

AGENDA ITEMS

I. CONSENT CALENDAR:

1. Consideration of accounts payable for September 23-29, 2008, . total: \$1,141,332.84.
2. Consideration of the 09-08-2008 and 09-15-2008, Minutes.
3. Consideration of Findings of Fact, Conclusions of Law and Decisions for:
 - a. Zoning District Change & Zoning Map Amendment application for Gary & Violet Nahapet.
 - b. Final Plat application for Timberlake Village Subdivision c/o CDI Engineers.
 - c. Annexation application for Gary Wolverton.
4. Consideration of a Curb-Gutter and Sidewalk Improvement Deferral Agreement for Ray Perron for property located at 470 Oak Street.
5. Consideration of an Improvement Agreement for Developments, Assurance of Construction, and Engineer's Estimate for St. Luke's Magic Valley Regional Medical Center for the Farnham Subdivision #3 development.

MOTION:

Councilperson Hall made the motion to approve the Consent Calendar as presented. The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

II. ITEMS FOR CONSIDERATION:

1. Consideration of a Commercial Lease Agreement with Gus Bowman and City of Twin Falls, Water Department for property located at 702 Fairfield Street West.

Management Assistant Scott reviewed the request.

On September 15, 2008, the Council approved the location and general concept of leasing office space located at 702 Fairfield Street West. Bids were received on the painting.

Discussion followed:

-City to pay 25% of power and gas utilities.

Management Assistant Scott stated that the split is even between the tenants. The estimated cost for a year is \$1,020 for utilities. The bids received for painting the offices are between \$2,700 and \$3,100.

Councilperson Johnson stated that he is not in favor of employees painting offices, but favors accepting a paint bid received.

-10 parking spots to be dedicated for city use.

Management Assistant Scott stated that the lot is gravel and will basically be on a first come first serve basis.

-First right of refusal for additional office space.

MINUTES

September 29, 2008

Page 3 of 4

Management Assistant Scott stated there are office spaces available if needed.

MOTION:

Councilperson Heider made the motion to approve the lease agreement for office space located at 702 Fairfield Street West for the Water Department as presented. The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

2. Consideration of the 2008-2009, Contract Amendment No. 7, for the CH2M Hill OMI Contract.

To be rescheduled.

3. Consideration of a final plat for Sugarsweet Subdivision, 0.32± acre with two (2) lots located at 557 Jefferson Street, c/o J-U-B Engineers on behalf of RE Investors, LLC.

Community Development Director Humble reviewed the request.

At the September 23, 2008 meeting, the Planning & Zoning Commission unanimously approved the preliminary plat for this subdivision with the following conditions:

1. Subject to site plan amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable City code requirements and standards.
2. Subject to approval of a multi-year deferral agreement for improvements of Jefferson Street to the centerline of the road and curb, gutter, and sidewalk development for both lots of the subdivision.

Staff recommends that the Council approve the final plat of Sugarsweet Subdivision subject to the following conditions:

1. Subject to site plan amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable City code requirements and standards.
2. Subject to approval of a multi-year deferral agreement for improvements of Jefferson Street to the centerline of the road and curb, gutter, and sidewalk development for both lots of the subdivision.

Discussion followed:

-Mayor Clow asked for clarification of the in lieu approved on the existing subdivision.

-Community Development Director Humble stated that the in lieu approved was for one lot. He stated that the in lieu request was based on an appraised value of \$83,000. He also stated that recently the Council approved an in lieu request on a five lot plat at Harrison and Orchard. The in lieu cost was based on four lots not five.

Councilperson Johnson said that he encourages in fill projects and that he would rather see the developer placing curb and gutter than pay the in lieu fee. He would encourage development within the community and not urban sprawl.

City Attorney Wonderlich stated that the appraisal should be based on the land. He stated that the in lieu request would be reviewed.

MOTION:

Councilperson Johnson made the motion to approve the lease agreement for the office space located at 702 Fairfield Street West as presented. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

Mayor Clow stated for clarification to accept a bid for the painting of office space.

4. Public input and/or items from the City Manager and City Council. None.
5. Executive Session to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public school student. *67-2345(b)*

MOTION:

MINUTES

September 29, 2008

Page 4 of 4

Councilperson Lanting made the motion to recess to Executive Session to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public school student. *67-2345(b) as presented*. The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

Recess: 5:25

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS: None.

IV. PUBLIC HEARINGS: 6:00 P.M. - None

Consideration of a public hearing to amend the 2007-2008, Budget.

Assistant Finance Director Race reviewed the request.

Discussion followed:

-Airport Fund

-Seizure and restitution fund.

Assistant Finance Director Race stated that the City has a seizure and restitution fund, earmarked specifically for drug enforcement. The money has not been budgeted but in reserves.

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

Closed the public hearing portion of the meeting.

MOTION:

Councilperson Johnson made the motion to suspend the rules and place Ordinance #2953, entitled: AN ORDINANCE OF THE CITY OF TWIN FALLS, IDAHO, AMENDING ORDINANCE NO. 2914, THE APPROPRIATION ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2007, AND ENDING SEPTEMBER 30, 2008; APPROPRIATING ADDITIONAL MONIES THAT ARE TO BE RECEIVED BY THE CITY OF TWIN FALLS, IDAHO, IN THE SUM OF \$2,472,334; AND PROVIDING AN EFFECTIVE DATE.

The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

Deputy City Clerk Sanchez read Ordinance #2953.

MOTION:

Councilperson Hall made the motion to adopt Ordinance #2953 as presented and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

The meeting adjourned at 6:14 p.m.

V. ADJOURNMENT. The meeting adjourned at 6:14 p.m.

*Leila Sanchez
Deputy City Clerk*

COUNCIL MEMBERS:

LANCE	TRIP	DON	LEE	DAVID E.	WILLIAM A.	GREG
CLOW	CRAIG	HALL	HEIDER	JOHNSON	KEZELE	LANTING

Mayor Vice Mayor



MINUTES
Meeting of the Twin Falls City Council
October 6, 2008
City Council Chambers
305 3rd Avenue East Twin Falls, Idaho

PLEDGE OF ALLEGIANCE TO THE FLAG
CONFIRMATION OF QUORUM
INTRODUCTION OF STAFF

CALL MEETING TO ORDER: 5:00 P.M.

AGENDA ITEMS	Purpose	By:
I. <u>CONSENT CALENDAR:</u> 1. Consideration of accounts payable for September 23-29, 2008. 2. Consideration of the September 22 and 29, 2008, Minutes. 3. Consideration of a Multi-Year Improvement Deferral Agreement for RE Investors, LLC, for the Sugarsweet Subdivision.	Action	Staff Report
II. <u>ITEMS FOR CONSIDERATION:</u> 1. Consideration of Amendment #7 to the contract with CH2M Hill OMI for the management and operation of our wastewater treatment plant, wastewater lift stations and industrial pretreatment program 2. Discussion regarding the reimbursement of credit card fees to Golf Pro Mike Hamblin. 3. Public input and/or items from the City Manager and City Council.	Action Action	Tom Courtney Tom Courtney
III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u>		
IV. <u>PUBLIC HEARINGS:</u> 6:00 P.M. – 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.*

COUNCIL PRESENT: Lance W. Clow , Trip Craig, Don Hall, Lee Heider, David E. Johnson, William A. Kezele, Greg Lanting.

COUNCIL ABSENT: None.

CITY STAFF PRESENT: City Manager Tom Courtney, Assistant City Manager Travis Rothweiler, Assistant Finance Director Lorie Race, Community Development Director Mitch Humble, and Deputy City Clerk Leila Sanchez.

Mayor Clow 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 Clow introduced City staff.

Changes to the agenda:

Consent Item I.1. to be listed as follows:

1. Consideration of accounts payable for September 30 – October 6, 2008, totals: \$149,799.87, and October 1, 2008, total \$167,049.23.

AGENDA ITEMS

I. CONSENT CALENDAR:

1. Consideration of accounts payable for September 23-29, 2008.
2. Consideration of the September 22 and 29, 2008, Minutes.
3. Consideration of a Multi-Year Improvement Deferral Agreement for RE Investors, LLC, for the Sugarsweet Subdivision.

MOTION:

Councilperson Heider made the motion to approve the Consent Calendar as presented with the following change to item 1.:
Item:

1. Consideration of accounts payable for September 30 - October 6, 2008, as presented. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

II. ITEMS FOR CONSIDERATION:

1. Consideration of Amendment #7 to the contract with CH2M Hill OMI for the management and operation of our wastewater treatment plant, wastewater lift stations and industrial pretreatment program.

City Manager Courtney reviewed the request

The City originally contracted with OMI in 1985. The most recent agreement with OMI was executed in 2001 and has been amended on an annual basis since that time to reflect changes in operating conditions and fees. The 2001 agreement was for a period of 10 years with a 120 day cancellation provision.

Amendment #7 updates operating conditions for our treatment facilities, shows current year electrical usage and increases the management fee. Section 5 of the amendment shows the projected operating characteristics for the facility. Estimates for flow and BOD reflect a slight decrease. TSS is projected to increase. The proposed base fee for the year is \$2,782,983, which is a 5.7% increase over the fee for FY 2007-08. The increase was included in the budget for FY 2008-09, and was considered in the rate adjustment approved by the City Council two weeks ago. The Base Fee represents the total cost of service.

The base fee shown in section 1 (4.1) is the total compensation paid to OMI for services rendered. The base fee for FY 2008-09 is \$2,782,983 which is an increase of 5.7%. The fee for FY 2007-08 was \$2,631,267.

Total Direct Cost is the projected cost of operating the city's treatment plants, maintaining lift stations and administering the industrial pretreatment program. Total Direct Costs is divided into maintenance & operating expenses and repairs. M&O costs next year are projected to be \$2,227,341 which is an increase of 5.47%. Repair costs are estimated to be \$53,870. At the end

MINUTES

October 6, 2008

Page 3 of 6

of the year our contract requires OMI to rebate to the City 75% of the M&O costs that have not been spent and 100% of repair costs that have not been spent. The difference between the Base Fee and Total Direct Costs is overhead and profit.

Staff recommends that the City Council approve amendment # 7 as proposed.

Discussion followed:

-Rebates.

City Manager Courtney stated that rebates go back to the Wastewater Fund and are used for Wastewater Fund activities.

Mayor Clow stated that this is the 8th year of the current contract and at the end of the tenth year discussion will begin regarding the renewal for the following years. Mayor Clow asked if there is anything in the industry that will make major changes to the contract.

Project Manager John Keady, CH2M Hill-OMI, discussed upgrades to the treatment plant that would change the scope of work.

MOTION:

Councilperson Lanting made the motion to approve Amendment #7 to the contract with CH2M Hill-OMI for the management and operation of our wastewater treatment plant, wastewater lift stations and industrial pretreatment program. The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

2. Discussion regarding the reimbursement of credit card fees to Golf Pro Mike Hamblin.

City Manager Courtney stated that Councilman Lanting asked that he place this issue on the agenda for consideration by the City Council. In November 2007, Mike Hamblin approached our Parks and Recreation and Finance staff to discuss reimbursement of credit card fees dating back to the start of the current contract. After considerable review and discussion, staff agreed (in February 2008) to reimburse documented credit card fees attributed to green fees and golf passes for the current fiscal year (FY 2007-2008). Staff denied reimbursement of fees claimed for prior fiscal years. Later that month, the issue was discussed at a meeting of the Golf Advisory Board. The Board recommended that the fees be reimbursed to Mike Hamblin. The issue continues to be a topic of discussion which resulted in Councilman Lanting asking that the issue be placed on the Council agenda.

Mike Hamblin has requested reimbursement for about \$17,000 in credit card fees he claims he has incurred over the last 5 years by accepting credit cards as payment for green fees. Earlier this year, Dennis Bowyer and Gary Evans met with Hamblin to discuss the issue. The meeting concluded with an agreement to reimburse Hamblin for fees incurred in the current year. To date, we have told Hamblin we will not reimburse him for charges incurred in prior fiscal years.

The City is in the 5th year of a contract with Hamblin for Golf Professional Services. Section IV of the agreement requires Hamblin to collect green fees on behalf of the City and requires the City to pay Hamblin \$1,080 per month for that service. The contract does not require Hamblin to accept credit cards as payment for green fees and does not commit the City to reimburse Hamblin for credit card fees. Prior to this year, we have not discussed either the acceptance of credit cards or payment of credit card fees with Hamblin. Denial of his request for reimbursement is based on the following reasons:

1. The contract requires Hamblin to collect green fees for the City and pays Hamblin for the service rendered.
2. The contract does not require Hamblin to accept credit cards as payment for green fees nor does it require the City to reimburse Hamblin for fees incurred as a result of accepting credit cards. The decision to accept credit cards was made by Hamblin without the consent of the City. Hamblin should have reviewed this practice with the City and secured an agreement for reimbursement prior to initiating the practice. Staff acknowledges the acceptance of credit cards for green fees is a convenience to the public. Under the contract, Hamblin could simply refuse to accept credit cards as payment for green fees. It was on this basis that staff agreed to reimburse credit card fees commencing with FY 2007-08 as long as the amount requested for reimbursement is properly documented and verifiable. Staff does not see a reason to reimburse fees on a retroactive basis given the fact the contract is silent on the issue and Hamblin did not seek approval before initiating the practice.

MINUTES

October 6, 2008

Page 4 of 6

3. The Budget for 2007-2008, does not include funding to reimburse Hamblin and records for prior fiscal years are closed. The golf course is currently operating at a deficit for the year. If we reimburse Hamblin for green fees, funding will come from general city revenues.

He also stated that Mike Hamblin claims he has paid approximately \$17,000 in credit card fees for expenses associated with green fees. To date, verifiable documentation of this claim has not been received.

Staff recommends reimbursing Hamblin for credit card fees incurred during FY 2007-2008 as agreed to in February 2008, and to deny reimbursement of fees incurred prior to FY 2007-2008.

Councilperson Lanting asked Mike Hamblin if he had the documentation that he could provide to the City if the City chooses to reimburse the credit card fees.

Mike Hamblin answered in the affirmative.

Councilperson Lanting stated that he received letters from Mike Redman and Patty Lee of the Golf Advisory Board, speaking in favor of reimbursing Mike Hamblin credit card fees.

Gale Kleinkopf, Golf Advisory Board Committee member, spoke in favor of reimbursing Mike Hamblin for the credit card fees.

Discussion followed:

-Councilperson Johnson asked if the Golf Advisory Board Committee was aware that the contract requires Mike Hamblin to collect green fees on behalf of the City and requires the City to pay Hamblin \$1,080 per month for that service.

Gale Kleinkopf stated that he was not aware of that number and didn't believe it came up at any Golf Advisory Board Committee meetings.

City Manager Courtney stated that the contract simply says in Section IV of the agreement that Hamblin is required to collect green fees on behalf of the City and the City is required to pay Hamblin \$1,080 per month for that service. Each of the last five years, since the start of the contract, the City has paid Mike Hamblin \$1,080, including winter months, for the collection of green fees.

Mayor Clow stated for clarification that Mike Hamblin is paid \$2,500 per month for professional services and \$1,080 per month for the collection of fees.

Councilperson Lanting stated that he believed that the \$1,080 is to defer some of Mike Hamblin's costs and to provide employees to collect green fees.

Mike Hamblin gave a brief history of the Golf Course. He stated that he has been an independent contractor since 1998, and is paid \$2,500 a month and also paid \$1,000 "plus change" for someone in the pro shop to collect green fees. He stated that City Manager Courtney calculated how many days the Golf Course would be opened and calculated a number. He stated that he has documentation showing that in 2002, approximately \$41,000 was taken on credit cards for season passes and green fees. The past six months he has collected over \$140,000 charged to credit cards. He stated that he collects money for the City and then writes the City a check.

Councilperson Johnson asked Hamblin why he waited so long before he asked for reimbursement.

Mike Hamblin said it was an oversight.

Councilperson Kezele asked Hamblin if he received any revenue benefit from green fees or season passes.

Mike Hamblin stated that he does receive some revenue from green fees. For example if he sells over 13,000 green fees or more, \$2.00 is received for every green fee over.

Councilperson Hall asked why staff chose to reimburse Mike Hamblin for the past fiscal year if it felt we shouldn't be doing so.

MINUTES

October 6, 2008

Page 5 of 6

City Manager Courtney stated that in the contract Mike Hamblin is not required to accept credit cards for greens fee, but there is at least that argument that he could have said that if he is not reimbursed he would not accept credit cards. The argument was not made by Hamblin, but from that standpoint, staff felt that for the current fiscal year it was fair to reimburse Hamblin, but did not believe it was fair to reimburse him for the past four years. When we negotiated the contract credit card fees were not discussed.

-The City accepts credit cards for Parks & Recreation.

Parks & Recreation Director Bowyer stated that the City accepts credit and debit cards and the discount varies from 2 to 3%.

Councilperson Hall asked Hamblin why he didn't ask for reimbursement for the past 9 years, since the contract begin at that time.

Mike Hamblin stated that he did not have a computer at the time to track the green fees. The new computer system came on April 1, 2002.

Councilperson Kezele asked Hamblin if he received any discounts from the credit card companies by having certain volume.

Mike Hamblin stated the printout shows details of what was received.

- City collecting green fees on credit cards directly.

Councilperson Lanting stated that it was brought under discussion for a short time but believed it was more convenient for the customer to charge all services/items at one time.

Councilperson Hall asked why Mike Hamblin has not shared the documentation.

Mike Hamblin stated that no one had asked for it. He also stated that Councilperson Lanting placed the issue on the agenda; otherwise he would have supplied it himself.

Councilperson Craig stated his concern that documentation had not been received at this time.

Councilperson Kezele suggested tabling the item until documentation had been received on this issue and to start a dialog for a new contract.

MOTION:

Councilperson Lanting made the motion to reimburse Mike Hamblin under his lease and professional services agreement for the first four years of the present contract for the verified costs of credit card fees associated with green fees and season passes to cap at \$17,000. The motion was seconded by Councilperson Hall. Roll call vote showed Councilpersons Hall, Vice Mayor Johnson, Councilperson Lanting voted in favor of the motion. Mayor Clow, Councilpersons Craig, Heider, and Councilperson Kezele voted against the motion. The motion failed with a vote of 3 to 4.

MOTION:

Councilperson Heider made the motion to approve to confirm the policy of reimbursing Mike Hamblin for the credit cards fees incurred FY 2007-2008. The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

MINUTES

October 6, 2008

Page 6 of 6

3. Public input and/or items from the City Manager and City Council. None.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS: None.

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

V. ADJOURNMENT: 6:05 p.m.

Leila A. Sanchez
Deputy City Clerk

COUNCIL MEMBERS:

LANCE	TRIP	DON	LEE	DAVID E.	WILLIAM A.	GREG
CLOW	CRAIG	HALL	HEIDER	JOHNSON	KEZELE	LANTING

Mayor Vice Mayor



MINUTES
Meeting of the Twin Falls City Council
October 13, 2008
City Council Chambers
305 3rd Avenue East Twin Falls, Idaho

PLEDGE OF ALLEGIANCE TO THE FLAG
CONFIRMATION OF QUORUM
INTRODUCTION OF STAFF

CALL MEETING TO ORDER: 5:00 P.M.

AGENDA ITEMS	Purpose	By:
I. <u>CONSENT CALENDAR:</u> 1. Consideration of accounts payable for October 7–13, 2008. 2. Consideration of 10-06-2008, Minutes. 3. Consideration of a Driveway Improvement Deferral Agreement for Daniel Deboer for property located at 216 Gulch Lane. 4. Consideration of a Trust Agreement for J & D Developers LLC for Golden Eagle Subdivision No. 3.	Action	Staff Report
II. <u>ITEMS FOR CONSIDERATION:</u> 1. Consideration of an agreement between the City of Twin Falls and the Bureau of Land Management (BLM) for the construction of a helicopter landing pad at Joslin Field. 2. Consideration of an engineering construction agreement between the City of Twin Falls and Riedesel Engineering for services related to the construction of a BLM helicopter landing pad at Joslin Field. 3. Public input and/or items from the City Manager and City Council.	Action Action	Bill Carberry Bill Carberry
III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u>		
IV. <u>PUBLIC HEARINGS:</u> 6:00 P.M. – 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.*

MINUTES

October 13, 2008

Page 2 of 3

COUNCIL PRESENT: Lance W. Clow , Trip Craig, Don Hall, Lee Heider, David E. Johnson, William A. Kezele, Greg Lanting.

COUNCIL ABSENT: None.

CITY STAFF PRESENT: City Manager Tom Courtney, City Attorney Fritz Wonderlich, Assistant City Manager Travis Rothweiler, Airport Manager Bill Carberry, Deputy City Clerk Leila Sanchez.



Mayor Clow 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 Clow introduced City staff.

Added change to the agenda:

Pursuant to Idaho Code 67-2345(1) (b) Executive Session to consider the evaluation, dismissal, or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public school student.

AGENDA ITEMS

**PLEDGE OF ALLEGIANCE TO THE FLAG
CONFIRMATION OF QUORUM
INTRODUCTION OF STAFF**

CALL MEETING TO ORDER: 5:00 P.M.

I. CONSENT CALENDAR:

- 1. Consideration of accounts payable for October 7–13, 2008, total: \$44,585.72 and October 14, 2008, total: \$188,877.31.
- 2. Consideration of 10-06-2008, Minutes.
- 3. Consideration of a Driveway Improvement Deferral Agreement for Daniel Deboer for property located at 216 Gulch Lane.
- 4. Consideration of a Trust Agreement for J & D Developers LLC for Golden Eagle Subdivision No. 3.

MOTION:

Councilperson Hall made the motion to approve the Consent Calendar as presented. The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

II. ITEMS FOR CONSIDERATION:

- 1. Consideration of an agreement between the City of Twin Falls and the Bureau of Land Management (BLM) for the construction of a helicopter landing pad at Joslin Field.

Airport Manager Carberry reviewed the request.

In October of 2006, the City of Twin Falls and the BLM signed a memorandum of agreement wherein the City of Twin Falls would contract for the design of a new helipad and the BLM would provide \$70,000 in funding. The design was performed by Riedesel Engineering for \$41,056 and was completed in the spring of 2007. The balance remaining from the design phase, \$28,944, has been held on account with the City to apply toward this next construction phase. The BLM has held the design and now that funding has become available they are ready to work with the City again to construct the new helipad landing facility. All of the design and construction phases (tank farm/loading ramp, new bldg) of the BLM complex have been developed through this same partnership approach that has the City contracting for design and construction services and the BLM providing funding. The engineering estimate, provided by the BLM and Riedesel, for the construction of the helipad totals \$359,725. The construction engineering contract with Riedesel would be \$39,600, with the total anticipated cost for the project at \$399,325.

The agreement is formatted through a modification of the existing lease agreement with the BLM. The modification updates the leased premise description, discusses the effective ground rental dates and rates, and commits a payment to the City in the amount of \$376,000 plus the \$28,944 remaining balance from design toward the construction phase for a total amount of \$404,994 available to fund the project. The agreement carries a clause requiring the BLM to renegotiate additional funding for the project if additional funding is needed.

After working in conjunction with the BLM Contracting Officer and the City Attorney on the development of this agreement, staff recommends City Council approval authorizing the Mayor to sign the agreement.

MINUTES

October 13, 2008

Page 3 of 3

MOTION:

Vice Mayor Johnson made the motion to approve the agreement between the City of Twin Falls and the Bureau of Land Management (BLM) for the construction of a helicopter landing pad at Joslin Field, as presented. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

2. Consideration of an engineering construction agreement between the City of Twin Falls and Riedesel Engineering for services related to the construction of a BLM helicopter landing pad at Joslin Field.

Airport Manager Carberry reviewed the request.

The engineering estimate, provided by the BLM and Riedesel, for the construction of the helipad totals \$359,725. The construction engineering contract with Riedesel would be \$39,600, with the total anticipated cost for the project at \$399,325. The contract between the City and Riedesel would be for engineering work related to the bidding and construction services needed for the construction phase. The construction would be based on the helipad design produced for the City under the design contract with Riedesel in 2006. The cost of the engineering contract will be reimbursed to the City per the agreement between the BLM and the City for the construction of the helipad project.

Staff recommends City Council approve the Agreement for Engineering Services with Riedesel Engineering for the amount not to exceed \$39,600.00, contingent upon the execution of an agreement with the BLM for the construction and funding of the helipad project.

Discussion followed:

Airport Manager Carberry stated that request for proposals are not required to go through the bidding process.

MOTION:

Vice Mayor Johnson made the motion to approve the Agreement for Engineering Services with Riedesel Engineering for the amount not to exceed \$39,600.00, contingent upon the execution of an agreement with the BLM for the construction and funding of the helipad project. The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

3. Public input and/or items from the City Manager and City Council. None.

II. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

Councilperson Lanting, liaison of the Golf Advisory Board, gave an update of projects at the Municipal Golf Course.

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

- V. **ADJOURNMENT:** to Executive Session to consider the evaluation, dismissal, or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public school student pursuant to Idaho Code 67-2345(1)(b).

MOTION:

Councilperson Hall made the motion to move to Executive Session to consider the evaluation, dismissal, or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public school student pursuant to Idaho Code 67-2345(1)(b). The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

Leila Sanchez
Deputy City Clerk

COUNCIL MEMBERS:

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



MINUTES
Meeting of the Twin Falls City Council
October 20, 2008
City Council Chambers
305 3rd Avenue East Twin Falls, Idaho

PLEDGE OF ALLEGIANCE TO THE FLAG CONFIRMATION OF QUORUM INTRODUCTION OF STAFF CALL MEETING TO ORDER: 5:00 P.M.			
PROCLAMATION: Weatherization Day			
AGENDA ITEMS		Purpose	By:
I. <u>CONSENT CALENDAR:</u>		Action	Staff Report
<ol style="list-style-type: none"> 1. Consideration of accounts payable for October 14-20, 2008. 2. Consideration of the October 13, 2008, Minutes. 3. Consideration of a Multi-Year Improvement Deferral Agreement for Franklin United, Inc., for property located at 220 Eastland Drive South and 2192 Floral Avenue. 			
II. <u>ITEMS FOR CONSIDERATION:</u>		Presentation	Nancy Choker
<ol style="list-style-type: none"> 1. Presentation by Nancy Choker, Moss Greenhouses, Inc., of a Landscape Award to Lifestyle Chiropractic, Tim Coiner, D.C., located at 777 Addison Avenue. 2. Water Conservation 2008 Season Report 3. Consideration of the Final Plat for Magic Valley Mall Subdivision – 3rd Amended, 54.42 (+/-) acres consisting of five (5) lots on property located at 1485 Pole Line Road East, c/o EHM Engineering- Roger Kruger. 4. Consideration of the Final Plat of Pill Hill Subdivision No. 2, consisting of 0.99 (+) acres and 2 lots on property located on the 500/600 block of Polk Street between Filer Avenue and Wirsching Avenue, c/o Rod Mathis/Riedesel Engineering, Inc. 5. Public input and/or items from the City Manager and City Council. 	 Presentation Action	 Gretchen Scott Mitch Humble	
III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u>			
IV. <u>PUBLIC HEARINGS: 6:00 P.M. –</u>		Action	Dennis Bowyer
<ol style="list-style-type: none"> 1. Consideration to set new Park & Recreation Fees and Regulations for City Park. 2. Request for a Zoning Title Amendment which would amend Twin Falls City Code 10-12-3.11(F) by permitting expenditure of in-lieu park contributions outside the boundaries of the arterial streets in which the development from which the fees originated is located, c/o City of Twin Falls. (app. 2267) 3. Request for a Zoning District Change and Zoning Map Amendment from R-2 to R-2 PUD, R-6 PUD, and R-6 NCO PUD for 72.5 (+/-) acres, to allow for the development of a mixed use project for property located at the southwest corner of Grandview Drive North and Falls Avenue West, c/o EHM Engineers, Inc./Gerald Martens on behalf of Grandview Farms, LLC- Gary Wolverton. (app. 2268) 4. Consideration for an appeal of the Planning & Zoning Commission's decision on August 26, 2008, regarding two of the conditions of approval of a Special Use Permit for property located at 2733 Kimberly Road, Appellant: Oregon Trail Campground/Denie & Lisa Mason. (app. 2256) 	 Action Action Action	 Mitch Humble Mitch Humble Mitch Humble	

V. ADJOURNMENT: To consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations. Idaho Code 67-2345(1)(e)		
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COUNCIL PRESENT: Lance Clow, Trip Craig, Don Hall, Lee Heider, William A. Kezele

COUNCIL ABSENT: David E. Johnson and Greg Lanting

CITY STAFF PRESENT: City Manager Tom Courtney, Assistant City Manager Travis Rothweiler, City Attorney Fritz Wonderlich, Community Development Director Humble, Parks & Recreation Director Dennis Bowyer, Management Assistant Gretchen Scott, Deputy City Clerk Leila Sanchez.

Mayor Clow 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 Clow introduced City staff.

PROCLAMATION: Weatherization Day

Mayor Clow read the proclamation.

Ken Robinette, Community Action Agency, was present to receive the proclamation. He explained the weatherization program. He introduced Randy White, Weatherization Coordinator.

Randy White stated the Weatherization Day event will be held on October 30, 2008, at the Purple Sage Manor on Kimberly Road.

AGENDA ITEMS

I. CONSENT CALENDAR:

1. Consideration of accounts payable for:
September, 2008, total: \$156,371.99
October 20, 2008, total: \$30,628.97
October 14 – 20, 2008, total: \$398,515.23
2. Consideration of the October 13, 2008, Minutes.
3. Consideration of a Multi-Year Improvement Deferral Agreement for Franklin United, Inc., for property located at 220 Eastland Drive South and 2192 Floral Avenue.

MOTION:

Councilperson Heider 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. The motion passed with a vote of 5 to 0.

II. ITEMS FOR CONSIDERATION:

1. Presentation by Nancy Choker, Moss Greenhouses, Inc., of a Landscape Award to Lifestyle Chiropractic, Tim Coiner, D.C., located at 777 Addison Avenue.

Nancy Choker presented the award to Tim and Kate Coiner.

2. Water Conservation 2008 Season Report.

Management Assistant Scott gave a summary report of the water conservation program using overhead projections.

City Engineer Fields explained the status of the pressure irrigation lift stations within the City.

MINUTES

October 20, 2008

Page 4 of 12

3. Consideration of the Final Plat for Magic Valley Mall Subdivision – 3rd Amended, 54.42 (+/-) acres consisting of five (5) lots on property located at 1485 Pole Line Road East, c/o EHM Engineering- Roger Kruger. Community Development Director Humble reviewed the request.

On July 22, 2008, the Planning & Zoning Commission unanimously approved the preliminary plat of the Magic Valley Mall 3rd Amended PUD Subdivision with the following conditions:

1. Subject to final technical review by the City Engineering Department and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to arterial and collector streets adjacent and within the property being rebuilt or built to current City standards upon development of the property.

Should the Council approve the final plat of the Magic Valley Mall 3rd Amended PUD Subdivision, as presented, staff recommends approval of the following to the two conditions of approval placed on the preliminary plat:

1. Subject to final technical review by the City Engineering Department and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to arterial and collector streets adjacent and within the property being rebuilt or built to current City standards upon development of the property.

MOTION:

Councilperson Craig made the motion to approve the final plat for Magic Valley Mall Subdivision –3rd Amended, 54.42 (+/-) acres consisting of five (5) lots on property located at 1485 Pole Line Road East, c/o EHM Engineering- Roger Kruger, as presented, with the following conditions:

1. Subject to final technical review by the City Engineering Department and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to arterial and collector streets adjacent and within the property being rebuilt or built to current City standards upon development of the property.

The motion was seconded by Councilperson Heider and roll call vote showed all members voted in favor of the motion. The motion passed with a vote of 5 to 0.

4. Consideration of the Final Plat of Pill Hill Subdivision No. 2, consisting of 0.99 (+) acres and 2 lots on property located on the 500/600 block of Polk Street between Filer Avenue and Wirsching Avenue, c/o Rod Mathis/Riedesel Engineering, Inc.

Community Development Director Humble reviewed the request.

On October 14, 2008, the Planning & Zoning Commission unanimously approved the preliminary plat of the Pill Hill Subdivision No. 2, with the following condition:

1. Subject to site plan amendments as required by Building, Engineering, Fire, and Zoning officials to ensure compliance with all applicable City Code requirements and Standards.

Should the Council approve the final plat of the Pill Hill Subdivision No. 2, as presented, staff recommends approval be subject to the following condition:

1. Subject to plat amendments as required by Building, Engineering, Fire, and Zoning officials to ensure compliance with all applicable City Code requirements and Standards.

MOTION:

Councilperson Hall made the motion to approve the final plat of the Pill Hill Subdivision No. 2, as presented, with the following condition:

1. Subject to plat amendments as required by Building, Engineering, Fire, and Zoning officials to ensure compliance with all applicable City Code requirements and Standards.

The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 5 to 0.

4. Public input and/or items from the City Manager and City Council. None.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

Councilperson Heider stated that the Historic Preservation Commission has brochures on the Warehouse Historic District.

Mayor Clow stated that a Town Hall Meeting would be held on October 25, 2008, in the Obenchain Community Room at 12 p.m.

Councilperson Craig stated that a Parks & Recreation meeting would be held at the Parks & Recreation Conference Room on October 21, 2008, at 11:30 a.m.

Recess at 5:59 p.m.
Reconvened at 6:05 p.m.

Mayor Clow reviewed the Public Hearing Procedures.

The order of the public hearings scheduled was changed at this time.

IV. PUBLIC HEARINGS: 6:00 P.M. –

1. Consideration to set new Parks & Recreation Fees and Regulations for City Park.

Parks & Recreation Director Bowyer reviewed the request.

The Parks & Recreation Commission recommends the following:

City Park Regulations and Fees

Band Shell rental – \$75 per day and each additional day \$40

Cleaning Charges – Hourly rate for one employee \$20 per hour. Additional cleaning of the restroom, \$20 per cleaning.

Rental of City Park – \$300 per day for ½ of the park and \$600 per day for the whole park (includes the Band Shell and all the power in the park).

Times of music and/or amplified sound out of the Band Shell – Monday through Friday 11 am to 9:30 pm, Saturday 8 am to 9:30 pm, and Sunday from 12:15 pm to 8 pm.

Neighborhood Park Rental Fees

\$125 for ½ day for a full park

\$250 for all day for a full park

Shelters

\$25 per time block

Time Blocks 6am – 11am

12noon – 5pm

6pm – 11pm

Groups of 3 or more Tables
\$10 per time block
Time Blocks 6am – 11am
12noon – 5pm
6pm – 11pm

Softball/Baseball Field Tournament Fees
Facility User Fee
\$50 per field per day
\$25 per field per ½ day.
These prices include the clean up charges.
Field Preparation Fees
\$25 per prep per field
Tennis Court Rentals
\$2.00 per hour/per court.

Staff supports the recommendations from the Commission.

Discussion followed:

Parks & Recreation Director Bowyer stated the following: Majority of events are held by large event sponsors. Users of the park are not charged. Tennis courts can be reserved to guarantee use. Signage will be used to reserve park. The bandshell is protected by a fence and rental would include use of the benches. The Parks & Recreation Department does not waive fees for the use of the shelters or parks and the Parks & Recreation Commission did not discuss the waiving of fees. Shoshone Falls Parks was donated to the City in 1932, and the City began to charge an entry fee in 1979. Shoshone Falls Park is free use to the community.

City Attorney Wonderlich stated that the City is not a commercial business. The costs are to cover the maintenance of the park.

The public input portion of the hearing was opened:

Ken Robinette asked the Council to consider the waiving of fees for non-profit events. He stated that it is hard to generate revenues to pay for additional cost for the rental of the parks.

The public hearing portion of the hearing was closed.

Councilperson Craig made the motion to table the request for Monday, October 27, 2008. The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 5 to 0.

2. Consideration for an appeal of the Planning & Zoning Commission's decision on August 26, 2008, regarding two of the conditions of approval of a Special Use Permit for property located at 2733 Kimberly Road, Appellant: Oregon Trail Campground/Denie & Lisa Mason. (app. 2256)

Lisa Mason, applicant, stated that the request is to appeal condition 4., as set forth by the Planning & Zoning Commission on August 26, 2008: *The secure parking storage area be moved to the interior of the property and screened.* She asked if a placement of a 6' vinyl fence in the Kimberly Road area would be acceptable. She also stated that she objects to condition 6. *No guest may stay longer than six (6) months in any given twelve (12) month period.* She stated that the condition seemed to be too restrictive. The campground is not a full time place to live. She also stated that she has checked with Salt Lake City and surrounding campgrounds and found that the condition is not placed on campgrounds.

Community Development Director Humble reviewed the request.

On August 26, 2008, the Planning and Zoning Commission unanimously voted to approve the request, as presented, with the following conditions:

1. Subject to site plan amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable city code requirements and standards.
2. Completion of all required improvements by June 1, 2009.
3. Full compliance with storm water retention requirements.
4. The secure parking storage area be moved to the interior of the property and screened.
5. Storage on the site shall be for facility guests only.
6. No guest may stay longer than six (6) months in any given twelve (12) month period.
7. Subject to the Special Use Permit expiring in one year. (August 26, 2009)

The applicant is appealing the Commission's inclusion of conditions 4 and 6. They are proposing to make the fenced area as it exists along Kimberly Road solid and leave it where it is. The Commission made the condition so that the storage area would not be located along Kimberly Road. Staff had recommended the condition to improve the view from the road when coming into the City as Kimberly Road is a gateway arterial.

There was discussion on condition 6, which the Commission included because of code definition of a permanent residence. The applicants understand the Commission's concern but are appealing this condition as they have people that come and go and it would be hard to track how long a customer has stayed since people come and go multiple times throughout the year. The applicants appear to be willing to look at other options such as having the tenants leave for a certain time period before they could return.

Discussion followed:

Lisa Mason stated that she is willing to place a 6' vinyl fence. She also stated that it is difficult to keep track of people coming and going for these lengths of stay in regards to the "no longer than the 6 month stay in a twelve month period."

Councilperson Hall asked what is parked adjacent to Kimberly Road and what would be the cost associated with the storing of vehicles.

Lisa Mason stated that a few trailers had been parked in the area but have now have moved back into the campground. She also stated there was no cost to tenants for the parking of vehicles.

City Attorney Wonderlich stated that a six month rental in a year is recommended.

Lisa Mason stated that this recommendation is acceptable.

-Placement of tall barrier bushes was discussed.

Lisa Mason said she would not be opposed to placing bushes after curb and gutter are placed. She stated that the Twin Falls Canal Company is planning to work on the canal, which is located by the campground sign on Kimberly Road.

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

Deliberations:

-Landscaping.

Lisa Mason explained that trees have been planted on the east side of the campground. Mayor Clow questioned what the planning requirements are for the SUP berming and landscaping.

Community Development Director Humble stated that one of the previous SUPs had a condition apply with the gateway arterials. Landscaping has been deferred to do improvements within this area.

-Regulating condition 6. No guest may stay longer than six months.

Community Development Director Humble stated it would be difficult to keep track of time period. The condition would prevent permanent housing.

The public hearing was closed.

MOTION:

Councilperson Kezele made the motion to uphold the Planning & Zoning Commission decision of August 26, 2008, including condition 4. and 6.

The motion died for a lack of a second.

MOTION:

Councilperson Heider made the motion to uphold the recommendations of the Planning & Zoning Commission of August 26, 2008, excluding condition 4. and 6. The motion was seconded by Councilperson Hall.

MOTION:

Councilperson Kezele made the motion for the conditions 4. and 6. placed by the Planning & Zoning Commission, to be voted on separately with discussion on each.

The motion died for a lack of a second.

MOTION:

Councilperson Hall made the motion that condition #4, placed by the Planning & Zoning Commission, include a solid 6' screening fence that will be installed at the time of curb and gutter with the appropriate landscaping. The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 5 to 0.

ROLL CALL VOTE ON THE MAIN MOTION AS AMENDED:

Mayor Clow and Councilpersons Craig, Hall, and Heider voted in favor of the motion. Councilperson Kezele voted against the motion. The motion passed with a vote of 4 to 1.

3. Request for a Zoning District Change and Zoning Map Amendment from R-2 to R-2 PUD, R-6 PUD, and R-6 NCO PUD for 72.5 (+/-) acres, to allow for the development of a mixed use project for property located at the southwest corner of Grandview Drive North and Falls Avenue West, c/o EHM Engineers, Inc./Gerald Martens on behalf of Grandview Farms, LLC- Gary Wolverton. (app. 2268)

Gary Slette, representing Grandview Farms, LLC., reviewed the request. The following concerns by the Planning & Zoning Commission are as follows: Ambiguity of uses in the proposed R-6 development. It was the idea of the owners of the property that a senior retirement facility might be built in the property through the special use permit process. 2. The proposed NCO Planned Unit Development zoning designation on the northeast corner of the property. 3. Ambiguity in the draft PUD agreement in comparison to the specifics of the proposal of the applicant. The applicant is seeking rezone approval from the City. The draft PUD agreement has been presented with the application and will be dealt with at a later date when the actual subdivision is sought for approval. Each of the three concerns was articulated by the neighbors both at the time of the Planning & Zoning hearing and a meeting with owners of Grandview Farms and the neighbors.

MINUTES

October 20, 2008

Page 9 of 12

Mr. Slette referred to a letter dated October 16, 2008, that was emailed on October 24, 2008. Apparently the Council did not receive the letter. The letter was placed on overhead projection.

The first concern was the R-6 area as being ambiguous terms of what the uses might be. After consultation with the owners of the property it was concluded that, if the council deems it appropriate for a condition of approval, the property be zoned R-2 PUD as opposed to R-6. In consultation with City Attorney Wonderlich, it is recognized that what was advertised is what is going to be proposed in the presentation and what will be considered. Also, if acceptable to the Council, the underlying zoning of the property is entirely zoned R-2 but suggesting that R-2 PUD as proposed, and from this point westward be maintained. This is approximately 10 acres that had been proposed R-6 and would be zoned R-2 PUD to allow flexible lot sizes within that zoning district. The PUD agreement would be coming back to Council at the time of subdivision, and the following concerns of the Planning & Zoning Commission would be addressed: All areas west of Creekside be single family houses (a condition of restriction covenant that was placed on the property), issue of a sidewalk being placed on the south boundary of between the park walkway and the sidewalk adjacent to Grandview Drive. Maintenance of the NCO portion of the property is a critical component to the workability of this plan, but as part of the conditions of approval for this overall rezone application there would be a limitation of building sizes not to exceed 20,000 square feet within that particular area; and the signage would meet the criteria of the currently proposed sign ordinance of the City of Twin Falls.

Gary Wolverton, applicant, presented Silverstone as presented to Planning & Zoning Commission.

Gerald Martens, EHM Engineers, explained the request, emphasizing those benefits to the project position. Community Development Director Humble reviewed the request.

At the Planning and Zoning Commission's September 23, 2008, meeting the Commission recommended denial of this request.

The Commission denied the request due to concerns regarding the interpretation of the NCO zoning designation, the ambiguous plan for the R-6 area south of the NCO, and concerns with the draft PUD agreement. Some of the Commission members did not feel that they could approve additional area within an NCO overlay when an overlay already exists at that intersection. The Commission was concerned about the lack of plan for the general R-6 area and there was no verbiage in the draft PUD agreement to match the presentation of the development. Without more detail or direction in the PUD agreement some Commissioners felt there were too many variables and there would be fewer guarantees that the project would develop as proposed.

If the Council finds the R-2 PUD, R-6 PUD & R-6 NCO PUD zoning designations appropriate, as presented, staff recommends approval be subject to the following conditions:

1. Subject to site plan amendments as required by Building, Engineering, Fire, and Zoning officials to ensure compliance with all applicable City Code requirements and Standards.
2. Subject to the property being platted through the City of Twin Falls prior to development.
3. Subject to arterial and collector streets adjacent and within the property being dedicated to the City of Twin Falls and to be rebuilt or built to current City standards upon development or change of use of the property.
4. Subject to the NCO PUD area having a minimum percentage of 50% retail uses.
5. Subject to final approval of the PUD Agreement.

Mr. Slette, in an attempt to concede these concerns, suggested the following five additional conditions.

1. Approval that required the proposed R-6 area of the property to retain its current R-2 zoning, but with a PUD overlay such that the average minimum lot size over the entire project was 6,000 square feet.
2. That within the proposed NCO area, no single building would exceed 20,000 square feet.
3. The NCO district signage would also be revised to reflect the proposed sign ordinance currently under review and revision by the City of Twin Falls.

Community Development Director Humble suggested that we do not accept the condition 3. proposed by Mr. Slette and use what is in the PUD agreement.

4. Within the R-2 PUD area, all homes west of Creekside Way would be limited to single family residences.
5. Require a sidewalk to be constructed along the south boundary of the property between the park walkway and the sidewalk adjacent to Grandview Drive.

Discussion followed:

Gary Wolverton explained the theory for the traffic signals at the intersection of Grandview and Pole Line is to have the developers agree to put it in if when the time comes.

Gerald Martens stated that all the physical attributes for the intersection for a signal would be included when the roadway is built.

Gary Wolverton stated that the suggestion is to keep the entire 80 acre parcel to R-2 PUD. Keep R-2 NCO intact primarily to fund the intersection improvements. Suggesting changing the overlay from an R-6 to an R-2.

The public comment portion of the hearing was opened:

LaMar Orton, 867 Filer Avenue West, spoke representing seven people. He submitted a petition with 196 signatures in opposition to the request. He understands that what is being proposed is a possible amendment that the Council could consider after the hearing. He understands that the R-6 is going away completely and the area would stay as standard R-2 with a minimum standard of 6,000 square feet on everything. He stated that he understands that one could place a neighborhood commercial overlay over an R-2 and believes there really is no reason to have an R-6.

Gary Wolverton stated that the request is for an entire R-2 overlay for the entire 80 acres and the neighborhood commercial would stay in that corner.

LaMar Orton stated that the position of the neighbors is that the neighborhood commercial project that is being proposed should not be approved.

Dennis Crawford, 881 Creekside Way, representing 36 households, stated the following reasons for not wanting the project:

1. Expectation of continuity of project does not mesh with their properties.
2. Traffic considerations.
3. Water issues, including fire protection.

John Brennen, 826 Grandview Drive North, spoke against the request.

Virginia Farmer, 753 Filer Ave. West, spoke against the request.

David Metzger, 1073 Starlight Loop, spoke in favor of the request.

Jackie Metzger, 1073 Starlight Loop, spoke in favor of the request.

Rosalie Orton, 867 Filer Avenue West, spoke against the request.

Aaron Walker, 914 Starlight Loop, spoke in favor of the request.

Michelle Downard, 933 Rice Circle, spoke against the request. She also read into the record a letter from Melinda Bowen, 1018 Caswell Avenue, speaking against the request.

Dan King, 981 Rice Circle, spoke against the request. He also read a letter into the record from Rich Whitescarver, 855 Rim View Lane West, speaking against the request.

Brad Dewey, 961 Caswell Avenue West, spoke in favor of the request.

Jared Coley, 1296 Falls Avenue West, spoke against the request.

Craig Nuthak, 362 Grandview Drive North, spoke against the request.

Kathleen Harper, 410 Grandview Drive North, spoke against the request.

Randy Harper, 410 Grandview Drive North, spoke against the request.
Eric Bastian, 1373 Falls Avenue West, asked about the roads on Falls and Grandview.
Katrina Rikken, 1011 Starlight Loop, spoke in favor of the request.
Eric Rikken, 1011 Starlight Loop, spoke in favor of the request.
Ed Mueller, 884 Rimview Lane, spoke against the request.

The public comment portion of the hearing was closed.

Gary Slette addressed the NCO District and stated that 10-14-21.3 of the ordinance says this area is the district. The ordinance says that a NCO district should not be less than five no more than 20 acres and must be in the area generally described on the comp plan as a neighborhood commercial center.

Gerald Martens, EHM Engineer, Inc. explained the water/sewer upgrading.

Discussion followed:

-The NCO is designed to be on one corner.

LaMar Orton agreed that the NCO is designed to be on a first come first serve basis. He stated that the connection between the park and Grandview, in terms of sidewalk, should be designed to be used for bicycles and not just walkway.

City Engineer Fields gave an update on the plans of Falls Avenue West from Washington to the intersection. She stated that Falls Avenue is an arterial. She also discussed water pressure in the Caswell Avenue area. The public hearing was closed.

City Attorney Wonderlich stated that the application cannot be amended or changed after the Notice of Publication has been published. The applicant has suggested an amendment they will accept. If the Council wants to make that change, and if it's a material change, then it would require an additional public hearing before it can be acted upon.

-For clarification the request is for a R-2 PUD.

MOTION:

Councilperson Craig made the motion to approve for a Zoning District Change and Zoning Map Amendment from R-2 to R-2 PUD, and R-2 NCO PUD for 72.5 (+/-) acres as presented and to incorporate the following in the motion and staff recommendations:

1. No building in the NCO district more than 20,000 square feet.
2. The bikeway/pass way connect to Grandview be included.
3. The 16,000 minimum lot size will be single family at the southwest corner of Grandview Drive North and Falls Avenue West.

Staff recommendations:

1. Subject to site plan amendments as required by Building, Engineering, Fire, and Zoning officials to ensure compliance with all applicable City Code requirements and Standards.
2. Subject to the property being platted through the City of Twin Falls prior to development.
3. Subject to arterial and collector streets adjacent and within the property being dedicated to the City of Twin Falls and to be rebuilt or built to current City standards upon development or change of use of the property.
4. Subject to the NCO PUD area having a minimum percentage of 50% retail uses.
5. Subject to final approval of the PUD Agreement.

The motion was seconded by Councilperson Kezele.

City Attorney Wonderlich stated that a material change would require one public hearing. They would not have to go back to the Planning & Zoning Commission. Another Public Hearing is required before the change can be adopted.

Roll call vote showed all members voted in favor of the motion.

MOTION:

Councilperson Kezele made the motion that as a material change to the request one additional public hearing would be scheduled. The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 5 to 0.

Recess: 9:53 p.m.

Reconvened: 9:58 p.m.

4. Request for a Zoning Title Amendment which would amend Twin Falls City Code 10-12-3.11(F) by permitting expenditure of in-lieu park contributions outside the boundaries of the arterial streets in which the development from which the fees originated is located, c/o City of Twin Falls. (app. 2267)

Mitch Humble reviewed the request.

The Planning & Zoning Commission recommends approval of the changes to the City Council as presented, to amend City Code Title 10, Chapter 12 by permitting expenditure of in-lieu park contributions outside the boundaries of the arterial streets in which the development from which the fees originated is located. Discussion followed.

City Manager Courtney suggested that on the proposed Ordinance under Section 1: 10-12-3-11: PARKS AND STORM WATER RETENTION/DETENTION (F) that "*in his sole discretion*" be struck from the ordinance.

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

MOTION:

Councilperson Kezele made a motion for a Zoning Title Amendment which would amend Twin Falls City Code 10-12-3.11(F) by permitting expenditure of in-lieu park contributions outside the boundaries of the arterial streets in which the development from which the fees originated is located, c/o City of Twin Falls. (app. 2267) with the following change to be made to the ordinance:

1. Section 1: 10-12-3-11: PARKS AND STORM WATER RETENTION/DETENTION (F) that "*in his sole discretion*" be struck from the ordinance.

The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 5 to 0.

Staff will prepare an ordinance as directed and bring it back to the Council for adoption at a future meeting.

- V. **ADJOURNMENT:** To consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations. Idaho Code 67-2345(1)(e).

The Council did not go into Executive Session.

The meeting adjourned at 10:30 p.m.

Leila A. Sanchez, Deputy City Clerk

COUNCIL MEMBERS:

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



MINUTES
 Meeting of the Twin Falls City Council
 October 27, 2008
 City Council Chambers
 305 3rd Avenue East Twin Falls, Idaho

PLEDGE OF ALLEGIANCE TO THE FLAG
 CONFIRMATION OF QUORUM
 INTRODUCTION OF STAFF

CALL MEETING TO ORDER: 5:00 P.M.

AGENDA ITEMS		Purpose	By:
I.	<u>CONSENT CALENDAR:</u> 1. Consideration of accounts payable for October 21-27, 2008.	Action	Staff Report
II.	<u>ITEMS FOR CONSIDERATION:</u> 1. Consideration for the appointment of Carolyn White to the Swimming Pool Advisory Board starting October 2008. 2. Consideration of a request to appoint Kevin Cope to the Twin Falls Planning & Zoning Commission. 3. Consideration by Officer Ken Wiesmore, President of the Twin Falls Police Fraternal Order of Police Lodge 22, to approve the off-duty use of Twin Falls Police Department equipment during the 3rd Annual "Shop with a Cop." 4. Consideration to authorize the Mayor and City Manager to execute the right-of-way agreement for Parcel Number 30 of the Washington Street North, Key No. 06558. 5. Consideration to set new Parks & Recreation Fees and Regulations for City Parks. 6. Public input and/or items from the City Manager and City Council. 7. Presentation regarding a proposed zoning title amendment which would amend Twin Falls City Code Title 10, Chapter 2, Definitions, and Chapter 9, Sign Regulations.	Action Action Action Action Action Action	Dennis Bowyer Mitch Humble Ken Wiesmore Jackie Fields Dennis Bowyer Mitch Humble
III.	<u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u>		
IV.	<u>PUBLIC HEARINGS:</u> 6:00 P.M. - None.		
V.	<u>ADJOURNMENT:</u>		

COUNCIL PRESENT: Lance W. Clow, Trip Craig, Don Hall, Lee Heider, David E. Johnson, William A. Kezele, Greg Lanting.

COUNCIL ABSENT: None.

CITY STAFF PRESENT: City Manager Tom Courtney, Attorney Fritz Wonderlich, Assistant City Manager Travis Rothweiler, City Engineer Jackie Fields, City Community Development Director Mitch Humble, Parks & Recreation Director Dennis Bowyer, Police Officer Ken Wiesmore, Deputy City Clerk Leila Sanchez.

Mayor Clow 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 Clow introduced City staff.

CALL MEETING TO ORDER: 5:00 P.M.

AGENDA ITEMS

I. CONSENT CALENDAR:

1. Consideration of accounts payable for October 21-27, 2008.
September 2008, total: \$85,686.59
October 21-27, 2008, total: \$545,006.13

MOTION:

Councilperson Heider made the motion to approve the accounts payable as presented. The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

II. ITEMS FOR CONSIDERATION:

1. Consideration for the appointment of Carolyn White to the Swimming Pool Advisory Board starting October 2008.

Parks & Recreation Director Bowyer reviewed the request.

The selection committee recommends that the Council appoint Carolyn White to serve on the Pool Advisory Board starting October 2008.

MOTION:

Councilperson Craig made the motion to appoint Carolyn White to the Swimming Pool Advisory Board for a partial term beginning October 2008 to December 2008. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

2. Consideration of a request to appoint Kevin Cope to the Twin Falls Planning & Zoning Commission.

Community Development Director Humble reviewed the request.

The selection committee recommends that the Council appoint Kevin Cope to serve on the Planning & Zoning Commission for a partial term to end after February 2009.

MOTION:

Vice Mayor Johnson made the motion to appoint Kevin Cope to the Planning & Zoning Commission for a partial term beginning October 28, 2008, to February 24, 2009. The motion was seconded by Councilperson Kezele and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

Kevin Cope was present.

MINUTES

October 27, 2008

Page 3 of 5

- 3. Consideration by Officer Ken Wiesmore, President of the Twin Falls Police Fraternal Order of Police Lodge 22, to approve the off-duty use of Twin Falls Police Department equipment during the 3rd Annual "Shop with a Cop."

Officer Ken Wiesmore explained the request.

The Fraternal Order of Police Lodge 22 recommends that the Council approve the "Shop with a Cop" event to be held on December 13, 2008, as presented.

MOTION:

Councilperson Hall made the motion to approve the "Shop with a Cop" event to be held on December 13, 2008, as presented. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

- 4. Consideration to authorize the Mayor and City Manager to execute the right-of-way agreement for Parcel Number 30 of the Washington Street North, Key No. 06558.

City Engineer Fields reviewed the request.

Staff recommends the Council authorize the Mayor and City Manager to execute the right-of-way agreement for Parcel Number 30 of the Washington Street North, Key No. 06558.

MOTION:

Vice Mayor Johnson made the motion to approve the execution of the right-of-way agreement for Parcel 30 of the Washington Street North, Key No. 06558, and authorizing payment to Carl and Diana Sweet in the amount of \$59,000. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

- 5. Consideration to set new Parks & Recreation Fees and Regulations for City Parks.

Parks & Recreation Director Bowyer reviewed the request.

The Parks & Recreation Commission recommends the following:

City Park Regulations and Fees

Band Shell rental – \$75 per day and each additional day \$40

Cleaning Charges – Hourly rate for one employee \$20 per hour. Additional cleaning of the restroom, \$20 per cleaning.

Rental of City Park – \$300 per day for ½ of the park and \$600 per day for the whole park (includes the Band Shell and all the power in the park).

Times of music and/or amplified sound out of the Band Shell – Monday through Friday 11 am to 9:30 pm, Saturday 8 am to 9:30 pm, and Sunday from 12:15 pm to 8 pm.

Neighborhood Park Rental Fees

\$125 for ½ day for a full park

\$250 for all day for a full park

Shelters

\$25 per time block

Time Blocks 6am – 11am

12noon – 5pm

6pm – 11pm

Groups of 3 or more Tables

\$10 per time block

Time Blocks 6am – 11am; 12noon – 5pm; 6pm – 11pm

Softball/Baseball Field Tournament Fees

Facility User Fee

\$50 per field per day

\$25 per field per ½ day.

These prices include the clean up charges.

Field Preparation Fees

\$25 per prep per field

Tennis Court Rentals

\$2.00 per hour/per court.

Staff supports the recommendations from the Commission.

Discussion followed:

- Signage at parks showing reservations.
- Increase of fees would help with the maintenance of parks.
- A comparison with other communities was made.
- Hours for music and/or amplified sound at the Band Shell.
- Tennis Court Rentals.

Mayor Clow stated that testimony at the public hearing was a request for a waiver for non-profit organizations.

MOTION:

Vice Mayor Johnson made the motion to approve the new parks fees and regulations for events in City Park. The motion was seconded by Councilperson Heider.

MOTION:

Councilperson Hall made an amendment to the motion regarding the rental of the City Park to be reduced to \$150 per day for ½ of the park and \$300 per day for the whole park. The motion was seconded by Councilperson Lanting. Roll call vote showed Mayor Clow, Councilpersons Hall and Kezele voted in favor of the motion. Councilpersons Craig, Heider, Vice Mayor Johnson, Councilperson Lanting voted against the motion. The motion was defeated with a vote of 3 to 4.

MOTION:

Councilperson Craig made the motion for the hours for music and/or amplified sound at the Band Shell to remain as follows: Monday through Friday, 11 a.m. to 9:30 p.m.; Saturday 8 a.m. to 9:00 p.m. and Sunday from 12:15 p.m. to 8 p.m., and until further study by the Police Department and Legal Department. The motion was seconded by Councilperson Johnson. Roll call vote showed Councilperson Craig voted in favor of the motion. Mayor Clow, Councilpersons Hall, Heider, Vice Mayor Johnson, Councilpersons Kezele and Lanting voted against the motion. The motion was defeated with a vote of 1 to 6.

ROLL CALL VOTE ON THE MAIN MOTION:

Mayor Clow, Councilperson Hall, Heider, Vice Mayor Johnson, Councilperson Lanting voted in favor of the motion. Councilperson Craig and Kezele voted against the motion. The motion passed with a vote of 5 to 2.

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

Councilperson Johnson suggested that an assignment be given to a six member finance committee to review the Municipal Powers Outsource Grant.

Councilperson Craig stated that he would like to have a deadline date for applications requesting grant money.

MOTION:

Councilperson Craig made the motion that applications for the Municipal Powers Outsource Grant be received by May 14, or applications are not considered for that fiscal year, and information is sent out to those who have applied in the past and to advertise well in advance of the date proposed. The motion was seconded by Councilperson Heider. Roll call vote showed Councilperson Craig and Heider voted in favor of the motion. Mayor Clow, Councilperson Hall, Vice Mayor Johnson, Councilpersons Kezele and Lanting voted against the motion. The motion was defeated with a vote of 2 to 5.

Councilperson Johnson proposed to encourage the finance committee to bring back a proposal of time lines that would be to the Council as a whole.

City Manager Courtney stated that a resolution has been prepared to implement fees for the establishing new parks fees and regulations for events in City Park.

MOTION:

Vice Mayor Johnson made the motion to adopt Resolution 1801, entitled:
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, ESTABLISHING REGULATIONS FOR EVENTS IN CITY PARKS.

MINUTES

October 27, 2008

Page 5 of 5

The motion was seconded by Councilperson Heider.

Roll call vote showed Mayor Clow, Councilpersons Hall, Heider, Vice Mayor Johnson, and Councilperson Lanting voted in favor of the motion. Councilpersons Craig and Heider voted against the motion. The motion passed with a vote of 5 to 2.

Recess: 6:07 p.m.

Reconvened: 6:16 p.m.

7. Presentation regarding a proposed zoning title amendment which would amend Twin Falls City Code Title 10, Chapter 2, Definitions, and Chapter 9, Sign Regulations.

Presentation made by Community Development Director Humble.

A Public Hearing is set for November 3, 2008.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

IV. PUBLIC HEARINGS: 6:00 P.M. - None.

V. ADJOURNMENT: The meeting adjourned at 7:30 p.m.

Leila A. Sanchez
Deputy City Clerk

COUNCIL MEMBERS:

LANCE	TRIP	DON	LEE	DAVID E.	WILLIAM A.	GREG
CLOW	CRAIG	HALL	HEIDER	JOHNSON	KEZELE	LANTING

Mayor

Vice Mayor



AMENDED MINUTES

Meeting of the Twin Falls City Council

November 3, 2008

City Council Chambers

305 3rd Avenue East Twin Falls, Idaho

PLEDGE OF ALLEGIANCE TO THE FLAG
 CONFIRMATION OF QUORUM
 INTRODUCTION OF STAFF

CALL MEETING TO ORDER: 5:00 P.M.

PROCLAMATIONS: National Hospice/Palliative Care Month – November 2008
 Youth Appreciation Week 2008

AGENDA ITEMS		Purpose	By:
I. <u>CONSENT CALENDAR:</u>		Action	Staff Report
	1. Consideration of accounts payable for October 28 – November 3, 2008. 2. Consideration of the 10-20-2008 and 10-27-2008 Council Minutes.		
II. <u>ITEMS FOR CONSIDERATION:</u>		Action	Dennis Pullin
	1. Consideration of a Special Events Application from Kimberly Nurseries, Inc., to approve the 18th Annual Christmas in the Nighttime Sky festivities to be held at 2862 Addison Avenue East on November 28, 2008.		
	2. Consideration from Historic Downtown Business Improvement District to provide free parking at the downtown parking meters for Friday, November 28, 2008, and each Saturday (November 29, December 5, December 12, December 19, and December 27, 2008.)	Action	Melinda Anderson
	3. Consideration to pay fees in lieu of park land dedication for the Rock Creek Acre Subdivision.	Action	Dennis J. Bowyer
	4. Consideration of a grant agreement between the City and the Seagraves Family Foundation and authorize the Mayor to execute said agreement.	Action	Dennis J. Bowyer/ Paula Brown Sinclair
	5. Consideration to adopt an ordinance amending Twin Falls City Code 10-12-3.11(F) by permitting expenditure of in-lieu contributions outside the boundaries of the arterial streets in which the development from which the fees originated is located. <small>Proposed Ordinance #2954.</small>	Action	Mitchel Humble
	6. Consideration to designate a funding source for the real estate exchange agreement between the City of Twin Falls and the Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter Day Saints.	Action	Mitchel Humble
	7. Presentation of information regarding law enforcement services provided to Joslin Field, Magic Valley Regional Airport.	Presentation	Capt. Brian Pike
	8. Public input and/or items from the City Manager and City Council.		
III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u>			
IV. <u>PUBLIC HEARINGS:</u>	6:00 P.M. –		
	1. Consideration for a proposed zoning title amendment to Twin Falls City Code Title 10, Chapter 2, Definitions, and Chapter 9, Sign Regulations, regarding the regulation of signs within the community, c/o the City of Twin Falls (app.2269)	Action	Mitchel Humble
V. <u>ADJOURNMENT:</u>			

COUNCIL PRESENT: Lance W. Clow, Trip Craig, Don Hall, Lee Heider, David E. Johnson, William A. Kezele, Greg Lanting.

COUNCIL ABSENT: None.

CITY STAFF PRESENT: City Manager Tom Courtney, Attorney Fritz Wonderlich, Assistant City Manager Travis Rothweiler, City Engineer Jackie Fields, Community Development Director Mitch Humble, Parks & Recreation Director Dennis Bowyer, Chief Jim Munn, Staff Sergeant Dennis Pullin, Captain Brian Pike, Deputy City Clerk Leila Sanchez.

Mayor Clow 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 Clow introduced City staff.

CALL MEETING TO ORDER: 5:00 P.M.

PROCLAMATIONS: National Hospice/Palliative Care Month – November 2008
Youth Appreciation Week 2008

Changes to the agenda:

Addition: Executive Session 67-2345 (1)(e) To Consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations.

AGENDA ITEMS

I. CONSENT CALENDAR:

1. Consideration of accounts payable for October 28 – November 3, 2008.
2. Consideration of the 10-20-2008 and 10-27-2008, Council Minutes.

MOTION:

Councilperson Craig made the motion to approve the Consent Calendar with the exception of the 10-20-2008 and 10-27-2008 Council Minutes. The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

II. ITEMS FOR CONSIDERATION:

1. Consideration of a Special Events Application from Kimberly Nurseries, Inc., to approve the 18th Annual Christmas in the Nighttime Sky festivities to be held at 2862 Addison Avenue East on November 28, 2008.

Staff Sergeant Pullin reviewed the presentation.

Staff recommends that the City Council approve the Special Events Application as presented.

Dave Wright, Kimberly Nurseries, explained the request.

MOTION:

Councilperson Hall made the motion to approve the Special Events Application from Kimberly Nurseries, Inc., for the 18th Annual Christmas in the Nighttime Sky festivities to be held at 2862 Addison Avenue East on November 28, 2008. The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

2. Consideration from Historic Downtown Business Improvement District to provide free parking at the downtown parking meters for Friday, November 28, 2008, and each Saturday (November 29, December 5, December 12, December 19, and December 27, 2008.)

MINUTES

November 3, 2008

Page 3 of 13

Economic Development Director Anderson reviewed the request.

On October 24, 2008, at the BID board meeting, the board members unanimously voted to suspend or "bag" the meters as presented.

Discussion followed:

Mayor Clow suggested to the BID board to contact a Boy Scout Troop to bag the meters and take them down as a project.

Councilperson Heider suggested that money be spent on advertising free parking.

A letter was received from Tom Ashenbrenner.

MOTION:

Councilperson Craig made the motion to approve the recommendations of the Historic Downtown BID including the bagging on downtown parking meters for Friday, November 28, 2008, and each Saturday (November 29, December 5, December 12, December 19, and December 27, 2008.) Councilperson Craig stated that he would supply the bags if needed. The motion was seconded by Councilperson Hall.

MOTION:

Councilperson Kezele made an amendment to the motion to allow free parking on the days presented by the Historic Downtown BID as presented and rather than bagging use some alternative such as sandwich boards and advertising. The motion was seconded by Councilperson Heider. Roll call vote showed Councilpersons Heider, Kezele and Lanting voted in favor of the motion. Mayor Clow, Councilpersons Craig, Hall, and Vice Mayor Johnson voted against the motion. The motion failed with a vote of 3 to 4.

ROLL CALL VOTE ON THE MAIN MOTION:

Roll call vote on the main motion showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

3. Consideration to pay fees in lieu of park land dedication for the Rock Creek Acre Subdivision.

Parks & Recreation Director Bowyer reviewed the request.

Approval of this request will allow the applicant to proceed with the development of this property without park land dedication.

On October 21, 2008, at the Parks & Recreation Commission Meeting, the Commission voted unanimously to accept the in lieu of application.

Staff concurs with the Commission's recommendation.

MOTION:

Councilperson Hall made the motion to pay fees in lieu of park land dedication for the Rock Creek Acre Subdivision as presented. The motion was seconded by Councilperson Kezele and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

4. Consideration of a grant agreement between the City and the Seagraves Family Foundation and authorize the Mayor to execute said agreement.

Parks & Recreation Director Bowyer introduced Paula Brown Sinclair to discuss the request.

Paula Brown Sinclair stated that she received a letter from Seagraves Family Foundation inviting the department to make a presentation to be considered for a grant from the foundation. A proposal was put together with input from John Bonnett, Beth Olmstead, and Parks & Recreation Director Bowyer. A presentation was made to the Foundation on October 6, 2008.

The presentation included a request for funding for improvements at Drury Park. On October 13, 2008, the Seagraves Family Foundation approved a grant for \$75,000 for the proposed improvements at Drury Park. The grant does not require matching funds from the City.

Staff recommends approval of the request.

MOTION:

Councilperson Hall made the motion to approve the grant agreement between the City and the Seagraves Family Foundation and authorized the Mayor to execute said agreement as presented. The motion was seconded by Councilperson Craig and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

5. Consideration to adopt an ordinance amending Twin Falls City Code 10-12-3.11(F) by permitting expenditure of in-lieu contributions outside the boundaries of the arterial streets in which the development from which the fees originated is located.
Proposed Ordinance #2954.

Community Development Director Humble reviewed the request.

Staff recommends that the Council adopt the ordinance as presented.

Councilperson Heider made the motion to suspend the rules and place Ordinance #2954, entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, AMENDING TWIN FALLS CITY CODE §10-12-3.11(F) BY PERMITTING EXPENDITURE OF IN LIEU PARK CONTRIBUTIONS OUTSIDE THE BOUNDARIES OF THE ARTERIAL STREETS IN WHICH THE DEVELOPMENT FROM WHICH THE FEES ORIGINATED IS LOCATED.

on third and final reading by title only. The motion was seconded by Councilperson Lanting and roll call vote showed that all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

Deputy City Clerk Sanchez read the title to Ordinance #2954.

MOTION:

Councilperson Heider made the motion to adopt Ordinance #2954 as presented. The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

6. Consideration to designate a funding source for the real estate exchange agreement between the City of Twin Falls and the Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter Day Saints.

Community Development Director Humble reviewed the request.

Staff recommends that the Council approve the request and designate the removal of the Cascade Park bathroom project from the current budget to help fund the previously approved real estate exchange agreement between the City of Twin Falls and the Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter Day saints.

MOTION:

Councilperson Craig made the motion to designate the removal of the Cascade Park bathroom project from the current budget to help fund the previously approved real estate exchange agreement between the City of Twin Falls and the Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter Day Saints. The motion was seconded by Councilperson Lanting and voice vote showed all members present voted in favor of the motion. The motion passed.

Councilperson Lanting recommended naming the park Oregon Trail Park.

7. Presentation of information regarding law enforcement services provided to Joslin Field, Magic Valley Regional Airport.

Presentation made by Captain Brian Pike.

MINUTES

November 3, 2008

Page 5 of 13

In April 2008, the Police and City staff meet together to discuss the several concerns regarding the new cooperative agreement between the Police Department and Transportation Security Administration. Some of these discussions included the funding limits and staffing issues.

Following the events of September 11, 2001, the Idaho National Guard was activated by executive order of Governor Kempthorne to provide security coverage in and around the airport. This duty primarily focused on security checkpoint and passenger security area. Eventually, plans were made to replace the Idaho National Guard soldiers with local law enforcement officers (LEO). The added responsibility of providing LEO coverage placed an additional burden upon the Twin Falls Police Department. The Police Department's priority was to provide emergency services to the community of Twin Falls. The Transportation Security Administration recognized the hardship this mandate was placing on smaller agencies and developed the Law Enforcement Personnel Reimbursable Agreement.

The LEPR program, which started June 1, 2003, was designed to relieve the burden placed upon local agencies to provide armed law enforcement officers at the security checkpoints before, during, and after passenger planes were loaded and unloaded. The latest cooperative agreement between the City of Twin Falls and LEPR started October 1, 2007, and runs through September 2012. The idea is to provide federal funds to offset the cost of providing dedicated law enforcement to the airport. This has been done since 2001, even though the agreement with LEPR wasn't made until 2003. The funds from LEPR were not realistic, as this was a mandate that was underfunded. LEPR funding has been suspended on two separate occasions and could be terminated without cause by TSA. On October 1, 2007, the City entered a new contract period with TSA, which is a cooperative agreement, at which time funding was reduced approximately 11%. The hourly rate went from \$29.16 to \$25.94. The City of Twin Falls will have to absorb more of the cost to provide security. The real challenge since 2001, has been finding staff to cover the shifts. In the first two reimbursable agreements with TSA, the agreement required coverage 14.5 hours every day and finding staffing to cover the shifts was a challenge. From 2001 – 2003, on-duty officers were used to cover the shifts. The Department found the redirecting of resources, but these resources that were desperately needed in Twin Falls to handle issues needed to within our community. Shift supervisors had to decide what was more important, meeting the federal mandate providing coverage at the airport or entering calls for service in the City of Twin Falls. These supervisors chose the community and occasionally coverage wasn't at the airport.

In 2003, a plan was made where on-duty and off-duty officers worked with assigned shifts. The funding amounts were not realistic. The LEPR provided an hourly rate that was nonsufficient to cover the actual costs associated with the overtime shifts. A plan was developed to use on-duty officers and off-duty (overtime) officers to cover the shifts. This worked well, providing patrol staffing levels could be maintained. Since 2001 there has been a turnover cycle of personnel. Manpower shortages in the Patrol Division greatly affect the Department's ability to provide adequate personnel to respond to calls for service and ensure the safety of the citizens in the community, while providing security at the airport. A decision was then made then to staff all shifts with off-duty officers. Since 2003, the redirection of personnel has been a concern.

The Department is continually looking for alternative staffing structures to provide coverage for a number of selected flights while allowing for a less formal response to others. This reduces the specific coverage provided to selected flights, in turn reducing the demand for dedicated personnel to be assigned at the airport. Flights selected for dedicated coverage will have a larger group of off-duty personnel to draw from.

Discussion followed:

-Sherriff's department participation.

Captain Brian Pike stated that the Police Department has not met with the Sherriff's Department. The contract is very specific to Twin Falls. Details have to be worked out with TSA prior to speaking to the Sherriff's Department.

-Overtime costs.

-Costs to prepare an officer for an entry-level position.

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

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

MINUTES

November 3, 2008

Page 6 of 13

Recess: 6:28 p.m.

Reconvened: 6:34 p.m.

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

1. Consideration for a proposed zoning title amendment to Twin Falls City Code Title 10, Chapter 2, Definitions, and Chapter 9, Sign Regulations, regarding the regulation of signs within the community, c/o the City of Twin Falls (app.2269).

Community Development Director Humble reviewed the request.

In July, 2006, the Council approved a request to initiate a zoning title amendment project regarding the regulation of signs. The committee met for the first time and began work on this project on August 31, 2006. At a meeting on August 22, 2008, nearly two years later, the committee completed their proposed sign code amendment and unanimously recommended its adoption to the Planning & Zoning Commission and City Council, with the following 14 recommendations:

1. Page 2 of 31, Approved 6-0
PURPOSE

Consistent with the standards set forth in section 10-1-5 of this title, the intent of the standards set forth in this chapter are as follows:

- A. To ~~encourage~~ facilitate the design of signs that attract and invite rather than demand the public's attention, and to curb the proliferation of signs.
- B. To ~~encourage~~ facilitate the use of signs that enhance the visual environment of the city.

2. Page 7 of 31, Approved 6-0
BANNER SIGNS – Time

- 2) Each banner sign must be permitted individually. Individual banner signs can be placed for up to a maximum of six (6) weeks. Banner signs will be allowed on a building or property up to ~~300~~ 120 days in a calendar year. Each suite within a retail development shall be considered a building and shall therefore be allowed to erect a banner sign accordingly.

3. Page 8 of 31, Approved 6-0
BANNER SIGNS – Manner

- 1) The square footage of a banner sign shall not exceed 75% of the linear foot width of the street side of the building, or the width of the leased store front space in a larger building, on the lot on which the banner sign is being located. In no event shall the The maximum area of banner signage ~~allowed is exceed~~ one hundred (100) square feet. Multiple signs may be allowed, but the combined square footage of all banner signs may not exceed the allowed area described above ~~one hundred (100) square feet.~~ The width of a banner sign may not exceed seventy five percent (75%) of the width of the building or lease space upon which the banner sign is located.

4. Page 11, Approved 6-0
INFLATABLE SIGNS – Place

- 3) The minimum setback from the road right-of-way ~~is thirty (30) feet~~ shall be one and one half times the height of the sign.

5. Page 11, Approved 6-0
INFLATABLE SIGNS – Time

- 2) An inflatable sign may be erected on a lot for no more than ~~six (6)~~ three (3) fifteen (15) day periods per calendar year. In the case of multiple businesses or tenants located on a single lot, each business is allowed to erect an inflatable sign on the lot for ~~six (6)~~ three (3) fifteen (15) day periods provided that no more than one inflatable sign is located on the lot at any one time and provided a minimum of fifteen (15) days transpires between the removal of an inflatable sign permitted by one business and the placement of another inflatable sign permitted by another business.

6. Page 14, Approved 6-0
MESSAGE CENTER SIGNS – Place

- 4) There shall be a minimum separation between any two message center signs of four hundred (400) linear feet, measured as a straight line between the two signs.

7. Page 18, Approved 6-0
SKYLIGHTS AND SEARCHLIGHTS – Time

2) A skylight or searchlight may be utilized on a lot for no more than ~~six (6)~~ three (3) fifteen (15) day periods per calendar year. In the case of multiple businesses or tenants located on a single lot, each business is allowed to utilize a skylight or searchlight on the lot for ~~six (6)~~ three (3) fifteen (15) day periods provided that no more than one skylight or searchlight is located on the lot at any one time and provided a minimum of fifteen (15) days transpires between the removal of a skylight or searchlight permitted by one business and the placement of another skylight or searchlight permitted by another business.

**8. Page 20, Approved 6-0
WALL SIGNS – Manner**

1) Each non-residential use may have up to ~~three (3)~~ seventy five (75) square feet of wall signage per ~~linear foot of building width~~ facade that allows a wall sign. For building facades that exceed one hundred (100) linear feet in width, the maximum area of allowed wall signage increases by three quarters (3/4) of a square foot per one (1) linear foot in excess of one hundred (100) linear feet. In no case shall the maximum allowed area of wall signage exceed two hundred and fifty (250) square feet. The total square footage of allowed wall signage may be split into multiple signs.

**9. Page 22, Approved 6-0
HOME IMPROVEMENT SIGNS – Manner**

1) Home improvement signs shall not exceed ~~six (6)~~ nine (9) square feet in area.

**10. Page 24, Approved 6-0
REAL ESTATE SIGNS – Manner**

2) Residential real estate signs shall not exceed ~~six (6)~~ nine (9) square feet in area.

**11. Page 24, Approved 5-1
REAL ESTATE SIGNS – Manner**

1) A maximum of one (1) ~~residential~~ real estate sign per street frontage may be erected on a lot.

**12. Page 24, Approved 5-1
REAL ESTATE SIGNS – Place and Manner**

Place:

3) An off-premise real estate sign shall be erected only on private real property, and only with the consent of the property owner. No more than three (3) off-premise real estate signs may be located on any single lot or property.

4) ~~Off-premise real estate signs shall not be placed closer than sixty (60) feet from another off-premise real estate sign.~~

Manner:

5) Off-premise real estate signs shall not exceed two (2) square feet in area.

**13. Page 24, Approved 6-0
REAL ESTATE SIGNS – Manner**

3) Real estate signs on property zoned for non-residential uses shall not exceed thirty two (32) square feet in area.

4) Real estate signs on agricultural properties shall not exceed thirty two (32) square feet in area. Only properties that are larger than forty (40) acres and that currently produce agricultural products shall be considered to be agricultural properties.

6) All real estates signs shall be located in conformance with the provisions of Section 10-9-5 herein.

14. Page 26, Approved 6-0

MINUTES

November 3, 2008

Page 9 of 13

WIND DEVICE SIGNS – Place

- 3) The minimum setback from the road right-of-way is ~~ten (10)~~ sixty (60) feet.

The public comment portion of the hearing was opened:

Shawn Barigar, President and CEO of the Chamber of Commerce, 898 Morning Sun Drive, reviewed the request. The Chamber would like to see consistency in the recommended revisions:

- Sandwich board signs only allowed downtown.
- Setbacks vary.
- Message center signs are unfair.
- Wall signs are unnecessary.
- Banner signs, inflatable signs, skylights, and searchlight time limits are arbitrary.

Jennifer Johnson, Liberty Tax Franchise owner, 1296 Addison Avenue East, spoke in favor of the request.

Nathan Fuller, 141 Jefferson, spoke on behalf of the sign industry. His concerns included the following:

- Enforcement issues.
- Banner signs. Suggested to allow banners signs longer than 120 days or be allowed time blocks.
- Setbacks for free standing signs. Suggested 10' instead of the current standard of 8'.
- Free standing signs on PRO office overly. Suggested to keep 50' per sign.
- Walls signs and message center signs. Suggested not changing the code as proposed.

Jeff Duggan, 1162 Eastland Drive North, spoke in favor of the request. His concerns include: Real estate agencies possibly having to buy new signs to conform with the "shall not exceed 9 square feet."

Jim Lynch, 911 Blue Lakes Blvd., spoke in favor of the request. He stated that he would like to have an electronic message center sign at his place of business.

Ranee Haight, 2091 Whitecloud Circle, would like to see existing signs "grandfathered" in.

The public hearing comment portion of the hearing was closed.

City Attorney Wonderlich stated that all signs that exist today would be "grandfathered" in. He also stated that currently banner signs are not legal.

Community Development Director Humble, for clarification, stated that the current regulation on free standing signs does not state an 8' setback. A sign may be placed at the property line. The proposed language is a 10' to back of curb setback.

- Enforcement issue.

Community Development Director Humble stated that the City does not have the manpower to proactively enforce the sign ordinance, but is on a reactive, or complaint response, basis.

- Sandwich Board sign concerns.

Community Development Director Humble stated that in regards to sandwich board signs, the intent is that the signs be viewed by pedestrians. He also stated that a permit is required and if the applicant does not comply with restrictions, the applicant could lose his permit.

- Request of clarification between inflatable signs versus balloons.

Mayor Clow stated that a letter was received from Jennifer Johnson, Liberty Tax Services, as well as from Sherry Olson Frank and Jeff Gooding.

The public hearing was closed.

MOTION:

Vice Mayor Johnson made the motion to approve the proposed zoning title amendment to Twin Falls City Code Title 10, Chapter 2, Definitions and Chapter 9, Sign Regulations, as presented with the 14 conditions recommended by the Planning & Zoning Commission. The motion was seconded by Councilperson Lanting.

MOTION AMENDED:

Vice Mayor Johnson made the motion to *reject* P&Z recommendation #2 regarding maximum number of days in a year that a banner sign is permitted and switch back to the original proposal of 300 days. The motion was seconded by Councilperson Hall and roll call vote showed Mayor Clow, Councilpersons Craig, Hall, Heider, and Vice Mayor Johnson voted in favor of the motion. Councilpersons Kezele and Lanting voted against the motion. The motion passed with a vote of 5 to 0.

Recess: 8:15 p.m.
Reconvened: 8:22 p.m.

MOTION AMENDED:

Vice Mayor Johnson made the motion *strike the* P&Z recommendation #3: To amend the verbiage on page 8 regarding the calculation of maximum area for a banner sign not to exceed 75% of the linear footage width of the building or lease space upon which the banner is located, and to return to the original recommendations of the Sign Committee. The motion was seconded by Councilperson Hall. Roll call vote showed Councilpersons Craig, Hall, and Vice Mayor Johnson voted in favor of the motion. Mayor Clow, Councilpersons Heider, Kezele and Lanting voted against the motion. The motion failed with a vote of 3 to 4.

MOTION AMENDED:

Councilperson Kezele made the motion to accept the P&Z recommendation #4 to amend the verbiage on page 11 regarding the setback for inflatable signs (1 ½ times the height of the inflatable sign). The motion was seconded by Councilperson Lanting. Roll call vote showed Mayor Clow, Councilpersons Hall, Heider, Kezele and Lanting voted in favor of the motion. Councilperson Craig and Vice Mayor Johnson voted against the motion. The motion was approved with a vote of 5 to 2.

MOTION AMENDED:

Councilperson Kezele made the motion to approve the P&Z recommendation #5 regarding permit timing for inflatable signs. The motion was seconded by Councilperson Lanting. Roll call vote showed all members present voted against the motion. The motion failed with a vote of 0 to 7.

MOTION AMENDED:

Councilperson Lanting made the motion to approve the P&Z recommendation #6 regarding a minimum separation of 400 feet between message center signs. The motion was seconded by Councilperson Heider and roll call vote showed all members present voted against the motion. The motion failed with a vote of 0 to 7.

MOTION AMENDED:

Councilperson Kezele made the motion to approve the P&Z recommendation #7 regarding permit timing for skylight. The motion was seconded by Councilperson Craig. Roll call vote showed Councilpersons Kezele and Lanting voted in favor of the motion. Mayor Clow, Councilperson Craig, Hall, Heider, and Vice Mayor Johnson voted against the motion. The motion failed with a vote of 2 to 5.

MOTION AMENDED:

Councilperson Johnson made the motion to approve the P&Z recommendation #8 regarding the wall sign area calculation. The motion was seconded by Councilperson Hall. Roll call vote showed Councilpersons Heider and Kezele voted for the motion. Mayor Clow, Councilperson Craig, Hall, Vice Mayor Johnson, and Councilperson Lanting voted against the motion. The motion failed with a vote of 2 to 5.

AMENDED MOTION:

Councilperson Lanting made the motion to amend the verbiage on page 20 to add section 10-9-8(T)(2)(c)(3) to read, "The maximum size of a wall sign located within a professional office overlay district shall be 25 square feet." The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

AMENDED MOTION:

Councilperson Johnson made the motion to approve the portions of P&Z recommendation #12 regarding the limit of three off-premise real estate signs on a lot and striking the 60 foot separation between off-premise real estate signs, but rejecting the portion of this P&Z recommendation regarding the maximum size of an off-premise real estate sign being two square feet. The motion was seconded by Councilperson Craig and roll call vote showed Mayor Clow, Councilpersons Craig, Hall, Heider, Vice Mayor Johnson and Kezele voted in favor of the motion. Councilperson Lanting voted against the motion. The motion passed with a vote of 6 to 1.

AMENDED MOTION:

Councilperson Lanting made the motion to approve the P&Z recommendation #14 regarding the wind device sign setback. The motion was seconded by Councilperson Kezele and roll call vote showed all members present voted against the motion. The motion failed with a vote of 0 to 7.

AMENDED MOTION:

Councilperson Lanting made the motion to review code language and amend as necessary to make sure all signs inflated or held up by mechanical means are included in the definition of "Inflatable Sign." The motion was seconded by Councilperson Kezele and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

AMENDED MOTION:

Councilperson Johnson made the motion to amend the verbiage on page 17 section 10-9-8(P)(b)(1) to state: Sandwich board signs are allowed only in conjunction with a non-residential structure or use in *either* of the following two (2) circumstances:
a) Sandwich board signs are allowed within multi-tenant developments. Sandwich board signs within multi-tenant developments shall be located on the interior of the property and shall not be located within any public right-of-way, *or*
b) Sandwich board signs are allowed within the boundaries (as they exist or may be amended) of the Downtown Business Improvement District 1. Sandwich board signs within the Downtown Business Improvement District 1 may be located within public right-of-way. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

AMENDED MOTION:

Councilperson Hall made the motion to change the name of "Balloons or Other Floating Devices" to "Cloud Buster Signs." To also confirm that this change is made in the definition of "Wind Device Sign" on page 26 section 10-9-9(Q)(1). Definition - A wind device sign is a sign that is made of cloth, canvas, plastic, or any flexible material that moves or is designed to move freely in the wind, with or without a frame or other supporting structure, used for the purpose of advertising or drawing attention to a business, commodity, service, sale, or product. This definition includes pennants, streamers, spinners, or similar devices, but excludes inflatable signs, *cloud buster signs* and flags as specifically defined in this Chapter. The motion was seconded by Councilperson Heider. Roll call vote showed Mayor Clow, Councilpersons Hall, Heider, Johnson, Kezele and Lanting voted in favor of the motion. Councilperson Craig voted against the motion. The motion passed with a vote of 6 to 1.

AMENDED MOTION:

Councilperson Lanting made the motion to 1) move "cloud buster signs" from 10-9-9 to 10-9-8 to make a temporary sign permit required for cloud buster signs, 2) to limit the hours of operation of cloud buster signs to the business's hours, 3) to limit the number of cloud buster signs to 2 per site, and 4) to limit the size of a cloud buster sign to 10' in diameter. Before the motion received a second, Councilperson Lanting withdrew his motion.

AMENDED MOTION:

Councilperson Kezele made the motion to table the request. The motion failed due to a lack of a second.

AMENDED MOTION:

Councilperson Kezele made the motion to amend the verbiage on page 20 to add section 10-9-9(A)(2)(a)(2) to read "A cloud buster sign may be erected on a lot for no more than six (6) fifteen (15) day periods per calendar year. In the case of multiple businesses or tenants located on a single lot, each business is allowed to erect a cloud buster sign on the lot for six (6) fifteen (15) day periods provided that no more than one cloud buster sign is located on the lot at any one time and provided a minimum of fifteen (15) days transpires between the removal of a cloud buster sign permitted by one business and the placement of another cloud buster sign permitted by another business." The motion was seconded by Councilperson Heider. Roll call vote showed Mayor Clow, Councilperson Hall, Heider, Kezele and Lanting voted in favor of the motion. Councilperson Craig and Vice Mayor Johnson voted against the motion. The motion passed with a vote of 5 to 2.

ROLL CALL VOTE ON AMENDED MAIN MOTION:

Roll call vote showed all members present voted in favor of the motion.

Approved the zoning title amendment to Twin Falls City Code Title 10, Chapter 2, Definitions, and Chapter 9, Sign Regulations, regarding the regulation of signs within the community, c/o the City of Twin Falls (app.2269), as recommended by the Planning & Zoning Commission, with the following conditions:

1. Reject P&Z recommendation #2 regarding maximum number of days in a year that a banner sign is permitted and switch back to the original proposal of 300 days.
2. Accept P&Z recommendation #3 to amend the verbiage on page 8 regarding the calculation of maximum area for a banner sign (not to exceed 75% of the linear footage width of the building or lease space upon which the banner is located).
3. Accept P&Z recommendation #4 to amend the verbiage on page 11 regarding the setback for inflatable signs (1 ½ times the height of the inflatable sign).
4. Reject P&Z recommendation #5 regarding permit timing for inflatable signs and switch back to the original proposal of six 15-day periods.
5. Reject P&Z recommendation #6 regarding a minimum separation of 400 feet between message center signs and switch back to the original proposal of no minimum separation.
6. Reject P&Z recommendation #7 regarding permit timing for skylights and switch back to the original proposal of six 15-day periods.
7. Reject P&Z recommendation #8 regarding the wall sign area calculation and switch back to the original proposal of three square feet per linear foot of building width.
8. Amend the verbiage page 20 to add section 10-9-8(T)(2)(c)(3) to read, "The maximum size of a wall sign located within a professional office overlay district shall be 25 square feet."
9. Accept the portions of P&Z recommendation #12 regarding the limit of three off-premise real estate signs on a lot and striking the 60 foot separation between off-premise real estate signs, but rejecting the portion of this P&Z recommendation regarding the maximum size of an off-premise real estate sign being two square feet.
10. Reject P&Z recommendation #14 regarding the wind device sign setback and switch back to the original proposal of a 10 foot setback.
11. Review code language and amend as necessary to make sure all signs inflated or held up by mechanical means are included in the definition of "Inflatable Sign".
12. Amend the verbiage on page 17 section 10-9-8(P)(b)(1) to state: Sandwich board signs are allowed only in conjunction with a non-residential structure or use in *either* of the following two (2) circumstances:
 - a) Sandwich board signs are allowed within multi-tenant developments. Sandwich board signs within multi-tenant developments shall be located on the interior of the property and shall not be located within any public right-of-way, *or*
 - b) Sandwich board signs are allowed within the boundaries (as they exist or may be amended) of the Downtown Business Improvement District 1. Sandwich board signs within the Downtown Business Improvement District 1 may be located within public right-of-way.
13. Change the name of "Balloons or Other Floating Devices" to "Cloud Buster Sign." To confirm this change is made in the definition of "Wind Device Sign" on page 26 section 10-9-9(Q)(1). Definition - A wind device sign is a sign that is made of cloth, canvas, plastic, or any flexible material that moves or is designed to move freely in the wind, with or without a frame or other supporting structure, used for the purpose of advertising or drawing attention to a business, commodity, service, sale, or product. This definition includes pennants, streamers, spinners, or similar devices, but excludes inflatable signs, *cloud buster signs* and flags as specifically defined in this Chapter.

MINUTES

November 3, 2008

Page 13 of 13

14. Amend the verbiage on page 20 to add section 10-9-9(A)(2)(a)(2) to read "A cloud buster sign may be erected on a lot for no more than six (6) fifteen (15) day periods per calendar year. In the case of multiple businesses or tenants located on a single lot, each business is allowed to erect a cloud buster sign on the lot for six (6) fifteen (15) day periods provided that no more than one cloud buster sign is located on the lot at any one time and provided a minimum of fifteen (15) days transpires between the removal of a cloud buster sign permitted by one business and the placement of another cloud buster sign permitted by another business."

V. **ADJOURNMENT:** to Executive Session 67-2345 (1)(e) To Consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations.

MOTION:

Councilperson Lanting made the motion to move to Executive Session 67-2345 (1)(e) To Consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations. The motion was seconded by Councilperson Heider. Roll call vote showed Mayor Clow, Councilpersons Hall, Heider, Johnson, Kezele and Lanting voted in favor of the motion. Councilperson Craig voted against the motion. The motion passed with a vote of 6 to 1.

The meeting adjourned at 9:33 p.m.

Leila A. Sanchez
Deputy City Clerk

COUNCIL MEMBERS:

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



MINUTES
 Meeting of the Twin Falls City Council
 November 10, 2008
 City Council Chambers
 305 3rd Avenue East Twin Falls, Idaho

PLEDGE OF ALLEGIANCE TO THE FLAG
 CONFIRMATION OF QUORUM
 INTRODUCTION OF STAFF

CALL MEETING TO ORDER: 5:00 P.M.

AGENDA ITEMS	Purpose	By:
I. <u>CONSENT CALENDAR:</u> 1. Consideration of accounts payable for November 4 – 10, 2008. 2. Consideration of the 10-20-2008 and 10-27-2008 Council Minutes. 3. Consideration of a Multi-Year Improvement Deferral Agreement for Yolanda G. Sanchez for property located at 645 Heyburn Avenue.	Action	Staff Report
II. <u>ITEMS FOR CONSIDERATION:</u> 1. Consideration to authorize the Mayor and the City Manager to execute the right-of-way agreement for Parcel Number 23 of the Washington Street North, Key No. 06558. 2. Consideration to authorize the Mayor and the City Manager to execute the right-of-way agreements for Parcel Numbers 51.1, 51.2, 52, and 67 of the Washington Street North Phase II project, Key No. 08469. 3. Consideration of a one-year extension of the final plat of the Desert Falls Subdivision, 58.36 (+/-) acres with 46 lots located at the southeast corner of 3300 East and Falls Avenue East, c/o FRS, LLC/Doug Strand. 4. Consideration to approve JUB Engineer's scope and contract amount of \$213,500 to design Falls Avenue West from Washington Street to Grandview Drive. 5. Consideration to approve the BID/Downtown Master Landscape Plan Draft. 6. Public input and/or items from the City Manager and City Council.	Action Action Action Action Action	Jackie Fields Jackie Fields Mitch Humble Jackie Fields Melinda Anderson
III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u>		
IV. <u>PUBLIC HEARINGS:</u> 6:00 P.M. – 1. Consider a resolution authorizing the filing of the petition for judicial confirmation for the financing of the City's arsenic standard compliance project. 2. Consideration of annexation of 4.38 (+/-) acres, currently zoned C-1, located north of Kimberly Road on both the west and east side of Meadowview Lane, extended, c/o Dirk Parkinson. (app.2272)	Action Action	Tom Courtney Fritz Wonderlich Mark Holtzen Mitch Humble
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.*

COUNCIL PRESENT: Lance W. Clow, Trip Craig, Don Hall, Lee Heider, David E. Johnson, Greg Lanting.

COUNCIL ABSENT: William A. Kezele,

CITY STAFF PRESENT: City Manager Tom Courtney, City Attorney Fritz Wonderlich, Assistant City Manager Travis Rothweiler, City Engineer Jackie Fields, Community Development Director Mitch Humble, Economic Development Director Melinda Anderson, Deputy City Clerk Leila Sanchez.

Mayor Clow 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 Clow introduced City staff.

AGENDA ITEMS

I CONSENT CALENDAR:

1. Consideration of accounts payable for November 4 – 10, 2008.
2. Consideration of the 10-20-2008 and 10-27-2008 Council Minutes.
3. Consideration of a Multi-Year Improvement Deferral Agreement for Yolanda G. Sanchez for property located at 645 Heyburn Avenue.

MOTION:

Councilperson Heider made the motion to approve the Consent Calendar as presented. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

II. ITEMS FOR CONSIDERATION:

1. Consideration to authorize the Mayor and the City Manager to execute the right-of-way agreement for Parcel Number 23 of the Washington Street North, Key No. 06558.

City Engineer Fields reviewed the request. The parcel is located at 354 Washington Street North. The owner has completed and signed the right-of-way contract, warranty deed, and construction easement.

Execution of the right-of-way agreement and construction easement will authorize payment to Karl and Kimberly Joslin in the amount of \$12,529.

Staff recommends approval of this request.

MOTION:

Councilperson Hall made the motion to authorize the Mayor and the City Manager to execute the right-of-way agreement for Parcel Number 23 of the Washington Street North, Key No. 06558 as presented. The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

2. Consideration to authorize the Mayor and the City Manager to execute the right-of-way agreements for Parcel Numbers 51.1, 51.2, 52, and 67 of the Washington Street North Phase II project, Key No. 08469.

City Engineer Fields reviewed the request. The parcels are located at the northwest corner of Caswell and Washington Street North. The owners have completed and signed the right-of-way contract and warranty deed.

Execution of the right-of-way agreement will authorize payment to Mel and Priscila Moeller in the amount of \$38,000.

Staff recommends approval of this request.

MINUTES

November 10, 2008

Page 3 of 8

MOTION

Vice Mayor Johnson made the motion to authorize the Mayor and the City Manager to execute the right-of-way agreements for Parcel Numbers 51.1, 51.2, 52, and 67 of the Washington Street North Phase II project, Key No. 08469 as presented. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

3. Consideration of a one-year extension of the final plat of the Desert Falls Subdivision, 58.36 (+/-) acres with 46 lots located at the southeast corner of 3300 East and Falls Avenue East, c/o FRS, LLC/Doug Strand.

Community Development Director Humble reviewed the request.

On June 26, 2007, the Planning & Zoning Commission approved the preliminary plat of Desert Falls Subdivision with the following conditions:

1. Subject to final technical review by the City Engineering Department and Zoning Officials to ensure compliance with all applicable City code requirements and standards.
2. Subject to arterial and collector streets adjacent and within the property being rebuilt or built to current City standards upon development of the property.
3. No lots in the subdivision shall be permitted to have access onto Falls Avenue East, 330 East Road or Stadium Blvd.

On November 19, 2007, the City Council recommended approval of the final plat of Desert Falls Subdivision with the three conditions placed on the preliminary plat. On January 16, 2008, the County Commissioners approved the final plat of the Desert Falls Subdivision with the conditions placed on the final plat subject to the three conditions recommended by the City Council on November 19, 2007.

Staff recommend approval of a one-year extension of the final plat of the Desert Falls Subdivision, 58.36 (+/-) acres with 46 lots located at the southeast corner of 3300 East and Falls Avenue East, c/o FRS, LLC/Doug Strand, as presented.

MOTION:

Vice Mayor Johnson made the motion to approve for recommendation to the County Commissioners a one-year extension of the final plat of the Desert Falls Subdivision, 58.36 (+/-) acres with 46 lots located at the southeast corner of 3300 East and Falls Avenue East, c/o FRS, LLC/Doug Strand, as presented with the following conditions:

1. Subject to final technical review by the City Engineering Department and Zoning Officials to ensure compliance with all applicable City code requirements and standards.
2. Subject to arterial and collector streets adjacent and within the property being rebuilt or built to current City standards upon development of the property.
3. No lots in the subdivision shall be permitted to have access onto Falls Avenue East, 3300 East Road or Stadium Boulevard.

The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

4. Consideration to approve JUB Engineer's scope and contract amount of \$213,500 to design Falls Avenue West from Washington Street to Grandview Drive.

City Engineer Fields reviewed the request. On September 22, 2008, the City Council directed staff to enter into negotiations with JUB Engineers for a not-to-exceed design contract. The design includes a public involvement process regarding options for the width and attributes to be constructed. JUB Engineers will also develop a street lighting standard for a dark sky. The dark sky standard will help keep the sky dark for the CSI telescope. JUB Engineers will prepare a cost estimate for 2009-2010 fiscal year and have the construction plans ready to bid by the end of June.

Staff recommends approval of the request.

Discussion followed:

-Budget.

-Time schedule

MINUTES

November 10, 2008

Page 4 of 8

MOTION:

Councilperson Hall made the motion to approve JUB Engineer's scope and contract not to exceed the amount of \$213,500, to design Falls Avenue West from Washington Street to Grandview Drive as presented. The motion was seconded by Vice Mayor Johnson and roll call vote showed all members voted in favor of the motion. The motion passed with a vote of 6 to 0.

5. Consideration to approve the BID/Downtown Master Landscape Plan.

Economic Development Director Anderson reviewed the request.

In February 2008, the City Council authorized Land Group to develop a BID/Downtown Master Landscape Plan concept. Land Group worked with staff and BID board members to develop this plan.

At the September 25, 2008, BID meeting, the board members unanimously recommended that the plan be approved as presented. The BID board was concerned about the plan's implementation, but made no specific recommendations regarding how best to implement the plan.

The Business Improvement District Board recommends approval of the BID/Downtown Master Landscape Plan as presented.

Staff concurs with the recommendation.

She also asked Council to provide direction to staff regarding the implementation of the landscape plan.

Jeremy Ainsworth gave a PowerPoint presentation of the BID/Downtown Master Landscape Plan.

The purpose and vision of the plan is to create a downtown Twin Falls that has continuity, consistency, aesthetically pleasing streetscapes, properly designed streets and sidewalks that add value and act as a catalyst to development of private property.

The Landscape Master Plan shows design guidelines for the BID area. The goal of the plan is to designate the streetscape as three distinct types:

- A) Downtown Pedestrian Streetscape (Main Avenue and Hansen Street);
- B) Downtown Streetscape High Traffic (Shoshone Street and the 2nds);
- C) Downtown Streetscape Low Traffic (Idaho Street, Gooding Street).

Each area type (A, B, C) has specific designs for street furniture, sidewalks, trees, pavers, parking, crosswalks, etc. The plan also shows improvements for alley and parking lots.

Discussion followed:

Jeremy Ainsworth confirmed that the plan shows three lanes on 2nd Avenue East and any change on the 2nd's will require ITD approval.

Jeremy Ainsworth stated that the Tree Commission has reviewed the plan.

In conclusion he stated that the design guidelines identify the characteristic features of the historic commercial areas of Downtown Twin Falls and seek to insure that as changes occur they will enhance that character. The guidelines are designed to serve to protect the existing features and promote compatible new growth and development into a cohesive vibrant downtown. By accomplishing these goals, property values increase, community identity is preserved and/or enhanced and reestablished, and Twin Falls Downtown will become destination for both the locals and visitors.

Mayor Clow clarified that there is no commitment that the fountain is to be removed by approving the plan.

Councilperson Johnson asked if the assets that are currently in place are incorporated in the proposed plan.

Jeremy Ainsworth stated that the plan is working with existing conditions and implemented within the plan.

MINUTES

November 10, 2008

Page 5 of 8

Community Development Director Humble stated that developers are encouraged to work with the plan, but it will not be a code requirement unless the Code is amended.

Economic Development Director Anderson stated that the plan was presented to the BID board for comment on June 26, 2008, the community in an open house on August 21, 2008, and then again at the BID board meeting on September 25, 2008, and comment received were favorable.

MOTION:

Councilperson Hall made the motion to approve the BID/Downtown Master Landscape Plan as presented. The motion was seconded by Councilperson Heider.

Councilperson Heider asked if the plan becomes binding upon any developer and landowner in the downtown area.

Mayor Clow explained that the plan would be a guideline but not mandated until adopted as part of Title 10 of the City Code.

Roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

Mayor Clow introduced Boy Scout Troop 65.

6. Public input and/or items from the City Manager and City Council. None.

Recess: 6:00 p.m.

Reconvened: 6:07 p.m.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS: None.

IV. PUBLIC HEARINGS: 6:00 P.M. –

1. Consider a resolution authorizing the filing of the petition for judicial confirmation for the financing of the City's arsenic standard compliance project.

City Manager Courtney reviewed the request. He stated the following three facts: First, the City has to comply with the arsenic requirements. Secondly, this is an "ordinary and necessary expense" because providing safe drinking water is an essential responsibility of City government and is a matter of basic public safety. Offering a bond election presumes that the voter has a choice, they can vote yes or they can vote no. In this case there is no choice; the City has to comply with the arsenic regulation. Thirdly, there is an issue of fire flow. If the City has to discontinue use of the south wells because of failure to comply with the arsenic standard without an alternative water supply, there will not be sufficient water to meet fire flow needs in parts of the community.

In January 2001, the EPA published the new arsenic rule with a compliance date of January 23, 2006. As a result of the new arsenic rule the requirement for arsenic concentration in drinking water was reduced from 50 parts per billion to 10 parts per billion. On January 3, 2006, the City entered into a compliance agreement with the Idaho Department of Environmental Quality which requires the City to be in full compliance with the federal standards for arsenic in drinking water by January 2011.

The City has two sources, the Blue Lakes Springs and wells in the south and southeast part of town. Water from Blue Lakes Springs is in full compliance with arsenic requirements averaging less than 2 ppb. Water from the south and southeast part of town exceed the arsenic standard, which average to the 14 ppb range. The challenge of complying with the arsenic standard is complicated by the fact that both of our water supplies are in a state of decline. In order to resolve the arsenic problem and assure we have sufficient water to meet community needs, a new source of water was required. Over the last two to three years the City has spent a great deal of time and effort looking for a new water supply. Options are very few and far between.

On April 21, 2008, the Council approved an agreement through which the City joined with the State of Idaho, the North Snake Groundwater District, and the Magic Valley Groundwater District to purchase Pristine Springs. The purchase of Pristine Springs provided the City with beneficial use of 15.3 cfs of water rights from Alpheus Creek and up to 41 cfs of water rights in

MINUTES

November 10, 2008

Page 6 of 8

Sunny Brook Springs. The acquisitions of these water rights provide the City with water required to meet both the federal standard and community needs.

The City is now in a position to begin the final design of the compliance plan and arrange for financing. The plan is to finance the project as an ordinary and necessary expense that the government has provided for in the Idaho Constitution rather than holding a bond election. The City has an absolute requirement to provide safe drinking water and to comply with all Federal and State regulations. This is a matter of public health. The election process presumes that there really is choice that the voter can vote yes or the voter can vote no; in this case there is no choice.

Mark Holtzen, JUB Engineers, reviewed the City of Twin Falls Arsenic Compliance and Water System Improvements Technical Memorandum Proposed Improvements dated October 2008.

City Attorney Wonderlich reviewed the legal process. In order to acquire the funds that are needed to fund this project, funding agencies are requiring a judicial confirmation of the financing documents. The Idaho Judicial Confirmation Law requires the governing body to hold a public hearing to consider whether it should adopt a resolution or an ordinance, authorizing the filing of the petition. After this public hearing, the Council must wait 14 days before the adoption of the resolution. After the resolution is adopted, there is another public hearing requirement giving notice that the petition has been filed, that requires a posting for 30 days at City Hall and then 3 consecutive weeks notice in the Times News. There is another public hearing process that goes on before the actual hearing before the court.

Discussion followed:

Mayor Clow stated that one of the alternatives that was not considered is the filtration of water. The initial costs were similar, but the long term operating costs of the filtration of the water far exceeded this option.

City Manager Courtney stated that a number of options were reviewed. The City worked with a citizens' committee over a matter of months to help evaluate each of the alternatives, and they made a recommendation to the Council. It came down to treating canal water or purchasing Pristine Springs, and ultimately developing a blending system. The cost of a filtration is more expensive than the option considered tonight. The real cost of operating a filtration plant is extremely high, both in the short term from a capital standpoint and in the long term from an operating standpoint. This is the least expensive option.

Councilperson Heider asked about the mixing of the water with the Hankins and south wells.

Mark Holtzen stated the water that is pumped from the Blue Lakes system is planned to be blended with the water from the south wells. The blending is not part of the judicial confirmation process. It will be done independently by other funding mechanisms. Blending is still on the table for the south wells, but is not part of this particularly aspect of this project. It will occur at the same time that implementation is made with the other infrastructure improvements. The plan is not to blend the Hankins well because it is a small source and to implement the infrastructure would not be a good cost benefit to the City. The Blue Lakes water will be blended with the south well water. The cost associated with blending will be approximately \$800,000.

Councilperson Johnson asked if taking more subdivisions off of potable water and onto PI water creates more potable water in our system.

Mark Holtzen stated that projections assume that all new development will have PI water. However, they do not assume that any large areas in the City are being retrofitted. Existing subdivisions that are currently on potable water and planned for PI have been considered in the plan.

The public hearing comment portion of the hearing was opened:

Harry Zitterkopf, 824 Hankins Road, asked if the south and Hankins wells could supply the fire quantities instead of having to do a blending system.

The public comment portion of the hearing was closed.

MINUTES

November 10, 2008

Page 7 of 8

City Manager Courtney stated that the City has one water system, and the water in that system is used for both potable needs and fire fighting. The intent with the Hankins wells is to turn them into water for PI systems; the water will be used as land in the area develops as a source for PI. The water from the south wells will be blended with water from Blue Lakes, which will remain as potable water.

Councilperson Lanting asked why the \$800,000 for blending wasn't included in the plan.

City Attorney Wonderlich stated that for purposes of borrowing money, the City needs to do this the least expensive way possible. The City can handle this with the system that JUB has proposed, but we cannot justify another \$700,000 – \$800,000 to give us more water than we need to replace the lost water.

The public hearing was closed.

No action taken. The resolution will come back to the Council on November 24, 2008.

2. Consideration of annexation of 4.38 (+/-) acres, currently zoned C-1, located north of Kimberly Road on both the west and east side of Meadowview Lane extended, c/o Dirk Parkinson. (app.2272)

Scott Martin, 3063 Cotton Wood Heights, Kimberly, representing the applicant, explained the request.

Community Development Director Humble reviewed the request.

On October 14, 2008, the Planning & Zoning Commission unanimously recommended approval of this request with the following two conditions:

1. Subject to amendments as required by Building, Engineering, Fire, and Zoning officials to ensure compliance with all applicable City code requirements and standards.
2. Subject to arterial and collector streets adjacent and within the property being rebuilt or built to current City standards upon development of the property including Meadowview Lane and Kimberly Road.

Staff concurs with the Planning & Zoning Commission's two recommendations.

Discussion followed:

Councilperson Heider asked about building of Meadowview Lane to Kimberly Road.

Community Development Director Humble stated that two lanes of Meadowview Lane are currently under construction with the Timberlake Apartment project. As this subject property develops, that development will be required to further widen Meadowview Lane to current City standards

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

Council deliberations:

Councilperson Heider stated that he is frustrated that we build roads to less than their full width. He suggested we could look into options, such as a LID, to construct roads to their full width right from the start.

Scott Martin stated that property is for sale.

The public hearing was closed.

MOTION:

Councilperson Lanting made the motion to approve the annexation of 4.38 (+/-) acres, currently zoned C-1, located north of Kimberly Road on both the west and east side of Meadowview Lane extended, c/o Dirk Parkinson. (app.2272) as presented with the following conditions:

1. Subject to amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable City Code requirements and Standards.

MINUTES

November 10, 2008

Page 8 of 8

2. Subject to arterial and collector streets adjacent and within the property being rebuilt or built to current City standards upon development of the property, including Meadowview Lane and Kimberly Road.

The motion was seconded by Vice Mayor Johnson and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

- V. **ADJOURNMENT:** The meeting adjourned at 6:49 p.m.

Leila Sanchez
Deputy City Clerk

COUNCIL MEMBERS:

LANCE	TRIP	DON	LEE	DAVID E.	WILLIAM A.	GREG
CLOW	CRAIG	HALL	HEIDER	JOHNSON	KEZELE	LANTING

Mayor

Vice Mayor



MINUTES

Meeting of the Twin Falls City Council
 November 17, 2008
 City Council Chambers
 305 3rd Avenue East Twin Falls, Idaho

PLEDGE OF ALLEGIANCE TO THE FLAG
 CONFIRMATION OF QUORUM
 INTRODUCTION OF STAFF

CALL MEETING TO ORDER: 5:00 P.M.

AGENDA ITEMS		Purpose	By:
I. <u>CONSENT CALENDAR:</u> 1. Consideration of accounts payable for November 11 – 17, 2008. 2. Consideration of the 11-03-2008 and 11-10-2008 Minutes. 3. Consideration of a Deed to accept Lot 23, Block 10, of Rock Creek Trail Estates Subdivision. 4. Consideration of an Improvement Agreement, Engineer's Estimate, and Assurance of Construction for Evergreen Apartments 5. Consideration of Findings of Fact, Conclusions of Law, and Decision: a. Final Plat Application, Sugarsweet Subdivision. b. Final Plat Application, Farnham #3 Subdivision c/o St. Luke's Medical Center. 6. Consideration of a Multi-Year Improvement Deferral Agreement for Mary Ann & Dallas Lee Wilson, for property located at 1867 Osterloh Avenue.		Action	Staff Report
II. <u>ITEMS FOR CONSIDERATION:</u> 1. Consideration of the annual Festival of Lights Parade Special Events Application. 2. Consideration to acquire a bomb squad response vehicle and trailer purchased by the Idaho Bureau of Homeland Security. 3. Consideration of an agreement for Engineering Services with Riedesel Engineering for FAA Airport Improvement Project -27. 4. Consideration of additional building height in accordance with Twin Falls City Code 10-7-3 on property located in the 1800 block of Harrison Street North, c/o The Land Group/Scott Allen on behalf of Summit Hospitality V, LLC. (app. 2277). 5. Consideration to authorize the Mayor and City Manager to execute the right-of-way agreement for Parcel Numbers 24, 25, and 28 of the Washington Street North, Key No. 06558. 6. Public input and/or items from the City Manager and City Council.		Action Action Action Action Action	Dennis Pullin Dan A. Lewin Bill Carberry Mitch Humble Jackie Fields
III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u>			
IV. <u>PUBLIC HEARINGS:</u> 6:00 P.M. – None.			
V. <u>ADJOURNMENT:</u> Executive Session 67-2345(1)(a) To consider hiring a public officer, employee, staff member or individual agent. This paragraph does not apply to filling a vacancy in an elective office.			

MINUTES

November 17, 2008

Page 2 of 9

**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.*

COUNCIL PRESENT: Lance W. Clow, Trip Craig, Don Hall, Lee Heider, David E. Johnson, William A. Kezele, Greg Lanting.

COUNCIL ABSENT: None.

CITY STAFF PRESENT: City Manager Tom Courtney, City Attorney Fritz Wonderlich, Assistant City Manager Travis Rothweiler, City Engineer Jackie Fields, Community Development Director Mitch Humble, Airport Manager Bill Carberry, Staff Sergeant Dennis Pullin, Captain Bryan Krear, Deputy City Clerk Leila Sanchez.

Mayor Clow 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 Clow introduced City staff.

CALL MEETING TO ORDER: 5:00 P.M.

Changes to the agenda:

City Manager Courtney stated that Item II.2. *Consideration to acquire a bomb squad response vehicle and trailer purchased by the Idaho Bureau of Homeland Security* will be rescheduled. The equipment will be purchased by the State for use by the City. There has been some question regarding the purchasing policy to be followed in the acquisition on this piece of equipment. Until this has been resolved the item will be placed on hold and be rescheduled to be heard at a later date.

Consideration of the 2009 Schedule of Regular Meetings and Public Hearings for the City of Twin Falls City Council.

MOTION:

Councilperson Hall made the motion to approve the 2009 Schedule of Regular meetings and Public Hearings for the City of Twin Falls City Council as presented. The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

AGENDA ITEMS

I. CONSENT CALENDAR:

1. Consideration of accounts payable for:
September 2008 total: \$3,065.58.
November 12–17, 2008 total: \$210,967.66.
2. Consideration of the 11-03-2008 and 11-10-2008 Minutes.
3. Consideration of a Deed to accept Lot 23, Block 10, of Rock Creek Trail Estates Subdivision.
4. Consideration of an Improvement Agreement, Engineer's Estimate, and Assurance of Construction for Evergreen Apartments
5. Consideration of Findings of Fact, Conclusions of Law, and Decision:
 - a. Final Plat Application, Sugarsweet Subdivision.
 - b. Final Plat Application, Farnham #3 Subdivision c/o St. Luke's Medical Center.
6. Consideration of a Multi-Year Improvement Deferral Agreement for Mary Ann & Dallas Lee Wilson, for property located at 1867 Osterloh Avenue.

MOTION:

Councilperson Heider made the motion to approve the Consent Calendar as presented. The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

II. ITEMS FOR CONSIDERATION:

1. Consideration of the annual Festival of Lights Parade Special Events Application.

Staff Sergeant Pullin reviewed the request.

MINUTES

November 17, 2008

Page 4 of 9

The day of the parade will be Friday, December 5, 2008, starting at 6 p.m. The parade route will start in the 500 Block of Main Avenue West/North and end at the intersection of Main Avenue and Idaho Street. This event requires the closure of numerous intersections and the coordination between various City Departments.

The City will incur overtime for nine Police Officers and four non-sworn employees. The approximate overtime cost to the City will be \$1,920. Costs associated with the special event have been included in the Police Department's overtime budget.

Staff recommends approval of the application submitted based on the information provided.

Kathy Schroeder, member of the Business Improvement District, explained the request.

MOTION:

Councilperson Hall made the motion to approve the annual Festival of Lights Parade to be held on December 5, 2008, as presented. The motion was seconded by Councilperson Kezele and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

Mayor Clow stated that Christmas Sprays will be placed on the decorative downtown lamp posts during the holiday season. A name plate showing the sponsor will be attached to the spray. Cost is \$85 for one year or \$375 for 5 years. For additional information please contact Denise Miller, City of Twin Falls, at (208) 734-2113.

Mayor Clow introduced Boy Scout Troop 81 sponsored by the LDS Church.

2. Consideration to acquire a bomb squad response vehicle and trailer purchased by the Idaho Bureau of Homeland Security.

To be rescheduled.

3. Consideration of an agreement for Engineering Services with Riedesel Engineering for FAA Airport Improvement Project -27.

Airport Manager Carberry reviewed the request.

The airport's FAA sponsored capital construction project for the upcoming season includes an asphalt overlay of the west ramp, procurement of snow removal equipment, and a pavement conditioning index survey project.

As in past years, the City hires an engineering consultant to assist the airport with the process. In 2005 the airport issued a request for qualifications for a competitive selection process. Four firms submitted RFO's in 2005. The airport subcommittee reviewed and recommended that Riedesel and Associates be retained to continue performing as the consulting engineer for the airport. That recommendation came to the Council in September 2005 and was concurred as a selection for what typically is a five year period. The airport has been working with Riedesel Engineering through a record of negotiations for this year's upcoming project.

When engineering fees are anticipated to be over \$100,000, the airport is required to obtain an independent fee estimate from another engineering firm as a means to help compare and negotiate engineering service costs. The airport contracted with the nationally recognized Denver based firm of R S & H to assist with the independent fee estimate for the project. The independent estimate from R S & H of \$391,474.54 was \$123,082.65 higher than Riedesel's cost proposal of \$268,392. Riedesel Engineering has provided engineering services to the airport and has a better knowledge of conditions and existing records.

The project will be paid for by the budget which includes the FAA grant amounts. The cost is \$2,500,000 in entitlement funds this year. The pavement work will be between \$1,600,000 - \$1,800,000 and the equipment will be between \$325,000 - \$600,000 depending on the piece. The 5% matching fund is in the budget required for a local municipality.

Staff recommends approval of the contract as presented.

MINUTES

November 17, 2008

Page 5 of 9

Discussion followed:

-Councilperson Kezele asked if the snow removal and pavement work are required by the federal government, or is this annual maintenance.

Airport Manager Carberry stated that the airport is a Federal Aviation Regulation Part 139 Certificated Airport; this certificate allows us to have scheduled commercial air service. The requirement of maintaining the certificate is keeping the pavements in top condition and to have a snow removal program.

Councilperson Heider asked if the snow removal equipment is necessary, and if so, is the Osh Kosh piece of equipment worth twice of what a normal truck would cost.

Airport Manager Carberry stated that the demand for snow removal has increased over the past ten years. When Sun Valley and Hailey have a snow event they are typically closed. Often when our crews are removing snow we are getting peak operational periods. The airport is seeing a lot more cycles of people coming in and out based on the fractal type piece of aircraft. The multi-purpose unit is able to displace snow, has a high capacity blower and has the ability to plow, which is different from the traditional snow plow and sander.

Vice Mayor Johnson asked what the shared expense is with the County.

Airport Manager Carberry stated that the airport budget is split down the middle with city and county contributions. He discussed a grant to possibly receive for this upcoming year from the State Division of Aeronautics. The airport budget will be receiving money from fuel tax, passenger facility charges, and landing fees.

Councilperson Kezele asked that since the agreement is contingent on FAA having available funds is there any obligation that the City will be paying for if the FAA funds are unavailable.

Airport Manager Carberry stated that the FAA, federal government, and DOT have been working on a continual resolution on the contract. The contract will be awarded after March 6, 2008, contingent on FAA funding, after the new program has been signed in.

MOTION:

Councilperson Heider made the motion to approve the agreement for Engineering Services with Riedesel Engineering for FAA Airport Improvement Project – 27 in the amount not to exceed \$268,392 contingent upon FAA concurrence and available funding as presented. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

4. Consideration of additional building height in accordance with Twin Falls City Code 10-7-3 on property located in the 1800 block of Harrison Street North, c/o The Land Group/Scott Allen on behalf of Summit Hospitality V, LLC. (app. 2277).

Community Development Director Humble reviewed the request.

On November 12, 2008, the Planning & Zoning Commission granted a special use permit to construct and operate a hotel and sell alcoholic beverages for consumption on the premises at this site with the following conditions:

1. Subject to site plan amendments as required by Building, Engineering, Fire, and Zoning officials to ensure compliance with all applicable City Code requirements and Standards.
2. A landscape plan is submitted as part of the building permit application.
3. Full compliance with the Northbridge and Northbridge No. 2 PUD Agreements.
4. Subject to approval of City, County, and State Alcohol License approval.
5. A water model is provided as part of the building permit review process.

The request before Council is for additional height. Without the Council's approval for additional height, the maximum building height is 35' in a C-1 zone. The Council has granted additional building height to the adjacent Hilton Garden Inn at 60'4" and the AmeriTel at 58'. This property is zoned C-1 and is located north of the Hilton Garden Inn on Harrison Street South.

MINUTES

November 17, 2008

Page 7 of 9

Staff recommends that the Council grant the request for additional building height, as presented, subject to the conditions of the special use permit granted on November 12, 2008.

Discussion followed:

Councilperson Lanting asked how close the building is to the canyon ridge.

Community Development Director Humble stated that the building does not fall in the canyon rim overlay and the hotel is approximately 850' – 900' feet south of the canyon rim.

Councilperson Kezele asked if there is a point where buildings are blocking another's view.

Scott L. Allen, representing the applicant, explained the request. The applicant concurs with staff's recommendation.

Mayor Clow stated that around 15 years ago one hotel in town received approval for additional height and proceeded to put a neon tube on top of their building. He asked the applicant if there are plans to illuminate the top of the building in some way to attract additional attention to the building.

Scott L. Allen stated that signage plans have not been submitted at this time but there is not neon tubing proposed at this particular time.

Community Development Director Humble stated that the Council can choose to place that as a condition of approval for additional height.

Discussion followed:

MOTION:

Vice Mayor Johnson made the motion to approve the additional building height in accordance with Twin Falls City Code 10-7-3 on property located in the 1800 block of Harrison Street North, c/o The Land Group/Scott Allen on behalf of Summit Hospitality V, LLC. (app. 2277) as presented with the following conditions:

1. Subject to site plan amendments as required by Building, Engineering, Fire, and Zoning officials to ensure compliance with all applicable City Code requirements and Standards.
2. A landscape plan is submitted as part of the building permit application.
3. Full compliance with the Northbridge and Northbridge No. 2 PUD Agreements.
4. Subject to approval of City, County, and State Alcohol License approval.
5. A water model is provided as part of the building permit review process.

The motion was seconded by Councilperson Hall.

AMEND THE MAIN MOTION:

Councilperson Lanting made an amendment to the main motion to add a restriction to not allow additional illumination on top of the building.

Motion failed due to a lack of a second to the motion.

Councilperson Kezele asked if there was any requirement placed on other buildings with the condition of illumination.

Community Development Director Humble stated that he does not recall a condition being placed, but will check on the previous two buildings.

Mayor Clow stated that the condition could have been a verbal agreement with the developer.

ROLL CALL VOTE ON THE MAIN MOTION:

Roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

5. Consideration to authorize the Mayor and City Manager to execute the right-of-way agreement for Parcel Numbers 24, 25, and 28 of the Washington Street North, Key No. 06558.

City Engineer Fields reviewed the request.

Washington Street North Phase I is the roadway between Shoup Avenue and Dubois Avenue. The properties are on the west side of Washington Street North between Borah and Wiseman. The owner has completed and signed the right-of-way contract, warranty deed, and construction easement.

Execution of the right-of-way agreement and construction easement will authorize payment to J K I, LLC in the amount of \$59,900.44. The acquisitions were budgeted and will eventually be part of the City's match for the project.

Staff recommends that the Council authorize the Mayor and City Manager to execute the right-of-way agreement as presented.

MOTION:

Vice Mayor Johnson made the motion to authorize the Mayor and City Manager to execute the right-of-way agreement for Parcel Numbers 24, 25, and 28 of the Washington Street North, Key No. 06558 as presented.

The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

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

Community Development Director Humble asked for direction from Council as to how they would like to proceed on the process of the Comprehensive Plan.

Council directed staff to schedule work sessions for the Comprehensive Plan and to discuss the capital improvement plan items, but not the details of the impact fees and in January discuss the impact fee ordinance.

Councilperson Hall asked the City Engineer for a brief summary of the traffic signal at Cheney and Washington Street North.

City Engineer Fields stated that the signal at Cheney and Washington Street North will be constructed next summer, presumably early in the spring because Wal-Mart wants to use the signal and plans to open in the spring. For the time being, Cheney will basically serve Wal-Mart and the high school. The entire roadway will act like a dedicated approach for Wal-Mart and the high school. The high school has a driveway to the north side of their property that will allow egress from some of their large parking lots. The signal is available for the students and will provide for some gaps on Washington Street North that will help people at the intersection of North College. The North College signal will be included as part of the Washington Street North Phase 3 federal aid project. Wal-mart contributed a percentage towards the signal and when used with conjunction of the Washington Street North Phase 3 project, costs cover the City match for the roadway improvements and the signal. It is anticipated that the design package will be delivered by August in 2009. Once the design package is delivered it takes the federal government about a month to go through their approval process and authorize the state to bid the job. The City also has to do state and local agreements to provide the match and to come up with the entirety of the match. The City is projecting to do that in late summer 2009. The project will bid soon after that. The project will be opened for about a month, the bids close and then it takes the federal government about a month to approve the award of the bid. The project could be on the ground beginning November/December 2009. Immediately after that project awards, the contractor will begin crushing materials that will be used in the roadway, which will take a couple of months. Irrigation work needs to occur before the water comes in April 2010. The roadway work begins in the late spring/early summer and continues in the summer of that year. The City can insist that the paving on the north side of the job be done first, and that the signal work takes place before the roadwork way is done. That shouldn't cost the job an excessive amount of money. That accelerates signal installation but means the signal is not in place until the next year.

MINUTES

November 17, 2008

Page 9 of 9

In order to advance the signal, there are some real and large challenges with doing that. Staff has looked into the idea of putting a four way stop intersection but would cause traffic to become backed up all the way from Pole Line towards Lazy J. Staff has also looked at the idea of placing a temporary signal. The cost of a standalone unit apparatus on wheels to rent for a year would be a little more than \$200,000, and to purchase would cost around \$240,000. The City typically budgets between \$300,000-\$400,000 for a signal installation without an extensive amount of widening and cost would not include the pavement work.

If the City requests advancing the signal and taking it out of the federal aid project, the City will need to reimburse the design, acquire right of way and the roadway construction that is associated with the installation of the signal if removed from the project. The cost of advancing the project is substantially larger than waiting. The match on the project is 20% to the high priority funds and 7.34% on the local urban funds.

Discussion followed:

Hospital will be completed in January 2011.

Councilperson Lanting asked what it would take to make North College and Washington a right turn only.

City Engineer Fields stated this would be easy to do and inexpensive but would have a tremendous impact on the neighbors. She perceived this option to be unpopular with the neighbors but has not asked.

Councilperson Kezele asked if staff would discuss this with concerned citizens at a public meeting. City Engineer Fields agreed.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

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

V. ADJOURNMENT: Executive Session 67-2345(1)(a) To consider hiring a public officer, employee, staff member or individual agent. This paragraph does not apply to filling a vacancy in an elective office.

MOTION:

Vice Mayor Johnson made the motion to approve the Executive Session 67-2345(1)(a) To consider hiring a public officer, employee, staff member or individual agent. This paragraph does not apply to filling a vacancy in an elective office as presented. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

The meeting adjourned at 6:21 p.m.

Leila Sanchez
Deputy City Clerk

COUNCIL MEMBERS:

LANCE	TRIP	DON	LEE	DAVID E.	WILLIAM A.	GREG
CLOW	CRAIG	HALL	HEIDER	JOHNSON	KEZELE	LANTING

Mayor

Vice Mayor



MINUTES

Meeting of the Twin Falls City Council
November 24, 2008
City Council Chambers
305 3rd Avenue East Twin Falls, Idaho

COUNCIL PRESENT: Lance W. Clow, Don Hall, Lee Heider, David E. Johnson, William A. Kezele, Greg Lanting arrived at 5:18 p.m.

COUNCIL ABSENT: Trip Craig

CITY STAFF PRESENT: City Manager Tom Courtney, City Attorney Fritz Wonderlich, Assistant City Manager Travis Rothweiler, Community Development Director Mitch Humble, City Engineer Jackie Fields, Parks & Recreation Director Dennis Bowyer, City Finance Director Gary Evans, Deputy City Clerk Leila Sanchez.

Mayor Clow 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 Clow introduced City staff.

Presentation by the Executive Director of the Boys and Girls Club of Magic Valley, Sam Fowler, regarding the Smallwood Award that was presented to Dennis Bowyer on October 30, 2008 at the Club's Campaign Kickoff Breakfast.

AGENDA ITEMS

I. CONSENT CALENDAR:

1. Consideration of accounts payable for November 18 – 24, 2008.
2. Consideration of the November 17, 2008, Minutes.

MOTION:

Councilperson Hall made the motion to approve the Consent Calendar as presented. The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. The motion passed by a vote of 5 to 0.

II. ITEMS FOR CONSIDERATION:

1. Consideration to pay fees in lieu of park land dedication for the Shoshone Heights Subdivision.

Parks & Recreation Director Bowyer reviewed the request.

On July 21, 2008, the City Council approved an in lieu of request from Renaissance Project Development LLC, for the southern half of this parcel of land. At that time, the proposed development plan for the Shoshone Heights Subdivision contained 52 single family lots on 55± acres located at the north end of Hankins Road, north of Falls Avenue East.

Since that time, City staff noticed an error with the process of the preliminary plat. It must include the entire parcel, not just a phase of the development. The developer is re-applying for their in lieu of request for their entire parcel now.

The Shoshone Heights Subdivision contains 100 single family lots on 108.6± acres. Code Section 10-12-3-11 requires a dedication of one acre of land per 100 units developed within a subdivision be used for the development of a neighborhood park. Therefore, this subdivision would require a dedication of 1.0 acre of park land. However, City Code Section 10-12-3-11(F) states that:

MINUTES

November 24, 2008

Page 2 of 17

"The City Council may, at their discretion, approve and accept cash contributions in lieu of park land with improvements, which contributions shall be used for park land acquisition and/or park improvements within the boundaries of the arterial streets in which the development is located."

At their November 18th, 2008 meeting, the Parks & Recreation Commission voted unanimously to recommend that the Council accept the payment of fees in lieu of park land dedication for the entire parcel.

There is a land trade agreement from the previous owner of this development that is binding over to the new owners. This land trade gives the City the Evel Knievel jump site, land for parking, access road to these sites, and continuation of the canyon rim trail a little further west. The City would give land adjacent to the Centennial Trail along the canyon rim.

Approval of this request will allow the applicant to proceed with the development of this property without park land dedication.

The Parks & Recreation Commission recommends that the City Council accept the applicant's request to pay fees in lieu of park land dedication. Staff concurs with the Commission's recommendation

Discussion followed:

MOTION:

Councilperson Hall made the motion to approve the fees in lieu of park land dedication for the Shoshone Heights Subdivision as presented. The motion was seconded by Councilperson Kezele and roll call vote showed all members present voted in favor of the motion. The motion passed by a vote of 5 to 0.

2. Consideration of a request to pay fees in lieu of park land dedication for the Culbert Farms subdivision.

Parks & Recreation Director Bowyer reviewed the request.

Culbert Farms LLC has submitted a request for the City to accept payment of fees in lieu of the required park land dedication for the Culbert Farms Subdivision that is proposed on the north side of Canyon Rim Road, approximately ½ mile west of Grandview Drive North. The Culbert Farms Subdivision is planned for one single family residence on 5.573± acres at this location being split off an existing 80 acre farm.

Code Section 10-12-3-11 requires a dedication of one acre of land per 100 units developed within a subdivision for the development of a neighborhood park. Therefore, this subdivision will require a dedication of 0.01 acre of park land. However, City Code Section 10-12-3-11(F) states that:

"The city council may, at their discretion, approve and accept cash contributions in lieu of park land with improvements, which contributions shall be used for park land acquisition and/or park improvements within the boundaries of the arterial streets in which the development is located."

Currently there are no neighborhood parks located within the arterial streets in which the development is located. Eventually there will be a neighborhood park or canyon rim trails located within the arterial streets. The dedication requirement from this subdivision is only .01 acres, and staff supports the developer's request of an in lieu application.

At the Parks & Recreation Commission meeting held Tuesday, April 8th, the Commission voted unanimously to accept the in lieu of application.

Approval of this request will allow the developer to pay fees in lieu of park land dedication. The value of the land, as determined through that appraisal, and the cost of developing an acre of park land (\$31,700) will then be applied to the required dedication of 0.01 acres to generate the actual dollar amount of the fees to be paid to the City. The applicant have submitted a purchase price of \$4,600 per acre earlier this year. If the City accepts this as the appraisal, the in lieu fee would be \$363.00. This fee will be used toward a neighborhood park or canyon rim trail once one of these amenities has been constructed.

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. Staff concurs with the recommendation.

MINUTES

November 24, 2008

Page 3 of 17

Discussion followed:

Gary Evans stated that the dedicated funds are set aside and earning interest.

MOTION:

Vice Mayor Johnson made the motion to approve the fees in lieu of park land dedication for the Culvert Farms Subdivision as presented. The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. The motion passed by a vote of 5 to 0.

Councilperson Lanting arrived at 5:18 p.m.

3. Consideration of a resolution authorizing the filing of the petition for judicial confirmation for the financing of the City's arsenic standard compliance project.

City Manager Courtney reviewed the request.

On November 10, 2008, the City Council held a public hearing to consider public comments concerning the project, the proposed financing and the submittal of a petition for judicial confirmation.

State law requires that the Council wait for a period of 14 days following the public hearing before it considers the Resolution authorizing the submittal of a petition to the District Court asking the Court to confirm that the proposed expenditure is an "ordinary and necessary" expense of government.

He asked the Council to keep the following three facts in mind:

1. The City has to comply with the arsenic standard by January 2011. There is no option.
2. Providing safe drinking water is a basic responsibility of City government in the matter of public health. By federal regulations the water delivered from the south wells is not safe because it exceeds the federal arsenic standards.
3. An election assumes that people have a choice. In this case the City has no choice.

Staff recommends approval of the Resolution authorizing the submittal of the petition.

Discussion followed:

Mayor Clow asked for clarification of a bond election process and funding.

City Attorney Wonderlich stated the City is required to comply with the arsenic regulation. Fines may be incurred by the EPA for failure to comply.

Finance Director Evans stated that the cost to put up an election would be approximately \$20,000.

Councilperson Kezele asked the case history of other cities in complying with the arsenic situation.

City Manager Courtney stated that Castleford and Buhl had a bond election vote and passed.

City Attorney stated that the wastewater treatment plant was required to comply with the EPA federal standards and the City obtained judicial confirmation.

Councilperson Kezele asked the attorney and legal costs for the filing of judicial confirmation.

City Attorney Wondelrich stated the attorney costs to file would be less than \$2,000. The cost would be less than a bond election.

City Attorney Wonderlich explained the judicial confirmation process.

MOTION:

Vice Mayor Johnson made the motion to adopt Resolution 1802 as presented, entitled, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, and AUTHORIZING THE FILING OF A PETITION FOR JUDICIAL CONFIRMATION. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. The motion passed by a vote of 6 to 0.

City Attorney Wonderlich stated that GB Engineers indicated in their report they need 24 to 30 months to do the environmental, design, bidding the project, putting it out, and then are able to construct.

City Manager Courtney stated that JUB is now working on the contract for the design project.

4. Review of contingency plan for potential revenue shortfall as a result of economic slowdown.

Review by City Manager Courtney. Given the uncertainty associated with the economy the City is implementing new spending policies that are designed to protect the City's financial condition and avoid budget cutbacks later in the fiscal year. It is anticipated that the following restrictions will be lifted as the economy improves:

1. All positions that become vacant over the next few months will be evaluated on a case by case basis prior to being filled. When possible, positions will remain vacant until they have to be filled in order to maintain service to the community. Public safety positions will be exempt from this requirement. Additionally, we plan to fill a new part time position entitled Communication Specialist. The position will be responsible for updating our web page, our community access channel and producing a monthly newsletter to be mailed with the water bills. The position will be funded by cutting a vacant part time building maintenance position.
2. All capital improvements approved in the FY 2008-09 budget will be placed on hold and reviewed on an individual basis. Projects that are funded with "schedule-sensitive" funds such as grants and/or projects required to meet federal and state regulations will move forward as scheduled. These projects include, but are not limited to, the reconstruction of Washington Street North, the rehabilitation of the airport apron, improvements to the water system to assure compliance with arsenic regulations and encourage conservation of potable water and improvements to the wastewater collection and treatment systems. Other projects may move forward if they are critical for the delivery of services to the community. Projects that can be delayed will be held until general economic conditions improve and/or we can more clearly identify revenue trends.
3. Modifications to the budget initiated and approved after the start of the fiscal year will be funded by reprioritizing previously approved expenditures rather than committing reserves.

Discussion followed.

Councilperson Kezele asked what capital improvement projects may be placed on hold.

City Manager Courtney stated that purchasing various pieces of equipment, computer system, and park projects will be placed on hold. The water, wastewater, streets and airport projects will move ahead as planned.

Councilperson Hall asked about the decrease of fuel costs.

City Manager Courtney stated that the City budgeted \$4.50 a gallon as an estimate and at this point is well below that amount. There will be funds available that will pick up the slack and other categories that will pick up the slack.

MOTION:

Councilperson Lanting made the motion to give support of affirmation of the proposal presented by City Manager Courtney and staff. The motion was seconded by Councilperson Johnson and voice vote showed all members present voted in favor of the motion. The motion passed.

5. Consideration of the final plat of South Estates (formerly South View Estates) consisting of 71 lots on 33 (+/-) acres to develop a residential subdivision located at the northeast corner of Orchard Drive and Harrison Street South, extended.

Community Development Director Humble reviewed the request.

On February 27, 2007, the Planning & Zoning Commission unanimously approved the preliminary plat as presented with the following conditions:

1. Subject to final technical review by the City Engineering Department and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to arterial and collector streets adjacent and within the property being rebuilt or built to current City standards upon development of the property.
3. Make notes on Final Plat about the following issues:
 - a. All lots in Block 6 along the eastern portion of the property are constructed to front onto Gregory Way.
 - b. No lots will be permitted to have access onto Orchard Drive East. All ingress and egress from lots adjacent to Orchard Drive East will be off the lots' other frontages.
 - c. Block 1 Lot 1 and Block 2 Lot 2 will be constructed to front Clinton Drive.
 - d. Block 2 Lot 1 and Block 4 Lot 1 will be constructed to front onto Houston Drive.
 - e. Block 4 Lot 16 and Block 5 Lot 1 will be constructed to front onto Bridget Lane.
 - f. Block 4 Lots 17 and 18 and Block 5 Lots 6 through 9 will be constructed with a turnaround adequate to allow vehicles to turn around on the property so that vehicles will not have to back out onto Harrison Street South.
4. Subject to a pedestrian pathway easement between Hailee Avenue and Clinton Drive.

Should the Council approve the final plat of the South Estates Subdivision, Phase 1, staff recommends the approval be subject to conditions placed on the preliminary plat as recommended by the Planning & Zoning Commission.

Discussion followed:

Councilperson Heider asked if work had begun on the subdivision.

Community Development Director Humble stated that work is almost completed. The construction plans have been approved by the Engineering Department.

Councilperson Heider made the motion to approve the final plat of South Estates, Phase 1 consisting of 71 lots on 33 (+/-) acres to develop a residential subdivision located at the north east corner of Orchard Drive and Harrison Street South, extended, as presented with the following conditions:

1. Subject to final technical review by the City Engineering Department and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to arterial and collector streets adjacent and within the property being rebuilt or built to current City standards upon development of the property.
3. Make notes on Final Plat about the following issues:
 - a. All lots in Block 6 along the eastern portion of the property are constructed to front onto Gregory Way.
 - b. No lots will be permitted to have access onto Orchard Drive East. All ingress and egress from lots adjacent to Orchard Drive East will be off the lots' other frontages.
 - c. Block 1 Lot 1 and Block 2 Lot 2 will be constructed to front Clinton Drive.
 - d. Block 2 Lot 1 and Block 4 Lot 1 will be constructed to front onto Houston Drive.
 - e. Block 4 Lot 16 and Block 5 Lot 1 will be constructed to front onto Bridget Lane.
 - f. Block 4 Lots 17 and 18 and Block 5 Lots 6 through 9 will be constructed with a turnaround adequate to allow vehicles to turn around on the property so that vehicles will not have to back out onto Harrison Street South.
4. Subject to a pedestrian pathway easement between Hailee Avenue and Clinton Drive.

The motion was seconded by Vice Mayor Johnson and roll call vote showed all members present voted in favor of the motion. The motion passed by a vote of 6 to 0.

6. Consideration to approve the Improvement Agreement for Development for South Estates Phase 1.

City Engineer Fields reviewed the request. The development agreement confirms the commitment of Todd Ostrom, developer, to construct the improvements as approved on the construction plans.

Staff recommends that the Council accept the improvement agreement authorizing the Mayor to sign the improvement agreement.

MOTION:

Vice Mayor Johnson made the motion to approve the Improvement Agreement for Development for South Estates Phase 1. The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. The motion passed by a vote of 6 to 0.

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

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

Councilperson Heider stated that the Historic Preservation Commission is working on the Idaho Heritage City Project and is almost complete. He commended the Commission for their work on the project.

Recess at 5:54 p.m.
Reconvened at 6:03 p.m.

IV. PUBLIC HEARINGS: 6:00 P.M. –

1. Request for a Zoning District Change and Zoning Map Amendment from R-2 to R-2 PUD for 117.4 (+/-) acres to develop a residential subdivision located south of Harrison Street South and 3600 North Road and north of the Low Line Canal, c/o EHM Engineers, Inc./Gerald Martens on behalf of Sundance Holdings, LLC. (App. #2271)

Gerald Martens, EHM Engineers, representing the applicant explained the request.

The property consists of 117.4 acres, 469 lots, One of other conditions of the approval is that the density not be more than four lots per acre. The submittal and master plan presented shows the changes. The proposed residential subdivision is in conformance with the comprehensive plan and is compatible with residential uses in the project area.

On October 28, 2008, the Planning and Zoning Commission unanimously recommended approval of this request to the Council with the following five (5) conditions:

1. Subject to site plan amendments as required by Building, Engineering, Fire, and Zoning officials to ensure Compliance with all applicable City Code requirements and Standards.
2. Subject to the property being platted through the City of Twin Falls prior to development.
3. Subject to arterial and collector streets adjacent and within the property being dedicated to the City of Twin Falls and to be rebuilt or built to current City standards upon development or change of use of the property.
4. Subject to final approval of the PUD Agreement.
5. Building setbacks to comply with R-2 development standards, or greater.

The applicant accepts the first four conditions but asked the Council to reconsider condition 5. Building setbacks to comply with R-2 development standards, or greater. The applicant requests the setback to be reduced from 7' to 5' to allow more flexibility in homes to have three car garages.

Gary Wolverton, applicant, gave a PowerPoint presentation explaining the request. He asked the Council to reconsider reducing the setback from 7' to 5'. A park is proposed in the northeast corner of the property, or a percentage of the lots have a 5' setback.

Community Development Director Humble reviewed the request.

MINUTES

November 24, 2008

Page 7 of 17

On June 10, 2008, the Parks & Recreation Commission recommended that a full park be dedicated outside any retention requirements. A retention area is shown at the northeast corner of the park.

The Planning & Zoning Commission did not recommend approval of the 7' setback. The applicant suggested a percentage of the lots have a 5' setback; however, staff does not concur with the applicant. Staff gave an option to the Council that when the applicant submits a building plan with a three car garage, then the garage could encroach that 7' setback 2'.

On October 28, 2008 the Planning and Zoning Commission's unanimously recommended approval of this request to the Council with the following five conditions:

1. Subject to site plan amendments as required by Building, Engineering, Fire, and Zoning officials to ensure compliance with all applicable City Code requirements and Standards.
2. Subject to the property being platted through the City of Twin Falls prior to development.
3. Subject to arterial and collector streets adjacent and within the property being dedicated to the City of Twin Falls and to be rebuilt or built to current City standards upon development or change of use of the property.
4. Subject to final approval of the PUD Agreement.
5. Building setbacks to comply with R-2 development standards, or greater.

If the Council approves this request for an R-2 PUD zoning designation, as presented, staff recommends approval be subject to the Commission's recommendations of October 28, 2008.

Discussion followed:

Councilperson Heider asked about Harrison Street plans.

Community Development Director Humble stated that the plan shows the applicant's half of Harrison being dedicated. A chunk is owned by somebody else, and the alignment of Harrison to the north of 3600 is such that to align up center line comes up from the other half of the property. Their development requirement would be for their half of Harrison and so to get far enough south towards where they have both halves they will develop both halves. The intersection will not be developed properly at this time until the City gets the rest of the right of way intersection. Also, Harrison to the north is currently not up to City Standards, which has something to do with immediate development of the intersection as well. Harrison to the north will also get fixed on the northwest corner by the Golden Eagle Subdivision; however, on the north side of 3700, the same issues exists, in that the west side of the road is being planned for development, the east side of the road is not.

-Explanation of the LID process.

Councilperson Lanting asked if it could be required as part of the PUD that the developer build the other half.

Community Development Director Humble stated that it could be required, but the concern would be that the owner refuses to dedicate the right of way.

City Engineer Fields explained the future plans for Harrison Street and 3600 width sizes.

The public hearing was opened:

A letter was submitted from Donald and Joan Vester and Glenn and Sandy Fisher.

The public hearing comment portion of the hearing was opened:

Glenn Fischer, 2987 Anderson Lane, spoke against the request.

Donald Vester, 2989 Anderson Lane, spoke against the request.

Jamon Wills, 1572 Briarwood Lane, spoke against the request.

The public comment portion of the hearing was closed.

Gerald Martens stated that the development is consistent with the comprehensive plan low density.

Discussion followed:

Glenn Fisher clarified that his home is 300' from the southeast corner of Anderson Lane.

Clarification was made that the majority of the lots are two acres.

Community Development Director Humble explained the rules of the R-1 variable.

Councilperson Heider asked the applicant if he had a conversation with the owner of the lot adjacent to 3600 and Harrison relative to Harrison Street being a widened road built by the applicant.

Gary Wolverton stated that the owners were not interested in working with anything to do with the subdivision.

Gerald Martens stated that a plat will be presented to the City Council at a future time showing details. He stated that the applicant would meet with adjacent property owners.

City Attorney Wonderlich stated that the final plat will have to conform to the PUD agreement and lot sizes would be discussed at this time.

The public hearing was closed:

MOTION:

Councilperson Lanting made the motion to approve a Zoning District Change and Zoning Map Amendment from R-2 to R-2 PUD for 117.4 (+/-) acres to develop a residential subdivision located south of Harrison Street South and 3600 North Road and north of the Low Line Canal, c/o EHM Engineers, Inc./Gerald Martens on behalf of Sundance Holdings, LLC. (App. #2271) as presented with the following conditions:

1. Subject to site plan amendments as required by Building, Engineering, Fire, and Zoning officials to ensure compliance with all applicable City Code requirements and Standards.
2. Subject to the property being platted through the City of Twin Falls prior to development.
3. Subject to arterial and collector streets adjacent and within the property being dedicated to the City of Twin Falls and to be rebuilt or built to current City standards upon development or change of use of the property.
4. Subject to final approval of the PUD Agreement.
5. Building setbacks to comply with R-2 development standards, or greater.

The motion was seconded by Vice Mayor Johnson.

AMENDED MOTION:

Vice Mayor Johnson made a motion that a lot that is to have a three car garage may encroach upon a 2' of the setback. The motion was seconded by Councilperson Heider. Roll call vote showed Councilperson Heider and Vice Mayor Johnson voted in favor of the motion. Mayor Clow, Councilpersons Hall, Kezele and Lanting voted against the motion. The motion was defeated by a vote of 2 to 4.

AMENDED MOTION:

Vice Mayor Johnson made the motion that if a three car garage is built that allowance will be given with a 2' encroachment on the neighboring lot limited to a one car garage development between every other lot. The motion was seconded by Councilperson Heider. Roll call vote showed Councilperson Heider and Vice Mayor Johnson voted in favor

MINUTES

November 24, 2008

Page 9 of 17

of the motion. Mayor Clow, Councilpersons Hall, Kezele and Lanting voted against the motion. The motion was defeated by a vote of 2 to 4.

AMENDED MOTION:

Councilperson Lanting made the motion that the PUD Agreement includes a restriction that the first five lots on the southeast corner both north and west be a minimum of 10,000 square feet. The motion was seconded by Vice Mayor Johnson and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

ROLL CALL VOTE ON THE MAIN MOTION AS AMENDED:

Roll call vote showed all members voted in favor of the motion. The motion passed by a vote of 6 to 0.

RECESS: 7:20 p.m.

RECONVENED: 7:39 p.m.

2. Request for approval of a Zoning District Change and Zoning Map Amendment from R-2 to R-2 PUD and R-2 NCO PUD for 72.5 (+/-) acres, to allow for the development of a mixed use project for property located at the southwest corner of Grandview Drive North and Falls Avenue West, c/o EHM Engineers, Inc./Gerald Martens on behalf of Grandview Farms, LLC- Gary Wolverton. (app. 2268)

Gerald Martens, EHM Engineers, representing the applicant explained the request.

On October 20, the City Council voted unanimously to approve the request with eight conditions. He did state his concern of Condition 3. *The 16,000 sq. ft. minimum size lot size will be single family at the southwest corner of Grandview Drive North and Falls Avenue West. He stated that 16,000 did not apply to the property from the westerly portion of the property.*

The following is a summarization of the various commitments or conditions that we have agreed to or imposed on through this process:

1. All lots west of Creekside Way will be a minimum of 16,000 square feet and shall be single-family residences.
2. The R-2 PUD area will be developed in accordance with R-2 development standards except that lot sizes may be less than 6,000 square feet provided that the average lot size within the R-2 PUD area shall be greater than 6,000 square feet. The minimum lot size shall be 4,000 square feet. All lots adjacent to existing platted subdivisions should not be smaller than 6,000 square feet. The area calculation shall not include the area designated as Neighborhood Park or Neighborhood Commercial.
3. R-2 NCO Neighborhood Commercial District. Development shall meet the requirements of the City's Neighborhood Commercial Overlay District (NCO) zone and may include residential uses as provided in Twin Falls City Code 10-4-21.2 for all uses and property development standards, except as provided herein.
4. The following uses shall be outright permitted anywhere within the NCO PUD:
Medical offices providing family medical services to include health care, ophthalmology, dentistry and similar medical services beneficial to nearby neighborhood.
5. The following uses shall NOT be permitted anywhere within the NCO PUD:
 - i. Amusement Parks
 - ii. Animal Hospital – Large Animal
 - iii. Bulk Fuel Sales
 - iv. In-home Day Care Centers
 - v. Cemeteries
 - vi. Fairgrounds
 - vii. Go Cart Tracks
 - viii. Jails, Detention Centers, or Work Release Centers
 - ix. Judicial Facilities
 - x. Outdoor Theaters

MINUTES

November 24, 2008

Page 10 of 17

- xi. Residence Halls, Residence Hotels, Rooming Houses
 - xii. RV and Camping Parks
 - xiii. Shelter Homes and/or Facilities
 - xiv. Stand Alone Drug and /Alcohol Treatment and/or Rehabilitation Centers
 - xv. Tattoo Parlors
 - xvi. Zoos
6. Each property owner shall maintain the landscaping and vegetation on their property and in the public rights-of-way adjacent thereto. Maintenance of the areas of landscaping along Falls Avenue West and Grandview Drive North located between the back of curb and property line shall be maintained by the City of Twin Falls as noted in City Code Section 10-12-4(0). Notwithstanding the foregoing, alternately, in the event of the Developer chooses to designate certain landscaped areas and other areas as "common area" or "parkland", the maintenance of said areas. The Developer may also choose to dedicate at least three acres of these acres to the City as a Neighborhood Park, by City approval. The developer will develop a mini park to be incorporated with facilities for the requirements of storm water retention and utility purposes.
- The property landscaping will be designed to utilize a pressure irrigation system. Each property owner shall be required to utilize the Development's pressurized irrigation system or future systems as required by the City for their landscape area.
7. TRAILS/WALKWAYS: Developer agrees to construct a detached six (6) foot wide meandering asphalt bike/walking trail located within the landscape buffer area along the south side of Falls Avenue West and along the west side of Grandview Avenue North along the project frontages. Signage and barrier posts shall restrict usage to pedestrians and non-motorized vehicles only. Developer also agrees to construct a ten (10) foot wide asphalt meandering bike/walking trail in the area of the proposed park and green belt area that separates the R-6.
8. There will be a pedestrian/bicycle pathway connecting the park to Grandview Drive North. The pathway will be relocated within right-of ways or dedicated access easements.
9. No building in the R2 (NCO) area will exceed 20,000 square feet.
10. A traffic study will be prepared for traffic on Falls Avenue West and Grandview Drive North, The roadway width will be that determined necessary by the traffic study unless otherwise modified by the City of Twin Falls.

Community Development Director Humble reviewed the request.

On October 20, 2008, the City Council, held a public hearing on this request. The applicant's presentation amended his original request to rezone the property from R-2 to R-2 PUD, R-6 PUD & R-6 NCO PUD to R-2 PUD and R-2 NCO PUD – removing the R-6 zoning designation. City Attorney Wonderlich stated that the application cannot be amended or changed after the Notice of Publication has been published. He further stated that as the Council determined this was a material change it would require an additional public hearing before it can be acted upon.

The City Council voted unanimously to approve the requested change for a Zoning District Change and Zoning Map Amendment from R-2 to R-2 PUD, and R-2 NCO PUD for 72.5 (+/-) acres as presented and subject to the following conditions:

1. No building in the NCO district more than 20,000 square feet.
2. The bikeway/pass way(s) connect to Grandview be included.
3. The 16,000 sq ft minimum lot size will be single family at the southwest corner of Grandview Drive North and Falls Avenue West.
4. Subject to site plan amendments as required by Building, Engineering, Fire, and Zoning officials to ensure compliance with all applicable City Code requirements and Standards.
5. Subject to the property being platted through the City of Twin Falls prior to development.
6. Subject to arterial and collector streets adjacent and within the property being dedicated to the City of Twin Falls and to be rebuilt or built to current City standards upon development or change of use of the property.
7. Subject to the NCO PUD area having a minimum percentage of 50% retail uses.
8. Subject to final approval of the PUD Agreement.

MINUTES

November 24, 2008

Page 11 of 17

City Attorney Wonderlich stated another Public Hearing is required before the change can be adopted. The City Council voted unanimously to approve the requested change as directed, adding this is a major change from the advertised request and an additional public hearing is required. The council directed the applicant to submit an amended narrative and master development plan prior to the public hearing.

Gerald Martens stated the first nine conditions as presented appear to represent the spirit of the Council approval. He stated that discussion should be made on the NCO piece of the request. A question of whether it would be appropriate to have a second corner of NCO at this intersection, is appropriate for the Council to make the determination. It is a matter of interpretation of the comprehensive plan. Staff favors the neighborhood commercial concept and believes it does not hurt the neighborhood of the location, even though there is one across the street. Staff recommends that the number ten condition as presented by Gerald Martens should be removed and replaced by the following City standard condition on PUD's in addition to the three standard conditions that are typically placed on PUD's:

1. Subject to development or redevelopment of arterial and collectors on redevelopment of the property.
2. Subject to site plan amendments as required by Building, Engineering, Fire, and Zoning officials to ensure compliance with all applicable City Code requirements and Standards.
3. Subject to the property being platted through the City of Twin Falls prior to development.
4. Subject to arterial and collector streets adjacent and within the property being dedicated to the City of Twin Falls and to be rebuilt or built to current City standards upon development or change of use of the property.

The Planning & Zoning Commission recommended the following condition to the NCO: Subject to the NCO PUD area having a minimum percentage of 50% retail uses.

That condition was upheld by the Council's action of October 20, 2008.

The public comment portion of the hearing was opened:

LaMar Orton, 867 Filer Avenue West, spoke on behalf of seven individuals living within 300' of the development directly impacted by this commercial area. He stated he agrees with the following conditions placed by the Council at the October 20, 2008, meeting:

- No building in the NCO district more than 20,000 square feet.
- The bikeway/pass way(s) connect to Grandview be included.
- Subject to site plan amendments as required by Building, Engineering, Fire, and Zoning officials to ensure compliance with all applicable City Code requirements and Standards.
- Subject to the property being platted through the City of Twin Falls prior to development.
- Subject to arterial and collector streets adjacent and within the property being dedicated to the City of Twin Falls and to be rebuilt or built to current City standards upon development or change of use of the property.
- Subject to the NCO PUD area having a minimum percentage of 50% retail uses.
- Subject to final approval of the PUD Agreement.

He is concerned with the following staff condition:

- The 16,000 sq ft minimum lot size will be single family at the southwest corner of Grandview Drive North and Falls Avenue West.

The condition appears to be confusing. It talks about southwest of Grandview and Falls Avenue with a minimum lot size of 16,000 sq. ft. He asked if it can split.

He is also concerned with the applicant's requested conditions:

2. The R-2 PUD area will be developed in accordance with R-2 development standards except that lot sizes may be less than 6,000 square feet provided that the average lot size within the R-2 PUD area shall be greater than 6,000 square feet. The minimum lot size shall be 4,000 square feet. All lots adjacent to existing platted subdivisions should not be

MINUTES

November 24, 2008

Page 12 of 17

smaller than 6,000 square feet. The area calculation shall not include the area designated as Neighborhood Park or Neighborhood Commercial.

He stated that if there is not something apparent in the PUD agreement, it could be possible that it could be overlooked and be allowed to be split. If it is approved with an average of 6,000, he would like it clarified that it does not include the park. He asked if this includes the 16,000 square foot lots to the west end of the project.

4. The following uses shall be outright permitted anywhere within the NCO PUD:

Medical offices providing family medical services to include health care, ophthalmology, dentistry and similar medical services beneficial to nearby neighborhood.

He stated his concern is that the applicant is requesting an NCO and asking for exceptions to it. Under City Code, as it is written, medical facilities require an SUP and requires the neighbors to at least have some input and asked the Council to consider as such.

6. Each property owner shall maintain the landscaping and vegetation on their property and in the public rights-of-way adjacent thereto. Maintenance of the areas of landscaping along Falls Avenue West and Grandview Drive North located between the back of curb and property line shall be maintained by the City of Twin Falls as noted in City Code Section 10-12-4(0). Notwithstanding the foregoing, alternately, in the event of the Developer chooses to designate certain landscaped areas and other areas as "common area" or "parkland", the maintenance of said areas. The Developer may also choose to dedicate at least three acres of these acres to the City as a Neighborhood Park, by City approval. The developer will develop a mini park to be incorporated with facilities for the requirements of storm water retention and utility purposes.

The property landscaping will be designed to utilize a pressure irrigation system. Each property owner shall be required to utilize the Development's pressurized irrigation system or future systems as required by the City for their landscape area.

He stated that the following language of condition 6. *"The Developer may also choose to dedicate at least three acres of these acres to the City as a Neighborhood Park, by City approval," should be changed to: The Developer "shall" dedicate at least three acres of these acres to the City as a Neighborhood Park, by City approval.*

8. There will be a pedestrian/bicycle pathway connecting the park to Grandview Drive North. The pathway will be relocated within right-of-ways or dedicated access easements.

He asked that the pathway be specific to be a width of 10' to have a continuous bike/pedestrian path.

10. A traffic study will be prepared for traffic on Falls Avenue West and Grandview Drive North. The roadway width will be that determined necessary by the traffic study unless otherwise modified by the City of Twin Falls.

The existing zoning map shows that across the street are an R-6 and R-2 PUD, and the R-6 has an NCO in it. There are no NCO projects in Twin Falls. The ordinance has allowed NCO for a little over 20 years, while the comprehensive plan has allowed it for a number of years. The comprehensive plan talks about NCO 3 to 8 acres. What we have across the street is NCO of 12 acres. This is an opportunity to show what an NCO can do for the neighborhood. If done incorrectly, it can send a bad message. It is stated that in 10-2-21.3: Property Development Standards: stated only one overlay is allowed in each area generally described in the comprehensive plan map as a NCO. The NCO should be interpreted as one concentrated area only.

In reference to arterial and collector standards, one size does not fit all. The request is for a traffic study and not overbuilds.

MINUTES

November 24, 2008

Page 13 of 17

Dennis Crawford, 681 Creekside Way, stated he agrees with LaMar Orton and intent of the NCO overlay. He also addressed the issue of roadways widening out. The City needs impact fees to take care of the roadways, rather than who widens where, as well as sewer collection and other services that are required for this kind of projects.

At a previous meeting he submitted a petition from 36 neighbors who live at the Rock Creek subdivision. Concerns:

1. Compatible use of their investment in their homes.
2. Traffic considerations.
3. Sufficient pressure of water.

John Brennen, 826 Grandview Drive N., spoke in agreement with LaMar Orton.

Rosalie Orton, 867 Filer Avenue West, spoke in agreement with LaMar Orton, Dennis Crawford, and John Brennen.

Brad Dewey, 961 Caswell Avenue, spoke in support of the project.

Dan King, 981 Rock Creek, spoke in agreement with the NCO intent to be on one side of the area.

Greg Nuthak, 362 Grandview Drive North, stated his concern that the bike path would not restrict vehicles from driving on the path. He also agreed with LaMar Orton's comments.

Jackie Metzger, 1073 Starlight, received 40 signatures from neighbors in favor of the request.

Trina Rigger, 1011 Starlight, spoke in favor of the request.

Gerald Martens clarified the following:

- The 16,000 square feet is a deed restriction and it is clear that the lot cannot be split.
- The 10' pathway is a condition and will be clarified in the PUD.
- The 4,000 minimum lot size purpose is to provide for residential opportunities. The average lot size would be 6,000 square feet. The 4,000 square foot lot would have a zero lot line type product, and will be interior to the project.
- The NCO specific corner of Falls and Grandview would be difficult to develop residential. The extensive infrastructure requirement for a project of this type would have a construction of two arterials and sewer mains that go with it. This project needs some NCO to carry the infrastructure costs.
- It is the intent that 50% of the NCO be retail, and will be marketed as such.

Gary Slette addressed the NCO interpretation. It applies to all land in the district and the district shall be not less than 3 or more than 20 acres, or to suggest the first guy in, seems to be inconsistent to what is object able written in the ordinance. He suggested allowing the comprehensive plan work and that the ordinance interpreted as the way it was written.

Discussion followed.

- Average lot sizes.
- Comprehensive Plan,
- Traffic study.

The public hearing was closed.

Vice Mayor Johnson made the motion to approve the following conditions presented by Gerald Martens:

1. All lots west of Creekside Way will be a minimum of 16,000 square feet and shall be single-family residences.
2. The R-2 PUD area will be developed in accordance with R-2 development standards except that lot sizes may be less than 6,000 square feet provided that the average lot size within the R-2 PUD area shall be greater than 6,000 square

MINUTES

November 24, 2008

Page 14 of 17

feet. The minimum lot size shall be 4,000 square feet. All lots adjacent to existing platted subdivisions should not be smaller than 6,000 square feet. The area calculation shall not include the area designated as Neighborhood Park or Neighborhood Commercial.

3. R-2 NCO Neighborhood Commercial District. Development shall meet the requirements of the City's Neighborhood Commercial Overlay District (NCO) zone and may include residential uses as provided in Twin Falls City Code 10-4-21.2 for all uses and property development standards, except as provided herein.
4. The following uses shall be outright permitted anywhere within the NCO PUD:
Medical offices providing family medical services to include health care, ophthalmology, dentistry and similar medical services beneficial to nearby neighborhood.
5. The following uses shall NOT be permitted anywhere within the NCO PUD:
 - i. Amusement Parks
 - ii. Animal Hospital – Large Animal
 - iii. Bulk Fuel Sales
 - iv. In-home Day Care Centers
 - v. Cemeteries
 - vi. Fairgrounds
 - vii. Go Cart Tracks
 - viii. Jails, Detention Centers, or Work Release Centers
 - ix. Judicial Facilities
 - x. Outdoor Theaters
 - xi. Residence Halls, Residence Hotels, Rooming Houses
 - xii. RV and Camping Parks
 - xiii. Shelter Homes and/or Facilities
 - xiv. Stand Alone Drug and /Alcohol Treatment and/or Rehabilitation Centers
 - xv. Tattoo Parlors
 - xvi. Zoos
6. Each property owner shall maintain the landscaping and vegetation on their property and in the public rights-of-way adjacent thereto. Maintenance of the areas of landscaping along Falls Avenue West and Grandview Drive North located between the back of curb and property line shall be maintained by the City of Twin Falls as noted in City Code Section 10-12-4(0). Notwithstanding the foregoing, alternately, in the event the Developer chooses to designate certain landscaped areas and other areas as "common area" or "parkland," the maintenance of said areas. The Developer may also choose to dedicate at least three acres of these acres to the City as a Neighborhood Park, by City approval. The developer will develop a mini park to be incorporated with facilities for the requirements of storm water retention and utility purposes.

The property landscaping will be designed to utilize a pressure irrigation system. Each property owner shall be required to utilize the Development's pressurized irrigation system or future systems as required by the City for their landscape area.

7. TRAILS/WALKWAYS: Developer agrees to construct a detached six (6) foot wide meandering asphalt bike/walking trail located within the landscape buffer area along the south side of Falls Avenue West and along the west side of Grandview Avenue North along the project frontages. Signage and barrier posts shall restrict usage to pedestrians and non-motorized vehicles only. Developer also agrees to construct a ten (10) foot wide asphalt meandering bike/walking trail in the area of the proposed park and green belt area that separates the R-6.
8. There will be a pedestrian/bicycle pathway connecting the park to Grandview Drive North. The pathway will be relocated within rights-of- way or dedicated access easements.
9. No building in the R2 (NCO) area will exceed 20,000 square feet.

and the Planning & Zoning Commission as presented:

1. No building in the NCO district more than 20,000 square feet.
2. The bikeway/pass way connect to Grandview be included.

MINUTES

November 24, 2008

Page 15 of 17

3. The 16,000 sq. ft. minimum lot size is single family at the southwest corner of Grandview Drive North and Falls Avenue West.
4. Subject to site plan amendments as required by Building, Engineering, Fire, and Zoning officials to ensure compliance with all applicable City Code Requirements and Standards.
- 2.b. Subject to the property being platted through the City of Twin Falls prior to development.
- 3.b. Subject to arterial and collector streets adjacent and within the property being dedicated to the City of Twin Falls and to be rebuilt or built to current Standards upon development or change of use of the property.
- 4.b. Subject to the NCO PUD area having a minimum percentage of 50% retail uses.
- 5.b. Subject to final approval of the PUD Agreement.

The motion was seconded by Councilperson Hall.

AMENDED MOTION:

Councilperson Kezele amended the motion to change condition 2. to read as follows: The R-2 PUD area will be developed in accordance with R-2 development standards except that lot sizes may be less than 6,000 square feet provided that the average lot size within the R-2 PUD area shall be greater than 6,000 square feet. The area calculation for average lot size shall exclude the 16,000 square foot lots west of Creekside Way. The minimum lot size shall be 4,000 square feet. All lots adjacent to existing platted subdivisions should not be smaller than 6,000 square feet... The motion was seconded by Councilperson Lanting. Roll call vote showed all members present voted in favor of the motion. The motion passed by a vote of 6 to 0.

AMENDED MOTION:

Councilperson Kezele amended the motion to change condition 3 to read as follows: R-2 NCO Neighborhood Commercial District. The City Council determined that the NCO designation may apply to more than one corner. Therefore, development shall meet the requirements of the City's Neighborhood Commercial Overlay District (NCO) zone and may include residential uses as provided in Twin Falls City Code 10-4-21.2 for all uses and property standards. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. The motion passed by a vote of 6 to 0.

AMENDED MOTION:

Councilperson Lanting amended the motion to strike condition 4. The following uses shall be outright permitted anywhere within the NCO PUD: Medical offices providing family medical services to include health care, ophthalmology, dentistry and similar medical services beneficial to nearby neighborhood. The motion was seconded by Councilperson Kezele. Roll call vote showed Mayor Clow, Councilpersons Hall, Kezele, and Lanting voted in favor of the motion. Councilperson Heider and Vice Mayor Johnson voted against the motion. The motion passed by a vote of 4 to 2.

AMENDED MOTION:

Councilperson Kezele made the motion to change condition 8. to read as follows: There will be a pedestrian/bicycle pathway connecting the park to Grandview Drive North. The pathway will be relocated within right-of ways or dedicated access easements. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. The motion passed by a vote of 6 to 0.

AMENDED MOTION:

Councilperson Hall made the motion to strike condition 10. A traffic study will be prepared for traffic on Falls Avenue West and Grandview Drive North. The roadway width will be that determined necessary by the traffic study unless otherwise modified by the City of Twin Falls. The motion was seconded by Councilperson Heider. Roll call vote showed Mayor Clow, Councilpersons Hall and Heider, Vice Mayor Johnson, Councilperson Kezele voted in favor of the motion. Councilperson Lanting voted against the motion. The motion passed by a vote of 5 to 1. **NOT IN THE ORIGINAL MOTION.**

AMENDED MOTION:

Councilperson Lanting made amend 3b to read as follows: Subject to arterial and collector streets adjacent and collector streets adjacent and within the property being dedicated to the City of Twin Falls and to be rebuilt or built according to the results of a 20 year traffic study, to be completed by the developer, upon development or change of use of the property. Vice Mayor Johnson seconded the motion. Roll call vote showed Mayor Clow, Vice Mayor Johnson, Councilperson Kezele and Lanting voted in favor of the motion. Councilpersons Hall and Heider voted against the motion. The motion passed with a vote of 4 to 2.

AMENDED MOTION:

Vice Mayor Johnson made the motion to strike condition 4.b. Subject to the NCO PUD area having a minimum percentage of 50% retail uses. The motion was seconded by Councilperson Hall. Roll call vote showed Mayor Clow, Councilpersons Hall, Heider, Vice Mayor Johnson, and Councilperson Kezele voted in favor of the motion. Councilperson Lanting voted against the motion. The motion passed by a vote to 5 to 1.

ROLL CALL VOTE ON THE MAIN MOTION:

Roll call vote on the main motion as amended as follows:

A Zoning District Change and Zoning Map Amendment from R-2 to R-2 PUD and R-2 NCO PUD for 72.5 (+/-) acres, to allow for the development of a mixed use project for property located at the southwest corner of Grandview Drive North and Falls Avenue West, c/o EHM Engineers, Inc./Gerald Martens on behalf of Grandview Farms, LLC- Gary Wolverton. (app. 2268) as presented with the following conditions:

1. All lots west of Creekside Way will be a minimum of 16,000 square feet and shall be single-family residences.
2. The R-2 PUD area will be developed in accordance with R-2 development standards except that lot sizes may be less than 6,000 square feet provided that the average lot size within the R-2 PUD area shall be greater than 6,000 square feet. The area calculation for average lot size shall exclude the 16,000 square foot lots west of Creekside Way. The minimum lot size shall be 4,000 square feet. All lots adjacent to existing platted subdivisions should not be smaller than 6,000 square feet.
3. R-2 NCO Neighborhood Commercial District. The City Council determined that the NCO designation may apply to more than one corner. Therefore, development shall meet the requirements of the City's Neighborhood Commercial Overlay District (NCO) zone and may include residential uses as provided in Twin Falls City Code 10-4-21.2 for all uses and property standards.
4. The following uses shall NOT be permitted anywhere within the NCO PUD:
 - xvii. Amusement Parks
 - xviii. Animal Hospital – Large Animal
 - xix. Bulk Fuel Sales
 - xx. In-home Day Care Centers
 - xxi. Cemeteries
 - xxii. Fairgrounds
 - xxiii. Go Cart Tracks
 - xxiv. Jails, Detention Centers, or Work Release Centers
 - xxv. Judicial Facilities
 - xxvi. Outdoor Theaters
 - xxvii. Residence Halls, Residence Hotels, Rooming Houses
 - xxviii. RV and Camping Parks
 - xxix. Shelter Homes and/or Facilities
 - xxx. Stand Alone Drug and /Alcohol Treatment and/or Rehabilitation Centers
 - xxxi. Tattoo Parlors
 - xxxii. Zoos
5. Each property owner shall maintain the landscaping and vegetation on their property and in the public rights-of-way adjacent thereto. Maintenance of the areas of landscaping along Falls Avenue West and Grandview Drive North located between the back of curb and property line shall be maintained by the City of Twin Falls as noted in City Code Section 10-12-4(0). Notwithstanding the foregoing, alternately, in the event of the Developer chooses to designate certain landscaped areas and other areas as "common area" or "parkland," the maintenance of said areas. The Developer may also choose to dedicate at least three acres of these acres to the City as a Neighborhood Park, by City

MINUTES

November 24, 2008

Page 17 of 17

approval. The developer will develop a mini park to be incorporated with facilities for the requirements of storm water retention and utility purposes.

The property landscaping will be designed to utilize a pressure irrigation system. Each property owner shall be required to utilize the Development's pressurized irrigation system or future systems as required by the City for their landscape area.

6. TRAILS/WALKWAYS: Developer agrees to construct a detached six (10) foot wide meandering asphalt bike/walking Trail located within the landscape buffer area along the south side of Falls Avenue West and along the west side of Grandview Avenue North along the project frontages. Signage and barrier posts shall restrict usage to pedestrians and non-motorized vehicles only. Developer also agrees to construct a ten (10) foot wide asphalt meandering bike/walking trail in the area of the proposed park and green belt area.
7. There will be a minimum 10-foot wide pedestrian/bicycle pathway connecting the park to Grandview Drive North. The pathway will be located within public right-of-ways or dedicated access easements.
8. No building in the R-2 (NCO) will exceed 20,000 square feet.
9. Subject to site plan amendments as required by Building, Engineering, Fire, and Zoning officials to ensure compliance with all applicable City Code requirements and Standards.
10. Subject to the property being platted through the City of Twin Falls prior to development.
11. Subject to arterial and collector streets adjacent and collector streets adjacent and within the property being dedicated to the City of Twin Falls and to be rebuilt or built according to the results of a 20 year traffic study, to be completed by the developer, upon development or change of use of the property.
12. Subject to final approval of the PUD Agreement.

Roll call vote showed all members present voted in favor of the motion. The motion passed by a vote of 6 to 0.

V. **ADJOURNMENT:** The meeting adjourned at 9:45 p.m.

Leila Sanchez--Deputy City Clerk

COUNCIL MEMBERS:

LANCE	TRIP	DON	LEE	DAVID E.	WILLIAM A.	GREG
CLOW	CRAIG	HALL	HEIDER	JOHNSON	KEZELE	LANTING

Mayor

Vice Mayor



MINUTES

Meeting of the Twin Falls City Council
December 1, 2008
City Council Chambers
305 3rd Avenue East Twin Falls, Idaho

COUNCIL PRESENT: Lance W. Clow, Trip Craig, Don Hall, Lee Heider, David E. Johnson, William A. Kezele, Greg Lanting.

COUNCIL ABSENT: None.

CITY STAFF PRESENT: City Manager Tom Courtney, Assistant City Manager Travis Rothweiler, Community Development Director Mitch Humble, Deputy City Clerk Leila Sanchez.

Mayor Clow 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 Clow introduced City staff.

Mayor Clow changed the order of the agenda.

AGENDA ITEMS

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

Mayor Clow reported on the following:

-Town Hall Meeting will be held to review and revise through public input the Mayors' Initiative 2010 on Wednesday, December 10, 2008, in the City Council Chambers located at 305 Third Avenue East.

-The Lights Parade will be held on Friday, December 5, 2008, beginning at 6:00 p.m., Downtown Main Street.

-Falls Avenue West Public Open House will be held on Wednesday, December 3, 2008, between 5 – 7 p.m., at the College of Southern Idaho, Taylor Administration Building located at 315 Falls Avenue.

-Eastern Snake Plain Comprehensive Aquifer Management Plan Draft public meeting will be held on Thursday, December 4, 2008, at 7:00 p.m. in the Twin Falls City Council Chambers located at 321 2nd Avenue East.

I. CONSENT CALENDAR:

1. Consideration of accounts payable for November 25 - December 1, 2008, total: \$688,210.87.
2. Consideration of a Curb-Gutter and Street Improvement Deferral Agreement for Cory L. Algers for property located at 1272 Canyon Rim Road.
3. Consideration of Findings of Fact, Conclusions of Law, and Decision for:
 - a. Final Plat Application for Magic Valley Mall Subdivision 3rd Amendment, EHM Engineering, Inc.
 - b. Final Plat Application for Pill Hill Subdivision No. 2, Riedesel Engineering, Inc.
 - c. Final Plat Application for Eagle Park Subdivision.
 - d. Special Use Permit Appeal, Application for Oregon Trail Campground c/o Denie & Lisa Mason.

MOTION:

Councilperson Heider made the motion to approve the Consent Calendar as presented. The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

II. ITEMS FOR CONSIDERATION:

1. Consideration to appoint Jim Schouten to the Twin Falls Planning & Zoning Commission.

Community Development Director Humble reviewed the request.

The selection committee recommends that the Council appoint Jim Schouten to serve on the Planning & Zoning Commission for a partial term to end after February 2009.

MOTION:

Councilperson Heider made the motion to appoint Jim Schouten to the Planning & Zoning Commission for a partial term to end after February 2009 as presented. The motion was seconded by Councilperson Craig and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

Recess at 6:01 p.m.
Reconvened at 6:07 pm.

2. Work session for the Comprehensive Plan, Chapters 1-9.

Community Development Director Humble gave an informational work session on the Comprehensive Plan, Chapters 1-9.

6:40 p.m. – Mayor Clow dismissed himself from the meeting.

Vice Mayor Johnson was appointed Acting Mayor.

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

City Manager Courtney stated that the softball fields south of town are now owned by the City.

Community Development Director Humble stated that the Parks & Recreation Commission have organized a sub-committee in the naming process of the park.

Steve Garner, 264 Main Avenue North, stated concerns of the new plan relative to the canyon rim overlay.

Community Development Director Humble said the new comprehensive plan talks about preservation of the key environmental issues such as the canyon. The issue of the canyon rim overlay is a zoning issue. The canyon rim has a 750' setback overlay and the height restrictions will remain the same as stated in the zoning code.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS: Announced at the beginning of the meeting.

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

- V. ADJOURNMENT: The meeting adjourned at 6:53 p.m.**

Leila A. Sanchez
Deputy City Clerk

COUNCIL MEMBERS:

LANCE	TRIP	DON	LEE	DAVID E.	WILLIAM A.	GREG
CLOW	CRAIG	HALL	HEIDER	JOHNSON	KEZELE	LANTING

Mayor

Vice Mayor



MINUTES
Meeting of the Twin Falls City Council
December 8, 2008
City Council Chambers
305 3rd Avenue East Twin Falls, Idaho

PLEDGE OF ALLEGIANCE TO THE FLAG CONFIRMATION OF QUORUM INTRODUCTION OF STAFF CALL MEETING TO ORDER: 5:00 P.M.		
AGENDA ITEMS	Purpose	By:
I. <u>CONSENT CALENDAR:</u> 1. Consideration of accounts payable for December 2 – 8, 2008. 2. Consideration of a Multi-Year Improvement Deferral Agreement for Rene Wangler for property located at 401 Filer Avenue. 3. Consideration of a Curb-Gutter and Sidewalk and Street Improvement Deferral Agreement for Jayco, Inc. for property located at 660 Middlebury Way. 4. Consideration of the November 24, 2008, and December 1, 2008, Minutes.	Action	Staff Report
II. <u>ITEMS FOR CONSIDERATION:</u> 1. Presentation update by JUB Engineering on the Falls Avenue West Public Open House held on December 3, 2008. 2. Consideration of an agreement with STRATA Geotechnical Engineering & Materials Testing to perform rock fall evaluation and analysis, and recommendations for remedial measures for the Canyon Springs roadway. 3. Consideration of an agreement with Ruth Rahe, Pelican LLC, Earl Williamson and Wal-Mart to modify irrigation delivery. 4. Consideration to adopt the following Ordinances: a. Request for a Zoning District Change and Zoning Map Amendment from R-2 to R-2 PUD for 117.4 (+/-) acres to develop a residential subdivision located south of Harrison Street South and 3600 North Road and north of the Low Line Canal, c/o EHM Engineers, Inc./Gerald Martens on behalf of Sundance Holdings, LLC. (App. #2271) Proposed Ordinance #2955 b. Request for a Zoning District Change and Zoning Map Amendment from R-2 to R-2 PUD and R-2 NCO PUD for 72.5 (+/-) acres, to allow for the development of a mixed use project for property located at the southwest corner of Grandview Drive North and Falls Avenue West, c/o EHM Engineers, Inc./Gerald Martens on behalf of Grandview Farms, LLC- Gary Wolverton. (app. 2268) Proposed Ordinance #2956 5. Consideration to adopt an Ordinance amending City Code Title 10, Chapter 2, Definitions, and Chapter 9, Sign Regulations, regarding the regulation of signs within the community. Proposed Ordinance #2957. 6. Consideration to adopt a Resolution authorizing the Mayor to sign applications, grant agreements, and other documents related to the City's drinking water facility planning grant. Proposed Resolution 1804. 7. Presentation and work session for the Comprehensive Plan, Chapter 10, being the Master Transportation Plan. 8. Public input and/or items from the City Manager and City Council.	Presentation Action Action Action Action Action Presentation/ Work Session	Jackie Fields Jackie Fields Jackie Fields Mitch Humble Mitch Humble Travis Rothweiler Mitch Humble
III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u>		
IV. <u>PUBLIC HEARINGS:</u> 6:00 P.M. 1. Consideration of a request to adopt a Resolution setting the fees for sign permitting and enforcement. Proposed Resolution 1805.	Action	Mitch Humble
V. <u>ADJOURNMENT:</u>		

COUNCIL PRESENT: Trip Craig, Don Hall, Lee Heider, David E. Johnson, William A. Kezele

COUNCIL ABSENT: Lance W. Clow, Greg Lanting

CITY STAFF PRESENT: City Manager Tom Courtney, City Attorney Fritz Wonderlich, Assistant City Manager Travis Rothweiler, Finance Director Gary Evans, City Engineer Jackie Fields, Project Manager Mike Trabert, Deputy City Clerk Leila Sanchez.

Acting Mayor Johnson 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. Acting Mayor Johnson introduced City staff.

CALL MEETING TO ORDER: 5:00 P.M.

AGENDA ITEMS

I. CONSENT CALENDAR:

1. Consideration of accounts payable for
December 2 – 8, 2008, total: \$334,200.45.
December 3, 2008, Prepay total: \$3,007.31.
2. Consideration of a Multi-Year Improvement Deferral Agreement for Rene Wangler for property located at 401 Filer Avenue.
3. Consideration of a Curb-Gutter and Sidewalk and Street Improvement Deferral Agreement for Jayco, Inc. for property located at 660 Middlebury Way.
4. Consideration of the November 24, 2008, and December 1, 2008, Minutes.

MOTION:

Councilperson Heider made the motion to approve the Consent Calendar as presented. The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. The motion passed by a vote of 5 to 0.

II. ITEMS FOR CONSIDERATION:

1. Presentation update by JUB Engineering on the Falls Avenue West Public Open House held on December 3, 2008.

City Engineer Fields reviewed the request on the Falls Avenue West public open house.

Ivan McCracken, JUB Engineers, gave a PowerPoint presentation on the following:

- Preparations made prior to the meeting.
- Open House held on December 3, 2008.
- Excerpt of the 5-lane Alternative.
- Excerpt of the 3-lane Alternative.
- Landscaping & Trailer Park Impacts from 5 lanes.
- Summary.

Project Manager Trabert explained the request. He discussed the results of the meeting and how it relates to the proposed master traffic plan. Staff is looking for direction on the preliminary design of Falls Avenue West.

Finance Director Evans explained a Street Fund Projection spreadsheet using overhead projection.

Discussion followed:

- Funds allocated for roads.
- Street sweeping funds.

City Engineer Fields stated that the request for direction has the following three components:

- Right of way widths.
- Decision on placement of sidewalks.

MINUTES

December 8, 2008

Page 3 of 6

-Stripe the road 3 to 4 lanes.

Discussion followed:

-Sidewalks for pedestrian safety.

-Seal coating.

-3 lane option with a turning lane.

-Extension of an arterial (Falls Avenue).

-Relocation of power lines.

-Utility cost savings.

City Engineer Fields stated the power lines would have to be moved by Idaho Power. She stated that she would investigate the cost of undergrounding.

City Engineer Fields stated that staff recommends a four lane right of way width and sidewalks on both the north and south side of the extension of Falls Avenue West from Washington Street to Grandview.

MOTION:

Councilperson Heider made the motion to approve a four lane right of way width and sidewalks on both the north and south side of the extension of Falls Avenue West from Washington Street to Grandview as presented. The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 5 to 0.

Council gave direction to staff to come back with a cost estimate of undergrounding of power pole lines.

2. Consideration of an agreement with STRATA Geotechnical Engineering & Materials Testing to perform rock fall evaluation and analysis, and recommendations for remedial measures for the Canyon Springs roadway.

Project Manager Trabert explained the request. He stated that in 2006 a section of the Canyon Springs slope failed causing the road to be closed for a period of time. The road is the primary access to the sewage treatment plant, Canyon Springs lift station, and a number of recreational sites. The size of the rocks that fell on the road was a concern because of the sewer trunk line that is buried in the road. A large enough rock could crack or damage the trunk line, causing an environmental hazard.

The Council requested that the Engineering Department look into possible hazards and ways to stabilize approximately 2,200 feet of Canyon Springs roadway slope. STRATA Engineering will do a preliminary geologic evaluation to allow for identification and classification of rock fall hazards. Following completion of Task 1, additional analysis and evaluation will be required to provide recommendations regarding possible remedial action to reduce rock fall hazard. Task 2 will include recommendation related to reducing rock fall hazard along the existing roadway.

Staff recommends that the Council approve the agreement with STRATA Geotechnical Engineering & Materials Testing, in the amount not to exceed \$11,500 to complete Task 1.

Councilperson Kezele stated his concern of the City paying \$11,500 for Task 1, and then paying for additional forthcoming Tasks.

Project Manager Trabert stated that Task 2 will include recommendations related to reducing rock hazards along the existing roadway and would determine what the project would cost.

Councilperson Heider and Hall stated their concern that Task 1 did not identify recommendations or costs.

City Engineer Fields withdrew the item from the agenda and stated that staff would reform the contract.

City Engineer Fields stated she will come back with Task 1 and 2 combined and will ask STRATA for cost estimates.

3. Consideration of an agreement with Ruth Rahe, Pelican LLC, Earl Williamson and Wal-Mart to modify irrigation delivery.

MINUTES

December 8, 2008

Page 4 of 6

City Engineer Fields explained the request. The agreement provides for modification of the gravity delivery system to Ruth Rahe, Earl Williamson, and Pelican LLC.

Staff recommends that the Council approve the Agreement between the City of Twin Falls, Ruth Rahe, Pelican LLC, Earl Williamson and Wal-Mart to modify irrigation delivery and authorize the City Manager to sign.

Councilperson Hall made the motion to approve the Agreement between the City of Twin Falls, Ruth Rahe, Pelican LLC, Earl Williamson and Wal-Mart to modify irrigation delivery and authorize the City Manager to sign. The motion was seconded by Councilperson Craig and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 5 to 0.

4. Consideration to adopt the following Ordinances:
 - a. Request for a Zoning District Change and Zoning Map Amendment from R-2 to R-2 PUD for 117.4 (+/-) acres to develop a residential subdivision located south of Harrison Street South and 3600 North Road and north of the Low Line Canal, c/o EHM Engineers, Inc./Gerald Martens on behalf of Sundance Holdings, LLC. (App. #2271) Proposed Ordinance #2955
 - b. Request for a Zoning District Change and Zoning Map Amendment from R-2 to R-2 PUD and R-2 NCO PUD for 72.5 (+/-) acres, to allow for the development of a mixed use project for property located at the southwest corner of Grandview Drive North and Falls Avenue West, c/o EHM Engineers, Inc./Gerald Martens on behalf of Grandview Farms, LLC- Gary Wolverton. (app. 2268) Proposed Ordinance #2956

Community Development Director Humble explained the request.

Staff recommends that the Council adopt the ordinances as presented.

Councilperson Heider made the motion to suspend the rules and place Ordinances #2955, entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, REZONING REAL PROPERTY BELOW DESCRIBED; PROVIDING THE ZONING CLASSIFICATION THEREFOR; AND ORDERING THE NECESSARY AMENDMENT TO THE AREA OF IMPACT AND ZONING DISTRICTS MAP.

and Ordinance #2956, entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, REZONING REAL PROPERTY BELOW DESCRIBED; PROVIDING THE ZONING CLASSIFICATION THEREFOR; AND ORDERING THE NECESSARY AMENDMENT TO THE AREA OF IMPACT AND ZONING DISTRICTS MAP.

on third and final reading by title only. The motion was seconded by Councilperson Craig and roll call vote showed that all members present voted in favor of the motion. The motion passed with a vote of 5 to 0.

Deputy City Clerk Sanchez read the title to Ordinance #2955.

Councilperson Craig made the motion to adopt Ordinance #2955 as presented. The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 5 to 0.

Deputy City Clerk Sanchez read the title to Ordinance #2956.

Councilperson Craig made the motion to adopt Ordinance #2956 as presented. The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 5 to 0.

5. Consideration to adopt an Ordinance amending City Code Title 10, Chapter 2, Definitions, and Chapter 9, Sign Regulations, regarding the regulation of signs within the community. Proposed Ordinance #2957.

Community Development Director Humble explained the request.

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

Councilperson Craig made the motion to suspend the rules and place Ordinance #2957, entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, ADDING AND AMENDING DEFINITIONS CONTAINED IN TWIN FALLS CITY CODE §10-2-1 FOR USE IN THE NEW SIGN REGULATIONS; REPEALING CHAPTER 9 OF TITLE 10 OF THE TWIN FALLS CITY CODE; AMENDING THE TWIN FALLS CITY CODE BY THE ADDITION OF A NEW CHAPTER 9 OF TITLE 10 PROVIDING FOR NEW SIGN REGULATIONS; AND PROVIDING FOR PUBLICATION BY SUMMARY.

on third and final reading by title only. The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 5 to 0.

Deputy City Clerk Sanchez read the title to Ordinance #2957.

MOTION:

Councilperson Kezele made the motion to adopt Ordinance #2957 as presented. The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 5 to 0.

6. Consideration to adopt a Resolution authorizing the Mayor to sign applications, grant agreements, and other documents related to the City's drinking water facility planning grant. Proposed Resolution 1804.

Assistant City Manager Rothweiler explained the request.

MOTION:

Councilperson Hall made the motion to adopt Resolution #1803, entitled:
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS AUTHORIZING THE MAYOR TO SIGN ALL APPLICATIONS, GRANT AGREEMENTS AND OTHER DOCUMENTS RELATING TO DRINKING WATER PLANNING GRANTS.

The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 5 to 0.

Recess: 6:34 p.m.
Reconvened: 6:40 p.m.

The following item was placed last on the agenda:

7. Presentation and work session for the Comprehensive Plan, Chapter 10, being the Master Transportation Plan.
8. Public input and/or items from the City Manager and City Council.

Representative Stephen Hartgen, District 23B, 1681 Wildflower, House, as a new representative of the district of Falls Avenue, stated people are concerned that Falls Avenue be turned into another Addison Avenue and force the properties to turn commercial and destroy home value going out to Grandview. They requested that Falls Avenue not be changed into a five lane.

Donald Knudson, 269 Falls Avenue West, stated that he would prefer the undergrounding of power lines on Falls. He also asked how the project would affect surrounding property values.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

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

1. Consideration of a request to adopt a Resolution setting the fees for sign permitting and enforcement. Proposed Resolution 1805.

Community Development Director Humble explained the request.

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

The public hearing was closed.

MINUTES

December 8, 2008

Page 6 of 6

MOTION:

Councilperson Heider made the motion to adopt Resolution #1804. The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 5 to 0.

Item for Consider II.7. was presented at this time.

7. Presentation and work session for the Comprehensive Plan, Chapter 10, being the Master Transportation Plan.

City Engineer Fields gave the presentation and work session for the Comprehensive Plan, Chapter 10, being the Master Transportation Plan.

- V. **ADJOURNMENT:** Adjourned at 7:19 p.m.

Leila A. Sanchez
Deputy City Clerk

COUNCIL MEMBERS:

LANCE CLOW	TRIP CRAIG	DON HALL	LEE HEIDER	DAVID E. JOHNSON	WILLIAM A. KEZELE	GREG LANTING
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Mayor

Vice Mayor



AMENDED MINUTES
 Meeting of the Twin Falls City Council
 DECEMBER 15, 2008
 City Council Chambers
 305 3rd Avenue East Twin Falls, Idaho

PLEDGE OF ALLEGIANCE TO THE FLAG CONFIRMATION OF QUORUM INTRODUCTION OF STAFF CALL MEETING TO ORDER: 5:00 P.M.		
AGENDA ITEMS	Purpose	By:
I. CONSENT CALENDAR: 1. Consideration of accounts payable for December 9 – 15, 2008. 2. Consideration of the December 8, 2008, Council Minutes. 3. Consideration of a Curb-Gutter and Sidewalk and Street Improvement Deferral Agreement for: a. Leonard R. Denton for property located at 453 Filer Avenue West. b. Leonard R. Denton for property located at 449 Dubois Avenue. 4. Consideration to approve the Trust Agreement for South Estates. 5. Findings of Fact, Conclusions of Law, and Decisions: a. Zoning District Change & Zoning Map Amendment, Application, Silverstone c/o EHM Engineers, Grandview Farms, LLC. b. Zoning District Change & Zoning Map Amendment, Application, Sundance Holdings c/o EHM Engineers, Inc. c. Final Plat Application, South Estates, Phase 1 Subdivision. 6. Multi-Year Improvement Deferral Agreement to Bethel Temple Apostolic Church Inc., for property located at 929 and 951 Hankins Road.	Action	Staff Report
II. ITEMS FOR CONSIDERATION: 1. Consideration to approve Patti Patterson, 1418 Pillar, to serve as a Library Trustee. 2. Consideration to reject bid proposals for the Perrine Coulee Sewer Line Replacement Project and authorize staff to re-bid the entire project. 3. Consideration of a Grant Offer from ITD, Division of Aeronautics, in the amount of \$25,000. 4. Consideration of a one-year extension to Mike Hamblin's current lease and professional services agreement and review of proposed request for proposals (RFP) for services at the Twin Falls Municipal Golf Course. 5. Consideration of the Conveyance Plat of the T.D.A Subdivision consisting of 2 lots on 2.28 (+/-) acres located at 356 Eastland Drive South, c/o Scott Allen/The Land Group, Inc. 6. Consideration of the Conveyance Plat of the Denton Subdivision consisting of 2 lots on .90 (+/-) acres located at 453 Filer Avenue West, c/o John Root/P.S. 7. Consideration of a plan to construct a shop building at the Twin Falls Municipal Golf Course. 8. Presentation and work session for the Comprehensive Plan, Chapter 11: Development Impact Fee. 9. Public input and/or items from the City Manager and City Council.	Action Action Action Action Action Action Action Action	Susan Ash Jon Caton Bill Carberry Travis Rothweiler Mitch Humble Mitch Humble Mitch Humble Mitch Humble
III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:		
IV. PUBLIC HEARINGS: 6:00 P.M. – 1. Request for a Zoning Title Amendment which would amend Twin Falls City Code 10-4-8.2(A)9z by permitting temporary recreational vehicle sales for recreational vehicle dealers within fifty (50) miles of the temporary sale location and allowing two (2) temporary signs at temporary vehicle sales events, c/o Bish's RV of Twin Falls/Troy Jenkins. (app. 2276) 2. Consideration of the recommendation from the Twin Falls Golf Advisory Commission to raise fees at the Twin Falls Municipal Golf Course.	Action Action	Mitch Humble Dennis Bowyer
V. ADJOURNMENT:		

**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.*

COUNCIL PRESENT: Lance W. Clow, Trip Craig, Don Hall, Lee Heider, David E. Johnson, William A. Kezele, Greg Lanting

COUNCIL ABSENT:

CITY STAFF PRESENT: City Manager Tom Courtney, City Attorney Fritz Wonderlich, Assistant City Manager Travis Rothweiler, Community Development Director Mitch Humble, City Engineer Jackie Fields, Airport Manager Bill Carberry, Parks & Recreation Director Dennis Bowyer, Library Director Susan Ash, Finance Director Gary Evans, Public Works Manager Jon Caton, Deputy City Clerk Leila Sanchez.

Mayor Clow 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 Clow introduced City staff.

Mayor Clow introduced Boy Scouts of Troop 61.

CALL MEETING TO ORDER: 5:00 P.M.

AGENDA ITEMS

I. CONSENT CALENDAR:

1. Consideration of accounts payable for December 9 – 15, 2008.
2. Consideration of the December 8, 2008, Council Minutes.
3. Consideration of a Curb-Gutter and Sidewalk and Street Improvement Deferral Agreement for:
 - a. Leonard R. Denton for property located at 453 Filer Avenue West.
 - b. Leonard R. Denton for property located at 449 Dubois Avenue.
4. Consideration to approve the Trust Agreement for South Estates.
5. Findings of Fact, Conclusions of Law, and Decisions:
 - a. Zoning District Change & Zoning Map Amendment, Application, Silverstone c/o EHM Engineers, Grandview Farms, LLC.
 - b. Zoning District Change & Zoning Map Amendment, Application, Sundance Holdings c/o EHM Engineers, Inc.
 - c. Final Plat Application, South Estates, Phase 1 Subdivision.
6. Multi-Year Improvement Deferral Agreement to Bethel Temple Apostolic Church Inc., for property located at 929 and 951 Hankins Road.

MOTION:

Councilperson Hall made the motion to approve the Consent Calendar as presented. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

II. ITEMS FOR CONSIDERATION:

1. Consideration to approve Patti Patterson, 1418 Pillar, to serve as a Library Trustee.

Susan Ash, Library Director, reviewed the request.

MOTION:

Councilperson Craig made the motion to appoint Patti Patterson to serve as a Library Trustee for a full-term of office from January 1, 2009, through December 31, 2013, as presented. The motion was seconded by Vice Mayor Johnson and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

2. Consideration to reject bid proposals for the Perrine Coulee Sewer Line Replacement Project and authorize staff to re-bid the entire project.

Public Works Manager Caton reviewed the request.

MINUTES

December 15, 2008

Page 3 of 8

Staff recommends that the Council reject all bids and authorized staff to re-bid the Perrine Coulee Sewer Line Replacement Project.

Discussion followed:

City Attorney Wonderlich stated that once bids are submitted they are public information.

MOTION:

Vice Mayor Johnson made the motion to reject bid proposals for the Perrine Coulee Sewer Line Replacement Project and authorize staff to re-bid the entire project. The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

3. Consideration of a Grant Offer from ITD, Division of Aeronautics, in the amount of \$25,000.

Airport Manager Carberry reviewed the request.

Staff recommends acceptance of the Idaho Transportation Department's Division of Aeronautics Grant Offer in the amount of \$25,000. The Council will need to ratify both the Grant Agreement and the City Resolution, authorizing the Mayor to sign both.

MOTION:

Vice Mayor Johnson made the motion to approve the acceptance of the Idaho Transportation Department's Division of Aeronautics Grant Offer in the amount of \$25,000, and to adopt Resolution 1805, entitled:

RESOLUTION 1805 OF CITY OF TWIN FALLS, IDAHO, ACCEPTING THE GRANT OFFER OF THE STATE OF IDAHO THROUGH THE IDAHO TRANSPORTATION DEPARTMENT, DIVISION OF AERONAUTICS, IN THE MAXIMUM AMOUNT OF \$25,000 TO BE USED UNDER THE IDAHO AIRPORT AID PROGRAM NUMBER: LNS8TWF, PROJECT NUMBER 3-16-0036-026 IN THE DEVELOPMENT OF THE JOSLIN FIELD – MAGIC VALLEY REGIONAL AIRPORT.

The motion was seconded by Councilperson Kezele and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

4. Consideration of a one-year extension to Mike Hamblin's current lease and professional services agreement and review of proposed request for proposals (RFP) for services at the Twin Falls Municipal Golf Course.

Assistant City Manager Rothweiler reviewed the request.

The Twin Falls Municipal Golf Course has been operated by Mike Hamblin under a lease and professional service agreement since 1998. The current Agreement was entered into on August 25, 2003, and extended by City Council action earlier this year. Without City Council action the current extended contract will expire on December 31, 2008. Staff is requesting the City Council extend the current Agreement until December 31, 2009.

The additional one year will allow the City's staff to request for proposals to determine the private sector interest in a lease agreement for the management of the Twin Falls Municipal Golf Course.

Discussion followed.

MOTION:

Vice Mayor Johnson made the motion to approve a one-year extension to the Mike Hamblin's current lease and professional services agreement as presented, and approval to proceed with a request for proposals (RFP) for services at the Twin Falls Municipal Golf Course. The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

5. Consideration of the Conveyance Plat of the T.D.A Subdivision consisting of 2 lots on 2.28 (+/-) acres located at 356 Eastland Drive South, c/o Scott Allen/The Land Group, Inc.

Community Development Director Humble reviewed the request.

MINUTES

December 15, 2008

Page 4 of 8

Staff recommends approval of the conveyance plat of T.D.A. Subdivision as presented and with the following conditions:

1. Subject to final technical review by the City Engineering Department and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to easements and rights-of-way, as shown on the plat, being dedicated to the City of Twin Falls with the recordation of the plat.

Frannie Florence, representing the owner, explained the location of the property.

MOTION:

Councilperson Hall made the motion to approve the Conveyance Plat of the T.D.A Subdivision consisting of 2 lots on 2.28 (+/-) acres located at 356 Eastland Drive South, c/o Scott Allen/The Land Group, Inc. as presented with the following conditions:

1. Subject to final technical review by the City Engineering Department and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to easements and rights-of-way, as shown on the plat, being dedicated to the City of Twin Falls with the recordation of the plat.

Vice Mayor Johnson seconded the motion and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

6. Consideration of the Conveyance Plat of the Denton Subdivision consisting of 2 lots on .90 (+/-) acres located at 453 Filer Avenue West, c/o John Root/P.S.

Community Development Director Humble reviewed the request.

Staff recommends approval of the conveyance plat of Denton Subdivision as presented subject to the following conditions:

1. Subject to final technical review by the City Engineering Department and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to easements and rights-of-way, as shown on the plat, being dedicated to the City of Twin Falls with the recordation of the plat.

Discussion followed:

Councilperson Heider stated that the sewer is right at the surface on Dubois and there would be no place for the sewer to go.

City Engineer Fields stated that she was unaware of the location of the sewer. She stated that the applicant cannot build without a building permit.

MOTION:

Vice Mayor Johnson made the motion to approve the Conveyance Plat of the Denton Subdivision consisting of 2 lots on .90 (+/-) acres located at 453 Filer Avenue West, c/o John Root/P.S. as presented subject to the following conditions:

1. Subject to final technical review by the City Engineering Department and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to easements and rights-of-way, as shown on the plat, being dedicated to the City of Twin Falls with the recordation of the plat.

The motion was seconded by Councilperson Hall. Roll call vote showed Mayor Clow, Councilperson Craig, Hall, Vice Mayor Johnson, Councilpersons Kezele and Lanting voted in favor of the motion. Councilperson Heider voted against the motion. The motion passed with a vote of 6 to 1.

7. Consideration of a plan to construct a shop building at the Twin Falls Municipal Golf Course.

Community Development Director Humble reviewed the request.

MINUTES

December 15, 2008

Page 5 of 8

Staff would like to initiate a process to prepare the specific building requirements for a golf shop and solicit design/build bids for this project. If bids received exceed cost expectations, the City will have the ability to reject all bids.

Staff is proposing to delay some other projects that did receive funding in the 2009 budget and use the money from those projects toward the completion of this request.

Staff recommends that the City Council authorize staff to proceed to solicit bids for the construction of a golf shop as described.

Discussion followed:

- Design building for future expansion.
- Building location.
- Equipment covers.

Parks & Recreation Director Bowyer reviewed the request.

City Manager Courtney stated that the shop is of significant priority and staff recommends moving ahead with the shop and work the other projects in.

Councilperson Lanting made the motion to approve to authorize staff to proceed to solicit bids for the design of a building of a golf shop as presented. The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 7 to 0.

Mayor Clow introduced Troop 70.

Recess at 6:07 p.m.

Reconvened at 6:14 p.m.

8. Presentation and Work Session for the Comprehensive Plan, Chapter 11: Development Impact Fee. Rescheduled for the December 22, 2008, Council meeting. Rescheduled for December 22, 2008.
9. Public input and/or items from the City Manager and City Council.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

IV. PUBLIC HEARINGS: 6:00 P.M. –

1. Request for a Zoning Title Amendment which would amend Twin Falls City Code 10-4-8.2(A)9z by permitting temporary recreational vehicle sales for recreational vehicle dealers within fifty (50) miles of the temporary sale location and allowing two (2) temporary signs at temporary vehicle sales events, c/o Bish's RV of Twin Falls/Troy Jenkins. (app. 2276)

Troy Jenkins, General Manager, representing the applicant, explained the request. The current title allows for automobile and truck dealers to do off-site sales. The request is to also allow RV dealers to do off-site sales.

Community Development Director Humble reviewed the request.

On October 28, 2008, the Planning & Zoning Commission recommended denial of the request.

If the Council feels this zoning title amendment as presented is appropriate staff recommends removal of the allowance for temporary signs and removal of the requirement that recreational vehicle dealers must have a permanent place of business no further than fifty (50) miles from the offsite location and approval with the following condition:

1. Recreational vehicles be limited to self contained trailer motorhomes which may include travel trailers, fifth wheel trailers, fold down trailers and motorhomes.

Discussion followed:

- Temporary signs.
- Limitations to site improvements.

MINUTES

December 15, 2008

Page 6 of 8

-State permit is required before receiving approval by the City of Twin Falls.

Vice Mayor Johnson recused himself at this time.

The public comment portion of the hearing was opened.

Bonnie Bratvold, Kmart Store Manager, 2558 Addison Avenue East, spoke in favor of the request.

David Johnson, 1935 Granada Drive, stated that, in general, auto dealers and RV dealers or any kind of dealer that invests in the asphalt of the community and pays property taxes is being treated unfairly by those who can come in and set up an off site from 150 miles away, dump their merchandise in the community, and take the money home.

City Attorney Wonderlich stated that David Johnson's concerns should be addressed as a business licensing regulation and not in the land use regulation.

The public comment portion of the hearing was closed.

Councilperson Heider made the motion to amend Twin Falls City Code 10-4-8.2(A)9z by permitting temporary, off-site recreational vehicle sales, but excluding the two provisions of limiting the use to recreational vehicle dealers within fifty (50) miles of the temporary sale location and allowing two (2) temporary signs at temporary vehicle sales events. The motion was seconded by Councilperson Hall.

MOTION:

Councilperson Lanting made the motion to direct staff to review the business regulations and to make recommendations on ways to establish some protection for local businesses in the way of fees and/or distance requirements. The motion was seconded by Councilperson Kezele and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

Discussion followed on limiting the number of events for on-site sales.

ROLL CALL VOTE ON THE MAIN MOTION AS AMENDED:

Roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

Vice Mayor Johnson took his seat on the Council.

- 2. Consideration of the recommendation from the Twin Falls Golf Advisory Commission to raise fees at the Twin Falls Municipal Golf Course.

Parks & Recreation Director Bowyer reviewed the request.

On November 12, 2008, the Golf Advisory Commission recommended the increases in fees as follows:

Season Passes	Current Rates	Proposed New Rates
Adult Single	\$445	\$475
Adult Couple	\$655	\$695
Senior Single	\$385	\$410
Senior Couple	\$590	\$630
Adult w/child	\$500	\$530
Each add'l child	\$62.50	\$66.50
Family	\$710	\$755
Each add'l child	\$62.50	\$66.50
Junior	\$145	\$155
Eliminate College Rates		
Non-resident fee	\$31.50	\$33.50

MINUTES

December 15, 2008

Page 7 of 8

Carts & Lockers		
Stored Cart Fee	\$250	\$265
Haul on Cart Fee	\$175	\$185
Lockers	\$36.75	\$40
Punch Cards		
10 Anytime Rounds	\$125	\$150
Sold only in December		
Daily Green Fees		
Adult 9 Holes	\$15	\$16
Adult Weekday	\$17	\$20
Adult Weekend/Holiday	\$20	\$23
Senior Weekday	\$15	\$15 same price
Senior Weekend/Holiday	\$20	\$23
Junior	\$9	\$10
Adult Specials:		
Twilight League		
Rainy/Windy/Winter Days	\$15	\$16

The sales tax will be included in the fees, not added on.

Staff concurs with the recommendation except for the elimination of the college season pass.

Discussion followed:

- Non-resident rates.
- College rates.
- Sales tax.
- Punch card sales would be available through January, 2009.
- Potential revenue increases on punch card sales.

The public comment portion of the hearing was opened.

Tom Burnikel asked for the Council to reconsider the increase to the senior pass.

Discussion followed:

Councilperson Kezele asked what cost cutting measures are being made to the budget.

City Manager Courtney stated that as the City goes through the budget process each year and significant cuts are made just to get to the point to have a balanced budget. It is rare that the department requests are under the projected revenues. It is not at all unusual to go through a very intensive cost cutting process to get the projected budgets down from each of the departments to fit into the budget.

Parks & Recreation Bowyer explained the fee increase.

MOTION:

Vice Mayor Johnson made the motion to adopt Resolution 1806, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, ESTABLISHING GOLF COURSE FEES.

The motion was seconded by Councilperson Craig.

AMENDMENT TO THE MAIN MOTION:

Councilperson Heider made an amendment to the motion that the rate schedule be modified to retain the current rates and charge 6% for sales tax, and lower the Seniors Week Day to \$14.15 plus 6% plus tax and the Haul on Rate \$174.52 plus 6%

MINUTES

December 15, 2008

Page 8 of 8

tax. Councilperson Hall seconded the motion. Roll call vote showed Councilpersons Heider and Hall voted in favor of the motion. Mayor Clow, Councilpersons Craig, Vice Mayor Johnson, Councilpersons Kezele and Lanting voted against the motion. The motion failed with a vote of 2 to 5.

AMENDMENT TO THE MAIN MOTION:

Councilperson Craig made the motion that sales tax is disclosed on sale receipts. Councilperson Lanting seconded the motion. The motion passed with a vote of 7 to 0.

AMENDMENT TO THE MAIN MOTION:

Councilperson Kezele made the motion to table the request. Vice Mayor Johnson seconded the motion. Roll call vote showed Councilperson Kezele and Craig voted in favor of the motion. Mayor Clow, Councilperson Hall, Heider, Vice Mayor Johnson, Councilperson Lanting voted against the motion. The motion failed with a vote of 2 to 5.

ROLL CALL VOTE ON THE AMENDED MAIN MOTION:

Mayor Clow, Councilpersons Hall, Heider, Vice Mayor Johnson, and Councilperson Lanting voted in favor of the motion. Councilperson Kezele voted against the motion. The motion passed with a vote of 6 to 1.

V. **ADJOURNMENT:** The meeting adjourned at 7:58 p.m

Leila A. Sanchez
Deputy City Clerk

IV. <u>PUBLIC HEARINGS:</u> 6:00 P.M. - None		
V. <u>ADJOURNMENT:</u>		

COUNCIL PRESENT: Lance W. Clow, Trip Craig, Lee Heider, David E. Johnson, William A. Kezele, Greg Lanting

COUNCIL ABSENT: Don Hall

CITY STAFF PRESENT: City Manager Tom Courtney, Assistant City Manager Travis Rothweiler, Community Development Director Mitch Humble, City Engineer Jackie Fields, Project Coordinator Mike Trabert, Parks & Recreation Director Dennis Bowyer, Finance Director Gary Evans, Deputy City Clerk Leila Sanchez.

Mayor Clow 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 Clow introduced City staff.

Changes to the Agenda:

Alcohol License Application for Twin Stop LLC, for 1509 Kimberly Road.

AGENDA ITEMS

I. CONSENT CALENDAR:

1. Consideration of accounts payable:
September, 2008 total: \$3,926.96
December 16 – 22, 2008 total: \$796,303.35

MOTION:

Vice Mayor Johnson made the motion to approve the Consent Calendar with the addition of the Alcohol License Application for Twin Stop LLC, business address 1509 Kimberly Road as presented. The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

II. ITEMS FOR CONSIDERATION:

1. Consideration of a request to pay fees in lieu of park land dedication for the Copper Basin 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. Staff concurs with the recommendation.

MOTION:

Vice Mayor Johnson made the motion to approve the developer's request for the Copper Basin Subdivision to pay fees in lieu of park land dedication as part of the park ordinance. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

2. Consideration of a request to award the bid for the installation of an Ultraviolet Treatment System at the City/YMCA Swimming Pool.

Parks & Recreation Director Bowyer reviewed the request.

Staff recommends approval to the City Council to award the C.E.M. Aquatics for the installation of an Ultraviolet Treatment System.

Discussion followed:
-Reduction of costs.

MINUTES

December 22, 2008

Page 4 of 9

Community Development Director Humble stated that there will be cost reduction for chemicals, but there will be a cost for the replacement of bulbs for the UV light.

MINUTES

December 22, 2008

Page 5 of 9

MOTION:

Councilperson Heider made the motion to award the installation of an Ultraviolet Treatment System to C.E.M. Aquatics from Salt Lake City at a cost not to exceed \$49,580. The motion was seconded by Councilperson Kezele and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

3. Consideration of adoption of the following ordinance:

Request for a Zoning Title Amendment which would amend Twin Falls City Code

10-4-8.2(A)9z by permitting temporary recreational vehicle sales for recreational vehicle dealers within fifty (50) miles of the temporary sale location and allowing two (2) temporary signs at temporary vehicle sales events, c/o Bish's RV of Twin Falls/Troy Jenkins. (app. 2276) Proposed Ordinance # 2958.

Community Development Director Humble reviewed the request.

On December 15, 2008 the City Council unanimously approved a Zoning Title Amendment to amend Twin Falls City Code 10-4-8.2(A)9z. The original ordinance permitted temporary automobile and truck vehicle sales subject to city and state approval and provided there is no parking or display of vehicles in landscaped areas, no temporary signs, and no sight obstructions. The Council approved the request to include off-site recreational vehicles but removed the requirement there be a minimum fifty (50) mile dealership and removed specific sign limitations - signage shall comply with the current sign code.

The ordinance has been prepared as directed by the Council and is recommended for adoption as submitted.

MOTION:

Councilperson Heider made the motion to suspend the rules and place Ordinances #2958, entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, AMENDING TWIN FALLS CITY CODE §10-4-8.2(A)(9)(z) BY PERMITTING TEMPORARY RV SALES IN THE C-1 ZONE.

on third and final reading by title only. The motion was seconded by Councilperson Lanting and roll call vote showed that all members present voted in favor of the motion. Roll call vote showed Mayor Clow, Councilpersons Craig, Heider, Kezele and Lanting voted in favor of the motion. Vice Mayor Johnson abstained from voting. The motion passed with a vote of 5 to 0.

Deputy City Clerk Sanchez read the title to Ordinance #2958.

Councilperson Heider made the motion to adopt Ordinance #2958 as presented. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion.

4. Consideration of the final plat for Culbert Farms, LLC. Subdivision, 4.57 (+/-) acres consisting of 1 single family residential lot on property located on the north side of 4200 North Road/Canyon Rim Road between 2700 East Road/Sunway Blvd and 2800 East Road/Grandview Drive North, c/o John Root on behalf of Cory Alger.

Community Development Director Humble reviewed the request.

On December 16, 2008, the Planning & Zoning Commission approved the preliminary plat of the Culbert Farms LLC Subdivision subject to the following conditions:

1. Subject to site plan amendments as required by Building, Engineering, Fire, and Zoning officials to ensure compliance with all applicable City Code requirements and Standards.
2. Subject to arterial and collector streets adjacent and within the property being rebuilt or built to current City standards upon development of the property.

Should the City Council recommend approval of the final plat of the Culbert Farms LLC Subdivision, staff recommends it be subject to the same conditions of approval on the preliminary plat.

Discussion followed:

-Approval of a deferral of curb, gutter, and street improvements by the Engineering Department.

MOTION:

Vice Mayor Johnson recommended for approval to the Board of County Commission the final plat for Culbert Farms, LLC. Subdivision, 4.57 (+/-) acres consisting of 1 single family residential lot on property located on the north side of 4200 North Road/Canyon Rim Road between 2700 East Road/Sunway Blvd and 2800 East Road/Grandview Drive North, c/o John Root on behalf of Cory Alger. as presented with the following two conditions:

1. Subject to site plan amendments as required by Building, Engineering, Fire, and Zoning officials to ensure compliance with all applicable City Code requirements and Standards.
2. Subject to arterial and collector streets adjacent and within the property being rebuilt or built to current City standards upon development of the property.

The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

City Manager Courtney stated that deferral agreements are recorded with the County and logged in by the Engineering Department. The plan is to have the deferrals in the GIS system.

Council directed staff to report back on the legal issues of deferral agreements.

5. Consideration of the final plat of Villa North, LLC PUD Condominiums Subdivision consisting of 3 condominium units on property located at 1540 Fillmore Street c/o Scott Allen/The Land Group, Inc., on behalf of Ablo, LLC.

Community Development Director Humble reviewed the request.

Staff recommends approval of the final plat of Villa North, LLC PUD Condominium Subdivision as presented subject to the following conditions:

1. Subject to final technical review by the City Engineering Department and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to a recorded Property Owner's Agreement prior to recordation of the final plat.

Discussion followed:

-Responsibility of the common areas.

MOTION:

Councilperson Lanting made the motion to approve the final plat for Villa North, LLC PUD Condominiums Subdivision consisting of 3 condominium units on property located at 1540 Fillmore Street c/o Scott Allen/The Land Group, Inc., on behalf of Ablo, LLC. as presented with the following two conditions:

1. Subject to final technical review by the City Engineering Department and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to a recorded Property Owner's Agreement prior to recordation of the final plat.

The motion was seconded by Vice Mayor Johnson and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

6. Consideration of the conveyance plat of Reed Subdivision consisting of 2 lots on 22 (+/-) acres for property located approximately 745' east and south of the intersection of 2700 East Road and 3700 North Road/Orchard Drive West c/o John Root-All Points Land Surveying on behalf of Larry Reed.

Community Development Director Humble reviewed the request.

Should the City Council recommend approval of the conveyance plat of the Reed Subdivision, as presented, staff recommends approval with the following conditions:

MINUTES

December 22, 2008

Page 7 of 9

1. Subject to final technical review by the City Engineering Department and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to right-of-way for the perimeter street(s) and easements as shown on the plat being dedicated to the City of Twin Falls.
3. Subject to required street and public utility improvements for both lots being constructed to City standards upon development of either lot.

Discussion followed:

-Location of ingress and egress of future roads.

MOTION:

Councilperson Lanting made the motion to recommend for approval to the Board of County Commissioners the conveyance plat of Reed Subdivision consisting of 2 lots on 22 (+/-) acres for property located approximately 745' east and south of the intersection of 2700 East Road and 3700 North Road/Orchard Drive West c/o John Root-All Points Land Surveying on behalf of Larry Reed, as presented with the following three conditions:

1. Subject to final technical review by the City Engineering Department and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to right-of-way for the perimeter street(s) and easements as shown on the plat being dedicated to the City of Twin Falls.
3. Subject to required street and public utility improvements for both lots being constructed to City standards upon development of either lot.

The motion was seconded by Vice Mayor Johnson. Roll call vote showed all present voted in favor of the motion. The motion passed with a vote of 6 to 0.

7. Consideration of an agreement between the City of Twin Falls and STRATA Geotechnical Engineering & Materials Testing to perform rock fall evaluation and analysis, as well as recommendations for remedial measures for the Canyon Springs roadway.

City Engineer Fields reviewed the request.

The City Council requested that the Engineering Department look into the possible hazards and ways to stabilize approximately 2200 feet of Canyon Springs roadway slope. STRATA Engineering will do a preliminary geologic evaluation to allow for identification and classification of rock fall hazards. Following completion of Task 1, additional analysis and evaluation will be required to provide recommendations regarding possible remedial action to reduce rock fall hazard. Task 2 will include recommendations related to reducing rock fall hazard along the existing roadway. The total rehabilitation cost is estimated at \$175,000 – \$245,000 depending on geologic evaluation.

Staff recommends that the Council approve the agreement with STRATA Geotechnical Engineering & Materials Testing in the amount of \$11,500 to complete Task 1 and \$13,500 to complete Task 2. Total combined engineering cost not to exceed \$25,000.

Discussion followed:

-Budgetary concerns.

Councilperson Heider stated that the road has been in place for over 100 years and asked staff why the road had not been a serious concern until now.

City Engineer Fields stated that there is now development along the canyon rim, irrigation practices have changed, and pedestrians are accessing the road more frequently.

City Manager Courtney stated that there is only urgency if there is a severe problem. Staff believes that because of the latest rock fall and because of other activities that are occurring the area as well as changing conditions, it's well worth the investment to determine if we do or do not have a problem. If the report comes back and says there is a problem, there is an opportunity to take corrective action before there is an emergency. It is important to have access to major public facilities in the canyon

including the wastewater treatment plant, the Canyon Springs pump station, Auger Falls, and the Canyon Springs Golf Course. If the study comes back and states that this is a major project staff will look into the existing capital budget and reprioritize existing capital projects, or open the budget to appropriate costs to cover the budget.

-Future plans to upgrade the Canyon Springs Road.

City Engineer Fields stated that the plans are limited due to drainage problems that need to be dealt with. No major widening is planned.

-\$100,000 previous committed towards the project.

Finance Director Evans stated that the basic source of the \$100,000 was from a court fee refund from the County.

MOTION:

Vice Mayor Johnson made the motion to approve the agreement with STRATA Geotechnical Engineering & Materials Testing Task 1 in the amount not to exceed \$11,500. The motion was seconded by Councilperson Kezele.

AMENDED MOTION:

Councilperson Lanting made the motion to approve the agreement with STRATA Geotechnical Engineering & Materials Testing Task 1 and Task 2 in the amount not to exceed \$25,000. The motion was seconded by Vice Mayor Johnson. Roll call vote showed Councilperson Lanting voted in favor of the motion. Mayor Clow, Councilpersons Craig, Heider, Vice Mayor Johnson and Councilperson Johnson voted against the motion. The motion failed with a vote of 1 to 5.

ROLL CALL VOTE ON THE MAIN MOTION:

Mayor Clow, Vice Mayor Johnson, Councilperson Kezele and Lanting voted in favor of the motion. Councilpersons Craig and Heider voted against the motion. The motion passed with a vote of 4 to 2.

1. Consideration of implementing the recommendations of the Municipal Outsource Grant Committee.

Finance Director Evans reviewed the request.

Staff recommends that the Council approve the recommendations of the Municipal Powers Outsource Grant committee.

Mayor Clow and Vice Mayor Johnson explained the MPOG process.

MOTION:

Vice Mayor Johnson made the motion to approve the Municipal Outsource Grants as follows:

<i>Twin Falls Municipal Band</i>	\$21,161
<i>Boys and Girls Club</i>	\$22,500
<i>Trans IV Buses</i>	\$31,500
<i>Magic Valley Arts Council</i>	\$10,000
<i>Crisis Center of Magic Valley</i>	\$14,000
<i>Southern Idaho Tourism</i>	\$ 5,000

The motion was seconded by Councilperson Kezele and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

2. Consideration of a Contract and Scope between the City of Twin Falls and JUB Engineers for the completion of the City's drinking water facility plan and environmental information documents at a cost not to exceed \$171,172.

City Engineer Fields reviewed the request.

In 2006, the City commissioned JUB Engineers to develop a drinking water facility plan designed to examine the City's water system and investigate potential improvement alternatives designed to achieve compliance with the arsenic rules. Since the

MINUTES

December 22, 2008

Page 9 of 9

initial report, the City has selected an alternative, which includes the purchase of water rights from Pristine Springs. The project consists of an equalization tank, booster system and transmission line to bring additional water from the Harrison Street reservoir to the South reservoir and a transmission line from the south to the east side of town.

The City must complete the drinking water facility plan and environmental information documents before design and bid water infrastructure improvements designed to assist the City become in compliance with the EPA promulgated rules pertaining to acceptable arsenic levels. The format and scope is dictated by Department of Environmental Quality rules and regulations.

If the proposed scope is approved, Task One would allow the City to complete the required updates to its water facility plan. The cost of this portion is \$86,997. Task Two would allow the City to complete the required environmental reviews at a cost of \$84,175. The City staff is recommending the adoption of both tasks at an estimated cost of \$171,172. This is a time and material contract. this is based on actual time spent and materials used.

On December 8, the City Council authorized the City's staff to submit a grant to DEQ designed to offset a portion of the cost of this scope. Initially, the City was asked to apply for \$40,000. On December 17, 2008, DEQ notified the City it was eligible for up to 50% or the actual cost of \$90,000, whichever is less.

Staff recommends approval of Tasks 1 and Task 2 of this scope.

City Manager Courtney explained that is required to comply with the EPA's drinking water rules pertaining to arsenic concentration.

Discussion followed:

-Completion of tasks will take four months.

MOTION:

Vice Mayor Johnson made the motion to approve the Contract and Scope Task 1 and Task 2 between the City of Twin Falls and JUB Engineers for the completion of the City's drinking water facility plan and environmental information documents at a cost not to exceed \$171,172. The motion was seconded by Councilperson Kezele and roll call vote showed all members present voted in favor of the motion. The motion passed with a vote of 6 to 0.

Recess: 6:33 p.m.

Reconvened at: 6:42 p.m.

1. Presentation and Work Session for the Comprehensive Plan, Chapter 11: Development Impact Fee Capital Improvement Plans.

Community Development Director Humble gave the presentation and work session.

2. Public input and/or items from the City Manager and City Council. None.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

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

V. ADJOURNMENT: The meeting adjourned at 8:09 p.m.

Leila Sanchez
Deputy City Clerk