



Twin Falls City Council Minutes

Monday, July 13, 2020, 5:00 PM

City Council Chambers
203 Main Avenue East- Twin Falls, Idaho

Present: Mayor Suzanne Hawkins, Vice Mayor Ruth Pierce, Council Members Shawn Barigar, Craig Hawkins, Christopher Reid, and Nikki Boyd.

Absent: Greg Lanting (Excused)

Staff Present:

City Manager Travis Rothweiler
Deputy City Manager Mitch Humble
Airport Manager Bill Carberry
Chief Finance Officer Breanna Howard
City Attorney Shayne Nope
City Engineer Mark Holtzen
Economic Development Director Nathan Murray
Environmental Engineer Jason Brown
Fire Chief Les Kenworthy

Fire Marshal Tim Lauda
Help Desk Technician Jeremiah Parent
IT Director Kathy Markus
Planning & Zoning Director Jonathan Spendlove
Police Chief Craig Kingsbury
Public Information Coordinator Joshua Palmer
Public Works Director Jon Caton
Utility Services Director Bill Baxter
Recording Secretary Leila A. Sanchez

1) CALL MEETING TO ORDER/CONFIRMATION OF QUORUM

2) PLEDGE OF ALLEGIANCE

Mayor Suzanne Hawkins called the meeting to order at 5:00 p.m. She invited all present, who wish to, to recite the Pledge of Allegiance to the Flag with her. A quorum was present. Mayor Hawkins introduced staff.

3) PROCLAMATIONS: None

4) CONSENT CALENDAR

MOTION:

Council Member Reid moved to approve the Consent Calendar as presented. Vice Mayor Pierce seconded the motion. Roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

- a) **ACTION ITEM:** Request to approve the Accounts Payable for June 25-July 1 and July 2 -8, 2020.
- b) **ACTION ITEM:** Request to approve the Monday, July 6, 2020, City Council Minutes.
- c) **ACTION ITEM:** Request to hold the Realtor Safety 5k Fun Run/walk.

5) ITEMS OF CONSIDERATION

- a) **ACTION ITEM:** Request approval to replace Section 1.2 and add Section 1.5 to the Twin Falls Rural Fire District Governmental Fire Services Agreement.

Fire Marshal Tim Lauda reviewed the request. The amendment will allow the City of Twin Falls Fire Marshal to enforce the fire code within the Twin Falls Fire Departments jurisdictional boundaries; and, allow the Twin Falls Fire Department to collect the fees and the City of Twin Falls to retain the money collected.

MOTION:

Vice Mayor Pierce moved to approve to replace Section 1.2 and add Section 1.5 to the Twin Falls Rural Fire District Governmental Fire Services Agreement, as presented. Vice Mayor Barigar seconded the motion. Roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

- b) **ACTION ITEM:** Request authorizing the City of Twin Falls to opt in to Governor Little's proposal to use CRF dollars to provide tax relief for those cities and counties that agree to not take the three-percent statutory allowed increase or any portion of the City's Forgone balance for the FY 2021 Budget.

City Manager Rothweiler reviewed the request.

Statutorily under Idaho Code, cities and counties are permitted to collect 3% more property tax revenue than the previous fiscal year, plus the value of new construction and annexation, and recover any portion of the City's forgone balance.

In May 2020, the City Council and the City Manager made the decision not to assess the statutorily allowed three percent (3%) property tax increase as provided for in Idaho Code §63-802. More than a month later, the Governor created a tax relief program that diverts \$200 million on Federal CARES funding directly to Idaho property taxpayers if cities and counties elect to not take the three percent (3%) property tax increase. For those that elect to participate, the CARES funding will be proportionately divided among those Idaho cities and counties using a formula based on the actual cost of public safety personnel salaries (police, fire, animal control, dispatch, etc.)

The exact amount of tax credit received will not be known until October 2020 when all cities and county budgets are certified, and all public safety salaries are calculated. Based on the initial guidance supplied by the Governor's Office, we are estimating that our citizens will receive \$3,529,398 in total property tax relief from the CARES funds equal to the three percent property tax, or \$697,681. This will cause the City's functional tax rate to decrease to approximately \$5.87/\$1,000. This will save an estimated \$111.29 in city property tax savings for our taxpayers who own and live in a home valued at \$208,050, which is the median home value per Zillow.

Currently, there are several questions surrounding the Governor's program, as currently drafted. Several County Prosecutors have questioned if the Property Tax Relief Proposal is allowable under the CARES Act regulations. We do not believe these issues will be resolved before the deadline to opt into the program.

Because the recommended budget does not require the need to increase property tax revenue by 3% of the greater of the previous 3 years' tax levy to balance, we are recommending the City Council opt in to the program with the caveat that we have the option of opting out if it is determined this is an inappropriate use of CARES Funding by the United States Department of Treasury. The Governor has asked the Treasury Department to provide a letter of eligibility for the current program.

Council discussion followed.

Reserve the right to opt out if it is determined this is an inappropriate use of CARES Funding by the United States Department of Treasury.

MOTION:

Vice Mayor Pierce moved to authorize the City Manager to send a letter to opt in to the 3% Governor Little's property tax relief, as presented. Council Member Barigar seconded the motion. Roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

- c) **PRESENTATION:** A presentation of the City Manager's Recommended Budget for FY 2021 followed by citizen input.

Deputy City Manager Mitch Humble explained the following:

City Manager's Goals for the FY 2020-2021 Budget

- Create a nimble, agile, adaptable budget that allows the City of react in this dynamic, uncertain, and ever-changing local economy.
- Develop a budget that is sensitive to our operating environment and local economic conditions.
- Connect all expenditures directly to the City's 2030 Strategic Plan.
- Limit Tax Collections by not taking 3% to lower the tax rate.
- Preserve the foregone balance of \$1,416,284 in its entirety.
- Keep assessed utility rates by not increasing utility rates.

Tonight, discussion will follow on Funding the Strategic Plan and Focus Areas 5, 6, and 7.

Focus Area 5: Environmental Community

Environmental Engineer Jason Brown discussed the following:

- | | |
|-------------------------|--------------------------|
| ▪ Wastewater Treatment | ▪ Water Distribution |
| ▪ Wastewater Collection | ▪ Pressurized Irrigation |
| ▪ Water Supply | |

Wastewater Treatment Capital.

- Digester Boiler Replacement:
- Water Quality Pond Land Purchase
- Digester Liner Investigation & Work plan
- SCADA Upgrades

Council discussion followed on land purchase and cost maintenance of ponds.

Public Works Director Jon Caton discussed the FYE21 Enterprise Fund Strategies.

- Water Fund and Wastewater Collections
- Other Water and Wastewater Capital

Council discussion followed on meter replacement project costs.

Focus Area 6: Prosperous Community

Economic Development Director Nathan Murray discussed Economic Development and Urban Renewal Agency activity including the URA approving Resolution No. 2020-11 approving the Fourth Amendment to the Disposition & Development Agreement relating to the 160 Main Avenue South Development to address a demolition contingency.

Airport Director Bill Carberry discussed Magic Valley Regional Airport.

- 2019 ITD Idaho Airports Economic Study
- The Strategic Planning Goals for Joslin Field (prosperous community)
- Utility Infrastructure Planning/Challenges
- Airport's 2021 Budget

Focus Area 7: Responsible Community

Deputy City Manager Mitch Humble spoke on the following:

- Community Development Block Grant Funding and our Consolidate Plan
- Transit Study - Partnership with ITD
- Development of the Metropolitan Planning Organization (MPO) – Partnership with ITD

Council requested a list of Potential Projects and Category B Projects.

6) GENERAL PUBLIC INPUT: None

7) ADVISORY BOARD REPORT/ANNOUNCEMENTS

Mayor Hawkins reported the Youth Council will meet at the Centennial Park the first Saturday of August and invited all 8 – 12 grade students to attend.

City Manager Rothweiler reported the City of Twin Falls is returning to normal operations and will resume enforcement of unpaid and delinquent utility accounts. City utility customers who are unable to pay the full amount are asked to schedule payment arrangements with the City of Twin Falls' Utility

Services Department. Every attempt will be made to contact customers with delinquent accounts. Accounts not paid in full, and without payment arrangements, will be turned off Wednesday, July 15.

City Manager Rothweiler reported on his discussion with Dr. Joshua Kern on COVID-19, and what is happening in the state and locally.

Recess at 6:57 p.m.

Resumed at 7:10 p.m.

Vice Mayor Pierce recused herself from Public Hearing b) stating she has a business relationship with the applicant, Ruth Rahe. In addition, she consulted with the City Attorney on this matter.

Mayor Hawkins reviewed the Public Hearing Procedures.

8) PUBLIC HEARINGS

- a) **ACTION ITEM:** Request Annexation with a Zoning Designation of R2 for property located at 700-1000 block of Hankins Road c/o EHM Engineers, Inc. on behalf of Joseph McCollum - McCollum Enterprises. (PZ20-0056). On June 9, 2020, the Planning and Zoning Commission recommended approval of the Zoning Designation of R2, as presented. - **WITHDRAWN BY APPLICANT**
- b) **ACTION ITEM:** Request for Annexation with a Zoning Designation of R2 for property located at the 400-600 block of Hankins Road c/o EHM Engineers, Inc. c/o Ruth Rahe. (PZ20-0057) On June 9, 2020, the Planning and Zoning Commission recommended approval of the Zoning Designation of R2, as presented.

Planning & Zoning Director Jonathan Spendlove presented the request.

Currently the parcel is zoned R-2 (Residential Single Household or Duplex District). The applicant is requesting to be annexed and retain the current R-2 Zoning District designation.

The current zoning of the property is like surrounding development to the South and West. Modifying the zoning district from R-2 would require compliance with the Comprehensive Plan and Future Land Use Map.

The Planning and Zoning Commission unanimously forwarded a positive recommendation for this property to have a zoning designation of R-2.

The City Council is tasked with making a final decision on this item. The Council may approve the request as presented, approve the request with modifications, deny the request, or table the request for more information.

David Thibault, EHM Engineers, representing the applicant, presented the request. EHM was initially engaged to evaluate the water and sewer service boundary lines that the city maintains

and trying to effectually get the city to start looking at the eastern expansion of the City limits and growth in the Southeast in this location. To the west and to the south of the subject property there are already established city lots, roads, and homes built up in this area. The comprehensive plan and future land use maps support an R-2 zoning designation on this property and other properties EHM is working on. The property has been identified as prime and annexation is the next step. The Rahe family intentions are to prepare this property so that it is ready for possible sale in the future for estate planning purposes. Steps have not been taking as far as platting. The plan is to take this in a step by step process to gain some entitlements for future estate planning. The request is to annex the property and to retain an R-2 zoning designation upon the property, so for some time in the future, should a developer or a group of developers be interested in this property, they can proceed with the development without having to go through the step of annexation and the delay that is associated with that.

Mayor Hawkins opened and closed the public input portion of the hearing. (7:15 p.m.)

Planning and Zoning Director Jonathan Spendlove pointed out the future land use map has some of the areas as mixed use and lines shown on overhead projection are not exact. Moving forward to future expansion in the city limits to the southeast, the City is looking to have a buffer between residential and industrial.

Mayor Hawkins reopened the public input portion of the hearing. (7:16 p.m.)

Rob Kack stated his concern the map shown on overhead projection is inaccurate. There are wetlands with a new canal system adjacent to the area. In speaking on mixed use for this area, being discussed is an existing wetlands buffer already between it and the other uses in the area. If this is annexed, he asked for a provision for some type of buffer to be maintained and those divisions be preserved between the residential and rural areas.

David Thibault stated for clarification that he believes the wetlands are located east of the boundary line and are not located on the subject property. There is a canal lateral that comes from the east to the west through the northern portion, at which, at some point in the future, will need to be dealt with should this property be developed. In his opinion, this should not be considered nor be detrimental to any annexation taken tonight.

Mayor Hawkins closed the public hearing at 7:18 p.m.

Council discussion followed.

Council Member Reid asked that if Title 10 is approved what would the area being discussed be zoned and would density change.

Planning & Zoning Director Jonathan Spendlove explained that an R-2 zone, in conjunction with the R-1 zone, would be a similar type of zone. The property owner, Mr. Kach, owns a significant amount of land and it does not mean having a lesser or a smaller lot size allows. He owns more

in an R-1 zone and can be smaller than what he owns. It could be what is like Morning Sun or what is closer to town. It would approximately in the 10,000 sq. ft. range or below as far as the minimum lot size.

MOTION:

Council Member Barigar moved to approve the request for Annexation with a Zoning Designation of R-2 for property located at the 400-600 block of Hankins Road, as presented. Council Member Reid seconded the motion. Roll call vote showed all members present voted in favor of the motion. Approved 5 to 0.

9) ADJOURNMENT

The meeting adjourned at 7:23 p.m.

Leila A. Sanchez
Recording Secretary