

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  
January 5, 2009  
City Council Chambers  
305 3<sup>rd</sup> Avenue East Twin Falls, Idaho

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

CALL MEETING TO ORDER: 6:00 P.M.

**AGENDA ITEMS**

**Purpose**

**By:**

**I. CONSENT CALENDAR:**

1. Consideration of accounts payable for December 23, 2008 – January 5, 2009.
2. Consideration of the December 15 and 22, 2008, Minutes.

Action

Staff Report

**II. ITEMS FOR CONSIDERATION:**

1. 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 request for a Comprehensive Plan Amendment to update the 1993-1994 City of Twin Falls' Comprehensive Plan and the City of Twin Falls' 1993 Master Transportation Plan. The Comprehensive Plan hearing will include a chapter on Development Impact Fee Capital Improvement Plans., c/o City of Twin Falls. (app. 2274)

Action

Mitch Humble

**V. ADJOURNMENT:**

**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, Finance Director Gary Evans, Deputy City Clerk Leila Sanchez.

Mayor Clow called the meeting to order at 6:02 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 December 23, 2008 – January 5, 2009.  
December 23, 2008 – January 5, 2009, total: \$160,778.65  
December 26, 2008, total: \$113,237.59
  - 2. Consideration of the December 15 and 22, 2008, Minutes.

**MOTION:**  
Councilperson Heider made the motion to approve the Consent Calendar with corrections made to the December 15, and 22, 2008, Minutes. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

- II. **ITEMS FOR CONSIDERATION:**
  - 1. Public input and/or items from the City Manager and City Council. None.

II. **ADVISORY BOARD REPORTS/ANNOUNCEMENTS:**  
  
Councilperson Hall requested a review of the Municipal Outsource Grant disbursements.  
  
Discussion followed:  
-Remaining \$1,000 in the Municipal Outsource Grant.

Councilperson Hall discussed the remaining \$1,000 be allocated to the Boys and Girls Club.  
Councilperson Craig discussed the remaining \$1,000 be allocated to the Interfaith Caregivers of Magic Valley.

**MOTION:**  
Councilperson Hall made the motion to allocate the remaining \$1,000 from the Municipal Outsource Grant to the Boys and Girls Club. The motion was seconded by Vice Mayor Johnson. Roll call vote showed Mayor Clow, Councilpersons Hall, Heider, Vice Mayor Johnson, Councilperson Kezele and Lanting voted in favor of the motion. Councilperson Craig voted against the motion. Approved 6 to 1.

- IV. **PUBLIC HEARINGS:** 6:00 P.M. –
  - 1. Consideration of request for a Comprehensive Plan Amendment to update the 1993-1994 City of Twin Falls' Comprehensive Plan and the City of Twin Falls' 1993 Master Transportation Plan. The Comprehensive Plan hearing will include a chapter on Development Impact Fee Capital Improvement Plans., c/o City of Twin Falls. (app. 2274)  
  
Mitch Humble reviewed the request.  
  
At the November 25, 2008, public meeting, the Planning & Zoning Commission unanimously recommended approval of the request with the following conditions:
    - 1. Subject to minor amendments to edit any grammatical, spelling, syntax, or informational errors, not affecting the content.

MINUTES

January 5, 2009

Page 3 of 5

2. Subject to the inclusion of Chapter 11: Development Impact Fee Capital Improvement Plans as recommended by the Development Impact Fee Advisory Committee, and the creation of an Executive Summary for Chapter 11 and inclusion of this summary within the "Executive Summary and Implementation Actions" chapter of the Comprehensive Plan.
3. No amendments are allowed to be made to the comprehensive plan document for one (1) year after adoption.

Staff recommends the City Council approve this request to update the 1993-1994 City of Twin Falls' Comprehensive Plan, the City of Twin Falls' 1993 Master Transportation Plan, and add Development Impact Fees Capital Improvement Plans to the Comprehensive Plan, subject to the following conditions:

1. Subject to minor amendments to fix any grammatical, spelling, syntax, or informational errors, not affecting the content.
2. Subject to the inclusion of Chapter 11: Development Impact Fee Capital Improvement Plans, and the creation of an executive summary for Chapter 11 and inclusion of this summary within the "Executive Summary and Implementation Actions" chapter of the Comprehensive Plan.
3. No amendments are allowed to be made to the Comprehensive Plan document for one (1) year after adoption.

Mayor Clow explained the public hearing procedures.

The public comment portion of the hearing was opened:

Brad McDougal, 2558 E. 800 S., Ogden, Utah, representing the Maverik Stores, showed a conceptual plan for the Maverik Store. He discussed buffering sound and light from the neighbors, addressed traffic congestion, and access points, and landscaping.

Brad Wills, 222 Shoshone Street West, recommended approval of the plan but requested that the plan specify that on existing preliminary and final plats currently approved be exempt from the new requirements to change the right-of-way width to arterial and collector streets.

Paula Brown Sinclair, 2146 Addison Avenue East, requested amending the Future Land Use Map to show the boundary between the Residential Business designation and the Neighborhood Center designation on the north side of Addison Ave. East near Eastland Drive North shifting to the east property line of the former Brizee house located at 2147 Addison Ave. East.

Stan Kohl, 192 Rainbow Drive, Jerome, Idaho, requested that the plan show specific locations that dog parks be placed.

The public comment portion of the meeting was closed.

Discussion followed:

Community Development Director Humble stated that the plan does not specify a location for a dog park. He also stated that Brad Wills's concern regarding platting has been addressed by City Engineer Fields.

Paula Brown-Sinclair stated that the Parks & Recreation Commission discussed having a dog park designated in the Teton Subdivision, but the proposal received opposition from the surrounding neighbors.

-Extensive discussion followed on the proposed property line at Eastland and Addison.

-Discussion followed on the letter from the College of Southern Idaho to the Planning & Zoning Commission, which received does not favor the Harrison alignment as proposed in the plan.

The public comment portion of the hearing was closed.

The Council allowed input from Dennis Crawford.

Dennis Crawford, 681 Creekside Way, recommended that the Council implement the plan as proposed.

The public hearing was closed.

Discussion followed.

Recess: 7:49 p.m.

MINUTES

January 5, 2009

Page 4 of 5

Reconvened at 7:57 p.m.

**MAIN MOTION:**

Vice Mayor Johnson made the motion to approve the Comprehensive Plan Amendment Chapters 1 -11 which includes the Master Transportation Plan and the Development Impact Fee Capital Improvement Plans and to discuss each of the following conditions as presented separately.

1. Subject to minor amendments to fix any grammatical, spelling, syntax, or informational errors, not affecting the content.
2. Subject to the inclusion of Chapter 11: Development Impact Fee Capital Improvement Plans, and the creation of an executive summary for Chapter 11 and inclusion of this summary within the "Executive Summary and Implementation Actions" chapter of the Comprehensive Plan.
3. No amendments are allowed to be made to the Comprehensive Plan document for one (1) year after adoption.

The motion was seconded by Councilperson Hall.

**AMENDMENT TO THE MOTION:**

Vice Mayor Johnson made the motion to substitute the wording of condition 2. presented as follows:

*The inclusion of Chapter 11: Development Impact Fee Capital Improvement Plans, and the creation of an executive summary for Chapter 11 and inclusion of this summary within the "Executive Summary and Implementation Actions" chapter of the Comprehensive Plan. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.*

**AMENDMENT TO THE MOTION:**

Councilperson Heider made the motion to 1.9 Amending the Comprehensive Plan on page 1-18 inserting the phrase "City initiated" into the first sentence of both paragraphs 2 and 3 on page 1-18 directly before the phrase "Vision amendments" to read as follows:

*It is therefore recommended that the City initiated Vision amendments be considered only semi-annually, as special meetings devoted entirely to that process. In this way, the time necessary to fully understand and evaluate the amendment proposals is assured, and the Vision, or Comprehensive Plan, will not be compromised due to haste or inadequate information.*

*Additionally, it is recommended that no City initiated Vision amendments be considered for a period of one year following the date of adoption. This will provide an adequate period for the Planning Commission and the City Council to work with the adopted plan without pressure for immediate change.*

The motion was seconded by Councilperson Hall. Roll call vote showed Mayor Clow, Councilperson Craig, Hall, Heider, Kezele and Lanting voted in favor of the motion. Vice Mayor Johnson voted against the motion. Approved 6 to 1.

**AMENDMENT TO THE MAIN MOTION:**

Councilperson Heider made the motion to insert a paragraph to 1.9 Amending the Comprehensive Plan on page 1-18 to read as follows:

The citizens have the right to make an application for amendments to the plan regardless of time limitations.

The motion was seconded by Councilperson Kezele. Roll call vote showed Councilpersons Craig, Heider, and Kezele voted in favor of the motion. Mayor Clow, Councilperson Hall, Johnson, and Lanting voted against the motion. Failed 3 to 4.

**AMENDMENT TO THE MAIN MOTION:**

Councilperson Hall made the motion to approve condition 3. *No amendments are allowed to be made to the Comprehensive Plan document for one (1) year after adoption.* The motion was seconded by Councilperson Heider. Roll. Call vote showed Vice Mayor Johnson voted in favor of the motion. Mayor Clow, Councilperson Craig, Hall, Heider, Kezele and Lanting voted against the motion. Failed 1 to 6.

**MOTION:**

Councilperson Heider made the motion to adopt the 4.7 ± acres as a neighborhood center on the comprehensive plan. The motion was seconded by Councilperson Hall.

**AMENDMENT TO THE MOTION:**

Councilperson Lanting made the motion to exclude the Brizee residential business property with the north boundary to the east matching residential business line. The motion was seconded by Vice Mayor Johnson. Roll call vote showed Mayor Clow, Councilpersons Craig, Hall, Vice Mayor Johnson, Councilpersons Kezele and Lanting voted in favor of the motion. Councilperson Heider voted against the motion. Approved 6 to 1.

**ROLL CALL VOTE ON THE MOTION AS AMENDED:**

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

**AMENDMENT TO THE MAIN MOTION:**

Vice Mayor Johnson made the motion that would clarify that at the intersection of Falls and Eastland that the neighborhood center is on the east side only. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

Discussion:

Vice Mayor Johnson asked if a clarification would need to be made to the plan exempting approved preliminary and final plats from the new requirements to change the right-of-way width to arterial and collector streets would need to be specified in the plan.

City Attorney Wonderlich stated that approved existing plats are grandfathered in.

Discussion followed on Development Impact Fee Capital Improvement Plans.

**ROLL CALL VOTE ON THE MAIN MOTION:**

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

Approved the Comprehensive Plan update, chapters 1 through 11, as presented, subject to:

1. Minor amendments to fix any grammatical, spelling, syntax, or informational errors, not affecting the content.
2. The inclusion of Chapter 11: Development Impact Fee Capital Improvement Plans, and the creation of an executive summary for Chapter 11 and inclusion of this summary within the "Executive Summary and Implementation Actions" chapter of the Comprehensive Plan.
3. Inserting the phrase "City initiated" into the first sentence of both paragraphs 2 and 3 on page 1-18 directly before the phrase "Vision amendments."
4. Amending the Future Land Use Map to show the entire 4.7± acres that Maverik Stores has under contract at the northwest corner of Addison Ave. East and Eastland Drive North to be designated as Neighborhood Center.
4. Amending the Future Land Use Map to show the boundary between the Residential Business designation and the Neighborhood Center designation on the north side of Addison Ave. East near Eastland Drive North shifting to the east property line of the former Brizee house located at 2147 Addison Ave. East.
5. Amending the Future Land Use Plan to show the Neighborhood Center designation at the intersection of Eastland Drive North and Falls Ave. East only on the northeast and southeast corners on the intersection.

V. **ADJOURNMENT:** The meeting adjourned at 9:18 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**  
**January 12, 2009**  
**City Council Chambers**  
**305 3<sup>rd</sup> 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:
<b>I. <u>CONSENT CALENDAR:</u></b> 1. Consideration of accounts payable for January 6 – 12, 2009. 2. Consideration of the January 5, 2009, Minutes. 3. Consideration of an Improvement Agreement for Developments for the Sunterra Subdivision Phase 3, Sunterra, LLC. 4. Findings of Fact, Conclusions of Law, and Decision: a. Conveyance Plat Application for Denton Subdivision c/o Leonard Denton. b. Conveyance Plat Application for T.D. A. Enterprises c/o Dave Werbeck.		Action	Staff Report
<b>II. <u>ITEMS FOR CONSIDERATION:</u></b> 1. Consideration for the re-appointments of Bob Blastock, LeWayne Jungert, and Carolyn White to the Pool Advisory Board for three year terms starting January 2009. 2. Consideration to award the bid for the re-plastering project at the City/YMCA Swimming Pool. 3. Consideration of adoption of proposed ordinance to update the City code relative to the grievance procedure. 4. Presentation and discussion of potential utility system facility charges. 5. Public input and/or items from the City Manager and City Council.		Action	Dennis Bowyer
		Action	Dennis Bowyer
		Action	Gretchen Scott
		Action	Gary Evans
<b>III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u></b>			
<b>IV. <u>PUBLIC HEARINGS:</u> 6:00 P.M. –</b> 1. Request for Vacation of 2500 sq. ft. of public right-of-way located on the 100-200 blocks of Ash Street South and 1000 sq. ft. of the alley located on the west side of the real property located on the 100 -200 blocks of Ash Street South, c/o Idaho Power Company. (app. 2286) 2. Consideration of an ordinance amending City Code Title 10 by creating a new Chapter 18: City of Twin Falls Impact Fee Ordinance, which requires the payment of development impact fees and establishes regulations for their collection and administration.		Action	Mitch Humble
		Action	Mitch Humble
<b>V. <u>ADJOURNMENT:</u></b>			

*\*Any person(s) needing special accommodations to participate in the above noticed meeting should contact Leila Sanchez at (208) 735-7287 at least two working days before the meeting.*

MINUTES

January 12, 2009

Page 2 of 8

**COUNCIL PRESENT:** Lance W. Clow, Trip Craig, Don Hall, Lee Heider, William A. Kezele, Greg Lanting  
**COUNCIL ABSENT:** David E. Johnson,  
**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, Finance Director Gary Evans, Management Assistant Gretchen Scott, Recording Secretary Tracy Reed.

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.

City Manager Courtney requested that the following be added to the Items for Consideration:  
Proposed temporary traffic signal at Washington Street North and Cheney vs. Stop sign or median barrier. Presentation by City Engineer Fields.

### AGENDA ITEMS

**I. CONSENT CALENDAR:**

1. Consideration of accounts payable for January 6 – 12, 2009, total: \$447,171.75.
2. Consideration of the January 5, 2009, Minutes.
3. Consideration of an Improvement Agreement for Developments for the Sunterra Subdivision Phase 3, Sunterra, LLC.
4. Findings of Fact, Conclusions of Law, and Decision:
  - a. Conveyance Plat Application for Denton Subdivision c/o Leonard Denton.
  - b. Conveyance Plat Application for T.D. A. Enterprises c/o Dave Werbeck.

**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. Approved 6 – 0.

**II. ITEMS FOR CONSIDERATION:**

**Additional Item for Consideration:**

Proposed temporary traffic signal at Washington Street North and Cheney vs. Stop sign or median barrier. Presentation by City Engineer Fields.

City Engineer Fields stated that there are two temporary options as follows: A portable signal is one option but will not be cost effective. Span wire signal is another option costing approximately \$40,000-\$45,000. Span wire is a signal hanging down from a wire, old technology, 18' high, but effective.

Discussion followed.

City Engineer Fields finished the presentation stating that a third option would be placing a signal in with the right-of-way acquisition project.

Staff would like a preferential decision from Council to take to the Twin Falls School District meeting to be held tonight.

Councilperson Heider asked if the \$40,000 is inclusive of all costs. City Engineer Fields answered in the affirmative.

**MOTION:**

Councilperson Kezele made the motion to approve the temporary traffic signal at the intersection of Washington Street North and North College Drive with costs not to exceed \$45,000. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. Approved 6 – 0.

1. Consideration for the re-appointments of Bob Blastock, LeWayne Jungert, and Carolyn White to the Pool Advisory Board for three year terms starting January 2009.

MINUTES

January 12, 2009

Page 3 of 8

Parks & Recreation Director Bowyer reviewed the request.

The Pool Advisory Board recommends the approval of the re-appointments as presented.

**MOTION:**

Councilperson Craig made the motion to approve the re-appointments of Bob Blastock, LeWayne Jungert, and Carolyn White to the Pool Advisory Board for three year terms. The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. Approved 6 -0.

2. Consideration to award the bid for the re-plastering project at the City/YMCA Swimming Pool.

Parks & Recreation Director Bowyer reviewed the request. The City solicited requests for proposals for the re-plastering of the swimming pool with the proposals due December 1, 2008. No qualified bids were received at this time. Since the time of bids being due, Custom Pools & Patio of Boise has submitted a proposal for the project in the amount of \$99,837.32.

Staff recommends awarding the bid for the re-plastering of the pool to Custom Pool & Patio of Boise.

**MOTION:**

Councilperson Hall made the motion to award the bid for the re-plastering of the pool to Custom Pool & Patio of Boise not to exceed \$99,837.32 as presented. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

3. Consideration of adoption of proposed ordinance to update the City code relative to the grievance procedure.

Management Assistant Scott reviewed the request.

Staff recommends approval of the proposed ordinance.

**MOTION:**

Councilperson Heider made the motion to suspend the rules and place Ordinance #2959, entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, REPEALING CHAPTER 2 OF TITLE 2 OF TWIN FALLS CITY CODE.

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. Approved 6 to 0.

Recording Secretary Reed read the title to Ordinance #2959.

Councilperson Hall made the motion to adopt Ordinance #2959 as presented. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

4. Presentation and discussion of potential utility system facility charges.

Finance Director Evans made the presentation. He stated that the Impact Fee Advisory Committee wanted to be sure Council heard these charges before the public hearing tonight. Taking into account deficits and depreciation, there is a fair and equitable buy in fee that gives access, guarantee of water and sewer services.

Discussion followed:

Councilperson Hall asked about using a sliding scale for commercial customers.

Finance Director Evans stated that the sliding scale was in place for these costs.

MINUTES

January 12, 2009

Page 4 of 8

Mayor Clow asked about using replacement costs for the entire system, LIFO system or FIFO. He asked if it is correct to use current day values or should the City just sell the rights to a bigger system and get out of it.

Finance Director Evans answered that he feels the reserves are not large enough, the City does not fund depreciation, and current day values should be used.

Councilperson Lanting asked Finance Director Evans if he checked with other cities our size. Finance Director Evans responded in the affirmative and said that he had other values to compare and the City is right in line with them.

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

Councilperson Lanting spoke about the discount card for the Municipal Golf Course being accessible to city residents.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

IV. PUBLIC HEARINGS: 6:00 P.M. –

1. Request for Vacation of 2500 sq. ft. of public right-of-way located on the 100-200 blocks of Ash Street South and 1000 sq. ft. of the alley located on the west side of the real property located on the 100 -200 blocks of Ash Street South, c/o Idaho Power Company. (app. 2286)

Dan Olmstead, Idaho Power, 133 Fairfield St. N., representing the applicant, explained the request.

Angela Wood, P.O Box 70, Boise, ID 83707, representing the applicant, reviewed the vacation request.

Community Development Director Humble reviewed the request.

On December 16, 2008, the Planning & Zoning Commission unanimously recommended approval as presented subject to the following conditions:

1. Subject to site plan amendments as required by the Building, Engineering, Fire, and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to meeting the conditions of utility companies for the abandonment, including granting a utility easement.
3. Subject to the Fire Department's approval of the access plan for the site.

Community Development Director Humble stated that the vacation follows up with Ordinance #2973, vacating Gardner and Ash Streets. He stated that a fire turn around spot is needed on Gem Avenue/Ash Street intersection but the property is not owned by Idaho Power at this time.

Staff recommends that Idaho Power work with the Fire Department to accomplish this fire turn around.

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

James Lee, 510 Madrona, property owner of 1184 Gem Avenue, stated that he is not completely satisfied with this proposal. His concerns include weed control, dust, noise and traffic. He stated that the Idaho Power fence is too close to his garage and frontage property. He stated that the house is a rental and was built in 1945 before current setbacks were in place.

Ed Gorringer, 105 Fafnir, Kimberly, ID, representing Intermountain Gas, spoke in favor of the request of the vacation as long as Intermountain Gas is allowed to keep their easements.

Rick Astley, 273 South Blue Lakes, representing Idaho Power explained a meeting held with Mr. and Mrs. James Lee. He stated that a quieter gate could be one option, the traffic will not be any different from what currently exists, and employees use the Highland Exit so as not to not disturb Mr. Lee's renters. The garage is a single car garage and is offset from Ash Street. Mr. Lee's brother was over there with a full size pick up and they navigated around the property with ease. PSI issues

MINUTES

January 12, 2009

Page 5 of 8

are solved by moving garbage cans to Gem Avenue and off of Ash Street. Damage to the fence was recognized and Idaho Power is willing to repair his fence with approved vacation.

Mayor Clow turned over to the Council for questions.

Discussion followed:

Councilperson Lanting asked if Idaho Power has approached James Lee about purchasing his lot. Mr. Lee owns Lot 11 and Lot 12.

James Lee stated that the lots are rental properties and he is currently negotiating the sale with Idaho Power.

Mayor Clow asked staff about the Special Use Permits and conditions we can place.

City Attorney Wonderlich stated there are no conditions on vacations.

Councilperson Heider asked if this is a legal non-conforming use. Community Development Director Humble answered in the affirmative.

Mayor Clow closed the public hearing and turned it over to Council to deliberate.

Councilpersons Kezele and Lanting discussed vacating only a portion of the requested area since they cannot put conditions on the vacation and save room for the tenant to back out onto Ash Street.

**MAIN MOTION:**

Councilperson Lanting made the motion to approve the vacation of 2500 sq. ft. of public right-of-way located on the 100-200 blocks of Ash Street South and 1000 sq. ft. of the alley located on the west side of the real property located on the 100 -200 blocks of Ash Street South, c/o Idaho Power Company. (app. 2286) as presented with the following conditions:

1. Subject to site plan amendments as required by the Building, Engineering, Fire, and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to meeting the conditions of utility companies for the abandonment, including granting a utility easement.
3. Subject to the Fire Department's approval of the access plan for the site.

Councilperson Hall seconded the motion.

**AMENDMENT TO THE MOTION:**

Councilperson Lanting made an amendment to the main motion to exclude the northern 15' of vacation on Ash Street. Councilperson Hall seconded the motion.

Mayor Clow reopened the public comment portion of the hearing.

Angie Wood, representing Idaho Power, asked to suspend the vacation so Idaho Power can do a more detailed study on the footage.

Mr. Lee spoke in regards to the width of Ash Street and showed a picture on overhead projection.

Mayor Clow closed the public comment portion of the hearing.

Discussion followed and Council asked for more information regarding street width and room for cars to navigate in this area.

**MOTION:**

Councilperson Craig made the motion to table the request. The motion was seconded by Councilperson Hall. Roll call vote showed Councilpersons Craig, Hall, and Kezele voted in favor of the motion. Mayor Clow, Councilperson Heider, and Lanting voted against the motion. Motion failed 3 – 3.

**VOTE ON THE AMENDED MOTION:**

## MINUTES

January 12, 2009

Page 6 of 8

Roll call vote on the amendment to the main motion to exclude the north 15' of vacation on Ash Street. Councilperson Hall, Kezele, and Lanting voted in favor of the motion. Mayor Clow, Councilperson Craig and Heider voted against the motion. Motion failed 3 to 3.

### **VOTE ON THE MAIN MOTION AS PRESENTED:**

Roll call vote showed Mayor Clow, Councilperson Craig, Hall, Heider, and Kezele voted in favor of the motion. Councilperson Lanting voted against the motion. Motion approved 5 to 1.

2. Consideration of an ordinance amending City Code Title 10 by creating a new Chapter 18: City of Twin Falls Impact Fee Ordinance, which requires the payment of development impact fees and establishes regulations for their collection and administration.

Community Development Director Humble reviewed the request. The City of Twin Falls Impact Fee Ordinance requires the payment of development impact fees and establishes regulations for collection and administration.

The proposed ordinance will set up administration for payment of fees for Police, Fire, Parks & Recreation and Streets Departments. He explained that the fee administrator will collect fees, present and prepare reports for Council and staff keeping track of fund balances. He also stated that he believes that the Finance Director should be the fee administrator, and that the ordinance should be published by summary.

The Development Impact Fee Advisory Committee recommends that the Council adopt the ordinance with the following conditions:

1. Subject to the fee amounts being the full cost recovery for each of the four fee types.
2. Subject to fees being effective in full 30 days after the adoption and publication of the ordinance.

Staff further recommends that, if the Council adopts the ordinance, the adoption be subject to:

1. The Council's appointment of the City's Finance Director to act as the "Fee Administrator."
2. That the ordinance be amended to include the provision for publication by summary.

Tom Pippin, BBC, 3773 Cherry Creek North Dr., Denver, CO 80209, public financier, explained the impact fee process in detail.

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

Councilperson Heider asked Tom Pippin how our fees compare with other cities in Idaho.

Tom Pippin responded with the fact that cities should not compare impact fees. Those fees are based on the level of service. He also said that the City of Twin Falls fees are very low in the streets section of the impact fee schedule, and that overall, the entire fee structure is lower than most of the State of Idaho.

Councilperson Heider asked Community Development Director Humble if this would essentially double the fee for a residential building permit. He answered in the affirmative.

Community Development Director Humble read a letter from Tony Hughes, Chairman of the Impact Fee Advisory Board, recommending approval of the fee increase but not instituting until January 1, 2010.

Don Acheson, 629 Megan Court, stated that the fees would create a hardship on the community at large.

Jeff Gooding, 747 Buckingham Drive, Impact Fee Advisory Committee, supports adoption of this ordinance but not at this time because of home inventory on the market right now.

Kevin Bradshaw, 1193 Eastridge Circle, supports the ordinance but not at this time.

MINUTES

January 12, 2009

Page 7 of 8

Jim McDonald, 417 7th Avenue North, supports the ordinance but said this is not a good time for fee increases. He requested that the ordinance be enacted on January 1, 2010, at the earliest.

Linda Flemming, 1098 Pinewood Circle, Habitat for Humanity, supports the ordinance but explained that beginning fee increase at this time will put a hardship on everyone.

Mayor Clow closed the public hearing.

Community Development Director Humble requested that Tom Pippin address the concept of when the City might owe money with lesser amounts and also the transportation plan. He stated that asking for less impact fee amounts would not put the City on the hook for more liability; it would just have a lower level of service and less park land per person.

He also stated that the Transportation plan is for the entire city. There are no zones, so if you build in the north, you still show impact in the south. If we had zones, the fees would stay within the zones. CIP is for arterial streets and signalization and BBC feels they represent the entire city.

Mayor Clow turned the discussion to Council.

Discussion followed:

Councilperson Kezele asked Tom Pippin if the impact fee implementation would impact growth in Twin Falls.

Tom Pippin explained that these aren't dollar for dollar new costs. He also does not believe that this would slow down current development in town.

Councilperson Hall asked that if we choose to delay now, could we delay again at implementation time. City Attorney Wonderlich answered in the affirmative.

Mayor Clow closed the public hearing.

**MOTION:**

Councilperson Lanting made the motion to approve the request to amend City Code Title 10 by creating a new Chapter 18: City of Twin Falls Impact Fee Ordinance, which requires the payment of development impact fees and establishes regulations for their collection and administration with effective days of thirty days, and to publish the ordinance by summary as presented. The motion was seconded by Councilperson Kezele.

**AMENDMENT TO THE MOTION:**

Councilperson Hall made an amendment to the main motion to place an effective date of August 1, 2009, on the proposed ordinance. The motion was seconded by Councilperson Heider.

Mayor Clow stated that he would prefer January 1, 2010, as the effective date.

**ROLL CALL VOTE ON THE AMENDMENT TO THE MAIN MOTION:**

Roll call vote showed all members present voted in favor of the motion. Motion approved 6 to 0.

**ROLL CALL VOTE ON THE AMENDED MAIN MOTION:**

Roll call vote showed all members present voted in favor of the motion. Motion approved 6 to 0.

Staff will revise the ordinance as directed and place it on a future Council agenda for adoption.

V. **ADJOURNMENT:** The meeting adjourned at 8:33 p.m.

Tracy Reed  
Recording Secretary



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  
 Tuesday, January 20, 2009  
 City Council Chambers  
 305 3<sup>rd</sup> 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 January 13 – 19, 2009. 2. Consideration of the January 12, 2009, Minutes 3. Findings of Fact, Conclusions of Law, and Decision: a. Final Plat Application, Villa North, LLC Subdivision c/o The Land Group.	Action	Staff Report
II. <u>ITEMS FOR CONSIDERATION:</u> 1. Consideration of a request from Steve Shotwell for a third 1-year extension of the approval of the final plats of Northern Passage Subdivision, No. 3 & 4. 2. Consideration of a request to pay fees in lieu of park land dedication for the Baker Subdivision. 3. Consideration of a request to destroy semi permanent and temporary records and adopt the proposed Resolution. 4. Consideration of a plan to rename the LDS Softball Complex, approval of proposed rules/regulations for the facility, and discussion of a proposed development plan for the facility. 5. Public input and/or items from the City Manager and City Council.	Action Action Action Action	Mitch Humble Dennis J. Bowyer Sharon Bryan Dennis J. 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 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, Parks & Recreation Director Dennis Bowyer, Deputy City Clerk/Recording Secretary 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 January 13 – 19, 2009, \$159,360.35.
2. Consideration of the January 12, 2009, Minutes
3. Findings of Fact, Conclusions of Law, and Decision:
  - a. Final Plat Application, Villa North, LLC Subdivision c/o The Land Group.

**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. Approved 7 to 0.

### II. ITEMS FOR CONSIDERATION:

1. Consideration of a request from Steve Shotwell for a third 1-year extension of the approval of the final plats of Northern Passage Subdivision, No. 3 & 4.

Community Development Director Humble explained the request.

Discussion followed:

Councilperson Hall asked how many extensions can be granted.

Councilperson Heider asked if there was something on the plat that did not comply with the comprehensive plan.

Community Development Director Humble stated that extensions can come back until the Council denies the request, and explained that the plat is consistent with the comprehensive plan.

**MOTION:**

Vice Mayor Johnson made the motion to approve a third one-year extension of Northern Passage Subdivision No. 3 and No. 4 as presented subject to the following conditions:

1. Subject to final technical review by the Engineering Department.
2. Requirement of a combined minimum 4-acre neighborhood 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.
4. The extension expires on January 30, 2010.
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 Kezele and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

MINUTES

January 20, 2009 (Tuesday)

Page 3 of 5

- 2. Consideration of a request to pay fees in lieu of park land dedication for the Baker Subdivision.

Parks & Recreation Director Bowyer explained 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:**

Councilperson Craig made the motion to approve the in lieu of park fees in the amount of \$1,498.20, for park land dedication for the Baker Subdivision as presented. The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

- 3. Consideration of a request to destroy semi permanent and temporary records and adopt the proposed Resolution.

City Manager Courtney explained the request.

The Council's approval of this request will comply with Idaho State Code 50-907 requiring that before the City can destroy any semi-permanent or temporary records it must meet with the City Council's approval as well as notify the Idaho State Historical Society.

**MOTION:**

Vice Mayor Johnson made the motion to approve Resolution #1807, entitled: Authorization of Destruction of Records. The motion was seconded by Councilperson Craig and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

- 4. Consideration of a plan to rename the LDS Softball Complex, approval of proposed rules/regulations for the facility, and discussion of a proposed development plan for the facility.

Parks & Recreation Director Bowyer explained the request.

On January 13, 2008, the Parks & Recreation Commission unanimously approved the following list of recommendations to the City Council:

Name of Facility

- Have a contest in which each classroom at Oregon Trail Elementary School submits a name to the Commission. The Commission then selects and ranks the top three names to recommend to the City Council for final selection. The classroom with the winning name would get a pool/pizza party at the City/YMCA pool. Staff has discussed this idea with the principal at Oregon Trail, and he is excited about the possibility of participating in the process.
- Designate the facility as a youth complex.
- Combine the facility with Highland Park (the existing City park adjacent to the north side of the facility) as one large park.

Rules & Regulation

- Designate the facility as a youth complex and adopt rules & regulations appropriate for such a facility.
- Continue to prohibit smoking at the facility.
- Continue to prohibit alcohol at the facility.

Development Plan

<u>Needed Improvements</u>	<u>Cost Estimates</u>
Replace restrooms/concession/storage building	\$125,000
New/Improve Lighting \$75,000 per field	\$225,000

MINUTES

January 20, 2009 (Tuesday)

Page 4 of 5

Parking Lot Reconstruction w/curbing	\$ 60,000
Fencing Upgrade/Moving	\$ 40,000
Trees Replacement	\$ 20,000
Playground Equipment	\$ 40,000
Scoreboards (#3,4)	\$ 10,000
Curb/Gutter/Sidewalk – Park Avenue	\$ 35,000
Shelter	\$ 35,000
Irrigation Modifications	\$ 20,000
Walking Pathways	\$ 30,000
Field Modifications	\$ 15,000
<u>Shade Structure/Sun Protection</u>	<u>\$ 25,000</u>
Total Estimated Cost	\$680,000

These needed improvements would be prioritized and then included as budget requests over the next several years.  
Staff concurs with the recommendations.

Discussion followed:

- Designate the facility as a youth complex.
- Alcohol and smoking will be prohibited.
- Parks & Recreation Commission requested that the Council make the final decision on the naming of the park.

**MOTION:**

Councilperson Craig made the motion to rename the LDS Softball Complex and for the approval of proposed rules/regulations for the facility. The motion was seconded by Councilperson Heider.

Discussion followed.

- Naming of the facility.

City Manager Courtney stated this may be an opportunity to hold a special council meeting at Oregon Trail Elementary School cafeteria when the students are in session to involve student participation.

**AMENDMENT TO THE MAIN MOTION:**

Vice Mayor Johnson made the motion to recognize the development plan as proposed by the task force into the main motion. Councilperson Hall seconded the motion and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

- Clarification the park will be open to the public on Sundays.

**ROLL CALL VOTE ON THE AMENDED MAIN MOTION:**

Roll call vote on the amended main to plan to rename the LDS Softball Complex, approval of proposed rules/regulations for the facility, and recognize the development plan as proposed by the task force, showed all members present voted in favor of the motion. Approved 7 to 0.

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

Councilperson Heider gave an update on the Historical Preservation Committee efforts in the completion of the Idaho City Application.

Councilperson Hall asked City staff to look into the intersection of Caswell and Blue Lakes. Inkleys is going out of business.

MINUTES

January 20, 2009 (Tuesday)

Page 5 of 5

Councilperson Craig attended a Chamber of Commerce Board Meeting on January 20, 2009, and Council discussion followed on the local option taxing.

Mayor Clow announced that a Town Hall Meeting will be held on January 22, 2009, in the Council Chambers to discuss the Mayors' Initiative.

Councilperson Craig announced that Business after Hours will be held at Everton Mattress on January 22, 2009.

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

Councilperson Craig stated that Flynn McRoberts, Twin Falls graduate, who now works at the Chicago Tribune, will be speaking on January 21, 2009, at the College of Southern Idaho's Herrett Center.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

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

V. ADJOURNMENT: 5:52 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  
January 26, 2009  
City Council Chambers  
305 3<sup>rd</sup> 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:
<b>I. <u>CONSENT CALENDAR:</u></b> 1. Consideration of accounts payable for January 20-26, 2009. 2. Consideration of the January 19, 2009, Minutes. 3. Consideration of a request to accept a public utility and access easement. 4. Consideration of a Curb-Gutter Deferral and Setback and Parking Agreement for Jeff W. Lytle, for property located at 591 Locust Street South. 5. Findings of Fact, Conclusions of Law, and Decision: a. Final Plat Application, Villa North, LLC Condo-Subdivision, c/o The Land Group.		Action	Staff Report
<b>II. <u>ITEMS FOR CONSIDERATION:</u></b> 1. Consideration of the recommendation from the Twin Falls Golf Advisory Commission to set the college season pass fee at the Twin Falls Municipal Golf Course. 2. Consideration of a request to the supplemental agreement with Riedesel Engineering, Inc. for Washington Street North Phase III right of way acquisition activities, followed by a discussion on illumination. 3. Public input and/or items from the City Manager and City Council.		Action  Action	Dennis Bowyer  Jackie Fields
<b>III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u></b>			
<b>IV. <u>PUBLIC HEARINGS:</u> 6:00 P.M. – None.</b>			
<b>V. <u>ADJOURNMENT:</u></b>			

MINUTES

January 26, 2009

Page 2 of 5

**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:** Assistant City Manager Travis Rothweiler, City Engineer Jackie Fields, Parks & Recreation Director Dennis Bowyer, Deputy City Clerk/Recording Secretary Leila Sanchez.

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.

**Addition to the Agenda:**

Discussion and possible action on the creation of a committee to review submitted proposals in response to the city's RFP for services at the Twin Falls Municipal Golf Course. Staff report by Assistant City Manager Travis Rothweiler.

**AGENDA ITEMS**

**I. CONSENT CALENDAR:**

1. Consideration of accounts payable for January 20-26, 2009, \$704,307.61.
2. Consideration of the January 19, 2009, Minutes.
3. Consideration of a request to accept a public utility and access easement.
4. Consideration of a Curb-Gutter Deferral and Setback and Parking Agreement for Jeff W. Lytle, for property located at 591 Locust Street South.
5. Findings of Fact, Conclusions of Law, and Decision:
  - a. Final Plat Application, Villa North, LLC Condo-Subdivision, c/o The Land Group.

**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 voted in favor of the motion. Approved 7 to 0.

**II. ITEMS FOR CONSIDERATION:**

1. Consideration of the recommendation from the Twin Falls Golf Advisory Commission to set the college season pass fee at the Twin Falls Municipal Golf Course.

Parks & Recreation Director Bowyer reviewed the request.

On December 15, 2008, the City Council held a public hearing to consider proposed increases in fees at the Twin Falls Municipal Golf Course. Resolution #1806 was adopted. The City Council directed staff to have the Golf Advisory Commission revisit the college season pass issue.

On Wednesday, January 14, 2009, the Golf Advisory Commission recommended to reduce the college season pass from \$475 to \$300 by a unanimous vote and to forward this recommendation to the City Council.

Staff concurs with the Golf Advisory Commission's recommendation.

The Golf Advisory Commission recommends adoption of Resolution 1808 setting the prices for the 2009 season at the Twin Falls Municipal Golf Course, which includes a season pass for full time college students.

Discussion followed:

- Decrease in fees does not require a public hearing.
- The college season pass will be for 12 months.

**MOTION:**

Councilperson Heider made the motion to adopt Resolution 1808, entitled:

MINUTES

January 26, 2009

Page 3 of 5

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, ESTABLISHING GOLF COURSE FEES, 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.

Addition to the Agenda:

Discussion and possible action on the creation of a committee to review submitted proposals in response to the city's RFP for services at the Twin Falls Municipal Golf Course.

Assistant City Manager Rothweiler reviewed the request.

The City received request for proposal for services at the Twin Falls Municipal Golf Course from two individuals and one firm. Staff is requesting that the Mayor and the City Council create an advisory committee to review the submittals, interview those selected from the initial review, and make its recommendation to the entire City Council.

Staff recommends the committee consist of members of the City Council and members of the Golf Advisory Committee. Members of the City's staff may serve in an advisory capacity. Staff believes the committee should be limited in size and odd in number.

Discussion followed:

-Councilperson Johnson recommended three members who are non-golfers to serve on the committee.

**MOTION:**

Vice Mayor Johnson made the motion to approve the creation of a committee of nine members to review the request for proposal for services at the Twin Falls Municipal Golf Course. The motion was seconded by Councilperson Hall. Roll call vote showed Councilpersons Craig, Hall, Heider, Vice Mayor Johnson, and Councilperson Kezele voted in favor of the motion. Mayor Clow and Councilperson Kezele voted against the motion. Approved 5 to 2.

**MOTION:**

Vice Mayor Johnson made the motion to approve the following nine members to serve on the committee: Councilmembers Craig, Lanting, and Heider, three members from the community to be selected by the City Council, and three members from the Golf Advisory Board to be selected by the Golf Advisory Board. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

Discussion followed:

Councilpersons Hall, Heider, and Lanting will serve on the committee.

2. Consideration of a request to the supplemental agreement with Riedesel Engineering, Inc. for Washington Street North Phase III right of way acquisition activities, followed by a discussion on illumination.

City Engineer Fields reviewed the request.

The agreement addresses the management of property acquisition between Falls and Pole Line Road. The agreement will provide dedicated support to the right of way process which has not been available when City personnel have tried to fill this role. When the agreement was initially developed, preliminary design activities were not complete. Construction will temporarily affect six properties and the city will need to acquire Property Use Agreements with the owners. These are negotiated agreements. In addition, there are five additional parcels that were not included in the last supplemental agreement. To stay on schedule, Riedesel Engineer Inc., has included an independent appraiser to review the appraisals.

Staff recommends that the Council approve the supplemental agreement with Riedesel Engineering, Inc. in the amount of \$31,200.

MINUTES

January 26, 2009

Page 4 of 5

Discussion followed:

-Federal Aid limit on the project.

**MOTION:**

Vice Mayor Johnson made the motion to approve the supplemental agreement with Riedesel Engineering Inc. for Washington Street North in the amount of \$31,200 as presented. The motion was seconded by Councilperson Craig and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

Discussion on illumination for the Washington Street North Phase III project.

City Engineer Fields reviewed the request using overhead projections. A davit power pole provides for more clearance with the power lines, helps Idaho Power keep the pole height down, and helps the City because it doesn't significantly increase the number of luminaries we have in the road.

Discussion followed:

-A davit pole and standard both point down towards the ground with a minimum amount of upward exposure.

Dan Olmstead, representing Idaho Power, stated that Idaho Power concurs with the City Engineer's recommendation for the davit pole luminaries. The cost of moving the transmission line is paid by Idaho Power, and a way to reduce costs to the customer. The davit pole gives better clearance and does allow for shorter power poles that are less expensive.

City Engineer Fields stated that there is not a significant cost difference between a davit pole and standard pole.

-Costs of bulbs and energy costs.

-Costs are borne by the City.

-Idaho Power and City sharing costs.

Dan Olmstead stated Idaho Power has not contributed to a special project that is a part of road widening project or a power line move project.

-The illumination will be from Filer to Pole Line Road.

-Poles are nominally the same costs.

**MOTION:**

Councilperson Lanting made the motion for staff to move towards the davit pole design for illumination at the Washington Street North Phase III project and if there is a significant cost difference between the davit pole and standard pole, staff will bring back to the Council for reconsideration. The motion was seconded by Councilperson Craig and voice vote showed all members present voted in favor of the motion. Approved 7 to 0.

Discussion followed on future LED lighting.

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

Council requested that the City Attorney review the Twin Falls County proposed ordinance referring to airport runways on private property and report back to the City Council.

Mayor Clow gave an update on the Town Hall Meeting on the Mayors' Initiative showing artists renderings of a memorial to the veterans and citizens who have contributed to the City.

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

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

V. **ADJOURNMENT:** 6:17 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
<i>Mayor</i>				<i>Vice Mayor</i>		



**MINUTES**  
 Meeting of the Twin Falls City Council  
 February 2, 2008  
 City Council Chambers  
 305 3<sup>rd</sup> 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: SPECIAL OLYMPICS WORLD WINTER GAMES OF IDAHO

AGENDA ITEMS		Purpose	By:
<b>I. <u>CONSENT CALENDAR:</u></b> 1. Consideration of accounts payable for January 27 – February 2, 2009. 2. Consideration of the January 26, 2009, Minutes. 3. Consideration of the Improvement Agreement renewal, engineer's estimate and assurance of construction for Canyon Trails Subdivision No. 5.		Action	Staff Report
<b>II. <u>ITEMS FOR CONSIDERATION:</u></b> 1. Consideration for the re-appointment of Patty Lee to the Golf Advisory Commission for a three year term starting March 2009. 2. Consideration for the appointment of Brian Winn to the Tree Commission for a three year term starting March 2009. 3. Consideration of Grant Offer Part 1 for FAA Airport Improvement Project 27. 4. Consideration of bid proposals for the Perrine Coulee Sewer Line Replacement Project. 5. Consideration to authorize the Mayor to sign ITD- 1983 local Public Agency's Certificate of Completion of Right-of-Way Activities for Washington Street North Project (Key No. 06558). 6. Consideration to authorize the Mayor and City Manager to execute the right-of-way agreement for Parcel Number 26 of the Washington Street North, Key No. 06558. 7. Consideration of the Final Plat of Pioneer Estates Subdivision, consisting of 13.84(+/-) acres with 44 single family residential lots on property located at the northwest corner of Filer Avenue East and Meadowview Lane North, c/o The Land Group. 8. Consideration of proposed Resolution 1809 adopting the Twin Falls Vision 2030: A Comprehensive Plan for a Sustainable Future as the City's Comprehensive Plan. 9. Consideration of proposed Ordinance 2960 amending City Code Title 10 by creating a new Chapter 18: City of Twin Falls Impact Fee Ordinance, which requires the payment of development impact fees and establishes regulations for their collection and administration. 10. Consideration of adoption of proposed Ordinance 2961: Request for a PUD Modification of the Northbridge PUD for a Zoning District Change and Zoning Map Amendment for 4.5 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) 11. Public input and/or items from the City Manager and City Council.		Action Action Action Action Action Action Action Action Action	Dennis Bowyer Dennis Bowyer Bill Carberry Jon Caton Jackie Fields Jackie Fields Mitch Humble Mitch Humble Mitch Humble Mitch Humble
<b>III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u></b>			
<b>IV. <u>PUBLIC HEARINGS:</u></b> 6:00 P.M. – None.			

V. <u>ADJOURNMENT:</u>		
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**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, Assistant City Manager Travis Rothweiler, Finance Director Gary Evans, City Engineer Jackie Fields, Community Development Director Mitch Humble, Airport Manager Bill Carberry, Parks & Recreation Director Dennis Bowyer, Deputy City Clerk/Recording Secretary 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: SPECIAL OLYMPICS WORLD WINTER GAMES OF IDAHO**

Mayor Clow read and presented the proclamation to Debbie Dane.

Debbie Dane stated that the opening ceremony will be held on February 3, 2009, at 3:30 p.m. at the College of Southern Idaho Fine Arts Auditorium.

### **AGENDA ITEMS**

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

1. Consideration of accounts payable for January 27 – February 2, 2009, total: \$206,250.58.
2. Consideration of the January 26, 2009, Minutes.
3. Consideration of the Improvement Agreement renewal, engineer's estimate and assurance of construction for Canyon Trails Subdivision No. 5.

#### **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. Approved 6 to 0.

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

1. Consideration for the re-appointment of Patty Lee to the Golf Advisory Commission for a three year term starting March 2009.

Parks & Recreation Director reviewed the request.

The Golf Advisory Commission recommends that the City Council approve the re-appointment of Patty Lee to the Golf Advisory Commission for her second three year term.

#### **MOTION:**

Councilperson Lanting made the motion to approve the re-appointment of Patty Lee to the Golf Advisory Commission. Term beginning March 2009 and ending February 2012. The motion was seconded by Vice Mayor Johnson and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

Parks & Recreation Director Bowyer stated that there are two openings in the Golf Advisory Commission.

2. Consideration for the appointment of Brian Winn to the Tree Commission for a three year term starting March 2009.

Parks & Recreation Director reviewed the request.

The Tree Commission recommends that the City Council approve the appointment of Brian Winn to the Tree Commission for his full three year term.

#### **MOTION:**

MINUTES

February 2, 2009

Page 4 of 8

Councilperson Lanting made the motion to appoint Brian Winn to the Tree Commission. Term beginning March 2009 and ending February 2012. The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

Parks & Recreation Director Bowyer stated that there are two openings on the Tree Commission.

Mayor Clow introduced Boy Scouts Troop 59.

3. Consideration of Grant Offer Part 1 for FAA Airport Improvement Project 27.

Airport Manager Carberry reviewed the request.

Staff recommends acceptance of the Part 1 FAA Grant offer for AIP 237 in the amount of \$1,065,440.00.

Discussion followed.

-Funding of the project.

City Manager Courtney stated that the money is on a reimbursement basis.

-Broom and plow bidding.

-Time frame of project.

-City Manager Courtney stated that the bids for the broom and plow will need Council approval.

**MOTION:**

Vice Mayor Johnson made the motion to accept Part 1 FAA Grant offer for AIP 27 in the amount of \$1,065,440, as presented. The Motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

Discussion followed:

-Asphalt runways asphalt and not seal coated.

4. Consideration of bid proposals for the Perrine Coulee Sewer Line Replacement Project.

City Engineer Fields reviewed the request.

Six bids were submitted and publicly opened and read at 10:00 a.m., January 20, 2009. The engineer's estimate was \$292,985 and the low bids were \$257,237.79 submitted by H2 Excavation, Inc. of Nampa, Idaho.

Staff recommends that the project be awarded to H2 Excavation in the amount of \$257,237.79.

**MOTION:**

Councilperson Hall made the motion to award the Perrine Coulee Sewer Line Replacement Project to H2 Excavation, Inc., in the amount of \$257,237.79. The motion was seconded by Vice Mayor Johnson and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

5. Consideration to authorize the Mayor to sign ITD- 1983 local Public Agency's Certificate of Completion of Right-of-Way Activities for Washington Street North Project (Key No. 06558).

City Engineer Fields reviewed the request.

All parcels have been acquired in accordance with state and federal regulations regarding the Uniform Relocation Assistance and Real Property Acquisition Act of 1970.

MINUTES

February 2, 2009

Page 5 of 8

Staff recommends that the City Council authorize the Mayor to sign ITD-1983 local Public Agency's Certificate of Completion of Right-of-Way Activities for Washington Street North project (Key No. 06558).

Discussion followed.

**MOTION:**

Vice Mayor Johnson made the motion to authorize the Mayor to sign ITD-1983 local Public Agency's Certificate of Completion of Right-of-Way Activities for Washington Street North project (Key No. 06558). The motion was seconded by Councilperson Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

6. Consideration to authorize the Mayor and City Manager to execute the right-of-way agreement for Parcel Number 26 of the Washington Street North, Key No. 06558.

City Engineer Fields reviewed the request.

Staff recommends that the City Council authorize the Mayor and City Manager to execute the right-of-way agreement for Parcel 26 of the Washington Street North project (Key No. 06558). Executive of the right-of-way agreement and construction easement will authorize payment to David Patterson Sr., and Lola Patterson in the amount of \$15,263.

**MOTION:**

Vice Mayor Johnson made the motion to authorize the Mayor and City Manager to execute the right-of-way agreement for Parcel Number 26 of the Washington Street North Project (Key No. 06558), authorizing payment to David Patterson Sr., and Lola Patterson in the amount of \$15,263. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

7. Consideration of the Final Plat of Pioneer Estates Subdivision, consisting of 13.84(+/-) acres with 44 single family residential lots on property located at the northwest corner of Filer Avenue East and Meadowview Lane North, c/o The Land Group.

Community Development Director Humble reviewed the request.

On June 10, 2008, the Planning & Zoning Commission granted approval of the Pioneer Estates preliminary plat as presented subject to the following conditions:

1. Subject of 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 Department of Parks & Recreation approval of the landscaping plans and open fencing required for lots located adjacent to the proposed walking paths.
4. Subject to compliance with minimum lot sizes as per City Code 10-4-3.3(B).

Staff concurs with the Planning & Zoning Commission recommendations.

Mayor Clow abstained from further discussion and decision due to a conflict of interest.

Discussion followed:

-In lieu contributions.

**MOTION:**

Councilperson Heider made the motion to approve the Final Plat of Pioneer Estates Subdivision, consisting of 13.84(+/-) acres with 44 single families residential lots on property located at the northwest corner of Filer Avenue East and Meadowview Lane North, c/o The Land Group 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.

MINUTES

February 2, 2009

Page 6 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.
3. Subject to Department of Parks and Recreation approval of the landscaping plans and open fencing required for lots located adjacent to the proposed walking paths.
4. Subject to compliance with minimum lot sizes as per City Code 10-4-3.3(B).

The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. Approved 5 to 0. Mayor Clow abstained from voting.

8. Consideration of proposed Resolution 1809 adopting the Twin Falls Vision 2030: A Comprehensive Plan for a Sustainable Future as the City's Comprehensive Plan.

Community Development Director Humble reviewed the request.

On January 5, 2009, meeting, the City Council approved the proposed Comprehensive plan update with 6 conditions. The conditions have all been made to the documents. The resolution recommended for approval as presented.

Staff recommends approval of the attached resolution as presented.

**MOTION:**

Vice Mayor Johnson made the motion to adopt Resolution 1809, entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, ADOPTING "TWIN FALLS VISION 2030 – A COMPREHENSIVE PLAN FOR A SUSTAINABLE FUTURE", INCLUDING THE FUTURE LAND USE MAP CONTAINED THEREIN, AS THE COMPREHENSIVE PLAN AND LAND USE MAP FOR THE CITY OF TWIN FALLS AND ITS AREA OF CITY IMPACT.

The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

9. Consideration of proposed Ordinance 2960 amending City Code Title 10 by creating a new Chapter 18: City of Twin Falls Impact Fee Ordinance, which requires the payment of development impact fees and establishes regulations for their collection and administration.

Community Development Director Humble reviewed the request.

Adoption of the ordinance as presented will implement the collection of development impact fees, effective August 1, 2009, in the following amounts:

August 1, 2009, in the following amounts:

- Single family per dwelling unit - \$1,606
- Multifamily per dwelling unit - \$1,513
- Retail per square foot - \$1.68
- Office per square foot - \$0.78
- Industrial per square foot - \$0.67
- Institutional per square foot - \$0.46

The fees may only be spent on specific projects that are included within the Development Impact Fee Capital Improvement Plans as adopted with the City's comprehensive plan. Adoption of the ordinance also obligates the City to financially participate in the capital improvement plan projects. The City's obligated amount totals \$500,800 over the next ten years.

Adoption of the ordinance will require builders to pay the impact fees before a building permit is issued for all new construction.

Staff recommends adoption of the attached ordinance as presented.

MINUTES

February 2, 2009

Page 7 of 8

Discussion followed:

-Mayor Clow stated that the effective date says anybody that builds a single family resident/commercial property after this date will pay an impact fee. In regards to an inventory lots previously purchase he asked if there any way to specify the date of the acquisition of a lot.

-City Attorney Wonderlich stated that he spoke with Finance Director and clarified that the impact fees are based on a formula, based on the value of the existing facilities at the existing level of service; it is based on structures and tied into new building fees. The effective date and collection of fees begins on August 1, 2009.

**MOTION:**

Councilperson Hall made the motion to suspend the rules and place Ordinance #2960, entitled:

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF TWIN FALLS, COUNTY OF TWIN FALLS, STATE OF IDAHO, BY ADOPTING A NEW TITLE 10, CHAPTER 18, TWIN FALLS CITY CODE, TO BE KNOWN AS THE CITY OF TWIN FALLS IMPACT FEE ORDINANCE; TO PROVIDE FOR THE IMPOSITION, COMPUTATION AND PAYMENT OF A POLICE IMPACT FEE, A FIRE IMPACT FEE, A PARKS & RECREATION IMPACT FEE, AND A STREET IMPACT FEE ON FUTURE DEVELOPMENT; PROVIDING AUTHORITY, INTENT AND DEFINITIONS; PROVIDING FOR THE ESTABLISHMENT OF SEPARATE IMPACT FEE FUNDS FOR EACH OF SUCH IMPACT FEES; PROVIDING FOR EXEMPTIONS, REFUNDS, CREDITS AND WAIVERS RESPECTING SUCH IMPACT FEES; PROVIDING GENERAL PROVISIONS, APPLICABILITY AND APPEALS; AND PROVIDING FOR CONFLICT, SEVERABILITY AND AN EFFECTIVE DATE.

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 n favor of the motion. Approved 6 to 0.

Deputy City Clerk read the title to Ordinance #2960.

Discussion followed.

-Mayor Clow stated that any waiver of a fee by the City on a specific lot would be absorbed by the general fund of the City and fall on the burden of the other lots.

**MOTION:**

Vice Mayor Johnson made the motion to adopt Ordinance #2960 as presented. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

10. Consideration of adoption of proposed Ordinance 2961: Request for a PUD Modification of the Northbridge PUD for a Zoning District Change and Zoning Map Amendment for 4.5 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)

Community Development Director Humble reviewed the request.

In 2008 the applicants submitted a request to rezone the remaining 1.5 acre parcel from R-4 PRO to C-1 and on July 14, 2008 the City Council unanimously approved the request as presented 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 omitting any reference to the R-4 PRO portion of the development within the Northbridge PUD Agreement.

The Council's adoption of the ordinance will allow for commercial development consistent with the Northbridge PUD Agreement. Staff recommends that the Council adopt the attached ordinance as submitted.

MINUTES

February 2, 2009

Page 8 of 8

**MOTION:**

Councilperson Lanting made the motion to suspend the rules and place Ordinance #2961, 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. Approved 6 to 0.

Deputy City Clerk Leila Sanchez read the Ordinance #2961.

**MOTION:**

Councilperson Hall made the motion to adopt Ordinance #2961 as presented. The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

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

Council directed staff to investigate the U haul trailers parked at the Sto-n-Go storage units located on the corner of Pole Line Road and Washington Street North and the fence at the new mini storage units adjacent to the Twin Falls Municipal Golf Course.

Councilperson Lanting stated that the Magic Valley Arts Council fundraiser will be held on March 7, 2009, by La Masquerade presenting New York New York.

Councilperson Hall discussed the article in the February 2, 2009, Times News, entitled: "Idaho lab develops arsenic removal technique."

Council directed staff to review the article.

Councilperson Hall referred to a letter by Ryan Horsley requesting the current shooting at Woody's.

Councilperson Heider stated that he attended the AIC meeting, and gave an update on the Beer and Wine Tax and local option tax.

Mayor Clow reported on the Torch Run to be held at the College of Southern Idaho to be held on February 3, 2009.

Mayor Clow stated that the Chamber of Commerce banquet will be held on February 7, 2009, at the Canyon Crest Restaurant.

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

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

**V. ADJOURNMENT: 6:12 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  
February 9, 2009  
City Council Chambers  
305 3<sup>rd</sup> 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:
<b>I. CONSENT CALENDAR:</b> 1. Consideration of accounts payable for February 3 – 9, 2009. 2. Consideration of the February 2, 2009, Minutes. 3. Consideration of a Multi-Year Improvement Deferral Agreement for Patrick N. & Terri Federico for property located at 1974 Eldridge Avenue. 4. Consideration of an easement for Idaho Power for the construction of a pressurized irrigation station at 1397 Pheasant Drive in a tract of land dedicated to the City generally located between the Magic Valley Ranch Subdivision and Pheasant Meadows Subdivision. 5. Consideration of a Curb-Gutter, Sidewalk, and Street & Driveway Improvement Deferral Agreement for Patrick Hughes for property located at 875 Harmony Road. 6. Consideration of two public utility easements from Westpark Partners, and GRH Glenwood LLC and C & J Idaho LLC	Action	Staff Report
<b>II. ITEMS FOR CONSIDERATION:</b> 1. Consideration of adoption of the following ordinance: Request for Vacation of 2500 sq. ft. of public right-of-way located on the 100-200 blocks of Ash Street South and 1000 sq. ft. of the alley located on the west side of the real property located on the 100 -200 blocks of Ash Street South, c/o Idaho Power Company. (app. 2286) Ordinance # 2962 2. Review of final data for first quarter of FY 2008-2009 Final Chart can be found on the City website: <a href="http://www.tfid.org/">http://www.tfid.org/</a> 3. Consideration for funding for the rehabilitation project on Cowboy Field at Harmon Park from the Magic Valley Baseball Trust. 4. Public input and/or items from the City Manager and City Council.	Action  Review  Action	Mitch Humble  Gary Evans Mitch Humble
<b>III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</b>		
<b>IV. PUBLIC HEARINGS: 6:00 P.M. –</b> 1. Request for a Zoning District Change and Zoning Map Amendment from R-2 to R-4 PUD for 8.6 (+/-) acres currently zoned R-2 for the development of a single family residential project on property located west of the 1300 and 1400 blocks of Field Stream Way, c/o W S & V, LLC /Doug Vollmer. (App. #2285)	Action	Mitch Humble
<b>V. ADJOURNMENT:</b>		

*\*Any person(s) needing special accommodations to participate in the above noticed meeting should contact Leila Sanchez at (208) 735-7287 at least two working days before the meeting.*

**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, Finance Director Gary Evans, City Engineer Jackie Fields, Community Development Director Mitch Humble, Parks & Recreation Director Dennis Bowyer, Deputy City Clerk/Recording Secretary 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 February 3 – 9, 2009, \$583,595.51.
2. Consideration of the February 2, 2009, Minutes.
3. Consideration of a Multi-Year Improvement Deferral Agreement for Patrick N. & Terri Federico for property located at 1974 Eldridge Avenue.
4. Consideration of an easement for Idaho Power for the construction of a pressurized irrigation station at 1397 Pheasant Drive in a tract of land dedicated to the City generally located between the Magic Valley Ranch Subdivision and Pheasant Meadows Subdivision.
5. Consideration of a Curb-Gutter, Sidewalk, and Street & Driveway Improvement Deferral Agreement for Patrick Hughes for property located at 875 Harmony Road.
6. Consideration of two public utility easements from Westpark Partners, and GRH Glenwood LLC and C & J Idaho LLC .

#### **MOTION:**

Councilperson Hall made a motion to approve the Consent Calendar with the exception of the February 2, 2009, Minutes. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

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

1. Consideration of adoption of the following ordinance: Request for Vacation of 2500 sq. ft. of public right-of-way located on the 100-200 blocks of Ash Street South and 1000 sq. ft. of the alley located on the west side of the real property located on the 100 -200 blocks of Ash Street South, c/o Idaho Power Company. (app. 2286) Ordinance # 2962

Community Development Director Humble reviewed the request.

On January 12, 2009, the City Council approved the request for vacation as presented with the following conditions:

1. Subject to site plan amendments as required by the Building, Engineering, Fire, and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to meeting the conditions of utility companies for the abandonment, including granting a utility easement.
3. Subject to the Fire Department's approval of the access plan for the site.

Staff recommends that the Council adopt the ordinance as submitted.

Mayor Clow asked the City Attorney the procedure of Council members reviewing the site prior to the meeting.

City Attorney Wonderlich reviewed the procedures and strongly suggested a video camera should be used rather than onsite review to the property.

#### **MOTION:**

Vice Mayor Johnson made the motion to suspend the rules and place Ordinance #2962, 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 Hall.

**5:12 p.m. Councilperson Heider abstained from discussion and voting on the presented Agenda Item.**

Roll call vote showed that all members present voted in favor of the motion. Approved 6 to 0.

Deputy City Clerk Sanchez read the title to Ordinance #2962.

**MOTION:**

Vice Mayor Johnson made the motion to adopt Ordinance #2962 as presented. The motion was seconded by Councilperson Kezele. Roll call vote showed Mayor Clow, Councilpersons Craig, Hall and Vice Mayor Johnson voted in favor of the motion. Councilpersons Kezele and Lanting voted against the motion. Approved 4 to 2.

2. Review of final data for first quarter of FY 2008-2009 Final Chart can be found on the City website: <http://www.tfid.org/>

Finance Director Evans reviewed the FY 2008 – 2009 Final Chart by accessing the City website. He reviewed the City of Twin Falls, Idaho Monthly Financial and Economic Dashboard for the Reporting Period: October 2008 – December 2008.

3. Consideration for funding for the rehabilitation project on Cowboy Field at Harmon Park from the Magic Valley Baseball Trust.

Revis Turner, Chairman of the Twin Falls Youth Baseball Trust, explained the request. The trust is a non-profit 501 C 3 Corporation consisting of all volunteers and provides direction for improvements and/or renewal of baseball/softball facilities for the youths in the Magic Valley. The trust has been incorporated for a little over six years and the reason it was established was to assist with the Babe Ruth and Cal Ripkin groups.

Bill Merritt, Vice Chairman of the Parks & Recreation Commission, President of the Twin Falls County Youth Baseball and a member of the Twin Falls Youth Baseball Trust, explained the proposed plan. The plan includes replacing the existing concession stand and score booth, installing a press box, replacing the asphalt area that surrounds the fields with concrete and paver bricks, adding a decorative fence to enclose the area, planting trees, installing picnic tables, installing a small playground set, and other items. The decorative fencing is being proposed to control access to the bleachers so that the Trust and other private parties/leagues will be able to charge entrance fees for games.

Discussion followed:

-Contractors and volunteers would work on the project.

Brent Jussel, member of the Parks & Recreation Commission, Chairman of the sub-committee chartered by the Parks & Recreation Commission, Trustee of the Twin Falls Youth Baseball Trust, reviewed the Cowboy Fields Project Budget. He also stated his concern of children playing out in the perimeter of the parking area.

Community Development Director Humble reviewed the request.

On January 13, 2009, the Parks & Recreation Commission recommended that the City Council approve this project and re-allocate the funds from the Morning Sun Park restroom to the Cowboy Field improvement project to match other funds for the project, up to \$70,000.

The City's senior staff recommends that this project not be approved at this time, rather that the project be submitted as part of the 2009-10 fiscal year budget request so that a determination can be made on this project's priority as it relates to all other City capital funding requests.

Discussion followed:

MINUTES

February 9, 2009

Page 5 of 7

-Mayor Clow stated his concern of viewing the Morning Sun restroom as a lower priority than the proposed rehabilitation project on Cowboy Field at Harmon Park.

-Tournaments and activities held at the park.

-Bill Merritt explained the number of tournaments and other related activities held at Cowboy Field throughout the year.

-St. Luke's Health Improvement Trust grant awarded \$5,000 to be applied towards the purchase of playground equipment. The City would only be obligated to the St. Luke's Trust to provide installation of the equipment.

-Parks & Recreation Director Bowyer stated that the playground equipment would cost approximately \$15,000 and City staff would install the equipment. He recommended that fencing be placed around the playground equipment for safety reasons.

-Designated grant money for St. Luke's Health Improvement Trust.

Brent Jussel stated that if the proposed plan is not approved and if the \$5,000 grant money is not utilized at this time, it should be returned to St. Luke's Hospital. He stated that grants are applied for every six months.

Revis Turner stated his recollection of the First Federal grant is that it has no time limit for capital improvements.

Discussion followed on the Parks & Recreation recommendation of reallocating the funds for the Morning Sun Park restroom to the Cowboy Field improvement project.

City Manager Courtney stated that because of the decline of the economy, the City is conservative on spending. The Morning Sun restrooms along with other projects are currently placed on hold. The \$70,000 for the restroom is in this year's current budget.

-Bidding the project and volunteer contributions.

-Possibly phasing the project.

Discussion followed on the funding process of the skate park.

Vice Mayor Johnson suggested that the item be tabled until the Parks & Recreation Commission could revisit the capital projects on hold before transferring \$70,000 from another project.

Councilperson Heider suggested requesting contributions from the community and phasing the proposed project.

City Manager Courtney stated that the project can be included in next year's budget and the City can work with the Baseball Trust and the Commission and discuss phasing the project, where some work can be done this year so as not lose grants and other funding opportunities. The project would be looked into during future fiscal years.

No action was taken.

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

Councilperson Lanting suggested that the Golf Advisory Board meeting be held at the Golf Course rather than the Twin Falls City Council Chambers as scheduled.

City Manager Courtney stated that one of the objectives in the Strategic Plan is to open government and make it accessible to the community. Holding board and commission meetings in the Council Chambers is one way of accomplishing this objective.

Break at 6:46 p.m.

Reconvened at 6:52

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS: None.

IV. PUBLIC HEARINGS: 6:00 P.M. –

1. Request for a Zoning District Change and Zoning Map Amendment from R-2 to R-4 PUD for 8.6 (+/-) acres currently zoned R-2 for the development of a single family residential project on property located west of the 1300 and 1400 blocks of Field Stream Way, c/o W S & V, LLC /Doug Vollmer. (App. #2285)

Doug Vollmer turned the presentation over to City staff.

Community Development Director Humble reviewed the request.

Staff supports this request. It is the kind of alternative housing development anticipated and recommended in the new Comprehensive Plan. It is a new type of "Cottage Home" development not yet seen in Twin Falls, but one that has been successful in other parts of the country.

On January 13, 2009, the Planning & Zoning Commission unanimously recommended approval 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 and recorded prior to any building permits being issued.
3. Subject to final approval of the PUD Agreement.
4. Subject to compliance with the following recommendations of the Fire Marshall:
  - a. Addresses need to be posted in the alleys.
  - b. Access roads (alleys) with hydrants shall be a minimum of 26 feet total width. (IFC, D103.1)
  - c. No on-street parking in alleys and alley marked with approved "no parking" signs.
  - d. Rear, unobstructed access into the dwellings is maintained (not through the garage or through fences or gates), **(staff's recommendation), or as approved by the Fire Marshall.**
  - e. No overhead utilities in the alley (power lines, phone lines, etc.).
  - f. Hydrants are installed on the ends of each alley.
5. Listed in the Draft "The Cottages" – R4 Planned Unit Development Agreement Summary, attachment 12, it describes the type of signage allowed for this project. It should be amended to read the signage shall be in compliance with the new sign code, Title 10; Chapter 9.

Discussion followed:

-Enforcement of no parking in alley ways.

City Attorney Wonderlich stated that this is a non-issue because the alleys are private.

Doug Vollmer stated that the homes will be deeded, and will have a common area, valley gutters will be placed in the alley, and access to the collector streets is to the east of the project. The open areas would be the responsibility of the Homeowner's Association to maintain as well as the common areas. The cost of the homes would range from \$160,000 to \$200,000.

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

Mayor Clow stated his concerns of a dense project and parking requirements.

Discussion followed on parking.

The public hearing was closed.

**MOTION:**

Vice Mayor Johnson made the motion to Request for a Zoning District Change and Zoning Map Amendment from R-2 to R-4 PUD for 8.6 (+/-) acres currently zoned R-2 for the development of a single family residential project on property located west of the 1300 and 1400 blocks of Field Stream Way, c/o W S & V, LLC /Doug Vollmer. (App. #2285) 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 and recorded prior to any building permits being issued.
3. Subject to final approval of the PUD Agreement.
4. Subject to compliance with the following recommendations of the Fire Marshall:
  - a. Addresses need to be posted in the alleys.
  - b. Access roads (alleys) with hydrants shall be a minimum of 26 feet total width. (IFC, D103.1)
  - c. No on-street parking in alleys and alley marked with approved "no parking" signs.
  - d. Rear, unobstructed access into the dwellings is maintained (not through the garage or through fences or gates), **or as approved by the Fire Marshall.**
  - e. No overhead utilities in the alley (power lines, phone lines, etc.).
  - f. Hydrants are installed on the ends of each *alley*.
5. *Listed in the Draft "The Cottages" – R4 Planned Unit Development Agreement Summary, attachment 12, it describes the type of signage allowed for this project. It should be amended to read the signage shall be in compliance with the new sign code, Title 10; Chapter 9.*

The motion was seconded by Councilperson Hall.

**AMENDMENT TO THE MAIN MOTION:**

Vice Mayor Johnson made an amendment to the main motion to add the following condition 6. A Homeowner's Association agreement be in place that addresses at least the subdivision's lawn care, snow removal and parking.

The motion was seconded by Councilperson Hall. Roll call vote showed Mayor Clow, Councilperson Hall, Heider, Vice Mayor Johnson, Councilperson Kezele and Lanting voted in favor of the motion. Councilperson Craig voted against the motion. Approved 6 to 1.

**ROLL CALL VOTE ON THE MAIN MOTION:** Councilperson Craig, Hall, Heider, Vice Mayor Johnson, Councilperson Kezele and Lanting voted in favor of the motion. Mayor Clow voted against the motion. Approved 6 to 1.

- V. **ADJOURNMENT:** The meeting adjourned at 7:53 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
<i>Mayor</i>				<i>Vice Mayor</i>		



**MINUTES**  
 Meeting of the Twin Falls City Council  
 February 17, 2009, Tuesday  
 City Council Chambers  
 305 3<sup>rd</sup> 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:
<p><b>I. <u>CONSENT CALENDAR:</u></b></p> <ol style="list-style-type: none"> <li>1. Consideration of accounts payable for February 10 – 17, 2009, \$631,615.62.</li> <li>2. Consideration of the February 2, 2009, and February 9, 2009, Minutes.</li> <li>3. Consideration to accept :                         <ol style="list-style-type: none"> <li>a. Tract of land, Tract A, in Block 2 of Northern Sky Subdivision from Snake River Harley - Davidson, Inc., an Idaho Corporation.</li> <li>b. Tract of land, Tract B, in Block 4 of Northern Sky Subdivision from Snake River Harley-Davidson, Inc., an Idaho Corporation.</li> <li>c. Tract of land, Tract C, in Block 5 of Northern Sky Subdivision from Snake River Harley-Davidson, an Idaho Corporation.</li> </ol> </li> <li>4. Consideration to accept the following:                         <ol style="list-style-type: none"> <li>a. Perpetual public utility easement from Tjanddae, LLP.</li> <li>b. Perpetual public utility easement from Kevin P. Coon.</li> <li>c. Piece of property from the Bergen Adams Property, LLC.</li> <li>d. Piece of property from Ferguson Enterprises, Inc.</li> <li>e. Piece of property from Memet and Shawna Ajeti.</li> <li>f. Piece of property from the Twin Falls School District.</li> <li>g. Piece of property from Paul and Carol Ransom.</li> </ol> </li> </ol>	Action	Staff Report
<p><b>II. <u>ITEMS FOR CONSIDERATION:</u></b></p> <ol style="list-style-type: none"> <li>1. Consideration to re-appoint members of the Twin Falls Planning &amp; Zoning Commission.</li> <li>2. Presentation of plaque to recognize the service of Mike McMasters serving on the Golf Advisory Commission.</li> <li>3. Presentation of a plaque to recognize Mike Redman for serving on the Golf Advisory Commission.</li> <li>4. Presentation on <i>Tobacco &amp; Alcohol First Time Citations Narrative Summary of the Survey</i> by Nancy L. Kunau, Juvenile Tobacco/Alcohol Case Coordinator, Fifth Judicial District.</li> <li>5. Consideration to extend the time to have amplified music or sound out of the City Park Band Shell.</li> <li>6. Consideration of adoption of the following ordinance: 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) <b>Proposed Ordinance 2963.</b></li> <li>7. Consideration of a Conveyance Plat of the TBS Subdivision consisting of 2 lots on 23 (+/-) acres on property located northeast of the intersection of Harrison Street North and Canyon Falls Drive, c/o Bert J. Nowak/J-U-B Engineers, Inc.</li> <li>8. Consideration to authorize the Mayor and City Manager to execute the right-of-way agreement for parcel Numbers 63.1 and 63.3 of the Washington Street North Phase III, Key No. 08469.</li> <li>9. Public input and/or items from the City Manager and City Council.</li> </ol>	<p>Action</p> <p>Presentation</p> <p>Presentation</p> <p>Presentation</p> <p>Action</p> <p>Action</p> <p>Action</p> <p>Action</p>	<p>Mitch Humble</p> <p>Dennis J. Bowyer</p> <p>Dennis J. Bowyer</p> <p>Nancy Kunau/ Bryan Krear Stacy McClintock</p> <p>Mitch Humble</p> <p>Mitch Humble</p> <p>Jackie Fields</p>

MINUTES

February 17, 2009, Tuesday

Page 2 of 8

III. <b>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</b>		
IV. <b>PUBLIC HEARINGS:</b> 6:00 P.M. – 1. Request for the Vacation of a public right-of-way for 7,150 sq. ft. of property adjacent to 1087 and 1088 Cobble Creek Road, c/o Brad Wills and EHM Engineers. (app.2288)	Action	Mitch Humble
V. <b>ADJOURNMENT:</b>		

*\*Any person(s) needing special accommodations to participate in the above noticed meeting should contact Leila Sanchez at (208) 735-7287 at least two working days before the meeting.*

MINUTES

February 17, 2009, Tuesday

Page 3 of 8

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

**COUNCIL ABSENT:** Lance W. Clow

**CITY STAFF PRESENT:** City Manager Tom Courtney, City Engineer Jackie Fields, Community Development Director Mitch Humble, Parks & Recreation Director Dennis Bowyer, Recreation Supervisor Stacy McClintock. Deputy City Clerk/Recording Secretary Leila Sanchez.

Vice 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. Vice Mayor Johnson introduced City staff.

***Addition to the Items for Consideration:***

***Consideration of the Conveyance Plat of the W, S & V Subdivision consisting of 2 lots on 30 (+/-) acres on property located west of Field Stream Way and north of the 1200 and 1300 blocks of North College Road West, extended, c/o Tim Vawser/EHM Engineers, Inc.***

**AGENDA ITEMS**

**I. CONSENT CALENDAR:**

1. Consideration of accounts payable for February 10 – 17, 2009, \$332,735.81.
2. Consideration of the February 2, 2009, and February 9, 2009, Minutes.
3. Consideration to accept :
  - a. Tract of land, Tract A, in Block 2 of Northern Sky Subdivision from Snake River Harley -Davidson, Inc., an Idaho Corporation.
  - b. Tract of land, Tract B, in Block 4 of Northern Sky Subdivision from Snake River Harley-Davidson, Inc., an Idaho Corporation.
  - c. Tract of land, Tract C, in Block 5 of Northern Sky Subdivision from Snake River Harley-Davidson, an Idaho Corporation.
4. Consideration to accept the following:
  - a. Perpetual public utility easement from Tjanddae, LLP.
  - b. Perpetual public utility easement from Kevin P. Coon.
  - c. Piece of property from the Bergen Adams Property, LLC.
  - d. Piece of property from Ferguson Enterprises, Inc.
  - e. Piece of property from Memet and Shawna Ajeti.
  - f. Piece of property from the Twin Falls School District.
  - g. Piece of property from Paul and Carol Ransom.

**MOTION:**

Councilperson Lanting 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. Approved 6 to 0.

**II. ITEMS FOR CONSIDERATION:**

1. Consideration to re-appoint members of the Twin Falls Planning & Zoning Commission.

Community Development Director Humble reviewed the request.

Selection committees, consisting of Community Development Director Humble, Mayor Clow, Councilpersons Heider and Kezele, Planning & Zoning Chairman Carl Younkin-recommend approval of the re-appointments of Kevin Cope and Jim Schoulten, and recommend approval to the Twin Falls County Commission to re-appoint Erick Mikesell.

**MOTION:**

MINUTES

February 17, 2009, Tuesday

Page 4 of 8

Councilperson Hall made the motion to reappoint Kevin Cope and Jim Schouten to the Planning & Zoning Commission to serve three year terms and to recommend to the Twin Falls County Commissioners the re-appointment of Erick Mikesell to a three year term. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

2. Presentation of a plaque to recognize the service of Mike McMasters serving on the Golf Advisory Commission.
3. Presentation of a plaque to recognize Mike Redman for serving on the Golf Advisory Commission.

Presentation of plaques by Parks & Recreation Director Bowyer and Councilperson Lanting to Mike McMasters and Mike Redman thanking them for their six years of service to the Commission and to the City of Twin Falls.

Mike McMasters was present to accept his plaque.

4. Presentation on *Tobacco & Alcohol First Time Citations Narrative Summary of the Survey* by Nancy L. Kunau, Juvenile Tobacco/Alcohol Case Coordinator, Fifth Judicial District.

Presentation by Nancy L. Kunau. She discussed the following:

\*Redirecting 1<sup>st</sup> Time Tobacco/1<sup>st</sup> Time Alcohol Citations

-Short-Term Goals

-Advantages

-Long-Term Goals

\*Tobacco & Alcohol First Time Citations Narrative Summary of the Survey

\*Tobacco/Alcohol First Time Citation Survey

Idaho Juvenile Justice recognizes the need to have a balanced approach.

Meetings will be held at Snake River Youth Center Conference Room on Friday, February 20, 2009, at 9:30 a.m. – 11:00 a.m.; 11:30 a.m. – 1:15 p.m. lunch provided; 1:15 p.m.– 2:45 p.m. and on Wednesday, February the 25, at the Walker Center at 9:30 a.m. – 11:00 a.m.; 11:30 a.m.– 1:15 p.m. lunch provided; 1:15 p.m.– 2:45 p.m.

5. Consideration to extend the time to have amplified music or sound out of the City Park Band Shell.

Recreation Supervisor Stacy McClintock reviewed the request.

The Parks & Recreation Department has been awarded a grant from the First Federal Foundation to purchase equipment needed for the new "Movies in the Park" series at the City Park Band Shell. The movies will be shown on June 26, July 31, and August 28, 2009. Under current City regulations at City Park, music and/or amplified sound out of the band shell must be off at 9:30 p.m., Monday through Friday. This request is to extend the shut off time until after the movies are over.

The Police Department has approved the "Special Events Permit" required for the event.

Staff recommends approval.

-Licensing has been granted to show the movies for approximately 100 persons.

**MOTION:**

Councilperson Craig made the motion to extend the time to have amplified music or sound out of the City Park Band Shell for the new "Movies in the Park" series to be held on June 26, July 31, and August 28, 2009. The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

6. Consideration of adoption of the following ordinance: 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) **Proposed Ordinance 2963.**

MINUTES

February 17, 2009, Tuesday

Page 5 of 8

Community Development Director Humble reviewed the request.

On February 25, 2008, the City Council approved this requested 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.

On February 2, 2009, City staff received a recorded Declaration of Deed Restriction which allowed staff to proceed with the preparation of the ordinance. Staff recommends that the Council adopt the attached ordinance as submitted.

**MOTION:**

Councilperson Lanting made the motion to suspend the rules and place Ordinance #2963, 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 Heider and roll call vote showed that all members present voted in favor of the motion. Approved 6 to 0.

Deputy City Clerk Sanchez read the title to Ordinance #2963.

**MOTION:**

Councilperson Hall made the motion to adopt ordinance #2963 as presented. The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

7. Consideration of a Conveyance Plat of the TBS Subdivision consisting of 2 lots on 23 (+/-) acres on property located northeast of the intersection of Harrison Street North and Canyon Falls Drive, c/o Bert J. Nowak/J-U-B Engineers, Inc.

Community Development Director Humble reviewed the request.

Staff recommends approval of the conveyance plat of TBS 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 rights-of-way, as shown on the plat, being dedicated with the recordation.

Discussion followed.

-Canyon Rim overlay setback.

**MOTION:**

Councilperson Craig made the motion to approve the Conveyance Plat of the TBS Subdivision consisting of 2 lots on 23 (+/-) acres on property located northeast of the intersection of Harrison Street North and Canyon Falls Drive, c/o Bert J. Nowak/J-U-B Engineers, Inc., to the Twin Falls County Commissioners 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.

MINUTES

February 17, 2009, Tuesday

Page 6 of 8

2. Subject to easements and rights-of-way, as shown on the plat, being dedicated with the recordation.

The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

8. Consideration to authorize the Mayor and City Manager to execute the right-of-way agreement for parcel Numbers 63.1 and 63.3 of the Washington Street North Phase III, Key No. 08469.

City Engineer Fields reviewed the request.

**MOTION:**

Councilperson Lanting made the motion to approve the right-of-way agreement for Parcel Numbers 63.1 and 63.3 of the Washington Street North Phase III, Key No. 08469, Grantor, First Federal Savings Bank of Twin Falls for the total consideration amount of \$5,000.00. The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

***Additional Items for Consideration:***

*Consideration of the Conveyance Plat of the W, S & V Subdivision consisting of 2 lots on 30 (+/-) acres on property located west of Field Stream Way and north of the 1200 and 1300 blocks of North College Road West, extended, c/o Tim Vawser/EHM Engineers, Inc.*

Community Development Director Humble reviewed the request.

Staff recommends approval of the conveyance plat of W, S & V 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 with the recordation.

**MOTION:**

Councilperson Lanting made the motion to approve the Conveyance Plat of the W, S & V Subdivision consisting of 2 lots on 30 (+/-) acres on property located west of Field Stream Way and north of the 1200 and 1300 blocks of North College Road West, extended, c/o Tim Vawser/EHM Engineers, Inc., as presented, with the following recommendations:

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 with the recordation.

The motion was seconded by Councilperson Hall.

Discussion followed.

Roll call vote showed all members voted in favor of the motion. Approved 6 to 0.

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

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

Councilperson Lanting reported on the Golf Course proposals.

The February 23, 2009 Finance Committee Meeting will be rescheduled for March.

The February 23, 2009 Council Meeting has been cancelled.

The February 19, 2009 Town hall meeting has been cancelled and will be rescheduled for March.

MINUTES

February 17, 2009, Tuesday

Page 7 of 8

The public hearing procedures was explained.

IV. **PUBLIC HEARINGS:** 6:00 P.M. –

1. Request for the Vacation of a public right-of-way for 7,150 sq. ft. of property adjacent to 1087 and 1088 Cobble Creek Road, c/o Brad Wills and EHM Engineers. (app.2288)

Brad Wills, 222 Shoshone Street West, explained the request.

Community Development Director Humble reviewed the request.

On January 27, 2009, the Planning & Zoning Commission voted 4 for and 4 against the Vacation of a public right-of-way for 7,150 sq. ft. of property adjacent to 1087 and 1088 Cobble Creek Road, c/o Brad Wills and EHM Engineers (app.2288). The motion failed. The Planning & Zoning Commission does not recommend approval.

Should the City Council approve the request to vacate the requested portion of Cobble Creek Road, as presented, staff recommends 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 meeting the conditions of utility companies for the abandonment, including granting a utility easement at least seven feet (7') in width at the time that the plat is amended.

Discussion followed.

-Cobble Creek is a residential Street and Field Stream Road is a collector street.

Brad Wills stated that the plan is to place a 20' right of way for fire access and also use for the water line and utilities to go through, paved road with some type of gate.

Take the 30' remaining and add another lot. The sizes of the lots are between 9,000 and 12,000 square feet.

-Park in lieu fund.

The development predated the requirement of an in lieu fund.

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

Discussion followed.

Brad Wills stated that the vacating of the road has been discussed with two to three owners and would be to the benefit of the residents. He also discussed the development in Field Stream.

**MOTION:**

Councilperson Heider made the motion to approve the Vacation of a public right-of-way for 7,150 sq. ft. of property adjacent to 1087 and 1088 Cobble Creek Road, c/o Brad Wills and EHM Engineers. (app.2288), 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 meeting the conditions of utility companies for the abandonment, including granting a utility easement at least seven feet (7') in width at the time that the plat is amended.

The motion was seconded by Councilperson Craig.

**AMENDMENT TO THE MAIN MOTION:**

Councilperson Kezele made the motion to add the following condition:

3. Retain a 20-foot fire access lane on the property as presented by Brad Wills..

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

MINUTES

February 17, 2009, Tuesday

Page 8 of 8

Roll call vote on the main motion as amended showed all members present voted in favor of the motion. Approved 6 to 0.

V. ADJOURNMENT: 6:27 p.m.

Leila A. Sanchez  
Deputy City Clerk



CITY OF TWIN FALLS, IDAHO

**CANCELLATION NOTICE**

OF THE

TWIN FALLS COUNCIL MEETING

SCHEDULED TO BE HELD ON

Monday, February 23, 2009, 5:00 p.m.

Leila Sanchez  
Deputy City Clerk



V. <u>ADJOURNMENT:</u>		
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**COUNCIL MEMBERS PRESENT:** Lance Clow, Trip Craig, Don Hall, Lee Heider, William A. Kezele, Greg Lanting

**COUNCIL MEMBERS ABSENT:** David E. Johnson

**STAFF PRESENT:** City Manager Tom Courtney, City Attorney Fritz Wonderlich, City Engineer Jackie Fields, Parks & Recreation Director Dennis Bowyer, Staff Sergeant Dennis Pullin, Deputy City Clerk Leila Sanchez.

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

**CONFIRMATION OF QUORUM:** A quorum was present.

City Manager Courtney made the following changes to the Agenda:

**Agenda changes:**

**II. ITEMS FOR CONSIDERATION to be rescheduled:**

1. Consideration of an amendment to Twin Falls City Parking Ordinance 9-6-8.
2. Consideration of bid proposals for the 2009 Waterworks Supplies.

Added to the agenda:

- Consideration to construct 800' of 10" water line along Commercial from Canyon Street back to Blue Lakes.
- Executive Session 67-2345 (b) 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**

**I. CONSENT CALENDAR:**

1. Consideration of accounts payable for :  
February 17 – March 2, 2009, total: \$548,875.78;  
Prepaid February 19, 2009, total: \$109,585.44.
2. Consideration of the February 17, 2009, Minutes.
3. Consideration of Findings of Fact, Conclusions of Law, and Decisions:
  - a. Vacation Application, Idaho Power Company c/o Angela Wood, applicant.
4. Consideration to accept an easement from Gary Williams in reference to the Wal-Mart signal at Cheney and Washington Street North.

**MOTION:**

Councilperson Heider approved the Consent Calendar as presented. The motion was seconded by Councilperson Kezele and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

**II. ITEMS FOR CONSIDERATION:**

1. Consideration to reappoint Lori Edson as a commission member to serve a five year term to the Twin Falls Housing Authority.

Penny Earl, Executive Director, Twin Falls Housing Authority Board of Directors, explained the request.

**MOTION:**

Councilperson Lanting made the motion to approve the appointment of Lori Edson to serve as a commissioner for the Twin Falls Housing Authority to serve until February 11, 2014. The motion was seconded by Councilperson Craig and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

2. Consideration by DREAMERz Carriage Company for permission to use sections of the Canyon Rim Trail System for their business.

Teri Adams, DREAMERz Carriage Co, explained the request. The purpose of the request is to access parts of the Canyon Rim Trail and at a location by the Visitor Center. The trail would be used for specially scheduled events.

Parks & Recreation Director Bowyer reviewed the request.

The Parks & Recreation Commission does not recommend approval of the request to allow DREAMERz Carriage Company to use sections of the Canyon Rim Trail System for the horse drawn carriage business. The commission listed the following concerns:

- Carriage turnaround.
- Manure on the trail.
- Weight of the horse and carriage.
- Damage to the trail.

**5:16 p.m. Councilperson Hall abstained from discussion and voting on the Item for Consideration.**

Teri Adams stated that she has considered placing rubber shoes on the horses.

Discussion followed.

- Wheel width and axle.

City Engineer Fields stated that the trail is a 6" base and 2" of plant mix, designed as a flexible sidewalk. An analysis was not done on tire width. Engineering has a concern that this was not intended to carry the load regardless of how it's distributed. Also, an analysis was not done on how the trail will rut. The trail is a total of 10' trail width and 2' shoulders.

Teri Adams stated the width of the carriage tire is between 2" to 3" wide, carriage is 67" wide, weight is 990 lbs. It is anticipated to schedule between 20 carriage rides per year at the most.

- Liability Insurance.

City Attorney Wonderlich discussed the liability issues on the Canyon Rim trail. Discussions haven't been made with ICRMP.

**MOTION:**

Councilperson Kezele made the motion to approve DREAMERz Carriage Company to use sections of the trail system for their business, with a one year renewable approval. The motion was seconded by Councilperson Lanting.

Discussion followed on City Code and liability issues.

**MOTION:**

Councilperson Craig made the motion to table the request. The motion was seconded by Councilperson Heider. Mayor Clow, Councilpersons Craig, Heider, and Kezele voted in favor of the motion. Councilperson Lanting voted against the motion. Approved 4 to 1. Councilperson Hall abstained from voting.

Council instructed staff to contact ICRMP to discuss liability issues.

3. Consideration of the annual Saint Patrick's Day Parade and Special Events Application.

Staff Sergeant Pullin reviewed the request.

Staff recommends for approval the Special Events Application and the Parade Application submitted for the annual Saint Patrick's Day Celebration to be held on March 17, 2009, based on the information provided.

**MOTION:**

Councilperson Hall made the motion to approve the Special Events Application and the Parade application for the annual Saint Patrick's Day Celebration to be held on March 17, 2009, as presented. The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

4. Consideration to waive the green fees for the 13th annual "Fly Like an Eagle" golf tournament sponsored by the College of Southern Idaho on Saturday, May 16, 2009.

Parks & Recreation Director Bowyer reviewed the request.

The Golf Advisory Commission recommends approval to waive the green fees for CSI's 13th annual "Fly Like an Eagle" golf tournament for 2009. Staff concurs with the recommendation.

**MOTION:**

Councilperson Hall made the motion to waive the green fees for the 13th annual "Fly Like an Eagle" golf tournament sponsored by the College of Southern Idaho on Saturday, May 16, 2009, as presented. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

5. Consideration to waive the green fees for the annual Ladies Inter-City golf tournament at the Twin Falls Municipal Golf Course.

Parks & Recreation Director Bowyer reviewed the request.

The Golf Advisory Commission recommends approval to waive the green fees for the Ladies Inter-City golf tournament to be held on October 1, 2009.

**MOTION:**

Councilperson Lanting made the motion to waive the green fees for the annual Ladies Inter-City golf tournament at the Twin Falls Municipal Golf Course to be held on October 1, 2009. The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

6. Consideration to waive the green fees for the 17th annual "Scramble for Books" golf tournament sponsored by the Twin Falls Library Foundation on Saturday September 19, 2009.

Parks & Recreation Director Bowyer reviewed the request.

The Golf Advisory Commission recommends approval to waive the greens fees for the Library Foundation's 17th annual "Scramble for Books" golf tournament for 2009. Staff concurs with the recommendation.

**MOTION:**

Councilperson Craig made the motion to waive the green fees for the 17th annual "Scramble for Books" golf tournament sponsored by the Twin Falls Library Foundation on Saturday, September 19, 2009. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

Mayor Clow asked if the annual waivers could be placed as a Consent Calendar item.

City Attorney Wonderlich answered in the affirmative.

7. Consideration from the Golf Advisory Commission for an exception to the policy of all Commission meetings being held at the City Council Chambers.

Ed Prater, Vice Chairman of the Golf Advisory Commission, explained the request.

Ray Wight, member of the Golf Advisory Commission, explained the request.

Parks & Recreation Director Bowyer reviewed the request.

The Golf Advisory Commission recommends that the City Council exempt the Commission from meeting at the Council Chambers and allow the Commission to meet at the Municipal Golf Course.

Discussion followed:

-Open meeting laws.

City Manager Courtney stated that the City is trying to make government more accessible to the public including the role that advisory boards play, various issues and recommendations to the City Council. The plan is to record meetings and play the recording by Webcast or on Channel 17 on a delayed basis.

Councilperson Craig asked if the City is required by law to record sub-committees meetings.

City Attorney Wonderlich stated that sub-committees are not subject to recordation and minutes. Those entities subject to open meeting laws are created by Ordinance. Sub-committees are not created by ordinance.

-Timeline of broadcasting and televising.

City Manager Courtney stated that City staff is currently looking at options.

**MOTION:**

Councilperson Lanting made the motion to approve the Golf Advisory Commission for an exception to the policy of all Commission meetings being held at the City Council Chambers. The motion was seconded by Councilperson Hall.

Roll call vote showed Councilperson Lanting voted for the motion. Mayor Clow, Councilperson Craig, Hall, Heider, and Kezele voted against the motion. Defeated 1 to 5.

8. Consideration of an amendment to Twin Falls City Parking Ordinance 9-6-8. To be rescheduled.
9. Consideration of bid proposals for the 2009 Waterworks Supplies. To be rescheduled.
10. Consideration of a Resolution declaring the intent of the City to ratify the exchange of property with the purchase of Jesus Christ of Latter Day Saints and setting March 2, 2009, as the date of a public hearing regarding the exchange.

City Manager Courtney reviewed the request. The property exchange was completed in November and deeds have been exchanged. While the process the City followed was a public process and all details of the exchange were open to the public and all details of the exchange were open to the public, the City erred in not following the process as required by state code.

The proposed resolution declares the intent of the City to ratify the exchange agreement and sets March 23, 2009, as the date for the public hearing regarding the exchange.

City Attorney Wonderlich stated that the deeds are recorded and property exchanged. Ratification is a principle recognized in the law.

**MOTION:**

Councilperson Hall made the motion to adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, DECLARING THE INTENTION OF THE CITY TO RATIFY THE EXCHANGE OF REAL PROPERTY, AND SETTING A DATE FOR A PUBLIC HEARING. The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

The City Council will conduct a public hearing on the exchange on **Monday, March 23, 2009**, at 6:00 P.M. in the Council Chambers, 305 3<sup>rd</sup> Avenue East, Twin Falls, Idaho.

11. Consideration of the Final Plat of the Xavier Subdivision, consisting of 8.81 (+/-) acres and 1 lot on property located northeast of the intersection of North College Road West, extended, and Creekside Way, extended, c/o EHM Engineers, Inc./Tim Vawser.

City Engineer Fields reviewed the request.

On February 24, 2009, the Commission approved the Xavier Preliminary Plat consisting of 8.81 (+/-) acres and 1 lot on property located northeast of the intersection of North College Road West, extended, and Creekside Way, extended, c/o EHM Engineers, Inc./Tim Vawser as presented with the following conditions:

1. Subject of 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 temporary connection to the Fieldstone PI station being allowed, subject to modeling and an agreement that Xavier Subdivision will connect and pay for its portion of the costs of the future regional PI station proposed to be constructed within the Perrine Point Subdivision. Additionally, since the Fieldstone PI station has marginal available capacity, Xavier will also have to agree to a strict watering schedule to minimize its impacts on the existing water users.
4. Water delivery from the irrigation pipe located at the southwest corner and along the western border of the property to remain uninterrupted.

Staff concurs with the Commission's approval and recommendations.

Discussion followed:

-Location of the connection of the PI system.

**MOTION:**

Councilperson Heider made the motion to approve the Xavier Final Plat consisting of 8.81 (+/-) acres and 1 lot on property located northeast of the intersection of North College Road West, extended, and Creekside Way, extended, c/o EHM Engineers, Inc./Tim Vawser as presented with the following conditions:

1. Subject of 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 temporary connection to the Fieldstone PI station being allowed, subject to modeling and an agreement that Xavier Subdivision will connect and pay for its portion of the costs of the future regional PI station proposed to be constructed within the Perrine Point Subdivision. Additionally, since the Fieldstone PI station has marginal available capacity, Xavier will also have to agree to a strict watering schedule to minimize its impacts on the existing water users.
4. Water delivery from the irrigation pipe located at the southwest corner and along the western border of the property to remain uninterrupted.

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

Recess at 6:35 p.m.

Reconvened at 6:39 p.m.

12. Consideration to construct 800' of 10" water line along Commercial from Canyon Street back to Blue Lakes.

City Engineer Fields stated that the City is beginning to formalize a route water line replacement program. The orientation in the program is to address leaks first and then to address undersized lines and known problem areas. Funding is in last year's budget to address the problems at Blue Lakes Blvd. South, Rock Creek Canyon, Stockyard, and the railroad neighborhood have volume and pressure challenges.

The City is now in a position where a local business is trying to expand and is in need for fire flow. The City is faced with an opportunity to address a neighborhood problem in conjunction with development.

The request is to authorize staff to proceed with a construction contract for the project as described for an estimated \$150,000 using Water Department budget line item number 161-53-10-432-00.

**MOTION:**

Councilperson Hall made the motion to authorize staff to proceed with a construction contract for the project as described for an estimated \$150,000, using Water Department budget line item number 161-53-10-432-00. The motion was seconded by Councilperson Kezele and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

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

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

- Update on renaming the Jesus Christ LDS Baseball Field.
- Update on the replastering of the City Pool.

City Manager Courtney stated that Julie Pence has been hired to update the website, author the monthly newsletter, issue a wide range of media releases on various activities impacting the City, and to coordinate inquiries from the media.

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

- V. ADJOURNMENT:** Executive Session 67-2345 (b) 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.

Councilperson Kezele made the motion to move to adjourn to Executive Session 67-2345 (b) 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. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

Adjourned at 7:10 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

March 9, 2009

City Council Chambers

305 3<sup>rd</sup> 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: Girl Scout Week Proclamation

**AGENDA ITEMS**

Purpose

By:

**I. CONSENT CALENDAR:**

1. Consideration of accounts payable for March 3 – 9, 2009.
2. Consideration of the March 2, 2009, Minutes.
3. Consideration of Improvement Agreements and Assurance of Completion for Monument Staking, for Northern Passage Subdivision 3 and 4.
4. Consideration of a Trust Agreement for Northern Passage Subdivision Number 3 and 4.

Action

Staff Report

**II. ITEMS FOR CONSIDERATION:**

1. Consideration to recognize the service of Mary Inman serving on the Tree Commission by presenting a plaque to her.
2. Consideration to recognize the service of Mark Koffer serving on the Tree Commission by presenting a plaque to him.
3. Consideration to approve the 2009 Certified Local Government Memorandum of Agreement to the Idaho State Historical Society from the Twin Falls City Historic Preservation Commission.
4. Consideration to award a bid to Western States Equipment for a model MT46SB Challenger.
5. Consideration of a request from the Airport Advisory Board for an exception to the policy of all Commission/Board meetings being held at the City Council Chambers.
6. Consideration to approve the scope of work for preliminary design of the arsenic compliance project.
7. Consideration of a request to enter into a Cooperative Agreement with ITD for design and construction of a signal at Washington St. South (SH-74) and Orchard Drive, and consideration of a Resolution to enter into the Agreement for Project No. A011(612) and to authorize the Mayor to execute the agreement.
8. Consideration of the PUD Agreement between the City of Twin Falls and the College of Southern Idaho (app 2213).
9. Consideration of the Conveyance Plat of the CSI North Campus Subdivision consisting of 2 lots on 60 (+/-) acres on property located on the north side of the 100-400 blocks of North College Road, c/o Mike Mason/College of Southern Idaho
10. Public input and/or items from the City Manager and City Council.

Action

Dennis J. Bowyer

Action

Dennis J. Bowyer

Action

Melinda Anderson

Action

Sherry Jeff

Action

Bill Carberry

Action

Bill Carberry

Action

Jackie Fields

Action

Mitch Humble

Action

Mitch Humble

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

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 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, Economic Development Director Melinda Anderson, Parks & Recreation Director Dennis Bowyer, Airport Manager Bill Carberry, Staff Sergeant Dennis Pullin, Utility Services Director 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.

Items for Consideration II.8. and II.9. to be rescheduled.

PROCLAMATION Girl Scout Proclamation

Mayor Clow proclaimed the week of March 8, 2009, as Girl Scout Week.

## AGENDA ITEMS

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

1. Consideration of accounts payable for March 3 – 9, 2009, total: \$366,081.09.
2. Consideration of the March 2, 2009, Minutes.
3. Consideration of Improvement Agreements and Assurance of Completion for Monument Staking, for Northern Passage Subdivision 3 and 4.
4. Consideration of a Trust Agreement for Northern Passage Subdivision Number 3 and 4.

Councilperson Hall made the motion to approve the Consent Calendar with the exception of the March 2, 2009, Minutes. The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

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

1. Consideration to recognize the service of Mary Inman serving on the Tree Commission by presenting a plaque to her.
2. Consideration to recognize the service of Mark Koffer serving on the Tree Commission by presenting a plaque to him.

Parks & Recreation Director Bowyer recognized the service of Mary Inman and Mark Koffer for serving on the Tree Commission.

3. Consideration to approve the 2009 Certified Local Government Memorandum of Agreement to the Idaho State Historical Society from the Twin Falls City Historic Preservation Commission.

Economic Development Director Anderson reviewed the request.

Each year the HPC has submitted a CLG application for historic preservation activities. For 2009 the application was approved to hire an architect to review various historic commercial buildings and determine what it would take to restore the façade and the cost to do that. The HPC was granted \$6000 for FY09.

Staff recommends that the Council approve the HPC CLG 2009 MOA which would enable the Mayor to sign.

**MOTION:**

Councilperson Johnson made the motion to authorize the Mayor to sign the 2009 Certified Local Government Memorandum of Agreement to the Idaho State Historical Society from the Twin Falls City Historic Preservation Commission, as presented. The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

Economic Development Director Anderson stated that Russ Lively will be the local architect for the project.

4. Consideration to award a bid to Western States Equipment for a model MT46SB Challenger.

Utility Services Director Jeff reviewed the request.

Five bids were received for the model MT 46SB Challenger. After review of the bids the agenda item was prepared for City Council consideration to award the bid to Western States Equipment. Staff received a dispute letter from Burks Tractor; therefore, staff recommends that Council reject all bids and to rebid the project.

Discussion:

Utility Services Director Jeff stated that Burks Tractor letter of dispute is in regards to the tractor height. She also stated that Western States Equipment stated that they meet the specifications.

City Attorney Wonderlich stated that the bid specification sheet was put together by City staff and all of the bidders checked off that they complied with each one. The one issue is the maximum height of the tractor. The maximum height is 103", so on the face of it, it is a complying bid, but Western States Equipment submitted additional documents showing that they had certain tire sizes on the tires and when matched up the tires appear too tall and do not meet the specifications. The proposal is to put different tires on the tractor which are not included in the bid specifications.

Staff recommends that the project be rebid to avoid any lawsuits. The City is not obligated to accept bids.

**MOTION:**

Councilperson Heider make the motion to reject all bids for the purchase of a new tractor and mower for the Parks & Recreation Department. The motion was seconded by Councilperson Kezele and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

5. Consideration of a request from the Airport Advisory Board for an exception to the policy of all Commission/Board meetings being held at the City Council Chambers.

Airport Manager Carberry reviewed the request. The City has a policy for all boards and commissions. The board had a discussion and made a motion to repeal the request.

Sherman Hansen, Airport Advisory Board Vice Chair, explained the request. The Board would like to meet the City's goal, but if possible would like to continue to meet at the Airport. Reference was made to staff's agenda report listing the following reasons to continue meeting at the Airport:

1. If we need to look at an item. Already there.
2. Current board room and the airport office are set up with pictures, drawings, photos and other resources. And use these resources.
3. Board is comprised of city/county representatives. There is a councilperson and one county commissioner.
4. Board would not be as visible or accessible. The public attending meetings are mostly out of the airport. (Feeling losing some public from meeting.)

Public accommodations through the advent could be from the airport boardroom.

Jim Conder, County Board Member, requested that the Board continue meeting at the Airport.

Jim O'Donnell requested that the Board continue meeting at the Airport.

Ron Conrad requested that the Board continue meeting at the Airport.

**MOTION:**

Councilperson Heider made the motion to allow the Board to continue to meet at the Airport opposed to the Council Chambers. The motion was seconded by Councilperson Lanting.

Discussion followed:

Councilperson Kezele stated that the City goal is to create an environment that the public knows where meetings are being held, and where meetings will be audio and video taped to increase the opportunity for the public to participate.

Roll call vote showed that Councilpersons Heider, Johnson, and Lanting voted in favor of the motion. Mayor Clow, Councilpersons Craig, Hall, and Kezele voted against the motion. Defeated 4 to 3.

6. Consideration to approve the scope of work for preliminary design of the arsenic compliance P-project.

Mark Holtzen, JUB Engineers, explained alternatives to come into compliance with the arsenic standards. He explained the following:

- Task 1: Research Existing Information
  - Task 2: Base Map
  - Task 3: Preliminary Geotechnical Analysis
  - Task 4: Preliminary Surveying
  - Task 5: Arsenic Blending Analysis
  - Task 6: Blue Lakes Wells and Canyon Pump Station Analysis
  - Task 7: Pump Station and Equalization Tank Analysis
  - Task 8: Pipeline Analysis
  - Task 9: Blending Station Analysis
  - Task 10: Cost Estimates
  - Task 11: Meetings
  - Task 12: Preparation of Preliminary Engineering Report
  - Task 13: Preparation of Conceptual Drawings
  - Task 14: Project Administration
- Supplemental Services.

Discussion followed:

-Timeline of project.

Mark Holtzen stated that a general schedule is anticipated for January 2011.

-Timeline of the Washington Street North Project:

City Engineer Fields stated that the project would be delivered to DEQ for review by summer 2011 and construction work is anticipated in the fall.

-Possible to delay the project to coincide with the Washington Street North project?.

City Manager Courtney stated that discussion for coordination will be discussed with Idaho Department of Transportation and Department of Environmental Quality.

-Hydroelectric.

Mark Holtzen stated that hydroelectric is currently not included in the proposed scope of work.

Staff recommends approval of attachments and authorizes the Mayor to sign the contract as proposed.

Discussion followed:

- Task sub-total is \$252,146.
- Engineering costs.

Mark Holtzen stated that Engineering costs are approximately 20% of the project.

Councilperson Lanting made the motion to approve the J-U-B Engineering, Inc. Agreement for Professional Services to: Conduct a preliminary design of a new booster pump station and equalization tank 30" transmission line, blending infrastructure, and 24" transmission line for their water system. The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. Passed 7 to 0.

7. Consideration of a request to enter into a Cooperative Agreement with ITD for design and construction of a signal at Washington St. South (SH-74) and Orchard Drive, and consideration of a Resolution to enter into the Agreement for Project No. A011(612) and to authorize the Mayor to execute the agreement.

City Engineer Fields reviewed the request.

The intersection of Orchard Drive and Washington St. South meets signal warrants. The Greater Twin Falls Area Transportation Committee endorsed this project as a priority and ITD funded the work. This project will place a signal, as well as curb and gutter on the southwest quadrant of the intersection.

ITD funds signals placed on the state highway and city streets based on the number of approach lanes. ITD placed \$500,000 in the project for design, right of way acquisition and construction. The agreement asks for a City commitment of \$100,000.

Staff recommends that the Council authorize the Mayor to sign the cooperative agreement for traffic control signal at the intersection of SH74 and Orchard, Key 11612, and adopt a resolution.

Discussion followed:

- City has budget portion
- Cost of traffic light

**MOTION:**

Councilperson Lanting made the motion to authorize the Mayor to sign the Cooperative Agreement (Traffic Control) as presented and adopt Resolution 1811. The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. Passed 7 to 0.

8. Consideration of the PUD Agreement between the City of Twin Falls and the College of Southern Idaho (app 2213). To be rescheduled.
9. Consideration of the Conveyance Plat of the CSI North Campus Subdivision consisting of 2 lots on 60 (+/-) acres on property located on the north side of the 100-400 blocks of North College Road, c/o Mike Mason/College of Southern Idaho. To be rescheduled.
10. Public input and/or items from the City Manager and City Council.

The March 16, 2009, City Council meeting was cancelled.

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

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

V. **ADJOURNMENT:** Adjourned at 6:04 p.m.

Leila A. Sanchez  
Deputy City Clerk



**CITY OF TWIN FALLS, IDAHO**  
**CANCELLATION NOTICE**  
**OF THE MARCH 16, 2009,**  
**CITY COUNCIL MEETING.**

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  
 March 23, 2009  
 2:30 P.M. OREGON TRAIL GYMNASIUM  
 660 Park Avenue  
 5:00 P.M. 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:

2:30 P.M. – OREGON TRAIL GYMNASIUM

Proclamation: Oregon Trail Trailblazers Day  
 Kasey Teske and Wiley Dobbs Will Speak  
 Renaming the LDS Softball Complex and Highland Park (Dennis Bowyer)

RECESS AT CONCLUSION

5:00 P.M. – CITY COUNCIL CHAMBERS

AGENDA ITEMS	Purpose	By:
<p>I. <u>CONSENT CALENDAR:</u></p> <ol style="list-style-type: none"> <li>1. Consideration of accounts payable for March 10 – 23, 2009.</li> <li>2. Consideration of the March 2 – 9, City Council Minutes.</li> <li>3. Findings of Fact, Conclusions of Law, and Decision:                             <ol style="list-style-type: none"> <li>a. Annexation &amp; Zoning District Change for Bosero Development.</li> <li>b. Final Plat for Pioneer Estates Subdivision.</li> <li>c. Zoning District Change &amp; Zoning Map Amendment for Hawkins Company c/o Brandon Whallon.</li> </ol> </li> </ol>	Action	
<p>II. <u>ITEMS FOR CONSIDERATION:</u></p> <ol style="list-style-type: none"> <li>1. Presentation of the Annual Jim A. Mildon Traffic Safety Award.</li> <li>2. Consideration of a request to approve a bid for the CEPT WWT Plant and award the project to ABCO Construction.</li> <li>3. Consideration of a request to approve the Waterworks 2009 bid and award the project to Ferguson, HD Supply and United Pipe and Supply jointly.</li> <li>4. Consideration of a request to approve a private driveway in excess of 300 feet long.</li> <li>5. Consideration of a request to approve trust agreement for Pheasant Meadows #2 Subdivision.</li> <li>6. Consideration of a request to approve trust agreement for Parkwood #4 Subdivision.</li> <li>7. Consideration of a request to appoint one new member to the Historic Downtown Business Improvement District (BID) Board.</li> <li>8. Consideration of a request to appoint one new member to the Twin Falls Historic Preservation Commission.</li> <li>9. Council recognition of Snake River Council Boy Scout Troops 3 and 59 for assistance to the City and BID by managing the holiday “meter-bagging.”</li> <li>10. Consideration of a request for an exemption to the City’s hours of operation policy for amplified music and/or sound out of the City Park Band Shell on Easter Sunday, April 12th.</li> <li>11. Consideration of a request for the appointments of Sharon Buckle and Olivia Rowe to the Tree Commission starting March 2009.</li> </ol>		<p>Dennis Pullin Jon Caton</p> <p>Mike Schroeder</p> <p>Jackie Fields Jackie Fields</p> <p>Jackie Fields Melinda Anderson</p> <p>Melinda Anderson</p> <p>Melinda Anderson</p> <p>Dennis Bowyer</p> <p>Dennis Bowyer</p>

<p>12. Consideration of a request for the appointments of Matt Nelson and Brett Semple to the Golf Advisory Commission starting March 2009.</p> <p>13. Consideration of a request for the appointments of Tennille Adams, Kevin Dane, RoLynne Hendricks, and Ryan Horsley to the Parks &amp; Recreation Commission starting April 2009.</p> <p>14. Consideration of a request to pay fees in lieu of park land dedication for the Romero Estates Subdivision.</p> <p>15. Consideration of a request to allow the Twin Falls Youth Baseball Trust to upgrade lighting system at LDS Softball Complex, Fields #2 and #3.</p> <p>16. Consideration to approve the Conveyance Plat of Lower Perrine Wetland #2 Subdivision.</p> <p>17. Consideration of the adoption of 2 proposed ordinances:      Request for a Zoning District Change and Zoning Map Amendment from R-2 to R-4 PUD currently zoned R-2 for the development of a single family residential project, aka The Cottages, on property located west of the 1300 and 1400 blocks of Field Stream Way, c/o W S &amp; V, LLC /Doug Vollmer. (App. #2285)      Ordinance # _____.      Request for the Vacation of a public right-of-way for 7,150 sq. ft. of property adjacent to 1087 and 1088 Cobble Creek Road, c/o Brad Wills and EHM Engineers. (app.2288)      Ordinance # _____.      18. Public input and/or items from the City Manager and City Council.</p>		<p>Dennis Bowyer</p> <p>Dennis Bowyer</p> <p>Dennis Bowyer</p> <p>Dennis Bowyer</p> <p>Mitch Humble</p> <p>Mitch Humble</p>
<p>III. <b><u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u></b></p>		
<p>IV. <b><u>PUBLIC HEARINGS:</u></b>           6:00 P.M. –</p> <p>1. Consideration of a request to ratify the exchange of property between the City of Twin Falls and the Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter Day Saints.</p>	<p>Action</p>	<p>Mitch Humble</p>
<p>V. <b><u>ADJOURNMENT:</u></b></p>		

*\*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.*

2:30 P.M. – OREGON TRAIL GYMNASIUM

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

COUNCIL MEMBERS ABSENT: Lance Clow

STAFF PRESENT: Assistant City Manager Travis Rothweiler, Community Development Director Mitch Humble, Parks & Recreation Director Dennis Bowyer, Recreation Supervisor Stacy McClintock, Deputy City Clerk Leila Sanchez.

Vice Mayor Johnson called the meeting to order at 2:30 p.m. He invited all present, who wished to, to recite the Pledge of Allegiance to the Flag with him. A quorum was present. Vice Mayor Johnson introduced City staff.

2:30 P.M. – OREGON TRAIL GYMNASIUM

Proclamation: Oregon Trail Trailblazers Day  
Kasey Teske and Wiley Dobbs Will Speak  
Renaming the LDS Softball Complex and Highland Park (Dennis Bowyer)

RECESS AT CONCLUSION

5:00 P.M. – CITY COUNCIL CHAMBERS

Vice Mayor Johnson read the Oregon Trail Trailblazers Day Proclamation and presented it to Principal Kasey Teske and Superintendent Wiley Dobbs .

Parks & Recreation Director Bowyer reviewed the request.

On February 10, 2009, at the Parks & Recreation Commission meeting, the Commission selected and ranked their top three choices for the renaming of the complex and park: South Park Community Youth Complex, Park Avenue Youth Complex, and Oregon Trail Youth Complex. The Commission unanimously recommends the top three choices.

Council discussion followed.

MOTION:

Councilperson Lanting made the motion to approve renaming the LDS Softball Complex and Highland Park to OREGON TRAIL YOUTH COMPLEX as presented. The motion was seconded by Councilperson Kezele and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

Recess: 2:55 p.m.

5:00 p.m.

**COUNCIL MEMBERS PRESENT:** Mayor Lance Clow (5:09 p.m.), Trip Craig, Don Hall, Lee Heider, David E. Johnson, William A. Kezele, Greg Lanting

**COUNCIL MEMBERS ABSENT:** None.

**STAFF PRESENT:** City Manager Tom Courtney, Assistant City Manager Travis Rothweiler, City Attorney Fritz Wonderlich, City Engineer Jackie Fields, Community Development Director Mitch Humble, Economic Development Director Melinda Anderson, Parks & Recreation Director Dennis Bowyer, Public Works Manager Jon Caton, Water Superintendent Mike Schroeder, Deputy City Clerk Leila Sanchez.

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Vice 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. Vice Mayor Johnson introduced City staff.

## AGENDA ITEMS

### I. CONSENT CALENDAR:

1. Consideration of accounts payable for:  
March 10 – 23, 2009, total: \$951,959.56  
March 12, 2009, total: \$6,436.92  
March 16, 2009, total: \$1,320
2. Consideration of the March 2 – 9, City Council Minutes.
3. Findings of Fact, Conclusions of Law, and Decision:
  - a. Annexation & Zoning District Change for Bosero Development.
  - b. Final Plat for Pioneer Estates Subdivision.
  - c. Zoning District Change & Zoning Map Amendment for Hawkins Company  
c/o Brandon Whallon.

#### **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. Approved 6 to 0.

### II. ITEMS FOR CONSIDERATION:

1. Presentation of the Annual Jim A. Mildon Traffic Safety Award.

The Traffic Safety Commission presented the Annual Jim A. Mildon Traffic Safety Award to the Twin Falls Police Department Citizens on Patrol (COPs).

Dave Snelson, Traffic Safety Commission Chairman and Councilperson Hall presented the award.

Mayor Clow arrived at 5:09 p.m.

2. Consideration of a request to approve a bid for the CEPT WWT Plant and award the project to ABCO Construction.

John Keady, CH2M Hill-OMI Project Manager, gave a PowerPoint presentation on the CEPT process.

Discussion followed.

Public Works Manager Caton reviewed the request. The FY2009 Budget included \$1,400,000 for this item and the low bid was \$871,395 submitted by ABCO Construction Perry, Utah.

Staff recommends that the Council approve the request as presented.

Councilperson Heider made the motion to award the Chemically Enhanced Primary Treatment Project to ABCO Construction of Perry, Utah in the amount of \$871,395. The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

3. Consideration of a request to approve the Waterworks 2009 bid and award the project to Ferguson, HD Supply and United Pipe and Supply jointly.

Water Superintendent Schroeder reviewed the request.

Ferguson, HD Supply, and United Pipe & Supply have submitted bid proposals for the 2009 Waterworks Supplies purchases. Each company has procured a specific part of the bid.

Staff recommends that the Council approve the request as presented.

**MOTION:**

Councilperson Lanting made the motion to award the Waterworks 2009 project to Ferguson, HD Supply, and United Pipe and Supply jointly. The motion was seconded by Councilperson Kezele and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

4. Consideration of a request to approve a private driveway in excess of 300 feet long.

City Engineer Fields reviewed the request. Riedesel Engineering has been working with Santiago Romero and Alex Castaneda on a proposed 4 lot development in the 450 Block of Filer Avenue West. The lot is approximately 100 feet wide and 542 feet deep. This development would require a driveway in excess of 300 feet long, which is the maximum length listed in City Code Section 10-11-5(A), without Council approval. Per section 10-11-5(A), the City Council may approve a driveway in excess of 300 feet in cases where isolated parcels of land cannot be developed with a minimum 50 feet dedicated right of way.

Staff recommends that the City Council approve the request as presented.

Rod Mathis, Riedesel Engineering, explained the request. The private drive is required to have a hard surface. A Homeowners Association and covenants will be created.

Discussion followed.

**MOTION:**

Councilperson Hall made the motion to approve a private driveway in excess of 300 feet long on a proposed 4 lot development in the 450 Block of Filer Avenue West as presented. The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

5. Consideration of a request to approve trust agreement for Pheasant Meadows #2 Subdivision.

City Engineer Fields reviewed the request.

Pheasant Meadows No. 2 is a 166 lot residential subdivision of 41.91 acres located on the south side of Pheasant Road West, ¼ mile west of Washington Street South. The City Council approved the final plat on September 18, 2006. The developer desires to place Lot 1 in Block 9 and Lot 1 and 22 in Block 10 in the subdivision in trust.

Staff recommends that the City Council accept the agreement and authorize the Mayor to sign.

**MOTION:**

MINUTES

March 23, 2009

Page 6 of 10

Councilperson Lanting made the motion to approve the Trust Agreement between R & J Development, Inc., First American Trustee Services, LLC, and the City of Twin Falls, Idaho, for Lot 1 in Block 9 and Lot 1 and 22 in Block 10, in the Pheasant Meadows Subdivision, Phase 2, as presented. The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

6. Consideration of a request to approve trust agreement for Parkwood #4 Subdivision.

City Engineer Fields reviewed the request.

Parkwood Subdivision No. 4 is a 9 lot residential subdivision of 1.73 acres, located on the north side of Clinton Drive, east of Washington Street South. The City Council approved the final plat on May 19, 2008. The developer desires to place all lots in the subdivision in trust. specifically, Lots 1 thru 9 of Block 1.

Staff recommends the City Council accept the agreement and authorize the Mayor to sign.

**MOTION:**

Councilperson Lanting made the motion to approve the Trust Agreement between Park Holdings, LLC, Title Fact, Inc., and the City of Twin Falls for Lots 1 thru 9, Block 1, Parkwood Subdivision No. 4, as presented. The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

7. Consideration of a request to appoint one new member to the Historic Downtown Business Improvement District (BID) Board.

Economic Development Director Anderson reviewed the request.

The interview panel recommend that the City Council appoint Michele Hamilton, co-owner of Scrappin' Girlfriends', to the BID board.

**MOTION:**

Councilperson Hall made the motion to appoint Michele Hamilton, co-owner of Scrappin' Girlfriends to the BID Board for a term ending June 2009. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of motion. Approved 7 to 0.

- 8 Consideration of a request to appoint one new member to the Twin Falls Historic Preservation Commission.

Economic Development Director Anderson reviewed the request.

The interview panel recommends the City Council appoint Darrell Buffaloe to the Historic Preservation Commission.

**MOTION:**

Councilperson Heider made the motion to appoint Darrell Buffaloe to the Historic Preservation Commission to serve a three year term beginning March 23, 2009. The motion was seconded by Councilperson Kezele and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

9. Council recognition of Snake River Council Boy Scout Troops 3 and 59 for assistance to the City and BID by managing the holiday "meter-bagging."

Economic Development Director Anderson reviewed the request.

The Scoutmasters and Boy Scouts of Troops 3 and 59 spent 5 weekends in November and December, 2008, bagging meters on Friday afternoons and taking them off each Sunday.

Staff recommends Council provide commendation and gift cards to the participants.

MINUTES

March 23, 2009

Page 7 of 10

Council presented certificates and gift cards to the Snake River Council Boy Scout Troops 3 and 59.

10. Consideration of a request for an exemption to the City's hours of operation policy for amplified music and/or sound out of the City Park Band Shell on Easter Sunday, April 12th.

Vaughn Phelps, a member of the Valley Christian Church, explained the request.

Parks & Recreation Director Bowyer reviewed the request.

The Parks & Recreation Commission recommends that the City Council allow the Valley Christian Church to have amplified music and/or sound out of the Band Shell from approximately 7:00 a.m. to 8:30 a.m.

Staff concurs with the recommendation.

Discussion followed.

**MOTION:**

Councilperson Lanting made the motion to allow the Valley Christian Church to have amplified music and/or sound out of the Band Shell from approximately 7:00 a.m. to 8:30 a.m. The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

11. Consideration of a request for the appointments of Sharon Buckle and Olivia Rowe to the Tree Commission starting March 2009.

Parks & Recreation Director Bowyer reviewed the request.

The interview committee recommends that the City Council appoint Sharon Buckle and Olivia Rowe to the Tree Commission.

Councilperson Lanting made the motion to appoint Sharon Buckle and Olivia Rowe to the Tree Commission to serve a term from March 2009 to February 2012. The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

12. Consideration of a request for the appointments of Matt Nelson and Brett Semple to the Golf Advisory Commission starting March 2009.

Parks & Recreation Director Bowyer reviewed the request.

The interview committee recommends that the City Council confirm the appointments and terms of Matt Nelson and Brett Semple as presented.

**MOTION:**

Councilperson Lanting made the motion to appoint Matt Nelson and Brett Semple to the Golf Advisory Commission to serve from March 2009 to February 2012. The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

13. Consideration of a request for the appointments of Tennille Adams, Kevin Dane, RoLynne Hendricks, and Ryan Horsley to the Parks & Recreation Commission starting April 2009.

Parks & Recreation Director Bowyer reviewed the request.

The interview committee recommends that the City Council appoint Tennille Adams, Kevin Dane, RoLynne Hendricks and Ryan Horsley as presented.

MINUTES

March 23, 2009

Page 8 of 10

**MOTION:**

Councilperson Craig made the motion to appoint Tennille Adam (term April 2009-March 2010), Kevin Dane (term April 2009-March 2012), RoLynne Hendricks (term April 2009-March 2011), and Ryan Horsley (term April 2009-March 2012), to the Parks & Recreation Commission. The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

14. Consideration of a request to pay fees in lieu of park land dedication for the Romero Estates Subdivision.

Parks & Recreation Director Bowyer reviewed the request.

The Romero Estates Subdivision is located in the 400 block of Filer Avenue West, on the north side between Sparks Street and Rose Street North.

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 as presented.

**MOTION:**

Vice Mayor Johnson made the motion to approve the fees of \$8,874.28 in lieu of park land dedication as presented. The motion was seconded by Councilperson Craig and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

Recess: 6:20 P.M.

Reconvened: 6:30 P.M.

15. Consideration of a request to allow the Twin Falls Youth Baseball Trust to upgrade lighting system at LDS Softball Complex, Fields #2 and #3.

Revis Turner, Chairman of the Twin Falls County Youth Baseball Trust, explained the request.

Parks & Recreation Director Bowyer reviewed the request.

The Twin Falls Youth Baseball Trust is asking the City to contribute up to 25% of the funds the Trust is contributing to upgrade the lighting systems on field 2 and 3.

On March 10, 2009, the Parks & Recreation Commission unanimously recommended to the City Council to accept the Twin Falls Youth Baseball Trust proposal.

Discussion followed:

-Possibly waiving the Cal Ripken, Babe Ruth baseball and softball fees for field preparation and tournament fees in lieu of the 25% of the funds the Baseball Trust is contributing.

-Lights would be energy efficient.

**MOTION:**

Vice Mayor Johnson made the motion to approve to contribute up to 25% of the funds the Baseball Trust is contributing to upgrade the lighting systems on field 2 & 3 at the Oregon Trail Youth Complex as presented. The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

16. Consideration to approve the Conveyance Plat of Lower Perrine Wetland #2 Subdivision.

Community Development Director Humble reviewed the request.

Should the City Council recommend approval of the conveyance plat of the Lower Perrine Wetland, Phase II Subdivision, as presented, staff recommends 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.

MINUTES

March 23, 2009

Page 9 of 10

2. Subject to easements as shown on the plat being dedicated to the City of Twin Falls at the time of recordation, to include a recorded instrument providing an access easement to both Lot 1 and Lot 2.
3. Subject to require public utility improvements for both lots being constructed to City standards upon development of either lot.
4. Subject to approval letter from the Twin Falls Highway District.

Vice Mayor Johnson made the motion to recommend to the Board of County Commissioners the conveyance plat of the Lower Perrine Wetland, Phase II 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 as shown on the plat being dedicated to the City of Twin Falls at the time of recordation, to include a recorded instrument providing an access easement to both Lot 1 and Lot 2.
3. Subject to require public utility improvements for both lots being constructed to City standards upon development of either lot.
4. Subject to approval letter from the Twin Falls Highway District.

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

17. Consideration of the adoption of 2 proposed ordinances:

-Request for a Zoning District Change and Zoning Map Amendment from R-2 to R-4 PUD currently zoned R-2 for the development of a single family residential project, aka The Cottages, on property located west of the 1300 and 1400 blocks of Field Stream Way, c/o W S & V, LLC /Doug Vollmer. (App. #2285)

Ordinance #2964.

-Request for the Vacation of a public right-of-way for 7,150 sq. ft. of property adjacent to 1087 and 1088 Cobble Creek Road, c/o Brad Wills and EHM Engineers. (app.2288)

Ordinance #2965.

Community Development Director Humble reviewed the request.

Councilperson Johnson made the motion to suspend the rules and place Ordinances #2964 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 #2965, 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. Approved 7 to 0.

Deputy City Clerk Sanchez read the title to Ordinance #2964.

**MOTION:**

Councilperson Craig made the motion to adopt Ordinance #2964 as presented. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

Deputy City Clerk Sanchez read the title to Ordinance #2965.

**MOTION:**

MINUTES

March 23, 2009

Page 10 of 10

Councilperson Lanting made the motion to adopt Ordinance #2965 as presented. The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

18. 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 ratify the exchange of property 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.

City Attorney Wonderlich stated that a ratification process is a legal process used to affirm prior actions where procedural errors were made. While approval of this request will not eliminate the previous procedural error, it will show that the exchange was a positive action for the City, School District, taxpayers, and the LDS Church. Approval of the request will demonstrate that the Council would have made the same decision September 2008 even if a public hearing were held.

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

A letter from Edna Robertson was entered into the record. (Get from Mitch)

**MOTION:**

Councilperson Heider made the motion to ratify the exchange of property 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. The motion was seconded by Councilperson Johnson and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

Mayor Clow reported on the following:

-Town Hall meeting will be held Thursday, March 26, 2009, at 7:00 p.m. in the Twin Falls Council Chamber.

-State of the City Address luncheon will be held Tuesday, April 14, 2009, from 12:00 p.m. – 1:00 p.m. at the Canyon Crest Dining and Events Center. Please call for reservations to the Chamber of Commerce at 733-3974.

V. ADJOURNMENT: 7:27 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 6, 2009  
 City Council Chambers  
 305 3<sup>rd</sup> 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.

**APPROVED CHANGES TO THE AGENDA**

II.1. Holly Beymer, Director of Community Relations with the Boys and Girls Club would like to express the Club's appreciation for the Municipal Powers Outsource Grant award for 2009. **TO BE RESCHEDULED BY APPLICANT.**

**ADDITION TO THE AGENDA**

II.9. Consider Supervision During Construction Proposal (SDC) for the Chemically Enhanced Primary Treatment (CEPT) Project and award the contract to CH2MHill in the not to exceed amount of \$138,004.00. Jon Caton

<b>AGENDA ITEMS</b>		<b>Purpose</b>	<b>By:</b>
<b>I. CONSENT CALENDAR:</b>		Action	Staff Report
1. Consideration of accounts payable for March 25 - April 6, 2009.			
2. Consideration of the March 23, 2009, Council Minutes.			Leila Sanchez
3. Consideration to accept a pressurized irrigation easement in Settler's Ridge Subdivision.			Jackie Fields
4. Consideration to accept an Approval of Easement running north to south along the western edge of the Reform Church, near Pole Line Road West and Grandview Drive North, granted in August 2008.			Jackie Fields
5. Consideration of the renewal of the Improvement Agreement for Developments and Assurance of Construction/Letter of Credit for River Vista PUD.			Jackie Fields
<b>II. ITEMS FOR CONSIDERATION:</b>			
1. Holly Beymer, Director of Community Relations with the Boys and Girls Club would like to express the Club's appreciation for the Municipal Powers Outsource Grant award for 2009.			Lorie Race
2. Presentation of the FAIR HOUSING MONTH Proclamation and reaffirmation of the Fair Housing Resolution. Submitted by Region IV Development.	Action		Proclamation/ Reaffirm Resolution
3. Consideration to reappoint current Traffic Safety Commission members Kirk Bower and Rebecca Duke.	Action		Dennis Pullin
4. Consideration to award a bid for the construction of a BLM helicopter landing pad at Joslin Field.	Action		Bill Carberry
5. Consideration of the Final Plat of the Morning Sun Subdivision, Phase 7, consisting of 59 single family residential lots on 21 (+/-) acres on property located at the northwest corner of Hankins Road/aka 3200 East Road and Filer Avenue East, c/o Trent McBride, EHM Engineers, Inc.	Action		Mitch Humble
6. Consideration of the Improvement Agreement, Engineer's Estimate, Assurance of Construction, and Trust Agreement for Morning Sun Subdivision No. 7.	Action		Jackie Fields
7. Consideration of a third 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,	Action		Mitch Humble

located on the south side of the 200 block of Robbins Avenue West. 8. Consideration of the first Annual Arbor Day Parade sponsored by the Twin Falls County Tree Board to be held on Saturday, April, 25, 2009. 9. Public input and/or items from the City Manager and City Council.	Action	Dennis Pullin
<b>III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u></b>		
<b>IV. <u>PUBLIC HEARINGS:</u></b> 6:00 P.M. – None.		
<b>V. <u>ADJOURNMENT:</u></b>		

*\*Any person(s) needing special accommodations to participate in the above noticed meeting should contact Leila Sanchez at (208) 735-7287 at least two working days before the meeting.*

**COUNCIL MEMBERS PRESENT:** Mayor 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, Assistant City Manager Travis Rothweiler, City Engineer Jackie Fields, Community Development Director Mitch Humble, Public Works Manager Jon Caton, Airport Manager Bill Carberry, Captain Brian Pike, Staff Sergeant Dennis Pullin, Parks & Recreation Director Dennis Bowyer, 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. Vice Mayor Johnson introduced City staff.

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

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

**APPROVED CHANGES TO THE AGENDA**

- II.1. Holly Beymer, Director of Community Relations with the Boys and Girls Club would like to express the Club's appreciation for the Municipal Powers Outsource Grant award for 2009. **WITHDRAWN BY APPLICANT.**

**ADDITION TO THE AGENDA**

- II.9. Consideration Supervision During Construction Proposal (SDC) for the Chemically Enhanced Primary Treatment (CEPT) Project and award the contract to CH2M Hill in the not to exceed amount of \$138,004.00. Jon Caton

**AGENDA ITEMS**

**I. CONSENT CALENDAR:**

1. Consideration of accounts payable for March 25 - April 6, 2009.  
*March 24 – April 6, 2009, total: \$403,922.60.*  
*Prepaid April 1, 2009, total: \$49,579.02.*
2. Consideration of the March 23, 2009, Council Minutes.
3. Consideration to accept a pressurized irrigation easement in Settler's Ridge Subdivision.
4. Consideration to accept an Approval of Easement running north to south along the western edge of the Reform Church, near Pole Line Road West and Grandview Drive North, granted in August 2008.
5. Consideration of the renewal of the Improvement Agreement for Developments and Assurance of Construction/Letter of Credit for River Vista PUD.

**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 voted in favor of the motion. Approved 7 to 0.

**II. ITEMS FOR CONSIDERATION:**

MINUTES

April 6, 2009

Page 4 of 7

1. Holly Beymer, Director of Community Relations with the Boys and Girls Club would like to express the Club's appreciation for the Municipal Powers Outsource Grant award for 2009. **WITHDRAWN BY APPLICANT.**
2. Presentation of the FAIR HOUSING MONTH Proclamation and reaffirmation of the Fair Housing Resolution. Submitted by Region IV Development.

Mayor Clow read the Proclamation.

The request from the applicant is to reaffirm the Fair Housing Resolution as submitted.

**MOTION:**

Vice Mayor Johnson made the motion to reaffirm Resolution 1758 as presented. The motion was seconded by Councilperson Kezele and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

3. Consideration to reappoint current Traffic Safety Commission members Kirk Bower and Rebecca Duke.

Staff Sergeant Pullin reviewed the request.

**MOTION:**

Vice Mayor Johnson made the motion to reappoint Kirk Bower and Rebecca Duke to the Traffic Safety Commission. The meeting was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

4. Consideration to award a bid for the construction of a BLM helicopter landing pad at Joslin Field.

Airport Manager Carberry reviewed the request.

On March 5, 2009, the City and Riedesel Engineering Inc., held a bid opening for the construction of a BLM helicopter landing pad at Joslin Field. Six bids were received. The low bid was submitted by Gordon Paving of Twin Falls, Idaho, in the amount of \$183,619.

After reviewing the bids submitted and reviewing them with BLM officials, staff concurs with the Riedesel Engineering Inc. recommendation to award the bid to Gordon Paving in the amount of \$181,725.74.

Larry Mabbutt, Bureau of Land Management, explained the request.

Discussion followed.

Marty Gergen explained the bidding process and recommendation for Gordon Paving.

**MOTION:**

Councilperson Heider made the motion to award the helipad construction bid to Gordon Paving in the amount of \$181,725.74 as presented. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

5. Consideration of the Final Plat of the Morning Sun Subdivision, Phase 7, consisting of 59 single family residential lots on 21 (+/-) acres on property located at the northwest corner of Hankins Road/aka 3200 East Road and Filer Avenue East, c/o Trent McBride, EHM Engineers, Inc.

Gerald Martens, EHM Engineers, Inc. explained the request. For clarification he stated that the subdivision consisted of 57 single family residential lots rather than the 59 lots in the staff report.

Community Development Director Humble reviewed the request. For clarification he stated the subdivision consisted of 65 single family residential lots

MINUTES

April 6, 2009

Page 5 of 7

Should the City Council approve the final plat of Morning Sun Subdivision, Phase 7, as presented, staff recommends 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 compliance with minimum lot sizes per City Code 10-4-3.3(B)
4. Subject to compliance with the letter from Jackie Fields to Gerald Martens dated March 24, 2009.

Discussion followed.

Gerald Martens explained the road work to be done on Filer.

**MOTION:**

Vice Mayor Johnson made the motion to approve the Final Plat of the Morning Sun Subdivision, Phase 7, consisting of 65 single family residential lots on 21 (+/-) acres on property located at the northwest corner of Hankins Road/aka 3200 East Road and Filer Avenue East, c/o Trent McBride, EHM Engineers, Inc. as presented with the following conditions:

1. Subject 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 compliance with minimum lot sizes per City Code 10-4-3.3(B)
4. Subject to compliance with the letter from Jackie Fields to Gerald Martens dated March 24, 2009.

The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

6. Consideration of the Improvement Agreement, Engineer's Estimate, Assurance of Construction, and Trust Agreement for Morning Sun Subdivision No. 7.

City Engineer Fields reviewed the request.

Staff recommends approval of the request.

**MOTION:**

Councilperson Hall made the motion to approve the Improvement Agreement, Engineer's Estimate, Assurance of Construction, and Trust Agreement for Morning Sun Subdivision No. 7 as presented. The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

7. Consideration of a third 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 request for a 3<sup>rd</sup> 1-year extension of the filing requirement on the final plat for Robbins Street PUD Subdivision 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 rebuilt or built to current city standards upon development of the property.
3. A Weed Management Plan approved by city staff.

Councilperson Lanting made the motion to approve the third 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 as presented expiring on April 3, 2010 with the following conditions:

MINUTES

April 6, 2009

Page 6 of 7

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

8. Consideration of the first Annual Arbor Day Parade sponsored by the Twin Falls County Tree Board to be held on Saturday, April, 25, 2009.

Staff Sergeant Pullin reviewed the request.

Twin Falls Police staff recommends that the Council approve this request, knowing the overtime cost of \$1,160.00 was not included in this year's overtime budget for the Police Department.

Discussion followed.

Councilperson Hall stated his concern on how the City will pay for the security.

City Manager Courtney stated that the City does not have money in the budget. The Council may opt to pay for the overtime security or have the event sponsor pay for the security.

-Parade procedures.

City Manager Courtney stated that the Police Department is very careful in budgeting overtime. Police have budgeted on known past parades. The event was proposed after the budget was adopted. Organizations have a right to make a request for funding, but from a budgetary stance it would be best to know in advance.

-Upcoming Twin Falls High School Homecoming Parades.

Councilperson Johnson requested that the policy on the use of the park and security be discussed by City Council and City staff.

-Police Department budget and contingency fund.

-Citizens on Patrol.

**MOTION:**

Councilperson Hall made the motion to approve the first Annual Arbor Day Parade sponsored by the Twin Falls County Tree Board to be held on Saturday, April 25, 2009, and overtime fees to come from other sources within the budget that can be allocated towards the event or from the contingency fund. The motion was seconded by Vice Mayor Johnson.

**AMENDMENT TO THE MOTION:**

Councilperson Heider made the motion to have organizers of the parade to pay one half of the overtime wages by way of donations. The motion was seconded by Councilperson Kezele. Roll call vote showed Councilperson Heider voted in favor of the motion. Mayor Clow, Councilpersons Craig, Hall, Heider, Vice Mayor Johnson, Councilperson Kezele and Lanting voted against the motion. Defeated 1 to 6.

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

The City Council appointed a committee consisting of Vice Mayor Johnson, Councilperson Hall and Heider to work with staff to review the current policy for covering costs associated with parades and events in the park.

9. Consideration of Supervision During Construction Proposal (SDC) for the Chemically Enhanced Primary Treatment (CEPT) Project and award the contract to CH2M Hill in the not to exceed amount of \$138,004.00. Jon Caton

Project Works Coordinator Caton reviewed the request.

Approval of the request will allow the City to provide adequate construction supervision and engineering support for the CEPT project.

Staff recommends that the Council approve the request as presented.

Councilperson Craig made the motion to award the Supervision During Construction Proposal (SDC) for the Chemically Enhanced Primary Treatment (CEPT) Project to CH2M Hill in the amount not to exceed amount of \$138,004.00. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

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

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

Mayor Clow gave an update on the Twin Falls Youth Council.

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

V. ADJOURNMENT: 6:24 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 13, 2009

City Council Chambers

305 3<sup>rd</sup> 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 Library Week and Recognition of Twin Falls Public Library's 100 Years of Library Service to the Community. Susan Ash, Library Director.**
- Proclamation: **Child Abuse Prevention Month. Rosanna Campbell, Supervisor, South Central Head Start.**
- Proclamation: **National Volunteer Week. Heidi Marie Walker, Community Relations Coordinator, Hospice Visions.**

**AGENDA ITEMS**

**I. CONSENT CALENDAR:**

1. Consideration of accounts payable for April 7 – 13, 2009.
2. Consideration of the April 13, 2009, Council Minutes.
3. Consideration of a Curb, Gutter and Sidewalk Deferral agreement for Duane and Doris Cox for property located at 184 Buena Vista.
4. Consideration for Valley House, a local nonprofit organization, to waive building permits fees.
5. Consideration by Snake River Harley-Davidson to approve this season's outdoor customer appreciation concerts at their facility.
6. Consideration to sign the cooperative agreement with T-Mobile for the 3-1-1 non-emergency service.

**II. ITEMS FOR CONSIDERATION:**

1. Introduction of PSI Environmental, Inc. employees by District Manager Chris Carey.
2. Consideration to present POST Certificates to the following individuals: Communications Specialists Kimberly Heinmiller and Tina Kelley, Officer Javier Paredez, and Detective Gregg Lockwood.
3. Consideration to adopt a resolution declaring public support for the Crisis Center of Magic Valley, Inc. Deborah Gabardi, Executive Director. Crisis Center of Magic Valley, Inc.
4. Presentation of the CATCH Program (Charitable Assistance to Communities Homeless) by John Hathaway, Department of Health & Welfare.
5. Consideration to adopt a proposed ordinance amending Twin Falls City §6-13-12 by deleting the petition requirement for animals on property annexed into the City.
6. Consideration of the request from DREAMERz Carriage Company for permission to use sections of the Canyon Rim Trail System for their business.
7. Consideration of a request to repeal Twin Falls City Code §9-11-1 through 9-11-8, regarding licensing of bicycles.
8. Consideration to authorize the Mayor and City Manager to execute the right-of-way agreement for Parcel Number 71 of the Washington Street North Phase III Project, Key 08469.
9. Consideration to authorize the Mayor and the City Manager to execute the right-of-way agreement for Parcel Number 11 of the Falls Avenue West road widening project.
10. Consideration of the final plat for Rim Vista Condominiums, thirteen (13) condominium units on .14 acres on property located within portions of Lots 7, 8 & 9 Pinnacle Subdivision aka 247 River Vista Place c/o The Land Group, Inc., Scott Allen.
11. 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.**

MINUTES

April 13, 2009

Page 2 of 6

V. ADJOURNMENT:

**COUNCIL MEMBERS PRESENT:** Mayor 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, Assistant City Manager Travis Rothweiler, Staff Engineer Mike Trabert, City Attorney Fritz Wonderlich, Zoning & Development Manager Renee Carraway, Captain Brian Pike, Captain Dan McAtee, Parks & Recreation Director Dennis Bowyer, Sanitation Inspector Sherry Jeff, Fire Chief Ron Clark, 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.**

**Proclamation:** National Library Week and Recognition of Twin Falls Public Library's 100 Years of Library Service to the Community. Susan Ash, Library Director.

**Proclamation:** Child Abuse Prevention Month. Rosanna Campbell, Supervisor, South Central Head Start.

**Proclamation:** National Volunteer Week. Heidi Marie Walker, Community Relations Coordinator, Hospice Visions. Rescheduled for April 20, 2009.

Mayor Clow read the National Library Week 2009 Proclamation. Library Director Susan Ash was present to accept the proclamation.

Mayor Clow read the Child Abuse Prevention Month Proclamation. Rosanna Campbell was present to accept the proclamation.

**AGENDA ITEMS**

**I. CONSENT CALENDAR:**

1. Consideration of accounts payable for:  
April 7 – 13, 2009, total, \$470,031.18.  
April 9, 2009, total: \$21,385.68.
2. Consideration of the April 13, 2009, Council Minutes.
3. Consideration of a Curb, Gutter and Sidewalk Deferral agreement for Duane and Doris Cox for property located at 184 Buena Vista.
4. Consideration for Valley House, a local nonprofit organization, to waive building permits fees.
5. Consideration by Snake River Harley-Davidson to approve this season's outdoor customer appreciation concerts at their facility.
6. Consideration to sign the cooperative agreement with T-Mobile for the 3-1-1 non-emergency service.

**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. Approved 7 to 0.

**II. ITEMS FOR CONSIDERATION:**

1. Introduction of PSI Environmental, Inc. employees by District Manager Chris Carey.

Sanitation Inspector Jeff introduced District Manager Chris Carey.

District Manager Chris Carey introduced the employees of PSI Environmental. He explained their involvement in community programs and current recycling programs.

MINUTES

April 13, 2009

Page 4 of 6

2. Consideration to present POST Certificates to the following individuals: Communications Specialists Kimberly Heinmiller and Tina Kelley, Officer Javier Paredes, and Detective Gregg Lockwood.

Captain Pike, Mayor Clow and Councilperson Hall presented the certificates.

3. Consideration to adopt a resolution declaring public support for the Crisis Center of Magic Valley, Inc. Deborah Gabardi, Executive Director. Crisis Center of Magic Valley, Inc.

Deborah Gabardi explained the request.

**MOTION:**

Councilperson Heider made the motion to adopt Resolution 1812, entitled:

A RESOLUTION TO PUBLICLY SUPPORT THE MISSION AND OBJECTIVES OF THE CRISIS CENTER OF MAGIC VALLEY, INC., AND TO ALLOW THIS DECLARATION OF PUBLIC SUPPORT TO BE USED BY THE CRISIS CENTER OF MAGIC VALLEY, INC. TO SATISFY AN APPLICATION REQUIREMENT FOR FEDERAL FUNDING AND TO SUPPORT HOUSING FOR LOW-INCOME HOMELESS PERSONS IN THE CITY OF TWIN FALLS; AUTHORIZING THE MAYOR AND CITY CLERK TO MAKE SUCH DECLARATION FOR, AND ON BEHALF OF THE CITY OF TWIN FALLS AND ITS OFFICERS.

The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

4. Presentation of the CATCH Program (Charitable Assistance to Communities Homeless) by John Hathaway, Department of Health & Welfare.

Presentation made by John Hathaway , 601 Pole Line Rd, explaining the CATCH Program.

Councilpersons Hall, Johnson, and Lanting stated that they would volunteer their time to meet with the group.

5. Consideration to adopt a proposed ordinance amending Twin Falls City §6-13-12 by deleting the petition requirement for animals annexed into the City.

Sanitation Inspector Jeff reviewed the request.

**MOTION:**

Councilperson Lanting made the motion to suspend the rules and place Ordinance #2966, entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, AMENDING TWIN FALLS CITY CODE §6-3-12 TO CORRECT A PREVIOUS INADVERTENT DELETION.

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. Approved 7 to 0.

Deputy City Clerk Sanchez read the title to Ordinance #2966.

**MOTION:**

Councilperson Hall made the motion to adopt Ordinance #2966 as presented. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

6. Consideration of the request from DREAMERz Carriage Company for permission to use sections of the Canyon Rim Trail System for their business.

Parks & Recreation Director Bowyer reviewed the request.

MINUTES

April 13, 2009

Page 5 of 6

6:04 P.M. Councilperson Hall recused himself at this time.

Teri Adams explained the request.

Discussion followed.

-Liability issues.

-Possible damage to the trial.

City Attorney Wonderlich discussed the liability issues to the City and discussions made with ICRIMP. A requirement of \$500,000 insurance would be required from the applicant if approved.

Parks & Recreation Director Bowyer recommended that Teri Adams contact the Parks & Recreation Department when events are scheduled if approved.

**MOTION:**

Councilperson Lanting made the motion to authorize the Parks & Recreation Director to approve, on a case by case basis, the use of the trails for the Dreamerz Carriage Co., or to give some similar company permission to use sections of the Canyon Rim trail for their business on one way circuit routes only. Horses to wear rubber shoes and for a test for 2009, and to receive a report the following year. The motion was seconded by Vice Mayor Johnson. Roll call vote showed Councilperson Craig, Johnson, and Lanting voted in favor of the motion. Mayor Clow, Councilperson Heider, and Kezele voted against the motion. Defeated 3 to 3. Councilperson Hall abstained from discussion and voting.

7. Consideration of a request to repeal Twin Falls City Code §§9-11-1 through 9-11-8, regarding licensing of bicycles.

Fire Chief Clark reviewed the request.

Councilperson Hall made the motion to suspend the rules and place Ordinance #2967, entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, REPEALING TWIN FALLS CITY CODE §§9-11-1 THROUGH 9-11-8.

on third and final reading by title only. The motion was seconded by Vice Mayor Johnson and roll call vote showed that all members present voted in favor of the motion. Approved 7 to 0.

Deputy City Clerk Sanchez read the title to Ordinance #2966.

**MOTION:**

Councilperson Kezele made the motion to adopt Ordinance #2967. The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

8. Consideration to authorize the Mayor and City Manager to execute the right-of-way agreement for Parcel Number 71 of the Washington Street North Phase III Project, Key 08469.

Mike Trabert reviewed the request.

**MOTION:**

Vice Mayor Johnson made the motion to authorize the Mayor and City Manager to execute the right-of-way agreement for Parcel Number 71 of the Washington Street North Phase III Project, Key 08469 as presented. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

9. Consideration to authorize the Mayor and the City Manager to execute the right-of-way agreement for Parcel Number 11 of the Falls Avenue West road widening project.

MINUTES

April 13, 2009

Page 6 of 6

Mike Trabert reviewed the request.

**MOTION:**

Vice Mayor Johnson made the motion to authorize the Mayor and the City Manager to execute the right-of-way agreement for Parcel Number 11 of the Falls Avenue West road widening project. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

10. Consideration of the final plat for Rim Vista Condominiums, thirteen (13) condominium units on .14 acres on property located within portions of Lots 7, 8 & 9 Pinnacle Subdivision aka 247 River Vista Place c/o The Land Group, Inc., Scott Allen.

Zoning & Development Manager Carraway reviewed the request.

Should the City Council approve the final plat of Rim Vista Condominiums, as presented, staff recommends that approval 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 compliance with the building code requirements for condominiums.

**MOTION:**

Vice Mayor Johnson made the motion to approve the final plat for Rim Vista Condominiums, thirteen (13) condominium units on .14 acres on property located within portions of Lots 7, 8 & 9 Pinnacle Subdivision aka 247 River Vista Place c/o The Land Group, Inc., Scott Allen, 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 compliance with the building code requirements for condominiums.

The motion was seconded by Councilperson Lanting.

Discussion followed.

-Parking requirements have been satisfied.

Fran Florence, 4129 Hidden Lakes Drive, Kimberly, Idaho, explained the request.

Mayor Clow, Councilpersons Craig, Hall, Heider, Vice Mayor Johnson, and Councilperson Lanting voted in favor of the motion. Councilperson Kezele voted against the motion. Approved 6 to 1.

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

State of the City is scheduled for April 14, 2009, at 12:00 p.m., at the Canyon Crest Restaurant.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS: None.

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

V. ADJOURNMENT: 6:42 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 20, 2009  
City Council Chambers  
305 3<sup>rd</sup> 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 Volunteer Week. Heidi Marie Walker, Community Relations Coordinator, Hospice Visions**

**Arbor Day Proclamation. Parks & Recreation Director Dennis Bowyer.**

**Twin Falls Armenian Memorial Day. Liyah Babayan.**

**AGENDA ITEMS**

**I. CONSENT CALENDAR:**

1. Consideration of accounts payable for April 13 – 20, 2009.
2. Consideration of the April 13, 2009, Minutes.
3. Findings of Fact, Conclusions of Law, and Decision:
  - a. Zoning District Change & Zoning Map Amendment Application, W.S.&V, LLC c/o Doug Vollmer, Applicant(s).
  - b. Vacation Application, Brad Wills, Applicant(s).
  - c. Conveyance Plat Application, TBS Conveyance Plat c/o JUB Engineering, Applicant(s).
  - d. Conveyance Plat Application, W.S. & V (Xavier) c/o EHM Engineering, Inc., Applicant(s).
  - e. Final Plat Application, Xavier Subdivision (W,S & V, LLC) c/o EHM Engineers, Inc., Applicant(s).

**II. ITEMS FOR CONSIDERATION:**

1. Presentation to recognize the service of Beth Olmstead, Tom Skahill, and Mitch Watkins serving on the Parks & Recreation Commission.
2. Consideration of a third (3<sup>rd</sup>) 1-year 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.
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:**

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

**COUNCIL MEMBERS ABSENT:** Mayor Lance Clow,

**STAFF PRESENT:** City Manager Tom Courtney, Assistant City Manager Travis Rothweiler, Community Development Director Mitch Humble, Parks & Recreation Director Dennis Bowyer, Deputy City Clerk Leila Sanchez.

Vice 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. Vice Mayor Johnson introduced City staff.

**Proclamations:** National Volunteer Week. Heidi Marie Walker, Community Relations Coordinator, Hospice Visions. Councilperson Heider read the proclamation.

Arbor Day Proclamation. Parks & Recreation Director Dennis Bowyer. Councilperson Lanting read the proclamation.

Twin Falls Armenian Memorial Day. Liyah Babayan. Councilperson Kezele read the proclamation.

## AGENDA ITEMS

### I. CONSENT CALENDAR:

1. Consideration of accounts payable for April 13 – 20, 2009, total: \$587,306.86
2. Consideration of the April 13, 2009, Minutes.
3. Findings of Fact, Conclusions of Law, and Decision:
  - a. Zoning District Change & Zoning Map Amendment Application, W.S.&V, LLC c/o Doug Vollmer, Applicant(s).
  - b. Vacation Application, Brad Wills, Applicant(s).
  - c. Conveyance Plat Application, TBS Conveyance Plat c/o JUB Engineering, Applicant(s).
  - d. Conveyance Plat Application, W.S. & V (Xavier) c/o EHM Engineering, Inc., Applicant(s).
  - e. Final Plat Application, Xavier Subdivision (W,S & V, LLC) c/o EHM Engineers, Inc., Applicant(s).

#### **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. Approved 6 to 0.

### II. ITEMS FOR CONSIDERATION:

1. Presentation to recognize the service of Beth Olmstead, Tom Skahill, and Mitch Watkins serving on the Parks & Recreation Commission.

Parks & Recreation Director Bowyer and Councilperson Craig presented plaques to Beth Olmstead and Tom Skahill.

Mitch Watkins was unable to attend.

2. Consideration of a third (3<sup>rd</sup>) 1-year 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.

**MOTION:**

Councilperson Lanting made the motion to recommend to the County Commissioners a third (3<sup>rd</sup>) 1-year 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 as presented with the following condition:

1. Subject to final technical review by the Twin Falls City Engineering Department.

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

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

Councilperson Heider asked if the City Council would be in favor of establishing a museum of City historic artifacts. The Council showed support for the project.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS: None.

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

V. ADJOURNMENT: 5:34 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 27, 2009

City Council Chambers

305 3<sup>rd</sup> 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 April 21 – 27, 2009. 2. Consideration of the April 20, 2009, Minutes.	Action	Staff Report
II. <u>ITEMS FOR CONSIDERATION:</u> 1. Consideration to appoint Rod Mathis and Mary Brand to the Traffic Safety Commission.  2. Consideration by Garibaldi's Mexican Restaurant to approve an outdoor event at their facility beginning at 6:00 P.M. and ending at 9:00 P.M. on Tuesday, May 5, 2009. 3. Consideration by Lighthouse Christian Fellowship, to approve an outdoor event at their facility beginning at 12:00 P.M. and ending at 7:00 P.M. on Saturday, August 22, 2009. 4. Consideration of a Resolution to help combat identity theft. 5. Consideration of a one (1) year extension on the approval of the Final Plat for Eagle Parke Subdivision consisting of 30.47 acres (+/-) with 74 single family residential lots on property located at the southwest corner of Falls Avenue East and Hankins Road (aka 3200 East), excluding the Boy Scout property. 6. Public input and/or items from the City Manager and City Council.	Action Action Action Action Action	Dennis Pullin/ Dave Snelson Dan McAtee/ Rocio Perez Dan McAtee/ Kevin Newberry Travis Rothweiler Mitch Humble
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:** Trip Craig, Don Hall, Lee Heider, David E. Johnson, William A. Kezele, Greg Lanting

**COUNCIL MEMBERS ABSENT:** Mayor Lance Clow

**STAFF PRESENT:** City Manager Tom Courtney, Assistant City Manager Travis Rothweiler, City Attorney Fritz Wonderlich, Finance Director Gary Evans, Community Development Director Mitch Humble, Staff Sergeant Dan McAtee, Parks & Recreation Director Dennis Bowyer, and Deputy City Clerk Leila Sanchez.

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Vice 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. Vice Mayor Johnson introduced City staff.

## AGENDA ITEMS

### I. CONSENT CALENDAR:

1. Consideration of accounts payable for April 21 – 27, 2009, total: \$460,229.09.
2. Consideration of the April 20, 2009, Minutes.

**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. Approved 6 to 0.

### II. ITEMS FOR CONSIDERATION:

1. Consideration to appoint Rod Mathis and Mary Brand to the Traffic Safety Commission.

Dave Snelson, Chairman of the Twin Falls Traffic Commission, reviewed the request. The Council thanked Bill Kyle and Aaron Wert for serving on the Commission.

**MOTION:**

Councilperson Hall made the motion to appoint Rod Mathis and Mary Brand to the Traffic Safety Commission for three year terms as presented. The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

2. Consideration by Garibaldi's Mexican Restaurant to approve an outdoor event at their facility beginning at 6:00 P.M. and ending at 9:00 P.M. on Tuesday, May 5, 2009.

Staff Sergeant McAtee reviewed the request.

The Twin Falls Police Administrative Staff recommends that the Council approve the request as presented.

Rocio Perez, applicant, was present to answer any questions.

**MOTION:**

Councilperson Lanting made the motion to approve Garibaldi's outdoor event at their facility beginning at 6:00 P.M. and ending at 9:00 P.M. on Tuesday, May 5, 2009, as presented. The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

3. Consideration by Lighthouse Christian Fellowship, to approve an outdoor event beginning at 12:00 P.M. and ending at 7:00 P.M. on Saturday, August 22, 2009.

Staff Sergeant McAtee reviewed the request.

Twin Falls Police Administrative Staff recommends that the Council approve the request as presented.

Kevin Newberry, applicant, explained the request.

Discussion followed:

Councilperson Kezele requested that Staff Sgt. McAtee investigate the traffic plan for Eastland.

Kevin Newberry stated the following:

- Off-site parking will be situated across from Reynold's Funeral Chapel and applicant will be responsible for road cleanup.
- The public is invited to attend.
- The gate will be closed if in excess of 2,000 persons are in attendance.
- EMT's will be onsite.

**MOTION:**

Councilperson Lanting made the motion to approve the Lighthouse Christian Fellowship outdoor event beginning at 12:00 P.M. and ending at 7:00 P.M. on Saturday, August 22, 2009, with approval of a traffic and cleanup plan by the Twin Falls Police Department. The motion was seconded by Councilperson Hall.

Discussion followed:

Councilperson Heider stated his concern of traffic congestion. Councilperson Heider requested that the applicant not impact businesses in the area.

Councilperson Craig stated his concern of on-street parking and asked City staff to investigate.

Roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

4. Consideration of a Resolution to help combat identity theft.

Assistant City Manager Rothweiler reviewed the request.

Staff recommends that the Council approve the proposed Resolution as presented.

**MOTION:**

Councilperson Heider made the motion to adopt Resolution 1813, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, ADOPTING AN IDENTITY THEFT PREVENTION PROGRAM.

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, THAT THE FOLLOWING IDENTITY THEFT PREVENTION PROGRAM IS HEREBY ADOPTED FOR THE CITY'S UTILITY ACCOUNTS.

The motion was seconded by Councilperson Lanting.

Discussion followed:

Councilperson Heider asked staff how the Resolution will be implemented.

Assistant City Manager Rothweiler stated that the Resolution is for the City of Twin Falls and would be implemented throughout the organization.

Roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

MINUTES

April 27, 2009

Page 4 of 5

5. Consideration of a one (1) year extension on the approval of the Final Plat for Eagle Parke Subdivision consisting of 30.47 acres (+/-) with 74 single family 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 approval of a 1-year extension (expiring May 19, 2010) of the filing requirement on the final plat for Eagle Parke Subdivision as presented subject to the following conditions:

1. Subject to comply with current PI standards.
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.
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.

Gerald Martens, applicant, concurs with the conditions as presented by staff.

**MOTION:**

Councilperson Craig made the motion to approve the 1-year extension (expiring May 19, 2010) of the filing requirement on the final plat for Eagle Parke Subdivision as presented subject to the following conditions:

1. Subject to comply with current PI standards.
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.
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 Lanting and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

Vice Mayor Johnson stated that the Police Department, Parks & Recreation Department, City Staff, Councilpersons Hall and Kezele, and himself, met to discuss the possibility of delaying the implementation of the new park ordinance that applies to the City Park. The consensus is that the new fee may be prohibitive. He stated that placing a hold on the implementation of the ordinance allows the committee and staff time to look at options without negatively impacting events scheduled for City Park.

City Manager Courtney explained the request.

Discussion followed:

Parks & Recreation Director Bowyer stated the following:

-Implementation of the 2009 fees was approved by City Council on October 27, 2008.

-Fees collected generally go into the General Fund.

Vice Mayor Johnson stated that one of the concerns of implementing the new fees is that they would discourage community events to be scheduled at the City Park.

**MOTION:**

Councilperson Hall made the motion to revert back to the 2008 fees at City Park, including reimbursement of organizations that have paid the 2009 fees. The motion was seconded by Councilperson Kezele. Roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

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

Councilperson Lanting gave an update on the Arbor Day Parade and events.

City Manager Courtney gave an update on the pressure irrigation system.

MINUTES

April 27, 2009

Page 5 of 5

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS: None.

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

V. ADJOURNMENT: The meeting adjourned at 6:00 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  
 May 4, 2009  
 City Council Chambers  
 305 3<sup>rd</sup> 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: American Legion Auxiliary Poppy Days. Mary Mitchell & Jeri Hillman, Co-Chairman of Poppy Days

AGENDA ITEMS	Purpose	By:
<p><b>I. <u>CONSENT CALENDAR:</u></b></p> <ol style="list-style-type: none"> <li>1. Consideration of accounts payable for April 28 – May 4, 2009.</li> <li>2. Consideration of the April 27, 2009, Minutes.</li> <li>3. Consideration of an Alcohol License Application (Beer/Wine) for AmeriTel Inc., DBA Hilton Garden, Inc.</li> <li>4. Consideration to approve the Western Days Special Event Application and Parade Application.</li> <li>5. Consideration to approve the 20<sup>th</sup> Annual Mother's Day and Latin Fiesta to be held at the City Park.</li> </ol>		<p><i>Staff Report</i></p> <p>Leila Sanchez Sharon Bryan</p> <p>Dennis Pullin</p> <p>Dan McAtee</p>
<p><b>II. <u>ITEMS FOR CONSIDERATION:</u></b></p> <ol style="list-style-type: none"> <li>1. Consideration of bid award for AIP-27, 2009 Apron Reconstruction Project.</li> <li>2. Consideration of the lease agreement between Twin Falls Preservation Inc. and the City to maintain the pocket park next to the grain elevators.</li> <li>3. Consideration to amend City Code 2-6 regarding the membership and duties of the Building Inspection Department Advisory Committee. <b><i>Proposed Ordinance 2968.</i></b></li> <li>4. Annexation of 4.38 (+/-) acres and 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) <b><i>Proposed Ordinance 2969.</i></b></li> <li>5. Presentation of an alternate method for determining reimbursement for public improvements made by developers.</li> <li>6. Public input and/or items from the City Manager and City Council.</li> </ol>	<p>Action</p> <p>Action</p> <p>Action</p> <p>Action</p> <p>Presentation</p>	<p>Bill Carberry Dennis Bowyer/ Paul Smith</p> <p>Mitch Humble</p> <p>Mitch Humble</p> <p>Brad Wills/ Jackie Fields</p>
<p><b>III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u></b></p>		
<p><b>IV. <u>PUBLIC HEARINGS:</u></b> 6:00 P.M. – None.</p>		
<p><b>V. <u>ADJOURNMENT:</u></b></p>		

*\*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:** Mayor Lance Clow, Trip Craig, Don Hall, Lee Heider, William A. Kezele, Greg Lanting

**COUNCIL MEMBERS ABSENT:** David E. Johnson

**STAFF PRESENT:** City Manager Tom Courtney, Assistant City Manager Travis Rothweiler, City Attorney Fritz Wonderlich, Finance Director Gary Evans, Community Development Director Mitch Humble, City Engineer Jackie Fields, Staff Sergeant Dennis Pullin, Staff Sergeant Dan McAtee, Parks & Recreation Director Dennis Bowyer, Building Official Dwaine Thomson, Airport Manager Bill Carberry, 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.

**PROCLAMATIONS:** American Legion Auxiliary Poppy Days. Mary Mitchell & Jeri Hillman, Co-Chairman of Poppy Days.

Mayor Clow read the proclamation and presented it to Mary Mitchell.

Mary Mitchell introduced members of Unit 7 American Legion Auxiliary.

## AGENDA ITEMS

### I. CONSENT CALENDAR:

1. Consideration of accounts payable for April 28 – May 4, 2009, total \$427,735.83.
2. Consideration of the April 27, 2009, Minutes.
3. Consideration of an Alcohol License Application (Beer/Wine) for AmeriTel Inc., DBA Hilton Garden, Inc.
4. Consideration to approve the Western Days Special Event Application and Parade Application.
5. Consideration to approve the 20<sup>th</sup> Annual Mother's Day and Latin Fiesta to be held at the City Park.

#### **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. Approved 6 to 0.

### II. ITEMS FOR CONSIDERATION:

1. Consideration of bid award for AIP-27, 2009 Apron Reconstruction Project.

Airport Manager Carberry reviewed the request.

Staff recommends the City award the bid to Idaho Sand & Gravel Co, for the amount of \$1,624,999.00 contingent on the concurrence of the Federal Aviation Administration.

Discussion followed.

#### **MOTION:**

Councilperson Heider made the motion to award the AIP-27, 2009 Apron Reconstruction Project to Idaho Sand & Gravel Co, for the amount of \$1,624,999.00 contingent on the concurrence of the Federal Aviation Administration. The motion was

seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

2. Consideration of the lease agreement between Twin Falls Preservation Inc. and the City to maintain the pocket park next to the grain elevators.

Paul Smith explained the request.

The grain elevators came with  $\frac{3}{4}$  of an acre. The Beautification Committee raised \$10,000. Twin Falls Preservation, Inc. would like it to become a pocket park for the community. Discussion has been made regarding maintenance of the park with Parks & Recreation Director Bowyer. The request is to enter into a lease agreement with the City.

Discussion followed:

- Naming of the park.
- Grain elevators are empty.
- Lease agreement.

Paul Smith stated that the length of the cell tower site lease is 10 years with a 10 year extension.

Parks & Recreation Director Bowyer reviewed the request. The cost to maintain the pocket parks is approximately \$1,400 per year.

On March 10, 2009, the Twin Falls Parks & Recreation Department recommended that the Council approve the request for the City to maintain the pocket park next to the grain elevators via a lease agreement.

Discussion followed:

- Automatic sprinkler system has been installed with automatic timers.
- Water conservation grasses will be used.

**MOTION:**

Councilperson Heider made the motion to approve the lease agreement between Twin Falls Preservation Inc., and the City to maintain the pocket park next to the grain elevators and authorized the Mayor to sign the lease agreement. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

Parks & Recreation Director Bowyer discussed the pocket park at Harrison and Fillmore.

3. Consideration to amend City Code 2-6 regarding the membership and duties of the Building Inspection Department Advisory Committee. ***Proposed Ordinance 2968.***

Building Official Thomson reviewed the request.

Staff recommends the Council approve the request as submitted and adopt the proposed ordinance.

Discussion followed.

- Terms of the advisory committee.

Councilperson Lanting made the motion to suspend the rules and place Ordinance #2968, entitled:

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, AMENDING TWIN FALLS CITY CODE §§ 2-6-2 AND 2-6-3 BY MAKING REFERENCE TO THE CODES ADOPTED BY THE CITY OF TWIN FALLS, AND BY INCREASING THE MEMBERSHIP OF THE BUILDING CODE ADVISORY COMMISSION.**

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. Approved 6 to 0.

Deputy City Clerk Sanchez read the title to Ordinance #2968.

Discussion followed:

- Number of members on the committee.
- Request to have members actively engaged in the profession at the present time.

**MOTION:**

Councilperson Craig made the motion to adopt Ordinance #2968 as presented. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

4. Annexation of 4.38 (+/-) acres and 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) ***Proposed Ordinance 2969.***

Community Development Director Humble reviewed the request.

Discussion followed.

Staff recommends the Council adopt the proposed ordinance as submitted.

Councilperson Craig made the motion to suspend the rules and place Ordinance #2969, 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 Lanting and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

Deputy City Clerk Sanchez read the title to Ordinance #2969.

**MOTION:**

Councilperson Lanting made the motion to adopt Ordinance #2969 as presented. The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

5. Presentation of an alternate method for determining reimbursement for public improvements made by developers.

Brad Wills, 222 Shoshone Street West, stated that the developers and the Engineering Department have been working together to determine the reimbursement for public improvements.

Payback fees allow the developers to get reimbursed for infrastructure that provides for future capacity. The developers would like to take some of the burden from the City. The group would meet every two months. The developers are proposing an idea to facilitate to do this but with the City's oversight. A meeting was held with City Attorney Wonderlich, City Manager Courtney, City Engineer Fields and developers to discuss the reimbursement for public improvements.

The request is to have the City Council appoint a commission of 7 to oversee the system. The first step is to have the City Council pass an ordinance establishing this commission. It would be one commission for the entire city. A resolution is needed and has been drafted, reviewed by City Attorney Wonderlich, and is being modified by staff to verbalize the sketches submitted by Brad Wills.

Discussion followed:

-Councilperson Kezele asked the pros and cons of the commission.

Brad Wills stated that the pros would be an equitable system for all involved. The con would be that a hook up would not take place without paying the reimbursement.

City Engineer Fields discussed transportation. Road construction reimbursement is not currently possible. Sewer flow rate attribute to the cost of the line to whoever is putting in wastewater. The City is embarking into an era where it is necessary to modernize the resolution. She stated that GIS is a way to attach data to a map.

Councilperson Lanting asked if the same principle would work on placing a larger water and sewer line.

Brad Wills stated that he was not sure what the upsizing will cost.

Councilperson Kezele asked what the plans are to grandfather existing projects.

City Engineer Fields stated she is trying to come up with something agreeable with developers and city staff.

City Attorney Wonderlich stated that to implement the resolution will start with the developer's providing the cost.

Mayor Clow stated that recovery to the developers is encouraging them to develop.

Brad Wills explained the proposed development costs showing overhead projections.

Councilperson Heider asked what the trigger is for payback.

Brad Wills stated the City Engineer will not approve a final plat or permit.

City Manager Courtney stated that it would be difficult to assess the cost for existing subdivisions.

**MOTION:**

Councilperson Lanting made the motion to authorize staff to proceed with the development of resolutions and ordinances, work with the development community, to include examples on how the reimbursement for public improvements will work and has worked in the past. The motion was seconded by Councilperson Craig and voice call vote showed all members present voted in favor of the motion. Passed 6 to 0.

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

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

Mayor Clow announced that a Youth Council meeting is scheduled for Monday, May 11, 2009, in the City Council Overflow Room at 4:00 P.M.

Brad Wills announced that Construction Career Days will be held on May 7 and 8, 2009, and open to general public on May 9, 2009, at the College of Southern Idaho Expo Building located on North College Road. This is a hands-on career event to expose Region IV high school students, their parents, and the general public to career opportunities in the construction industry and to enhance the student classroom experience

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

**V. ADJOURNMENT: Adjourned at 6:26 p.m.**

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  
May 11, 2009  
City Council Chambers  
305 3<sup>rd</sup> 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.

AGENDA ITEMS	Purpose	By:
<b>I. <u>CONSENT CALENDAR:</u></b> 1. Consideration of accounts payable for May 5 – 11, 2009, total: \$485,760.93. 2. Consideration of the May 4, 2009, Minutes. 3. Consideration to accept a relocation of an individual sewer service line deferral for South Side Bean Company, Inc. 4. Findings of Fact, Conclusions of Law, and Decision: a. Final Plat Application, Morning Sun Subdivision, Phase 7, c/o EHM Engineering, Inc., Applicant(s). b. Final Plat Application, Rim Vista Condominiums, Applicant(s).	Action	Staff Report  Jackie Fields  Mitch Humble  Mitch Humble
<b>II. <u>ITEMS FOR CONSIDERATION:</u></b> 1. Consideration to adopt <i>Resolution No. 1814</i> authorizing the City to issue a Promissory Note to the State of Idaho Bond Bank Authority in an amount not to exceed \$10,255,000.00 for the purchase of water rights at Pristine Springs. 2. Consideration to authorize the Mayor to sign a Cooperative Agreement with ITD for Key 5404, Twin Falls Alternate Phase II, and approve the resolution confirming this commitment. <i>Proposed Resolution 1815.</i> 3. Consideration to authorize the Mayor and City Manager to execute the right-of-way agreement for Parcel Number 68 of the Washington St. N Phase III Project, Key 08469. 4. Consideration to authorize the Mayor and City Manager to execute the right-of-way agreement for Parcel Numbers 73 & 74 of the Washington St. N Phase III Project, Key 08469. 5. Public input and/or items from the City Manager and City Council.	Action  Action  Action  Action	Gary Evans  Jackie Fields  Jackie Fields  Jackie Fields
<b>III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u></b>		
<b>IV. <u>PUBLIC HEARINGS:</u> 6:00 P.M. – None.</b>		
<b>V. <u>ADJOURNMENT:</u></b>		

*\*Any person(s) needing special accommodations to participate in the above noticed meeting should contact Leila Sanchez at (208) 735-7287 at least two working days before the meeting.*

MINUTES

May 11, 2009

Page 2 of 4

**COUNCIL MEMBERS PRESENT:** Mayor Lance Clow, Trip Craig, Don Hall, Lee Heider, William A. Kezele.

**COUNCIL MEMBERS ABSENT:** David E. Johnson, Greg Lanting

**STAFF PRESENT:** City Manager Tom Courtney, Assistant City Manager Travis Rothweiler, City Attorney Fritz Wonderlich, Finance Director Gary Evans, City Engineer Jackie Fields, 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. Councilperson Craig introduced City staff.

### Changes to the Agenda:

1. 5. Consideration of an Alcohol License Application Transfer (Beer/Wine) for Aztlan Mexican Restaurant, located at 117 Main Avenue East.

#### **PROCLAMATION: National Police Week.**

Councilperson Craig read the National Police Week Proclamation.

Councilperson Hall presented the Proclamation to Officer Brian Maughan. A ceremony is scheduled for Saturday, May 16, 2009, at 11:00 A.M., at the Twin Falls City Park.

## AGENDA ITEMS

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

1. Consideration of accounts payable for May 5 – 11, 2009, total: \$485,760.93.
2. Consideration of the May 4, 2009, Minutes.
3. Consideration to accept a relocation of an individual sewer service line deferral for South Side Bean Company, Inc.
4. Findings of Fact, Conclusions of Law, and Decision:
  - a. Final Plat Application, Morning Sun Subdivision, Phase 7, c/o EHM Engineering, Inc., Applicant(s).
  - b. Final Plat Application, Rim Vista Condominiums, Applicant(s).
5. Consideration of an Alcohol License Application Transfer (Beer/Wine) for Aztlan Mexican Restaurant, located at 117 Main Avenue East.

#### **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. Approved 5 to 0.

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

Item #2 was heard at this time.

2. Consideration to authorize the Mayor to sign a Cooperative Agreement with ITD for Key 5404, Twin Falls Alternate Phase II, and approve the resolution confirming this commitment. *Proposed Resolution 1815.*

City Engineer Fields reviewed the request.

Staff recommends that the Council approve the request as presented.

Discussion followed.

#### **MOTION:**

MINUTES

May 11, 2009

Page 3 of 4

Councilperson Heider made the motion to authorize the Mayor to sign a Cooperative Agreement with ITD for Key 5404, Twin Falls Alternate Phase II, and adopt Resolution 1815 as presented. The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. Approved 5 to 0.

1. Consideration to adopt *Resolution No. 1814* authorizing the City to issue a Promissory Note to the State of Idaho Bond Bank Authority in an amount not to exceed \$10,255,000.00 for the purchase of water rights at Pristine Springs.

Finance Director Evans reviewed the request. Completion of this project will bring the City into compliance with the new arsenic standard.

Resolution No. 1814 authorizes the financing for the Pristine Springs water right purchase piece of this project. Financing for the remaining portions of the project will be arranged at a future time.

Stephanie Bonney, from Moore Smith Buxton & Turke, Chartered explained the Bond Counsel Services for the City of Twin Falls' Promissory Note, Series 2009.

Discussion followed.

-Bond interest rate and terms.

City Manager Courtney reviewed the request.

Jim Wrigley, Wells Fargo Brokerage Services, LLC, explained the bonding process.

Finance Director Evans stated that the Note will be approximately \$900,000 per year for 15 years, payable out of Net Revenues of the Water Fund.

Staff recommends the adoption of Resolution No. 1814.

City Manager Courtney explained the cash flow estimates for this project.

**MOTION:**

Councilperson Heider made the motion to adopt Resolution No. 1814, as presented. The motion was seconded by Councilperson Kezele and roll call vote showed all members present voted in favor of the motion. Approved 5 to 0.

2. Consideration to authorize the Mayor and City Manager to execute the right-of-way agreement for Parcel Number 68 of the Washington St. N Phase III Project, Key 08469.

City Engineer Fields reviewed the request.

Staff recommends that the City Council approve the request as presented.

**MOTION:**

Councilperson Hall made the motion to authorize the Mayor and City Manager to execute the right-of-way agreement for Parcel Number 68 of the Washington St. N Phase III Project, Key 08469 as presented. The motion was seconded by Councilperson Kezele and roll call vote showed all members present voted in favor of the motion. Approved 5 to 0.

4. Consideration to authorize the Mayor and City Manager to execute the right-of-way agreement for Parcel Numbers 73 & 74 of the Washington St. N Phase III Project, Key 08469.

City Engineer Fields reviewed the request.

Staff recommends that the City Council approve the request as presented.

MINUTES

May 11, 2009

Page 4 of 4

**MOTION:**

Councilperson Heider made the motion to authorize the Mayor and City Manager to execute the right-of-way agreement for Parcel Numbers 73 & 74 of the Washington St. N Phase III Project, Key 08469 as presented. The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. Approved 5 to 0.

Discussion followed:

Mayor Clow asked how the Church of the Nazarene deferral agreement fit in with the project expansion of Washington Street.

City Engineer Fields stated that she would look in to the outstanding deferral agreement.

City Attorney Wonderlich discussed the Church of the Nazarene curb, gutter, and sidewalk, deferral agreement.

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

City Engineer Fields reviewed the Idaho Transportation Department (ITD) Blue Lakes Project reconstruction of the pavement and drainage facilities on Blue Lakes Boulevard from Falls Avenue to Pole Line Road. She also discussed striping the intersection of Fillmore Street and N. College Road and timeline of the project.

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

Mayor Clow stated the following:

-The Youth Council meeting will be held on May 26, 2009, at 4:00 P.M., in the Council Chambers Overflow Room.

-A Town Hall meeting will be held on May 21, 2009, at 7:00 P.M., in the Council Chambers

Councilperson Craig stated the following:

-The Urban Renewal Agency is receiving applications for a Commission Member.

-The Parks & Recreation Commission meeting will be held on May 11, 2009, at 11:30 A.M., in the Council Chambers.

-The Library Board meeting will be held on May 13, 2009, at 4:30 P.M., at the Twin Falls Public Library.

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

**V. ADJOURNMENT: The meeting adjourned at 5:52 p.m.**

Leila A. Sanchez  
Deputy City Clerk/  
Recording Secretary

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 18, 2009

City Council Chambers

305 3<sup>rd</sup> 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: None.

**AGENDA ITEMS**

**Purpose**

**By:**

**I. CONSENT CALENDAR:**

1. Consideration of accounts payable for May 12 – 18, 2009.
2. Consideration of the May 11, 2009, Minutes.
3. Consideration of a Cub Scout Day Camp at the College of Southern Idaho on June 22-26, 2009.
4. Consideration of a Sidewalk Improvement Deferral Agreement for Johnnie Ray & Susan Brook Finnegan for property located at 435 Filer Avenue West.

Action

Staff Report

**II. ITEMS FOR CONSIDERATION:**

1. Presentation of POST Certificates to the following individuals: Communications Specialist Teri Blair, Officers Justin Hendrickson, Harbans Thiara, and Jaime Hall.
2. Presentation of a Landscape Award to Title Fact, Inc, located at 163 4<sup>th</sup> Avenue North, by Stacy Madsen, Magic Valley Arts Council.
3. Consideration of a plan to rename the Twin Falls Municipal Golf Course.
4. Consideration to authorize the Mayor and City Manager to execute the right-of-way agreement for Parcel 65 of the Washington St. N. Phase III Project, Key 08469.
5. Consideration of the Pillar Falls Plaza PUD Agreement.
6. Consideration of the final plat of the Pillar Falls PUD Subdivision, Phase 1, consisting of 9 (+/-) acres with 7 lots located northwest of the intersection of Eastland Drive North and Pole Line Road East, c/o EHM Engineering.
7. Public input and/or items from the City Manager and City Council.

Presentation

Chief Jim Munn/  
 Captain Matt Hicks  
 Stacy Madsen

Presentation

Action

Dennis Bowyer  
 Jackie Fields

Action

Action

Mitch Humble  
 Mitch Humble

Action

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

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

**V. ADJOURNMENT: Joint Executive Session with the City Council and Urban Renewal Agency: Pursuant to Idaho Code 67-2345 (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**

*\*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:** Mayor Lance Clow, Trip Craig, Don Hall, Lee Heider, William A. Kezele, David E. Johnson via telephone conference call, Greg Lanting

**COUNCIL MEMBERS ABSENT:** None.

**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, Economic Development Director Melinda Anderson, Police Chief Jim Munn, Parks & Recreation Director Dennis Bowyer, Captain Matt Hicks, Deputy City Clerk Leila Sanchez.

**URBAN RENEWAL AGENCY MEMBERS PRESENT:** Kent Kramer, Tom Frank, Gary Garnand, Bill Koch, Bob Richards

**ABSENT:** Cindy Bond and Dave Van Engelen

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. Councilperson Clow introduced City staff.

PROCLAMATIONS: None.

## AGENDA ITEMS

### I. CONSENT CALENDAR:

1. Consideration of accounts payable for May 12 – 18, 2009, total: \$891,656.80.
2. Consideration of the May 11, 2009, Minutes.
3. Consideration of a Cub Scout Day Camp at the College of Southern Idaho on June 22-26, 2009.
4. Consideration of a Sidewalk Improvement Deferral Agreement for Johnnie Ray & Susan Brook Finnegan for property located at 435 Filer Avenue West.

#### **MOTION:**

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

### II. ITEMS FOR CONSIDERATION:

1. Presentation of POST Certificates to the following individuals: Communications Specialist Teri Blair, Officers Justin Hendrickson, Harbans Thiara, and Jaime Hall.

Chief Jim Munn, Captain Hicks, Mayor Clow and Councilperson Hall presented POST certificates to recognize Communications Specialist Teri Blair, Officers Harbans Thiara, Jaime Hall, and Justin Hendrickson.

2. Presentation of a Landscape Award to Title Fact, Inc, located at 163 4<sup>th</sup> Avenue North, by Stacy Madsen, Magic Valley Arts Council.

Stacy Madsen, Magic Valley Arts Council, presented a Landscape Award to Rich Stivers of Title Fact, Inc.

3. Consideration of a plan to rename the Twin Falls Municipal Golf Course.

Parks & Recreation Director Bowyer reviewed the request.

On May 13, 2009, the Golf Advisory Commission unanimously recommended the following:

- Hold a contest to re-name the golf course; winner receives a punch card for 10 rounds of golf. Names will be reviewed by the Golf Advisory Commission, and the Commission will forward their top three choices to the City Council for their selection of a new name.
- After new name is chosen, hold a contest for a new logo for the course; winner receives a punch card for 10 rounds of golf. Logos will also be reviewed by the Commission and their top three choices will be forwarded to the City Council for a final selection.
- Implementation date will be January 1, 2010.

Discussion followed.

-Councilperson Kezele asked what costs the City would incur if sponsors are not received.

Parks & Recreation Director Bowyer stated that the Grandview signage cost approximately \$800 - \$1,000. The Clubhouse signage was paid by Pepsi. He stated that he would investigate the cost for signage and follow up with sponsorships.

Councilperson Clow stated that his concern would be the name would appear to be private and requested that staff make sure that advertising for the golf course is clear that the course is open to the public.

**MOTION:**

Councilperson Lanting made the motion to rename the Twin Falls Municipal Golf Course by holding a contest as presented. The motion was seconded by Councilperson Hall and voice vote showed all members voted in favor of the motion. Approved 7 to 0.

4. Consideration to authorize the Mayor and City Manager to execute the right-of-way agreement for Parcel 65 of the Washington St. N. Phase III Project, Key 08469.

City Engineer Fields reviewed the request.

Engineering recommends that the Council approve the request as presented.

**MOTION:**

Councilperson Lanting made the motion to authorize the Mayor and the City Manager to execute the right-of-way agreement for Parcel Number 65 of the Washington St. N. Phase III project, Key 08469, to compensate Campus Park Housing, LLC, in the amount of \$310.12. The motion was seconded by Councilperson Heider and voice vote showed all members voted in favor of the motion. Approved 7 to 0.

5. Consideration of the Pillar Falls Plaza PUD Agreement.

Community Development Director Humble reviewed the request.

On June 26, 2006, the City Council approved a request, as presented, from Land Company, LLC. On November 13, 2006, the City Council approved Ord #2883 which was later published. The property has since changed ownership and the new owners are ready to proceed with the development.

Eric Oass, Oaas & Laney, Inc, explained his involvement on various projects. He introduced Chris Tverdy.

Chris Tverdy explained the request. He stated that time was spent with the City staff to work out the details of the PUD agreement and is 100% in agreement with staff's recommendations but would ask for the following two modifications:

1. Page 2 of 13 of the PLANNED UNIT DEVELOPMENT AGREEMENT/PILLAR FALLS PLAZA PUD. **DELETION OF THE HIGHLIGHTED WORDING:**

C. HEIGHT LIMITATIONS

1. No structure shall be higher than thirty-five (35') feet or as further restricted by the Canyon Rim Overlay District as defined in 10-4-19, **or as amended, or the Neighborhood Commercial Overlay District as defined in City Code 10-4-21, or as amended, which is more restrictive,** with exception of the hotel facility which may apply for additional height in accordance with city code. Architectural feature and equipment screens may exceed thirty-five (35) feet, subject to staff approval. The height shall be measured from the top of the curb at the highest point closest to the front door of the building's primary access, whether public or private access, not to be unreasonably withheld or conditioned.
2. Adopt the Master Development Plan which is in compliance with the preliminary plat phase.

He stated that in the Master Plan the hotel is located on a different lot closer to the canyon rim and is consistent with the Preliminary Plat by the Commission in 2007.

Community Development Director Humble reviewed the request.

He stated that there are two significant changes. The trail stops and does not continue along the rim. The other change is basically the location of the hotel, which was originally shown on the west side of the property and which is now shown on the east side of the property. He also noted the preliminary plat was approved by the Planning & Zoning Commission. A plat is a land division issue not a land use issue. The second change is with the wording on the height restriction. In the NCO there is a 25' height restriction for office, buildings, and hotel. He believes that this strike of the language is consistent with height restriction and C-1 height restriction. Both are different from what was shown in June. The PUD has been prepared consistent with the June 2006 Council approval and does not contain the two changes requested tonight.

Discussion followed:

Councilperson Lanting asked if the new map shows less residential and more commercial.

Community Development Director Humble stated the residential is pretty much the same.

Mayor Clow asked which has the ruling authority, the PUD Agreement or the Canyon Rim Overlay. He is concerned with what is stated in the PUD Agreement verbiage, "The height shall be measured from the top of the curb at the highest point closest to the front door of the building's primary access, whether public or private access, not to be unreasonably withheld or conditioned."

City Attorney Wonderlich stated that the PUD is the ruling authority and asked that the Council receive clarification from the applicant as to the meaning of that particular regulation.

Chris Tverdy stated that due to the slope of the property, the only fair way to measure would be at the curb in front of each building.

Mayor Clow listed the proposed changes as requested by the applicant.

Councilperson Heider asked how the approval would affect surrounding areas.

Community Development Director Humble stated that the 35' height affects the office buildings. The base zone of the hotel was C-1.

**MOTION:**

Councilperson Craig made the motion to approve the Pillar Falls Plaza PUD Agreement as submitted. The motion was seconded by Councilperson Heider.

**AMENDMENT TO THE MOTION:**

Councilperson Craig made an amendment to the main motion to amend the wording as follows: "1. No structure shall be higher than thirty-five (35') feet or as further restricted by the Canyon Rim Overlay District as defined in 10-4-19, ~~or as amended, or the Neighborhood Commercial Overlay District as defined in City Code 10-4-21, or as amended, which is more restrictive,~~ with exception of the hotel facility which may apply for additional height in accordance with city code. Architectural feature and equipment screens may exceed thirty-five (35) feet, subject to staff approval. The height shall be measured from the top of the curb at the highest point closest to the front door of the building's primary access, whether public or private access, not to be unreasonably withheld or conditioned. The motion was seconded by Councilperson Hall and roll call vote showed all members voted in favor of the motion. Approved 7 to 0.

**AMENDMENT TO THE MOTION:**

Councilperson Hall made an amendment to the amended motion to 2. Adopt the Master Development Plan which is in compliance with the preliminary plat phase. The motion was seconded by Councilperson Heider.

Discussion followed:

Councilperson Lanting asked the proposed height of the hotel.

Chris Tverdy stated he does not have a specific height for the hotel or condos.

Roll call vote showed Mayor Clow, Councilpersons Craig, Hall, and Vice Mayor Johnson voted in favor of the motion. Councilperson Heider, Kezele, and Lanting voted against the motion. Approved 4 to 3.

Roll call vote on the main motion as amended showed Mayor Clow, Councilperson Craig, Hall, and Vice Mayor Johnson voted in favor of the motion. Councilpersons Heider, Kezele and Lanting voted against the motion. Approved 4 to 3.

6. Consideration of the final plat of the Pillar Falls PUD Subdivision, Phase 1, consisting of 9 (+/-) acres with 7 lots and **3 tracts** located northwest of the intersection of Eastland Drive North and Pole Line Road East, c/o EHM Engineering.

Community Development Director Humble reviewed the request.

Staff recommends that the Council approve the request for approval of the final plat of Pillar Falls PUD Subdivision, Phase 1, 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. Subject to approval of the PUD Agreement.
4. Subject to current water modeling being done at the time of the final plat application.

Discussion followed:

Councilperson Heider asked for the location of the access to the trail when it is built.

Community Development Director Humble showed on overhead projection the proposed trail and connections.

**MOTION:**

Councilperson Heider made the motion to approve the final plat of the Pillar Falls PUD Subdivision, Phase 1, consisting of 9 (+/-) acres with 7 lots and **3 tracts** located northwest of the intersection of Eastland Drive North and Pole Line Road East, c/o EHM Engineering, 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. Subject to approval of the PUD Agreement.
4. Subject to current water modeling being done at the time of the final plat application.

The motion was seconded by Councilperson Craig and roll call vote showed all members voted in favor of the motion. Approved 7 to 0.

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

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

Mayor Clow stated that a Town Hall Meeting will be held on May 21, 2009, at 7:00 P.M. in the Council Chambers.

Councilperson Lanting gave an update on the Golf Advisory Meeting.

Councilperson Hall gave an update on a Traffic Safety Committee meeting regarding traffic on Pole Line Road.

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

V. **ADJOURNMENT:** Joint Executive Session with the City Council and Urban Renewal Agency:

*Pursuant to Idaho Code 67-2345 (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 Hall made the motion to adjourn to Executive Session as presented. The motion was seconded by Councilperson Heider and roll call vote showed all members voted in favor of the motion. Approved 7 to 0.

**MOTION:**

*URA Vice Chairman Frank called the meeting to order.*

*Board Member Garnand made the motion to adjourn to Executive Session as presented. The motion was seconded by Board Member Kramer and roll call vote showed all members present voted in favor of the motion. Approved 5 to 0.*

Leila A. Sanchez  
Deputy City Clerk/Recording Secretary

**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  
 Tuesday, May 26, 2009  
 5:30 P.M.  
 City Council Chambers  
 305 3<sup>rd</sup> Avenue East Twin Falls, Idaho

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

CALL MEETING TO ORDER: 5:30 P.M.

PROCLAMATIONS: None.

AGENDA ITEMS	Purpose	By:
<b>I. CONSENT CALENDAR:</b> 1. Consideration of accounts payable for May 19 – 26, 2009. 2. Consideration of the May 18, 2009, Minutes. 3. Consideration of an Improvement Agreement for Development for the Pillar Falls Development PUD No. 1. 4. Consideration of a request from the Twin Falls Tonight Committee to approve the 11 <sup>th</sup> Annual Twin Falls Tonight Concert series commencing on June 17, 2009, and concluding July 15, 2009. 5. Consideration of a request from Shawn Barigar, Twin Falls Chamber of Commerce, to approve the 2008 Snake River Canyon Jam to be held June 10 through June 13, 2009.	Action	Staff Report  Leila Sanchez Jackie Fields  Dan McAtee  Dan McAtee
<b>II. ITEMS FOR CONSIDERATION:</b> 1. Consideration to award the bid for the purchase of a Four Wheel Drive Heavy Duty Tractor with a 75" flail side mower, or equivalent & a 102" offset rear PTO flail mower, or equivalent, to Western States in the bid amount of \$58,921.00. 2. Public input and/or items from the City Manager and City Council	Action	Sherry Jeff
<b>III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</b>		
<b>IV. PUBLIC HEARINGS: 6:00 P.M. –</b> 1. Consideration for a Zoning District Change and Zoning Map Amendment from R-4 to R-4 PRO for property located at 1029 Washington Street North, <u>c/o Landhlafor, Inc./M.Lynn Dunlap (app.2297)</u> 2. Consideration for a Zoning District Change and Zoning Map Amendment from R-4 to R-4 PRO for property located at 1015 Washington Street North <u>c/o Spencer G. Williams (app.2298)</u> 3. Consideration for a Zoning District Change and Zoning Map Amendment from R-2 to C-1 for 29 (+/-) acres on property located ¼ mile southwest of Grandview Drive North and Pole Line Road West <u>c/o Gary Slette on behalf of Nelson &amp; Co. (app.2305)</u>	Action  Action  Action	Mitch Humble  Mitch Humble  Mitch Humble
<b>V. ADJOURNMENT:</b>		

*\*Any person(s) needing special accommodations to participate in the above noticed meeting should contact Leila Sanchez at (208) 735-7287 at least two working days before the meeting.*

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

**COUNCIL MEMBERS ABSENT:** None.

**STAFF PRESENT:** City Manager Tom Courtney, Assistant City Manager Travis Rothweiler, City Attorney Fritz Wonderlich, Community Development Director Mitch Humble, Utility Director Sherry Jeff, Staff Sergeant Dan McAtee, Staff Sergeant Dennis Pullin, Deputy City Clerk Leila Sanchez.

Mayor Clow called the meeting to order at 5:30 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.

PROCLAMATIONS: None.

City Manager Courtney asked for Council direction regarding the Western Days Parade.

## AGENDA ITEMS

### I. CONSENT CALENDAR:

1. Consideration of accounts payable for May 19 – 26, 2009, \$299,313.03.
2. Consideration of the May 18, 2009, Minutes.
3. Consideration of an Improvement Agreement for Development for the Pillar Falls Development PUD No. 1.
4. Consideration of a request from the Twin Falls Tonight Committee to approve the 11<sup>th</sup> Annual Twin Falls Tonight Concert series commencing on June 17, 2009, and concluding July 15, 2009.
5. Consideration of a request from Shawn Barigar, Twin Falls Chamber of Commerce, to approve the ~~2008~~ (2009) Snake River Canyon Jam to be held June 10 through June 13, 2009.

#### **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. Approved 7 to 0.

### II. ITEMS FOR CONSIDERATION:

1. Consideration to award the bid for the purchase of a Four Wheel Drive Heavy Duty Tractor with a 75" flail side mower, or equivalent & a 102" offset rear PTO flail mower, or equivalent, to Western States in the bid amount of \$58,921.00.

Utility Services Director Jeff reviewed the request.

#### **MOTION:**

Councilperson Lanting made the motion to approve the low bid to Western States in the amount of \$58,921.00 as presented. The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

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

### III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

The full Council will be participating in the Western Days Parade and will meet at Fire Station #2, May 30, 2009, at 9:00 a.m.

MINUTES

May 26, 2009

Page 3 of 6

Mayor Clow stated that the Building Department Advisory Committee is required by Idaho Code to have a committee that can review or be appealed to a decision of the City Official

Council directed staff to reword that the Building Department Advisory Committee shall not limit the number of terms to be served.

A Special Meeting for the Golf Advisory Commission will be held at the Golf Course at 9:15 A.M. on May 29, 2009.

Mayor Clow stated that the Census organization has been trying to organize a full count committee. The Census organization approached the City, and he and Community Development Humble approached the County to organize a countywide full count committee. The County recommends that three parts of the County, Twin Falls East and West end create a sub-committee.

Councilperson Lanting volunteered to serve on the Census sub-committee as liaison member.

*Councilperson Heider reported on the organization of a Youth Council. The Association of Idaho Cities has a special program for Youth Councils to attend the conference on June 17 – 19, 2009. The cost to attend the meeting is \$280.00 per student. A suggestion was made to have 3 to 4 students to attend the program and have the City pay 50% of the cost.*

*City Manager Courtney stated that training budgets have been frozen unless there is a certification or where the government is paying for the training.*

*Discussion followed.*

**MOTION:**

*Councilperson Heider made the motion to approve to have the City of Twin Falls support four Youth Council in the amount not to exceed \$560 to attend the AIC Conference on June 17-19, 2009. The motion was seconded by Councilperson Hall. Mayor Clow, Councilpersons Hall, Heider, Vice Mayor Johnson and Councilperson Kezele voted in favor of the motion. Councilpersons Craig and Lanting voted against the motion. Approved 5 to 2.*

*Mayor Clow reviewed the public hearing procedures.*

**IV. PUBLIC HEARINGS: 6:00 P.M. –**

1. Consideration for a Zoning District Change and Zoning Map Amendment from R-4 to R-4 PRO for property located at 1029 Washington Street North, c/o Landhlafor, Inc./M.Lynn Dunlap (app.2297)
2. Consideration for a Zoning District Change and Zoning Map Amendment from R-4 to R-4 PRO for property located at 1015 Washington Street North c/o Spencer G. Williams (app.2298)

Community Development Director Humble suggested holding the two hearings as one since the properties are adjacent to one another and both have common representation.

Lynn Dunlap, representing the applicant, explained Item for Consideration 1 & 2.

Community Development Director Humble reviewed both requests. The requests comply with the Comprehensive Plan.

On April 28, 2009, the Planning & Zoning Commission recommended approval of both requests 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 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 built or rebuilt to current city standards upon development or change of use of the property.

Staff supports both requests.

Discussion followed on the Comprehensive Plan.

The public hearing was opened for Item for Consideration 1 & 2.

The public testimony was opened and closed with no input.

The public hearing was closed.

**MOTION:**

Councilperson Johnson made the motion to approve a Zoning District Change and Zoning Map Amendment from R-4 to R-4 PRO for property located at 1029 Washington Street North, c/o Landhlafor, Inc./M.Lynn Dunlap (app.2297) 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 dedicated to the City of Twin Falls and to be built or rebuilt to current city standards upon development or change of use of the property.

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

**MOTION:**

Councilperson Lanting made the motion to approve a Zoning District Change and Zoning Map Amendment from R-4 to R-4 PRO for property located at 1015 Washington Street North c/o Spencer G. Williams (app.2298) 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 dedicated to the City of Twin Falls and to be built or rebuilt to current city standards upon development or change of use of the property.

The motion was seconded by Councilperson Kezele and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

3. Consideration for a Zoning District Change and Zoning Map Amendment from R-2 to C-1 for 29 (+/-) acres on property located ¼ mile west of the southwest corner of Grandview Drive North and Pole Line Road West c/o Gary Slette on behalf of Nelson & Co. (app.2305)

Gerald Martens, representing the applicant, explained the request and concurs with staffs and Planning & Zonings recommendations.

Community Development Director Humble reviewed the request.

On April 28, 2009, the Planning & Zoning Commission recommended approval of the request as presented 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 dedicated to the City of Twin Falls and to be built or rebuilt to current city standards upon development or change of use of the property.
3. Subject to the recordation of a "Declaration Of Deed Restriction" stating that the property may not be developed until a Zoning District Change and Zoning Map Amendment and a Planned Unit Development ("Pud") Agreement has been approved by the City of Twin Falls and which may include any other conditions placed by the City Council upon approval of this request.

The public hearing was opened.

The public testimony was opened and closed with no input.

The public hearing was closed.

**MOTION:**

MINUTES

May 26, 2009

Page 6 of 6

Vice Mayor Johnson made the motion to approve a Zoning District Change and Zoning Map Amendment from R-2 to C-1 for 29 (+/-) acres on property located ¼ mile west of the southwest corner of Grandview Drive North and Pole Line Road West c/o Gary Slette on behalf of Nelson & Co. (app.2305) 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 dedicated to the City of Twin Falls and to be built or rebuilt to current city standards upon development or change of use of the property.
3. Subject to the recordation of a "Declaration Of Deed Restriction" stating that the property may not be developed until A Zoning District Change and Zoning Map Amendment and a Planned Unit Development ("Pud") Agreement has been approved by the City of Twin Falls and which may include any other conditions placed by the City Council upon approval of this request.

The motion was seconded by Councilperson Kezele and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

V. ADJOURNMENT: Adjourned at 6:38 .

Leila A. Sanchez  
Deputy City Clerk/Recording Secretary

**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 1, 2009  
 City Council Chambers  
 305 3<sup>rd</sup> 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:** "A Day for Kids" – Terry Rowe, Pioneer Federal Credit Union.

<b>AGENDA ITEMS</b>		<b>Purpose</b>	<b>By:</b>
<b>I. <u>CONSENT CALENDAR:</u></b>	Consideration of accounts payable for May 26 – June 1, 2009. Consideration of the May 26, 2009, Minutes.	Action	Staff Report
<b>II. <u>ITEMS FOR CONSIDERATION:</u></b>	1. Presentation to recognize the service of Fran Frost, Historic Preservation Commission and Kevin Dane, Historic Downtown Business Improvement District having served on their respective Commissions. 2. Consideration of a 5th 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. 3. Consideration of the final plat of the Rex Subdivision – 1 <sup>st</sup> Amended – a PUD, .74 (+/-) acres and 2 commercial lots on property located at 1667 Locust Street North c/o EHM Engineering Inc., on behalf of Cornelius & Lanoma Blom. 4. Public input and/or items from the City Manager and City Council.	Presentation  Action  Action	Melinda Anderson  Mitch Humble  Mitch Humble
<b>III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u></b>			
<b>IV. <u>PUBLIC HEARINGS:</u></b>	6:00 P.M. – 1. Appeal from Casy Burgess concerning the decision of the City Planning and Zoning Commission on April 28, 2009, to deny a Special Use Permit to operate an in-home day care facility on property located at 509 Parkway Circle. (app.2299)	Action	Mitch Humble
<b>V. <u>ADJOURNMENT:</u></b>			

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

**COUNCIL MEMBERS ABSENT:** None.

**STAFF PRESENT:** City Manager Tom Courtney, Assistant City Manager Travis Rothweiler, City Attorney Fritz Wonderlich, Zoning & Development Manager, Economic Development Director Mitch Humble, Deputy City Clerk Leila Sanchez.

Mayor Clow called the meeting to order at 5:30 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.

**PROCLAMATIONS:** "A Day for Kids" – Terry Rowe, Pioneer Federal Credit Union.

Terry Rowe was present to receive the proclamation. A Day for Kids will take place on Saturday, June 6, 2009.

## AGENDA ITEMS

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

1. Consideration of accounts payable for May ~~26~~ 27 - June 1, 2009, total: \$201,343.02.
2. Consideration of the May 26, 2009, Minutes.

#### **MOTION:**

Councilperson Heider made the motion to approve the Consent Calendar with the exception of the May 26, 2009, Minutes. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

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

1. Presentation to recognize the service of Fran Frost, Historic Preservation Commission and Kevin Dane, Historic Downtown Business Improvement District having served on their respective Commissions.

Economic Development Director Anderson explained the presentation. Mayor Clow, Councilpersons Hall and Heider presented plaques to Fran Frost and Kevin Dane.

2. Consideration of a 5th 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.

Zoning & Development Manager Carraway reviewed the request using overhead projections.

STAFF RECOMMENDS APPROVAL OF A 5TH 1-YEAR EXTENSION OF THE FILING REQUIREMENT ON THE FINAL PLAT FOR AMERICANA SUBDIVISION (FORMERLY SYRINGA SUBDIVISION) 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. *A WEED MANAGEMENT PLAN APPROVED BY CITY STAFF.*
4. *SUBJECT TO COMPLETION OF THE FOLLOWING ISSUES AS MENTIONED IN THE ANALYSIS:*
  - a. *SUBJECT TO A NEW DEVELOPER'S AGREEMENT*

- b. SUBJECT TO A FINANCIAL GUARANTEE
- c. SUBJECT TO A NEW ENGINEER'S ESTIMATE
- d. SUBJECT TO CLOSURES FOR THE BOUNDARIES
- e. SUBJECT TO AN APPROVAL LETTER FROM THE TWIN FALLS CANAL COMPANY
- f. SUBJECT TO ADDITIONAL RIGHT-OF-WAY AND EASEMENTS BEING DEDICATED FOR THE FALLS AVENUE WEST WIDENING PROJECT.

Discussion followed:

**MOTION:**

COUNCILPERSON LANTING MADE THE MOTION TO APPROVE THE 5TH 1-YEAR EXTENSION OF THE FILING REQUIREMENT ON THE FINAL PLAT FOR AMERICANA SUBDIVISION (FORMERLY SYRINGA SUBDIVISION) 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. A WEED MANAGEMENT PLAN APPROVED BY CITY STAFF.
4. SUBJECT TO COMPLETION OF THE FOLLOWING ISSUES AS MENTIONED IN THE ANALYSIS:
  - a. SUBJECT TO A NEW DEVELOPER'S AGREEMENT
  - b. SUBJECT TO A FINANCIAL GUARANTEE
  - c. SUBJECT TO A NEW ENGINEER'S ESTIMATE
  - d. SUBJECT TO CLOSURES FOR THE BOUNDARIES
  - e. SUBJECT TO AN APPROVAL LETTER FROM THE TWIN FALLS CANAL COMPANY
  - f. SUBJECT TO ADDITIONAL RIGHT-OF-WAY AND EASEMENTS BEING DEDICATED FOR THE FALLS AVENUE WEST WIDENING PROJECT.

The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

3. Consideration of the final plat of the Rex Subdivision – 1<sup>st</sup> Amended – a PUD, .74 (+/-) acres and 2 commercial lots on property located at 1667 Locust Street North c/o EHM Engineering Inc., on behalf of Cornelius & Lanoma Blom.

Zoning & Development Manager Carraway reviewed the request using overhead projections.

Discussion followed.

- Point of access to property #2 shown on overhead projection.
- Use the existing curb cut.
- Parking.

**MOTION:**

COUNCILPERSON JOHNSON MADE THE MOTION TO APPROVE THE FINAL PLAT OF THE REX SUBDIVISION - 1<sup>ST</sup> AMENDED – A PUD, .74 (+/-) ACRES AND 2 COMMERCIAL LOTS ON PROPERTY LOCATED AT 1667 LOCUST STREET NORTH C/O EHM ENGINEERING INC., ON BEHALF OF CORNELIUS & LANOMA BLOM 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. SUBJECT TO A DEFERRAL BEING OBTAINED FOR THE RELOCATION OF THE EXISTING SIGN AT THE TIME THE SIGN IS REPLACED OR WHEN LOCUST STREET NORTH IS WIDENED, WHICHEVER OCCURS FIRST.

4. SUBJECT TO A TEN (10) FOOT EASEMENT BEING INDICATED ON THE PLAT BEHIND THE RIGHT-OF-WAY LINE ON LOCUST STREET NORTH.

The motion was seconded by Councilperson Kezele and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

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

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

Mayor Clow reported on the June 1, 2009, Youth Council Meeting.

Recess at 5:30 P.M.  
Reconvened at 6:00 P.M.

Mayor Clow explained the rules for the public hearing.

IV. **PUBLIC HEARINGS:** 6:00 P.M. –

1. Appeal from Casy Burgess concerning the decision of the City Planning and Zoning Commission on April 28, 2009, to deny a Special Use Permit to operate an in-home day care facility on property located at 509 Parkway Circle. (app.2299)

Casy Burgess explained the request.

Zoning & Development Manager Carraway reviewed the request using overhead projections.

Discussion followed:

Councilperson Kezele suggested using the terms "client" parking in condition 4.

Mayor Clow suggested the applicant park in the garage.

Casy Burgess stated that her Suburban vehicle may be too large to park in the garage.

Closed the application portion of the hearing.

Turned over to public testimony.

Zoning & Development Manager Carraway showed a letter submitted by Crystal Malone on overhead projection in support of the request

Opened up the public hearing:

Ken Ling, 1088 Park Meadows Drive, spoke against the request

Tara Griffith, 343 Blue Lakes Blvd, Apt #4, spoke in favor of the request.

Crystal Malone, 359 Pleasant Road Apt. A., spoke in favor of the request.

Myron Lee, 465 Parkway Circle, spoke against the request.

Rebekka Bicart, 331 Knottingham Drive, spoke in favor of the request.

Maggie Ford, 1832 Shoup Ave E, spoke in favor of the request.

Tori Crumrine, 620 Monte Vista, spoke in favor of the request.

Melissa Allen, 526 Parkway Circle, spoke in favor of the request.

Brent Mort, 526 Parkway Circle, spoke in favor of the request.

Brandi Castillo, 132 Elm Street North, spoke in favor of the request.

Jody Pfeifer, 525 Parkway Circle, spoke in favor of the request.

Kellie Messman, 3643 N. 2700 E., spoke in favor of the request.

Del Carraway, 483 Parkway Circle, noticed a significant change in parking. He objected to comments made on "no traffic in the neighborhood." He stated that large amounts of traffic are on Parkway Drive and the cul-de-sacs. He stated that if the permit is granted and the applicant abides by the conditions he is sure he can live with it.

Closed the public testimony portion of the hearing.

No input from the applicant.

Discussion followed:

-Casy Burgess explained drop off and pick up hours.

Closed the public hearing.

**MOTION:**

COUNCILPERSON HEIDER MADE THE MOTION TO APPROVE THE REQUEST BY CASEY BURGESS FOR A SPECIAL USE PERMIT TO OPERATE AN IN-HOME DAY CARE FACILITY ON PROPERTY LOCATED AT 509 PARKWAY CIRCLE. (app.2299) AS PRESENTED WITH THE FOLLOWING CONDITIONS:

1. A MAXIMUM OF TWELVE (12) CHILDREN, INCLUDING THE CAREGIVER'S CHILDREN, MAY BE CARED FOR UNDER THIS PERMIT AT ANY ONE TIME.
2. IN ADDITION TO MRS. BURGESS, THERE MAY BE A MAXIMUM OF ONE (1) ADDITIONAL CAREGIVER ONSITE AT ANY ONE TIME.
3. THE HOURS OF OPERATION TO BE 6:00 AM TO 6:00 PM, MONDAY THROUGH FRIDAY
4. SUBJECT TO THE DRIVEWAY BEING USED FOR CLIENT PARKING ONLY DURING BUSINESS 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.
7. 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.

Mayor Clow made the clarification that the request is not a zoning change.

The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

Mayor Clow and Councilperson Heider discussed a meeting held with the Youth Council on June 1, 2009, at 4:00 P.M. The request is to consider approving to pay registration fees and travel expenses for two chaperones to attend the AIC Conference with the Youth Council.

Discussion followed.

**MOTION:**

Vice Mayor Johnson made the motion to approve to pay registration fees and travel expenses for two chaperones to attend the AIC Conference with the Youth Council. The motion was seconded by Councilperson Heider. Roll call vote showed Mayor Clow, Councilpersons Hall, Heider, Vice Mayor Johnson, and Councilperson Kezele voted in favor of the motion. Councilperson Craig and Lanting voted against the motion. Approved 5 to 2.

V. ADJOURNMENT: 7:04 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>Councilperson</i>				<i>Vice Councilperson</i>		



MINUTES  
 Meeting of the Twin Falls City Council  
 June 8, 2009  
 City Council Chambers  
 305 3<sup>rd</sup> 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:
<b>I. <u>CONSENT CALENDAR:</u></b> 1. Consideration of accounts payable for June 2 – 8, 2009. 2. Consideration of the May 26, and June 1, 2009, Minutes. 3. Findings of Fact, Conclusions of Law, and Decision: Final Plat Application, Pillar Falls PUD Subdivision, Phase 1.	Action	Staff Report
<b>II. <u>ITEMS FOR CONSIDERATION:</u></b> 1. Consideration to approve Benjamin J. Cluff, 2713 Suncrest Circle, to serve as a Library Trustee. 2. Consideration to appoint Leon Smith to a three-year term (expires June 2012) to the City of Twin Falls Urban Renewal Agency with the option of renewing for a second 3-year term. 3. Report on the conclusion of the City's borrowing of \$10,255,000 through the Idaho Bond Bank Authority, to finance the purchase of the Pristine Springs water right. 4. Consideration of a proposal to increase play and revenue at the Twin Falls Golf Course by special afternoon and evening rates. 5. Consideration to purchase a 250 KW back-up generator for the Twin Falls Municipal Airport water distribution system. 6. Consideration of an agreement between the City of Twin Falls and Episcopal Church of the Ascension to purchase a utility easement for the purpose of installing a pressure irrigation system. 7. Consideration to approve the agreement with STRATA Geotechnical Engineering & Materials Testing in the amount of \$13,500 to complete Task 2. 8. Consideration of adoption of the following two ordinances: a. Zoning District Change and Zoning Map Amendment from R-4 to R-4 PRO for property located at 1029 Washington Street North, c/o Landhlafor, Inc./M.Lynn Dunlap (app.2297) Ordinance #2970 b. Zoning District Change and Zoning Map Amendment from R-4 to R-4 PRO for property located at 1015 Washington Street North c/o Spencer G. Williams (app.2298) Ordinance #2971 9. Consideration to authorize staff to proceed with traffic control changes on Pole Line Road between Costco and Target approaches. 10. Public input and/or items from the City Manager and City Council.	Action Action Action Action Action Action Action Action Action	Susan Ash Melinda Anderson Gary Evans Mike Hamblin Jon Caton Jackie Fields Jackie Fields Mitch Humble Dennis Pullin Jackie Fields
<b>III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u></b>		
<b>IV. <u>PUBLIC HEARINGS:</u></b> 6:00 P.M. – None.		
<b>V. <u>ADJOURNMENT:</u></b>		

*\*Any person(s) needing special accommodations to participate in the above noticed meeting should contact Leila Sanchez at (208) 735-7287 at least two working days before the meeting.*

**COUNCIL MEMBERS PRESENT:** Lance Clow, Trip Craig, Don Hall, William A. Kezele via telephone, Greg Lanting

**COUNCIL MEMBERS ABSENT:** Lee Heider, David E. Johnson,

**STAFF PRESENT:** City Manager Tom Courtney, Assistant City Manager Travis Rothweiler, City Attorney Fritz Wonderlich, Community Development Director Mitch Humble, Economic Development Director Melinda Anderson, Library Tech. Services Dept. Head Mareda Wright, Golf Professional Mike Hamblin, City Engineer Jackie Fields, Staff Sergeant Dennis Pullin, Finance Director Gary Evans, Staff Engineer Mike Trabert, 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 turned the meeting over to Councilperson Hall. Acting Mayor Hall introduced City staff.

## AGENDA ITEMS

### I. CONSENT CALENDAR:

1. Consideration of accounts payable for June 2 – 8, 2009, total: \$332,712.08.
2. Consideration of the May 26, and June 1, 2009, Minutes.
3. Findings of Fact, Conclusions of Law, and Decision: Final Plat Application, Pillar Falls PUD Subdivision, Phase 1.

**MOTION:**

Councilperson Clow made the motion to approve the Consent Calendar as presented. The motion was seconded by Councilperson Lanting and roll call vote showed all members voted in favor of the motion. Approved 5 to 0.

### II. ITEMS FOR CONSIDERATION:

1. Consideration to approve Benjamin J. Cluff, 2713 Suncrest Circle, to serve as a Library Trustee.

Mareda Wright and Patty Patterson reviewed the request and introduced Benjamin J. Cluff.

**MOTION:**

Councilperson Craig made the motion to appoint Benjamin J. Cluff to serve as a Library Trustee for the term of office from 2009 – 2011. The motion was seconded by Councilperson Lanting and roll call vote showed all members voted in favor of the motion. Approved 5 to 0.

2. Consideration to appoint Leon Smith to a three-year term (expires June 2012) to the City of Twin Falls Urban Renewal Agency with the option of renewing for a second 3-year term.

Economic Development Director Anderson reviewed the request.

Discussion followed.

-Re-appoint Tom Frank and Bill Koch for another 3 year term to the URA beginning July 1, 2009.

**MOTION:**

Councilperson Craig made the motion to appoint Leon Smith to the City of Twin Falls Urban Renewal Agency for the term of office expiring June 2012 and to re-appoint Tom Frank and Bill Koch to serve a 2<sup>nd</sup> 3-year term beginning July 1, 2009. The motion was seconded by Councilperson Lanting and roll call vote showed all members voted in favor of the motion. Approved 5 to 0.

3. Report on the conclusion of the City's borrowing of \$10,255,000 through the Idaho Bond Bank Authority, to finance the purchase of the Pristine Springs water right.

Finance Director Evans reviewed the request and introduced Jim Wrigley.

Jim Wrigley reported on the financing of the project.

Discussion followed.

Jim Wrigley explained bond ratings.

Finance Director Evans thanked Mr. Wrigley for all his help on this project.

City Manager Courtney stated the City purchased Pristine Springs and Sunnybrook Spring, to comply with the federal arsenic standard and to acquire a new source of water.

4. Consideration of a proposal to increase play and revenue at the Twin Falls Golf Course by special afternoon and evening rates.

Golf Pro Hamblin explained the request. He explained the *Summer Special \$25* and the *\$1 Per Hole Golf*.

Discussion followed.

-Cart fees.

Golf Pro Hamblin stated that the Summer Special cost without a cart would be \$16.

City Attorney Wonderlich stated that a public hearing would not have to be held.

**MOTION:**

Councilperson Lanting made the motion to approve a Summer Special of \$25/\$16 if a cart is not used; and a \$1 Per Hole Golf as presented. The motion was seconded by Councilperson Clow and roll call vote showed all members voted in favor of the motion.

5. Consideration to purchase a 250 KW back-up generator for the Twin Falls Municipal Airport water distribution system.

Public Works Manager Caton reviewed the request.

**MOTION:**

Councilperson Craig made the motion to purchase a 250 KW back-up generator for the Twin Falls Municipal Airport water distribution system to Western States Equipment Co., in the amount of \$51,180 as presented. The motion was seconded by Councilperson Lanting and roll call vote showed all members voted in favor of the motion. Approved 5 to 0.

6. Consideration of an agreement between the City of Twin Falls and Episcopal Church of the Ascension to purchase a utility easement for the purpose of installing a pressure irrigation system.

Staff Engineer Mike Trabert reviewed the request.

Discussion followed.

-Acres to be irrigated.

**MOTION:**

Councilperson Lanting made the motion to approve an agreement between the City of Twin Falls and Episcopal Church of the Ascension to purchase a utility easement for the purpose of installing a pressure irrigation system in the amount of \$9,240.70.

MINUTES

June 8, 2009

Page 4 of 5

The motion was seconded by Councilperson Clow and roll call vote showed all members voted in favor of the motion. Approved 5 to 0.

7. Consideration to approve the agreement with STRATA Geotechnical Engineering & Materials Testing in the amount of \$13,500 to complete Task 2.

Staff Engineer Trabert reviewed the request.

Mike Woodworth from Strata reviewed the request using a PowerPoint presentation.

Discussion followed.

Staff Engineer Trabert stated that the study was first proposed to Council in November 2008.

City Engineer Fields reviewed the forthcoming tasks.

Mike Woodworth stated that Task 2 would provide certain measures and certain budgets.

Councilperson Clow stated that the report was well done by STRATA.

Discussion followed.

Mike Woodworth stated that Phase 2 would include recommendations and engineer's estimate.

Acting Mayor Hall stated that this project is primarily for the safety of the citizens.

**MOTION:**

Councilperson Clow made the motion to approve the agreement with STRATA Geotechnical Engineering & Materials Testing in the amount of \$13,500 to complete Task 2 as presented. The motion was seconded by Councilperson Lanting and roll call vote showed Councilpersons Clow, Hall, Kezele and Lanting voted in favor of the motion. Councilperson Craig voted against the motion. Approved 4 to 1.

8. Consideration of adoption of the following two ordinances:
  - a. Zoning District Change and Zoning Map Amendment from R-4 to R-4 PRO for property located at 1029 Washington Street North, c/o Landhlaford, Inc./M.Lynn Dunlap (app.2297) Ordinance #2970
  - b. Zoning District Change and Zoning Map Amendment from R-4 to R-4 PRO for property located at 1015 Washington Street North c/o Spencer G. Williams (app.2298) Ordinance #2971

Community Development Director Humble reviewed the request.

**MOTION:**

Councilperson Craig made the motion to suspend the rules and place Ordinances #2970, 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 Ordinance #2971, 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 Lanting and roll call vote showed all members voted in favor of the motion. Approved 5 to 0.

Deputy City Clerk Sanchez read Ordinance #2970 title.

**MOTION:**

Councilperson Lanting made the motion to adopt Ordinance #2970 as presented. The motion was seconded by Councilperson Clow and roll call vote showed all members voted in favor of the motion. Passed 5 to 0.

Deputy City Clerk Sanchez read Ordinance #2971 title.

**MOTION:**

Councilperson Lanting made the motion to adopt Ordinance #2971 as presented. The motion was seconded by Councilperson Clow and roll call vote showed all members voted in favor of the motion. Passed 5 to 0.

9. Consideration to authorize staff to proceed with traffic control changes on Pole Line Road between Costco and Target approaches.

Staff Sergeant Pullin reviewed the request. He reported a high crash rate in the area on Pole Line Road between Costco and Target.

City Engineer Fields reviewed the request using overhead projections. The Traffic Safety Commission requests that the Council authorize a temporary barrier at the discussed location.

Staff requests that the Council approve staff to proceed with the traffic control changes as presented.

Discussion followed.

-Reflective tape on cones.

Acting Mayor Hall suggested that our media partners engage in emphasizing no left turns.

**MOTION:**

Councilperson Clow made the motion to authorize staff to proceed with traffic control changes on Pole Line Road between Costco and Target approaches as presented by the Traffic Safety Commission and the City Engineer. The motion was seconded by Councilperson Lanting and roll call vote showed all members voted in favor of the motion. Approved 5 to 0.

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

City Engineer Fields stated that the Idaho Transportation Department (ITD) is reconstructing the pavement and drainage facilities on Blue Lakes Boulevard from Falls Avenue to Pole Line Road. ITD has invited the public to attend weekly meetings to be held on Wednesdays at 2:00 P.M. at the Twin Falls Chamber of Commerce.

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

Councilperson Clow stated that a scheduled Town Hall meeting would not be conducted on June 29, 2009.

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

**V. ADJOURNMENT: The meeting adjourned at 6:41 p.m.**

Leila A. Sanchez  
Deputy City Clerk/  
Recording Secretary

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 15, 2009  
 City Council Chambers  
 305 3<sup>rd</sup> 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: None.

<b>AGENDA ITEMS</b>		<b>Purpose</b>	<b>By:</b>
<b>I. <u>CONSENT CALENDAR:</u></b>		Action	Staff Report
1. Consideration to approve the accounts payable for June 9 – 15, 2009.			
2. Consideration to approve the June 8, 2009, Minutes.			
3. Consideration to approve the Improvement Agreement for Developments for Xavier Subdivision.			
4. Consideration to approve the Curb-Gutter and Sidewalk Improvement Deferral Agreements for:			
a. Jay Goemmer, 351 Monroe Street.			
b. Beverly A. Thompson, 689 Meadow View Lane.			
5. Consideration to approve an Alcohol License – Beer/Wine for Wal-Mart Supercenter #3897, located at 252 Cheney Drive West.			
6. Consideration to approve a request from the Southern Idaho Fireworks to approve the annual fireworks display held at the College of Southern Idaho on July 4, 2009.			
7. Consideration to approve the 4 <sup>th</sup> Annual Magic Valley Bank Customer Appreciation Barbeque to be held in the 100 block of Main Avenue West and North.			
8. Consideration to approve the Classic Cruisers event to be held on Friday, June 26, 2009.			
<b>II. <u>ITEMS FOR CONSIDERATION:</u></b>		Action	Bill Carberry
1. Consideration to appoint Dan Olmstead to the Airport Advisory Board.		Action	Jackie Fields
2. Consideration to authorize the City Manager to apply for, receive funds, and implement a US Department of Energy – Energy Efficiency and Conservation Block Grant (EECBG)		Action	Mike Schroeder
3. Consideration to purchase a Backhoe Loader for the City Water Department.		Action	Mitch Humble
4. Consideration to approve the final plat for Edmunds/Denney Office Condominium Subdivision, A PUD, has (2) condominium units on .23 acres on property located on Lot 2, Block 1, Eastridge Professional Subdivision aka 1096 Eastland Drive North c/o Ken Edmunds.			
5. Consideration to amend City Code 2-1-1 regarding term limits for members of the Building Inspection Department Advisory Committee. Proposed Ordinance #2972		Action	Mitch Humble
6. Public input and/or items from the City Manager and City Council.			
<b>III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u></b>			
<b>IV. <u>PUBLIC HEARINGS:</u> 6:00 P.M. – None.</b>			
<b>V. <u>ADJOURNMENT:</u></b>			

*\*Any person(s) needing special accommodations to participate in the above noticed meeting should contact Leila Sanchez at (208) 735-7287 at least two working days before the meeting.*

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

**COUNCIL MEMBERS ABSENT:** None.

**STAFF PRESENT:** City Manager Tom Courtney, Assistant City Manager Travis Rothweiler, City Attorney Fritz Wonderlich, Community Development Director Mitch Humble, Airport Manager Bill Carberry, Water Superintendent Mike Schroeder, Staff Sergeant Dennis Pullin, Project Coordinator Lee Glaesemann, 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 turned the meeting over to Councilperson Lanting. Acting Mayor Lanting introduced City staff.

**PROCLAMATIONS:** None.

## AGENDA ITEMS

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

1. Consideration to approve the accounts payable for June 9 – 15, 2009, total: \$894,990.69.
2. Consideration to approve the June 8, 2009, Minutes.
3. Consideration to approve the Improvement Agreement for Developments for Xavier Subdivision.
4. Consideration to approve the Curb-Gutter and Sidewalk Improvement Deferral Agreements for:
  - a. Jay Goemmer, 351 Monroe Street.
  - b. Beverly A. Thompson, 689 Meadow View Lane.
5. Consideration to approve an Alcohol License – Beer/Wine for Wal-Mart Supercenter #3897, located at 252 Cheney Drive West.
6. Consideration to approve a request from the Southern Idaho Fireworks to approve the annual fireworks display held at the College of Southern Idaho on July 4, 2009.
7. Consideration to approve the 4<sup>th</sup> Annual Magic Valley Bank Customer Appreciation Barbeque to be held in the 100 block of Main Avenue West and North.
8. Consideration to approve the Classic Cruisers event to be held on Friday, June 26, 2009.

### **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. Approved 7 to 0.

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

1. Consideration to appoint Dan Olmstead to the Airport Advisory Board.

Airport Manager Carberry reviewed the request.

The Selection Committee recommends the appointment of Dan Olmstead to serve on the Airport Advisory Board.

### **MOTION:**

Vice Mayor Johnson made the motion to appoint Dan Olmstead to serve on the Airport Advisory Board. The motion was seconded by Councilperson Kezele and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

2. Consideration to authorize the City Manager to apply for, receive funds, and implement a US Department of Energy – Energy Efficiency and Conservation Block Grant (EECBG)

Assistant City Manager Rothweiler reviewed the request.

MINUTES

June 15, 2009

Page 3 of 5

Staff recommends that the Council approve the Assurances and authorize the Mayor to apply for, receive funds, and implement a US Department of Energy – Energy Efficiency and Conservation Block Grant (EECBG).

Discussion followed:

-Project Engineer.

Assistant City Manager Rothweiler stated that a technical consultant will be hired using both City and County grant funds. The remainder of the grant award will be used for specific high priority projects identified by the Energy Strategy.

- Future obligations that the City may be committed to.

Assistant City Manager Rothweiler stated that the City does have a reporting requirement but does not believe that the City is committed to fund the entire list of projects.

**MOTION:**

Councilperson Hall made the motion to authorize the Mayor to apply for, receive funds, and implement a US Department of Energy – Energy Efficiency and Conservation Block Grant (EECBG) as presented. The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

3. Consideration to purchase a Backhoe Loader for the City Water Department.

Water Superintendent Schroeder reviewed the request.

Staff recommends that the Council award the contract to Western States Equipment as presented.

Discussion followed:

City Attorney Wonderlich explained the buyback option.

Water Superintendent Schroeder stated that the dealer guarantees the buyback option. He stated that use of a backhoe typically exceeds 1,500 hours.

City Manager Courtney stated that the Water Department would primarily use the backhoe. Other departments will use the equipment on an emergency use basis; otherwise other departments would make arrangements to schedule the use of the backhoe.

Councilperson Heider asked for information on the maintenance agreement and warranty of the equipment.

Water Superintendent Schroeder stated that there is a warranty on the equipment but would check into the time frame of the warranty.

City Manager Courtney stated that there are gate valves throughout the community, and if not operating correctly, the City risks a water break and leaking for days, or shut down of water service in large areas. He also stated that the purchase of the equipment would be paid out of the water fund and would not be funded with property tax.

**MOTION:**

Vice Mayor Johnson made the motion to award the contract for the purchase of a Backhoe Loader for the City Water Department to Western States Equipment for \$79,869.00, with a buyback option of \$45,000.00; for a total 5 year lifetime cost of \$34,869.00, as presented. The motion was seconded by Councilperson Hall.

Discussion followed:

Mayor Clow expressed a concern about a dealership guarantee

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

MINUTES

June 15, 2009

Page 4 of 5

4. Consideration to approve the final plat for Edmunds/Denney Office Condominium Subdivision, a PUD, with (2) condominium units on .23 acres on property located on Lot 2, Block 1, Eastridge Professional Subdivision aka 1096 Eastland Drive North c/o Ken Edmunds.

Community Development Director Humble reviewed the request.

Should the City Council approve the final plat of Edmunds/Denney Office Condominium Subdivision, a PUD, as presented, staff recommends that approval 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 compliance with the building code requirements for condominiums.
3. Subject to compliance with City Code 10-12-5.3; Planned Unit Developments and Condominium Subdivisions.
4. Subject to a certificate of occupancy being issued prior to recordation of this final plat.

Ken Edmunds, applicant, reviewed the request and is in agreement with staff recommendations.

Councilperson Heider asked who is responsible for the common areas.

Ken Edmunds stated that the two owners of the building will form an LLC. The LLC will own and maintain the property and common areas per a maintenance agreement based on each owner's proportionate ownership of the building.

**MOTION:**

Vice Mayor Johnson made the motion to approve the final plat for Edmunds/Denney Office Condominium Subdivision, a PUD, with (2) condominium units on .23 acres on property located on Lot 2, Block 1, Eastridge Professional Subdivision aka 1096 Eastland Drive North c/o Ken Edmunds.

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 compliance with the building code requirements for condominiums.
3. Subject to compliance with City Code 10-12-5.3; Planned Unit Developments and Condominium Subdivisions.
4. Subject to a certificate of occupancy being issued prior to recordation of this final plat.

The motion was seconded by Councilperson Kezele and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

5. Consideration to amend City Code 2-1-1 regarding term limits for members of the Building Inspection Department Advisory Committee. Proposed Ordinance #2972

Community Development Director Humble reviewed the request.

Staff recommends that the Council approve the request as submitted and adopt the proposed ordinance.

Vice Mayor Johnson made the motion to suspend the rules and place Ordinances #2972, entitled:

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, AMENDING TWIN FALLS CITY CODE §2-1-1 BY EXCEPTING THE ADVISORY COMMITTEE TO THE BUILDING INSPECTION DEPARTMENT FROM TERM LIMITS.**

on third and final reading by title only. The motion was seconded by Councilperson Heider and roll call vote showed all members voted in favor of the motion. Approved 7 to 0.

Deputy City Clerk Sanchez read Ordinance #2972 title.

**MOTION:**

Councilperson Hall the motion to adopt Ordinance #2972 as presented. The motion was seconded by Councilperson Clow and roll call vote showed all members voted in favor of the motion. Passed 7 to 0.

6. 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 5:37 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>		



**AMENDED MINUTES**  
 Meeting of the Twin Falls City Council  
 June 22, 2009  
 City Council Chambers  
 305 3<sup>rd</sup> 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:** AMATEUR RADIO EMERGENCY COMMUNICATIONS PREPAREDNESS WEEK

AGENDA ITEMS	Purpose	By:
<b>I. <u>CONSENT CALENDAR:</u></b> 1. Consideration of accounts payable for June 16 – 22, 2009, \$462,759.51. 2. Consideration of the June 15, 2009, Minutes. 3. Consideration of a request to waive the green fees for the 2 <sup>nd</sup> annual "Twin Falls Municipal Golf Course Fundraiser" for special projects on Saturday, August 1, 2009. 4. Consideration of a request from Gretchen Scott and the Junior Club of the Magic Valley to approve the 22 <sup>nd</sup> Annual Bite of Magic Valley at the Twin Falls City Park on July 29, 2009. 5. Consideration of a request by Roger Moore to approve the 29th Annual Falls Brand/Budweiser Door Slammer Softball Tournament to be held at Harmon Park on August 29, 2009. 6. Consideration of a <i>new Alcohol License Application/Beer</i> for Smokin Cowboys LLC, 835 Blue Lakes Blvd. N., and <i>Alcohol License Renewals</i> from July 1, 2009 to June 30, 2010, to be approved on the condition that the applicants apply and receive their State License.	Action	Staff Report  L. Sanchez Dennis Bowyer  Dan McAtee  Dan McAtee  Sharon Bryan
<b>II. <u>ITEMS FOR CONSIDERATION:</u></b> 1. Consideration of a request to re-appoint two members to the Historic Downtown Business Improvement District (BID) Board. 2. Consideration of a request to approve the contract with JUB Engineers for survey and geotechnical investigation. 3. Consideration of a request to authorize the Mayor and City Manager to execute the right-of-way agreement for Parcel Number 69 of the Washington St. N Phase III project, Key 08469. 4. Public input and/or items from the City Manager and City Council.	Action Action Action	Melinda Anderson  Jackie Fields  Jackie Fields
<b>III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u></b>		
<b>IV. <u>PUBLIC HEARINGS:</u></b> 6:00 P.M. – None.		
<b>V. <u>ADJOURNMENT:</u></b>		

*\*Any person(s) needing special accommodations to participate in the above noticed meeting should contact Leila Sanchez at (208) 735-7287 at least two working days before the meeting.*

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

**COUNCIL MEMBERS ABSENT:** None.

**STAFF PRESENT:** City Manager Tom Courtney, Assistant City Manager Travis Rothweiler, City Attorney Fritz Wonderlich, Parks & Recreation Director Dennis Bowyer, Parks & Recreation Assistant Stacy McClintock, Staff Sergeant Dan McAtee, Economic Development Director Melinda Anderson, Deputy City Clerk Sharon Bryan

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 turned the meeting over to Councilperson Heider. Councilperson Heider introduced City staff.

**PROCLAMATIONS:** PROCLAMATIONS: AMATEUR RADIO EMERGENCY COMMUNICATIONS PREPAREDNESS WEEK

Councilperson Heider read the proclamation.

## AGENDA ITEMS

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

1. Consideration of accounts payable for June 16 – 22, 2009.
2. Consideration of the June 15, 2009, Minutes.
3. Consideration of a request to waive the green fees for the 2<sup>nd</sup> annual "Twin Falls Municipal Golf Course Fundraiser" for special projects on Saturday, August 1, 2009.
4. Consideration of a request from Gretchen Scott and the Junior Club of the Magic Valley to approve the 22<sup>nd</sup> Annual Bite of Magic Valley at the Twin Falls City Park on July 29, 2009.
5. Consideration of a request by Roger Moore to approve the 29<sup>th</sup> Annual Falls Brand/Budweiser Door Slammer Softball Tournament to be held at Harmon Park on August 29, 2009.
6. Consideration of a *new Alcohol License Application/Beer* for Smokin Cowboys LLC, 835 Blue Lakes Blvd. N., and *Alcohol License Renewals* from July 1, 2009 to June 30, 2010, to be approved on the condition that the applicants apply and receive their State License.

Councilperson Kezele 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. Approved 7 to 0.

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

1. Consideration of a request to re-appoint two members to the Historic Downtown Business Improvement District (BID) Board.

Economic Development Director Anderson reviewed the request. Appointed Michele Hamilton and Greg Will to the BID Board to serve a 3-year term.

Councilperson Hall made the motion to appoint Michele Hamilton and Greg Will to the BID Board to serve a 3-year term as presented. The motion was passed by Councilperson Craig and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

Mayor Clow abstained from discussion and voting on the item.

2. Consideration of a request to approve the contract with JUB Engineers for survey and geotechnical investigation.

City Engineer Fields reviewed the request.

Discussion followed:  
Councilperson Hall asked if the project was on budget.

City Engineer Fields states that it was not open-ended.

Councilperson Heider asked if there was a preferred route.

City Engineer Fields stated that a preferred route has been reviewed.

Councilperson Lanting asked if there would be a crosswalk and bridge.

City Engineer Fields answered in the affirmative.

Councilperson Johnson asked if there would be more disruption as far as traffic.

City Engineer Fields stated that Harrison Street will have some lane closures and Washington Street may have a lane closure.

Councilperson Lanting made the motion to approve the contract with JUB Engineers for survey and geotechnical investigation as presented. The motion was seconded by Councilperson Hall and roll call vote showed all members voted in favor of the motion. Approved 6 to 0, with Mayor Clow abstaining from voting.

3. Consideration of a request to authorize the Mayor and City Manager to execute the right-of-way agreement for Parcel Number 69 of the Washington St. N Phase III project, Key 08469.

City Engineer Fields reviewed the request.

Councilperson Hall made the motion to authorize the Mayor and City Manager to execute the right-of-way agreement for Parcel Number 69 of the Washington St. N Phase III project, Key 08469 as presented. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

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

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

Councilperson Heider reported that the Idaho Heritage Award went to the City of Twin Falls.

Councilperson Craig stated that on June 26, 2009, the Parks & Recreation Department will be showing movies in the City Park starting at 9:30 p.m. Stacy McClintock stated that *American Tail* would be playing.

Councilperson Craig reported on the Library Tour he took at AIC Conference

Councilperson Lanting reported on the City of Kuna membrane sewage treatment plant he took at AIC Conference.

Mayor Clow reported that four youths attended the AIC Conference.

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

V. **ADJOURNMENT:** Adjourned at 5:39 P.M.

Sharon Bryan  
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

July 6, 2009

5:00 P.M.

City Council Chambers

305 3<sup>rd</sup> 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: None.

AGENDA ITEMS

I. CONSENT CALENDAR:

1. Consideration of accounts payable for June 23 – July 6, 2009.
2. Consideration of a Special Use Permit for Casy Burgess, 509 Parkway Circle, for the purpose of operating an in-home daycare facility.
3. Findings of Fact, Conclusions of Law and Decisions:
  - a. Special Use, Application, for Casy Burgess for property located at 509 Parkway Circle.
  - b. Zoning District Change & Zoning Map Amendment, Application, for Spencer G. Williams for property located at 1015 Washington Street North.
  - c. Final Plat, Application, for Rex 1<sup>st</sup> Amended Subdivision – PUD for property located at 1667 Locust Street North.
  - d. Zoning District Change & Zoning Map Amendment, Application, for Landhlafor, Inc., for property located at 1029 Washington Street North.
4. Consideration to approve a Curb-Gutter Improvement Deferral Agreement for Habitat for Humanity located at 283 Harrison Street.
5. Consideration of a request to reappoint Dusty Tenney and Bonnie Lezamiz to the Development Impact Fee Advisory Committee.
6. Consideration of a request to pay fees in lieu of park land dedication for the Dry Creek Subdivision.

II. ITEMS FOR CONSIDERATION:

1. Presentation by Nancy Choker, Moss Greenhouses, of a Landscape Award to Wells Fargo Bank located at 1303 Addison Avenue East. Debra Hagley, Wells Fargo, will be accepting the award.
2. Presentation of service awards to Bill Kyle and Aaron Wert for their service on the Twin Falls Traffic Safety Commission.
3. Consideration of a request to reappoint Tara Martens and Jody Hawkins to the Animal Shelter Advisory Commission; and a presentation of a service award to recognize Rick Otto and the four years of service that he has given to the community.
4. Consideration of a request to authorize the Mayor and City Manager to execute the right-of-way agreement for Parcel Number 70 of the Washington St. N Phase III Project, Key 08469.
5. Consideration of a Trust Agreement for Canyon Properties, LLC, for Canyon Trails Subdivision Number 6, 7, 8, and 9.
6. Consideration of the Conveyance Plat of the CSI North Campus Subdivision consisting of 2 lots on 60 (+/-) acres on property located on the north side of the 100-400 blocks of North College Road, c/o Mike Mason/College of Southern Idaho.
7. Consideration of the PUD Agreement between the City of Twin Falls and the College of Southern Idaho.
8. Consideration of bids for Eastland Blvd. 2009 Road Widening between Falls Avenue and Stadium Blvd.
9. Adjourn to 67-2345. Executive Session (c) To conduct deliberations concerning labor negotiations or to acquire an interest in real property which is not owned by a public agency.
10. The purpose of the meeting is to discuss the Preliminary Budget for Fiscal Year 2008-2009.
11. Public input and/or items from the City Manager and City Council.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

MINUTES

July 6, 2009

Page 2 of 7

IV. PUBLIC HEARINGS:

6:00 P.M. – None.

V. ADJOURNMENT:

**COUNCIL MEMBERS PRESENT:** Lance W. Clow, Trip Craig, Don Hall, Lee Heider, David E. Johnson via telephone, William Kezele, Gregory Lanting.

**COUNCIL MEMBERS ABSENT:** None.

**STAFF PRESENT:** City Manager Tom Courtney, Assistant City Manager Travis Rothweiler, City Attorney Fritz Wonderlich, Finance Director Gary Evans, Assistant Finance Director Lorie Race, Community Development Director Mitch Humble, Budget Coordinator Darren Huber, Management Assistant Gretchen Scott, Staff Sergeant Dan McAtee, Staff Engineer Mike Trabert, Deputy City Clerk/Recording Secretary 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 turned the meeting over to Councilperson Kezele. Acting Mayor Kezele introduced City staff.

**PROCLAMATIONS:** None.

***REQUEST FOR AN AMENDMENT TO THE AGENDA:***

City Manager Courtney requested that the agenda be amended to reflect the following addition to the Consent Calendar:  
7. Consideration of an Alcohol License Application for Anchor Bistro & Bar, LLC., located at 334 Blue Lakes Blvd. North.

**MOTION:**

Councilperson Hall made the motion to adopt the amended agenda as presented. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. Passed 7 to 0.

**AGENDA ITEMS**

**I. CONSENT CALENDAR:**

1. Consideration of accounts payable for June 23 – July 6, 2009, total: \$461,373.62.
  - a. July 1, 2009, total: \$46,752.10.
  - b. July 1, 2009, total: 250.00.
  - c. June 29, 2009, total: 107,175.06.
2. Consideration of a Special Use Permit for Casy Burgess, 509 Parkway Circle, for the purpose of operating an in-home daycare facility.
3. Findings of Fact, Conclusions of Law and Decisions:
  - a. Special Use, Application, for Casy Burgess for property located at 509 Parkway Circle.
  - b. Zoning District Change & Zoning Map Amendment, Application, for Spencer G. Williams for property located at 1015 Washington Street North.
  - c. Final Plat, Application, for Rex 1<sup>st</sup> Amended Subdivision – PUD for property located at 1667 Locust Street North.
  - d. Zoning District Change & Zoning Map Amendment, Application, for Landhlaford, Inc., for property located at 1029 Washington Street North.
4. Consideration to approve a Curb-Gutter Improvement Deferral Agreement for Habitat for Humanity located at 283 Harrison Street.
5. Consideration of a request to reappoint Dusty Tenney and Bonnie Lezamiz to the Development Impact Fee Advisory Committee.
6. Consideration of a request to pay fees in lieu of park land dedication for the Dry Creek Subdivision.

**MOTION:**

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

**II. ITEMS FOR CONSIDERATION:**

MINUTES

July 6, 2009

Page 4 of 7

1. Presentation by Nancy Choker, Moss Greenhouses, of a Landscape Award to Wells Fargo Bank located at 1303 Addison Avenue East. Debra Hagley, Wells Fargo, will be accepting the award.

Presentation made by Nancy Choker of a Landscape Award to Wells Fargo Bank.

Debra Hagley of Wells Fargo accepted the award.

2. Presentation of service awards to Bill Kyle and Aaron Wert for their service on the Twin Falls Traffic Safety Commission.

Presentation made by Dave Snelson and Councilperson Don Hall to Bill Kyle and Aaron Wert for their service on the Commission.

Bill Kyle and Aaron Wert were present to receive the awards.

*Councilperson Heider inquired of the firework policy. His concern is that different counties have different policies.*

*Staff Sergeant Pullin stated that citations are given for illegal fireworks and/or the fireworks are confiscated.*

*City Attorney Wonderlich stated that there are fireworks that are illegal to sell or possess in the State of Idaho. He stated that he would look into the requirements.*

3. Consideration of a request to reappoint Tara Martens and Jody Hawkins to the Animal Shelter Advisory Commission; and a presentation of a service award to recognize Rick Otto and the four years of service that he has given to the community.

Presentation made by Management Assistant Scott of a service award to recognize Rick Otto.

Councilperson Clow presented the award to Rick Otto for his service on the Commission.

Rick Otto was present to accept the award.

Management Assistant Scott reviewed the request to reappoint Tara Martens and Jody Hawkins to the Animal Shelter Advisory Commission

Staff recommends the reappointment of Tara Martens and Jody Hawkins as presented.

**MOTION:**

Councilperson Clow made the motion to reappoint Tara Martens and Jody Hawkins to serve four year terms on the Animal Shelter Advisory Commission. The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. Passed 7 to 0.

4. Consideration of a request to authorize the Mayor and City Manager to execute the right-of-way agreement for Parcel Number 70 of the Washington St. N Phase III Project, Key 08469.

City Engineer Fields reviewed the request.

Engineering recommends that the City Council approve the request as presented.

Discussion followed.

**MOTION:**

Councilperson Hall made the motion to authorize the Mayor and City Manager to execute the right-of-way agreement for Parcel Number 70 of the Washington St. N. Phase III project, Key 08469, as presented. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

5. Consideration of a Trust Agreement for Canyon Properties, LLC, for Canyon Trails Subdivision Number 6, 7, 8, and 9.

City Engineer Fields reviewed the request.

Staff recommends approval of the Trust Agreement as presented.

Discussion followed.

**MOTION:**

Councilperson Lanting made the motion to approve a Trust Agreement for Canyon Properties, LLC, for Canyon Trails Subdivision Number 6, 7, 8, and 9, as presented. The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

Councilperson Hall recused himself from the Council at at 5:25 P.M.

6. Consideration of the Conveyance Plat of the CSI North Campus Subdivision consisting of 2 lots on 60 (+/-) acres on property located on the north side of the 100-400 blocks of North College Road, c/o Mike Mason/College of Southern Idaho.

Community Development Director Humble reviewed the request.

Staff recommends approval of the Conveyance Plat of the CSI North Campus Subdivision consisting of 2 lots on 60 (+/-) acres on property located on the north side of the 100-400 blocks of North College Road, c/o Mike Mason/College of Southern Idaho.

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 at the time the plat is recorded.
3. Subject to approval of the CSI – North Campus PUD Agreement.

Discussion followed:

Community Development Director Humble stated that the Council will see more submittals in terms of the 2<sup>nd</sup> phase of the development.

-Plan for Lot #2.

Community Development Director Humble stated that the Fire District is discussing purchasing the property from CSI.

**MOTION:**

Councilperson Heider made the motion to approve the Conveyance Plat of the CSI North Campus Subdivision consisting of 2 lots on 60 (+/-) acres on property located on the north side of the 100-400 blocks of North College Road, c/o Mike Mason/College of Southern Idaho as presented with the following conditions:

4. Subject to final technical review by the City Engineering Department and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
5. Subject to easements and rights-of-way, as shown on the plat, being dedicated at the time the plat is recorded.
6. Subject to approval of the CSI – North Campus PUD Agreement.

The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0. Councilperson Hall abstained from voting.

7. Consideration of the PUD Agreement between the City of Twin Falls and the College of Southern Idaho.

Community Development Director Humble reviewed the request.

Staff believes that the attached PUD Agreement and Exhibits correctly reflects the PUD as it was approved and recommends Council approval of the agreement as presented.

**MOTION:**

MINUTES

July 6, 2009

Page 6 of 7

Councilperson Heider made the motion to approve the PUD Agreement between the City of Twin Falls and the College of Southern Idaho. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0. Councilperson Hall abstained from voting.

Councilperson Hall took his seat at 5:36 p.m.

8. Consideration of bids for Eastland Blvd. 2009 Road Widening between Falls Avenue and Stadium Blvd.

Project Engineer Trabert reviewed the request.

Ivan McCracken reviewed the request.

Staff recommends that the 2009 Eastland Blvd. Road widening between Falls Avenue and Stadium Project be awarded to Gordon Paving in the amount of \$138,735.39.

Discussion followed.

Project Engineer Trabert stated that the project is in the budget and that construction is planned for July and August and explained that the Engineering Department is working on a traffic pattern.

City Engineer Field explained the paving on Eastland and does not expect the road to be closed.

**MOTION:**

Councilperson Craig made the motion to approve the bid for Eastland Blvd. 2009 Road Widening between Falls Avenue and Stadium Project is awarded to Gordon Paving in the amount of \$138,735.39. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

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

City Manager Courtney stated that we no longer have the need for an Executive Session.

10. The purpose of the meeting is to discuss the Preliminary Budget for Fiscal Year 2008 - 2009.

City Manager Courtney clarified that the Preliminary Budget is for the Fiscal Year 2009-2010.

He explained the following using overhead projections:

Budget Objectives

Financial Information

Major Projects

Summary

Issues for Future Discussions

Discussion followed

-Tax levy rate and tax revenue rate.

-Collecting of taxes for the City.

-Election budget.

-Community Survey

-Decrease of water usage due to the enforcement of the conservation program and pressure irrigation system.

-Funding for hiring a Detective for investigating child abuse.

-Health Insurance Costs.

-Televised meetings.

-Capital projects.

Assistant Finance Director Race explained the process of adopting the budget.

MINUTES

July 6, 2009

Page 7 of 7

The next preliminary budget meeting will be held on July 20, 2009, at 3:00 P.M. in the City Council Chambers.

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

The Parks & Recreation Department "Movie in the Park" will be held on July 31, 2009, 9:00 P.M.

The MagicFest will be held on Friday, July 31<sup>st</sup> - Sunday, August 2<sup>nd</sup>, 2009

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

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

V. ADJOURNMENT at 6:27 p.m.

Leila Sanchez

Recording Secretary/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  
July 13, 2009  
City Council Chambers  
305 3<sup>rd</sup> 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: None.

**AGENDA ITEMS**

**I. CONSENT CALENDAR:**

1. Consideration of accounts payable for July 7 – 13, 2009.
2. Consideration of the June 22, 2009, Minutes.
3. Consideration of Findings of Fact, Conclusions of Law and Decision for:
  - a. Conveyance Plat Application, CSI North Campus c/o Mike Mason.
  - b. Final Plat Application, Edmunds/Denny Office Condominium PUD Subdivision.
4. Consideration of a request from Shawn Barigar and the Twin Falls Area Chamber of Commerce to approve the 2009 Hot August Nite event at the Twin Falls City Park on August 13, 2009.
5. Consideration to authorize the Mayor and City Manager to execute the right-of-way agreement for Parcel Number 11 of the Falls Avenue West Road Widening Project.

**II. ITEMS FOR CONSIDERATION:**

1. Consideration of selecting HDR to develop a comprehensive Energy Efficiency and Conservation Strategy for the City of Twin Falls using grant funds (\$183,600) provided by the United States Department of Energy as a part of the Energy Efficiency and Conservation Block Grant program.
2. Presentation to recognize the service of Dave Van Engelen having served on the Urban Renewal Agency for the City of Twin Falls for the past 8 years by presenting a plaque to him and expressing our utmost appreciation.
3. Consideration of adoption of proposed Ordinance #2973 for a Zoning District Change and Zoning Map Amendment from R-2 to C-1 for 29 (+/-) acres on property located ¼ mile west of the southwest corner of Grandview Drive North and Pole Line Road West c/o Gary Slette on behalf of Nelson & Co. (app.2305)
4. Consideration to amend City Code Title 2 to add Chapter 12 Improvement Reimbursement Commission (Proposed Ordinance #2974) and consideration of a request to adopt Resolution No. 1816 providing for reimbursement for development and installation of public infrastructure by private entities.
5. Consideration of a request to prioritize several Title 10 code amendment projects and authorize City staff to begin working on the projects in the determined order.
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, Greg Lanting, Don Hall, Lee Heider, William A. Kezele,

**COUNCIL MEMBERS ABSENT:** David Johnson was unable to connect via phone.

**STAFF PRESENT:** Acting City Manager Travis Rothweiler, City Attorney Fritz Wonderlich, Community Development Director Mitch Humble, City Engineer Jackie Fields, Staff Engineer Mike Trabert, Staff Sergeant Dennis Pullin, Captain Bryan Krear, Economic Development Director Melinda Anderson, Deputy City Clerk/Recording Secretary 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.

Mayor Clow announced that there are no changes to the agenda.

## AGENDA ITEMS

### I. CONSENT CALENDAR:

1. Consideration of accounts payable for July 7 – 13, 2009, total: total \$469,709.19.
2. Consideration of the June 22, 2009, Minutes.
3. Consideration of Findings of Fact, Conclusions of Law and Decision for:
  - a. Conveyance Plat Application, CSI North Campus c/o Mike Mason.
  - b. Final Plat Application, Edmunds/Denny Office Condominium PUD Subdivision.
4. Consideration of a request from Shawn Barigar and the Twin Falls Area Chamber of Commerce to approve the 2009 Hot August Nite event at the Twin Falls City Park on August 13, 2009.
6. Consideration to authorize the Mayor and City Manager to execute the right-of-way agreement for Parcel Number 11 of the Falls Avenue West Road Widening Project.

#### **MOTION:**

Councilperson Heider made the motion to approve the Consent Calendar and the June 22, 2009, Minutes as amended. The motion was seconded by Councilperson Kezele and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

### II. ITEMS FOR CONSIDERATION:

1. Consideration of selecting HDR to develop a comprehensive Energy Efficiency and Conservation Strategy for the City of Twin Falls using grant funds (\$183,600) provided by the United States Department of Energy as a part of the Energy Efficiency and Conservation Block Grant program.

Acting City Manager Rothweiler reviewed the request.

Staff recommends the selection of HDR to the City Council to develop the City's comprehensive energy plan and instruct staff to develop a scope of services and proposed contract, which will be brought before the City Council for consideration within the next 60 days.

Discussion followed:

-Twin Falls County selected HDR for this project.

Acting City Manager Rothweiler stated that the City is planning to work with the County on this project.

#### **MOTION:**

Councilperson Hall made the motion to select HDR to develop a comprehensive Energy Efficiency and Conservation Strategy for the City of Twin Falls using grant funds (\$183,600) provided by the United States Department of Energy as part of the Energy Efficiency and Conservation Block Grant program as presented. The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

*Colton Grant, Boy Scouts Troop 67, introduced himself. He is currently working on his merit badge.*

MINUTES

July 13, 2009

Page 4 of 7

2. Presentation to recognize the service of Dave Van Engelen having served on the Urban Renewal Agency for the City of Twin Falls for the past 8 years by presenting a plaque to him and expressing our utmost appreciation.

Economic Development Director Anderson reviewed the request.

Mayor Clow and Councilperson Craig presented a service plaque to Dave Van Engelen.

3. Consideration of adoption of proposed Ordinance #2973 for a Zoning District Change and Zoning Map Amendment from R-2 to C-1 for 29 (+/-) acres on property located ¼ mile west of the southwest corner of Grandview Drive North and Pole Line Road West c/o Gary Slette on behalf of Nelson & Co. (app.2305)

Community Development Director Humble reviewed the request.

Discussion followed:

-Community Development Director Humble stated that property owners within 300' of the boundary were notified. A notice was placed in the Times News, and notification of the request was placed on the property.

**MOTION:**

Councilperson Lanting made the motion to suspend the rules and place Ordinance #2973, 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. Approved 6 to 0.

Deputy City Clerk Sanchez read the ordinance title.

**MOTION:**

Councilperson Lanting made the motion to adopt Ordinance #2973 as presented. The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

Brad Wills, 222 Shoshone Street West, made the following comments:

-The location of the property is adjacent to a residential area and stated his concern of the area tying into a C-1 zone. He asked that the developer create a buffer zone. He spoke in favor of the request.

-Community Development Director Humble stated that city staff and the developer would work on the PUD agreement to address the uses of the property and buffer restrictions before any development can occur. He continued to explain the PUD process.

4. Consideration to amend City Code Title 2 to add Chapter 12 Improvement Reimbursement Commission (Proposed Ordinance #2974) and consideration of a request to adopt Resolution No. 1816 providing for reimbursement for development and installation of public infrastructure by private entities.

City Engineer Fields reviewed the request. She stated that Brad Wills led the effort to modify the proposed resolution.

Staff recommends that the Council vote to dispense with the rule and adopt Ordinance No. 2974. If the Council adopts the ordinance, then staff recommends adoption Resolution 1816, by separate action, as presented.

Discussion followed.

Councilperson Hall asked if city staff would be reimbursed for their time involving reimbursement to the developers.

City Engineer Fields stated that in the future the Council would be approached for consideration for fees.

Mayor Clow asked questions on reimbursements.

City Engineer Fields stated that recovery costs on property are not to exceed 50%.

Councilperson Heider asked who would be responsible in determining the line size.

City Engineer Fields stated that the City Engineer will continue to have the responsibility to accept the proposals.

Mayor Clow asked what would trigger the point for reimbursement.

City Engineer Fields stated that the developer will present the cost after adoption of the resolution.

**MOTION:**

Councilperson Lanting made the motion to suspend the rules and place Ordinance #2974, entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, AMENDING TWIN FALLS CITY CODE TITLE 2 BY THE ADDITION OF A NEW CHAPTER 12, ESTABLISHING AN IMPROVEMENT REIMBURSEMENT COMMISSION.

on third and final reading by title only. The motion was seconded by Councilperson Kezele and roll call votes showed all members present voted in favor of the motion. Approved 6 to 0.

Deputy City Clerk Sanchez read the ordinance title.

**MOTION:**

Councilperson Craig made the motion to adopt Ordinance #2974 as presented. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

Discussion followed.

Councilperson Heider asked if the reimbursement would become an impact fee.

Mayor Clow stated that the infrastructure has already been in place and impact fees are collected for future impacts only.

**MOTION:**

Councilperson Lanting made the motion to adopt Resolution #1816, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, PROVIDING FOR REIMBURSEMENT TO INITIAL DEVELOPERS BY SUBSEQUENT DEVELOPERS OR PROPERTY OWNERS FOR THE COSTS OF PUBLIC IMPROVEMENTS INCLUDING WATER DISTRIBUTION SYSTEM, WASTE WATER COLLECTION SYSTEM, TRANSPORTATION SYSTEM, PRESSURE IRRIGATION PUMP STATIONS AND DISTRIBUTION SYSTEMS.

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

5. Consideration of a request to prioritize several Title 10 code amendment projects and authorize City staff to begin working on the projects in the determined order.

Community Development Director Humble reviewed the request.

Staff recommends that the Council prioritize the attached code amendment project list and authorize staff to begin work on the projects.

Recess at 6:06 P.M.  
Reconvened at 6:17 P.M.

Discussion followed:

Councilperson Hall asked how Community Development Director Humble envisioned the process and if there were any controversial issues.

Community Development Director Humble stated that he did not foresee any upcoming conflicts. He further explained that Task #6 a. Planned Unit Development Changes: Planned Unit Development would help clean up the code. Task #10. Miscellaneous Engineering Standards Minor Amendments: are technical changes. Task #5 Land Uses: could be controversial.

Councilperson Kezele asked what items did not make the top 10 list.

Community Development Director Humble stated that the in lieu contribution for parks, parking requirements, wireless communications facilities, mobile food vendors and conveyance plats, as well as several others did not make the list.

Discussion followed.

Councilperson Kezele asked why Task #1 Landscaping Amendments: a. Xeriscaping was top on the list.

Community Development Director Humble stated that water conservation has been a long time goal of the City and that the xeriscaping would reduce the use of potable water for landscaping.

Councilperson Craig stated that Task # 4. a. Downtown Mixed Use Development has been discussed with the URA and appears to be a priority. The URA has been working with Boise Housing Authority. He also stated that height restrictions should also be a priority.

Community Development Director Humble stated that the following would be on top of the list:

Task #2: #2 a. Urban Village/Urban Infill Residential Development

Task #3: New Zoning Districts

Task #4: Downtown

Discussion followed on whether or not community involvement may or may not be required.

City Attorney Wonderlich explained the public input process.

Councilperson Kezele suggested that Parks & Recreation Commission review the in lieu contribution for parks.

Councilperson Heider stated that priority should be given to comply with the new comprehensive plan.

Councilperson Hall encouraged public input and involvement with our media partners, and suggested that ideas be submitted to Council members.

Councilperson Humble stated that the Engineering Department could tackle Tasks #7 - #10.

Acting City Manager Rothweiler will ask the Engineering Department to work on Task #7: Street Construction requirement.– and Task #10: Miscellaneous Engineering Standards Minor Amendment, and the Parks & Recreation Commission to work the in lieu requirements. The purpose of the meeting was to receive input from the Council.

Mayor Clow stated that he did not believe, that at this time, Task #1 b gateway arterial landscaping is a high priority.

MINUTES

July 13, 2009

Page 7 of 7

Council directed staff to prioritize the code amendment project list and authorized staff to begin work on the projects.

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

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

Discussion on the Preliminary Budget for Fiscal Year 2009-2010 will be held on July 20, 2009, at 3:00 P.M. in the Twin Falls Council Chambers.

Councilperson Lanting reported that the Golf Commission meeting will be held on July 25, 2009, at 9:00 A.M. at the City of Twin Falls Municipal Golf Course to discuss the 2nd Annual Golf Tournament Fundraiser scheduled to be held on Saturday, August 1st at 2:00 P.M.

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

V. **ADJOURNMENT:** The meeting adjourned at 6:59 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 20, 2009  
 City Council Chambers  
 305 3<sup>rd</sup> Avenue East Twin Falls, Idaho

*4:30 P.M. - The purpose of the meeting is to discuss the Preliminary Budget for Fiscal Year 2009-2010.*

<b>CALL MEETING TO ORDER:</b> 5:00 P.M.		
PLEDGE OF ALLEGIANCE TO THE FLAG CONFIRMATION OF QUORUM INTRODUCTION OF STAFF  PROCLAMATIONS: None.		
<b>AMENDED AGENDA ITEMS</b>	<b>Purpose</b>	<b>By:</b>
I. <b>CONSENT CALENDAR:</b> 1. Consideration of accounts payable for July 14 – 20, 2009. 2. Consideration of the July 6 and 13, 2009, Minutes. 3. Consideration to defer relocation of an existing free standing sign located in the City of Twin Falls Right-of-Way adjacent to property located at 1667 Locust Street North. 4. Consideration of acceptance of easements from PFP, LLC necessary for the development of the Pillar Falls, Phase 1 subdivision a. Public Utility Easement b. Mountain View Drive Easement	Action	Staff Report  L. Sanchez Troy Vitek  Mitch Humble
II. <b>ITEMS FOR CONSIDERATION:</b> 1. Presentation by Nancy Choker, Moss Greenhouses, of a Landscape Award to MVT Coating, located at 193 Eastland Drive. Buck & Patsy Bland will be present to accept the award. 2. Consideration of modifications to the Parks & Recreation Donation Policy. 3. Consideration of bids for 2009 Eastland Blvd. Railroad Underpass Road Reconstruction Project. 4. Consideration of revised Sewer Use Ordinance (SUO). Proposed Ordinance 2975. 5. Consideration of a Canyon Rim Trail Easement Agreement for the Pillar Falls, Phase 1 subdivision. 6. Public input and/or items from the City Manager and City Council.	Action  Action Action  Action Action	Nancy Choker  Dennis Bowyer Mike Trabert  Jon Caton Mitch Humble
III. <b>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</b>		
IV. <b>PUBLIC HEARINGS:</b> 6:00 P.M. – None.		
V. <b>ADJOURNMENT:</b>		

*\*Any person(s) needing special accommodations to participate in the above noticed meeting should contact Leila Sanchez at (208) 735-7287 at least two working days before the meeting.*

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

**COUNCIL MEMBERS ABSENT:** None.

**STAFF PRESENT:** City Manager Tom Courtney, Assistant City Manager Travis Rothweiler, City Attorney Fritz Wonderlich, Finance Director Gary Evans, Assistant Finance Director Lorie Race, Budget Coordinator Darren Huber, Assistant City Engineer Troy Vitek, Staff Engineer Mike Trabert, Parks & Recreation Director Dennis Bowyer, Public Works Manager Jon Caton, Deputy City Clerk/Recording Secretary Leila A. Sanchez

4:30 P.M. - The purpose of the meeting is to discuss the Preliminary Budget for Fiscal Year 2009-2010.

City Manager Courtney stated that Finance Director Evans would focus on the following three areas: Water, Wastewater, and Capital Improvement funds.

Finance Director Evans explained the Water fund.

-Discussion followed:  
Future increases of water rates.

City Manager Courtney stated that the improvements are necessary to meet the arsenic compliance standard.

Mayor Clow stated that discussion on the preliminary budget would continue after the regularly scheduled 5:00 P.M. meeting.

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.

Boy Scouts from Troop 72 were present at the meeting.

## AMENDED AGENDA ITEMS

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

1. Consideration of accounts payable for July 14 – 20, 2009.
2. Consideration of the July 6 and 13, 2009, Minutes.
3. Consideration to defer relocation of an existing free standing sign located in the City of Twin Falls Right-of-Way adjacent to property located at 1667 Locust Street North.
4. Consideration of acceptance of easements from PFP, LLC necessary for the development of the Pillar Falls, Phase 1 subdivision
  - a. Public Utility Easement
  - b. Mountain View Drive Easement

### **MOTION:**

Councilperson Kezele 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. Approved 7 to 0.

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

1. Presentation by Nancy Choker, Moss Greenhouses, of a Landscape Award to MVT Coating, located at 193 Eastland Drive. Buck & Patsy Bland will be present to accept the award.

Rescheduled for the July 27, 2009, Council Meeting.

2. Consideration of modifications to the Parks & Recreation Donation Policy.

Parks & Recreation Director Bowyer reviewed the Donation Policy changes.

The proposed changes will allow groups or organizations recognition (via signage) for donations/memorials and allow plaques for individuals to describe that person as they relate to the history of the community.

At the July 14, 2009, meeting, the Parks & Recreation Commission unanimously recommended approval of the modifications to the Parks & Recreation Donation Policy. Staff concurs with the recommendation.

Discussion followed:

Councilperson Kezele asked if there was a rejection policy.

Parks & Recreation Director Bowyer stated that the policy described what donations will be accepted.

City Attorney Wonderlich stated the Donation Policy is an acceptance policy. The Parks & Recreation Commission reviews the donation and there is an approval policy.

Mayor Clow asked what is the definition of "long standing ties"?

City Attorney Wonderlich stated that "long standing ties" is at the discretion of the Parks & Recreation Commission.

City Manager Courtney stated there may be occasions where there may be a significant or long term potential for maintaining and operating costs to the City. He asked the Council what type of input they would like to give in regards to the policy.

Parks & Recreation Director Bowyer explained the maintenance and operating costs of current donations, and past donations such as the City Park waterfalls fountain.

**MOTION:**

Councilperson Hall made the motion to approve the modifications to the Parks & Recreation Donation Policy as presented. The motion was seconded by Councilperson Lanting.

**MOTION:**

Councilperson Heider made an amendment to the main motion requiring Council approval to the Donation Policy; and the Donation Policy to be placed on the Consent Calendar. The motion was seconded by Councilperson Johnson.

Council discussion followed.

*Roll call vote* on the amendment to the motion showed Councilpersons Craig, Hall, Heider, Johnson, and Kezele voted in favor of the motion. Councilperson Clow and Lanting voted against the motion. Approved 5 to 2.

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

3. Consideration of bids for 2009 Eastland Blvd. Railroad Underpass Road Reconstruction Project.

Staff Engineer Trabert reviewed the request.

Staff recommends that the 2009 Eastland Blvd. Railroad Underpass Road Reconstruction Project be awarded to PMF, Inc., in the amount of \$99,900.10 as presented.

Discussion followed.

Councilperson Johnson asked if EIRR had been contacted regarding the project.

Staff Engineer Trabert stated that future discussions will be made with the EIRR in regards to the widening of the road.

Councilperson Kezele asked about the drainage situation.

Staff Engineer Trabert stated that Geotech has given recommendations for the drainage situation on Eastland.

Councilperson Heider asked if the overpass could be eliminated.

Staff Engineer Trabert stated that he hadn't spoken to EIRR but understands that they will not permit eliminating the overpass.

Councilperson Heider suggested that staff talk to the EIRR on the project.

Councilperson Craig stated his concern of a 30" pipe versus a 16" pipe. GTFATC has approached EIRR, but the cost was extremely high.

-Bidding Process

Staff Engineer Trabert stated that he did an informal bid process and the bid came under \$100,000.

-Time frame of the project is a 40 day period.

-Detours and road closures.

**MOTION:**

Councilperson Kezele made the motion that the 2009 Eastland Blvd. Railroad Underpass Road Reconstruction Project be awarded to PMF, Inc., in the amount of \$99,900.10 as presented. The motion was seconded by Councilperson Lanting. Mayor Clow, Councilpersons Craig, Hall, Vice Mayor Johnson, Councilpersons Kezele and Lanting voted in favor of the motion. Councilperson Heider voted against the motion. Approved 6 to 1.

4. Consideration of revised Sewer Use Ordinance (SUO). Proposed Ordinance 2975.

Public Works Manager Caton reviewed the request.

Staff recommends that the Council approve the request as presented.

Discussion followed:

Councilperson Johnson asked if the industrial users had comments on the proposed ordinance.

Public Works Manager Caton stated that Con Agra stated they had concerns on the SUO and did meet with staff.

City Manager Courtney stated that he attended the meetings with Con Agra to discuss concerns more with language of the model ordinance and from staff's standpoint does not change relationship with industrial users.

Public Works Manager Caton stated the EPA had not given a deadline for the proposed revisions.

**MOTION:**

Councilperson Lanting made the motion to suspend the rules and place Ordinance #2975, entitled:

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, REPEALING CHAPTER 7, TITLE 7 OF THE TWIN FALLS CITY CODE AND AMENDING TITLE 7 OF THE TWIN FALLS CITY CODE BY THE ADDING OF NEW CHAPTER 7 SETTING FORTH UNIFORM REQUIREMENTS FOR DISCHARGERS INTO THE SYSTEM AND ENABLING THE "CONTROL AUTHORITY", THE CITY OF TWIN FALLS, TO PROTECT PUBLIC HEALTH IN CONFORMITY WITH ALL APPLICABLE STATE AND FEDERAL LAWS PERTAINING THERETO; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR PUBLICATION BY SUMMARY**

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

Discussion followed:

Mayor Clow stated that he would like to have Con Agra and other industrial users voice their comments.

Roll call vote showed Councilperson Craig voted in favor of the motion. Mayor Clow, Councilperson Hall, Heider, Vice Mayor Johnson, Councilpersons Kezele and Lanting voted against the motion. Failed 6 to 1.

5. Consideration of a Canyon Rim Trail Easement Agreement for the Pillar Falls, Phase 1 subdivision.

Assistant City Manager Rothweiler reviewed the request.

Approval of this request will allow the applicant to proceed to record the plat for Pillar Falls, Phase 1 and begin construction of the Canyon Rim Trail across the property. The agreement also identifies each party's maintenance responsibilities.

Staff recommends that the Council approve the agreement and authorized the Mayor to execute the same.

Discussion followed.

**MOTION:**

Councilperson Johnson made the motion to approve the Canyon Rim Trail Easement Agreement for the Pillar Falls, Phase 1 Subdivision as presented. The motion was seconded by Councilperson Kezele and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

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

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

Councilperson Craig stated that the YMCA Financial Report is now available for review.

Councilperson Lanting stated that the 2nd Annual Twin Falls Municipal Golf Course Fundraiser for Special Projects to be held on August 1, 2009, at 2:00 P.M.

RECESS at 6:10 P.M.

RECONVENED at 6:26 P.M.

Finance Director Evans continued discussing the water fund budget.

The wastewater projects were discussed.

Council discussion followed.

- Ramifications of non-compliance of the arsenic standards.
- Northeast Sewer Project.
- City of Kimberly wastewater costs.
- UV System budget.

The street projects were discussed.

Council discussion followed.

- Replacement and addition of equipment.
- Seal coating project costs and time frame.
- Micropaver program and implementation of the data.
- Washington St. N. Phase I project. – Funding from LHTAC and ITD.
- Contract Services.
- Public Transportation.
- Fencing along the Canyon Rim Trail.
- Municipal Powers Outsource Grant.

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

MINUTES  
July 20, 2009  
Page 6 of 6

V. ADJOURNMENT: The meeting adjourned at 7:48 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

July 27, 2009

City Council Chambers

305 3<sup>rd</sup> Avenue East Twin Falls, Idaho

3:00 P.M. - The purpose of the meeting is to discuss the Preliminary Budget for Fiscal Year 2009-2010.

PLEDGE OF ALLEGIANCE TO THE FLAG CONFIRMATION OF QUORUM INTRODUCTION OF STAFF  CALL MEETING TO ORDER: 5:00 P.M. CONSIDERATION OF THE AMENDMENTS TO THE AGENDA. PROCLAMATIONS: None.		
AGENDA ITEMS	Purpose	By:
I. <b>CONSENT CALENDAR:</b> 1. Consideration of accounts payable for July 21 – August 3, 2009. 2. Consideration of the July 20, 2009, Meeting. 3. Consideration of a request from Sue Spain, Silvia R. Geanxoivlaa, and the Hispanic Heritage Fiesta Committee to approve the 20th Annual Hispanic Heritage Fiesta to be held at Twin Falls City Park on August 8 and 9, 2009	Action	Staff Report  L. Sanchez Dan McAtee
II. <b>ITEMS FOR CONSIDERATION:</b> 1. Presentation by Nancy Choker, Moss Greenhouses, of a Landscape Award to MVT Coating, located at 193 Eastland Drive. Buck & Patsy Bland will be present to accept the award. 2. Consideration of a request to present POST Certificates to the following individuals before the Twin Falls City Council Officers Steven Gassert Michelle Wyatt and Eric Steele 3. Consideration of revised Sewer Use Ordinance (SUO). Proposed Ordinance 2975. 4. Presentation by Brad Wills requesting the City of Twin Falls delay the collection of development impact fees, scheduled to take effect on August 1, 2009. 5. Consideration to hold the Annual Muscular Dystrophy Fill the Boot Fundraiser. 6. Consideration of a professional services contract with PGA Professional Mike Hamblin for the professional management and operational oversight of the Twin Falls Municipal Golf Course, effective January 1, 2010. 7. Consideration of Grant Offer Part II for FAA Airport Improvement Project 27/28. 8. Consideration to authorize the Mayor and City Manager to execute the right-of-way agreement for the Falls Avenue West Road Widening Project: Parcels #3, 15, 36, 38, 40 & 41. 9. Consideration of enrolling into the National Citizen Survey at a cost of \$5,900, with a total cost of \$11,000. 10. Public input and/or items from the City Manager and City Council.	Presentation  Presentation  Action Action  Action Action  Action Action  Action	Nancy Choker  Jim Munn  Jon Caton Brad Wills  Randy Lammers Travis Rothweiler  Bill Carberry Mike Trabert  Travis Rothweiler
III. <b>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</b>		
IV. <b>PUBLIC HEARINGS:</b> 6:00 P.M. – None.		
V. <b>ADJOURNMENT:</b>		

*\*Any person(s) needing special accommodations to participate in the above noticed meeting should contact Leila Sanchez at (208) 735-7287 at least two working days before the meeting.*

Minutes

July 27, 2009

Page 2 of 6

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

**COUNCIL MEMBERS ABSENT:** None.

**STAFF PRESENT:** City Manager Tom Courtney, Assistant City Manager Travis Rothweiler, City Attorney Fritz Wonderlich, Finance Director Gary Evans, Assistant Finance Director Lorie Race, Budget Coordinator Darren Huber, Staff Engineer Mike Trabert, Parks & Recreation Director Dennis Bowyer, Public Works Manager Jon Caton, Airport Manager Bill Carberry, Randy Lammers Fire Fighters Association, Captain Bryan Krear, Staff Sergeant Dan McAtee, Police Chief Jim Munn, Deputy City Clerk/Recording Secretary Leila A. Sanchez

3:00 P.M. - The purpose of the meeting is to discuss the Preliminary Budget for Fiscal Year 2009-2010.

Mayor Clow called the meeting to order at 3:10 P.M.

City Manager Courtney and Assistant Finance Director Race reviewed the preliminary budget.

Discussion followed on the following:

Blue Cross rates

Pool budget and pool cover

Canyon Springs Road rock fall

Wastewater project

Underpass on Eastland

Equipment for the Police Department, Parks Department, Golf Course, and Water Distribution

Professional service

GIS Program

Dierkes/Shoshone Falls parking fund

Janitorial Services

Police Department Blackhawk battle bags

LID process

Technology for the Council Chambers

Community Survey

Compensation Study

City Streets

Oregon Park Trail

Washington Street North project

**Continuation of the Preliminary Budget will be held on August 3, 2009.**

Recess at 4:49 P.M.

Reconvened at 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.

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

**PROCLAMATIONS:** None.

## **AGENDA ITEMS**

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

1. Consideration of accounts payable for July 21 – August 3, 2009.
2. Consideration of the July 20, 2009, Meeting.

Minutes

July 27, 2009

Page 3 of 6

3. Consideration of a request from Sue Spain, Silvia R. Geanxoivlaa, and the Hispanic Heritage Fiesta Committee to approve the 20th Annual Hispanic Heritage Fiesta to be held at Twin Falls City Park on August 8 and 9 2009

**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. Approved 7 to 0.

**II. ITEMS FOR CONSIDERATION:**

1. Presentation by Nancy Choker, Moss Greenhouses, of a Landscape Award to MVT Coating, located at 193 Eastland Drive. Buck & Patsy Bland will be present to accept the award.

Stacy Madsen, Magic Valley Arts Council, presented the Landscape Award to MVP Coating.

2. Consideration of a request to present POST Certificates to the following individuals before the Twin Falls City Council: Officers Steven Gassert, Michelle Wyatt, and Eric Steele

Captain Bryan Krear reviewed the request.

Chief Munn, Mayor Clow and Councilperson Hall presented POST Certificates to Officers Steven Gassert, Michelle Wyatt and Eric Steele

3. Consideration of revised Sewer Use Ordinance (SUO). Proposed Ordinance 2975.

Public Works Manager Caton briefly reviewed the industrial pretreatment program and discussed the Sewer Use Ordinance, using overhead projections. He stated that the six industries in the City were invited to attend the meeting.

John Keady, Plant Manager, CH2M Hill –OMI, Inc., explained the background on the SUO.

Council discussion followed.

John Keady stated that the plant samples and monitors 24 hours a day for flows and PH's for the industries.

-Con Agra

City Manager Courtney stated that the City owns the facility and operated by CH2M Hill – OMI, Inc. CH2M Hill-Omi, Inc. pretreats waste coming from Con Agra.

John Keady explained Con Agra's use of methane used in the operation of the plant.

Mayor Clow stated that the ordinance was placed on third and final reading and failed and invited any industry users the opportunity to state their comments on the proposed ordinance.

Dave Nicely, Con Agra Lamb Weston Plant Manager, stated that several meetings had been held with City staff and submitted comments outlying their concerns of the SUO. He stated that the industry is in good standing with the SUP.

City Attorney Wonderlich stated that discussions had been held with the Con Agra Lamb Weston in regards to correspondence from the industry.

**MOTION:**

Councilperson Lanting made the motion to suspend the rules and place Ordinance #2975, entitled:

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, REPEALING CHAPTER 7, TITLE 7 OF THE TWIN FALLS CITY CODE AND AMENDING TITLE 7 OF THE TWIN FALLS CITY CODE BY THE ADDING OF NEW CHAPTER 7 SETTING FORTH UNIFORM REQUIREMENTS FOR DISCHARGERS INTO THE SYSTEM AND ENABLING THE "CONTROL AUTHORITY", THE CITY OF TWIN FALLS, TO PROTECT PUBLIC HEALTH IN**

**CONFORMITY WITH ALL APPLICABLE STATE AND FEDERAL LAWS PERTAINING THERETO; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR PUBLICATION BY SUMMARY**

on third and final reading by title only. The motion was seconded by Councilperson Kezele and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

Deputy City Clerk Sanchez read the ordinance title.

**MOTION:**

Councilperson Lanting made the motion to adopt Ordinance #2975 as presented. The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

5:35 P.M. Councilperson Craig stated that he had a previous engagement and excused himself from the remainder of the meeting.

4. Consideration to hold the Annual Muscular Dystrophy Fill the Boot Fundraiser.

Captain Lammers explained the request.

**MOTION:**

Vice Mayor Johnson made the motion to authorize the Twin Falls Fire Fighters, Local 1556 permission to hold the 2009 MDA Fill the Boot campaign from 10:00 A.M. to 6:00 P.M., on August 14, 2009, at the intersection of Addison Avenue East and Locust. The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

5. Presentation by Brad Wills requesting the City of Twin Falls delay the collection of development impact fees, scheduled to take effect on August 1, 2009.

Brad Wills, 222 Shoshone Street West, stated that the delay of the collection of impact fess process has been explained to him by City staff and requested that no action need to be taken on this request. He asked for Council support on the Local Option Tax.

Discussion followed.

- Local Option Tax.
- Comprehensive Plan.

6. Consideration of a professional services contract with PGA Professional Mike Hamblin for the professional management and operational oversight of the Twin Falls Municipal Golf Course, effective January 1, 2010.

Assistant City Manager Rothweiler reviewed the request.

Discussion followed.

Renewal of the contract after five years.

Assistant City Manager Rothweiler stated that the Council can choose to go through the request for proposals or renew the contract.

Councilperson Hall asked who owned and maintained golf carts.

Assistant City Manager Rothweiler stated that Mike Hamblin owned and maintained golf carts.

Councilperson Kezele asked for the legalities of the request for proposals (RFP) process.

City Attorney Wonderlich explained the RFP process.

Vice Mayor Johnson asked if the selection of the contract was presented to the Parks & Recreation Commission.

Assistant City Manager Rothweiler stated that the Parks & Recreation Commission was not involved in the process.

Mayor Clow asked for clarification on the bidding of buildings or equipment and the role of City employees stated in the proposed contract.

City Manager Courtney stated that Mike Hamblin would not be responsible for bidding buildings or equipment.

City Attorney Wonderlich explained the management /proprietary parts of the contract.

Discussion followed on the responsibility of the maintenance and repair of equipment performed on equipment.

-Common areas.

Assistant City Manager Rothweiler stated that some of the tables and chairs belong to the City.

-Water.

City Manager Courtney stated that the golf course is on pressure irrigation water.

Mayor Clow asked who received golf lesson revenue.

Assistant City Manager Rothweiler stated the Mike Hamblin receives the revenue.

Mayor Clow had questions on the evaluation of City Personnel.

Assistant City Manager Rothweiler stated that city staff would assist Mike Hamblin in the process.

Mayor Clow gave Mike Hamblin an opportunity to speak in regards to the contract.

Mike Hamblin said he was in agreement with the contract.

**MOTION:**

Councilperson Lanting made the motion to approve the Professional Services Agreement with changes to II.Scope of Professional Services A. and E. as discussed and with the approval of the City Attorney Wonderlich and Mike Hamblin. No material changes are to be made to the contract. The motion was seconded by Councilperson Kezele. Roll call vote showed Councilperson Hall, Vice Mayor Johnson, Councilpersons Kezele and Lanting voted in favor of the motion. Mayor Clow sand Councilperson Hall voted against the motion. Approved 4 to 2.

7. Consideration of Grant Offer Part II for FAA Airport Improvement Project 27/28.

Airport Manager Carberry reviewed the request.

Staff recommends acceptance of the grant offer as presented.

Discussion followed.

-Airport Manager Carberry stated the year's projects will be financed with Part I and II FAA grants at 95% federal participation and a local 5% City/County Match. The Airport has matching funds for both part 1 & 2 grants in this year's budget.

**MOTION:**

Councilperson Johnson made the motion to approve Grant Offer Part II for FAA Airport Improvements Project 27/28 in the amount of \$1,416,198.00. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

8. Consideration to authorize the Mayor and City Manager to execute the right-of-way agreement for the Falls Avenue West Road Widening Project: Parcels #3, 15, 36, 38, 40 & 41.

Staff Engineer Trabert reviewed the request.

Engineering recommends that the Council approve the request as presented.

**MOTION:**

Councilperson Johnson made the motion to authorize the Mayor and City Manager to execute the right-of-way agreement for the Falls Avenue West Road Widening Project: Parcels #3, 15, 36, 38, 40 & 41, for a total cost of \$54,255.80. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

9. Consideration of enrolling into the National Citizen Survey at a cost of \$5,900, with a total cost of \$11,000.

Assistant City Manager Rothweiler reviewed the request.

City Staff recommends the City of Twin Falls join the NCS.

Discussion followed.

- Expansion of mailing list
- Benefits and value of surveys
- Surveys are used in the strategic planning process

**MOTION:**

Councilperson Kezele made the motion to approve enrolling into the National Citizen Survey at a cost of \$5,900, with a total cost of \$11,000. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0

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

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

Councilperson Lanting gave an update on the Golf Advisory Board.

Mayor Clow reported that the MagicFest would be held on July 31 and August 1, 2009.

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

**V. ADJOURNMENT: The meeting adjourned at 7:24 P.M.**

Leila A. Sanchez  
Deputy City Clerk



Minutes

August 3, 2009

Page 2 of 8

8. Public input and/or items from the City Manager and City Council. 9. The purpose of the meeting is to discuss the Preliminary Budget for Fiscal Year 2009-2010.		
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 Johnson, William A. Kezele via telephone at 5:07 P.M.

**COUNCIL MEMBERS ABSENT:** Greg Lanting

**STAFF PRESENT:** City Manager Tom Courtney, Assistant City Manager Travis Rothweiler, City Attorney Fritz Wonderlich, Finance Director Gary Evans, City Engineer Jackie Fields, Network Tech II Eli Searle, Assistant Finance Director Lorie Race, Budget Coordinator Darren Huber, Deputy City Clerk/Recording Secretary 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.

**CONSIDERATION OF THE AMENDMENTS TO THE AGENDA.**

**II.8. Continuation of discussion and clarification of the Golf Contract.**

**MOTION:**

Councilperson Hall made the motion to approve the amendment to the agenda: II.8. Continuation of discussion and clarification of the Golf Contract. The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. Approved 5 to 0.

**PROCLAMATIONS:** None.

**AGENDA ITEMS**

**I. CONSENT CALENDAR:**

1. Consideration of accounts payable for July 28 – August 3, 2009, total: \$375,839.14  
Prepaid July 28, 2009, \$5,900.  
July 31, 2009, total: \$48,870.23
2. Consideration of the July 30, 2009, Council Minutes.
3. Consideration of an Alcohol License Application transfer of location for Happy Hearts Inc., for property located at 1824 Blue Lakes Blvd. with the condition that a State License is received.
4. Consideration of Findings of Fact, Conclusions of Law and Decisions for Annexation Application for Dirk Parkinson, Applicant.
5. Consideration to defer certain improvements, namely curb-gutter and sidewalk, and asphalt patch back of roadway on Robbins Avenue West and Lawrence 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. Approved 5 to 0.

**II. ITEMS FOR CONSIDERATION:**

1. Consideration to authorize the Mayor and City Manager to execute the right-of-way agreements for the Falls Avenue West Road Widening Project:
  - a. George and Bonnie Peter, Parcel 8, 476 Falls Avenue West, with the compensation amount of \$5,750.94.
  - b. Roberta Kelley, Parcel 35, 894 Rose Street North, with the compensation amount of \$4,000.
  - c. Steven and Linda Shinn, Parcel 45, 883 Falls Avenue West, with the compensation amount of \$ 8,696.004.

City Engineer Fields reviewed the request.

Engineering recommends that the Council approve the request as presented.

5:07 P.M. Councilperson Kezele via telephone.

**MOTION:**

Minutes

August 3, 2009

Page 4 of 8

Councilperson Hall made the motion to authorize the Mayor and City Manager to execute the right-of-way agreements for the Falls Avenue West Road Widening Projects for the following parcels:

- a. George and Bonnie Peter, Parcel 8, 476 Falls Avenue West, with the compensation amount of \$5,750.94.
- b. Roberta Kelley, Parcel 35, 894 Rose Street North, with the compensation amount of \$4,000.
- c. Steven and Linda Shinn, Parcel 45, 883 Falls Avenue West, with the compensation amount of \$ 8,696.004.

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

2. Consideration of a final plat for the Baker Subdivision, 0.81(+/-) acres consisting of two (2) residential lots on property located a 736 Robbins Avenue West, c/o EHM Engineers/Gary Burkett.

Community Development Director Humble reviewed the request using overhead projections.

On May 27, 2009, the Planning & Zoning Commission approved the preliminary plat 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, including correction of plat notes.
2. Subject to approval of deferrals for curb, gutter, sidewalk and road construction on both Lawrence Avenue to the north and Robbins Avenue West.

Should the City Council approve the final plat of the Baker Subdivision as presented staff recommends approval be subject to the conditions placed on the Preliminary Plat by the Planning & Zoning Commission.

Discussion followed.

-The project is an infield project

-Pressure irrigation

Gary Burkett, EHM Engineers, stated that there is a gravity irrigation system in the area.

**MOTION:**

Vice Mayor Johnson made the motion to approve the final plat for the Baker Subdivision, 0.81(+/-) acres consisting of two (2) residential lots on property located a 736 Robbins Avenue West, c/o EHM Engineers/Gary Burkett 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, including correction of plat notes.
2. Subject to approval of deferrals for curb, gutter, sidewalk and road construction on both Lawrence Avenue to the north and Robbins Avenue West.

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

3. Consideration of the request of Mike Thompson for waiver of the non-conforming building expansion permit process to allow an expansion of a non-conforming residence at 1049 Keegan Lane.

Community Development Director Humble reviewed the request using overhead projections.

Staff recommends that the Council grant the request as presented with the following condition:

1. Subject to complete review by Building, Engineering, Fire, and Zoning Departments to ensure compliance with all applicable City Code requirements and Standards for existing and proposed buildings on the site.

Discussion followed.

Councilperson Heider asked what entailed current code requirements.

Community Development Director Humble stated the RV cover was installed without a permit and this would give the Building Department the ability to inspect to assure that it meets code requirements.

Mike Thompson stated that the cover was placed six years ago and does meet all the building code requirements.

Councilperson Hall asked the purpose of the code.

Community Development Director Humble stated that it is for fire protection for homes.

Councilperson Kezele asked if there was anything specific that was required for the RV building to be in compliance to the fire protection standard.

Community Development Director Humble stated that he didn't believe it would impact revisions to the home.

**MOTION:**

Vice Mayor Johnson made the motion to approve the request of Mike Thompson for waiver of the non-conforming building expansion permit process to allow an expansion of a non-conforming residence at 1049 Keegan Lane as presented with the following conditions:

1. Subject to complete review by Building, Engineering, Fire, and Zoning Departments to ensure compliance with all applicable City Code requirements and Standards for existing and proposed buildings on the site.

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

4. Consideration of the PUD Agreement between the City of Twin Falls and Pole Line Properties, LLC.

Community Development Director Humble reviewed the request using overhead projections.

Staff believes that the attached PUD Agreement and Exhibits correctly reflect the PUD as it was approved and recommends Council approval of the agreement as presented.

Discussion followed on the number of lanes planned for Cheney Road.

Community Development Director Humble stated that the hospital paved their width of four lanes. Further down by Washington there will be five lanes and Grandview is four lanes. He stated the median will prevent a left turn on North Pointe Drive.

**MOTION:**

Vice Mayor Johnson made the motion to approve the PUD Agreement between the City of Twin Falls and Pole Line Properties, LLC as presented. The motion was seconded by Councilperson Craig and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

Gerald Martens, applicant, explained the timeline of the project.

5. Consideration of a final plat of the North Pointe Park Subdivision, a PUD consisting of 15 (+/-) areas with 14 commercial lots located northwest of the intersection of Cheney Drive West and Park View Drive, c/o EHM Engineering, Inc. on behalf of Pole Line Properties, LLC.

Community Development Director Humble reviewed the request using overhead projections.

On July 24, 2007, the Planning & Zoning Commission approved the preliminary plat of North Pointe Park Subdivision, a PUD, subject to the following conditions:

1. 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.
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.

Minutes

August 3, 2009

Page 6 of 8

3. Subject to final approval of the PUD agreement.
4. Subject to Park View Drive being developed to its full width either by obtaining off-site right-of-way or by relocating Park View Drive onto the North Pointe Park plat so it can be constructed to its full width without the off-site right-of-way having to be acquired.

Should the City Council approve the final plat of the North Pointe Subdivision, a PUD, staff recommends approval be subject to the conditions placed on the Preliminary Plat by the Planning & Zoning Commission and in addition to the following condition:

5. Subject to development of the driveway locations and of the intersection of Cheney Drive West and Park View Drive, as approved by the City Council on May 21, 2007.

Discussion followed.

Mayor Clow asked Gerald Martens about the flow of parking between the lots.

Gerald Martens stated that the plat does not show all the driveways. A cross use parking and access agreement on the property will be in place.

**MOTION:**

Councilperson Hall made the motion to approve the final plat of the North Pointe Park Subdivision, a PUD consisting of 15 (+/-) areas with 14 commercial lots located northwest of the intersection of Cheney Drive West and Park View Drive, c/o EHM Engineering, Inc. on behalf of Pole Line Properties, LLC as presented with the following conditions:

1. 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.
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.
3. Subject to final approval of the PUD agreement.
4. Subject to Park View Drive being developed to its full width either by obtaining off-site right-of-way or by relocating Park View Drive onto the North Pointe Park plat so it can be constructed to its full width without the off-site right-of-way having to be acquired.
5. Subject to development of the driveway locations and of the intersection of Cheney Drive West and Park View Drive, as approved by the City Council on May 21, 2007.

The motion was seconded by Councilperson Heider.

Discussion followed:

- Parking lots
- Common areas

Roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

6. Consideration to reject all bid proposals for the 2009 Slurry Seal Project.

City Engineer Fields reviewed the request.

Staff recommends that all bids for the 2009 Slurry Seal Project be rejected due to the fact that none of the bidders meet the statutory requirements for Idaho employees.

Discussion followed.

City Engineer Fields stated that this is Idaho Code and not a City Code requirement.

**MOTION:**

Councilperson Hall made the motion to approve the request to reject all bid proposals for the 2009 Slurry Seal Project. The motion was seconded by Vice Mayor Johnson and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

7. Consideration to adopt proposed Resolution 1817 to allow the City to purchase goods and services on the open market for the 2009 Slurry Seal Project.

City Attorney Wonderlich reviewed the request.

**MOTION:**

Vice Mayor Johnson made the motion to adopt Resolution 1817, entitled: **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, DECLARING THAT THE CITY'S SLURRY SEAL PROJECT CAN BE PERFORMED MORE ECONOMICALLY BY PURCHASING GOODS AND SERVICES ON THE OPEN MARKET**

The motion was seconded by Councilperson Hall.

Discussion followed:

Councilperson Heider asked if it will be under Idaho Code next year.

City Attorney Wonderlich stated that we can't take advantage of the Resolution until we bid the project out. This is a one time basis.

Roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

Addendum to the Agenda:

8. Continuation of discussion and clarification of the Golf Contract.

Mayor Clow stated that a clarification be made to the Professional Services Agreement II.B.:

*Professional will provide the City Manager or his designee with a list of twelve days reserved for exclusive tournament play each year.*

*Revision to:*

*Professional will provide the City Manager or his designee with a list of twelve days reserved for exclusive tournament play each year with the recommendation of the Golf Advisory Board and approval of the City Council.*

*The change will be presented to Mike Hamblin and his attorney.*

6:00 P.M. Recess

6:05 P.M. Reconvened

Councilperson Craig left at this time due to a family emergency.

9. Public input and/or items from the City Manager and City Council. None.
10. The purpose of the meeting is to discuss the Preliminary Budget for Fiscal Year 2009-2010.

Discussion continued on the Preliminary Budget.

City Manager Courtney reviewed the following budgeted items to bring Council up-to-date:

Minutes

August 3, 2009

Page 8 of 8

- Estimated cost to replace pool bubble
- Black Hawk Battle Bags
- Rock Fall mediation on Canyon Springs Road
- Pool heating cost.
- Local Improvement District
- Lease payments
- Health Insurance
- Council Chambers

Network Specialist II Eli Searle explained the information for the Council Chambers. Hardware and cameras will be need to first record the meeting and then schedule to play it at a later time. The technology gives the ability for citizens to review Council Meetings on the website and search for agenda items and related video. He also stated that more citizens will have exposure to Council Meetings and be more informed on decisions. The citizens can view firsthand what took place at the meeting.

The second request item is for interactive hardware that gives each Councilmember the ability to virtually write on the screen from their seat. These markups are also displayed on the projector so that the audience can view and more fully understand the question or comment. The Council will be able to articulate questions and more fully interact with the presenter and the media being presented.

Discussion followed.

- Laptops.

Council directed staff that a priority would be for the placement of hardware and cameras.

Network Specialist II Searle explained the need for someone to run the equipment.

Councilperson Kezele stated that he emailed a spreadsheet to City Manager Courtney to be reviewed by staff.

City Manager Courtney stated that he would start working on the spreadsheet.

- Full time positions

Assistant City Manager Rothweiler stated that it had been decided not to add full time positions. He also reviewed the position of Julie Pence, Public Information Coordinator.

- Police Department guns inventory.
- Staffing of Police Officers.

Mayor Clow asked questions on the proposed Animal Control Contract and asked for clarification of fixed and variable costs of operation.

- Animal Shelter budget.
- Airport Security
- Golf budget

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

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

V. **ADJOURNMENT:** The meeting adjourned at 6:54 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  
 August 10, 2009  
 City Council Chambers  
 305 3<sup>rd</sup> 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.  CONSIDERATION OF THE AMENDMENTS TO THE AGENDA. PROCLAMATIONS: None.
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AGENDA ITEMS	Purpose	By:
<b>I. <u>CONSENT CALENDAR:</u></b> 1. Consideration of accounts payable for August 4 – 10, 2009. 2. Consideration of the August 3, 2009, Council Minutes. 3. Consideration to approve the second annual "The Cove Camp Out" in remembrance of Charlotte Meyers. 4. Consideration to approve the first Beer Festival sponsored by Pandora's Restaurant. 5. Consideration of a Beer/Wine Alcohol License Application for the Bamboo House, Inc., located at 653 Blue Lakes Blvd. N.	Action	Staff Report  L. Sanchez Dan McAtee  Dan McAtee S. Bryan
<b>II. <u>ITEMS FOR CONSIDERATION:</u></b> 1. Presentation of Twin Falls Fire Department Drivers Academy Certificate to Andy Stephenson. 2. Consideration of a request from the Harrison Elementary School PTA to waive the fee for their Sign Code variance request. 3. Consideration of the agreement between the Twin Falls County Youth Baseball Inc. (TFCYB), the Twin Falls County Youth Baseball Trust (Trust) and the City of Twin Falls. 4. Consideration of proposed Resolution #1818 declaring the intent of the City to exchange property with William Mason and Joe Shelton and setting Tuesday, September 8, 2009, as the date for a public hearing regarding the exchange. 5. Consideration to authorize the Mayor and City Manager to execute the right-of-way agreements for the Falls Avenue West Road Widening Project: a. Vaughn and Pamela Tracy, Parcel 43, 238 Falls Avenue West, with the compensation amount of \$ 9,811.14. b. Dale and Donna Crist, Parcel 18, 642 Falls Avenue West, with the compensation amount of \$ 16,320.00. c. Arthur and Betty Frantz, Parcel 7, 458 Falls Avenue West, with the compensation amount of \$ 5,144.94. d. Robert and Debra Bennett, Parcel 9, 498 Falls Avenue West, with the compensation amount of \$ 5,950.92. e. Edward Heil, Parcel 13, 558 Falls Avenue West, with the compensation amount of \$ 6,456.00. 6. Consideration of Plew Construction on behalf of Bradley Andersen for waiver of the non-conforming building expansion permit process to allow an expansion of a non-conforming residence at 1211 Holly Drive. 7. Adopt preliminary budget for the City and set August 24, at 6:00 P.M., as the date and time	Presentation  Action  Action  Action  Action  Action  Action  Action  Action	Ron Clark  Mitch Humble  Dennis Bowyer  Mitch Humble  Jackie Fields          Mitch Humble  Tom Courtney

for the budget hearing. 8. Public input and/or items from the City Manager and City Council.		
<b>III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u></b>		
<b>IV. <u>PUBLIC HEARINGS:</u>            6:00 P.M. –</b> 1. Request of a PUD Amendment of the Canyon Ridge High School PUD Agreement to allow sponsorship panel sign(s) to be permitted as part of a free-standing message center sign on property located at 300 North College West, c/o Brady Dickinson on behalf of Twin Falls School District #411. (app. 2317) 2. Request for a PUD Amendment of the Sto-N-Go Self Storage PUD to allow a truck and utility trailer rental business in conjunction with a storage unit facility on property located at 1830 Washington Street North, c/o Sto-N-Go Self Storage & Dale Frazell. (app. 2316)	Action  Action	Mitch Humble  Mitch Humble
<b>V. <u>ADJOURNMENT:</u></b>		

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

**STAFF PRESENT:** City Manager Tom Courtney, City Attorney Fritz Wonderlich, Assistant City Manager, Travis Rothweiler, City Finance Director Gary Evans, Assistant Finance Director Lorie Race, Community Development Director Mitch Humble, City Engineer Jackie Fields, Acting Deputy City Clerk/Recording Secretary Tracy Reed.

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 asked the three from City Youth Council to introduce themselves: Hosanna Kabakoro, Jonathan Bruce, Christina Bruce

## AGENDA ITEMS

**I. CONSENT CALENDAR:**

1. Consideration of accounts payable for August 4 – 10, 2009, \$516,860.85.
2. Consideration of the August 3, 2009, Council Minutes.
3. Consideration to approve the second annual "The Cove Camp Out" in remembrance of Charlotte Meyers.
4. Consideration to approve the first Beer Festival sponsored by Pandora's Restaurant.
5. Consideration of a Beer/Wine Alcohol License Application for the Bamboo House, Inc., located at 653 Blue Lakes Blvd. N.

**MOTION:**

Councilperson Hall made the motion to approve the Consent Calendar as presented. The motion was seconded by Councilperson Lanting. Councilperson Heider asked about item #4, the mayor moved it to the consent calendar. A roll call vote showed all members present voted in favor of the motion for items #1, #2, #3, #5. Approved 7 to 0.

Discussion followed on Item #4. Staff Sergeant McAtee informed the Council that all issues were resolved and it should be ok.

**MOTION:**

Councilperson Heider made the motion to approve item #4 as presented and seconded by Greg Lanting. A roll call vote showed all members voted in favor of the motion for item #4. Approved 7 to 0.

**II. ITEMS FOR CONSIDERATION:**

1. Presentation of Twin Falls Fire Department Drivers Academy Certificate to Andy Stephenson.

2. Consideration of a request from the Harrison Elementary School PTA to waive the fee for their Sign Code variance request.

Community Development Director Humble reviewed the request. Councilperson Hall abstained from voting as a conflict of interest. The variance fee is to cover staff review and notification costs. He also explained that sometimes the City does waive fees for non-profit groups. They are requesting a variance because of the height of the sign (14'), as the City Code states 8' limit.

Secretary of Harrison PTA, Jennifer Hall, spoke regarding this request. She stated that they did not get funding for their sign as other schools did.

**MOTION:**

Councilperson Kezele made a motion to approve the request as presented. The motion was seconded by Councilperson Heider. Discussion followed.

Councilperson Craig made a motion to refund only a portion of the variance fee, \$65. Due to lack of a second, the motion failed.

Roll call vote on the main motion showed all members voted in favor of the motion. Approved 6 to 0 (Councilperson Hall abstained) to return \$110 to Harrison PTA.

3. Consideration of the agreement between the Twin Falls County Youth Baseball Inc. (TFCYB), the Twin Falls County Youth Baseball Trust (Trust) and the City of Twin Falls.

Parks and Recreation Director Dennis Bowyer presented the request which was to reserve the fields for priority use from March 15 through May 15 and a couple of times for tournaments for the Twin Falls County Youth Baseball Trust and either using the contingency fund or capital improvement fund to cover these costs of \$5,500 to \$6000. These funds would reduce the cost of the complex lighting for TFCYB and the Trust by 25%.

**MOTION:**

Vice Mayor Johnson made the motion to approve the request as presented. The motion was seconded by Councilperson Heider. Discussion followed. Mayor Clow asked about priorities for scheduling and conflicting issues. Parks and Recreation Director Bowyer explained that this is a YOUTH complex first and foremost and that priority would be given when scheduling the use of the fields. A roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

4. Consideration of proposed Resolution #1818 declaring the intent of the City to exchange property with William Mason and Joe Shelton and setting Tuesday, September 8, 2009, as the date for a public hearing regarding the exchange.

Community Development Director Humble used overhead projections to show intent that the City exchange property with William Mason and Joe Shelton and that a public hearing to consider the exchange will be held on September 8, 2009. This parcel is the last barrier for the public access to the Auger Falls park property.

**MOTION:**

Vice Mayor Johnson made the motion to approve the request as presented. The motion was seconded by Councilperson Kezele. Discussion followed. A roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

5. Consideration to authorize the Mayor and City Manager to execute the right-of-way agreements for the Falls Avenue West Road Widening Project:
  - a. Vaughn and Pamela Tracy, Parcel 43, 238 Falls Avenue West, with the compensation amount of \$ 9,811.14.
  - b. Dale and Donna Crist, Parcel 18, 642 Falls Avenue West, with the compensation amount of \$ 16,320.00.
  - c. Arthur and Betty Frantz, Parcel 7, 458 Falls Avenue West, with the compensation amount of \$ 5,144.94.
  - d. Robert and Debra Bennett, Parcel 9, 498 Falls Avenue West, with the compensation amount of \$ 5,950.92.
  - e. Edward Heil, Parcel 13, 558 Falls Avenue West, with the compensation amount of \$ 6,456.00.

City Engineer Fields presented the request. Councilperson Hall asked about the color coding on the overhead exhibit. City Engineer Fields explained the color coding of the map. Councilperson Heider asked about Wendell Street and City Engineer Fields explained that might happen later as Broadmoor, the neighboring subdivision to the west, has not final platted yet.

**MOTION:**

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

6. Consideration of Plew Construction on behalf of Bradley Andersen for waiver of the non-conforming building expansion permit process to allow an expansion of a non-conforming residence at 1211 Holly Drive.

Community Development Director Humble presented the request using overhead projections. He also let the Council know that if this is not approved they will have to go to public hearing. Discussion followed.

**MOTION:**

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

7. Adopt preliminary budget for the City and set August 24, at 6:00 P.M., as the date and time for the budget hearing.

City Manager Courtney explained the request. Approval of this request will cap City spending for FY 2010 at \$48,306,305 and that cap is down from the number we started with a month ago by \$350,000. The last day to adopt the budget is September 9, 2009. Councilperson Kezele asked what added up to \$350,000 and Assistant Finance Director Lorie Race explained the numbers to the City Council.

**MOTION:**

Vice Mayor Johnson made the motion to approve the request to adopt the preliminary budget, establish the City spending cap for FY2010 at \$48,306,305 and set a public hearing date of August 23, 2009. The motion was seconded by Councilperson Hall.

Discussion followed.

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

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

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

Councilperson Lanting spoke on the success of the Golf Advisory Board for Friends of Muni Golf Tournament.

Councilperson Craig asked that Finance Director Gary Evans speak regarding the Urban Renewal Agency budget. Vice Mayor Johnson commented to staff about how much help the Finance Department has been for Council this year and told Finance Director Gary Evans goodbye as he is retiring.

**IV. PUBLIC HEARINGS: 6:19 P.M.**

1. Request of a PUD Amendment of the Canyon Ridge High School PUD Agreement to allow sponsorship panel sign(s) to be permitted as part of a free-standing message center sign on property located at 300 North College West, c/o Brady Dickinson on behalf of Twin Falls School District #411. (app. 2317)

Brady Dickinson, the applicant and principal at Canyon Ridge High School, explained the request. Mr. Dickinson approached the Education Foundation to pay for the signage. He is asking for permission for the sign and to then let the Education Foundation recognize sponsors on the sign as well.

Minutes

August 10, 2009

Page 5 of 7

Community Development Director Humble presented the staff report and said that there must be a PUD amendment in order to accomplish this request. This request would add "with sponsorship panels" to the PUD agreement. The Planning and Zoning Commission recommends approval of this request with 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 message center sign having a maximum height as presented.
3. Subject to hours of operation being 7:00 am to 10:00 pm Sunday through Thursday and 7:00 am to 11:00 pm Friday and Saturday.
4. Subject to full compliance with City Code 10-9-1 thru 10-9-16.
5. Subject to the sponsor panels not utilizing more than 35% of the open space between the sign columns of the structure as presented.

Discussion followed-

-Illuminated sign

-Double faced

-Limited to Sponsor Names/Businesses (how do they determine who gets a sponsor sign)

-Location of sign

Mayor Clow opened meeting for public comment.

Kathy McMillan, 1172 Hankins Road, President of the Education Foundation spoke to Council supporting the signage and sponsorship.

Linda Roberts, 209 North College Road West, Neighbor, was at July 14, 2009 Planning & Zoning Commission Meeting. She is very concerned that this sign is so close to the sidewalk and road. She is also concerned about the message reader board and how bright it seems at night. She stated that the neighbors were not aware of this sign being installed.

Public comment was closed by Mayor Clow.

Brady Dickinson spoke answering Ms. Roberts issues.

Discussion followed-

-Illumination

-Distance from sidewalk

-Education Foundation sponsors sign for lifetime if approved

-Smaller sponsor signs will rotate through

**MOTION:**

Councilperson Heider made the motion to approve the request with 5 recommendations above. The motion was seconded by Councilperson Lanting.

Discussion followed-

-Commercialization in this area

-Brass plates instead of sponsor boards

Councilperson Hall made a motion to amend the motion that the sponsor signs not be illuminated. Motion failed due to lack of a second.

Councilperson Craig made a motion to amend the original motion to take the bottom sponsors off the sign as a compromise for everyone. He moved that the top sponsor area be left for the Education Foundation and be left illuminated, with a 7.5' bottom clearance. Councilperson Kezele seconded the motion. Councilperson Lanting discussed that this amendment will not work because it isn't accomplishing getting additional donations from sponsors.

Mayor called for a roll call vote of the amendment. Vice Mayor Johnson did not understand the amendment as presented and asked for clarification. Discussion followed.

Councilperson Kezele redacted the second. The motion on the amendment was withdrawn as it failed due to lack of a second.

Discussion followed-

Advertising-  
Illumination-  
Vandalism-

Councilperson Johnson made a motion to amend the original motion to limit the sponsorship sign to recognize just the Education Foundation and not any other sponsor signs and no illumination. Councilperson Kezele seconded the motion. Councilperson Lanting explained that he feels the donors should be recognized, no matter how big or how small and this would be a great a vehicle to get future donations. Councilperson Kezele suggested the Education Foundation use the reader board for these sponsors. Councilperson Johnson withdrew his amendment.

A roll call vote on the main motion showed a vote of 4-3 in favor of the motion as presented with 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 message center sign having a maximum height as presented and space below as presented.
3. Subject to hours of operation being 7:00 am to 10:00 pm Sunday through Thursday and 7:00 am to 11:00 pm Friday and Saturday.
4. Subject to full compliance with City Code 10-9-1 thru 10-9-16.
5. Subject to the sponsor panels not utilizing more than 35% of the open space between the sign columns of the structure as presented.

Mayor Clow, Vice Mayor Johnson and Councilperson Kezele voted against the motion.

2. Request for a PUD Amendment of the Sto-N-Go Self Storage PUD to allow a truck and utility trailer rental business in conjunction with a storage unit facility on property located at 1830 Washington Street North, c/o Sto-N-Go Self Storage & Dale Frazell. (app. 2316)

Kathleen Keyes, 1830 Washington St. N., presented the request as the applicant.

Community Development Director Humble discussed that the reason Sto-N-Go needs a PUD amendment is because it states specifically that it is ONLY for storage and no truck and trailer rental. The Planning & Zoning Commission recommends that Council approve this request with the following three 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 the following statement being included in the PUD Amendment: "When the storage facility is built to capacity, the truck and utility trailer rental business will cease operations at the Sto-n-Go Self Storage Facility located at 1830 Washington Street North"
3. Subject to parking and maneuvering areas being hard-surfaced with Portland concrete or asphaltic concrete surface material in accordance with City Code 10-11-4(B).

Discussion followed-

-Timetable to have all construction of phases complete  
-Not main hub for UHaul

Dale Frazell, 15205 N. McFarland Drive Road, Boise, ID 83714, explained that the City would not let him close Vermont Avenue so he feels exposed here. Mayor Clow explained this has nothing to do with request.

Mayor Clow opened and closed the floor for public comment. There are not comments.

Mayor Clow turned the discussion over to the Council. No comments.

Minutes

August 10, 2009

Page 7 of 7

**MOTION:**

Councilperson Hall made the motion to approve 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 requirements and Standards.
2. Subject to the following statement being included in the PUD Amendment: "When the storage facility is built to capacity, the truck and utility trailer rental business will cease operations at the Sto-n-Go Self Storage Facility located at 1830 Washington Street North"
3. Subject to parking and maneuvering areas being hard-surfaced with Portland concrete or asphaltic concrete surface material in accordance with City Code 10-11-4(B).

With one extra condition:

4. The UHaul business and trucks must stay within the confines of the business property fence line, not in the street or front parking area.

The motion was seconded by Councilperson Kezele. A roll call vote showed a vote of 6-1 in favor of the motion. Approved 6 to 1 with Councilperson Heider voting against the motion.

V. **ADJOURNMENT:** The meeting adjourned at 7:50 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
<i>Mayor</i>				<i>Vice Mayor</i>		



**MINUTES**  
Meeting of the Twin Falls City Council  
August 17, 2009  
City Council Chambers  
305 3<sup>rd</sup> 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.  
CONSIDERATION OF THE AMENDMENTS TO THE AGENDA.  
PROCLAMATIONS: None.

AGENDA ITEMS		Purpose	By:
<b>I. <u>CONSENT CALENDAR:</u></b> 1. Consideration of accounts payable for August 11 – 17, 2009. 2. Consideration of the August 10, 2009, Council Minutes. 3. Findings of Fact, Conclusions of Law, and Decision: a. Zoning District Change & Zoning Map Amendment, Application, for Nelson & Company c/o Gary Slette.		Action	Staff Report
<b>II. <u>ITEMS FOR CONSIDERATION:</u></b> 1. Consideration to authorize the Mayor and City Manager to execute the right-of-way agreements for the Falls Avenue West Road Widening Project: a. Thomas and Patricia Gonzales, Parcel 14, 582 Falls Avenue West, with the compensation amount of \$6,666.00. b. The College of Southern Idaho, Parcel 2, 315 Falls Avenue West, with the compensation amount of \$22,494.72. c. Michael and Dorla LeClair, Parcel 32, 559 Falls Avenue West, with the compensation amount of \$3,578.00. d. Stacy Reese, Parcel 22, 914 Wendell Street, with the compensation amount of \$8,088.96. e. Leonard and Carol Benson, Parcel 31, 895 Bracken Street, with the compensation amount of \$4,454.00. 2. Consideration to authorize the Mayor and City Manager to execute the right-of-way agreement for Parcel Number 66 and 72 of the Washington St. N. Phase III, project, Key 08469. 3. Consideration of a Resolution declaring the intent of the City to exchange property with Renaissance Development, LLC and setting Monday, September 14, 2009 as the date for a public hearing regarding the exchange. 4. Consideration of award of the 2009 Slurry Seal Project to Blackline, Inc. of Spokane Washington in the amount of \$449,718.50. 5. Public input and/or items from the City Manager and City Council.		Action	Jackie Fields
<b>III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u></b>			
<b>IV. <u>PUBLIC HEARINGS:</u></b> 6:00 P.M. – None.			
<b>V. <u>ADJOURNMENT:</u></b>			

*\*Any person(s) needing special accommodations to participate in the above noticed meeting should contact Leila Sanchez at (208) 735-7287 at least two working days before the meeting.*

**COUNCIL MEMBERS PRESENT:** Don Hall, Lee Heider, and Greg Lanting  
David Johnson and William A. Kezele via telephone.

**COUNCIL MEMBERS ABSENT:** Lance Clow, Trip Craig

**STAFF PRESENT:** City Manager Tom Courtney, Assistant City Manager Travis Rothweiler, City Attorney Fritz Wonderlich, Community Development Director Mitch Humble, City Engineer Jackie Fields, Staff Engineer Mike Trabert, Deputy City Clerk/Recording Secretary Leila Sanchez.

Acting Mayor Hall called the meeting to order at 5:00 P.M. He invited all present, who wished to, to recite the Pledge of Allegiance to the Flag with him. A quorum was present. Acting Mayor Hall introduced City staff.

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

### AGENDA ITEMS

**I. CONSENT CALENDAR:**

1. Consideration of accounts payable for August 11 – 17, 2009, total: \$609,990.56.
2. Consideration of the August 10, 2009, Council Minutes.
3. Findings of Fact, Conclusions of Law, and Decision:
  - a. Zoning District Change & Zoning Map Amendment, Application, for Nelson & Company c/o Gary Slette.

**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 voted in favor of the motion. Approved 5 to 0.

**II. ITEMS FOR CONSIDERATION:**

1. Consideration to authorize the Mayor and City Manager to execute the right-of-way agreements for the Falls Avenue West Road Widening Project:
  - a. Thomas and Patricia Gonzales, Parcel 14, 582 Falls Avenue West, with the compensation amount of \$6,666.00.
  - b. The College of Southern Idaho, Parcel 2, 315 Falls Avenue West, with the compensation amount of \$22,494.72.
  - c. Michael and Dorla LeClair, Parcel 32, 559 Falls Avenue West, with the compensation amount of \$3,578.00.
  - d. Stacy Reese, Parcel 22, 914 Wendell Street, with the compensation amount of \$8,088.96.
  - e. Leonard and Carol Benson, Parcel 31, 895 Bracken Street, with the compensation amount of \$4,454.00.

Acting Mayor Hall requested that Item II.1.b.: The College of Southern Idaho, Parcel 2, 315 Falls Avenue West, with the compensation amount of \$22,494.72, be presented separately.

City Engineer Fields reviewed the request.

**MOTION:**

Councilperson Lanting made the motion to authorize the Mayor and City Manager to execute the right-of-way agreements for the Falls Avenue West Road Widening Project:

- a. Thomas and Patricia Gonzales, Parcel 14, 582 Falls Avenue West, with the compensation amount of \$6,666.00.
- c. Michael and Dorla LeClair, Parcel 32, 559 Falls Avenue West, with the compensation amount of \$3,578.00.
- d. Stacy Reese, Parcel 22, 914 Wendell Street, with the compensation amount of \$8,088.96.
- e. Leonard and Carol Benson, Parcel 31, 895 Bracken Street, with the compensation amount of \$4,454.00.

The motion was seconded by Councilperson Heider and roll call vote showed all members voted in favor of the motion. Approved 5 to 0.

Acting Mayor Hall recused himself from discussion and voting on the following item.

*Consideration to authorize the Mayor and City Manager to execute the right-of-way agreements for the Falls Avenue West Road Widening Project:*

*b. The College of Southern Idaho, Parcel 2, 315 Falls Avenue West, with the compensation amount of \$22,494.72.*

City Engineer Fields reviewed the request.

Discussion followed.

**MOTION:**

Councilperson Heider made the motion to authorize the Mayor and City Manager to execute the right-of-way agreements for the Falls Avenue West Road Widening Project:

b. The College of Southern Idaho, Parcel 2, 315 Falls Avenue West, with the compensation amount of \$22,494.72.

The motion was seconded by Councilperson Kezele and roll call vote showed all members voted in favor of the motion. Approved 4 to 0. Acting Mayor Hall abstained from voting.

Acting Mayor Hall recused himself from discussion and voting on the following item.

2. Consideration to authorize the Mayor and City Manager to execute the right-of-way agreement for Parcel Number 66 and 72 of the Washington St. N. Phase III, project, Key 08469.

City Engineer Fields reviewed the request.

Discussion followed:

Councilperson Heider asked if the City could waive CSI building fees.

Community Development Director Humble stated that obtains their building permits from the State, so there is no fee paid to the City for building permits to waive.

**MOTION:**

Councilperson Heider made the motion to authorize the Mayor and City Manager to execute the right-of-way agreement for Parcel Number 66 and 72 of the Washington St. N. Phase III, project, Key 08469.

a. College of Southern Idaho, Parcel 66 - \$59,091.40 and Parcel 72 - \$42,207.38, 315 Falls Avenue West, with the compensation total amount of \$101,298.78.

The motion was seconded by Councilperson Kezele and roll call vote showed all members voted in favor of the motion. Approved 4 to 0. Acting Mayor Hall abstained from voting.

3. Consideration of a Resolution declaring the intent of the City to exchange property with Renaissance Development, LLC and setting Monday, September 14, 2009 as the date for a public hearing regarding the exchange.

Community Development Director Humble reviewed the request.

Discussion followed:

Councilperson Lanting asked what the plans are for the Evel Knievel jump site.

Community Development Director Humble explained that the idea behind the exchange. He stated the city has land adjacent to the property and is offering in exchange to the developer who owns the jump site. The developer will plat a residential subdivision, which is coming through the process at this time. The plans are to turn the area into a tourist and trailhead park.

**MOTION:**

Councilperson Heider made the motion to adopt Resolution 1819, declaring the intent of the City to exchange property with Renaissance Development, LLC and setting Monday, September 14, 2009, as the date for a public hearing regarding the exchange.

The motion was seconded by Councilperson Lanting and roll call vote showed all members voted in favor of the motion. Approved 5 to 0.

3. Consideration of award of the 2009 Slurry Seal Project to Blackline, Inc. of Spokane Washington in the amount of \$449,718.50.

City Engineer Fields reviewed the request.

Discussion followed:

Councilperson Heider asked what changes were made to the contract bid amount.

City Engineer Fields stated that additional roads were added to the crack sealing contract and the bid prices for one of the slurry seals decreased.

Councilperson Kezele asked if we have a list of roads to be resealed.

City Engineer Fields stated that the portions of roads in the Morning Sun Subdivision, Eastridge Subdivision, and Candleridge Drive Subdivision have been added.

Councilperson Kezele stated that he noticed that Pole Line to Eastland has a 2009 slurry type 3 seal which is a new road, and he does not see it on Eastland on the old road.

City Engineer Fields stated that type of slurry seal uses a slightly larger rock and there are crack seal joints on almost the entirety of the new paving. It was decided not to pave the older part of Eastland because it has a variety of failed roadways. The plan for Eastland is to do mills and inlays to reconstruct roadway sections.

Councilperson Kezele stated that funds had been approved for a team to survey a portion of Eastland to determine the likelihood of failure and stability. He asked for the report.

City Engineer Fields stated that the report has been completed and she will bring back the report to the Council.

Councilperson Johnson asked when the seal coating report would be completed.

City Manager Courtney stated that the Street Department is working on the seal coating report and he will check with the Street Department as to when it will be completed.

**MOTION:**

Councilperson Heider made the motion to award the 2009 Slurry Seal Project to Blackline, Inc. of Spokane, Washington, in the amount not to exceed \$449,718.50., as presented. The motion was seconded by Councilperson Lanting and roll call vote showed all members voted in favor of the motion. Approved 5 to 0.

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

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

Councilperson Heider gave a report on the Historic Preservation Commission.

Councilperson Lanting gave a report on the Golf Advisory Board. He stated there is one opening on the board.

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

**V. ADJOURNMENT: The meeting adjourned at 5:34 p.m.**

**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, 2009 (Tuesday)  
 City Council Chambers  
 305 3<sup>rd</sup> 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.  
 CONSIDERATION OF THE AMENDMENTS TO THE AGENDA.  
 PROCLAMATIONS: None.

AGENDA ITEMS	Purpose	By:
<b>I. <u>CONSENT CALENDAR:</u></b> 1. Consideration of accounts payable for August 25 – September 8, 2009. 2. Consideration of the August 24, 2009, Minutes. 3. Consideration to approve the Annual Oktoberfest 2009, to be held Friday and Saturday, October 2 and 3, 2009. 4. Consideration of a request to approve the “Bed Races” Fundraiser for the Multiple Sclerosis Society. The event will be held on Saturday, September 26, 2009, from 11:00 A.M. 5. Consideration of a request from Cindy Purves of the Lynwood Merchants Association to approve a Battle of the Bands event in the Lynwood parking lot on Saturday, September 19, 2009.	Action  Action Action  Action  Action	Staff Report  L. Sanchez Dennis Pullin  Dennis Pullin  Dan McAtee
<b>II. <u>ITEMS FOR CONSIDERATION:</u></b> 1. Presentation of a Landscape Award to Canyon Crest & Dining located at 330 Canyon Crest Drive. 2. Consideration of a Public Hearing September 21, 2009, to hear comments regarding the increases to the Airport Fee Schedule. 3. Adoption of an Appropriation Ordinance for FY 2009-2010. Proposed Ordinance #2976 4. Consideration of the Final Plat for the Dry Creek Subdivision, .44 (+/-) acres consisting of two (2) residential lots on property located at 1969 Shoup Avenue East. c/o EHM Engineers/Tim Vawser. 5. Consideration of the Shoshone Heights Planned Unit Development (PUD) Agreement between the City of Twin Falls and Renaissance Project Development, LLC. 6. Consideration of a request to finalize the City’s energy objectives to be included in the preparation of the Energy Plan. 7. Consideration to authorize the Mayor and City Manager to execute the right-of-way agreements for the Falls Avenue West Road Widening Project: a) Gary and Cindy Braun, Parcel 16, 602 Falls Avenue West, with the compensation amount of \$ 14,168.00. b) Charles and Alice Armstrong, Parcel 6, 442 Falls Avenue West, with the compensation amount of \$ 6,792.00. c) Jose Costa, Parcel 44, 244 Falls Avenue West, with the compensation amount of \$ 5,126.76. d) Sherri D’ Angelo, Parcel 29, 607 Falls Avenue West, with the compensation amount of \$ 3,449.00. e) Wesley and Diana Startin, Parcel 33, 547 Falls Avenue West, with the compensation amount of \$ 1,908.90. f) Judith Sinkewicz, Parcel 4, 362 Falls Avenue West, with the compensation amount of \$ 22,144.50.	Presentation  Action  Action Action  Action  Action  Action	Bill Carberry  Tom Courtney Mitch Humble  Mitch Humble  Mitch Humble  Jackie Fields

g) Rob Baily , Parcel 42, 202 Falls Avenue West, with the compensation amount of \$ 18,652.68. 8. Public input and/or items from the City Manager and City Council.				
<b>III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u></b>				
<b>IV. <u>PUBLIC HEARINGS:</u>                    6:00 P.M. –</b> 1. Appeal of David Hall regarding the Planning & Zoning Commission’s decision to revoke Special Use Permit #0800 granted to David Hall on January 28, 2003, to allow the operation of an automobile sales business on property located at 1102 Kimberly Road. (app.2324) 2. A public hearing regarding consideration of a property exchange agreement between the City and William Mason and Joe Shelton to secure access to the Auger Falls property.			Action  Action	Mitch Humble  Mitch Humble
<b>V. <u>ADJOURNMENT:</u></b>				

*\*Any person(s) needing special accommodations to participate in the above noticed meeting should contact Leila Sanchez at (208) 735-7287 at least two working days before the meeting.*

**COUNCIL MEMBERS PRESENT:** Lance W. Clow, Trip Craig, Lee Heider, David Johnson, Gregory Lanting, and Will Kezele via telephone.

**COUNCIL MEMBERS ABSENT:** Don Hall

**STAFF PRESENT:** City Manager Tom Courtney, Assistant City Manager Travis Rothweiler, City Attorney Fritz Wonderlich, Community Development Director Mitch Humble, Planner 1 Amber Reeder, City Engineer Jackie Fields, Airport Manager Bill Carberry, Assistant Finance Director Lorie Race, Budget Coordinator Darren Huber, Project Coordinator Lee Glaesemann, Staff Sergeant Dan McAtee, Staff Sergeant Dennis Pullin, Deputy City Clerk/Recording Secretary 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.

**CONSIDERATION OF THE AMENDMENTS TO THE AGENDA:**  
 Vice Mayor Johnson requested to discuss the Finance Committee during the discussion of Item for Consideration 3. Adoption of Appropriation Ordinance for FY 2009-2010.

**MOTION:**  
 Vice Mayor Johnson made the motion to discuss the Finance Committee during the discussion of Item for Consideration 3. Adoption of Appropriation Ordinance for FY 2009-2010. The motion was seconded by Councilperson Lanting and roll call vote showed all members voted in favor of the motion. Approved 6 to 0.

**PROCLAMATIONS:** None.

## AGENDA ITEMS

- I. CONSENT CALENDAR:**
1. Consideration of accounts payable for August 25 – September 8, 2009, total: \$1,002,239.01.
  2. Consideration of the August 24, 2009, Minutes.
  3. Consideration to approve the Annual Oktoberfest 2009, to be held Friday and Saturday, October 2 and 3, 2009.
  4. Consideration of a request to approve the “Bed Races” Fundraiser for the Multiple Sclerosis Society. The event will be held on Saturday, September 26, 2009, from 11:00 A.M.
  5. Consideration of a request from Cindy Purves of the Lynwood Merchants Association to approve a Battle of the Bands event in the Lynwood parking lot on Saturday, September 19, 2009.

**MOTION:**

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

**II. ITEMS FOR CONSIDERATION:**

1. Presentation of a Landscape Award to Canyon Crest & Dining located at 330 Canyon Crest Drive.

Rescheduled to be presented on September 14, 2009.

2. Consideration of a Public Hearing September 21, 2009, to hear comments regarding the increases to the Airport Fee Schedule.

Airport Manager Carberry reviewed the request using overhead projections.

For proposed fee increases of 5% or more, the Council is required to hold a public hearing as prescribed by Idaho Code Section 63-1311A.

On behalf of the Airport Advisory Board, staff recommends that the Council approve the request to conduct a public hearing September 21, 2009, regarding the proposed fee increases at Joslin Field, Magic Valley Regional Airport.

Discussion followed.

Airport Manager Carberry discussed Landing Fee, Fuel Flowage Fee, ARFF Fee, and Restaurant Rental Proposed increases. The increases proposed are needed to help offset the cost of providing facilities and service.

**MOTION:**

Councilperson Lanting made the motion to conduct a public hearing September 21, 2009, regarding the proposed fee increases at Joslin Field, Magic Valley Regional Airport. The motion was seconded by Councilperson Heider and roll call vote showed all members voted in favor of the motion. Approved 6 to 0.

3. Adoption of an Appropriation Ordinance for FY 2009-2010. Proposed Ordinance #2976

City Manager Courtney gave a brief overview of the budget process.

Discussion followed on:  
Contingency monies in the Capital fund.

Councilperson Lanting suggested taking contingency monies in the capital fund and property tax levy to be reduced by the same level.

City Manager Courtney stated that the easiest way to do this is to reduce the revenue estimate through property tax. He also explained that it is estimated that in the contingency fund there is an estimated amount of \$150,000 - \$200,000 range. He also stated that the City is to provide a service to the community. Personnel related costs are important to the budget and would not increase without approval of the Council.

**MOTION:**

Vice Mayor Johnson made the motion to suspend the rules and place Ordinance #2976, 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, 2009, AND ENDING ON THE 30TH DAY OF SEPTEMBER, 2010, TO BE KNOWN AS THE ANNUAL APPROPRIATION BILL OF F.Y. 2010.

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

Deputy City Clerk Leila Sanchez read the ordinance title.

**MOTION:**

Councilperson Lanting made the motion to adopt Ordinance #2976 as presented. The motion was seconded by Councilperson Heider.

Discussion followed.

**MOTION:**

Councilperson Lanting made the following amendment to the main motion: Contingency monies in the Capital fund are reduced by \$100,000 and property tax levy be reduced by the same amount. The motion was seconded by Councilperson Kezele and roll call vote showed all members voted in favor of the motion. Approved 6 to 0.

**CONSIDERATION OF THE AMENDMENTS TO THE AGENDA:**

Vice Mayor Johnson requested to discuss the Finance Committee during the discussion of Item for Consideration 3. Adoption of Appropriation Ordinance for FY 2009-2010.

Vice Mayor Johnson explained the request and recommended to authorize the Mayor to establish a citizen's committee to the Finance Committee.

Discussion followed.

**MOTION:**

Vice Mayor Johnson made the motion to authorize the Mayor to establish a citizen's committee to the Finance Committee. The motion was seconded by Councilperson Kezele.

Discussion followed.

Councilperson Craig did not believe it was appropriate to appoint another committee to make recommendations as to how money should be spent.

Councilperson Kezele stated his concerns of citizen involvement on the budget process.

Councilperson Heider agreed with Councilperson Craig that another advisory committee is unnecessary.

Vice Mayor Johnson stated that the intention is to create advocacy and some brainstorming.

Roll call vote on the motion showed Mayor Clow, Councilpersons Johnson, Kezele, and Lanting voted in favor of the motion. Councilpersons Craig and Heider voted against the motion. Approved 4 to 2.

6:10 P.M. Councilperson Kezele recused himself from the rest of the meeting.

4. Consideration of the Final Plat for the Dry Creek Subdivision, .44 (+/-) acres consisting of two (2) residential lots on property located at 1969 Shoup Avenue East. c/o EHM Engineers/Tim Vawser.

Community Development Director Humble reviewed the request.

Should the City Council approve the final plat of Dry Creek Subdivision as presented staff recommends approval be subject to the following conditions:

1. Subject to final technical review by the Engineering, Fire, and Zoning Department to ensure compliance with all applicable City Code requirements and standards.
2. Subject to the legend stating the residential use/density of single family.

Discussion followed:

Mayor Clow inquired of easements and shared driveway.

Kevin Bradshaw, applicant, 1193 Eastridge Circle, explained the driveway access and easement.

**MOTION:**

Councilperson Lanting made the motion to approve the Final Plat for the Dry Creek Subdivision, .44 (+/-) acres consisting of two (2) residential lots on property located at 1969 Shoup Avenue East. c/o EHM Engineers/Tim Vawser as presented with the following conditions:

1. Subject to final technical review by the Engineering, Fire, and Zoning Department to ensure compliance with all applicable City Code Requirements and Standards.
2. Subject to the legend stating the residential use/density of single family.

The motion was seconded by Vice Mayor Johnson and roll call vote showed all members present voted in favor of the motion. Approved 5 to 0.

5. Consideration of the Shoshone Heights Planned Unit Development (PUD) Agreement between the City of Twin Falls and Renaissance Project Development, LLC.

Community Development Director Humble reviewed the request.

Staff believes that the attached Planned Unit Development Agreement and Exhibits correctly reflects the PUD as it was approved and recommends Council approval of the agreement as presented.

**MOTION:**

Vice Mayor Johnson made the motion to approve the Shoshone Heights Planned Unit Development (PUD) Agreement between the City of Twin Falls and Renaissance Project Development, LLC. as presented. The motion was seconded by Councilperson Lanting and roll call vote showed all members voted in favor of the motion. Approved 5 to 0.

6. Consideration of a request to finalize the City's energy objectives to be included in the preparation of the Energy Plan.

Community Development Director Humble reviewed the Twin Falls Energy Plan Objectives shown on overhead projections.

Discussion followed.

Councilperson Heider asked the cost of the plan.

Community Development Director Humble stated that a grant of \$183,600 has been awarded. We are spending \$35,300 for the preparation of the energy plan. The remaining \$148,300 will be available to spend on a list of projects approved as part of the energy plan by the Council.

Staff recommends that the Council review and approve the staff Energy Plan objectives as presented.

**MOTION:**

Councilperson Lanting made the motion to approve the City's energy following objectives to be included in the preparation of the Energy Plan;

1. Increase resident quality of life by encouraging sustainability, energy efficiency, and enhanced air quality.
2. Increase water and energy efficiency and energy independence;

Minutes

September 8, 2009

Page 6 of 8

3. Reduce City energy consumption over the long-term;
4. Lower the cost of public services for city residents; and;
5. Increase the energy efficiency of City facilities.

The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. Approved 5 to 0.

7. Consideration to authorize the Mayor and City Manager to execute the right-of-way agreements for the Falls Avenue West Road Widening Project:
  - a) Gary and Cindy Braun, Parcel 16, 602 Falls Avenue West, with the compensation amount of \$ 14,168.00.
  - b) Charles and Alice Armstrong, Parcel 6, 442 Falls Avenue West, with the compensation amount of \$ 6,792.00.
  - c) Jose Costa, Parcel 44, 244 Falls Avenue West, with the compensation amount of \$ 5,126.76.
  - d) Sherri D' Angelo, Parcel 29, 607 Falls Avenue West, with the compensation amount of \$ 3,449.00.
  - e) Wesley and Diana Startin, Parcel 33, 547 Falls Avenue West, with the compensation amount of \$ 1,908.90.
  - f) Judith Sinkewicz, Parcel 4, 362 Falls Avenue West, with the compensation amount of \$ 22,144.50.
  - g) Rob Baily , Parcel 42, 202 Falls Avenue West, with the compensation amount of \$ 18,652.68.

City Engineer Fields reviewed the request.

**MOTION:**

Vice Mayor Johnson made the motion to authorize the Mayor and City Manager to execute the right-of-way agreements for the Falls Avenue West Road Widening Project as presented. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. Approved 5 to 0.

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

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

Councilperson Heider stated that the Twin Falls Alternate Route groundbreaking will be held on September 14, 2009.

Recess: 6:40

Reconvened: 6:48

Mayor Clow reviewed the Public Hearing process.

**IV. PUBLIC HEARINGS: 6:00 P.M. –**

1. Appeal of David Hall regarding the Planning & Zoning Commission's decision to revoke Special Use Permit #0800 granted to David Hall on January 28, 2003, to allow the operation of an automobile sales business on property located at 1102 Kimberly Road. (app.2324)

David Hall, applicant, 518 W. Edwards, Nampa, ID, explained the request. He stated that he is appealing the Planning & Zoning decision of August 11, 2009. He stated that he is the owner of 1102 Kimberly Road and has owned the property since 2002. As of now, the property has been rented out to Ray Haken. He has had contact with Amber Reeder.

Planner 1 Reeder reviewed the revocation of the Special Use Permit, using overhead projections.

On August 11, 2009, at a regularly scheduled public hearing the Commission unanimously voted to revoke SUP #800 for non-compliance.

Discussion followed:

Councilperson Heider asked what conditions the applicant did not meet.

Planner 1 Reeder explained the conditions.

Minutes

September 8, 2009

Page 7 of 8

City Attorney Wonderlich discussed the SUP revocation process.

Councilperson Lanting asked if the west entry was permanently closed.

Planner 1 Reeder answered in the affirmative. She also stated that some landscaping has been done in the area.

Mr. Haken stated that he would have like to have been contacted by the Planning & Zoning Department regarding the SUP. He stated that he has 3 trees and 14 shrubs on the property and the watering system is in place.

Discussion followed.

-The westerly curb cut was required to be closed by ITD.

Planner 1 Reeder stated that the area is part of the Master Transportation Plan and Kimberly Road is an ITD road and has restrictions. She stated that on January 8, 2003, three more conditions were placed on the SUP.

The public hearing for public comment was opened.

Ray Haken, renter, stated that he is in compliance and shrubs and water system are in place.

Closed the public comment portion of the hearing.

The public hearing was closed.

Deliberations.

City Attorney Wonderlich stated that the Council would be taking action on the appeal.

**MOTION:**

Vice Mayor Johnson made the motion to uphold Planning and Zoning Commission's decision to revoke Special Use Permit #0800 with an effective date of August 31, 2010. The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. Approved 5 to 0.

1. A public hearing regarding consideration of a property exchange agreement between the City and William Mason and Joe Shelton to secure access to the Auger Falls property.

Community Development Director Humble reviewed the request.

Staff recommends that the Council hold a public hearing, approve the attached exchange agreement as presented, and authorize the City Manager to execute the exchange agreement.

Councilperson Lanting asked if the City has received permission from the federal government to have access on BLM property.

City Manager Courtney stated that this is still under internal review with BLM.

Project Coordinator Glaesemann explained the Stag grant requirements.

Discussion followed on the access to the property.

City Manager Courtney stated that property on the extreme west belongs to the City. The City will allow William Mason and Joe Shelton access to their property.

City Attorney Wonderlich explained that the public hearing is a requirement for city property exchange.

The public comment portion of the hearing was opened.

Minutes

September 8, 2009

Page 8 of 8

Closed the public comment portion.

Closed the public hearing.

**MOTION:**

Councilperson Craig made the motion to approve the Real Estate Exchange Agreement and Escrow Agreement between the City of Twin Falls and William Mason and Joe Shelton as presented. The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. Approved 5 to 0.

V. **ADJOURNMENT:** adjourned at 8:03 pm.

Leila A. Sanchez

Deputy City Clerk/Recording Secretary

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 14, 2009  
City Council Chambers  
305 3<sup>rd</sup> 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.

CONSIDERATION OF THE AMENDMENTS TO THE AGENDA.

PROCLAMATIONS: None.

AGENDA ITEMS	Purpose	By:
<b>I. <u>CONSENT CALENDAR:</u></b> 1. Consideration of accounts payable for September 9 – 14, 2009. 2. Consideration of the Special Meetings of August 28, 2009, and August 31, 2009. 3. Findings of Fact, Conclusions of Law, and Decision for the Final Plat Application for the North Point Park Subdivision, A PUD c/o EHM Engineering, Inc. Applicant(s). 4. Consideration to approve both the Special Events Application for the Twin Falls High School Homecoming Bonfire to be held on Wednesday, September 23, 2009, and the Parade Application for the Homecoming Parade to be held on Thursday, September 24, 2009.	Action	Staff Report
<b>II. <u>ITEMS FOR CONSIDERATION:</u></b> 1. Presentation of a Landscape Award to Canyon Crest Dining & Event Center located at 330 Canyon Crest Drive. 2. Consideration of a resolution adopting a comprehensive plan amendment which would amend The Future Land Use Map, 2-4 of the Twin Falls Vision 2030: A Comprehensive Plan for a Sustainable Future for 6 +/- acres located south of Cheney Drive West, west of Park View Drive, and north of North College Road West from Medium Density Residential to Office/Professional c/o Osprey, LLC (app. 2320) 3. Consideration of the Final Plat of the KRP Subdivision, 1 (+/-) acre consisting of 1 single family residential lot on property located south of 1575 Falls Avenue West within the Area of Impact, c/o John Root. 4. Public input and/or items from the City Manager and City Council.	Presentation  Action  Action	  Mitch Humble  Mitch Humble
<b>III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u></b>		
<b>IV. <u>PUBLIC HEARINGS:</u> 6:00 P.M. –</b> 1. A public hearing regarding consideration of a property exchange agreement amendment between the City and Renaissance Development, LLC for property near the Evel Knievel jump site.	Action	Mitchel Humble
<b>V. <u>ADJOURNMENT:</u></b>		

**COUNCIL MEMBERS PRESENT:** Lance Clow, Trip Craig, Don Hall, Lee Heider, William A. Kezele, Greg Lanting, and Dave Johnson (via telephone)

**COUNCIL MEMBERS ABSENT:** None

**STAFF PRESENT:** City Manager Tom Courtney, Assistant City Manager Travis Rothweiler, City Attorney Fritz Wonderlich, Community Development Director Mitch Humble, Staff Sergeant Dennis Pullin, Deputy City Clerk/Recording Secretary 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.

**CONSIDERATION OF THE AMENDMENTS TO THE AGENDA:**

Councilperson Heider requested to place as Item for Consideration II.2.: Consideration of a resolution to adopt the By-Laws revised as of September 14, 2009, for the City of Twin Falls Youth Council.

**MOTION:**

Councilperson Heider made the motion to place as Item for Consideration II.2.: Consideration of a proposed resolution to adopt the By-Laws revised as of September 14, 2009, for the City of Twin Falls Youth Council. The motion was seconded by Councilperson Lanting and voice vote showed all members present voted in favor of the motion. Approved 7 to 0.

**PROCLAMATIONS:** None.

**AGENDA ITEMS**

**I. CONSENT CALENDAR:**

1. Consideration of accounts payable for September 9 – 14, 2009.
2. Consideration of the Special Meetings of August 28, 2009, and August 31, 2009.
3. Findings of Fact, Conclusions of Law, and Decision for the Final Plat Application for the North Point Park Subdivision, A PUD c/o EHM Engineering, Inc. Applicant(s).
4. Consideration to approve both the Special Events Application for the Twin Falls High School Homecoming Bonfire to be held on Wednesday, September 23, 2009, and the Parade Application for the Homecoming Parade to be held on Thursday, September 24, 2009.

**MOTION:**

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

**II. ITEMS FOR CONSIDERATION:**

1. Presentation of a Landscape Award to Canyon Crest Dining & Event Center located at 330 Canyon Crest Drive. Removed from agenda, to be rescheduled at a future meeting.
2. Consideration of a resolution to adopt the By-Laws revised as of September 14, 2009, for the City of Twin Falls Youth Council.

Councilperson Heider explained the request and explained the changes made to the proposed Resolution. He also stated that the Twin Falls Youth Council elected new officers and introduced Hosanna Kabakoro as President of the Youth Council.

Hosanna Kabakoro introduced the following elected officers to the Youth Council:  
Vice President: Jonathan Bruce

Clerk: Christina Bruce

Directors: Rebecca Kelley and Daniel Kelley

She explained that the Youth Council voted to work on signage at the three Twin Falls entrances announcing that the City is an Idaho Heritage City. The Council is also planning a triathlon late next spring.

**MOTION:**

Councilperson Heider made the motion to adopt Resolution 1821, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, RE-ORGANIZING A YOUTH COUNCIL AND SETTING FORTH THE REVISED BY-LAWS PURSUANT TO WHICH SAID COMMISSION SHALL OPERATE. The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

3. Consideration of a resolution adopting a comprehensive plan amendment which would amend The Future Land Use Map, 2-4 of the Twin Falls Vision 2030: A Comprehensive Plan for a Sustainable Future for 6 +/- acres located south of Cheney Drive West, west of Park View Drive, and north of North College Road West from Medium Density Residential to Office/Professional c/o Osprey, LLC (app. 2320)

Community Development Director Humble reviewed the request.

Staff recommends approval of the resolution as presented.

City Attorney Wonderlich clarified that changes in the Comprehensive Plan are adopted by resolution and not by ordinance, according to the Local Land Use Planning Act.

**MOTION:**

Councilperson Lanting made the motion to adopted Resolution 1822, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, AMENDING THE FUTURE LAND USE MAP CONTAINED IN THE TWIN FALLS VISION 2030 – A COMPREHENSIVE PLAN FOR A SUSTAINABLE FUTURE" as presented. The motion was seconded by Vice Mayor Johnson and roll call vote showed Mayor Clow, Councilpersons Craig, Hall, Heider, Johnson and Lanting voted in favor of the motion. Councilperson Kezele voted against the motion. Approved 6 to 1.

4. Consideration of the Final Plat of the KRP Subdivision, 1 (+/-) acre consisting of 1 single family residential lot on property located south of 1575 Falls Avenue West within the Area of Impact, c/o John Root.

Community Development Director Humble reviewed the request.

Should the City Council recommend approval of the final plat of KRP Subdivision as presented, staff recommends the recommendation 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 a recorded deferral agreement for the curb and gutter to be provided before recordation of the final plat.
3. Subject to a recorded deferral agreement for access improvements to be provided before recordation of the final plat.
4. Subject to irrigation system, approved by the City Engineering Department, is installed for landscaping, prior to issuance of a Certificate of Occupancy.
5. Subject to a recorded deferral agreement for the transfer of water shares to be provided before recordation of the final plat.

Mayor Clow requested that staff inform the Twin Falls Canal Company of the applicant's commitment to dedicate the water share to the City.

Community Development Director Humble stated that he will make sure the Twin Falls Canal Company will receive a copy of the deferral agreement.

**MOTION:**

Councilperson Hall made the motion to recommend for approval to the Board of County Commissioners the Final Plat of the KRP Subdivision 1 (+/-) acre consisting of 1 single family residential lot on property located south of 1575 Falls Avenue West within the Area of Impact, c/o John Root 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 a recorded deferral agreement for the curb and gutter to be provided before recordation of the final plat.
3. Subject to a recorded deferral agreement for access improvements to be provided before recordation of the final plat.
4. Subject to irrigation system, approved by the City Engineering Department, is installed for landscaping, prior to issuance of a Certificate of Occupancy.
5. Subject to a recorded deferral agreement for the transfer of water shares to be provided before recordation of the final plat.

The motion was seconded by Councilperson Heider. Roll call vote showed all members voted in favor of the motion. Approved 7 to 0.

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

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

Councilperson Lanting reported on the The Perrine Bridge Festival held on September 12, 2009. He also attended the National Guard Armory Change of Command.

Councilperson Hall stated that Jared Hopkins has accepted a position with the Chicago Tribune and wished Jared good luck in his endeavors.

Councilperson Craig announced the Urban Renewal Agency will be discussing a URA Strategic Process on September 23, 2009, at 6:30 P.M. at the College of Southern Idaho. It will be an open house forum and the City Council and public are invited to attend.

City Attorney Wonderlich stated that if more than three Councilpersons attend the meeting, the meeting will need to be noticed. He stated that deliberating includes receiving information on any matter that is to be considered by the Council in the future.

Mayor Clow stated that the meeting should be posted as a joint meeting.

Councilperson Heider reported on the Twin Falls Alternate Route groundbreaking held on September 14, 2009.

Mayor Clow reported on the Dell call center closure.

Recess at 5:35 .  
Reconvened at 6:00 P.M.

**IV. PUBLIC HEARINGS: 6:00 P.M. –**

1. A public hearing regarding consideration of a property exchange agreement amendment between the City and Renaissance Development, LLC for property near the Evel Knievel jump site.

Community Development Director Humble reviewed the request.

Staff recommends that the Council hold a public hearing, approve the exchange agreement amendment as presented, and authorize the Mayor to execute the exchange agreement.

Discussion followed.

Councilperson Kezele asked if there has been any work done at the site or if there is any potential problems concerning the gun range.

Minutes

September 14, 2009

Page 5 of 5

Community Development Director Humble stated that the owners are aware of the gun range. He stated that the gun range is used for training and retaining licensing.

Councilperson Kezele asked if a nuisance waiver may be beneficial to notify potential owners of the gun range.

Community Development Director Humble and City Attorney Wonderlich agreed that a condition be placed on the final plat for Shoshone Heights regarding a nuisance waiver.

Mayor Clow suggested that berms be placed on the west side of the gun range.

Community Development Director Humble stated that he understood that dirt will be trucked into the subdivision and not moved out.

The public hearing was opened.

The public comment portion of the hearing was closed.

Deliberations.

Council discussion followed on the continuation of the trail along the rim and the trailhead on the top.

Councilmember Heider asked if the trail is still on our property.

Community Development Director Humble stated that the developer will be required to build the trail on our property.

**MOTION:**

Vice Mayor Johnson made the motion to approve a property exchange agreement amendment between the City and Renaissance Development, LLC for property near the Evel Knievel jump site. The motion was seconded by Councilperson Kezele and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

V. **ADJOURNMENT:** Meeting adjourned at 6:22 P.M.

Leila A. Sanchez  
Deputy City Clerk/Recording Secretary



<ol style="list-style-type: none"> <li>6. A presentation by American Geotechnics discussing the results of the Phase I (R) Pavement Rehabilitation Report for Eastland Drive from Poleline Road to Orchard Drive and the Phase I (R) Pavement Rehabilitation Report for Falls Avenue from Washington Street to Grandview Drive.</li> <li>7. Public input and/or items from the City Manager and City Council.</li> </ol>	Presentation	Mike Trabert
<b>III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u></b>		
<b>IV. <u>PUBLIC HEARINGS:</u>                    6:00 P.M. –</b>		
<ol style="list-style-type: none"> <li>1. Consideration for an appeal of the Planning &amp; Zoning Commission's decision on July 14, 2009, regarding one of the conditions of approval of a Special Use Permit granted to allow an expansion by more than 25% of an existing large implement and heavy equipment sales and service business on property located at 3140 Kimberly Road, c/o Doug Burks dba Burks Tractor. (app.2319)</li> </ol>	Action	Renee Carraway
<ol style="list-style-type: none"> <li>2. Public Hearing to Consider a Resolution Setting the New Fee Schedule for Joslin Field, Magic Valley Regional Airport.</li> </ol>	Action	Bill Carberry
<b>V. <u>ADJOURNMENT:</u></b>		

*\*Any person(s) needing special accommodations to participate in the above noticed meeting should contact Leila Sanchez*

**COUNCIL MEMBERS PRESENT:** Lance W. Clow, Trip Craig, Don Hall, Lee Heider, David Johnson, Gregory Lanting, and Will Kezele

**COUNCIL MEMBERS ABSENT:** None.

**STAFF PRESENT:** City Manager Tom Courtney, Assistant City Manager Travis Rothweiler, Zoning & Development Manager Renee Carraway, City Engineer Jackie Fields, Staff Engineer Mike Trabert, Airport Manager Bill Carberry, Staff Sergeant Dennis Pullin, Deputy City Clerk/Recording Secretary 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.

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

**PROCLAMATIONS:** None.

## **AGENDA ITEMS**

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

1. Consideration of accounts payable for September 15 – 21, 2009, total: \$617,771.99  
Prepaid: September 19, 2009, total: \$107,439.31.
2. Consideration of the September 8 and 14, 2009, Council Minutes.
3. Consideration to approve an event sponsored by Nazzkart/Lee Family Broadcasting to raise funds for the 3<sup>rd</sup> Annual Under Privileged Kids Christmas Party held in December 2009. The event will be held on Saturday, October 3, 2009, from 4:00 P.M. to 10:00 P.M. in the 300 Block of 3<sup>rd</sup> Avenue South.

#### **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. Approved 7 to 0.

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

1. Consideration to authorize the Mayor and City Manager to execute the right-of-way agreements for the Falls Avenue West Road Widening Project:
  - a. Deanne Stansell, Parcel 5, 426 Falls Avenue West, with the compensation amount of \$7,768.92.
  - b. Nathanael Stinson, Parcel 39, 311 Falls Avenue West, with the compensation amount of \$9,040.00.
  - c. Arden and Sandra Martin, Parcel 1, 270 Falls Avenue West, with the compensation amount of \$4,108.80.
  - d. Robert and Patricia Williams, Parcel 27, 645 Falls Avenue West, with the compensation amount of \$2,424.00.
  - e. Robert and Carol Smith, Parcel 34, 893 Rose Street North, with the compensation amount of \$ 5,016.00.

City Engineer Fields reviewed the request.

Engineering recommends that the Council approve the request as presented.

Discussion followed.

#### **MOTION:**

Vice Mayor Johnson made the motion to authorize the Mayor and City Manager to execute the right-of-way agreements for the Falls Avenue West Road Widening Project as presented. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

2. Consideration of a request to amend the BLM helipad construction agreement to include additional work items.

Airport Manager Carberry reviewed the request.

Staff recommends that the Council approve the request as presented, authorizing the Mayor to sign the amended agreement.

Discussion followed.

Mayor Clow asked for the amount of the annual payment paid by the BLM.

Airport Manager Carberry stated that the annual payment is \$26,781.30.

Councilperson Heider asked if the project presented is 100% funded by the BLM.

Airport Manager Carberry responded in the affirmative.

**MOTION:**

Councilperson Lanting made the motion to accept the amendment to the BLM helipad construction agreement as presented by Airport Manager Carberry. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

Discussion followed.

Mayor Clow asked why the manholes had to be repaired.

Larry Mabbutt, BLM, stated that there had been maintenance issues in the plumbing. He also explained the repairs planned for the building.

3. Consideration of the final plat of Canyon Falls Subdivision, No. 2, Amended, a resubdivision and renumbering of Lot 2, Block 1, Canyon Falls Subdivision, No. 2, consisting of 4 lots on approximately 2.5 (+/-) acres located on the west side of the 1800-1900 blocks of Harrison Street North.

Zoning & Development Manager Carraway reviewed the request using overhead projections.

She stated that should the City Council approve the final plat of Canyon Falls No. 2 Amended Subdivision, a PUD, as presented staff recommends the following conditions:

Subject to previous approved conditions of approval for Canyon Falls Subdivision, No. 2, a PUD:

- a. Provide a looped water line system approvable by the City Engineering Department. A storm water retention system to be submitted and approved by the City Engineering Department.
- b. Install curb, gutter, and sidewalk adjacent to all street frontages.
- c. Maintain easements for public utilities and storm water.
- d. Subject to final technical review by the City Engineering Department.
- e. Subject to compliance with the PUD agreement.
- f. 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.
- g. 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 the final plat of Canyon Falls Subdivision, No. 2, Amended, a resubdivision and renumbering of Lot 2, Block 1, Canyon Falls Subdivision, No. 2, consisting of 4 lots on approximately 2.5 (+/-) acres located on the west side of the 1800-1900 blocks of Harrison Street North as presented by Zoning & Development Manager Carraway and with the following conditions:

Subject to previous approved conditions of approval for Canyon Falls Subdivision, No. 2, a PUD:

- a. Provide a looped water line system approvable by the City Engineering Department. A storm water retention system to be submitted and approved by the City Engineering Department.
- b. Install curb, gutter, and sidewalk adjacent to all street frontages.
- c. Maintain easements for public utilities and storm water.
- d. Subject to final technical review by the City Engineering Department.
- e. Subject to compliance with the PUD agreement.

- f. 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.
- g. 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 Kezele and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

4. Consideration of the Final Plat for the Fieldstone 1<sup>st</sup> Amended Subdivision, 1.70 (+/-) acres consisting of seven (7) single-family residential lots and 1 tract on property located on the east side of the 1300-1400 blocks of Fieldstone Way North, c/o EHM Engineering, Inc., on behalf of Wills, Inc.

Zoning & Development Manager Carraway reviewed the request using overhead projections.

She stated that should the City Council approve the final plat of Fieldstone 1<sup>st</sup> Amended Subdivision, as presented, staff recommends the approval be 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.

She also stated that Fieldstone Way is developed to current City standards.

Mayor Clow asked why Cobble Street was vacated.

Zoning & Development Manager Carraway stated that the applicant had concerns that Cobble Creek Way could become a shortcut for traffic.

Discussion followed.

**MOTION:**

Councilperson Lanting made the motion to approve the final plat of final plat of Fieldstone 1<sup>st</sup> Amended Subdivision, as presented, staff recommends the approval be 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 motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

5. Consideration of a request of a 2<sup>nd</sup> 1-year extension of the approval of the final plat of North Haven Subdivision, Phase 2, a PUD, consisting of 21 lots on 29.1(+/-) acres located at the northeast corner of Cheney Drive and Park View Drive.

Zoning & Development Manager Carraway reviewed the request using overhead projections.

She stated that staff recommends approval of a 2<sup>nd</sup> one-year extension to September 24, 2010, of the filing requirement on the final plat of North Have PUD Subdivision Phase 2 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:

- a) 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
- b) Dedication of two pieces of 15' x 200' permanent easements for roadway and utilities 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.
- c) 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.
- d) 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 extension, if approved, would be granted through September 24, 2010.

Discussion followed.

Evan Robertson, one of the owners, stated that he is in agreement with the conditions as presented.

Discussion followed:

-Density.

Zoning & Development Manager Carraway stated that the plan is to have smaller buildings. Density would not change.

Mayor Clow suggested to staff to check with other communities to see what their terms of extensions on plats are. Due to the economic state perhaps the city can take a look at offering two year extensions to developers.

**MOTION:**

Councilperson Kezele made the motion to approve the request for a 2<sup>nd</sup> 1-year extension through September 24, 2010, of the approval of the final plat of North Haven Subdivision, Phase 2, a PUD, consisting of 21 lots on 29.1(+/-) acres located at the northeast corner of Cheney Drive and Park View Drive as presented by Zoning & Development Manager Carraway 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:
  - a) 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
  - b) Dedication of two pieces of 15' x 200' permanent easements for roadway and utilities for right turn lanes on the north side of Cheney Drive at Sparks Street (Park View Drive) and the driveway entrance for westbound right turn lanes.
  - c) 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.
  - d) 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 Craig and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

6. A presentation by American Geotechnics discussing the results of the Phase I (R) Pavement Rehabilitation Report for Eastland Drive from Poleline Road to Orchard Drive and the Phase I (R) Pavement Rehabilitation Report for Falls Avenue from Washington Street to Grandview Drive.

Staff Engineer Trabert reviewed the request.

Staff recommends that Council accept the reports and allow Engineering to develop the roadways with the preferred pavement depths.

Adam Lyman, Project Manager of American Geotechnics, gave a PowerPoint presentation on the following:

The Basic Idea

Information Gathered

Pavement Condition Survey

Core Samples of the Surface Course

Test Result

Equivalent Single Axle Loads

Raw Traffic Data Summary

Analysis Segments

Table 1 – Eastland and Orchard Segments

AASHTO Model- Using the 1993 – Model – Flexible Pavement Design

Remaining Life Steps

Eastland Drive Segments Remaining Life Estimate

Analysis of Alternatives:

- a. Mill and Overlay
- b. Cold-In-Place Recycling
- c. Full-Depth Reclamation

Discussion followed by Council.

-Restricting truck traffic.

Adam Lyman stated that reducing truck traffic depends on how much one can reduce. For example, the beet haul season, can we restrict all truck traffic? Sure. Existing sections would carry the load for a longer period of time. Can it really be controlled? Most of the damage comes from trucks, including empty trucks. He stated that weigh and motion stations can be placed but very costly.

City Manager Courtney discussed the option to have trucks use state routes. He stated that options are relatively limited. Other options are looking at bond issues, setting aside money, or reprioritizing our list.

-Project Funding

City Manager Courtney explained the options for the repair of roadways.

Councilperson Craig asked if the City would need to purchase additional right of way on Eastland.

City Engineer Fields stated that the City will need to buy some significant acquisitions.

City Manager Courtney discussed the revenue aspect for the repair of roadways.

-Possibility of restricting traffic on Eastland and moving onto Blue Lakes and Addison and redistribute.

City Engineer Fields stated that Blue Lakes is a State Highway. Part of the consideration of what the City wants to do with Eastland as well.

-Washington Street

City Engineer Fields stated that Washington Street is being built to serve truck traffic.

-Funding from LHTAC

City Engineer Fields stated that one project needs to be completed before we can place another LHTAC project to the system.

The Council directed staff to return to them when Engineering is prepared to discuss the impacts of restricting truck traffic on Eastland. Preparation will include cost estimates for the difference between the arterial typical section proposed and the City's standard collector sections, as well as a discussion on how local deliveries could occur and potential load and volume impacts on other roads.

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

### III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

Recess at 6:27 p.m.

Reconvened: 6:34

The Mayor explained the public hearing procedures.

### IV. PUBLIC HEARINGS: 6:00 P.M. –

1. Consideration for an appeal of the Planning & Zoning Commission's decision on July 14, 2009, regarding one of the conditions of approval of a Special Use Permit granted to allow an expansion by more than 25% of an existing large implement and heavy equipment sales and service business on property located at 3140 Kimberly Road, c/o Doug Burks dba Burks Tractor. (app.2319)

Gary Burkett, EHM Engineers, 621 North College Road, explained the request. He stated that he submitted plans to the City Engineering staff and received a letter from Troy Vitek dated August 7, 2009. He stated that Burks Tractor is appealing a portion of staff's requirement of this parcel. In the letter he asked for a deferral for the pavement portion.

Tim Stover, attorney for the applicant stated the following:

- That the type of requirements placed on Burks Tractor-were not placed on the same type of operations in the area.
- Asphalt would create a substantial financial burden on Burks Tractor.
- Not a good idea to mix heavy equipment and asphalt paving.

He asked the Council to allow Burks to gravel the area rather than paving. He also stated that Burks can maintain the gravel display area. He stated that he did not see any specific requirement for a display area in City Ordinance.

Zoning & Development Manager Carraway reviewed the request using overhead projections. She stated that pad sites are permitted by special use permit and other businesses that have been granted a special use permit allowing display pad sites have been required to be hard surfaced. Staff believes there should be a minimum of 70' of paved maneuvering and display area.

Discussion followed.

- Car dealership pad-sites require a Special Use Permit.
- Landscaping Plan.

Gary Burkett, EHM Engineers, stated that 30' was shown as gravel. He stated that the equipment is too heavy for asphalt paving.

Zoning & Development Manager Carraway stated that original request was to develop the entire 4 acre site for display area. She stated that at the public hearing the applicant stated he changed his plan and was not going to develop the entire 4 acres for display of equipment. At this time he was unsure of how much area would remain as farmed at this time. The Commission added to condition #5 that the area required to be paved was to be determined by the City Engineer/Staff rather than tabling or denying the request. The four acre site was planned to be paved 300' back.

- Display Pads

Gary Burkett stated that the understanding was that the pads would be behind the gateway arterial landscaping.

Councilperson Heider asked if the road would be going in and would be 25' of gravel.

Gary Burkett responded in the affirmative.

Zoning & Development Manager Carraway stated that the road was not discussed at the Planning & Zoning Commission meeting.

Doug Burks, 3147 Highlawn, explained the request. He stated that the road is 30' and is a base gravel road. He stated that large wheeled tractors do tear up roads in excess to 50,000 pounds, and is seal coated a minimum of every 3 years.

Councilperson Craig asked if there is an existing gravel road.

Zoning & Development Manager Caraway stated no, that it is a farm.

Councilperson Craig asked if the road is allowed in a commercial area.

Zoning & Development Manager Carraway stated that farm ground to commercial would not be permitted according to code. The road would be required to be hard surfaced.

Opened up the public comment portion of the hearing.

Clint Schnoor spoke in favor of Burks Tractor's appeal. He stated that other businesses in the area during the past 5 to 7 years were not required of what is being expected by Burks.

Cleve Buttars, Agri-Service, spoke in favor of Burks Tractor's appeal. He stated that asphalt and a truck dealership do not mix. Gravel should be under farm machinery.

The public comment of the hearing was closed.

Mayor Clow turned the meeting back to the applicant for clarifications.

Tim Stover referred to City Code 10-10-3(a).

Turned over to Council:

Councilperson Kezele stated that Agri-Service had been required to put in cement pads and hard surfacing.

Cleve Buttars, Agri-Service, stated that he did not go through the appeal process because he had a small area to be asphalted. He also stated that he does not have any plans to expand more area.

Gary Burkett stated that there is no plan to have oil in the proposed gravel. He stated that if he were to design it the gravel would be 12" and compacted.

Doug Burks stated that his contractor calls it Road Mix. The contractor put in the section next to his new building in 2003. The Road Mix was between 16" to 20" of gravel and compacted.

Zoning & Development Manager Carraway stated that, as per the letter dated August 17, 2009, the applicant is asking for a deferral. The City Engineer may approve a 3 year staged deferral for required improvements such as hard surfacing.

Councilperson Craig asked if the Planning & Zoning Commission had a chance to see the 25' road.

Minutes

September 21, 2009

Page 10 of 11

Zoning & Development Manager Carraway stated that changes were made after the hearing and what is being presented is new information.

Councilperson Craig suggested that the Planning and Zoning Commission review the application with the new information.

Zoning & Development Manager Carraway stated the Commission was good with the land use of additional display area for the existing business and they left it up to the City Engineer and staff to make the decision on the hard surfacing.

Mayor Clow stated that the site plan being presented this evening show 30' of landscaping and 30' display area and asked when this was presented.

Zoning & Development Manager Carraway stated the information was not available at the Planning & Zoning Commission meeting.

Councilperson Craig asked if the 25' access has been an issue.

Zoning & Development Manager Carraway stated there would need to be an engineer review.

The public hearing was closed.

Deliberations.

**MOTION:**

Councilperson Lanting made the motion to approve the request of the applicant to remove condition #5 from the Special Use Permit. The motion was seconded by Councilperson Hall.

**MOTION:**

Councilperson Kezele made an amendment to the main motion to add an amended condition #5 as follows: Subject to the site plan shown at the September 21, 2009 City Council public hearing with the 30' of landscaping plus 30' – 70' display area to be a hard pack gravel surface, comparable to their other gravel surface that has been estimated between 16" to 20" of Road Mix.

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

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

2. Public Hearing to Consider a Resolution Setting the New Fee Schedule for Joslin Field, Magic Valley Regional Airport.

Airport Manager Carberry reviewed the request using overhead projections.

The Airport Advisory Board recommends the Council approve the resolution setting the new fee schedule for Joslin Field, Magic Valley Regional Airport as presented.

-Public Notification

Airport Manager Carberry stated that the public hearing for proposed resolution was posted in the Times News. Also, SkyWest has been notified of fee changes.

Opened the public comment portion of the hearing.

Closed the public comment portion of the hearing.

**MOTION:**

Councilperson Heider made the motion to adopt Resolution 1823, entitled:

Minutes

September 21, 2009

Page 11 of 11

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS IDAHO, SETTING THE FEE SCHEDULE FOR JOSLIN FIELD, MAGIC VALLEY REGIONAL AIRPORT.

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

V. ADJOURNMENT: The meeting adjourned at 8:05 P.M.

Leila A. Sanchez  
Deputy City Clerk/Recording Secretary

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 28, 2009  
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.  
CONSIDERATION OF THE AMENDMENTS TO THE AGENDA.  
PROCLAMATIONS: None.

AGENDA ITEMS	Purpose	By:
<b>I. CONSENT CALENDAR:</b> 1. Consideration of accounts payable for September 22 – 28, 2009. 2. Consideration of the September 21, 2009, Council Minutes. 3. Consideration of an Alcohol License Application (Beer and Wine) for Target Corporation DBA Target Store T-0699 for property located at 1611 Blue Lakes Blvd. N. 4. Findings of Fact, Conclusions of Law, and Decision: a. Comprehensive Plan Amendment, Application, Osprey, LLC c/o EHM Engineers, Inc. Applicant(s). b. Final Plat, Application, Baker Subdivision c/o EHM Engineering, Inc. Applicant(s). c. PUD Modification, Application, Sto-N-Go Self Storage c/o Dale Frazell Applicant(s). d. PUD Modification, Application, Canyon Ridge High School PUD c/o Twin Falls School District Applicant(s).	Action	Staff Report
<b>II. ITEMS FOR CONSIDERATION:</b> 1. Consideration of a request for the Mayor to sign a letter of support to the Urban Renewal Agency for its EPA area-wide environmental assessment grants application. 2. Consideration of bids for the Truck Mounted Sewer Jet. 3. Consideration to authorize the Mayor and City Manager to execute the right-of-way agreements for the Falls Avenue West Road Widening Project: a. Irving and Opal Wood, Parcel 23, 893 Wendell Street, with the compensation amount of \$ 4,199.58. 4. Consideration of a request to authorize the Mayor to sign an agreement with the Twin Falls Canal Company for Washington St. North Phase III Project, Key 08469. 5. Reconsideration of the request for a donation of a tree with a plaque from the Armenian American Community in Twin Falls. 6. Public input and/or items from the City Manager and City Council.	Action Action Action Action	Mitch Humble Jackie Fields Jackie Fields Jackie Fields Dennis Bowyer
<b>III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</b>		
<b>IV. PUBLIC HEARINGS: 6:00 P.M. –</b> 1. Consideration of a request to adopt the Utility Rate Resolution for fiscal year 2009-2010, following a public hearing to increase water rates. 2. Public hearing to amend the 2008-2009 Budget.	Action Action	Lorie Race Darren Huber

V.	<b>ADJOURNMENT:</b>	Executive Session Idaho Code § 67-2345 (1)(c) To conduct deliberations concerning labor negotiations or to acquire an interest in real property which is not owned by a public agency.		
		Executive Session Idaho Code § 67-2345 (1) (b) 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.		

*\*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 W. Clow, Trip Craig, Don Hall, Lee Heider, David Johnson via telephone, Gregory Lanting, and Will Kezele

**COUNCIL MEMBERS ABSENT:** None.

**STAFF PRESENT:** Assistant City Manager Travis Rothweiler, City Engineer Jackie Fields, Community Development Director Mitch Humble, Parks & Recreation Director Dennis Bowyer, Acting Finance Director Lorie Race, Deputy City Clerk/Recording Secretary 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.

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

**PROCLAMATIONS:** None.

## AGENDA ITEMS

**I. CONSENT CALENDAR:**

1. Consideration of accounts payable for September 22 – 28, 2009, \$272,796.04.
2. Consideration of the September 21, 2009, Council Minutes.
3. Consideration of an Alcohol License Application (Beer and Wine) for Target Corporation DBA Target Store T-0699 for property located at 1611 Blue Lakes Blvd. N.
4. Findings of Fact, Conclusions of Law, and Decision:
  - a. Comprehensive Plan Amendment, Application, Osprey, LLC c/o EHM Engineers, Inc. Applicant(s).
  - b. Final Plat, Application, Baker Subdivision c/o EHM Engineering, Inc. Applicant(s).
  - c. PUD Modification, Application, Sto-N-Go Self Storage c/o Dale Frazell Applicant(s).
  - d. PUD Modification, Application, Canyon Ridge High School PUD c/o Twin Falls School District Applicant(s).

**MOTION:**

Councilperson Lanting made the motion to approve the Consent Calendar as presented with the exception of 2. Consideration of the September 21, 2009, Council Minutes. The motion was seconded by Councilperson Heider and roll call vote showed all members voted in favor of the motion. Approved 7 to 0.

**II. ITEMS FOR CONSIDERATION:**

1. Consideration of a request for the Mayor to sign a letter of support to the Urban Renewal Agency for its EPA area-wide environmental assessment grants application.

Community Development Director Humble reviewed the request. On September 14, 2009, the URA Board authorized staff to submit a \$400,000 grant application to the EPA for an area wide assessment of potential hazardous materials and petroleum products in a 17 block area of Old Town.

Staff recommends that the Council approve the request as presented.

Discussion followed:

-Boundaries

Community Development Director Humble stated the boundary would be three blocks wide and from Third to Minidoka.

Councilperson Craig, liaison to the Urban Renewal agency, explained the request.

**MOTION:**

Councilperson Craig made the motion to authorize the Mayor to sign a letter of support to the Urban Renewal Agency for its EPA area-wide environment assessment grants application. The motion was seconded by Councilperson Lanting and roll call vote showed all members voted in favor of the motion. Approved 7 to 0.

2. Consideration of bids for the Truck Mounted Sewer Jet.  
City Engineer Fields reviewed the request.

Staff recommends that the Council approve the request to award the contract to Metroquip, Option A for \$137,600 as presented.

Discussion followed.  
-Budget

City Engineering Fields stated that the project is a budget item

**MOTION:**

Councilperson Hall made the motion to award the bid for a Truck Mounted Sewer Jet to Metroquip, Option A for \$137,600 as presented. The motion was seconded by Councilperson Lanting and roll call vote showed all members voted in favor of the motion. Approved 7 to 0.

3. Consideration to authorize the Mayor and City Manager to execute the right-of-way agreements for the Falls Avenue West Road Widening Project:
  - a. Irving and Opal Wood, Parcel 23, 893 Wendell Street, with the compensation amount of \$ 4,199.58.

City Engineer Fields reviewed the request.

Engineering recommends that the Council approve the request as presented.

**MOTION:**

Councilperson Craig made the motion to authorize the Mayor and City Manager to execute the right-of-way agreement for the Falls Avenue West Road Widening Project for Irving and Opal Wood, Parcel 23, 893 Wendell Street, with the compensation amount of \$ 4,199.58. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

4. Consideration of a request to authorize the Mayor to sign an agreement with the Twin Falls Canal Company for Washington St. North Phase III Project, Key 08469.

City Engineer Fields reviewed the request. Approval of the request will allow the City to deliver the Washington Street North Phase III to ITD for bidding.

Staff recommends that the Council approve the request as presented.

Discussion followed.  
-Relocate ditch or pipe ditch.

City Engineer Fields stated that the culvert under Washington St. N. and N. College Rd. and extending the pipe to the east to the limits of the project's work is build by ITD.

**MOTION:**

Minutes

September 28, 2009

Page 4 of 8

Councilperson Heider made the motion to authorize the Mayor to sign an agreement with the Twin Falls Canal Company for Washington St. North Phase III Project, Key 08469 as presented. The motion was seconded by Councilperson Kezele and roll call vote showed all members voted in favor of the motion. Approved 7 to 0.

5. Reconsideration of the request for a donation of a tree with a plaque from the Armenian American Community in Twin Falls.

Parks & Recreation Director reviewed the request.

Discussion followed.

-Donation Policy

Parks & Recreation Director Bowyer explained the Donation Policy Inscription, "Any additional text and any inscription for other donations must be directly related to the history of the community, and may identify groups with longstanding ties to the community."

The Parks & Recreation Commission recommends that the Council approve the Armenian American community's request for additional text on plaque's inscription subject to:

1. The text does not reference the atrocities to the Armenian community or the genocide
2. The text references the contributions of the Armenian American community to Twin Falls and the role that the CSI Refugee Center played in their immigration.

Liyah Babayan, applicant, explained the request. She spoke to the Parks & Recreation Commission at their meeting. Two obstacles that were discussed: 1. The political or legal questions if what took place was genocide or not, and 2. How the inscription fits in the policy that the Parks & Recreation Commission has set up.

The world community has this event questioned, researched, defined and labeled. It is no longer a question that the event took place, genocide, or victims. The Donation Policy in its written form might be questioned on being limited and unclear. The policy might not be inclusive of these events. Twin Falls is not immune as to what happens in the world and the degree that global events have in the City of Twin Falls. The Armenian community is directly in Twin Falls because of the atrocities **that** have taken place. Some refugees did not come through the Refugee Center. Some came from private sponsors, and different entities.

Discussion followed.

Parks & Recreation Director Bowyer stated that the Parks & Recreation Commission recommended modifying the inscription on the plaque.

Liyah Babayan stated she is part of the Armenian community. Other language says other things. The Armenian community is not trying to commemorate other events but is trying to highlight the events that brought them to Twin Falls.

Discussion followed:

Councilperson Hall asked if Liyah Babayan has spoken to the Armenian elders in regards to the wording of the plaque.

Liyah Babayan spoke to some elders and explained the process. As in regards to the wording of the plaque, other areas have accepted the same wording. The Community is open to recommendations until it changes the meaning of what was initially proposed.

Councilperson Kezele asked for a clarification. The Parks & Recreation Commission recommendation was not acceptable and Armenian community would not go forward with the plaque.

Liyah Babayan answered in the affirmative.

Councilperson Kezele stated that plaques are for memorials and for causes and could not find anything in the application in regards to memorials and causes. He asked if the plaque was to state a political cause or a memorial

Liyah Babayan stated most memorials have a living purpose. The request is not for a political cause but is a human rights cause.

Paula Brown Sinclair stated that she served on the Parks & Recreation Commission for two months short of 7 years. During that time she was personally involved in the drafting of the original donation policy and when there was a request to revise it, based on the Supreme Court decision, was asked to participate as well.

She stated the following:

"I am here in no official capacity, I come as a citizen to offer to you what you might want to know in my experience dealing with this issue. I can tell you that this is not about any disrespect for the American Armenian Community. We are quite sure that they been wonderful neighbors and citizen. For our Commission it has been a learning experience for the Parks & Recreation Commission on how our neighbors from the world have been brought to us. It has been certainly refreshing and heartwarming to be told that the refugees have found us to be welcoming and choose to stay. I am taking the time to come tonight to bring some clarity to the focus on this situation. We have a-Donation policy that the Council has approved and on one level the question is, "Does this proposed inscription directly relate to the history of Twin Falls?" The policy says very clearly and its mandatory additional inscription must directly relate to the history of Twin Falls. So one view is that, not only does the ethnic conflict that occurred in Turkey during WWI not relate to our community it certainly does not directly relate to our community. The inscription itself does not do anything to shed any light on the connection between what happened there and the fact that there are now American Armenians who are good citizens in our community. I believe it is fair to say that on the Commission's first vote was a focus on the language of the policy. We understood that we were being asked to advise you, does this application satisfy the policy that has been adopted and our vote was strongly negative on that issue. We did not feel that there was the kind of relationship that we expected that the policy was promoted with regard to the kinds of things that are said in our public parks. On another level, one of the things that may be apparent from Ms. Babayan's comments tonight is this, she suggested that we should all do our reading and I can assure you that I have. There is no question that there was some ethnic conflict that resulted with our American Armenians coming to our community. Ethnic conflict has occurred throughout time in all areas of our country and is occurring right now. I don't think anybody question what some pretty atrocious things happened in Turkey during WWI. What is happening at the present time is a certain amount of historical revisionists that has been promoted as partisans to that and it has to do with characterizing that ethnic conflict as a genocide, and I would hope that Twin Falls would avoid getting caught up in that revisionists history that is attempting to characterize that conflict as a genocide. Genocide, as we all know, is a very charged word. It has political implication. It is just not Twin Falls that is being asked to focus on this our national political leaders demands have been made upon them to acknowledge the Armenian genocide. So far this has not been successful but is no different from the request that is being presented to you tonight. If you listen closely to Ms. Babayan's comments and if you had heard her closing comments to the Commission you would understand that the purpose of this memorial request is to characterize an ethnic conflict as genocide. That seems to be a non-negotiable position. I, as a citizen of Twin Falls, do not believe that it is within our jurisdiction to making this decision. A comment was made by Ms. Babayan to our Commission that human rights are our responsibility. It is our responsibility as the citizens of Twin Falls to acknowledge that this happened so this kind of thing does not happen again. Gentlemen, I think my own record on social justices and human rights is pretty strong and I think that as individuals in our moral and ethnic and political life, I think we should be cognizant of human rights issues. But does that mean that we put a plaque in City Park that characterizes something that happened a long time ago and far away in a certain manner? I think that our policy addresses it and answers that question for us. Is it our responsibility in Twin Falls, Idaho to focus a spotlight on this particular ethnic conflict for the purpose of educating the public? I don't think the memorials in our parks are really designed to address on the level of what is that we are really dealing her. Is this some attempt to some historical revisionism and is Twin Falls getting caught up in a process that really is very different from what we thought a donation to our parks with an inscription would be about?"

Tom Gilbertson spoke in favor of the request. He stated there is a historical tie of the Armenian genocide and the plaque is not a political statement but a historical statement. Commonly there are memorials to the Jewish holocaust.

Parks & Recreation Director Bowyer posted two letters on overhead projections showing letters to the Times News editorial from Patricia Cogswell and from Mustafa Golcuklu

**MOTION:**

Councilperson Kezele made a motion to approve the request for a donation of a tree with a plaque from the Armenian American Community in Twin Falls with the following inscription as proposed by the Armenian community in the original July 20, 2009, application, "Remembrance of the Armenian Genocide." The motion was seconded by Councilperson Lanting.

Discussion followed.

Councilperson Hall stated that he had a difficulty with the word genocide.

Councilperson Kezele stated that the additional inscription must be directly related to the history of Twin Falls.

Councilperson Heider stated that it has been confirmed that genocide did occur, but agrees with the Parks & Recreation Commission recommendation.

Councilperson Kezele stated that he wanted to make sure it never happens again, but he did not believe the City's policy is the right venue to make that memorialization. He encouraged Liyah to find the right venue.

Councilperson Craig stated that in Boise there is the Anne Frank Memorial Park. The holocaust did happen and what is being asked from Liyah is genuine with no other motive.

Councilperson Lanting read the "TWIN FALLS ARMENIAN MEMORIAL DAY" Proclamation presented at the City of Twin Falls Council Meeting on April 24, 2009.

Mayor Clow found a proclamation from Governor Kempthorne but the word genocide was not used in the proclamation.

**MOTION:**

Councilperson Craig made an amendment to the main motion to approve the following text for the plaque, "In the memory of the Armenian Genocide and the contributions that the American Armenians have made to our community." The motion was seconded by Councilperson Hall.

Roll call vote on the amendment showed Mayor Clow, Councilpersons Craig, and Lanting voted in favor of the motion. Councilpersons Heider, Johnson, and Kezele voted against the motion. Approved 4 to 3.

Roll call vote on the amended main motion showed Mayor Clow, Councilpersons Craig, Hall, and Lanting voted in favor of the motion. Councilpersons Heider, Johnson, and Kezele voted against the motion. Approved 4 to 3.

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

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

Mayor Clow stated that there would be a ribbon cutting for the Stoneridge Subdivision on October 1, 2009, 11:30 a.m.

Recess at 6:23 p.m.

Reconvened the meeting at 6:30 p.m.

Mayor Clow explained the Public Hearing procedures.

**IV. PUBLIC HEARINGS: 6:00 P.M. –**

1. Consideration of a request to adopt the Utility Rate Resolution for fiscal year 2009-2010, following a public hearing to increase water rates.

Acting Finance Director Race reviewed the request.

Councilperson Kezele stated that water rights had to be acquired to comply with the Arsenic Compliance issues.

Councilperson Heider asked if the City helps out with paying water bills for low income customers.

Acting Finance Director Race stated customers are referred to other agencies for help.

The public comment portion of the hearing was opened.

Minutes

September 28, 2009

Page 7 of 8

Carolyn Baird, 14 Robbins, explained how the City needs to encourage residents to enter into the conservation mode. She explained the various ways that City residents can conserve water.

Pete Johnston, 312 Washington Street South, stated that he is retired and is living on a fixed income. He stated that he is finding it hard to keep his bills paid with the increases to his water bill. He opposed the water rate increase.

The public comment portion of the hearing was closed.

The public hearing was closed.

The meeting was turned over to Council for discussion.

Councilperson Lanting stated that he would like to see a model for the residential and commercial tiered water rates.

Councilperson Craig stated that increases in water rates are out of the Council's hands. He stated that it is mandatory to comply with federal laws.

**MOTION:**

Councilperson Kezele made a motion to adopt Resolution #1824, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, ESTABLISHING SEWER CONNECTION FEES AND USER CHARGES; ESTABLISHING WATER CONNECTION FEES AND USER CHARGES; ESTABLISHING PRESSURE IRRIGATION FEES; PROVIDING FOR COMMERCIAL 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 Heider.

Discussion followed:

Councilperson Kezele stated that historically Twin Falls water rates have been 60% to 70% lower than other communities. He also agreed that water conservation is important. Also, the City needs to comply with federal requirements.

Councilperson Hall agreed with the conservation ideas presented by Carolyn Baird and thanked Ms. Baird for her presentation.

Councilperson Lanting did state that the addition of Pristine Springs ended up being more water than the City thought it would be.

Mayor Clow thanked Carolyn Baird for her presentation.

Acting City Manager Rothweiler explained a possible increase of 12% a year from now and a 12% increase two years from now. Increases are related to the arsenic project.

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

**2. Public hearing to amend the 2008-2009 Budget.**

Budget Coordinator Huber reviewed the request.

This amendment will ensure the City of Twin Falls' compliance with State code.

The public comment portion of the meeting was opened.

The public comment portion of the hearing was closed.

Minutes

September 28, 2009

Page 8 of 8

The public hearing was closed.

**MOTION:**

Councilperson Heider made the motion to suspend the rules and place Ordinance #2977, entitled:

AN ORDINANCE OF THE CITY OF TWIN FALLS, IDAHO, AMENDING ORDINANCE NO. 2949, THE APPROPRIATION ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2008, AND ENDING SEPTEMBER 30, 2009; APPROPRIATING ADDITIONAL MONIES THAT ARE TO BE RECEIVED BY THE CITY OF TWIN FALLS, IDAHO, IN THE SUM OF \$110,781; AND PROVIDING AN EFFECTIVE DATE.

On third and final reading by title only. The motion was seconded by Councilperson Kezele and roll call vote showed all members voted in favor of the motion. The motion passed with a vote of 7 to 0.

**MOTION:**

Councilperson Hall made the motion to adopt Ordinance #2977 as presented. The motion was seconded by Councilperson Lanting and roll call vote showed all members voted in favor of the motion. Approved 7 to 0.

**V. ADJOURNMENT:**

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

Executive Session Idaho Code § 67-2345 (1)(b) 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.

**MOTION:**

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

Adjourned at 7:10 P.M.

Leila A. Sanchez  
Deputy City Clerk



# CITY OF TWIN FALLS, IDAHO

NOTICE

OF MEETING

**CANCELLATION**

\* \* \* \*

The Twin Falls City Council has cancelled their  
Monday, October 5, 2009, meeting.

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



**MINUTES**  
 Meeting of the Twin Falls City Council  
 October 12, 2009  
 City Council Chambers  
 305 3<sup>rd</sup> 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.  
 CONSIDERATION OF THE AMENDMENTS TO THE AGENDA.  
 PROCLAMATIONS: None.

AGENDA ITEMS	Purpose	By:
<p><b>I. CONSENT CALENDAR:</b></p> <ol style="list-style-type: none"> <li>1. Consideration of accounts payable for September 29 – October 12, 2009.</li> <li>2. Consideration of the September 21 and 28, 2009, Council Minutes.</li> <li>3. Findings of Fact, Conclusions of Law, and Decision:                             <ol style="list-style-type: none"> <li>a. Final Plat Application, Fieldstone 1<sup>st</sup> Amended Subdivision c/o EHM Engineering, Inc. on behalf of Wills, Inc. Applicant.</li> <li>b. Final Plat Application, Dry Creek Subdivision, c/o EHM Engineering on behalf of Kevin Bradshaw Applicant.</li> <li>c. Final Plat Application, Canyon Falls Subdivision, No. 2 Amended c/o EHM Engineering, Inc., on behalf of Matt Shannahan, Applicant.</li> <li>d. Appeal of Condition on Special Use Permit, Burks Tractor c/o Doug Burks Applicant.</li> </ol> </li> <li>4. Special Use Permit, Burks Tractor c/o Doug Burks Applicant.</li> <li>5. Consideration to approve the 19<sup>th</sup> Annual Christmas in the Night Time Sky event sponsored by Kimberly Nurseries to be held at 2862 Addison Avenue East on November 27, 2009.</li> <li>6. Consideration of a request to approve the improvement agreement for Baker Subdivision.</li> <li>7. Consideration of a request to approve the improvement agreement for North Pointe Park Subdivision.</li> <li>8. Consideration of a request to approve the improvement agreement for Pioneer Estates Subdivision.</li> <li>9. Consideration of a request to approve the improvement agreement for Dry Creek Subdivision.</li> <li>10. Consideration of a request to accept a water line easement from David Wright, Kimberly Nurseries.</li> <li>11. Consideration of a request to accept a Right of Way from David Wright, Kimberly Nurseries.</li> <li>12. Consideration of request for a Beer/Wine Alcohol License Application for Shari's of Twin Falls #199 located at 1601 Blue Lakes Blvd.</li> </ol>	<p>Action</p>	<p>Staff Report  Leila Sanchez Mitch Humble  Mitch Humble  Troy Vitek Troy Vitek  Troy Vitek  Troy Vitek  Troy Vitek  Troy Vitek Sharon Bryan</p>
<p><b>II. ITEMS FOR CONSIDERATION:</b></p> <ol style="list-style-type: none"> <li>1. Consideration of a request to appoint Gary Roland to the Golf Advisory Commission.</li> <li>2. Consideration of a request to appoint six members and one interim person to the newly organized Reimbursement Committee.</li> <li>3. Consideration of a request from the Golf Advisory Commission to re-name the Twin Falls Municipal Golf Course.</li> <li>4. Consideration of a request to authorize the Mayor and City Manager to execute the right-of-way agreement for Parcel Number 75 of the Washington St. N Phase III project, Key 08469. The parcel is owned by the College of Southern Idaho Dormitory Housing Commission and the compensation amount of \$70,245.26.</li> </ol>	<p>Action Action Action Action</p>	<p>Dennis Bowyer Troy Vitek  Dennis Bowyer  Jackie Fields</p>



**COUNCIL MEMBERS PRESENT:** Lance W. Clow, Trip Craig, Don Hall, Lee Heider, David Johnson via telephone, Gregory Lanting

**COUNCIL MEMBERS ABSENT:** Will Kezele

**STAFF PRESENT:** City Manager Tom Courtney, City Attorney Fritz Wonderlich, City Engineer Jackie Fields, Assistant City Engineer Troy Vitek, Department Specialist Patrol Division Julie Oppedyk, Staff Sergeant Dennis Pullin, Deputy City Clerk/Recording Secretary 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.

Jonathon Bruce, Twin Falls Youth Council, introduced Christina Bruce, Rebecca Kelley, Daniel Kelley, Sam Rasmussen, and Joanna Ruff.

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

**PROCLAMATIONS:** None.

## AGENDA ITEMS

### I. CONSENT CALENDAR:

1. Consideration of accounts payable for September 29 – October 12, 2009.  
September 2008/2009, Payables \$2,203,201.56.  
September 30, 2009, \$880.00  
October 2, 2009, \$3,100.00
2. Consideration of the September 21 and 28, 2009, Council Minutes.
3. Findings of Fact, Conclusions of Law, and Decision:
  - a. Final Plat Application, Fieldstone 1<sup>st</sup> Amended Subdivision c/o EHM Engineering, Inc. on behalf of Wills, Inc. Applicant.
  - b. Final Plat Application, Dry Creek Subdivision, c/o EHM Engineering on behalf of Kevin Bradshaw Applicant.
  - c. Final Plat Application, Canyon Falls Subdivision, No. 2 Amended c/o EHM Engineering, Inc., on behalf of Matt Shannahan, Applicant.
  - d. Appeal of Condition on Special Use Permit, Burks Tractor c/o Doug Burks Applicant.
4. Special Use Permit, Burks Tractor c/o Doug Burks Applicant.
5. Consideration to approve the 19<sup>th</sup> Annual Christmas in the Night Time Sky event sponsored by Kimberly Nurseries to be held at 2862 Addison Avenue East on November 27, 2009.
6. Consideration of a request to approve the improvement agreement for Baker Subdivision.
7. Consideration of a request to approve the improvement agreement for North Pointe Park Subdivision.
8. Consideration of a request to approve the improvement agreement for Pioneer Estates Subdivision.
9. Consideration of a request to approve the improvement agreement for Dry Creek Subdivision.
10. Consideration of a request to accept a water line easement from David Wright, Kimberly Nurseries.
11. Consideration of a request to accept a Right of Way from David Wright, Kimberly Nurseries.
12. Consideration of request for a Beer/Wine Alcohol License Application for Shari's of Twin Falls #199 located at 1601 Blue Lakes Blvd.

### **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 voted in favor of the motion. Approved 6 to 0.

### II. ITEMS FOR CONSIDERATION:

1. Consideration of a request to appoint Gary Roland to the Golf Advisory Commission.

MINUTES

October 12, 2009

Page 4 of 7

Parks & Recreation Director Bowyer reviewed the request.

The interview committee recommends that the City Council confirms the Mayor's appointment and term of Gary Roland from October 2009 to February 2010 to the Golf Advisory Commission.

Councilperson Lanting, liaison to the Golf Advisory Commission, reviewed the request.

MOTION:

Councilperson Lanting made a motion to appoint Gary Roland to serve on the Golf Advisory Commission from October 2009 to February 2010. The motion was seconded by Councilperson Heider and roll call vote showed all members voted in favor of the motion. Approved 6 to 0.

Mayor Clow asked David Wright to explain the 19<sup>th</sup> Annual Christmas in the Night Time Sky event sponsored by Kimberly Nurseries.

David Wright explained that the event will be held at 2862 Addison Avenue East on November 27, 2009. This is a non-profit event that will benefit needy children in our community, as it is the Valley's largest toy fundraiser. The festivities begin at 5:00 p.m. and he invited all to attend.

2. Consideration of a request to appoint six members and one interim person to the newly organized Reimbursement Committee.

Assistant City Engineer Vitek reviewed the request.

Staff recommends that the Council appoint Brad Wills, Doug Vollmer, Gerald Martens, Samatha Evans, Dave VanEngelen and Scott Standley to serve on the Reimbursement Committee and Rod Mathis to be appointed in the interim or until the ordinance could be modified.

Mayor Clow discussed the appointment of Rod Mathis as interim to the Committee.

Councilperson Heider asked City Attorney Wonderlich if Ordinance No. 2974 would be modified.

City Attorney Wonderlich responded in the affirmative.

MOTION:

Councilperson Heider made the motion to appoint Brad Wills, Doug Vollmer, Gerald Martens, Samatha Evans, Dave VanEngelen and Scott Standley to serve on the Reimbursement Committee and Rod Mathis to be appointed in the interim or until the ordinance could be modified. The motion was seconded by Councilperson Craig and roll call vote showed all members voted in favor of the motion. Approved 6 to 0.

Mayor Clow reminded developers that have placed any infrastructure improvements to notify the Engineering Department in regards to the reimbursement process.

3. Consideration of a request from the Golf Advisory Commission to re-name the Twin Falls Municipal Golf Course.

Parks & Recreation Director Bowyer reviewed the request.

The Golf Advisory Commission received 74 entries with 63 different names for the contest. At their August meeting the Commission decided to have each member give staff their top 3 to 5 picks. The top three picks using a vote point system were Rock Creek Golf Club, Creekside, and then High Desert.

At their September meeting the Commission discussed not using any of the submitted names and modifying the existing name of the course by dropping "Municipal" and changing "Course" to "Club", so the new name would be "Twin Falls Golf Club". The Commission also discussed using the existing City Logo by dropping "City of" and replacing "People Serving People" with "Golf Club".

## MINUTES

October 12, 2009

Page 5 of 7

The Commission unanimously recommended to the City Council to re-name the golf course "Twin Falls Golf Club". The Commission realizes it did not follow the contest recommendation the City Council approved in May, but felt it was vital to keep "Twin Falls" as part of the course's name. Also, the Commission decided that in keeping with the spirit of the contest the City should have a random drawing of all names submitted and the winner would receive a golf punch card for the 2010 season.

Discussion followed.

Councilperson Hall asked if feedback had been received from the contestants.

Parks & Recreation Director Bowyer answered in the negative.

Councilperson Heider asked for a breakdown of costs for the re-naming of the golf course.

Parks & Recreation Director Bowyer stated that there would be a cost associated with changing signage but staff will work on getting sponsors. Also, once the existing stock of scorecards is used by the end of the year, new scorecards will be ordered with the new name and logo. Currently there is a sign on the clubhouse that was paid by Pepsi. He will be discussing the sign with Pepsi and is hoping they will work with the City.

Councilperson Heider stated that he wants to be assured that the public is welcome to the golf course.

Parks & Recreation Director Bowyer stated that the City will do some advertising to make sure the golf course is open to the public. The golf course will be in the phone book as a public course, to assure the general public knows it is a municipal golf course.

Councilperson Lanting stated that he preferred the name Twin Falls Golf Club.

Mayor Clow suggested using one of the top 3 names in the re-naming of the golf club. His preference would be Twin Falls' Creekside Golf Club.

Councilperson Hall stated that he was not against the suggested name for the golf course but agrees with the Mayor to include one of the top 3 names presented to the Golf Commission.

Councilperson Craig suggested re-naming the golf course to Twin Falls Golf Club at Rock Creek.

Council directed staff to have the Golf Advisory Commission give a recommendation for the following names for the Twin Falls Municipal Golf Course: Twin Falls' Creekside Golf Club or Twin Falls Golf Club at Rock Creek.

Councilperson Lanting stated that he would take the names to the Golf Advisory Commission on Wednesday, October 14, 2009.

4. Consideration of a request to authorize the Mayor and City Manager to execute the right-of-way agreement for Parcel Number 75 of the Washington St. N Phase III project, Key 08469. The parcel is owned by the College of Southern Idaho Dormitory Housing Commission and the compensation amount of \$70,245.26.

Councilperson Hall abstained from discussion and voting on Agenda Item 4

City Engineer Fields reviewed the request.

Engineering recommends that the Council approve the request as presented.

Discussion followed.

Councilperson Lanting asked if the square foot price is consistent with what the City has been paying for right of way.

MINUTES

October 12, 2009

Page 6 of 7

City Engineer Fields stated that the cost of the acquisition was competitive.

Mayor Clow asked what the reimbursement process entailed.

City Engineer Fields stated that the City will submit all acquisitions in a bundle for reimbursement.

**MOTION:**

Councilperson Craig made the motion to authorize the Mayor and City Manager to execute the right-of-way agreement for Parcel Number 75 of the Washington St. N Phase III project, Key 08469, for a parcel owned by the College of Southern Idaho Dormitory Housing Commission for the compensation amount of \$70,245.26. The motion was seconded by Councilperson Lanting and roll call vote showed all members voted in favor of the motion. Approved 5 to 0. Councilperson Hall abstained from voting.

5. Consideration of a request to accept the deferral agreement for Riverhawk Subdivision, a PUD and Twin Falls School District 411, for constructing a mountable curb-gutter, 12' wide gravel access road and thickened edge sidewalk at a future date if access to the existing public sewer trunk line is not provided by the present property owner.

Councilperson Lanting abstained from discussion and voting on Item 6.

Assistant City Engineer Vitek reviewed the request.

Staff recommends that the Council accept the deferral agreement and authorize the Mayor to sign the agreement as presented.

**MOTION:**

Councilperson Hall made the motion to accept the deferral agreement for Riverhawk Subdivision, a PUD and Twin Falls School District 411, for constructing a mountable curb-gutter, 12' wide gravel access road and thickened edge sidewalk at a future date if access to the existing public sewer trunk line is not provided by the present property owner. The motion was seconded by Councilperson Craig and roll call vote showed all members voted in favor of the motion. Approved 5 to 0. Councilperson Craig abstained from voting.

6. Consideration of a request to accept the deferral agreement for KRP Subdivision, c/o Ray Perron, for one water share dedicated to the City of Twin Falls. The request also includes a deferral for curb, gutter and access improvements along Sunway Extended (also known as 1700 E. Road).

Assistant City Engineer Vitek reviewed the request.

The approved final plat included the following 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 a recorded deferral agreement for the curb and gutter to be provided before recordation of the final plat.
3. Subject to a recorded deferral agreement for access improvements to be provided before recordation of the final plat.
4. Subject to irrigation system, approved by the City Engineering Department, is installed for landscaping prior to issuance of Certificate of Occupancy.
5. Subject to a recorded deferral agreement for the transfer of water shares to be provided before recordation of the final plat.

Discussion followed.

Mayor Clow asked if the property is in the area of impact.

City Wonderlich responded in the affirmative. The agreements will be between the City and the Developer.

**MOTION:**

Councilperson Craig made the motion to accept the deferral agreement for KRP Subdivision, c/o Ray Perron, for one water share dedicated to the City of Twin Falls. The request also includes a deferral for curb, gutter and access improvements along

MINUTES

October 12, 2009

Page 7 of 7

Sunway Extended (also known as 1700 E. Road). The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

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

Mayor Clow stated that he would like to hold a Town Hall meeting on November 12, 2009. He asked for input from Council as to what topics they would like to address. He stated that perhaps they could bring in members of the Economic Development Team around the Magic Valley to have a panel and people can ask questions on what they can do. The idea is to invite businesses and the public in general on how they can help. He asked Council for input.

Councilperson Hall stated that there is public concern about the economy.

Councilperson Craig stated that in previous Town Hall meetings the process of the Urban Renewal Agency was discussed. He suggested that Parks & Recreation Department be placed on the agenda to inform the public of the size of the parks, equipment, and maintenance of the City Parks.

Mayor Clow stated that the forum could be local economic and recovery for the Magic Valley.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

Councilperson Craig stated that a Parks & Recreation Commission meeting would be held on October 15, 2009, at 11:30 A.M. in the Council Chambers.

The Urban Renewal regular scheduled meeting was cancelled.

Councilperson Lanting stated that the Golf Advisory Commission would meet on October 14, 2009, at 11:00 A.M.

Mayor Clow stated that the Chamber of Commerce Luncheon, where Governor "Butch" Otter would speak, would be held at Canyon Crest on October 14, 2009, 12:00 P.M.

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

V. ADJOURNMENT:

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

**MOTION:**

Councilperson Lanting made the motion to move into Executive Session 67-2345 (1)(c) To conduct deliberations concerning labor negotiations or to acquire an interest in real property which is not owned by a public agency. The motion was seconded by Councilperson Hall and roll call vote showed all members voted in favor of the motion. Approved 6 to 0.

The meeting adjourned to Executive Session at 5:49 P.M.

Leila A. Sanchez  
Deputy City Clerk/Recording Secretary

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 19, 2009  
 City Council Chambers  
 305 3<sup>rd</sup> 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.  CONSIDERATION OF THE AMENDMENTS TO THE AGENDA.  PROCLAMATIONS:              None.		
<b>AGENDA ITEMS</b>		
<b>I. <u>CONSENT CALENDAR:</u></b>	<b>Purpose</b>	<b>By:</b>
1. Consideration of accounts payable for October 12 – 19, 2009. 2. Consideration of the October 12, 2009, Council Minutes. 3. Consideration of a request to approve the Twin Falls Chamber's "Business After Hours" event to be held at 161 5 <sup>th</sup> Avenue South, Hepworth's Law Office Building, and in the 400 Block of Hansen Street South on Thursday, October 22, 2009, from 5:00 p.m. to 7:00 p.m.	Action	Staff Report  Leila Sanchez Dennis Pullin/ Dan McAtee
<b>II. <u>ITEMS FOR CONSIDERATION:</u></b>		
1. Presentation by Stacy Madsen, Magic Valley Arts Council, of a Landscape Award to Eagle Office Complex located at 450 Falls Avenue.	Presentation	Stacy Madsen
2. Consideration to authorize the Mayor and City Manager to execute the right-of-way agreements for the Falls Avenue West Road Widening Project for American General Financial Services, Parcel 24, 898 Wendell Street, with the compensation amount of \$9,889.50.	Action	Jackie Fields
3. Consideration to amend City Code Title 2 to add Chapter 12 Improvement Reimbursement Commission and a proposed Ordinance and to appoint Rod Mathis to the Reimbursement Commission.	Action	Jackie Fields
4. Consideration of an agreement with Wausau Equipment Company to purchase airport snow removal equipment in conjunction with FAA AIP Grant 27/28.	Action	Bill Carberry
5. Consideration of the Muni-Storage of Twin Falls Planned Unit Development (PUD) Agreement between the City of Twin Falls and Gregg Olsen.	Action	Renee Carraway
6. Public input and/or items from the City Manager and City Council.		
<b>III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u></b>		
<b>IV. <u>PUBLIC HEARINGS:</u></b> 6:00 P.M. –		
1. Request for a Zoning Title Amendment to delete Washington Street North from Twin Falls City Code Title 10; Chapter 7; Section 12(A): Special Landscaping Requirements for Gateway Arterials: (A)-Gateway Arterials c/o Zulu Bagels and Java Jungle c/o Kim and Todd Ostrom. (app.2334)	Action	Renee Carraway
<b>V. <u>ADJOURNMENT:</u></b>		

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*\*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:** Councilperson Trip Craig, Councilperson Don Hall, Councilperson Gregory Lanting, and Councilperson Will Kezele

**COUNCIL MEMBERS ABSENT:** Mayor Lance Clow, Councilperson David Johnson, Councilperson Lee Heider

**STAFF PRESENT:** City Manager Tom Courtney, City Attorney Fritz Wonderlich, City Engineer Jackie Fields, Zoning and Development Manager Renee Carraway, Officer Craig Stotts-TFPD, Airport Manager Bill Carberry, Engineering Executive Assistant/Recording Secretary Tracy Reed.

Acting Mayor Trip Craig 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 Trip Craig introduced City staff. Derek Cox Troop #63, Erick Butch Troop #79, Jason Lewis Troop #84, all from Boy Scouts of America, introduced themselves.

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

**PROCLAMATIONS:** None.

#### **AGENDA ITEMS**

**I. CONSENT CALENDAR:**

1. Consideration of accounts payable for October 12 – 19, 2009.
2. Consideration of the October 12, 2009, Council Minutes.
3. Consideration of a request to approve the Twin Falls Chamber's "Business After Hours" event to be held at 161 5th Avenue South, Hepworth's Law Office Building, and in the 400 Block of Hansen Street South on Thursday, October 22, 2009, from 5:00 p.m. to 7:00 p.m.

**MOTION:**

Councilperson Kezele made the motion to approve the Consent Calendar as presented. The motion was seconded by Councilperson Hall and roll call vote showed all members voted in favor of the motion. Approved 4 to 0.

**II. ITEMS FOR CONSIDERATION:**

1. Presentation by Stacy Madsen, Magic Valley Arts Council, of a Landscape Award to Eagle Office Complex located at 450 Falls Avenue.
2. Consideration to authorize the Mayor and City Manager to execute the right-of-way agreements for the Falls Avenue West Road Widening Project for American General Financial Services, Parcel 24, 898 Wendell Street, with the compensation amount of \$9,889.50.

City Engineer Jackie Fields reviewed the request.

**MOTION:**

Councilperson Hall made a motion to approve the request as presented. Councilperson Lanting seconded the motion. With a roll call vote, it was approved as presented 4-0.

3. Consideration to amend City Code Title 2 to add Chapter 12 Improvement Reimbursement Commission and a proposed Ordinance and to appoint Rod Mathis to the Reimbursement Commission.

City Engineer Jackie Fields reviewed the request. She stated the 6 current appointments and asked that council approve an amendment to the ordinance requiring that engineers, surveyors and architects appointed to the commission be licensed.

Discussion followed. Randy Watson sent an email objection to Jackie Fields and she explained that objection to the Council.

Councilperson Kezele asked City Engineer Jackie Fields why the City requested any licensed engineers for the commission and she explained there is a need for at least 1 on the commission to read and interpret plans.

There will be a second hearing on 10/26/09 to hear the ordinance.

4. Consideration of an agreement with Wausau Equipment Company to purchase airport snow removal equipment in conjunction with FAA AIP Grant 27/28.

Airport Manager Bill Carberry reviewed the request. He feels the airport needs a more versatile unit to remove snow. This plow will replace a plow purchased in 1983. The purchase is funded with a grant from the Federal Aviation Administration using a "piggyback" option from bids received by the city of Hailey earlier this year.

Councilperson Hall asked if the County was on board with the acquisition and Airport Manager Carberry stated affirmative. Councilperson Hall also asked about storage for the vehicle and Airport Manager Carberry replied they are almost out of room

**MOTION:**

Councilperson Lanting made the motion to purchase airport snow removal equipment in conjunction with the FAA Grant. The motion was seconded by Councilperson Hall. The motion was approved after a roll call vote 4-0.

5. Consideration of the Muni-Storage of Twin Falls Planned Unit Development (PUD) Agreement between the City of Twin Falls and Gregg Olsen.

Zoning and Development Manager Renee Carraway reviewed the request.

Discussion followed.

Councilperson Hall asked why the request would come to Council after the property is built out. Zoning and Development Manager Renee Carraway explained that since this is not a plat it did not come before the building was complete.

**MOTION:**

Councilperson Lanting made a motion to approve the request as presented. Councilperson Kezele seconded. A roll call vote show all in favor with a vote of 4-0.

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

Councilperson Kezele asked about the Addison Avenue paving job. The City used local vendors for product and City staff did the work. Councilperson Hall asked if the City really saved money using the Street Department and City Engineer Jackie Fields stated she felt it was an excellent opportunity for our staff and also an excellent use of public funds. Acting Mayor Trip Craig mentioned that he thought City Engineer Jackie Fields did an excellent job on this project.

Councilperson Lanting asked City Attorney Wonderlich about passing an ordinance while driving and texting on a person's cell phone, asking if this would be possible to enact and how to get to there. Councilperson Hall mentioned that possibly we could take it to Traffic Safety Commission. City Attorney Wonderlich said he would take a sample ordinance to the Traffic Safety Commission for perusal.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS: None

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

DRAFT MINUTES

October 19, 2009

Page 4 of 4

1. Request for a Zoning Title Amendment to delete Washington Street North from Twin Falls City Code Title 10: Chapter 7; Section 12(A): Special Landscaping Requirements for Gateway Arterials; (A)-Gateway Arterials c/o Zulu Bagels and Java Jungle c/o Kim and Todd Ostrom. (app.2334)

Acting Mayor Trip Craig explained the public hearing process.

Kim Ostrom, 3413 Sage Springs Drive, Kimberly, ID spoke regarding the request. She would like an amendment to the City Code requiring a minimum 10' landscaping requirements for Washington Street North as the lots are so narrow that 30' is just too wide. This would allow more flexibility for development on this corridor.

Zoning and Development Manager Renee Carraway reviewed the request.

Discussion followed.

Acting Mayor Trip Craig opened the discussion for public hearing.

Jim Scouten, 229 Tyler Street, Twin Falls requested that there are two other spots in town that should be added to this amendment. The other two areas are: Addison between Washington and Eastland and Blue Lakes Boulevard between Kimberly Road and Addison.

Discussion followed.

Councilperson Lanting asked City Attorney Wonderlich about acting on all three areas. City Attorney Wonderlich concurred we would have to advertise to bring the other two addresses to the Council at a later date after advertisement.

Councilpersons Kezele and Hall asked about winding in and out of 10' vs 30' landscaping strips, saying that this could prevent growth in the City unless we get it cleared up.

This will move to the following agenda on October 26, 2009 for a third and final reading.

Acting Mayor Trip Craig closed the discussion for public hearing.

V. ADJOURNMENT: 6:20 PM

Tracy Reed  
Engineering Executive Assistant/Recording Secretary

COUNCIL MEMBERS:

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

*Mayor*

*Vice Mayor*



**DECISIONS**

Meeting of the Twin Falls City Council  
October 26, 2009  
City Council Chambers  
305 3<sup>rd</sup> 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.**

**CONSIDERATION OF THE AMENDMENTS TO THE AGENDA.**

Approved to amend the Agenda to add the following to the Consent Calendar:

Beer/Wine Alcohol License Application for Von Scheldt Brewing Company LLC DBA Von Scheldt Brewing Company, for property located at 157 2<sup>nd</sup> Avenue West.

Beer/Wine Alcohol License Application for Ngoc Nguyen DBA Sakura Japanese Steak House, located at 564 Blue Lakes Blvd. N.

**PROCLAMATIONS: None.**

**AGENDA ITEMS**

**I. CONSENT CALENDAR:**

1. Consideration of accounts payable for October 20 – 26, 2009.
2. Consideration of the October 19, 2009, Minutes.
3. Consideration of the request for a donation of a bench with a plaque at Harmon Park.

Approved the Consent Calendar as amended.

**II. ITEMS FOR CONSIDERATION:**

1. Consideration of a request for a Zoning Title Amendment to delete Washington Street North from Twin Falls City Code Title 10; Chapter 7; Section 12(A): Special Landscaping Requirements for Gateway Arterials; (A)-Gateway Arterials, c/o Zulu Bagels and Java Jungle - Kim and Todd Ostrom. (app. 2334)

Adopted Ordinance #2978, entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, AMENDING TWIN FALLS CITY CODE §10-7-12 BY REDUCING THE LANDSCAPING REQUIREMENTS FROM 30' TO 10' FOR PROPERTY ADJACENT TO WASHINGTON STREET NORTH FROM ADDISON AVENUE TO CASWELL AVENUE.

2. Consideration of a request to name the proposed park in the Broadmoor Estates Subdivision.

Approved to name the proposed park "Kenny Poe Park."

3. Consideration of a request from the Golf Advisory Commission to change the name of the Twin Falls Municipal Golf Course to "Twin Falls Golf Club".

Approved as presented.

4. Consideration of a request from the Golf Advisory Commission to reduce the winter daily green fees from \$16 to \$10 effective November 1st, 2009 till January 31st, 2010.

Adopted Resolution 1825, entitled, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, and ESTABLISHING GOLF COURSE FEES.

5. Consideration to amend City Code Title 2 to add Chapter 12 Improvement Reimbursement Commission proposed ordinance and to appoint Rod Mathis to the Reimbursement Commission.

Approved Ordinance #2979, entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, AMENDING TWIN FALLS CITY CODE §2-12-3 BY REMOVING THE LICENSING REQUIREMENT FOR ENGINEER, SURVEYOR OR ARCHITECT MEMBERS OF THE IMPROVEMENT REIMBURSEMENT COMMISSION.

Approved to appoint Rod Mathis' designation from interim to full member to the Reimbursement Commission.

6. Consideration of a request to approve the Animal Control Agreement for Fiscal Year 2009-2010 between the City of Twin Falls and Twin Falls County/Twin Falls County Sherriff. The current proposal from the Twin Falls County Sheriff's Office to provide Animal Control Services for the City of Twin Falls is \$114,000.00.

Failed.

7. 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:** 67-2345. Executive Session (1)(f) To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation or controversies not yet being litigated but imminently likely to be litigated. The mere presence of legal counsel at an executive session does not satisfy this requirement.

Approved to adjourn to Executive Session at 6:58 p.m.

Leila A. Sanchez  
Deputy City Clerk/Recording Secretary



# CITY OF TWIN FALLS, IDAHO

NOTICE

OF MEETING

**CANCELLATION**

\* \* \* \*

The Twin Falls City Council has cancelled their  
Monday, November 2, 2009, meeting.



<p>g. Southern Idaho Medical Park, LLC, Parcel 64, located on the west side of Washington Street North at Falls Avenue West, with a compensation amount of \$38,857.74.</p> <p>5. Consideration to authorize the Mayor to sign ITD-1983 local Public Agency's Certificate of Completion of Right-of-Way Activities for Washington Street North project (Key No. 08469).</p> <p>6. Consideration of a request to purchase a 15 foot wide sewer easement from the Magic Valley Mall, LLC.</p> <p>7. Consideration of the Final Plat of Eastland Professional Subdivision 1.22 (+/-) acres consisting of 3 lots located on the west side of the 1000 – 1100 block of Eastland Drive, c/o EHM Engineering, Inc. on behalf of Rob Sturgill.</p> <p>8. Consideration of the request of Loren Haugee on behalf of Tabernacle of Twin Falls, Inc., for waiver of the non-conforming building expansion permit process to allow an expansion of a non-conforming residence at 315 4<sup>th</sup> Avenue North.</p> <p>9. Consideration of the Final Plat for the Shoshone Heights PUD Subdivision, No. 1, 21.03 (+/-) acres with 19 single family residential lots located on the east side of the 1500-1900 block of Hankins Road North and South of the Snake River Canyon within the City's Area of Impact, c/o JUB Engineers – Rex Harding.</p> <p>10. Consideration of the Final Plat for the Shoshone Heights PUD Subdivision, No. 2, 11.87 (+/-) acres with 11 single family residential lots located on the east side of the 1500-1900 block of Hankins Road North and South of the Snake River Canyon within the City's Area of Impact, C/o JUB Engineers – Rex Harding.</p> <p>11. Public input and/or items from the City Manager and City Council.</p>	<p>Action</p> <p>Action</p> <p>Action</p> <p>Action</p> <p>Action</p> <p>Action</p>	<p>Jackie Fields</p> <p>Jackie Fields</p> <p>Mitch Humble</p> <p>Mitch Humble</p> <p>Mitch Humble</p> <p>Mitch Humble</p>
<p><b>III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u></b></p>		
<p><b>IV. PUBLIC HEARINGS:</b> 6:00 P.M. –</p> <p>1. Public Hearing for the Water System Facilities Plan, dated October 2009, and the Environmental Information Document (EID) for Water System Improvements, dated October 2009.</p> <p>2. Conduct a public hearing to consider approving a request to sign ICDBG application for \$499,452 to redevelop one block and work toward curing slum &amp; blight in Old Town Twin Falls.</p> <p>3. Request for an amendment to PUD Agreement #247 Canyon Ridge High School - River Hawks, R-2 and C-1 PUD Agreement to allow for commercial development for a 4.2 (+/-) acres aka Lot 1, Block 1 Riverhawk Subdivision – a PUD located at the southwest corner of Cheney Drive West and Washington Street North, c/o The Land Group on behalf of Wiley Dobbs/Twin Falls School District #411. (app.2337)</p> <p>4. Consideration of 37.2 acres (+/-) proposed for annexation for property located on the north side of Fall Avenue East, in an area beginning approximately 1,300 feet east of Eastland Drive North, c/o City of Twin Falls. (app.2336)</p>	<p>Action</p> <p>Action</p> <p>Action</p> <p>Action</p>	<p>Jackie Fields</p> <p>Melinda Anderson</p> <p>Mitch Humble</p> <p>Mitch Humble</p>
<p><b>V. <u>ADJOURNMENT:</u></b> 67-2345 Executive Session (1)(b) To consider the evaluation, dismissal or disciplining of, or to hear complaints or charges against, a public officer, employee, staff member or individual agent, or public school student.</p>		

*\*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 W. Clow, Trip Craig, Don Hall, Lee Heider, David Johnson via telephone, Gregory Lanting, and Will Kezele

**COUNCIL MEMBERS ABSENT:** None.

**STAFF PRESENT:** City Manager Tom Courtney, Assistant City Manager Travis Rothweiler, City Engineer Jackie Fields, Community Development Director Mitch Humble, Economic Development Director Melinda Anderson, Police Chief Jim Munn, Captain Bryan Krear, Engineer Mike Trabert, Public Works Director Jon Caton, Deputy City Clerk Sharon Bryan, Deputy City Clerk/Recording Secretary 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.

**CONSIDERATION OF THE AMENDMENTS TO THE AGENDA:**

Consideration to include a discussion on the funding for Washington Street Phase III. The City has an opportunity to move the project from 2011 to 2010. It does involve advancing money from reserves which will be repaid by the State in 2011. Staff is requesting direction from the Council.

**MOTION:**

Councilperson Hall made the motion to amend the agenda to Item for Consideration #4: Consideration to include a discussion on the funding for Washington Street Phase III. The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

**PROCLAMATIONS: TWIN FALLS HOSPICE/PALLIATIVE CARE MONTH – NOVEMBER 2009.**

Mayor Clow read the proclamation and presented it to Heidi Walker of Twin Falls Hospice.

**AGENDA ITEMS**

**I. CONSENT CALENDAR:**

1. Consideration of accounts payable for October 27 – November 9, 2009.
2. Consideration of the October 26, 2009, Minutes.
3. Consideration of a request to accept a piece of property from Monarch Holding Company, LLC and authorize the Mayor to sign the agreement for donation of real property and deed of gift.

**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. Approved 7 to 0.

**II. ITEMS FOR CONSIDERATION:**

1. Consideration of a request to present POST Certificates to the following individuals before the Twin Falls City Council: Communications Specialists Sue Spain and Tina Kelley, Lead Dispatcher Leslie Jones, and Officer Dusty Solomon.

Captain Bryan Krear reviewed the request. Mayor Clow, Councilperson Hall, and Chief Munn presented the certificates to Dusty Solomon, Tina Kelley, Sue Spain, and Leslie Jones.

2. Consideration of a request to canvass the Twin Falls Municipal Election. Proposed **Resolution #1826.**

Deputy City Clerk Bryan reviewed the request.

Staff recommends that the City Council adopt Resolution #1826.

**MOTION:**

Councilperson Heider made the motion to adopt Resolution #1826, *entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, CANVASSING AND DECLARING THE RESULTS OF THE GENERAL MUNICIPAL ELECTION HELD IN SAID CITY ON TUESDAY, NOVEMBER 3, 2009.*

3. The motion was seconded by Councilperson Kezele and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0. Consideration to authorize the Mayor and City Manager to execute the right-of-way agreements for the Falls Avenue West Road Widening Project:
  - a. Reginald Larsen, Parcel 30, 603 Falls Avenue West, with the compensation amount of \$4,207.50.
  - b. Thomas and Jann Hutchison, Parcel 37, 341 Falls Avenue West, with the compensation amount of \$7,590.00.
  - c. Rusty and Alisa Bowman, Parcel 19, 648 Falls Avenue West, with the compensation amount of \$20,000.00.

City Engineer Fields reviewed the request.

Approval of the request will allow the City to proceed with the project as it is currently being developed.

**MOTION:**

Councilperson Lanting made the motion to authorize the Mayor and City Manager to execute the right-of-way agreements for the Falls Avenue West Road Widening Project:

- a. Reginald Larsen, Parcel 30, 603 Falls Avenue West, with the compensation amount of \$4,207.50.
- b. Thomas and Jann Hutchison, Parcel 37, 341 Falls Avenue West, with the compensation amount of \$7,590.00.
- c. Rusty and Alisa Bowman, Parcel 19, 648 Falls Avenue West, with the compensation amount of \$20,000.00.

The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

4. Consideration of a request to authorize the Mayor and City Manager to execute the right-of-way agreement for parcels of the Washington Street N. Phase III project, Key 08469:
  - a. Mitch Campbell, Parcels 32, located south of Wirshing near Zulu Bagels, with the compensation amount of \$35,000, and 42, located north of Wirshing near a storage unit business, with the compensation amount \$17,000.
  - b. Sid Lezamiz, Parcel 35 and 36, located on the east side of Washington Street North, south of Wirshing Avenue West, with compensation amount of \$27,044.44
  - c. Dennis and Donna Clark, Parcel 38, located on the east side of Washington Street North, between Caswell Drive and Wirshing Avenue West, with the compensation amount of \$15,481.07.
  - d. College Meadows Condominiums, Inc., and Washington Street Condominiums, Parcel 50 & 57, located south of Fall Avenue West, with a compensation amount of \$74,300.00
  - e. Dr. William Fitzhugh, Parcel 59, located on the east side of Washington Street North, south of Falls Avenue West, with a compensation amount of \$6,786.15.
  - f. Daniel D. and Jann Moss, Parcel 62, located on the east side of Washington Street North, south of Falls Avenue West, with a compensation amount of \$435.00.
  - g. Southern Idaho Medical Park, LLC, Parcel 64, located on the west side of Washington Street North at Falls Avenue West, with a compensation amount of \$38,857.74.

City Engineer Fields reviewed the request.

Engineering recommends that the Council approve the request as presented.

**MOTION:**

Councilperson Hall made the motion to authorize the Mayor and City Manager to execute the right-of-way agreement for parcels of the Washington Street N. Phase III project, Key 08469:

- a. Mitch Campbell, Parcels 32, located south of Wirshing near Zulu Bagels with the compensation amount of \$35,000, and 42, located north of Wirshing near a storage unit business, with the compensation amount \$17,000.

Minutes

November 9, 2009

Page 5 of 11

- b. Sid Lezamiz, Parcel 35 and 36, located on the east side of Washington Street North, south of Wirshing Avenue West, with compensation amount of \$27,044.44
- c. Dennis and Donna Clark, Parcel 38, located on the east side of Washington Street North, between Caswell Drive and Wirshing Avenue West, with the compensation amount of \$15,481.07.
- d. College Meadows Condominiums, Inc., and Washington Street Condominiums, Parcel 50 & 57, located south of Fall Avenue West, with a compensation amount of \$74,300.00
- e. Dr. William Fitzhugh, Parcel 59, located on the east side of Washington Street North, south of Falls Avenue West, with a compensation amount of \$6,786.15.
- f. Daniel D. and Jann Moss, Parcel 62, located on the east side of Washington Street North, south of Falls Avenue West, with a compensation amount of \$435.00.
- g. Southern Idaho Medical Park, LLC, Parcel 64, located on the west side of Washington Street North at Falls Avenue West, with a compensation amount of \$38,857.74.

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

*-Consideration to include a discussion on the funding for Washington Street Phase III.*

City Engineer Fields stated that the City has an opportunity to move the project from 2011 to 2010. It does involve advancing money from reserves which will be repaid by the State in 2011. Staff is requesting direction from the Council.

Discussion followed:

-Reserves

City Manager Courtney stated that at the end of the last fiscal year the City had 9.4 million dollars in reserves.

**MOTION:**

Councilperson Heider made the motion to authorize the Mayor to contact LHTAC to request to advance the construction of the Washington St. N. Project No. STP-7072(101), Key 0846 into the current fiscal year (FY2010), and to advance funds for the local-urban portion of the project in the amount of \$2,152,000.

5. Consideration to authorize the Mayor to sign ITD-1983 local Public Agency's Certificate of Completion of Right-of-Way Activities for Washington Street North project (Key No. 08469).

City Engineer Fields reviewed the request.

Staff recommends that the Council authorize the Mayor to sign ITD - 1983 local Public Agency's Certificate of Completion of Right-of-way Activities for Washington Street North Project (Key No. 08469.)

**MOTION:**

Vice Mayor Johnson made the motion to authorize the Mayor to sign ITD - 1983 local Public Agency's Certificate of Completion of Right-of-way Activities for Washington Street North Project (Key No. 08469.) The motion was seconded by Councilperson Kezele and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

6. Consideration of a request to purchase a 15 foot wide sewer easement from the Magic Valley Mall, LLC.

City Engineer Fields reviewed the request.

Approval of the request will allow the City to proceed with construction of Phase II of the northeast sewer.

Staff recommends that the Council approve the request as presented.

Councilperson Hall asked if this was currently budgeted. City Engineer Fields answered in the affirmative.

**MOTION:**

Minutes

November 9, 2009

Page 6 of 11

Councilperson Lanting made the motion to purchase a 15 foot wide sewer easement from the Magic Valley Mall, LLC. with the compensation amount of \$146,090. The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

7. Consideration of the Final Plat of Eastland Professional Subdivision 1.22 (+/-) acres consisting of 3 lots located on the west side of the 1000 – 1100 block of Eastland Drive, c/o EHM Engineering, Inc. on behalf of Rob Sturgill.

Community Development Director Humble reviewed the request.

On September 22, 2009, the Planning & Zoning Commission approved the preliminary plat 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 arterial and collector streets adjacent and within the property being rebuilt or built to current City standards upon development of the property.
3. Maintain undeveloped area and keep dust free and weed free.
4. Subject to landscaping plan submittal and approval by staff.
5. Subject to a recorded cross use agreement for access, parking, drainage, utilities and maintenance of the development being furnished.

Staff concurs with the conditions placed on the preliminary plat approval and recommends the conditions be applied to the final plat.

Discussion followed on condition: 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.

Community Development Director Humble stated that the condition has been satisfied by the Developer.

**MOTION:**

Councilperson Heider made the motion to approve the Final Plat of Eastland Professional Subdivision 1.22 (+/-) acres consisting of 3 lots located on the west side of the 1000 – 1100 block of Eastland Drive, c/o EHM Engineering, Inc. on behalf of Rob Sturgill 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. Maintain undeveloped area and keep dust free and weed free.
3. Subject to landscaping plan submittal and approval by staff.
4. Subject to a recorded cross use agreement for access, parking, drainage, utilities and maintenance of the development being furnished.

The motion was seconded by Councilperson Craig and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

8. Consideration of the request of Loren Haugee on behalf of Tabernacle of Twin Falls, Inc., for waiver of the non-conforming building expansion permit process to allow an expansion of a non-conforming residence at 315 4<sup>th</sup> Avenue North.

Community Development Director Humble reviewed the request.

Staff recommends that the Council grant the request as presented subject to the following conditions:

1. Subject to complete review by Building, Engineering, Fire, and Zoning Departments to ensure compliance with all applicable City Code requirements and Standards for existing and proposed buildings on the site.

**MOTION:**

Councilperson Lanting made the motion to approve the request of Loren Haugee on behalf of Tabernacle of Twin Falls, Inc., for waiver of the non-conforming building expansion permit process to allow an expansion of a non-conforming residence at 315 4<sup>th</sup> Avenue North as presented with the following condition:

Minutes

November 9, 2009

Page 7 of 11

1. Subject to complete review by Building, Engineering, Fire, and Zoning Departments to ensure compliance with all applicable City Code Requirements and Standards for existing and proposed buildings on the site.

The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

Community Development Director Humble presented Items for Consideration 9 and 10 at one time.

9. Consideration of the Final Plat for the Shoshone Heights PUD Subdivision, No. 1, 21.03 (+/-) acres with 19 single family residential lots located on the east side of the 1500-1900 block of Hankins Road North and South of the Snake River Canyon within the City's Area of Impact, c/o JUB Engineers – Rex Harding.

Community Development Director Humble reviewed the request.

Should the City Council recommend approval of Shoshone Heights PUD Subdivision, Phase 1 and 2 as presented, staff recommends 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, including correction of plat notes.
2. Subject to the requirements of Code Section 10-12-3.11 Parks and Storm Water Retention/Detention being met.
3. Subject to the portion of the canyon rim trail included in the trade agreement being developed by the developer at such point in time when residential development adjacent to that portion of the canyon rim trail is being developed.
4. Subject to the City's gun range access being maintained perpetually throughout development of phases.
5. Subject to the resolution of any railroad easements on the property being removed.
6. Subject to recordation of the revised Land Swap Agreement.

Discussion followed.

**MOTION:**

Councilperson Lanting made the motion to approve the Final Plat for the Shoshone Heights PUD Subdivision, No. 1, 21.03 (+/-) acres with 19 single family residential lots located on the east side of the 1500-1900 block of Hankins Road North and South of the Snake River Canyon within the City's Area of Impact, c/o JUB Engineers – Rex Harding. 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, including correction of plat notes.
2. Subject to the requirements of Code Section 10-12-3.11 Parks and Storm Water Retention/Detention being met.
3. Subject to the portion of the canyon rim trail included in the trade agreement being developed by the developer at such point in time when residential development adjacent to that portion of the canyon rim trail is being developed.
4. Subject to the City's gun range access being maintained perpetually throughout development of phases.
5. Subject to the resolution of any railroad easements on the property being removed.
6. Recording of the plat is subject to the execution of the Land Trade.
7. Subject to the neighborhood CCR's reflecting State landscaping requirements for individual well irrigation.
8. Subject to a Nuisance Waiver for the City's gun range being recorded with the sale of each lot.
9. Subject to Meadow Ridge Lane not being constructed east of Deer Haven Court without a letter from the Meadow Ridge subdivision authorizing the developer to connect to Meadow Ridge Lane within the Meadow Ridge subdivision.

The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

10. Consideration of the Final Plat for the Shoshone Heights PUD Subdivision, No. 2, 11.87 (+/-) acres with 11 single family residential lots located on the east side of the 1500-1900 block of Hankins Road North and South of the Snake River Canyon within the City's Area of Impact, C/o JUB Engineers – Rex Harding..

**MOTION:**

Councilperson Lanting made the motion to approve the Final Plat for the Shoshone Heights PUD Subdivision, No. 2, 11.87 (+/-) acres with 11 single family residential lots located on the east side of the 1500-1900 block of Hankins Road North and South of the Snake River Canyon within the City's Area of Impact, C/o JUB Engineers – Rex Harding.

Minutes

November 9, 2009

Page 8 of 11

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, including correction of plat notes.
2. Subject to the requirements of Code Section 10-12-3.11 Parks and Storm Water Retention/Detention being met.
3. Subject to the portion of the canyon rim trail included in the trade agreement being developed by the developer at such point in time when residential development adjacent to that portion of the canyon rim trail is being developed.
4. Subject to the City's gun range access being maintained perpetually throughout development of phases.
5. Subject to the resolution of any railroad easements on the property being removed.
6. Recording of the plat is subject to the execution of the Land Trade.
7. Subject to the neighborhood CCR's reflecting State landscaping requirements for individual well irrigation.
8. Subject to a Nuisance Waiver for the City's gun range being recorded with the sale of each lot.
9. Subject to Meadow Ridge Lane not being constructed east of Deer Haven Court without a letter from the Meadow Ridge subdivision authorizing the developer to connect to Meadow Ridge Lane within the Meadow Ridge subdivision.

The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

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

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

Councilperson Hall reported that a Traffic Safety Commission meeting will be held on Tuesday, November 10, 2009, at 9:00 A.M. in the City Council Chambers.

Mayor Clow reported that a Town Hall meeting will be held on Thursday, November 12, 2009, at 7:00 P.M. in the City Council Chambers.

Recess at 6:23 P.M.

Reconvened at 6:35 P.M.

**IV. PUBLIC HEARINGS: 6:00 P.M. –**

1. Public Hearing for the Water System Facilities Plan, dated October 2009, and the Environmental Information Document (EID) for Water System Improvements, dated October 2009.

Presentation made by Mark Holtzen, of JUB Engineers. The hearing is necessary to allow the City to meet the arsenic compliance schedule.

Discussion followed.

Mark Holtzen stated that the City does have Sunnybrook Springs water rights.

Councilperson Kezele referred to the Supply & Demand Projects with Pristine Springs Purchase (Page 18) portion of the presentation and asked if the City received its full water right. Mark Holtzen stated that the City does not get 15 cfs water right.

Mayor Clow stated for clarification that the drought prevented the City from pumping the full water right.

Mark Holtzen stated that without the Pristine Springs purchase the City would be running in a deficit. He explained the Pristine Springs Purchase graphs.

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

The public hearing was closed.

The hearing is necessary to allow the City to meet the arsenic compliance schedule. No action was taken.

2. Conduct a public hearing to consider approving a request to sign ICDBG application for \$499,452 to redevelop one block and work toward curing slum & blight in Old Town Twin Falls.

Economic Development Director Anderson reviewed the request.

Carleen Herring, Region IV, reviewed the request.

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

The public hearing was closed.

The hearing is necessary to apply for ICDBG funds. No action was taken.

7:09 P.M. Councilperson Lanting abstained from discussion and voting on the following Item for Consideration:

3. Request for an amendment to PUD Agreement #247 Canyon Ridge High School - River Hawks, R-2 and C-1 PUD Agreement to allow for commercial development for a 4.2 (+/-) acres aka Lot 1, Block 1 Riverhawk Subdivision – a PUD located at the southwest corner of Cheney Drive West and Washington Street North, c/o The Land Group on behalf of Wiley Dobbs/Twin Falls School District #411. (app.2337)

Scott Allen, The Land Group, representing the applicant explained the request.

Community Development Director Humble reviewed the request.

On October 13, 2009, the Planning & Zoning Commission unanimously recommended approval 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 cross us agreements for storm water, detached sidewalk, outside lightening, landscaping and parking prior to plat recordation and/or development.
3. Subject to an approved PUD agreement.

Staff concurs with the Commission's recommendation.

The public comment portion of the hearing was opened.

Linda Roberts, 209 N. College Rd., stated concerns of what kind of businesses are going in the area and traffic flow.

Closed the public comment portion of the hearing.

Scott Allen, applicant, explained the uses for businesses and traffic flow. He also stated that he concurs with staff recommendations.

Discussion followed:  
-Types of businesses.  
-Driveway plans.

The public hearing was closed.

**MOTION:**

Councilperson Heider made the motion to approve an amendment to PUD Agreement #247 Canyon Ridge High School - River Hawks, R-2 and C-1 PUD Agreement to allow for commercial development for a 4.2 (+/-) acres aka Lot 1, Block 1 Riverhawk Subdivision – a PUD located at the southwest corner of Cheney Drive West and Washington Street North, c/o The Land Group on behalf of Wiley Dobbs/Twin Falls School District #411. (app.2337) 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 9, 2009

Page 10 of 11

2. Subject to cross use agreements for storm water, detached sidewalk, outside lighting, landscaping and parking prior to plat recordation and/or development.
3. Subject to an approved PUD agreement.

The motion was seconded by Councilperson Hall and roll call vote showed Councilpersons Clow, Craig, Hall, Heider, Johnson and Kezele voted in favor of the motion. Councilperson Lanting abstained from voting. Approved 6 to 0 with one abstaining.

Mayor Clow went over the details of the Public Hearing Process.

4. Consideration of 37.2 acres (+/-) proposed for annexation for property located on the north side of Fall Avenue East, in an area beginning approximately 1,300 feet east of Eastland Drive North, c/o City of Twin Falls. (app.2336)

Dale Quigley, DVNLLC, explained the request.

First it has been inaccurately stated that the process was never made public. LLC disagrees. In 2004 an exploratory committee reconvened reviewing the pros or cons in the annexation area and out of the annexation area, specifically on the northern heart of Desert View Drive and Hartville Lane. This committee did extensive due diligence addressing arsenic issues and mechanical challenges that the well had with delivery service. Staff's presentation packet contains a petition and a letter of petition. One of the petition owners is not an owner. 18% or 13 of 71 property owners have petitioned against the annexation. In closing the governing body of DVLLC has done to do full disclosure and annexation.

He spoke in favor of the annexation request by the City of Twin Falls.

Community Development Director Humble reviewed the request.

On October 13, 2009, the Planning & Zoning Commission unanimously recommended an R-2 zoning designation as appropriate for the properties listed in this request with the following conditions:

1. Amendments as required by Building, Engineering, Fire, and Zoning officials to ensure compliance with all applicable City Code requirements and Standards.

If the City Council annexes this property, staff concurs with the Planning & Zoning Commission's recommendation that the R-2 District is an appropriate zoning designation for the properties listed in this request and subject to the recommended condition.

The City Council can deny, accept, and reduce the boundary.

Discussion followed.

Dale Quigley stated that 26 homes were tied into a community well. There was a backup well just in case it failed. A well owner could not comply with arsenic rules without money costs.

Opened the public comment portion of the hearing:

Lee Bunch, 1095 Plainview Drive, stated that he is retired and lives on fixed incomes. Community wells were approved at one time but the government changed the rules. Many of those in the area have good wells and septic systems and would like to be excluded from annexation

Joshua Dahlstrom, 1006 Plainview Drive, spoke against the request.

Rod Mathis, 2431 Falls Avenue. Spoke in favor of the request.

Debra Nelson Requa, 1014 Desert View, spoke against the request.

Minutes

November 9, 2009

Page 11 of 11

Dale Quigley stated there has been fairness to disclosure. Tap to curb option has been given to the neighbors to stubbing into irrigation. Ms. Requa is tap to curb neighbor and a member on the lot. The tap to curb was verbal and required full disclosure. There are members that have not hooked up at all but will in the future

Turned over to Council for deliberations.

Discussion followed:

Councilperson Heider asked if those who wish not to hook up have to if they have a well and septic for their use. Community Development Director Humble answered only if their current well or septic system were to fail.

- Services provided by the City.
- Payback to the LLC.
- Compliance with the arsenic standards.

Closed the public hearing.

**MOTION:**

Councilperson Heider made the motion to approve the annexation of 37.2 acres (+/-) located on the north side of Falls Avenue East, in an area beginning approximately 1,300 feet east of Eastland Drive North, with a zoning designation of R-2 as presented. (app.2336). The motion was seconded by Councilperson Lanting.

Discussion followed:

- Boundaries.

**MOTION:**

Councilperson Kezele made an amendment to the main motion to not include the homes in white (as shown on overhead projection) for the annexation. Failed for the lack of a second.

Roll call vote showed Councilpersons Clow, Hall, Heider, Johnson, Kezele and Lanting voted in favor of the motion. Councilperson Craig voted against the motion. Approved 6 to 1.

- V. **ADJOURNMENT:** 67-2345 Executive Session (1)(b) To consider the evaluation, dismissal or disciplining of, or to hear complaints or charges against, a public officer, employee, staff member or individual agent, or public school student.

Councilperson Craig 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. Approved 7 to 0.

The meeting adjourned at 8:59 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*



**DECISIONS**

Meeting of the Twin Falls City Council  
November 16, 2009  
City Council Chambers  
305 3<sup>rd</sup> Avenue East Twin Falls, Idaho

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

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

CONSIDERATION OF THE AMENDMENTS TO THE AGENDA.

PROCLAMATIONS: None.

**AGENDA ITEMS**

**I. CONSENT CALENDAR:**

1. Consideration of accounts payable for November 10 – 16, 2009, total: \$171,078.81.
2. Consideration of the November 9, 2009, Council Minutes.
3. Consideration of approval of the Annual Festival of Lights Parade, sponsored by the Business Improvement District, to be held on Friday, December 4, 2009.

Approved the Consent Calendar as presented.

**II. ITEMS FOR CONSIDERATION:**

1. Consideration of a 2nd one-year extension of the Final Plat of the Desert Falls Subdivision, 58.36 (+/-) acres with 46 lots located at the south east corner of 3300 East Road and Falls Avenue East, c/o FRS, LLC/Doug Strand.

Approved the 2nd one-year extension of the Final Plat of the Desert Falls Subdivision, 58.36 (+/-) acres with 46 lots located at the south east corner of 3300 East Road 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.
2. Consideration of the Conveyance Plat of the Kimpton Acres Subdivision consisting of 2 lots on 7.47 (+/-) located at 3640 North 3100 East aka Eastland Drive South within the Area of Impact, c/o JUB Engineering, Inc.

Approved the Conveyance Plat of the Kimpton Acres Subdivision consisting of 2 lots on 7.47 (+/-) located at 3640 North 3100 East aka Eastland Drive South within the Area of Impact, c/o JUB Engineering, Inc. 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, as shown on the plat, being dedicated *with* recordation.

DECISIONS

November 16, 2009

Page 2 of 3

3. Consideration of adopting a resolution granting the Mayor and City Manager the authority to sign all applications, loan agreements and amendments, and other documents relating to Drinking Water Facilities State Revolving Loan Fund construction loans.

Adopted Resolution 1827, entitled:

IN THE MATTER OF AUTHORIZING DRINKING WATER FACILITIES STATE REVOLVING LOAN FUND CONSTRUCTION PLANS. A RESOLUTION BY THE MAYOR AND CITY COUNCIL OF THE CITY OF TWIN FALLS IDAHO, AUTHORIZING **THE MAYOR AND/OR THE CITY MANAGER**, TO SIGN ALL APPLICATIONS, LOAN AGREEMENTS AND AMENDMENTS AND OTHER DOCUMENTS RELATING TO DRINKING WATER FACILITIES STATE REVOLVING LOAN FUND CONSTRUCTION LOANS.

4. Consideration of the agreement between the City of Twin Falls and EHM Engineers Inc. to design the improvements to the Rock Creek Sewer Lift Station.

Approved the agreement between the City of Twin Falls and EHM Engineers Inc. to design the improvements to the Rock Creek Sewer Lift Station, *in the amount of \$52,905.00.*

5. Consideration to authorize the Mayor and City Manager to execute the right-of-way agreements for the Falls Avenue West Road Widening Project:
  - a. Janet L. Robinette, Parcel 20, 656 Falls Avenue West, with the compensation amount of \$ 15,000.00.
  - b. Right-of-way agreement between Rusmor, L.L.C. and the City of Twin Falls.

Approved to authorize the Mayor and City Manager to execute the right-of-way agreements for the Falls Avenue West Road Widening Project:

- a. Janet L. Robinette, Parcel 20, 656 Falls Avenue West, with the compensation amount of \$ 15,000.00.
  - b. Right-of-way agreement between Rusmor, L.L.C. and the City of Twin Falls.
6. Consideration of two resolutions 1) approve ICDBG application for \$498,100 to redevelop Block 133 in Old Town and 2) establish a redevelopment area for Block 133.

Adopted Resolution 1828, entitled: CITY OF TWIN FALLS, IDAHO SIGN AND SUBMIT AUTHORIZATION - A RESOLUTION OF THE COUNCIL, CITY OF TWIN FALLS, IDAHO, AUTHORIZING THE MAYOR TO SIGN AND SUBMIT AN APPLICATION FOR AN IDAHO COMMUNITY DEVELOPMENT BLOCK GRANT TO PARTIALLY FINANCE THE CONSTRUCTION OF DOWNTOWN INFRASTRUCTURE IMPROVEMENTS.

Adopted Resolution 1829, entitled: RESOLUTION TO ESTABLISH A REDEVELOPMENT AREA CITY OF TWIN FALLS, IDAHO.

7. Consideration to select a grant administrator to assist the City with the development and implementation of community and economic development projects.

Approved to select REGION IV DEVELOPMENT ASSOCIATION to assist the City with the development and implementation of community and economic development projects.

8. Consideration of the agreement from Conagra Foods Lamb Weston.

Approved the BIO-GAS OWNERSHIP AGREEMENT from Conagra Foods Lamb Weston as presented.

9. Consideration of a Contract Amendment No. 8 from OMI for the operation and maintenance of the Waste Treatment Plant, industrial pre-treatment program and associated sewer lift stations.

Approved Contract Amendment No. 8 from OMI for the operation and maintenance of the Waste Treatment Plant, industrial pre-treatment program and associated sewer lift stations as presented.

DECISIONS

November 16, 2009

Page 3 of 3

10. Discussion and consideration of the project reviewed as a part of the City's comprehensive Energy Efficiency and Conservation Strategy for the City of Twin Falls.

Discussion followed on the proposed top eight EECBG projects:

- Replace old thermostats with programmable thermostats.
- Replace light switches with motion detector switches.
- Replace lights in building with more efficient lights.
- Convert traffic signals incandescent bulbs to more efficient LED's.
- Perform building energy audits.
- Replace a section of street lights with more efficient lighting technology.
- Replace water meters to radio read meters City-wide
- Hybrid vehicle replacement program.

No action taken.

11. Consideration of a report on sealcoat projects. To be rescheduled.

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

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

The Golf Advisory Board meeting will be held at the Twin Falls Golf Club on Wednesday, November 18, 2009, at 11:00 a.m.

AIC Fall Academy Region IV meeting will be held at the Council Chambers on Wednesday, November 18, 2009, at 8:00 a.m.

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

- V. **ADJOURNMENT:** 67-2345 Executive Session (1)(b) To consider the evaluation, dismissal or disciplining of, or to hear complaints or charges against, a public officer, employee, staff member or individual agent, or public school student.

Approved to adjourn to Executive Session at 6:43 p.m.

Leila A. Sanchez  
Deputy City Clerk/Recording Secretary

**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 23, 2009**  
**City Council Chambers**  
**305 3<sup>rd</sup> Avenue East Twin Falls, Idaho**

**CALL MEETING TO ORDER: 5:00 P.M.**  
**PLEDGE OF ALLEGIANCE TO THE FLAG**  
**CONFIRMATION OF QUORUM**  
**INTRODUCTION OF STAFF**  
**CONSIDERATION OF THE AMENDMENTS TO THE AGENDA**

PROCLAMATIONS: None.

<b>AGENDA ITEMS</b>	<b>Purpose</b>	<b>By:</b>
<b>I. <u>CONSENT CALENDAR:</u></b> 1. Consideration of accounts payable for November 16-23, 2009. 2. Consideration of the off duty use of the TFPD equipment during the 4 <sup>th</sup> Annual "Shop with A Cop", now called, "FOP Cops and Kids" to be held on Saturday, December 5, 2009 at 10:00 AM. 3. Consideration of request for a Beer/Wine Alcohol License Application for Von Scheidt Brewing Company, LLC, located at 157 2 <sup>nd</sup> Avenue West, on the condition that they receive their Certificate of Occupancy.	Action Action Action	Staff Report Justin Hendrickson Sharon Bryan
<b>II. <u>ITEMS FOR CONSIDERATION:</u></b> 1. Consideration of a resolution to approve the State-local Agreement for Project Development of Cheney Dr; Washington St to N College Rd CSI, Key 11495 and to authorize the Mayor to execute the Agreement. 2. Consideration of a report on sealcoat projects. 3. Consideration of adoption of the following ordinance: a. 37.2 acres (+/-) proposed for annexation for property located on the north side of Falls Avenue East, in an area beginning approximately 1,300 feet of Eastland Drive with a zoning designation of R2, c/o City of Twin Falls for Desert View Neighborhood, (app.2336) Ordinance #2980. 4. Consideration of the Final Plat of the Magic Valley Marketplace Subdivision-a PUD, a re-subdivision of Lot 6, Block 2, Westpark Commercial Subdivision #3, a 2.98 acre lot (+/-), consisting of 3 commercial lots located at the northeast corner of Washington Street North and Pole Line Road c/o KM Engineering, LLP on behalf of Hawkins Companies, LLC. 5. Public input and/or items from the City Manager and City Council.	Action Action Action Action	Jackie Fields Jackie Fields Mitchel Humble Mitchel Humble
<b>III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u></b>		
<b>IV. <u>PUBLIC HEARINGS:</u> 6:00 P.M.</b> 1. Request for a Zoning Title Amendment to amend Twin Falls City Code Title 10; Chapter 4, Section 8.3 (D) by adding a section to allow outdoor or patio seating, including associated canopies or coverings, at a food service establishment providing the outdoor seating area including any canopies or coverings does not exceed a property line setback of 20' or the minimum required arterial landscaping is provided, whichever is greater. Any outdoor or patio seating area proposed within a required setback must be approved by the Planning and Zoning Commission. , c/o Anchor Bistro and Bar, LLC. (app. 2343). 2. Request for an amendment to PUD Agreement #247 - Canyon Ridge High School - River Hawk R-2 and C-1 PUD Agreement for a Zoning District Change and Zoning Map Amendment from R-2 PUD to R-2 PRO PUD for 6.8 (+/-) acres, aka Lot 1, Block 2 Riverhawk Subdivision-a PUD located west of Canyon Ridge High School on Park View	Action Action Action	Mitchel Humble Mitchel Humble Mitchel Humble

<p>Drive to allow for a professional office development. c/o Osprey, LLC and EHM Engineering, Inc. (app. 2339).</p> <p>3. Request for a Comprehensive Plan Amendment which would amend Future Land Use Map 2-4, from Medium Density Residential to Office/Professional for property located south of Cheney Drive West, west of Park View Drive, and north of North College Road West c/o Osprey, LLC (app. 2320).</p> <p>4. Consideration of the Final Plat of the Riverhawk Plaza Subdivision-a PUD, a re-subdivision of Lot 1, Block 2, Riverhawk Subdivision, a PUD, a 6.81 (+/-) acre lot, consisting of 8 Residential/Professional lots located south of Cheney Drive West, west of Park View Drive, and north of North College Road West c/o Osprey, LLC and EHM Engineering, Inc.</p>	<p>Action</p>	<p>Mitchel Humble</p>
<p>V. <b>ADJOURNMENT:</b>          67-2345. Executive Session (1) (c) To conduct deliberations concerning labor negotiations or to acquire an interest in real property which is not owned by a public agency.</p>		

***\*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 W. Clow, Trip Craig, Lee Heider, David Johnson, Gregory Lanting, and Will Kezele via conference phone.

**COUNCIL MEMBERS ABSENT:** Don Hall

**STAFF PRESENT:** City Manager Tom Courtney, Assistant City Manager Travis Rothweiler, City Engineer Jackie Fields, Community Development Director Mitch Humble, City Attorney Fritz Wonderlich, Deputy City Clerk/Recording Secretary Tracy Reed.

Mayor Clow called the meeting to order at 5:05 P.M. There was a delay due to technical difficulties. He invited all present, who wished, to recite the Pledge of Allegiance to the Flag with him. Oscar Rodriguez, Boy Scouts of America, Troop #63, Immanuel Lutheran Church, led the Pledge. A quorum was present. Mayor Clow introduced City staff.

## AGENDA ITEMS

### I. CONSENT CALENDAR:

1. Consideration of accounts payable for November 16-23, 2009, \$745,319.91.
2. Consideration of the off duty use of the TFPD equipment during the 4th Annual "Shop with A Cop", now called, "FOP Cops and Kids" to be held on Saturday, December 5, 2009 at 10:00 AM.
3. Consideration of request for a Beer/Wine Alcohol License Application for Von Scheidt Brewing Company, LLC, located at 157 2nd Avenue West, on the condition that they receive their Certificate of Occupancy.

#### **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. Approved 6 to 0.

### II. ITEMS FOR CONSIDERATION:

1. Consideration of a resolution to approve the State-local Agreement for Project Development of Cheney Dr; Washington Street North to North College Road. CSI, Key 11495 and to authorize the Mayor to execute the Agreement. Resolution #1830.

City Engineer Fields reviewed the request.

Approval of the request will allow the City to proceed with the project as it is currently being developed. It is design only and is a 100% pass through so the City bears no financial burden.

Discussion followed-

Councilperson Heider asked about public and City input on the design. City Manager Courtney, City Engineer Fields and Mayor Clow determined that the final design for North College and Cheney Drive should come back to City Council for approval but that, typically, the City Engineer makes the review decisions without City Council's approval on Federal Aid Projects.

#### **MOTION:**

Councilperson Lanting made the motion to approve **Resolution #1830** to authorize the Mayor and City Manager to approve the State-local Agreement for Project Development of Cheney Dr; Washington Street North to North College Road. CSI, Key 11495. The motion was seconded by Councilperson Johnson and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

2. Consideration of a report on sealcoat projects.

City Engineer Fields reviewed the request and explained the process to Council. She also explained fog seal as an alternative for some areas. She also requested to speak to Council again regarding the Street Budget and overlay program before the next budget cycle begins as there are many projects to be balanced at that time.

3. Consideration of adoption of the following ordinance:
  - a. 37.2 acres (+/-) proposed for annexation for property located on the north side of Falls Avenue East, in an area beginning approximately 1,300 feet of Eastland Drive with a zoning designation of R2, c/o City of Twin Falls for Desert View Neighborhood, (app.2336). **Ordinance #2980**

Community Development Director Humble reviewed the request.

Discussion followed-

**MOTION:**

Councilperson Johnson made a motion to suspend the rules and place Ordinance #2980 on third and final reading by title only. Councilperson Lanting seconded the motion. A roll call vote showed approval 5 to 1 with Councilperson Craig voting no.

Recording Secretary Tracy Reed read ordinance #2980 to the Council;

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.

Councilperson Heider made the motion to authorize the Council to adopt Ordinance #2980, to approve 37.2 acres (+/-) proposed for annexation for property located on the north side of Falls Avenue East, in an area beginning approximately 1,300 feet of Eastland Drive with a zoning designation of R2, c/o City of Twin Falls for Desert View Neighborhood, (app.2336):

The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. Approved 5 to 1 with Councilperson Craig voting no.

4. Consideration of the Final Plat of the Magic Valley Marketplace Subdivision-a PUD, a re-subdivision of Lot 6, Block 2, Westpark Commercial Subdivision #3, a 2.98 acre lot (+/-), consisting of 3 commercial lots located at the northeast corner of Washington Street North and Pole Line Road c/o KM Engineering, LLP on behalf of Hawkins Companies, LLC.

Community Development Director Humble reviewed the request. The Planning and Zoning Commission approved the Preliminary Plat on November 10, 2009 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 recorded Cross-Use Agreements being provided prior to recordation of final plat.
4. Subject to compliance with the Hawkins Companies and City of Twin Falls pressure irrigation agreement.

Community Development Director Humble explained to Council that Condition #2 is not necessary at this time and should be stricken from the list.

**MOTION:**

Councilperson Johnson made the motion to authorize the Mayor and City Manager to approve the Final Plat of the Magic Valley Marketplace Subdivision-a PUD, a re-subdivision of Lot 6, Block 2, Westpark Commercial Subdivision #3, a 2.98 acre lot (+/-), consisting of 3 commercial lots located at the northeast corner of Washington Street North and Pole Line Road c/o KM Engineering, LLP on behalf of Hawkins Companies, LLC 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 recorded Cross-Use Agreements for parking and access, being provided prior to recordation of final plat.
3. Subject to compliance with the Hawkins Companies and City of Twin Falls pressure irrigation agreement.

The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

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

John Ulrich, 3642 N. 3200 E., Kimberly, ID, spoke regarding the variable speed limits in the area. He feels that 35 MPH is too slow for Hankins Road between Addison Avenue and Kimberly Road. City Engineer Fields explained that Council had lowered the limit in his area due to information received from Twin Falls Highway District.

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

Councilperson Lanting reminded folks of the fee changes for the golf course this year.

Recess at 6:00 P.M.

Reconvened at 6:07 P.M.

Will Kezele left the meeting via conference phone.

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

The Mayor explained the Public Hearing process.

1. Request for a Zoning Title Amendment to amend Twin Falls City Code Title 10; Chapter 4, Section 8.3 (D) by adding a section to allow outdoor or patio seating, including associated canopies or coverings, at a food service establishment providing the outdoor seating area including any canopies or coverings does not exceed a property line setback of 20' or the minimum required arterial landscaping is provided, whichever is greater. Any outdoor or patio seating area proposed within a required setback must be approved by the Planning and Zoning Commission., c/o Anchor Bistro and Bar, LLC. (app. 2343).

Tim Obenchain, 102 North Main Street, Twin Falls, ID 83301, representing Anchor Bistro, presented the request.

Community Development Director Humble reviewed the request. Staff recommends that Council approve this request as presented.

Discussion followed-

Public hearing was opened, then closed.

**MOTION:**

Councilperson Lanting made a motion to approve the Zoning Title Amendment to amend Twin Falls City Code Title 10; Chapter 4, Section 8.3 (D) by adding a section to allow outdoor or patio seating, including associated canopies or coverings, at a food service establishment providing the outdoor seating area including any canopies or coverings does not exceed a property line setback not less than 20' or the minimum required arterial landscaping is provided, whichever is greater. Any outdoor or patio seating area proposed within a required setback must be approved by the Planning and Zoning Commission., c/o Anchor Bistro and Bar, 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 the amendment as follows: "An outdoor or patio seating setback, including associated canopies or coverings, at a food service establishment may be less than the required major arterial setback or requirement of Code §10-7-6, providing that the property line setback is not less than twenty feet (20'), or that the minimum required arterial landscaping is provided, whichever is greater. Any outdoor or patio seating area proposed within a required setback must be approved by the Planning and Zoning Commission"

Councilperson Craig seconded the motion. A roll call vote showed approval 5 to 0.

Community Development Director Humble reviewed the request for items IV.-#3, #2 and #4, in this order. There is no public hearing for item #4.

3. Request for a Comprehensive Plan Amendment which would amend Future Land Use Map 2-4, from Medium Density Residential to Office/Professional for property located south of Cheney Drive West, west of Park View Drive, and north of North College Road West c/o Osprey, LLC (app. 2320)

Gary Slette, 134 3<sup>rd</sup> Avenue East, Twin Falls, ID 83301, representing Osprey, LLC, presented the request. Hours of operation will be from 6:00 AM to 9:00 PM. There is a limitation on access. These lots may not all need cross use agreements. Cross use agreements may be needed but the Planning and Zoning Commission felt they would not be necessary.

Community Development Director Humble reviewed the requests. Comprehensive Plan amendment made as the properties are too small to develop as residential. Professional Overlay would allow a good use between residential and the school. Staff recommends the plan amendment be approved. The PUD Amendment would allow more options for landscaping and space between buildings. Staff also supports this and recommends approval of the PUD amendment. Community Development Director Humble reviewed the request. Approval of the plat would allow the owners to get moving on leasing the properties. Even though this is not a usual practice to approve the plat at this time, staff recommends approval.

Councilperson Lanting asked about landscaping. Councilperson Heider asked about 2 story buildings. Mr. Slette explained that it will be residential in character and the buildings may be smaller given the parking requirements and space for those requirements.

Mayor Clow opened the public hearing for both Items #3 and #2. There were no comments. Public hearing was closed.

Discussion followed-

**MOTION:**

Councilperson Lanting made a motion to approve the Request for a Comprehensive Plan Amendment which would amend Future Land Use Map 2-4, from Medium Density Residential to Office/Professional for property located south of Cheney Drive West, west of Park View Drive, and north of North College Road West c/o Osprey, LLC Subject to amendments as required by Building, Engineering, Fire and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.

Councilperson Craig seconded that motion. Roll call vote showed approval 5-0.

2. Request for an amendment to PUD Agreement #247 - Canyon Ridge High School – River Hawk R-2 and C-1 PUD Agreement for a Zoning District Change and Zoning Map Amendment from R-2 PUD to R-2 PRO PUD for 6.8 (+/-) acres, aka Lot 1, Block 2 Riverhawk Subdivision-a PUD located west of Canyon Ridge High School on Park View Drive to allow for a professional office development. c/o Osprey, LLC and EHM Engineering, Inc. (app. 2339).

**MOTION:**

Councilperson Lanting made a motion to approve 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 cross-use agreement(s) and a maintenance reciprocal agreement being recorded for the access, storm drainage and utilities.
3. Subject to an approved PUD agreement.
4. Subject to compliance of any changes or required additional items at the construction plan review phase.
5. Subject to the City Council approving the request for an amendment to PUD Agreement #247 for a Zoning District Change and Zoning Map Amendment from R-2 PUD to R-2 PRO PUD for this 6.8 acre lot.
6. Subject to the City Council approving the request to amend the Comprehensive Plan from medium residential to professional office use in this area.

Councilperson Heider seconded that motion. Roll call vote showed approval 5 to 0.

4. Consideration of the Final Plat of the Riverhawk Plaza Subdivision-a PUD, a re-subdivision of Lot 1, Block 2, Riverhawk Subdivision, a PUD, a 6.81 (+/-) acre lot, consisting of 8 Residential/Professional lots located south of Cheney Drive West, west of Park View Drive, and north of North College Road West c/o Osprey, LLC and EHM Engineering, Inc.

Community Development Director Humble reviewed the request. Approval of the plat would allow the owners to get moving on leasing the properties. Even though this is not a usual practice to approve the plat at this time, staff recommends approval with 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 cross-use agreement(s) and a maintenance reciprocal agreement being recorded for the access, storm drainage and utilities.
3. Subject to an approved PUD agreement
4. Subject to compliance of any changes or required additional items at the construction plan review phase.
5. Subject to the City Council approving the request for an amendment to PUD Agreement #247 for a Zoning District Change and Zoning Map Amendment from R-2 PUD to R-2 PRO PUD for this 6.8 acre lot.
6. Subject to the City Council approving the request to amend the Comprehensive Plan from medium residential to professional office use in this area.

**MOTION:**

Councilperson Craig made a motion to approve Final Plat of the Riverhawk Plaza Subdivision-a PUD, a re-subdivision of Lot 1, Block 2, Riverhawk Subdivision, a PUD, a 6.81 (+/-) acre lot, consisting of 8 Residential/Professional lots located south of Cheney Drive West, west of Park View Drive, and north of North College Road West c/o Osprey, LLC and EHM Engineering, Inc 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 cross-use agreement(s) and a maintenance reciprocal agreement being recorded for the access, storm drainage and utilities.
3. Subject to an approved PUD agreement
4. Subject to compliance of any changes or required additional items at the construction plan review phase.
5. Subject to the City Council approving the request for an amendment to PUD Agreement #247 for a Zoning District Change and Zoning Map Amendment from R-2 PUD to R-2 PRO PUD for this 6.8 acre lot.
6. Subject to the City Council approving the request to amend the Comprehensive Plan from medium residential to professional office use in this area.

Councilperson Heider seconded the motion. A roll call vote showed approval 5 to 0.

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

Councilperson Johnson made the motion to approve to adjourn to executive session as presented. The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. Approved 5 to 0.

Approved to adjourn to Executive Session at 7:46 P.M.

Tracy S. Reed   
Engineering Executive Assistant/Acting Deputy City Clerk



# CITY OF TWIN FALLS, IDAHO

CITY COUNCIL

CITY COUNCIL CHAMBERS

305 THIRD AVENUE EAST

## CANCELATION NOTICE

\* \* \* \*

The regularly scheduled Council Meeting of  
November 30, 2009 has been canceled

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**



**MINUTES**

Meeting of the Twin Falls City Council  
 December 07, 2009  
 City Council Chambers  
 305 3<sup>rd</sup> Avenue East Twin Falls, Idaho

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

**PLEDGE OF ALLEGIANCE TO THE FLAG**

**CONFIRMATION OF QUORUM**

**INTRODUCTION OF STAFF**

**CONSIDERATION OF THE AMENDMENTS TO THE AGENDA**

PROCLAMATIONS: None.

AGENDA ITEMS	Purpose	By:
<p><b>I. CONSENT CALENDAR:</b></p> <ol style="list-style-type: none"> <li>1. Consideration of accounts payable for November 24 – December 7, 2009.</li> <li>2. Consideration of the November 23, 2009 Minutes.</li> <li>3. Consideration to accept right of way from The Church of Jesus Christ of Latter Day Saints on North College Road and Fieldstream Way.</li> <li>4. Consideration to extend city services outside city limits to reconnect an existing service.</li> <li>5. Consideration of three improvement agreements for subdivisions:                             <ol style="list-style-type: none"> <li>a. Shoshone Heights #1 Subdivision.</li> <li>b. Shoshone Heights #2 Subdivision.</li> <li>c. Riverhawk Plaza Subdivision.</li> </ol> </li> <li>6. Findings of Fact, Conclusions of Law, and Decision:                             <ol style="list-style-type: none"> <li>a. PUD Modification, Application, Twin Falls School District #411 c/o The Land Group. Applicant(s).</li> <li>b. Final Plat, Application, Eastland Professional, c/o Rob Sturgill/EHM Engineering, Inc. Applicant(s).</li> <li>c. Special Use Permit, Application, Revocation, David Hall/Twin City Auto c/o City of Twin Falls. Applicant(s).</li> </ol> </li> </ol>	Action	Staff Report
<p><b>II. ITEMS FOR CONSIDERATION:</b></p> <ol style="list-style-type: none"> <li>1. Presentation of funds from Blue Cruise/Blue Cross of Idaho.</li> <li>2. Consideration to approve four curb/gutter/sidewalk/driveway deferrals:                             <ol style="list-style-type: none"> <li>a. Larry Hooper, 2258 Grandview Drive, TF.</li> <li>b. Fayone Abbott, 3186 E. 3670 N., Kimberly.</li> <li>c. Mike Thompson, 1049 Keegan Lane, TF.</li> <li>d. CBDS Investments, 3205 Kimberly Road, TF.</li> </ol> </li> <li>3. Consideration of a resolution adopting a comprehensive plan amendment which would amend The Future Land Use Map, 2-4 of the Twin Falls Vision 2030: A Comprehensive Plan for a Sustainable Future for 6 +/- acres located south of Cheney Drive West, west of Park View Drive, and north of North College Road West from Medium Density Residential to Office/Professional, c/o Osprey, LLC (app. 2320). <b>Proposed Resolution #1822</b></li> <li>4. Request to adopt an ordinance amending Twin Falls City Code Title 10; Chapter 4, Section 8.3 (D)1 by permitting outdoor or patio seating, including associated canopies or coverings, at food service establishments, subject to Planning and Zoning Commission approval, c/o Anchor Bistro and Bar, LLC. (app. 2343). <b>Proposed Ordinance # 2981</b></li> </ol>	Action Action Action Action	Dennis Bowyer Jackie Fields  Mitchel Humble  Mitchel Humble

<p>5. Request to adopt an ordinance amending the PUD Agreement #247 - Canyon Ridge High School – River Hawk R-2 and C-1 PUD Agreement for a Zoning District Change and Zoning Map Amendment from R-2 PUD to R-2 PRO PUD for 6.8 (+/-) acres, aka Lot 1, Block 2 Riverhawk Subdivision-a PUD located west of Canyon Ridge High School on Park View Drive to allow for a professional office development. <u>c/o Osprey, LLC and EHM Engineering, Inc. (app. 2339).</u> <b>Proposed Ordinance #2982</b></p>	Action	Mitchel Humble
<p>6. Consideration of the River Hawk Plaza Planned Unit Development (PUD) Agreement between <u>The City of Twin Falls and Osprey, LLC.</u></p>	Action	Mitchel Humble
<p>7. Public input and/or items from the City Manager and City Council.</p>		
<p><b>III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u></b></p>		
<p><b>IV. <u>PUBLIC HEARINGS:</u> 6:00 P.M.</b></p>		
<p>1. Request for an amendment to PUD Agreement #211 - College View Park, R-4 PRO PUD Agreement to delete the requirement for the building roof to be constructed with a 4:1 or steeper slope utilizing wood or architectural asphalt shingles and to delete the 20' landscape buffer requirement along the eastern border of Lot 6, Block 1, College View Park Subdivision aka 176 Falls Avenue, <u>c/o Christy Davies on behalf of Clinton and Anna Dille.</u> (app 2346)</p>	Action	Mitchel Humble
<p><b>V. <u>ADJOURNMENT:</u></b></p>		
<p>67-2345. Executive Session (1) (a) To consider hiring a public officer, employee, staff member or individual agent, wherein the respective qualities of individuals are to be evaluated in order to fill a particular vacancy or need. This paragraph does not apply to filling a vacancy in an elective office or deliberations about staffing needs in general.</p>		

***\*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 W. Clow, Trip Craig, Lee Heider, Gregory Lanting, and Will Kezele

**COUNCIL MEMBERS ABSENT:** David Johnson, Don Hall.

**STAFF PRESENT:** City Manager Tom Courtney, Assistant City Manager Travis Rothweiler, City Attorney Fritz Wonderlich, City Engineer Jackie Fields, Community Development Director Mitch Humble, Parks and Recreation Director Dennis Bowyer, Acting Deputy City Clerk/Recording Secretary Tracy Reed.

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.

**CONSIDERATION OF THE AMENDMENTS TO THE AGENDA:**

Consideration to include an alcohol license for Walgreen's Store 306 Blue Lakes Boulevard N. (Beer/Wine) for consumption off premises as item #7 on the consent calendar.

**MOTION:**

Councilperson Heider made the motion to amend the agenda to include Item for Consent #7: Consideration to approve an alcohol license for Walgreens on Blue Lakes Boulevard. Councilperson Kezele seconded the motion. All members present voted in favor of the motion. Approved 5 to 0.

PROCLAMATIONS: NONE

**AGENDA ITEMS**

**I. CONSENT CALENDAR:**

1. Consideration of accounts payable for November 24 – December 7, 2009.
2. Consideration of the November 23, 2009 Minutes.
3. Consideration to accept right of way from The Church of Jesus Christ of Latter Day Saints on North College Road and Fieldstream Way.
4. Consideration to extend city services outside city limits to reconnect an existing service.
5. Consideration of three improvement agreements for subdivisions:
  - a. Shoshone Heights #1 Subdivision.
  - b. Shoshone Heights #2 Subdivision.
  - c. Riverhawk Plaza Subdivision.
6. Findings of Fact, Conclusions of Law, and Decision:
  - a. PUD Modification, Application, Twin Falls School District #411 c/o The Land Group. Applicant(s).
  - b. Final Plat, Application, Eastland Professional, c/o Rob Sturgill/EHM Engineering, Inc. Applicant(s).
  - c. Special Use Permit, Application, Revocation, David Hall/Twin City Auto c/o City of Twin Falls. Applicant(s).
7. Consideration to approve an alcohol (Beer/Wine) license for Walgreen's at 306 Blue Lakes Boulevard N. for consumption off premises.

**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. Approved 5 to 0.

**II. ITEMS FOR CONSIDERATION:**

1. Presentation of funds from Blue Cruise/Blue Cross of Idaho.

Parks and Recreation Director Dennis Bowyer reviewed the request and introduced the representative from Blue Cross, Karri Ryan. Ms. Ryan presented \$5000 to City of Twin Falls, Mayor Lance Clow, to use on trail systems within the City, to further the health of local Idahoans.

2. Consideration to approve four curb/gutter/sidewalk/driveway deferrals:
  - a. Larry Hooper, 2258 Grandview Drive, TF.
  - b. Fayone Abbott, 3186 E. 3670 N., Kimberly.
  - c. Mike Thompson, 1049 Keegan Lane, TF.
  - d. CBDS Investments, 3205 Kimberly Road, TF.

City Engineering Jackie Fields reviewed the requests. City Staff recommends approval of these deferrals.

**MOTION:**

Councilperson Kezele made the motion to approve the following deferrals as presented:

- a. Larry Hooper, 2258 Grandview Drive, TF.
- b. Fayone Abbott, 3186 E. 3670 N., Kimberly.
- c. Mike Thompson, 1049 Keegan Lane, TF.
- d. CBDS Investments, Agri-Service, 3205 Kimberly Road, TF.

The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. Approved 5 to 0.

3. Consideration of a resolution adopting a comprehensive plan amendment which would amend The Future Land Use Map, 2-4 of the Twin Falls Vision 2030: A Comprehensive Plan for a Sustainable Future for 6 +/- acres located south of Cheney Drive West, west of Park View Drive, and north of North College Road West from Medium Density Residential to Office/Professional, c/o Osprey, LLC (app. 2320). **Proposed Resolution #1822**

Community Development Director Mitch Humble reviewed the request. Staff recommends that the City Council adopt Resolution #1822.

**MOTION:**

Councilperson Lanting made the motion to approve ***Resolution #1822 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, AMENDING THE FUTURE LAND USE MAP CONTAINED IN THE "TWIN FALLS VISION 2030 – A COMPREHENSIVE PLAN FOR A SUSTAINABLE FUTURE"***. The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. Approved 5 to 0.

4. Request to adopt an ordinance amending Twin Falls City Code Title 10; Chapter 4, Section 8.3 (D)1 by permitting outdoor or patio seating, including associated canopies or coverings, at food service establishments, subject to Planning and Zoning Commission approval, c/o Anchor Bistro and Bar, LLC. (app. 2343).  
Proposed Ordinance #2981

Community Development Director Mitch Humble reviewed the request. Staff recommends that the City Council adopt Ordinance #2981. Council approved the request November 23, 2009.

**MOTION:**

Councilperson Craig made the motion to suspend the rules and place the Ordinance #2981 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. Approved 5 to 0.

**MOTION:**

Councilperson Heider made the motion to adopt ***ORDINANCE #2981 ENTITLED: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, AMENDING TWIN FALLS CITY CODE §10-4-8.3(D)(1) BY PERMITTING OUTDOOR OR PATIO SEATING, INCLUDING ASSOCIATED CANOPIES OR COVERINGS, AT FOOD SERVICE ESTABLISHMENTS, SUBJECT TO PLANNING AND ZONING COMMISSION APPROVAL***. The motion was seconded by Councilperson Kezele and roll call vote showed all members present voted in favor of the motion. Approved 5 to 0.

5. Request to adopt an ordinance amending the PUD Agreement #247 - Canyon Ridge High School – River Hawk R-2 and C-1 PUD Agreement for a Zoning District Change and Zoning Map Amendment from R-2 PUD to R-2 PRO PUD for 6.8 (+/-) acres, aka Lot 1, Block 2 Riverhawk Subdivision-a PUD located west of Canyon Ridge

MINUTES

December 7, 2009

Page 5 of 6

High School on Park View Drive to allow for a professional office development. c/o Osprey, LLC and EHM Engineering, Inc. (app. 2339). Proposed Ordinance #2982.

Community Development Director Mitch Humble reviewed the request. Staff recommends that the City Council adopt Ordinance #2982.

**MOTION:**

Councilperson Craig made the motion to suspend the rules and place the Ordinance #2982 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. Approved 5 to 0.

**MOTION:**

Councilperson Heider made the motion to adopt **ORDINANCE #2982 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.** The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. Approved 5 to 0.

6. Consideration of the Riverhawk Plaza Planned Unit Development (PUD) Agreement between The City of Twin Falls and Osprey, LLC.

Community Development Director Mitch Humble reviewed the request. Staff recommends approval of the PUD agreement as presented.

**MOTION:**

Councilperson Craig made the motion to approve the PUD Agreement for Riverhawk Plaza as presented. The motion was seconded by Councilperson Kezele and roll call vote showed all members present voted in favor of the motion. Approved 5 to 0.

7. Public input and/or items from the City Manager and City Council.
  - Gary Slette thanked City Council and City Staff for Osprey, LLC.
  - Councilperson Heider spoke in reference to the many legislation items that are occurring right now from the AIC conference last week.
  - Mayor Clow spoke regarding the no-smoking legislation for employers. Councilperson Heider asked about writing the ordinance for this and City Attorney Wonderlich said he preferred city staff write the ordinance. Councilperson Heider will work with City Attorney Wonderlich on that ordinance.
  - Councilperson Kezele asked the City Manager what the schedule was for seal coating the streets, still on a 9 year schedule. City Manager answered that we are looking at different seals and that the Engineering Department is working on that project currently.

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

- Councilperson Lanting said the Magic Valley Arts council is looking for a new Director, as Stacy Madsen took a job at CSI.
- The Golf Advisory Board meeting was cancelled for December.
- Mayor Clow and Greg Lanting will be absent at the December 21, 2009 meeting.
- The City of Twin Falls employee luncheon will be held December 22, 2009 at Canyon Crest Restaurant.

Councilperson Heider made a motion to move to Executive Session 67-2345. Councilperson Lanting seconded the motion and a roll call vote showed all members present voted in favor of the motion. Approved 5-0.

Executive Session (1) (a) To consider hiring a public officer, employee, staff member or individual agent, wherein the respective qualities of individuals are to be evaluated in order to fill a particular vacancy or need. This paragraph does not apply to filling a vacancy in an elective office or deliberations about staffing needs in general.

MINUTES

December 7, 2009

Page 6 of 6

IV. PUBLIC HEARINGS: 6:03 P.M

Mayor Clow explained the public hearing guidelines.

1. Request for an amendment to PUD Agreement #211 - College View Park, R-4 PRO PUD Agreement to delete the requirement for the building roof to be constructed with a 4:1 or steeper slope utilizing wood or architectural asphalt shingles and to delete the 20' landscape buffer requirement along the eastern border of Lot 6, Block 1, College View Park Subdivision aka 176 Falls Avenue, c/o Christy Davies on behalf of Clinton and Anna Dille'. (app 2346).

Community Development Director Mitch Humble reviewed the request. The PUD was originally approved in 1998 and was done because the property to the west and south were both zoned residential. They have since been developed as professional office, so the request works better for the adjacent properties. Staff recommends approval of this change 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 amendment being for the subject property only, College View Park PUD Subdivision Lot 6 Block 1, as presented.
3. Subject to full compliance with Special Use Permit#1163 granted on October 27, 2009.

Dr. Clinton Dille', 248 Woodridge Drive, TF, presented the request. He desires to build a 2-story office building and remove the landscaping requirement on the east side of the property. In order to follow the City guidelines for landscaping and obtain more parking, he is requesting a PUD amendment.

Discussion followed-

Councilperson Lanting asked about putting a stop sign at Meadows Lane and Falls Avenue. City Attorney Wonderlich explained that it is, in fact, private property. Dr. Dille' mentioned that he would prefer closing the drive off or making it a city street for maintenance purposes.

Mayor Clow opened then closed the public comment portion of the hearing. There were no comments.

**MOTION:**

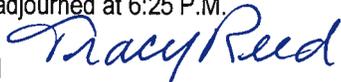
Councilperson Heider made the motion to approve the amendment to PUD Agreement #211-College View Park as presented. The motion was seconded by Councilperson Kezele and roll call vote showed all members present voted in favor of the motion. Approved 5 to 0.

V. ADJOURNMENT:

The meeting adjourned at 6:25 P.M.

Tracy S. Reed

Acting Deputy City Clerk/Recording Secretary



**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 14, 2009**  
**City Council Chambers**  
**305 3<sup>rd</sup> Avenue East Twin Falls, Idaho**

**CALL MEETING TO ORDER: 5:00 P.M.**  
**PLEDGE OF ALLEGIANCE TO THE FLAG**  
**CONFIRMATION OF QUORUM**  
**INTRODUCTION OF STAFF**  
**CONSIDERATION OF THE AMENDMENTS TO THE AGENDA**

<b>AGENDA ITEMS</b>		<b>Purpose</b>	<b>By:</b>
<b>I. CONSENT CALENDAR:</b>			
1. Consideration of accounts payable for December 8 – December 14, 2009.		Action	Staff Report
2. Consideration of the December 7, 2009 Minutes.			
3. Consideration of a request for an Alcohol (Beer/Wine) License at Walgreens, 1732 Washington Street North for consumption off premises. (app. 12286).			
<b>II. ITEMS FOR CONSIDERATION:</b>			
1. Consideration of a request to confirm the appointment of Lorie Race to the position of Chief Financial Officer.		Action	Tom Courtney
2. Consideration of a request to increase the capitalization threshold for fixed assets.		Action	Lorie Race
<b>Proposed Resolution #1831</b>			
3. Consideration of a request to approve a contract with JUB Engineers for the Twin Falls 2010 Water System Improvement Project and a contract for the City of Twin Fall, Idaho 2010 Water System Improvements, Part 5 – South Well Blending Station.		Action	Jackie Fields
4. Consideration of a request for the City Council to approve Lynn Hansen, 698 North Fork Road, Twin Falls, to serve as Library Trustee.		Action	Susan Ash
5. Consideration of a request to approve the Mayor to sign the 2010 Certified Local Government (CLG) Memorandum of Agreement to the Idaho State Historical Society from the Twin Falls City Historic Preservation Commission (HPC).		Action	Melinda Anderson
6. Consideration of a request to approve the Selection Committee’s recommendation of Ricondo & Associates as the firm to begin contract negotiations with for the completion of the FAA Airport Master Plan Update.		Action	Bill Carberry
7. Consideration to approve a trust agreement for North Pointe Park Subdivision.		Action	Jackie Fields
8. Consideration of a request to add Wendell Street from Falls Avenue West to Crestview Drive to the Falls Avenue West roadway project.		Action	Jackie Fields
9. Consideration to authorize the Mayor and City Manager to execute the right-of-way agreements for the Falls Avenue West Road Widening Project. A right-of-way agreement between Constantine N. Kitsos and the City of Twin Falls.		Action	Jackie Fields
10. Discussion of an ordinance prohibiting smoking in bars and bowling alleys.		Action	Fritz Wonderlich
11. Consideration of a request to acquire property from Twin Falls County for Marie Street right-of-way.		Action	Mitchel Humble
12. Consideration of the annual impact fee report from the Development Impact Fee Advisory Committee.		Action	Mitchel Humble
13. Public input and/or items from City Manager and City Council.			
<b>III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</b>			
<b>IV. PUBLIC HEARINGS: 6:00 P.M. - None</b>			
<b>V. ADJOURNMENT:</b> 67-2345. Executive Session (1) (b) 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.			

*\*Any person(s) needing special accommodations to participate in the above noticed meeting should contact Katy Touchette at (208) 735-7268 at least two working days before the meeting.*

**COUNCIL MEMBERS PRESENT:** Lance W. Clow, Trip Craig, Lee Heider, Gregory Lanting, David Johnson, Don Hall, and Will Kezele.

**STAFF PRESENT:** City Manager Tom Courtney, Assistant City Manager Travis Rothweiler, City Attorney Fritz Wonderlich, Finance Director Lorie Race, City Engineer Jackie Fields, Community Development Director Mitch Humble, Susan Ash Library Director, Economic Development Director Melinda Anderson, Bill Carberry Airport Manager, Acting Deputy City Clerk/Recording Secretary Tracy Reed.

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. Taylor Cooper, Boy Scouts of America, Twin Falls 5<sup>th</sup> Ward Troop 60 led the Pledge. A quorum was present. Mayor Clow introduced City staff.

**AMENDMENTS TO AGENDA:**  
Items #11 and #12 will move up in the agenda before Item #5.

## AGENDA ITEMS

### I. CONSENT CALENDAR:

1. Consideration of accounts payable for December 8 – December 14, 2009, \$1,050,383.97.
2. Consideration of the December 7, 2009 Minutes.
3. Consideration of a request for an Alcohol (Beer/Wine) License at Walgreens, 1732 Washington Street North for consumption off premises. (app. 12286).

**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. Approved 7 to 0.

### II. ITEMS FOR CONSIDERATION:

1. Consideration of a request to confirm the appointment of Lorie Race to the position of Chief Financial Officer.

City Manager Courtney asked that Council approve and confirm his appointment of Lorie Race for this position. The appointment includes duties of City Clerk and City Treasurer.

**MOTION:**

Councilperson Hall made the motion to approve Lorie Race as the Chief Financial Officer for the City of Twin Falls. Councilperson Heider seconded the motion and a roll call vote showed all members present voted in favor. Approved 7 to 0.

2. Consideration of a request to increase the capitalization threshold for fixed assets. **Proposed Resolution #1831**

Finance Director Lorie Race reviewed the request. She would like it to be effective from October 1, 2008 and encompass assets over \$5000 versus \$500, which is the current threshold.

**MOTION:**

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

3. Consideration of a request to approve a contract with JUB Engineers for the Twin Falls 2010 Water System Improvement Project and a contract for the City of Twin Fall, Idaho 2010 Water System Improvements, Part 5 – South Well Blending Station.

City Engineer Jackie Fields reviewed the request and introduced Bill Block and Mark Holtzen from JUB. Staff recommends that Council authorize the Mayor to sign the contract with JUB Engineers for the Twin Falls 2010 Water System Improvement Project with a not to exceed amount of \$2,104,601.00 and to authorize the mayor to sign the contract for the City of Twin Fall, Idaho 2010 Water System Improvements, Part 5 – South Well Blending Station for a not to exceed amount of \$119,709.00.

Discussion followed-

MINUTES

December 14, 2009

Page 3 of 6

Per Mark Holtzen, JUB, the projects should be bidding in May-June 2010, and construction beginning in the October, running concurrently the Washington Street North project.

**MOTION:**

Councilperson Hall made the motion for the Mayor to approve a contract with JUB Engineers for the Twin Falls 2010 Water System Improvement Project. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

**MOTION:**

Councilperson Lanting made the motion for the Mayor to approve a contract with JUB Engineers for the City of Twin Falls, Idaho 2010 Water System Improvements, Part 5 – South Well Blending Station. The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

4. Consideration of a request for the City Council to approve Lynn Hansen, 698 North Fork Road, Twin Falls, to serve as Library Trustee.

Library Director Susan Ash reviewed the request. Staff recommends that the City Council approve this appointment.

**MOTION:**

Councilperson Craig made the motion to approve the appointment. The motion was seconded by Councilperson Kezele and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

11. Consideration of a request to acquire property from Twin Falls County for Marie Street right-of-way.

Community Development Director Mitch Humble reviewed the request. The price for this is \$300 but this amount was not budgeted. Staff recommends approval of this request.

Discussion followed-

**MOTION:**

Councilperson Lanting made the motion to approve the request to acquire property from Twin Falls County for Marie Street right-of-way. The motion was seconded by Councilperson Craig and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

12. Consideration of the annual impact fee report from the Development Impact Fee Advisory Committee.

Community Development Director Mitch Humble reviewed the request and put the summary of the impact fee activity on the projector for Council to view and ask questions. The Committee did not report any perceived inequities in implementing the plan or imposing the development impact fees. In FY 2009, the City collected \$24,090 in total impact fees. In FY 2010, as of November 30, 2009, the City has collected \$38,042 in total impact fees. The third column in the table combines the two fiscal years information, for \$62,132 in total impact fees collected since the program began. The Committee did not recommend any changes to the Police, Fire, and Parks CIPs.

The Committee made two recommendations to amend the Streets CIP. The first recommended amendment is to add the construction of Falls Avenue East, from Blue Lakes to Locust, back into the Streets CIP. This project has an estimated construction cost of \$400,000 and is entirely growth related. The second recommendation was to include funding for a portion of the construction for Eastland Drive. They recommended to only fund two lane miles and to fund them at 50% growth. That means that the City would have to fund the other 50% with other City revenues. This recommendation will add \$1,500,000 into the impact fee calculations. It will also add \$1,500,000 to the City's required participation. These two recommendations will change the impact fee amounts if adopted. The new fee amount for a single family home would be \$1,834. This amount is a \$228, or 14.2% increase over the current fee amount. The recommended amendments to the Streets CIP also impact the required City participation amount. The current required City participation amount is \$500,800. These recommended changes increase that amount to \$2,000,800.

Discussion followed-

MINUTES

December 14, 2009

Page 4 of 6

**MOTION:**

Councilperson Johnson made the motion to move the Comprehensive Plan amendment be brought to the public hearing process. The motion was seconded by Councilperson Kezele and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

5. Consideration of a request to approve the Mayor to sign the 2010 Certified Local Government (CLG) Memorandum of Agreement to the Idaho State Historical Society from the Twin Falls City Historic Preservation Commission (HPC).

Economic Development Director Melinda Anderson reviewed the request and introduced Paul Smith, Chairman of the Historic Preservation Commission, PO Box 1882, TF. He explained the grant to Council. He presented what the Commission has been doing this year and that they would like to do more of the same for the next year of 2010.

**MOTION:**

Councilperson Johnson made the motion approve the Mayor to sign the 2010 Certified Local Government (CLG) Memorandum of Agreement to the Idaho State Historical Society from the Twin Falls City Historic Preservation Commission (HPC ) as presented. The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

6. Consideration of a request to approve the Selection Committee's recommendation of Ricondo & Associates as the firm to begin contract negotiations with for the completion of the FAA Airport Master Plan Update.

Airport Director Bill Carberry reviewed the request. Staff recommends approval of this request.

Discussion followed-  
Local contractors

**MOTION:**

Councilperson Heider made the motion to approve the Selection Committee's recommendation of Ricondo & Associates as the firm to begin contract negotiations with for the completion of the FAA Airport Master Plan Update as presented with approximately 95% funding from FAA and 5% match from City of Twin Falls. The motion was seconded by Councilperson Johnson and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

7. Consideration to approve a trust agreement for North Pointe Park Subdivision.

City Engineer Jackie Fields reviewed the request. Staff recommends approval of this trust agreement.

**MOTION:**

Councilperson Johnson made the motion to approve the Trust Agreement for North Pointe Park as presented. The motion was seconded by Councilperson Lanting and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

8. Consideration of a request to add Wendell Street from Falls Avenue West to Crestview Drive to the Falls Avenue West roadway project.

City Engineer Jackie Fields reviewed the request. There will be very little impact on the budget and this allows parking on the street. Staff recommends approval of this request.

Discussion followed-

Council would like the schedule to show the Wendell part of the project as a separate part of the Falls Avenue bid package.

**MOTION:**

Councilperson Johnson made the motion to amend the motion to have Wendell Street as a separate schedule at bid time. The motion was seconded by Councilperson Kezele and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

**MOTION:**

MINUTES

December 14, 2009

Page 5 of 6

Councilperson Johnson made the motion to approve the original request to add Wendell Street from Falls Avenue West to Crestview Drive to the Falls Avenue West project as presented. The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

9. Consideration to authorize the Mayor and City Manager to execute the right-of-way agreements for the Falls Avenue West Road Widening Project. A right-of-way agreement between Constantine N. Kitsos and the City of Twin Falls.

City Engineer Jackie Fields reviewed the request. Staff recommends approval of this request.

**MOTION:**

Councilperson Kezele made the motion to authorize the Mayor and City Manager to execute the right-of-way agreements for the Falls Avenue West Road Widening Project, a right-of-way agreement between Constantine N. Kitsos and the City of Twin Falls as presented. The motion was seconded by Councilperson Heider and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

10. Discussion of an ordinance prohibiting smoking in bars and bowling alleys

City Attorney Fritz Wonderlich reviewed the request then turned the discussion over to Councilperson Heider. This would initiate a smoke-free environment in our community and would include bowling alleys and bars. Moscow is the only city in Idaho so far that has implemented this ordinance. If other cities in Idaho would follow the City of Twin Falls' lead, we could have a Smoke-Free Idaho for legislature. This will go to the public hearing process before being written and approved.

Mayor Clow introduced another Boy Scout from Troop #60, Hyrum Evans.

Mayor Clow opened a public hearing even though this is an item for consideration.

Jeremy Sasser Collins, 189 Fillmore St., TF spoke regarding his email about second hand smoke and equal rights for smokers and non-smokers and would like the ordinance to be dropped.

Marvin Pierce, 2047 Candlewood Circle, TF spoke regarding freedom of choice and his investments in Twin Falls in bars.

Clint Dyer , 335 3<sup>rd</sup> Avenue W., TF spoke regarding bar owner's and bar employee's rights.

Roger Ursenbach, 271 Tyler St., TF spoke as a non-smoker/non-drinker but more so that bars should not be forced to do anything they prefer not to do.

CR Larsen, 2911 Denise, TF, spoke regarding smoking in his establishment, the Ground Round. He does not want this ordinance enacted because their smokers will then go to outlying towns to smoke in a bar.

Bob Esllagen, 559 2<sup>nd</sup> Avenue North, #4, TF, spoke regarding the number of voters that elected this council. That if more people voted, more people would have their voice heard.

Discussion followed-

Mayor Clow asked that staff bring this back to City Council the first Monday in February. Staff needs to do more research referencing fine systems, contiguous areas, among other issues.

11. **Moved to before Item #5.**

12. **Moved to before Item #5.**

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

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

- AIC Meeting City Officials Day on Thursday, January 28, 2009 to meet with our legislators.
- Next week, there may be no City Council meeting, City Manager Tom Courtney to verify.

MINUTES

December 14, 2009

Page 6 of 6

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

V. **ADJOURNMENT:** 67-2345.**EXECUTIVE SESSION (1)(b)** 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.

**MOTION:**

Councilperson Craig motioned that Council adjourn to executive session. Councilperson Hall seconded the motion and a roll call vote showed it approved 7 to 0.

The meeting adjourned at 7:20 P.M.

Tracy S. Reed  
Acting Deputy City Clerk/Recording Secretary



# CITY OF TWIN FALLS, IDAHO

CITY COUNCIL

CITY COUNCIL CHAMBERS

305 THIRD AVENUE EAST

## CANCELLATION NOTICE

\*\*\*\*

The regularly scheduled Council Meeting of  
December 21, 2009 has been cancelled

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



Minutes  
 Meeting of the Twin Falls City Council  
 August 24, 2009  
 City Council Chambers  
 305 3<sup>rd</sup> 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.  
 CONSIDERATION OF THE AMENDMENTS TO THE AGENDA.  
 PROCLAMATIONS: None.

AGENDA ITEMS	Purpose	By:
<p><b>I. <u>CONSENT CALENDAR:</u></b></p> <ol style="list-style-type: none"> <li>1. Consideration of accounts payable for August 18 – 24, 2009.</li> <li>2. Consideration of the August 17, 2009, Council Minutes.</li> <li>3. Consideration to accept Pressurized Irrigation Fee Deferral from Xavier School.</li> <li>4. Consideration of a request to defer certain improvements, namely utility pole relocation in a curb island located at 459 Locust Street North for Michael Ajeti.</li> <li>5. Consideration of a request to defer certain improvements, namely construction of a sidewalk abutting Addison Avenue East between the approach and west property line for St. Luke's Magic Valley Regional Medical Center, LTD.</li> </ol>	Action	Staff Report
<p><b>II. <u>ITEMS FOR CONSIDERATION:</u></b></p> <ol style="list-style-type: none"> <li>1. Consideration of a request for a donation of a tree with a plaque from the Armenian American Community in Twin Falls.</li> <li>2. Consideration of a request to award the bid for the replacement of the HVAC system at the Golf Course's Club House.</li> <li>3. Consideration of a request to award the bid for the construction of a new Maintenance Building at the Golf Course.</li> <li>4. Review policy questions to be included in the national citizen survey.</li> <li>5. Consideration of a proposed lump sum contract and proposed scope of work with HDR for the purpose of developing a comprehensive Energy Efficiency and Conservation Strategy for the City of Twin Falls in an amount of \$35,300, and authorizing the City Manager and sign the contract.</li> <li>6. Consideration to authorize the Mayor and City Manager to execute the right-of-way agreements for the Falls Avenue West Road Widening Project:                         <ol style="list-style-type: none"> <li>a. Michael and Carol Kimball, Parcel 10, 510 Falls Avenue West, with the compensation amount of \$ 6,096.36.</li> <li>b. The Richard and Freda Beard Living Trust, Parcel 21, 676 Falls Avenue West, with the compensation amount of \$ 12,380.00.</li> </ol> </li> <li>7. Consideration of a request to approve speed limit change to Hankins Rd. between Kimberly Rd. and Addison Ave.</li> <li>8. Consideration of a request to approve speed limit changes to Canyon Springs Rd. and Centennial Park Rd. in the Snake River Canyon.</li> <li>9. Consideration of a 3rd 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 Tim Vawser, EHM Engineers, Inc.</li> <li>10. Consideration of a request from the Twin Falls School District, #411 to waive the zoning</li> </ol>	Action Action Action Review Action Action Action Action Action Action Action	Dennis Bowyer Dennis Bowyer Dennis Bowyer Travis Rothweiler Travis Rothweiler Jackie Fields Jackie Fields Jackie Fields Mitch Humble Mitch Humble

MINUTES

August 24, 2009

Page 2 of 12

application fee for a PUD Amendment request. 11. Consideration of a request of Rick Royalty for waiver of the non-conforming building expansion permit process to allow an expansion of a non-conforming residence at 851 Eastland Drive South. 12. Public input and/or items from the City Manager and City Council.	Action	Mitch Humble
<b>III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u></b>		
<b>IV. <u>PUBLIC HEARINGS:</u> 6:00 P.M. –</b>		
1. Request for a Comprehensive Plan Amendment which would amend Future Land Use Map, 2-4, for property located south of Cheney Drive West, west of Park View Drive, and north of North College Road West from Medium Density Residential to Office/Professional c/o Osprey, LLC (app. 2320)	Action	Mitch Humble
2. Public hearing to receive comments on the Budget for FY 2009-2010.	Action	Tom Courtney
<b>V. <u>ADJOURNMENT:</u></b>		

**COUNCIL MEMBERS PRESENT:** Lance W. Clow, Trip Craig, Don Hall, Lee Heider, William Kezele, Gregory Lanting  
David Johnson via telephone.

**COUNCIL MEMBERS ABSENT:** None.

**STAFF PRESENT:** City Manager Tom Courtney, Assistant City Manager Travis Rothweiler, City Attorney Fritz Wonderlich, Community Development Director Mitch Humble, City Engineer Jackie Fields, Parks & Recreation Director Dennis Bowyer, Finance Director Gary Evans, Assistant Finance Director Lorie Race, Budget Coordinator Darren Huber, Staff Sergeant Dennis Pullin, Deputy City Clerk/Recording Secretary 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.

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

**Mayor Clow stated that Agenda Items I.3. and I.4. of the Consent Calendar be removed from the Consent Calendar and be heard separately.**

**PROCLAMATIONS:** None.

## AGENDA ITEMS

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

1. Consideration of accounts payable for August 18 – 24, 2009, total: \$590,131.96.
2. Consideration of the August 17, 2009, Council Minutes.
3. Consideration to accept Pressurized Irrigation Fee Deferral from Xavier School. *(To be considered separately.)*
4. Consideration of a request to defer certain improvements, namely utility pole relocation in a curb island located at 459 Locust Street North for Michael Ajeti. *(To be considered separately.)*
5. Consideration of a request to defer certain improvements, namely construction of a sidewalk abutting Addison Avenue East between the approach and west property line for St. Luke's Magic Valley Regional Medical Center, LTD.

### **MOTION:**

Councilperson Heider made the motion to approve the Consent Calendar with the exception of Items 3. and 4. The motion was seconded by Councilperson Kezele and roll call vote showed all members voted in favor of the motion. Approved 7 to 0.

3. Consideration to accept Pressurized Irrigation Fee Deferral from Xavier School.

Mayor Clow recused himself from discussion and voting on the item and turned the meeting over to Councilperson Craig.

### **MOTION:**

Councilperson Kezele made the motion to accept Pressurized Irrigation Fee Deferral from Xavier School as presented. The motion was seconded by Councilperson Lanting and roll call vote showed all members voted in favor of the motion. Approved 6 to 0. Mayor Clow abstained from voting.

4. Consideration of a request to defer certain improvements, namely utility pole relocation in a curb island located at 459 Locust Street North for Michael Ajeti.

City Engineer Fields reviewed the request.

Discussion followed.

**MOTION:**

Councilperson Heider made the motion to defer certain improvements, namely utility pole relocation in a curb island located at 459 Locust Street North for Michael Ajeti as presented. The motion was seconded by Councilperson Hall.

Discussion followed.

Councilperson Kezele stated that he is concerned of a possible accident at the location if the request is approved.

Councilperson Heider asked what expenses are involved in moving the pole.

City Engineer Fields stated that the cost of displacement of 2 poles instead of 1 is estimated at \$20,000.

Councilperson Kezele asked if the developer knew the pole would need to be moved prior to construction.

City Engineer Fields answered in the affirmative.

**ROLL CALL VOTE:**

Roll call vote on the motion showed Mayor Clow, Councilpersons Craig, Heider, Johnson and Lanting voted in favor of the motion. Councilpersons Hall and Kezele voted against the motion. Approved 5 to 2.

**II. ITEMS FOR CONSIDERATION:**

1. Consideration of a request for a donation of a tree with a plaque from the Armenian American Community in Twin Falls.

Parks & Recreation Director Bowyer reviewed the request.

On August 11, 2009, the Parks & Recreation Commission reviewed the request. A motion was made to approve the donation as requested. The motion failed by a 0 – 9 vote. The Commission did not believe that the Armenian American Community's request tied into the history of community. It does tie into the Armenian history, but not Twin Falls' history.

The Parks & Recreation Commission does not recommend that the Council approve the Armenian American Community's request for additional text on plaque's inscription.

Discussion followed.

Mayor Clow explained that refugees immigrated to the United States due to the atrocities that had taken place. He stated that Boise has a Holocaust Memorial and an Armenian Genocide Memorial plaque in one of their parks.

Liyah Babayan, 161 Main Avenue East, spoke in behalf of the Armenian Community of Twin Falls and explained the request.

Discussion followed.

Councilmembers asked the applicant if the additional text on plaque's inscription as requested would be open to change.

Liyah Babayan responded in the affirmative.

Councilperson Johnson asked if Liyah Babayan had been present at the August 11, 2009, Parks & Recreation explaining the request to the Parks & Recreation Commission.

MINUTES

August 24, 2009

Page 5 of 12

Liyah Babayan stated that she did not understand that the meeting was open to the public but would be more than willing to speak to the Parks & Recreation Commission to explain her request and to educate the Commission.

Deliberations.

**MOTION:**

Councilperson Kezele made the motion to approve the Armenian American Community's request for the following additional text on plaque's inscription: "In remembrance of the Armenian Genocide sponsored by the Armenian American Community of Twin Falls". The motion was seconded by Councilperson Lanting.

**AMENDMENT TO THE MOTION:**

Councilperson Johnson made the following amendment to the main motion: "In remembrance of the 1915 American Genocide and Immigration to the community". The motion failed due to a lack of a second.

Discussion followed to allow the Parks & Recreation Commission to review the application again.

City Attorney Wonderlich did explain the following paragraph in the Donation Policy, "Donations may dedicate to, honor, or memorialize a person; or directly relate to the history of the community; or may be donated **by groups with longstanding ties** to the community, and shall be of any type (types of donations- reference to page 1), so long as its placement enhances the recreation values of its setting, considering factors including, but not limited to, safety and aesthetics."

**MOTION:**

Councilperson Craig made the motion to table the request. The motion was seconded by Councilperson Hall and roll call vote showed Councilpersons Craig, Hall, Heider, Johnson, Kezele and Lanting voted in favor of the motion. Mayor Clow voted against the motion. Approved 6 to 1.

The Council directed staff to present the request to the Parks & Recreation Commission on September 8, 2009, at 11:30 A.M. in the Twin Falls Council Chambers, with the applicant invited to attend.

2. Consideration of a request to award the bid for the replacement of the HVAC system at the Golf Course's Club House.

Parks & Recreation Director Bowyer reviewed the request.

Staff recommends that the City Council award the bid for the replacement of the HVAC system at the Club House to Hobson Fabricating in the amount of \$22,400.

Discussion followed.

Councilperson Kezele asked if there were any more funds available in the Parks Budget to pay for the HVAC system.

Parks & Recreation Director Bowyer stated there were no additional funds to pay for the system.

Mayor Clow asked who pays for the electricity at the golf shop building.

Parks & Recreation Director Bowyer stated that Mike Hamblin pays for the electricity.

Councilperson Heider asked if the funds would be coming out of contingency funds if the request is approved.

City Manager Courtney responded in the affirmative.

**MOTION:**

MINUTES

August 24, 2009

Page 6 of 12

Councilperson Lanting made the motion to award the bid for the HVAC system at the Golf Course's Club House to Hobson Fabricating in the amount of \$22,400, as presented. The motion was seconded by Councilperson Heider and roll call vote showed all members voted in favor of the motion. Approved 7 to 0.

- 3. Consideration of a request to award the bid for the construction of a new Maintenance Building at the Golf Course.

Parks & Recreation Director Bowyer reviewed the request.

Staff recommends that the City Council award the bid for the construction of the golf maintenance building to Hemingway Construction in the amount of \$58,040.

Discussion followed.

City Attorney Wonderlich explained the bid proposal process.

**MOTION:**

Councilperson Lanting made the motion to award the bid for the construction of the golf maintenance building to Hemingway Construction in the amount of \$58,040 as presented. The motion was seconded by Councilperson Hall and roll call vote showed all members voted in favor of the motion. Approved 7 to 0.

- 4. Review policy questions to be included in the national citizen survey.

Assistant City Manager Rothweiler reviewed the request.

Staff is asking the City Council for their input on three (3) policy-type questions that would appear in this fall's City of Twin Falls survey.

Discussion followed in regards to the proposed questions:

To what extent do you support or oppose the right to vote on a local option sales tax?

Mayor Clow suggested taking this question to the AIC to do a better job in a survey.

**MOTION:**

Councilperson Kezele made the motion to accept the following three questions as proposed:

*How do you receive information regarding Twin Falls City government?*

- Watching meetings on TV – Channel 17
- Messages and Newsletters in Water Bills
- City's Website
- Conversations with City Officials
- Local Media Outlets
- Other

*To what degree do you agree or disagree with the following statements:*

- The City should maintain current levels of service, even if taxes and/or fees must be raised.
- The City should only raise taxes and/or fees to maintain core services levels, such as street, public safety, water quality, and wastewater services.
- The City should not raise taxes and/or fees even if service levels have to be cut.
  - Strongly support
  - Somewhat support
  - Somewhat oppose
  - Strongly oppose

MINUTES

August 24, 2009

Page 7 of 12

*How would you rate the overall performance of the City of Twin Falls?*

- Excellent
- Good
- Fair
- Poor

The motion was seconded by Councilperson Hall and roll call vote showed all members voted in favor of the motion. Approved 7 to 0.

5. Consideration of a proposed lump sum contract and proposed scope of work with HDR for the purpose of developing a comprehensive Energy Efficiency and Conservation Strategy for the City of Twin Falls in an amount of \$35,300, and authorizing the City Manager and sign the contract.

Assistant City Manager Rothweiler reviewed the request.

Staff recommends the City Council award the contract for services and approve the proposed scope of work with HDR for the development of a comprehensive energy strategy.

Discussion followed:

Mayor Clow asked if the City would coordinate with the County in regards to the Energy Efficiency and Conservation Strategy.

Assistant City Manager Rothweiler answered in the affirmative.

**MOTION:**

Councilperson Lanting made the motion to approve the contract and proposed scope of work with HDR for the purpose of developing a comprehensive Energy Efficiency and Conservation Strategy for the City of Twin Falls in an amount of \$35,300, and authorizing the City Manager and Mayor to sign the contract. The motion was seconded by Councilperson Kezele and roll call vote showed all members voted in favor of the motion. Approved 7 to 0.

6. Consideration to authorize the Mayor and City Manager to execute the right-of-way agreements for the Falls Avenue West Road Widening Project:
  - a. Michael and Carol Kimball, Parcel 10, 510 Falls Avenue West, with the compensation amount of \$ 6,096.36.
  - b. The Richard and Freda Beard Living Trust, Parcel 21, 676 Falls Avenue West, with the compensation amount of \$ 12,380.00.

City Engineer Fields reviewed the request.

Engineering recommends that the Council approve the request as presented.

**MOTION:**

Councilperson Hall made the motion to authorize the Mayor and City Manager to execute the right-of-way agreements for the Falls Avenue West Road Widening Project:

- a. Michael and Carol Kimball, Parcel 10, 510 Falls Avenue West, with the compensation amount of \$ 6,096.36.
- b. The Richard and Freda Beard Living Trust, Parcel 21, 676 Falls Avenue West, with the compensation amount of \$ 12,380.00.

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

7. Consideration of a request to approve speed limit change to Hankins Rd. between Kimberly Rd. and Addison Ave.

MINUTES

August 24, 2009

Page 8 of 12

City Engineer Fields explained that the agenda should have said "Falls Ave." instead of "Addison Ave." and then reviewed the request.

The Commission recommends that the Council designate the speed limit on Hankins Rd. to 45 mph from US-30/Kimberly Rd. to Falls Avenue East.

Rob Storm, Traffic Safety Commission Member reviewed the request. He stated that the County would support the Council's decision on the proposed posting if approved by the City Council.

Brent Jussel, 935 Meadowview Lane, spoke in favor of a speed limit of 35 mph.

John Collins, member of the Bethel Temple, spoke in favor of a speed limit of 35 mph.

Discussion followed.

Councilperson Kezele asked if the 35 mph school zone would be appropriate.

City Engineer Fields stated in the affirmative but suggested to Bethel Temple to locate a school onto a less major road due to the vehicle volume, speed and width of road.

**MOTION:**

Councilperson Hall made the motion to designate the speed limit on Hankins Rd. to 45 mph from US-30/Kimberly Rd. to Falls Avenue East. The motion was seconded by Councilperson Heider.

**AMENDMENT TO THE MAIN MOTION:**

Councilperson Kezele made an amendment to the main motion to designate the speed limit on Hankins Rd. to 35 mph from US-30/Kimberly Rd to Falls Ave. East. The motion was seconded by Councilpersons Johnson. Mayor Clow, Councilperson Hall, Johnson, and Kezele voted in favor of the motion. Councilpersons Craig, Heider, and Kezele voted against the motion. Approved 4 to 3.

**ROLL CALL VOTE ON THE AMENDED MOTION:**

Roll call vote on the amended main motion showed Mayor Clow, Councilpersons Hall, Johnson, and Kezele voted in favor of the motion. Councilperson Craig, Heider, and Lanting voted against the motion. Approved 4 to 3.

8. Consideration of a request to approve speed limit changes to Canyon Springs Rd. and Centennial Park Rd. in the Snake River Canyon.

City Engineer Fields reviewed the request.

The Commission recommends that the Council designate the speed limit of 25 mph on Canyon Springs Rd and Centennial Park Rd.

Rob Storm, Traffic Safety Commission Member, reviewed the request.

Carl Jensen, 713 Canyon Springs Road, spoke in favor of the request.

**MOTION:**

Councilperson Lanting made the motion to designate the speed limit of 25 mph on Canyon Springs Rd. and Centennial Park Rd. The motion was seconded by Councilperson Hall.

Discussion followed.

City Engineer Fields stated that signage is designated at Centennial Park Road at 15 mph and the loop is 5 mph. She also stated that the Twin Falls Highway District was in agreement with the City posting signs. She also stated that the

MINUTES

August 24, 2009

Page 9 of 12

Sherriff and City Police Officers have been deputized to enforce the speed limit. The Canyon Springs Road is a Twin Falls Highway District road but is maintained by the City.

**AMENDMENT TO THE MOTION:**

Councilperson Kezele made an amendment to the main motion to keep Centennial Park Road at the designated 15 mph. Motion failed due to a lack of a second.

**ROLL CALL VOTE:**

Roll call vote showed all members voted in favor to approve to designate the speed limit of 25 mph on Canyon Springs Rd. and Centennial Park Rd. and to add the roadway between Fillmore Street and the grade to be designated and signed at 25 mph.

9. Consideration of a 3rd 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 Tim Vawser, EHM Engineers, Inc.

Community Development Director Humble reviewed the request. Staff recommends approval of a 3<sup>rd</sup> 1-year extension of the filing requirement on the final plat of Grandview Estates subdivision subject to the following conditions of approval:

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 and encourage developer to work with City staff to provide a pressurized irrigation system.
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.
7. The plat note(s) are revised to read:  
A 15 ft. wide utility and drainage easement shall exist on all lot lines adjacent to street frontages, except Grandview Dr. N. which shall be 10 ft wide.
8. Amend the final plat to provide uniform right-of-way width of 46 ft. while allowing the roadway width to remain at 32 ft to the face of curb.
9. Subject to conformance with the current Code regarding pressurized irrigation.

Tim Vawser, EHM Engineers, representing the applicant, stated that he was in agreement with all the conditions with the exception of Condition #8. He requested for leniency regarding the park area.

Community Development Director Humble stated that he did not see a problem with the park area. Policy is to make sure the subdivision has pressure irrigation access.

**MOTION:**

Councilperson Lanting made the motion to approve the 3<sup>rd</sup> 1-year extension of filing requirement on the final plat of Grandview Estates Subdivision subject to the following conditions:

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 and encourage developer to work with City staff to provide a pressurized irrigation system.
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.

MINUTES

August 24, 2009

Page 10 of 12

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.
7. The plat note(s) are revised to read:  
A 15 ft. wide utility and drainage easement shall exist on all lot lines adjacent to street frontages, except Grandview Dr. N. which shall be 10 ft wide.
8. Amend the final plat to provide uniform right-of-way width of 46 ft. while allowing the roadway width to remain at 32 ft to the face of curb and to allow the park acreage to be diminished by the amount of right of way dedication across its Grandview frontage.
9. Subject to conformance with the current Code regarding pressurized irrigation.

The motion was seconded by Councilperson Kezele and roll call vote showed all members voted in favor of the motion. Approved 7 to 0.

10. Consideration of a request from the Twin Falls School District, #411 to waive the zoning application fee for a PUD Amendment request.

Greg Lanting recused himself from discussion and voting on the agenda item.

Community Development Director Humble reviewed the request.

Staff recommends that the Council consider the request and take whatever action the Council determines is appropriate.

**MOTION:**

Councilperson Kezele made the motion to approve the request of the Twin Falls School District, #411 to waive the zoning application fee for a PUD Amendment request. The motion was seconded by Councilperson Hall and roll call vote showed all members voted in favor of the motion. Approved 6 to 0. Councilperson Lanting abstained from voting.

Discussion followed:

Councilperson Craig asked for a clarification of the plans of the proposed property.

Wiley Dobbs, applicant, stated that the School District owns the property and the intention is to sell the property.

City Manager Courtney stated that the City of Twin Falls has had a long standing relationship with the School District.

11. Consideration of a request of Rick Royalty for waiver of the non-conforming building expansion permit process to allow an expansion of a non-conforming residence at 851 Eastland Drive South.

Community Development Director Humble reviewed the request.

If the Council grants this request as presented staff recommends approval be subject to the following condition:

1. Subject to complete review by Building, Engineering, Fire, and Zoning Departments to ensure compliance with all applicable City Code requirements and Standards for existing and proposed buildings on the site.

**MOTION:**

Councilperson Heider made the motion to approve the request for Rick Royalty for waiver of the non-conforming building expansion permit process to allow an expansion of a non-conforming residence at 851 Eastland Drive South as presented with the following conditions:

MINUTES

August 24, 2009

Page 11 of 12

1. Subject to complete review by Building, Engineering, Fire, and Zoning Departments to ensure compliance with all applicable City Code requirements and Standards for existing and proposed buildings on the site.

The motion was seconded by Councilperson Hall and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

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

Councilperson Hall responded to Councilperson Kezele's radio interview. He clarified that he is always responsive to citizen's concerns. He also stated that the Twin Falls School District and the Traffic Safety Commission were proactive for the installation of the traffic light at Washington Street North and North College Road.

Recess at 7:38 P.M.

Reconvened at 7:45 P.M.

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

**IV. PUBLIC HEARINGS: 6:00 P.M. –**

1. Request for a Comprehensive Plan Amendment which would amend Future Land Use Map, 2-4, for property located south of Cheney Drive West, west of Park View Drive, and north of North College Road West from Medium Density Residential to Office/Professional c/o Osprey, LLC (app. 2320)

Gerald Martens, EHM Engineers, representing the applicant, reviewed the request. He stated that he concurs with staff's recommendation.

Community Development Director Humble reviewed the request.

Should the City Council approve this request as presented staff recommends the following condition:

1. Subject to amendments as required by Building, Engineering, Fire, and Zoning officials to ensure compliance with all applicable City Code requirements and Standards.

Opened up the public hearing.

Closed the public comment portion of the hearing.

Deliberations.

Discussion followed on the comprehensive plan.

Public hearing closed.

**MOTION:**

Councilperson Lanting made the motion to approve a Comprehensive Plan Amendment which would amend Future Land Use Map, 2-4, for property located south of Cheney Drive West, west of Park View Drive, and north of North College Road West from Medium Density Residential to Office/Professional c/o Osprey, LLC (app. 2320) as presented with the following condition:

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

August 24, 2009

Page 12 of 12

The motion was seconded by Councilperson Hall. Roll call vote showed Mayor Clow, Councilpersons Craig, Hall, Heider, Johnson and Lanting voted in favor of the motion. Councilperson Kezele voted against the motion. Approved 6 to 1.

2. Public hearing to receive comments on the Budget for FY 2009-2010.

City Manager Courtney gave an overview of the budget.

Council discussion followed on health care.

The public hearing was opened.

Jeremy Sasser Collins, 189 Fillmore Street, stated his complaints.

The public hearing was closed.

Councilperson Kezele had questions on the following budget items:

-Police Cars

-Health insurance.

-Fire Department overtime budget.

-Parks & Recreation Dept. purchase of a lawnmower.

-Travel budget.

-Salary survey.

**MOTION:**

Councilperson Kezele made the motion to hold a work session on Monday, August 31, 2009, at 2:00 p.m., in the City Council Chambers to continue discussion on the Budget for FY 2009-2010. The motion was seconded by Councilperson Craig. Roll call vote showed Mayor Clow, Councilperson Craig, Hall, Heider, Kezele, and Lanting voted in favor of the motion. Councilperson Johnson voted against the motion. Approved 6 to 1.

V. **ADJOURNMENT:** 9:02 P.M.

Leila A. Sanchez

Deputy City Clerk, Recording Secretary