



Twin Falls City Council Minutes

Tuesday, January 16, 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, Council Member Craig Hawkins, Christopher Reid, Spencer Cutler, Cherie Vollmer & Grayson Stone.

Absent: Vice Mayor Jason Brown,

Staff Present: City Manager Travis Rothweiler, Deputy City Managers Mitch Humble & Gretchen Scott, Deputy City Attorney Linda Wells, IT Director Kathy Markus, Parks & Recreation Director Wendy Davis, Police Chief Craig Kingbury, Captain Brent Wright, City Engineer Troy Vitek, Planning & Zoning Director Jonathan Spendlove, 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 wished, to recite the Pledge of Allegiance to the Flag.

3) PROCLAMATIONS

4) CONSENT CALENDAR

MOTION: Council Member Reid moved to approve the Consent Calendar as presented. **Council Member Hawkins** seconded the motion. The roll call vote showed all members present voted in favor of the motion, 6 to 0.

- a) Request to approve City Council 2024 January 08, Minutes.
- b) Request to approve Accounts Payable for January 4-10, 2024.
- c) Request City Council to approve the Special Event Permit for the organizers of the annual Canyon Rim Classic Soccer Tournament.
- d) Request City Council to approve the Special Event Permit for the organizers of the 12th Annual Magic Valley Beer Festival.
- e) Request the City Council to approve the Special Event permit for the organizers of the First Federal Paper Rock Scissors Tournament.
- f) Request City Council to approve the Special Event Permit for the organizers of the 2024 Downtown Farmer's Market.
- g) Consider a recommendation from the Parks and Recreation Commission to accept a bench donation from Nathan Danielson to be placed at Sunway Soccer Complex "In honor of Mikey Danielson (1962-2023)".

5) ITEMS OF CONSIDERATION

- a) Consideration of a request to authorize staff to enter into contract negotiations for Software and Services with BS&A Software, with the understanding that the Springbrook Cloud is identified as a contingency option in the event of substantial scope changes.

IT Director Markus made a request to authorize staff to enter into contract negotiations for Software and Services with BS&A Software, with the understanding that the Springbrook Cloud is identified as a contingency option in the event of substantial scope changes.

Discussion ensued on the following:

Council Member Reid: What are some of the upgrades that we will get with this new system?

Mayor Pierce: Asked about talking with existing users.

MOTION: Council Member Reid moved to approve the request to authorize staff to enter into contract negotiations for Software and Services with BS&A Software, with the understanding that the Springbrook Cloud is identified as a contingency option in the event of substantial scope changes. **Council Member Stone** seconded the motion. The roll call vote showed all members present voted in favor of the motion, 6 to 0.

- b) Consider a recommendation from the Parks and Recreation Commission to name the trailhead located at the corner of Poleline and Eastland "Canyon Trail Junction".

P&R Director Davis asked for consideration of a recommendation from the Parks & Recreation Commission to name the trailhead located at the corner of Poleline and Eastland "Canyon Trail Junction".

Discussion ensued on the following:

Council Member Cutler: Asked for clarification on the naming of this area.

Council Member Hawkins: Explained the discussion that led to this name.

MOTION: Council Member Reid moved to approve the request to name the trailhead located at the corner of Poleline and Eastland "Canyon Trail Junction". **Council Member Vollmer** seconded the motion. The roll call vote showed all members present voted in favor of the motion, 6 to 0.

- c) 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:

Council Member Stone: Asked about the discrepancies and if any of the 17 items are "Life Safety" related.

Council Member Reid: Asked if P&Z would identify the code that relates to each of the items. Concerned when the City goes against the rules that are above us.

Mayor Pierce: Asked for clarification on the plans that were presented.

Council Member Cutler: Spoke on the "Exceptional Hardship" aspect being what we are looking at.

Council Member Reid: Asked about the "Exceptional Hardship" aspect in relation to the laws. What is the responsibility of the city if this is granted?

Deputy City Attorney Wells: Explained the needs for tonight's decision.

City Manager Rothweiler: Gave some direction to the Council on this matter.

Council Member Stone: How much liability is put on the City if this is approved? Spoke on the pros and cons of approving this decision. Can there be a TCO tied to the February 15th dated item?

Mayor Pierce: Asked for clarification on the items that need to be tied to the storm water issue.

Council Member Hawkins: Expressed his struggle with this issue. Asked if doing this would limit the City's liability related to any damage.

Mayor Pierce: Talked about her issue with the liability related to this issue.

Council Member Vollmer: What is the stated Hardship? Would like to focus on "Hardship" as this is setting a precedence.

Attorney for Rob Green Hyundai Redmond: Gave additional information on identifying the Exceptional Hardship related to this request.

City Manager Rothweiler: Read a message from City Attorney Castleton related to liability. **Council Member Cutler:** Spoke about making the motion to approve this motion and to then instruct city staff to amend this city code.

Council Member Stone: Asked for clarification on what Council Member Cutler was asking for.

MOTION: Council Member Cutler moved to approve the request to defer required improvements for *Building Permit #22-0100* due to exceptional hardship and refer to the items and dates as stated in the packet. **Council Member Reid** seconded.

Mayor Pierce stated that the motion did not mention the exceptional hardship.

Council Member Cutler restated the motion.

MOTION: Council Member Cutler moved to approve the request finding exceptional hardship and refer to the items and dates as stated in the packet. Motion dies due to lack of a second.

MOTION: Council Member Reid moved to approve the request finding an exceptional hardship for a deferral for the 17 items listed in the packet. **Council Member members Hawkins** seconded the motion.

Additional Discussion:

Council Member Vollmer: Stated that the exceptional hardship was not defined in the motion.

Council Member Stone: Agreed with **Council Member Vollmer** and requested that the "exceptional hardship" be defined in the motion.

City Manager Rothweiler: Gave clarification.

Council Member Cutler: Agreed that the hardship should be defined.

Council Member Reid moved to amend the motion to approve the request finding an exceptional hardship because of weather, supply chain issues and mechanical failures, and granted a deferral for landscaping related items, trash enclosure, parking space paint stripes, ADA Accessible Route, Paving of Parking area, storm water system (site drainage pipes, contours, gutters, scuppers, and retention area); with a deadline to complete these deferred items as defined in proposal. **Council Member Vollmer** seconded the motion.

Council Member Stone requested that the motion include something about the significant number of people unemployed. And explained why.

Council Member Stone moved to amend the amendment to the motion to approve the request finding an exceptional hardship because of weather, supply chain issues, mechanical failures and the impact on a significant number of employees, and granted a deferral for landscaping related items, trash enclosure, parking space paint stripes, ADA Accessible Route, Paving of Parking area, storm water system (site drainage pipes, contours, gutters, scuppers, and retention area); with a deadline to complete these deferred items as defined in proposal. **Council Member Hawkins** seconded the motion. The roll call vote showed all members present voted. Motion passed 4 to 2.

MOTION: Council Member Reid moved to approve the request finding an exceptional hardship because of weather, supply chain issues, mechanical failures and the impact on a significant number of employees, and granted a deferral for landscaping related items, trash enclosure, parking space paint stripes, ADA Accessible Route, Paving of Parking area, storm water system (site drainage pipes, contours, gutters, scuppers, and retention area); with a deadline to complete these deferred items as defined in proposal. **Council Member Hawkins** seconded the motion. The roll call vote showed all members present voted. Motion passed 4 to 2.

6) GENERAL PUBLIC INPUT

7) ADVISORY BOARD REPORT/ANNOUNCEMENTS

Mayor Pierce reminded the Council that the liaison assignments have been sent out and placed in teams.

City Manager Rothweiler spoke about the snow, and its removal throughout the City of Twin Falls. Explained that we do priority one roads, and the maps of these roads are located on our website.

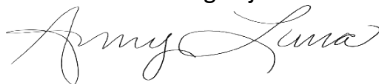
Council Member Reid expressed thanks to ALL the departments that have been going above and beyond in this situation.

8) PUBLIC HEARINGS

9) EXECUTIVE SESSION

10) ADJOURNMENT

The meeting adjourned at 06:23 PM.



Amy Luna, Deputy City Clerk