



Twin Falls City Council Minutes

Monday, January 8, 2024, 5:00 PM

Council Chambers
203 Main Avenue East. Twin Falls, Idaho

1) CALL MEETING TO ORDER/CONFIRMATION OF QUORUM

Present: Mayor Ruth Pierce, Vice Mayor Jason Brown, Council members Craig Hawkins, Christopher Reid, Spencer Cutler, Cherie Vollmer & Grayson Stone.

Absent:

Staff Present: City Manager Travis Rothweiler, Deputy City Managers Mitch Humble & Gretchen Scott, City Attorney Bruce Castleton, Airport Manager Bill Carberry, Planning & Zoning Director Jonathan Spendlove, Parks & Recreation Director Wendy Davis, Aquatics Supervisor John Pauley, Streets Superintendent Mark Thomson, City Engineer Troy Vitek, Police Chief Craig Kingsbury, Desktop Support Analyst Kim Hafer, Deputy City Clerk Amy Luna.

Mayor Pierce called the meeting to order at 5:00 PM. A quorum was present.

2) PLEDGE OF ALLEGIANCE

Mayor Pierce invited all present who wish to recite the Pledge of Allegiance to the Flag.

3) PROCLAMATIONS

4) CONSENT CALENDAR

MOTION: Council Member Hawkins moved to approve the Consent Calendar as presented. **Vice Mayor Brown** seconded the motion. The roll call vote showed all members present voted in favor of the motion, 7 to 0.

- Request to approve City Council 2024 January 02, Minutes.
- Request to approve Accounts Payable for December 28, 2023 through January 3, 2024.
- Request City Council to approve the Special Event Permit for the organizers of the Annual Vietnam War Veterans Commemoration event.
- Request to approve an airport hangar ground lease (Blk 5 Lot 3) termination agreement with Kevin and Sherry Owings.
- Request to approve an airport hangar ground lease (Blk 5 Lot 3) with Mark Rose.

5) ITEMS OF CONSIDERATION

- Consider a request to reallocate \$45,000 in pool capital fund savings from the deck resurfacing project to the pool circulation project.

Aquatics Supervisor Pauley requested to reallocate \$45,000 in pool capital fund savings from the deck resurfacing project to the pool circulation project.

Discussion ensued on the following:

Mayor Pierce: Asked for more details.

Council Member Reid: Asked for timeline for completion.

Vice Mayor Brown: Asked what the "deck" includes and clarified the request.

MOTION: Vice Mayor Brown moved to approve the request to reallocate \$45,000 in pool capital fund savings from the deck resurfacing project to the pool circulation project. **Council Member Stone** seconded the motion. The roll call vote showed all members present voted in favor of the motion, 7 to 0.

- Request to defer Required Improvements for Building Permit 22-0100 due to exceptional hardship. c/o Brooke Redmond on behalf of Rob Green Hyundai

P&Z Director Spendlove presented a request to defer required improvements for Building permit #22-0100 due to exceptional hardship.

Discussion ensued on the following:

Vice Mayor Brown: Asked for clarification on the request. Would really like to know what the time frame is for these items to be completed.

Attorney for Rob Green Hyundai Redmond presented the request of the applicant. Proposing a "drop-dead" date of July 1, 2024, with the hope that they will complete it prior to that date.

Council Member Hawkins: How did we get to this point where the deferral is needed?

Contractor Greg Olsen: Presented reasons for why they are in the position that they are in.

Mayor Pierce: Asked about the last change order which went to P&Z in July 2023. What has happened between July and now to get us to this point?

Council Member Cutler: Is open to considering this as they are not life & death items but do not want to open the door for others.

P&Z Director Spendlove: One life safety item that he would like to point out. Stormwater item.

Mayor Pierce: Asked about the ADA portion.

P&Z Director Spendlove: ADA is a federal item and is unsure what the liability to the city would be.

Vice Mayor Brown: Agrees that the storm water retention needs to be completed and that the timeline needs to be established.

Council Member Stone: Asked if a P&Z Bond can be attached to this.

City Manager Rothweiler: Talked about the bond, which was offered by the contractor, but we cannot readily accept it.

Council Member Reid: Would like to see specific dates related to each item on the list. Would not like to have a broad brush on the items.

Mayor Pierce: Asked City Attorney Castleton to explain how they can move forward.

Vice Mayor Brown: How would you define "Exceptional Hardship"?

City Attorney Castleton: Gave directions on how to define "Exceptional Hardship".

Contractor Olsen: Disagreed with the "Life Safety" determination in connection with the water retention issue.

Council Member Cutler: Voiced the desire to grant this request with certain stipulations. P&Z Director Spendlove: Discussed this issue over the past 12 years and will do whatever the Council crafts.

Council Member Cutler: Agreed that the "Exceptional" portion has not really been proven.

Mayor Pierce: Worried about the precedent that could be set going forward.

Vice Mayor Brown: Struggling with not having a timeline. Would like to see this be postponed for at least a week to get the timeline clarified.

Council Member Stone: Agreed with previous comments: Would it be OK to ask staff to contact other municipalities for a definition of "Exceptional Hardship" before moving forward.

City Manager Rothweiler: Gave clarification.

Council Member Cutler: Not willing to make a motion currently.

Vice Mayor Brown: Would like to postpone this until the next City Council Meeting on Tuesday, January 2024.

City Manager Rothweiler: Gave options to move forward. We can add this item to next week's agenda.

Vice Mayor Brown: Clarified what he is wanting as far as the storm water retention.

MOTION: Vice Mayor Brown moved to have staff place this item on the January 16, 2024, agenda. **Council Member Reid** seconded the motion. The roll call vote showed all members present voted in favor of the motion, 7 to 0.

- c) Request to adopt Ordinance #2024-001 for the vacation of lots, right of way, and easements on property located within Block 4 of the Perrine Point Subdivision.

P&Z Director Spendlove requested to adopt **Ordinance #2024-001** for the vacation of lots, right of way, and easements on property located within Block 4 of the Perrine Point Subdivision.

Discussion ensued on the following: None.

MOTION: Council Member Reid made a motion to dispense with reading the rules and put **Ordinance #2024-001** on third and final reading by title only. **Council Member Hawkins** seconded the motion. The Roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

Mayor Pierce read the ordinance by title only.

MOTION: Council Member Reid moved to approve the request to adopt **Ordinance #2024-001** for the vacation of lots, right of way, and easements on property located within Block 4 of the Perrine Point Subdivision. **Council Member Hawkins** seconded the motion. The roll call vote showed all members present voted in favor of the motion, 7 to 0.

- d) Request to adopt Ordinance #2024-002 for the vacation of lots, right of way, and easements on property located within Block 18 of the Perrine Point Subdivision.

P&Z Director Spendlove requested to adopt **Ordinance #2024-002** for the vacation of lots, right of way, and easements on property located within Block 184 of the Perrine Point Subdivision.

Discussion ensued on the following: None.

MOTION: Vice Mayor Brown made a motion to dispense with reading the rules and put **Ordinance #2024-002** on third and final reading by title only. **Council Member Stone** seconded the motion. The Roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

Mayor Pierce read the ordinance by title only.

MOTION: Vice Mayor Brown moved to approve the request to adopt **Ordinance #2024-002** for the vacation of lots, right of way, and easements on property located within Block 184 of the Perrine Point Subdivision. **Council Member Hawkins** seconded the motion. The roll call vote showed all members present voted in favor of the motion, 7 to 0.

- e) Request to adopt Ordinance #2024-003 for amending Twin Falls City Code by repealing and replacing §10-12-4-2 (J) & (N) to modify the financial responsibility of street sign and luminaire installation for new development.

P&Z Director Spendlove requested to adopt **Ordinance #2024-003** for amending the Twin Falls City Code by repealing and replacing §10-12-4-2(J) & (N) to modify the financial responsibility of street signs and luminaires installation for new development.

Discussion ensued on the following: None.

MOTION: Council Member Reid made a motion to dispense with reading the rules and put **Ordinance #2024-003** on third and final reading by title only. **Council Member Stone** seconded the motion. The Roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

Mayor Pierce read the ordinance by title only.

MOTION: Council Member Hawkins moved to approve the request to adopt **Ordinance #2024-003** for amending the Twin Falls City Code by repealing and replacing §10-12-4-2(J) & (N) to modify the financial responsibility of street signs and luminaires installation for new development. **Vice Mayor Brown** seconded the motion. The roll call vote showed all members present voted in favor of the motion, 7 to 0.

6) GENERAL PUBLIC INPUT

Citizen Richard Aldama presented a handout regarding short-term rentals. Presented a petition with signatures for support of the proposal that the city adopt short-term rental controls.

Citizen Tim Mader also spoke on the short-term rental control proposal.

Citizen Danielle Titus spoke in favor of this request.

Citizen Matt Harrison spoke in favor of this request. Clarified that this is not on a through street but in a cull-da-sack.

Citizen Kent Lee spoke in favor of this request. Does not feel that this is being used appropriately for a residential neighborhood.

Mayor Pierce asked for council wishes.

Vice Mayor Brown asked **P&Z Director Spendlove** how the application for the structure in question was approved. Is in favor of having staff look into this.

P&Z Director Spendlove stated that the permit was approved as a single-family residence. Gave other clarifications on how this works in other municipalities in Idaho.

Council Member Reid: Is a short-term rental or Air-B&B a "Business"?

Council Member Vollmer would like to have city staff investigate this.

City Manager Rothweiler clarified the request for city staff to investigate this issue and how to move forward.

Council Member Cutler agreed that we need to do something regarding regulation. Possibly an ordinance so that we don't put additional work on staff.

Mayor Pierce directed the staff to investigate this matter.

7) ADVISORY BOARD REPORT/ANNOUNCEMENTS

City Manager Rothweiler reminded all the Martin Luther King Jr. holiday is next Monday and the Council meeting will be held at 5:00 pm on Tuesday, January 16, 2024.

8) PUBLIC HEARINGS

9) EXECUTIVE SESSION

10) ADJOURNMENT

The meeting adjourned at 06:25 PM.



Amy Luna, Deputy City Clerk

****If you wish to have a full accounting of this meeting, please listen to the recording that is located on our website. **** [Tfid.org](https://www.tfid.org)