



Twin Falls City Council Minutes

Monday, October 14, 2019, 5:00 PM

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

1) CALL MEETING TO ORDER/CONFIRMATION OF QUORUM

Present: Mayor Shawn Barigar, Vice Mayor Nikki Boyd, Council Member Suzanne Hawkins, Chris Talkington, Greg Lanting, Christopher Reid & Ruth Pierce.

Absent:

Staff Present: City Manager Travis Rothweiler, Deputy City Managers Mitch Humble & Brian Pike, City Attorney Shayne Nope, Police Chief Craig Kingsbury, Fire Chief Les Kenworthy, City Engineer Mark Holtzen, Staff Engineer Josh Baird, Staff Engineer Erin Steel, Airport Manager Bill Carberry, P&Z Director Jonathan Spendlove, City Planner Brock Cherry, Code Enforcement Coordinator Sean Standley, Public Information Officer Josh Palmer, URA Executive Director Nathan Murray, Network Administrator Dee Davidson, Finance Administrative Assistant Amy Luna.

Mayor Barigar called the meeting to order at 5:02 PM. A quorum was present.

Mayor Barigar asked for a moment of silence for former *Fire Chief Ron Clark* who passed away today.

2) PLEDGE OF ALLEGIANCE

Mayor Barigar invited Boy Scout Troop 65 to lead, all present, who wished, to recite the Pledge of Allegiance to the Flag.

3) PROCLAMATIONS: None

4) GENERAL PUBLIC INPUT: None

5) CONSENT CALENDAR

MOTION: Council Member Talkington moved to approve the Consent Calendar as presented. **Council Member Pierce** seconded the motion. Roll call vote showed all members present voted in favor of the motion. 7 to 0

- a) **ACTION ITEM:** Request to approve the Accounts Payable for Oct 3 thru 9, 2019.
- b) **ACTION ITEM:** Request to approve the October 7, 2019, City Council Minutes.
- c) **ACTION ITEM:** Request to approve Trust Agreement for Fieldwood Subdivision
- d) **ACTION ITEM:** Request to hold the annual Voices Against Violence Candlelight Vigil.
- e) **ACTION ITEM:** Request to hold the Trick or Treat on Main Street event.

6) ITEMS OF CONSIDERATION

- a) **PRESENTATION:** Present an award to outgoing Airport Board Member, Brady Workman.
Airport Manager Carberry presented an award to outgoing Airport Board Member, Brady Workman.

Mayor Barigar thanked Brady Workman for his service and presented him a plaque.

- b) **ACTION ITEM:** Request to reject all bids for the 2019 School Sidewalk Project.
Staff Engineer Steel request to reject all bids for the 2019 School Sidewalk Project.

Discussion ensued on the following:

Council Member Hawkins: Asked for highlights of this project.

Council Member Talkington: Asked if any response was received from the bidders on this motion.

Mayor Barigar: Clarified that this project will proceed and be completed in the spring? **Council**

Member Lanting: Have we tried for grants for "*Sidewalks to Schools*" or anything like this?

MOTION: Vice Mayor Boyd moved to reject all bids for the 2019 School Sidewalk Project. **Council Member Reid** seconded the motion. Roll call vote showed all members present voted in favor of the motion. 7 to 0.

- c) **ACTION ITEM:** Request to adopt Ordinance 2019-002 to approve a Zoning Title Amendment to repeal and replace City Code 10-11-19 Floodplain Regulations (A through E).

Planning & Zoning Director Spendlove requested to adopt Ordinance 2019-002 to approve a Zoning Title Amendment to repeal and replace City Code 10-11-9 Floodplain Regulations (A Through E).

Discussion ensued on the following: None

MOTION: Council Member Talkington made a motion to suspend the rules and place Ordinance on third and final reading by title only under suspension of the rules. **Council Member Pierce** seconded the motion. Roll call vote showed all members present voted in favor of the motion. Approved 7 to 0

Mayor Barigar read Ordinance 2019-002 by title only.

MOTION: Council Member Hawkins moved to approve the request to adopt Ordinance 2019-002 to approve a Zoning Title Amendment to repeal and replace City Code 10-11-9 Floodplain Regulations (A through E). **Vice Mayor Boyd** seconded the motion. Roll call vote showed all members present voted in favor of the motion. 7 to 0.

- d) **ACTION ITEM:** Request to adopt an ordinance to vacate right of way and easements located within the Perrine Point Subdivision (Blocks 5, 6, 7, 8) located at the 100 block of Falls Avenue West.

Planning & Zoning Director Spendlove request to adopt an ordinance to vacate right of way and easements located within the Perrine Point Subdivision (Block 5, 6, 7, 8) located at the 100 block of Falls Avenue West.

Discussion ensued on the following: None

MOTION: Council Member Pierce made a motion to suspend the rules and place Ordinance on third and final reading by title only under suspension of the rules. **Council Member Talkington** seconded the motion. Roll call vote showed all members present voted in favor of the motion. Approved 7 to 0

Mayor Barigar read Ordinance 2019-010 by title only.

MOTION: Council Member Lanting moved to approve the request to adopt Ordinance 2019-010 to vacate right of way and easements located within the Perrine Point Subdivision (Block 5, 6, 7, 8) located at the 100 block of Falls Avenue West. **Council Member Reid** seconded the motion. Roll call vote showed all members present voted in favor of the motion. 7 to 0.

- e) **ACTION ITEM:** Request to repeal and replace City Code 9-6-8, Parking Trucks, Trailers, Unused and Inoperative Vehicles.

Code Enforcement Coordinator Standley requested to repeal and replace City Code 9-6-8, Parking Trucks, Trailers, Unused and Inoperative Vehicles.

Discussion ensued on the following:

Council Member Talkington: Are we still subject to citizens getting away with moving a vehicle ten feet to restart the twenty-four-hour clock?

Council Member Hawkins: This was started because of a citizen, have we reached out to this citizen to let them know what we are doing?

Council Member Reid: Would it be prudent to extend the twenty-four hours to forty-eight hours to accommodate citizens usage?

Mayor Barigar: Commented on the hours issue.

City Manager Rothweiler: Advised the Council that they would have the ability to amend the Ordinance should they choose to.

MOTION: Council Member Lanting made a motion to suspend the rules and place Ordinance 2019-011 on third and final reading by title only under suspension of the rules. **Council Member Talkington** seconded the motion. Roll call vote showed all members present voted with Council Members Hawkins & Reid voting no. Approved 5 to 2.

Mayor Barigar read *Ordinance 2019-011* by title only.

MOTION: Council Member Talkington moved to adopt *Ordinance 2019-011* to repeal and replace City Code 9-6-8, Parking Trucks, Trailers, Unused and Inoperative Vehicles. **Council Member Pierce** seconded the motion. Roll call vote showed all members present voted with Council Member Reid voting no. 6 to 1.

- f) **ACTION ITEM:** Request to consider and act on a resolution declaring the City's intent to dispose of real property and setting a date for a public hearing.

Deputy City Manager Humble request to consider and act on a resolution declaring the City's intent to dispose of real property and setting a date for a public hearing.

Discussion ensued on the following:

Council Member Hawkins: At what point do we set a minimum value to this property? (Following the Public Hearing on November 12, 2019)

Council Member Lanting: Since we only own half of the property, how does that work?

Council Member Hawkins: Is there defined halves? (No, it's a half interest)

MOTION: Council Member Hawkins moved to approve the request to consider and act on *Resolution 2019-012*, declaring the City's intent to dispose of real property and setting a date for a public hearing. **Vice Mayor Boyd** seconded the motion. Roll call vote showed all members present voted in favor of the motion. 7 to 0.

7) GENERAL INPUT/ADVISORY BOARD REPORT/ANNOUNCEMENTS

Council Member Hawkins reported on the Youth Council meeting held October 14, 2019.

Recessed at 5:40 p.m. Resumed at 6:00 p.m.

8) PUBLIC HEARINGS

- a) **ACTION ITEM:** Request for a Zoning District Change from R-4 to C-1 on property located at 890 Washington Street South c/o Colby Ricks on behalf of Oasis Stop N Go LLC (PZ19-0105)
Planning & Zoning Director Spendlove requested a Zoning District Change from R-4 to C-1 on property located at 890 Washington Street South c/o Colby Ricks on behalf of Oasis Stop N Go, LLC (PZ19-0105).

Colby Ricks spoke on behalf of Oasis Stop N Go, LLC.

Public Hearing opened at 6:10 pm.

Public Hearing closed at 6:11 pm.

Discussion ensued on the following:

Vice Mayor Boyd: The lighting has already been addressed or will be addressed? (During the special use process)

Council Member Lanting: Property to the west, zoned R-4? (Yes)

Council Member Hawkins: Spoke in favor of this motion.

Council Member Talkington: Are there any plans for this intersection, that the applicant or Council need to be aware of? (None known)

Vice Mayor Boyd: Spoke in favor of this motion.

Council Member Pierce: Spoke in favor of this motion.

Council Member Reid: Thanked the applicant for the time and money put into this corner.

Council Member Lanting: Spoke in favor of the proposal and getting the approaches pushed back.

Mayor Barigar: Spoke in favor of this motion.

Council Member Talkington: Are we aware of any safety hazards at this intersection? (No)

MOTION: **Council Member Pierce** moved to approve the request for Zoning District Change from R-4 to C-1 on property located at 890 Washington Street South c/o Colby Ricks on behalf of Oasis Stop N Go, LLC (PZ19-0105). **Council Member Talkington** seconded the motion. Roll call vote showed all members present voted in favor of the motion. 7 to 0.

- b) **ACTION ITEM:** Request for a Special Use Permit for Additional Height to allow a seventy-five foot (75') tall mixed-use building on property located at 160 Main Avenue South c/o OneSixty, LLC. (PZ19-0085)
City Planner Cherry request a Special Use Permit for Additional Height to allow a seventy-five foot (75') tall mixed-use building on property located at 160 Main Avenue South c/o OneSixty, LLC. (PZ19-0085).

Discussion ensued on the following:

Council Member Talkington: Would the application include infrastructure on the top of the building? (Building would be 75' with an additional 10' allowance on the top)

Council Member Pierce: Asked for clarification on the parking numbers. (383 spaces available)

Vice Mayor Boyd: Would the additional 10' include air conditioners, etc.?

Mayor Barigar: This approval would be like others that we have approved.

Mr. Florence presented for the applicant.

Discussion ensued on the following:

Council Member Reid: Asked about the parking issue.

Mayor Barigar: Asked for the parking codes requirements for this area.

City Manager Rothweiler: Explained the possible future parking structure information shown in the presentation.

Public Hearing Opened at: 6:36 p.m.

Citizen Patrick Lewis: Spoke in favor of this project and gave some additional information on the project.

Citizen Dan Brizee: Spoke in favor of this project.

Citizen Susan Hall: Spoke against the height of this project.

Citizen Rudy Ashenbrener: Spoke in favor of this project.

Citizen Melissa Martin: Spoke in favor of progress in downtown. However, would like to see some of the historic aspects retained.

Citizen Mona Weeks: Spoke in favor of this project.

Citizen Glenneda Zuiderveld: Spoke in favor of growth. Encouraged the Council to consider the costs involved and how much support the citizens of Twin Falls are giving.

Citizen Ken Fitzgerald: Spoke in favor of this project.

Citizen Malan Erke: Spoke in favor of this project.

Public Hearing Closed at: 6:57 p.m.

Discussion ensued on the following:

Council Member Talkington: Thanked all for their comments, pro and con. Is in favor of this project.

Vice Mayor Boyd: Spoke in favor of this project.

Council Member Lanting: Spoke in favor of this project. Thanked the applicant for their investment in downtown Twin Falls.

Council Member Hawkins: Spoke in favor of this project. Agreed with the citizens that want to see other areas used as well.

MOTION: Council Member Talkington moved to approve the request for a Special Use Permit for Additional Height to allow a seventy-five foot (75') tall mixed use building on property located at 160 Main Avenue South c/o OneSixty, LLC. (PZ19-0085). Council Member Pierce seconded the motion. Roll call vote showed all members present voted. Approved 7 to 0.

9) ADJOURNMENT

a) REQUEST TO ADJOURN TO EXECUTIVE SESSION:

§ 74-206(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.

Mayor Barigar explained that the Executive Session has been canceled.

The meeting adjourned at 07:06 PM

Amy Luna

Amy Luna, Finance Administrative Assistant