COUNCIL MEMBERS:

Suzanne Hawkins	Jim Munn	Shawn Barigar	Chris Talkington	Gregory Lanting	Don Hall	Rebecca Mills Sojka
Vice Mayor					*Mayor*	

AGENDA
Meeting of the Twin Falls City Council
Monday, January 5, 2015
City Council Chambers - 305 3rd Avenue East -Twin Falls, Idaho

5:00 P.M.

PLEDGE OF ALLEGIANCE TO THE FLAG
CONFIRMATION OF QUORUM
CONSIDERATION OF THE AMENDMENTS TO THE AGENDA
PROCLAMATION: None

GENERAL PUBLIC INPUT		
AGENDA ITEMS		
I. CONSENT CALENDAR:	Purpose:	By:
1. Consideration of a request to approve the Accounts Payable for: December 23, 2014 – January 5, 2015, total: $495,989.96 Fire Payroll for December 31, 2014, total: $53,879.29.	Action	Sharon Bryan
2. Consideration of a request to approve the December 15 and December 22, 2014, City Council Minutes.	Action	Leila A. Sanchez
II. ITEMS FOR CONSIDERATION:	Purpose:	By:
1. Swearing in ceremony for two new Twin Falls Police Department Officers and Mayor Don Hall to administer the Oath of Office to Officers Matthew Guzman and Tyler Smotherman.	Action	Bryan Krear Don Hall
2. Consideration of a request to authorize the Mayor to sign a resolution supporting the City's WaterSMART 2015 grant application.	Action	Mandi Thompson
3. Consideration of a request to partner with the Twin Falls Highway District on a project to install a signal at the intersection of Addison Ave. E. and Hankins Rd.	Discussion/ Possible Action	Jacqueline Fields
4. Consideration of a request to adopt an ordinance amending City Code 6-4-9 regarding the City official and department responsible for administering the City's kennel licensing process.	Action	Mitchel Humble
5. Discussion and possible action regarding the Council's prioritization of upcoming amendments to City Code, Title 10.	Discussion/ Possible Action	Mitchel Humble
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.		
1. Requests for a Zoning Title Amendment to amend Title 10-Chapter 4-Section 8.2 (B) 3; by adding a land use; (c) outside storage yard and shop as an accessory use for a government facility by Special Use Permit and by adding a definition of Open and Outside Storage Yard and Shop to Title 10; Chapter 2.	Action/PH	Kent Taylor on behalf of Twin Falls BLM, LLC Jonathan Spendlove
V. ADJOURNMENT:		
1. 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.		

Any person(s) needing special accommodations to participate in the above noticed meeting could contact Leila Sanchez at (208) 735-7287 at least two working days before the meeting. Si desea esta información en español, llame Leila Sanchez (208)735-7287.

Twin Falls City Council-Public Hearing Procedures for Zoning Requests

1. Prior to opening the first Public Hearing of the session, the Mayor shall review the public hearing procedures.
2. Individuals wishing to testify or speak before the City Council shall wait to be recognized by the Mayor, approach the microphone/podium, state their name and address, then proceed with their comments. Following their statements, they shall write their name and address on the record sheet(s) provided by the City Clerk. The City Clerk shall make an audio recording of the Public Hearing.
3. The Applicant, or the spokesperson for the Applicant, will make a presentation on the application/request (request). No changes to the request may be made by the applicant after the publication of the Notice of Public Hearing. The presentation should include the following:
    - A complete explanation and description of the request.
    - Why the request is being made.
    - Location of the Property.
    - Impacts on the surrounding properties and efforts to mitigate those impacts.

    Applicant is limited to 15 minutes, unless a written request for additional time is received, at least 72 hours prior to the hearing, and granted by the Mayor.
4. A City Staff Report shall summarize the application and history of the request.
    - The City Council may ask questions of staff or the applicant pertaining to the request.
5. The general public will then be given the opportunity to provide their testimony regarding the request. The Mayor may limit public testimony to no less than two minutes per person.
    - Five or more individuals, having received personal public notice of the application under consideration, may select by written petition, a spokesperson. The written petition must be received at least 72 hours prior to the hearing and must be granted by the mayor. The spokesperson shall be limited to 15 minutes.
    - Written comments, including e-mail, shall be either read into the record or displayed to the public on the overhead projector.
    - Following the Public Testimony, the applicant is permitted five (5) minutes to respond to Public Testimony.
6. Following the Public Testimony and Applicant's response, the hearing shall continue. The City Council, as recognized by the Mayor, shall be allowed to question the Applicant, Staff or anyone who has testified. The Mayor may again establish time limits.
7. The Mayor shall close the Public Hearing. The City Council shall deliberate on the request. Deliberations and decisions shall be based upon the information and testimony provided during the Public Hearing. Once the Public Hearing is closed, additional testimony from the staff, applicant or public is not allowed. Legal or procedural questions may be directed to the City Attorney.

* Any person not conforming to the above rules may be prohibited from speaking. Persons refusing to comply with such prohibitions may be asked to leave the hearing and, thereafter removed from the room by order of the Mayor.

COUNCIL MEMBERS:

SHAWN BARIGAR	DON HALL	SUZANNE HAWKINS	GREGORY LANTING	JIM MUNN, JR.	REBECCA MILLS SOJKA	CHRIS TALKINGTON
	Mayor	***Vice Mayor***				

MINUTES
Meeting of the Twin Falls City Council
Monday, December 15, 2014
City Council Chambers
305 3rd Avenue East -Twin Falls. Idaho

4:00 P.M.

PLEDGE OF ALLEGIANCE TO THE FLAG
CONFIRMATION OF QUORUM

	Purpose	By:
Attendees to include: • Members of the local Idaho Legislative Delegation • City of Twin Falls Council Members • City Staff Members **Agenda** 4:00 P.M. Welcome and Introductions		
4:05 P.M. Roundtable discussion of possible upcoming issues of the 2015 Legislative Session o Discussion on the State of the City of Twin Falls Economy – Travis Rothweiler ▪ Update on the City of Twin Falls ▪ Local Economy and Projects ▪ Reorganization ▪ Current Projects	Discussion Discussion	Led By City Staff Members with input from City Council Members Members of the Local Delegation
o Area of Annexation – Mitchel Humble o Discussion on Public Transportation in Twin Falls – Mandi Thompson o Public Works, Water Rights and Transportation Issues – Jacqueline Fields o Urban Renewal and Economic Development – Melinda Anderson 5:15 P.M. Discussion of local delegation's perspective 5:25 P.M. Final Thoughts.	Discussion	
5:30 P.M. **CONSIDERATION OF THE AMENDMENTS TO THE AGENDA** **PROCLAMATIONS: None** **GENERAL INPUT**		
I. CONSENT CALENDAR: 1. Consideration of a request to approve the Accounts Payable for December 9 – 15, 2014, TOTAL: $421,467.43.	Action	Sharon Bryan
II. ITEMS FOR CONSIDERATION: 1. Discussion and possible action on the Citizens' City Facilities Committee recommendation to acquire the Banner Furniture Building on Main Street, transform the existing City Hall and Police Station into a Public Safety Complex and to use unrestricted cash reserves to pay for the project. 2. Public input and/or items from the City Manager and City Council.	Discussion/ Possible Action	Co-Chairs/Citizens Committee for Facilities
III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:		
6:00 P.M. **IV. PUBLIC HEARINGS:** 1. Request for Annexation of a 40 (+/-) acre parcel and a Zoning District Change and Zoning Map from R-1 VAR to C-1 PUD to allow a planned mixed use development compatible with the Urban Village/Urban Infill designation, as described in the Twin Falls Vision 2030 - A Comprehensive Plan, and consisting of a combination of mixed residential, professional office and light commercial uses on property located at the southwest corner of Pole Line Road East and Eastland Drive North.	PH/Action	Gerald Martens, EHM Engineers, Inc. on behalf of Northeast Investments, LLC

V. **ADJOURNMENT:**		

Any person(s) needing special accommodations to participate in the above noticed meeting could contact Leila Sanchez at (208) 735-7287 at least two working days before the meeting. Si desea esta información en español, llame Leila Sanchez (208)735-7287.

4:00 P.M.

Present: Shawn Barigar, Don Hall, Suzanne Hawkins, Gregory Lanting, Jim Munn (5:30 p.m.), Rebecca Mills Sojka, Chris Talkington

Present: Stephen Hartgen, Maxine Bell, Lance Clow, Lee Heider, Jim Patrick, Clark Kaufmann, and Nancy Duncan with the City of Kimberly

Staff Present: City Manager Travis Rothweiler, City Attorney Fritz Wonderlich, Deputy City Attorney Shayne Nope, Deputy City Managers Mitchel Humble and Brian Pike, Chief Financial Officer Lorie Race, Economic Development Director Melinda Anderson, City Engineer Jacqueline Fields, Assistant City Engineer Troy Vitek, Grant Writer Mandi Thompson, Human Resource Director Susan Harris, Fire Chief Ron Clark, I/S Tami Lauda, Deputy City Clerk Leila A. Sanchez

Attendees to include:

- Members of the local Idaho Legislative Delegation
- City of Twin Falls Council Members
- City Staff Members

Agenda

4:00 P.M. Welcome and Introductions

Mayor Hall brought the meeting to order at 4:04 p.m.

Mayor Hall thanked the local legislators and Nancy Duncan, Kimberly City Council for their attendance.

4:05 P.M. Roundtable discussion of possible upcoming issues of the 2015 Legislative Session

- Discussion on the State of the City of Twin Falls Economy – Travis Rothweiler
  - Update on the City of Twin Falls
  - Local Economy and Projects
  - Reorganization Current Projects
- Area of Annexation – Mitchel Humble
- Discussion on Public Transportation in Twin Falls – Mandi Thompson
- Public Works, Water Rights and Transportation Issues – Jacqueline Fields
- Urban Renewal and Economic Development – Melinda Anderson

City Manager Travis Rothweiler gave the introduction and a PowerPoint presentation.

He reviewed the new organizational structure and introduced Deputy City Manager for Public Safety Brian Pike and Deputy City Manager for Community Services and Development Mitchel Humble.

Discussion followed on the citizen survey and transportation funding.

City Engineer Jacqueline Fields spoke on transportation and water rights.

Grant Writer Mandi Thompson spoke on public transportation. She has applied for and received a grant for a transit development plan. The plan is to have this completed in six months.

City Manager Rothweiler discussed NPO status and the City of Kimberly. The City is working with Sarah Michael, Region IV Mobility Manager for Community Transportation Association of Idaho (CTAI), on transportation.

Grant Writer Thompson explained she is working with the Idaho Transpiration Department to discuss how the NPO is formed. When the next census is certified the City will have a year to create the NPO.

Councilmember Barigar stated the the City, industry partners, the College of Southern Idaho, and the Chamber of Commerce have been actively involved in transportation.

Economic Development Director Melinda Anderson gave a brief review of the Main Avenue Design Project, new businesses downtown, small projects, and comprehensive legislation.

5:15 P.M. Discussion of local delegation's perspective

5:25 P.M. Final Thoughts.

City Manager Rothweiler and Mayor Hall thanked the legislators for attending today's meeting.

Recess at 5:28 p.m.
Reconvened at 5:57 p.m

5:30 P.M.

Mayor Hall called the meeting to order at 5:30 P.M.

He then invited all present, who wished to, to recite the pledge of Allegiance to the Flag with him and Boy Scouts from Troop 59. A quorum is present.

CONSIDERATION OF THE AMENDMENTS TO THE AGENDA: None

PROCLAMATIONS: None

GENERAL INPUT: None

I. CONSENT CALENDAR:

1. Consideration of a request to approve the Accounts Payable for December 9 – 15, 2014.

   MOTION:
   Councilmember Lanting moved to approve the Consent Calendar as presented. The motion was seconded by Vice Mayor Hawkins and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

6:00 P.M.

IV. PUBLIC HEARINGS:

1. Request for Annexation of a 40 (+/-) acre parcel and a Zoning District Change and Zoning Map from R-1 VAR to C-1 PUD to allow a planned mixed use development compatible with the Urban Village/Urban Infill designation, as described in the Twin Falls Vision 2030 - A Comprehensive Plan, and consisting of a combination of mixed residential, professional office and light commercial uses on property located at the southwest corner of Pole Line Road East and Eastland Drive North.

   Deputy City Manager Humble explained the notice process for the public hearing. There was a typo that was mailed out to property owners within 300' with an inaccurate date of December 10. Another letter was send out with the correct date of December 15, 2014. Signage was also placed on the property. A citizen showed up at the December 10, 2014, public hearing. She was informed of correction.

   Councilmember Mills Sojka stated her concern of other surrounding property owners not having the correct information of tonight's public hearing.

   Council discussion followed.

   City Attorney Wonderlich stated that the corrected notice was sent out 14 to 15 days prior to the meeting.

   The consensus of the Council was to move forward with the public hearing.

   Gerald Martens, on behalf of the applicant, explained the request. He gave a brief history of the development process for the Urban Village.

On November 25, 2014, the Commission unanimously recommended the C-1 PUD / Master Development Plan as an appropriate zoning designation upon annexation.

On overhead projection he showed a summary of the project design.

Discussion followed:
-Lighting
-Functionality of open space
-Pathway systems and pedestrian safety

Gerald Martens stated the light source will not escape the boundary of the property and will have uniform architectural lighting criteria for the entire project.

The required green space provided for the project, without the discretionary green space, exceeds 20% of the site. The functionality of the green space encompasses jurisdictional wetlands in which limitations are placed. Green Space south of the proposed gated entry to the townhomes is a small park that will be incorporated into the townhome or office development. The pathway through the property will be landscaped on both sides and will provide a pleasant environment for users of the trail. Within the property boundary there are no public designated type parks. There will be a 10' wide walkway.

-Traffic calming plans on Pole Line Road
-Park designated west of the property and north of Cheney
-Crossing Pole Line Road
- Trail connection

Assistant City Engineer Vitek explained there is no warrant for a signal at the location but Gerald Martens stated he will be do a traffic study to address traffic and roadway design. Illumination is currently being discussed.

Mayor Hall stated for the record that if the request is approved that consideration be made to slowing the traffic down at the Pole Line location for safety reasons.

Assistant City Engineer Vitek stated for the record that on Mountain View there are approaches that are proposed to be private easements and he is currently in discussion with Gerald Martens to making these tracts. Staff is having difficulty with addressing and giving an easement a road name.

Gerald Martens stated The Bishops Storehouse project, as developed, will complete Mountain View in its entirety including utilities.

Johnny Watson, applicant, stated that the idea of urban village is small scale 14,000 s.f. with low traffic volume. A Bishop's Storehouse is a small grocery store without a cash register. It is an avenue to help those in need to get basics for their family.

Planner I Spendlove reviewed the request.

Discussion followed.

Gerald Martens stated there will be a property owners association and an architectural review committee.

Planner I Spendlove stated that the underlying zone will be R1 in which the minimum lot size will have to be met. This will also include the townhouses. The density cannot be increased. The Planning & Zoning Commission did not discuss the non-commercial storehouse.

On November 25, 2014, a public hearing before the Planning & Zoning Commission took place. Upon conclusion of the public hearing and deliberations Commissioner Munoz made a recommendation that the Zoning District Change & Zoning Map Amendment, as presented and including staff recommendations, is an appropriate Zoning District. Commissioner Derricott seconded the motion. All members present voted in favor of the motion.

1. Subject to site plan amendments per Building, Engineering, Fire and Zoning Officials for compliance with City Code requirements and standards.

2. Subject to development in compliance with the Master Development Plan and the PUD Agreement as approved.

3. Subject to all development within Area B being uniform in "Use".

Staff concurs with the Commission's recommendation.

-Area D - Height restriction of 35'
-Concern of pedestrian safety due to increased traffic and requiring traffic calming

Deputy City Manager Humble explained that a few years back traffic calming was required at the apartments near the college

Mayor Hall opened up the public testimony portion of the hearing.

Chris Stearns, 2404 Julie Lane, stated her concern of the increase of traffic on Eastland and Pole Line and the truck traffic coming on Mountain View to Bishop's Storehouse.

David Sparks, 1999 Pole Line Road East, spoke in favor of the request.

Nathan Welch, 1345 Mountain View Drive, stated he represents some of the neighbors in the area who are in favor of the changes made to the development.

Kevin Bradshaw, 1193 Eastridge Circle, stated his concern is the difficulty of turning left from Julie Lane to Eastland. The narrowing of the street to Bridgeview is another concern.

Ross Conland, 2197 Julie Lane, spoke in favor of the request.

Lynn Rasmussen, 576 Buckingham Drive, spoke in favor of the request

Mayor Hall closed the public testimony of the hearing.

Gerald Martens described the appearance of the Bishop's Warehouse. The turn lanes and access will be designed to accommodate the trucks that come and go. Troy Vitek alluded to part of the agreement that a traffic study will be provided before moving forward with any of the commercial aspects of the project. Traffic concerns have been brought up at every meeting and as pointed out, the best section of the road are the two frontages of the property that were built by the developer to four lanes as part of the Northeast Sewer project approximately 6 - 7 years ago at a cost of $1 M. Installed is adequate sewer and water that benefits the entire neighborhood. As part of the project, Meadowview Drive will be an extended drive through in the first phase that will provide an alternative traffic route and potentially eliminate some of the conflict at Julie Lane. Groundwater right exists and the developer will be enhancing and taking the spill from the city's irrigation pump station that is located on the southwest corner and adding that to the water in the wetlands.

Discussion followed.
-Notification process of the public hearing
-Traffic study
-Option to require a pedestrian/bicycle crossing upon approval of the Engineering Department
-Left turn on Julie Lane onto Pole Line
-Rapid flashing beacon
-Future plan for the area
-Eastland Road lanes
-Transportation plan
-Parking lot landscaping islands

Gerald Martens stated that an accurate traffic study can be done at the storehouse, townhouses, residential, and office, portions. In the PUD agreement density is specified. The only part of the property that a traffic study would require some speculation is the commercial portion.

Deputy City Manager Humble explained that a pedestrian crossing would come into play with the results of the traffic study and platting. It is not inappropriate to place this condition on tonight's request.

Assistant City Engineer Vitek stated that a traffic study does not warrant a crosswalk at Julie Lane.

Deputy City Manager Humble stated that the Transportation Plan does not have a priority list. A section of Pole Line Road is included in the impact fee capital improvement.

Mayor Hall closed the public testimony portion of the hearing.

MOTION:

Councilmember Talkington moved to approve Annexation of a 40 (+/-) acre parcel and a Zoning District Change and Zoning Map from R-1 VAR to C-1 PUD to allow a planned mixed use development compatible with the Urban Village/Urban Infill designation, as described in the Twin Falls Vision 2030 - A Comprehensive Plan, and consisting of a combination of mixed residential, professional office and light commercial uses on property located at the southwest corner of Pole Line Road East and Eastland Drive North subject to the following conditions:

1. Subject to site plan amendments per Building, Engineering, Fire and Zoning Officials for compliance with City Code requirements and standards.

2. Subject to development in compliance with the Master Development Plan and the PUD Agreement as approved.

3. Subject to all development within Area B being uniform in "Use".

4. Subject to the applicant conducting a traffic study and determining an appropriate pedestrian/bicycle crossing, upon approval of the Engineering Department, on Mountain View and Pole Line, and to be paid for by the applicant.

The motion was seconded by Councilmember Lanting.

Discussion followed.

Vice Mayor Hawkins stated the traffic in the area is definitely growing; however, the condition of the roads outside the boundary discussed is not the developer's responsibility.

Councilmember Barigar thanked the developer and neighbors for working together to make improvements.

Councilmember Mills Sojka stated she would approve the request with two recommendations for city staff (1) to prioritizing and fully build out Eastland and (2) create guidelines and detailed zoning for urban village /urban infill.

Roll call vote showed all members present voted in favor of the motion.

Gary Storrer, 1042 Wildwood Way, stated that drivers primarily use the inside lane on Eastland Road and would encourage staff to find a way to encourage drivers to use the outside lanes.

II. ITEMS FOR CONSIDERATION:

1. Discussion and possible action on the Citizens' City Facilities Committee recommendation to acquire the Banner Furniture Building on Main Street, transform the existing City Hall and Police Station into a Public Safety Complex and to use unrestricted cash reserves to pay for the project.

   Gary Garnand, Co-Chair, on behalf of the 22 citizens of the committee thanked the Council for allowing their input. He gave an overview of the meetings held and spoke on the following motions passed by the committee:

   - Proceed immediately with the process of identifying a location for a future city hall.
   - To focus primarily on the Original Townsite location.
   - To focus and tour the following properties:
     Old Banner Furniture Building located at 201 Main Avenue East
     Former Latham Motors dealership located at 510 2nd Avenue South
     Former Twin Falls Clinic and Hospital Building located at 666 Shoshone Street East
   - To limit committee discussion on the Banner building and the Clinic building.
   - To use unrestricted cash reserve to pay for the remodeling for the Banner Building for the City Hall.
   - To have the committees' co-chairs present to the City Council recommending the Banner building for a City Hall and to be paid from cash reserves.

   Discussion followed.
   -Meeting procedure and setting the agenda

   Greg Paulson, Co-Chair, stated his reasons for choosing the Banner building. The committee, at length, discussed how much square footage was needed for a City Hall and if a space needs assessment should be done. In the December 4, 2014, minutes, Clint Sievers stated, "He doesn't believe there is a need for a program now. The city is currently utilizing about 20,000 square feet therefore it is safe to assume the Clinic building and Banner buildings would accommodate a City Hall now and into the future. The space needs program gives you the detail of the quantity of conference room and offices, and it can be laid out in a floor plan. The space needs program does not need to be done to know the buildings are big enough." Clint Sievers was then asked how long the Banner building will be big enough. He responded, "Based on the information he has received from Travis Rothweiler regarding growth with two employees per year, it is estimated there is approximately an excess of 20,000 square feet. By estimating the square footage for two people a year, it was estimated that it would take 30 to 40 years for the City to grow into the building."

In conclusion, Greg Paulson stated that the open space at the Banner building will give the City an opportunity to design the building according to their needs.

Jill Skeem, Co-Chair, spoke on the December 11, 2014, meeting agenda. Terry Kramer, Eric Watte. Andy Daleiden from Kittelson were placed on the agenda. Because discussion and possible action on a recommendation to the Council regarding facilities was placed on top of the agenda, it blocked speakers from representing information. She spoke against the recommendation. Her concern is not having sufficient information to make a decision and disagreed on the committee process.

Eric Watte, former Clinic and Hospital, gave a PowerPoint presentation describing the former Twin Falls Clinic & Hospital building.

Discussion followed.

Councilmember Barigar asked Mr. Watte what new information is presented tonight that was not presented to the committee members.

Eric Watte stated that the average cost is closer to $50 per sq. ft.

Mayor Hall stated Commissioner Leon Mills is present for any questions.

Mayor Hall opened up the meeting for committee members to comment.

Daphne Mallory, Twin Falls, stated she did not feel she had sufficient information to make a decision.

Alan Horner, 688 Sun Terrace Drive, spoke in favor of the recommendation.

A letter from Barry Knoblich was entered into the record.

Lori Ward, 1070 Laurelwood Court, spoke in favor of the recommendation.

Travis Quast, 661 Sun Terrace, spoke in favor of the recommendation.

Ed Ditlefsen; 270 Meadows Lane, spoke in favor of the recommendation

David Moore, 230 Coronado Avenue, spoke in favor of the recommendation.

Brian Dobbs, 471 Cypress Way, spoke in favor of the recommendation.

Kevin Bradshaw, 193 Eastridge Circle, recommended a public hearing be held and requested more input from an outside source.

Lisa Fairbanks, 123 Main Avenue East, spoke in favor of the recommendation.

Liyah Babayan, 250 Camarillo Way, asked how many committee members spoke to the downtown merchants to understand what climate they wanted to create as far as morale and culture and a downtown they envisioned and the revitalization of downtown.

Gary Garnand stated the committee requested that the Council make sure to include a way to develop art in the community in the facility. The City invited all those interested to serve on the committee.

Jill Skeem stated she obtained a 2005 Space Needs Assessment for the City and in it stated that by 2015 the CIty would need 55,800 s.f. by the year 2015 with 5,000 s.f. for future growth. This did not include police and fire or the Council Chambers. This did include Parks & Recreation (700 s.f). Her concern is the Banner building right now is 30,000 s.f. at a cost of $4.5m and no parking. This would include Council Chambers, which was not included in the 2015 assessment. She believes the building is not big enough, there is a lack of accessibility for citizens, and it will not generate business downtown.

Greg Paulson stated he believes the Banner building gives the most design flexibility because of the structure and the grid system.

Mayor Hall made the recommendation to table the request and to revisit it at a later date.

MOTION:
Councilmember Mills Sojka motioned to hold a public hearing on January 5, 2015, at 6:00 p.m. The motion failed due to a lack of a second.

MOTION:
Councilmember Talkington motioned to accept the recommendations of the Citizens Facilities Committee to take the Banner building and to be funded for renovation with reserve funds. The motion was seconded by Councilmember Lanting.

Discussion followed.

City Manager Rothweiler spoke on the 2005 Space Needs Study. The study was completed prior to the acquisition of the Hansen building. All facilities and structures were located in the main campus and the Council Chambers was in the old city hall.

Chief Finance Officer Race showed a spreadsheet sample of foot traffic at the Utility Office.

Deputy City Manager Humble stated that foot traffic at the Hansen building over the week of Veterans Day was approximately 30 customers per day. The high day was 27 and low day was 22.

CIty Manager Rothweiler stated the Banner facility is in private ownership and would become tax exempt. He is unclear of the ownership of the former Clinic and Hospital.

Council discussion followed.

Councilperson Mills Sojka spoke on a public hearing process. She spoke in favor of using multiple avenues for citizen engagement for input on a $7m - $10m project. She does not feel she has quite enough information on how to address parking issues and accessibility at the Banner site. She does not believe public lots should be counted as the city's personal parking. The plaza was a vital argument to proponents of the Banner location at the December 11, 2014, and she asked for the cost and funding of the Rogerson plaza. She believes the taxpayers need to know the total cost of the project.

Councilmember Lanting explained that the Twin Falls Urban Renewal Agency is currently considering whether or not to go out for bids for the demolition of the Rogerson building. The plaza is one of Otak's thought processes in helping revitalize downtown. The plan is for the Rotary Club to help URA to build the plaza. He spoke on the plan for Hansen Street, parking survey, and areas for employees to park.

Economic Development Director Anderson stated that the URA will know the cost for the five block Main Avenue Redesign project that would include the plaza the end of May. The Twin Falls Community Foundation and Twin Falls Rotary Club have raised $400,000 for the plaza that will be available for use in the construction of the plaza. The purchase cost of the Rogerson was $450,000.

MOTION:
Roll call vote on the motion showed Councilmembers Barigar, Hall, Hawkins, Lanting, Munn and Talkington voted in favor of the motion. Councilmember Mills Sojka voted against the motion. Approved 6 to 1.

MOTION:
Councilmember Munn motioned to direct staff to proceed with a development of Request For Qualifications (RFQ) to select an architect to design the Banner building for a new city hall and to ask a selected architect to design the renovation of public safety that may include the main fire station. The motion was seconded by Councilmember Talkington.

City Manager Rothweiler clarified that the City is required to go through an RFQ process.

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.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

V. ADJOURNMENT: The meeting adjourned 9:18 p.m.

Leila A. Sanchez
Deputy City Clerk/Recording Secretary

Leila Sanchez

From: Rebecca Mills Sojka <rmills.sojka@gmail.com>
Sent: Monday, December 15, 2014 5:35 PM
To: Travis Rothweiler
Cc: Leila Sanchez; Don Hall
Subject: Fwd: Thanks

I received this statement from a committee member who cannot attend tonight.

He would like it read into the record, from Barry Knoblich.

Thanks,
Rebecca

Begin forwarded message:

From: "Barry " <baservant@cableone.net>
Date: December 15, 2014 at 3:53:07 PM MST
To: "'Rebecca Mills Sojka'" <rmills.sojka@gmail.com>
Subject: FW: Thanks

My comment could be read into the record if that will help.

-----Original Message-----
From: Barry [mailto:baservant@cableone.net]
Sent: Monday, December 15, 2014 8:44 AM
To: 'Jill Skeem'
Subject: RE: Thanks

I cannot attend. I was embarrassed that our committee had asked people to come and provide information and would not hear them. How we treated our fellow citizens that had taken the time to provide information was rude and uncalled for. I am sure no one on the committee would want to be treated in the same manner. It was a shameful display. The decision will be fine but that type of behavior is disappointing.

COUNCIL MEMBERS:

Suzanne Hawkins *Vice Mayor*	Jim Munn	Shawn Barigar	Chris Talkington	Gregory Lanting	Don Hall *Mayor*	Rebecca Mills Sojka

MINUTES

Meeting of the Twin Falls City Council

Monday, December 22, 2014

City Council Chambers - 305 3rd Avenue East -Twin Falls, Idaho

5:00 P.M.

PLEDGE OF ALLEGIANCE TO THE FLAG
CONFIRMATION OF QUORUM
CONSIDERATION OF THE AMENDMENTS TO THE AGENDA
PROCLAMATION: None

GENERAL PUBLIC INPUT

AGENDA ITEMS		
I. CONSENT CALENDAR:	**Purpose:**	**By:**
1. Consideration of a request to approve the Accounts Payable for December 16 -22, 2014.	Action	Sharon Bryan
2. Consideration of a request to approve the Findings of Fact, Conclusions of Law, and Decision for Additional Building Height for Glanbia Foods, Inc.	Action	Mitchel Humble
3. Consideration of a request to approve Minutes of the City Council for November 17, November 24, December 1, and December 8, 2014.	Action	Leila A. Sanchez
II. ITEMS FOR CONSIDERATION:	**Purpose:**	**By:**
1. Presentation for Twin Falls Fire Department Level III Firefighter Certifications to David Owens, Tyrone Prescott, Scott Wyatt, and Joell Miller.	Presentation	Ron Clark
2. Consideration of a request to appoint Kyle Tarbet to the Board of Trustees to serve a full term of office from January 2015 to December 2019.	Action	Susan Ash
3. Consideration of a request to confirm the appointment of Samantha Kemp to the Historic Preservation Commission to serve a partial term from December 22, 2014 to July 31, 2015.	Action	Mayor Don Hall
4. Consideration of a request to award the replacement of wooden Dierkes Lake stairs with metal stairs to Morgan Construction in the amount of $193,853.	Action	Dennis Bowyer
5. Consideration of a request to adopt an Ordinance for the vacation of property located in the undeveloped portion of the Jayco Subdivision, including platted public rights-of-way and easements on property located at 556 Champlin Way aka 3300 East Road for the Twin Falls Urban Renewal Agency. *(Proposed Ordinance 3083)*	Action	Jonathan Spendlove
6. Consideration of a request to adopt an Ordinance for the annexation of property located at the southwest corner of Pole Line Road East and Eastland Drive North for Northeast Investments, LLC. *(Proposed Ordinance 3084)*	Action	Mitchel Humble
7. Consideration of a request to approve the PUD Agreement between the City of Twin Falls and Northeast Investments, LLC. *(Proposed PUD 270)*	Action	Mitchel Humble
8. Consideration of a request to approve the City Council Schedule of Regular Meetings and Public Hearings for 2015.	Action	Travis Rothweiler
9. Request to adopt a resolution declaring a sole source supplier for purchase of law enforcement electronic control devices.	Action	Matt Hicks
10. 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:**		

Present: Shawn Barigar, Don Hall, Suzanne Hawkins, Gregory Lanting, Jim Munn, Rebecca Mills Sojka, Chris Talkington

Staff Present: City Manager Travis Rothweiler, City Attorney Fritz Wonderlich, Deputy City Attorney Shayne Nope, Deputy City Managers Mitchel Humble and Brian Pike, Fire Chief Ron Clark, Parks & Recreation Director Dennis Bowyer, Planner 1 Jonathan Spendlove, Captain Matt Hicks, I/S Tami Lauda, Deputy City Clerk/Recording Secretary Leila A. Sanchez

Mayor Hall called the meeting to order at 5:00 P.M.

He then invited all present, who wished to, to recite the pledge of Allegiance to the Flag with him. A quorum is present.

CONSIDERATION OF THE AMENDMENTS TO THE AGENDA

City Manager Rothweiler requested the following be added to the Consent Calendar:

Alcohol License for Gups LLC dba Guppies Hot Rod Grille located at 110 Main Avenue North.

MOTION:
Councilmember Lanting motioned to add to the Consent Calendar the Alcohol License for Gups LLC dba Guppies Hot Rod Grille located at 110 Main Avenue North. The motion was seconded by Councilmember Mills Sojka. Roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

PROCLAMATION: None

GENERAL PUBLIC INPUT:

Robin D. Wells, Director of Cade Programs, Idaho Wing – Civic Air Patrol explained the Air Force would like to have recognition for two individuals in the community when they reach the Mitchel Award. Chief Master Sergeant Marshall and Chief Master Sergeant Wheeler have reached and passed requirements to become Second Lieutenants.

Mayor Hall with Councilmember Talkington assisting awarded the officer rank to Chief Master Sergeant Marshall and Chief Master Sergeant Wheeler.

AGENDA ITEMS

I. CONSENT CALENDAR:

1. Consideration of a request to approve the Corrected Accounts Payable for December 16 -22, 2014, $2,551,100.45 and December 19, 2014, Payroll, total: $128,784.08. Prepay 12-22-2014, $147

2. Consideration of a request to approve the Findings of Fact, Conclusions of Law, and Decision for Additional Building Height for Glanbia Foods, Inc.

3. Consideration of a request to approve Minutes of the City Council for November 17, November 24, December 1, and December 8, 2014.

4. Consideration of a request to approve an Alcohol License for Gups LLC dba Guppies Hot Rod Grille located at 110 Main Avenue North.

   MOTION:
   Councilmember Lanting moved to approve the agenda as amended. The motion was seconded by Vice Mayor Hawkins. Roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

II. ITEMS FOR CONSIDERATION:

1. Presentation for Twin Falls Fire Department Level III Firefighter Certifications to David Owens, Tyrone Prescott, Scott Wyatt, and Joell Miller.

   Fire Chief Clark Chief Clark stated that he would like to take this opportunity to recognize David Owens, Tyrone Prescott, Scott Wyatt, and Joell Miller for completing their Firefighter III certification over the course of the last year. This advanced fire service training includes classes and coursework on various subjects including a three-part series in Managing Company Tactical Operations, Incident Command System, Fire Cause Determination, and obtaining their State Fire Inspector Certification.

   Mayor Hall presented the certificates to David Owens, Tyrone Prescott, Scott Wyatt, and Joell Miller.

2. Consideration of a request to appoint Kyle Tarbet to the Board of Trustees to serve a full term of office from January 2015 to December 2019.

Councilmember Barigar recused himself from discussion and vote. Kyle Tarbet is employed by the Twin Falls Chamber of Commerce.

   Library Director Susan Ash stated Mr. Tarbet expresses a strong interest in the Library and is prepared to accept the full responsibilities of a working Library Trustee for his term of office.

   MOTION:
   Vice Mayor Hawkins motioned to appoint Kyle Tarbert to the Board of Trustees to serve a full term of office from January 2015 to December 2019. The motion was seconded by Councilmember Munn. Roll call vote showed Suzanne Hawkins, Jim Munn, Chris Talkington, Gregory Lanting, Don Hall and Rebecca Mills Sojka voted in favor of the motion. Councilmember Barigar abstained. Approved 6 to 0. 1 abstained.

3. Consideration of a request to confirm the appointment of Samantha Kemp to the Historic Preservation Commission to serve a partial term from December 22, 2014 to July 31, 2015.

   Mayor Hall explained the request.

   Randall Watson, Chairman of the HPC, explained Ms. Kemp's credentials.

   MOTION
   Councilmember Munn motioned to confirm the appointment of Samantha Kemp to the Historic Preservation Commission to serve a partial term from December 22, 2014 to July 31, 2015. The motion was seconded by Councilmember Mills Sojka. Roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

4. Consideration of a request to award the wooden Dierkes Lake stairs with metal stairs to Morgan Construction in the amount of $193,853.

   Parks & Recreation Director Bowyer explained the request.

   Discussion followed.

   Mike Trabert, McClure Engineering, explained what materials will be used for the stairs.

   MOTION:
   Councilmember Barigar motioned to award the base bid of $144,318 and the alternate bid for stairs # 1, #9, and ramp #6 in the amount of $49,535 for a total bid of $193,853 to Morgan Construction. The motion was seconded by Vice Mayor Hawkins. Roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

5. Consideration of a request to adopt an Ordinance for the vacation of property located in the undeveloped portion of the Jayco Subdivision, including platted public rights-of-way and easements on property located at 556 Champlin Way aka 3300 East Road for the Twin Falls Urban Renewal Agency. *(Proposed Ordinance 3083)*

Deputy City Manager Humble stated all conditions placed on the vacation approval have been met. As directed by the Council, staff has prepared an ordinance for consideration. Staff recommends the City Council adopt the ordinance so it can be published and codified.

MOTION:
Councilmember Talkington motioned to suspend the rules and place Ordinance 3083, on third and final reading by title only. The motion was seconded by Councilmember Lanting. 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: AN ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, and VACATING THE REAL PROPERTY DESCRIBED BELOW AND PROVIDING FOR VESTING OF TITLE TO THE PROPERTY SO VACATED.

MOTION:
Vice Mayor Hawkins motioned to adopt Ordinance 3083. The motion was seconded by Councilmember Lanting. Roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

Deputy City Manager Humble explained the following two agenda items.

6. Consideration of a request to adopt an Ordinance for the annexation of property located at the southwest corner of Pole Line Road East and Eastland Drive North for Northeast Investments, LLC. *(Proposed Ordinance 3084)*

Deputy City Manager Humble stated that as directed by the Council, staff has prepared an ordinance for consideration. Staff recommends the City Council adopt the ordinance so it can be published and codified.

MOTION:
Councilmember Lanting motioned to suspend the rules and place Ordinance 3084 on third and final reading by title only. The motion was seconded by Councilmember Talkington. 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: 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 AND ORDERING THE NECESSARY AREA OF IMPACT AND ZONING DISTRICTS MAP AMENDMENT.

MOTION:
Councilmember Barigar motioned to adopt Ordinance 3084. The motion was seconded by Vice Mayor Hawkins. 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 PUD Agreement between the City of Twin Falls and Northeast Investments, LLC. *(Proposed PUD 270)*

Deputy City Manager Humble stated that the PUD Agreement correctly reflects the PUD as it was approved and recommended by Council.

MOTION:
Councilmember Lanting moved to approve the PUD Agreement between the City of Twin Falls and Northeast Investments, LLC. and authorize the Mayor to sign said agreement. The motion was seconded by Councilmember Barigar.

MOTION:
Councilmember Talkington motioned to amend the motion to draw reference to the use regulations specifically on Exhibit "C" Uses. Use Regulations: (B) Special Uses: 7. Retail Trade: To Not allows gasoline/fuel or electric recharge stations. The motion was seconded by Councilmember Mills Sojka.

Discussion followed.

Vice Mayor Hawkins stated that the applicant met with the neighbors to review the PUD agreement, of which they were in favor. The developer should be present prior to an amendment being made to the PUD agreement.

Councilmember Talkington stated service stations have their place and he does not believe this is one of them. They are often 24/7 hour operations, employ large canopies for all weather protection, employ strong lighting in night hours, intercom service that would interrupt the somewhat residential neighborhood environment, increase of transient traffic, and would require bearing large tanks which could destabilize some of the surrounding homes that are closer to the canyon rim. He is not in favor of a electrical fuel recharge station.

Discussion followed.

Deputy City Manager Humble stated that as shown in the PUD agreement, gas stations are allowed by a Special Use Permit.

Councilmember Mills Sojka stated a service station is not compatible at the location. The goal is to reduce traffic impact from Pole Line and Eastland.

Councilmember Barigar believes that being a provision under Special Uses, this would have to come forward with a hearing process in which public notification is required. There would be ample participation opportunity by the community and the possibility of placing restrictions on hours of operation and design elements, etc. He is in favor of leaving the PUD as it is.

Mayor Hall stated that gasoline service stations would have to come in through the Special Use process and does not feel comfortable making the restriction at this point.

Roll call vote showed Councilmembers Talkington and Mills Sojka voted in favor of the motion. Councilmembers Hawkins, Munn, Barigar, Lanting and Hall voted against the motion. Failed 5 to 2.

Councilmember Lanting thanked Mr. Taylor for working with the neighbors on the PUD agreement and for his investment in the community.

Roll call vote on the main motion showed Councilmembers Hawkins, Munn, Barigar, Lanting, Hall, and Mills Sojka voted in favor of the motion. Councilmember Talkington voted against the motion. Approved 6 to 1.

7. Consideration of a request to approve the City Council Schedule of Regular Meetings and Public Hearings for 2015.

City Manager Rothweiler made the presentation and explained the meetings during which no public hearings will be held.

MOTION:
Councilmember Mills Sojka motioned to approve the 2015 City Council meeting Calendar. The motion was seconded by Vice Mayor Hawkins.

AMENDMENT:
Councilmember Lanting motioned to eliminate the 5th Monday of every month on the calendar. Vice Mayor Hawkins seconded the motion.

Discussion followed.

Roll call vote showed Councilmembers Hawkins, Lanting and Hall voted in favor of the motion. Councilmembers Munn, Barigar, Talkington and Mills Sojka voted against the motion. Failed 4 to 3.

MOTION:
Councilmember Barigar amended the main motion to not conduct a public hearing the week of March 23, 2015. The motion was seconded by Councilmember Mills Sojka. 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.

9. Request to adopt a resolution declaring a sole source supplier for purchase of law enforcement electronic control devices.

Captain Hicks stated that the Twin Falls Police Department was approved to purchase 24 TASER devices in this year's budget in the amount of $33,120.00. These devices will replace 24 older models which have been in operation since 2006.

Idaho Code §67-2808(2)(ii) permits sole source expenditures where there is only one source for the acquisition of personal property reasonably available and "where the compatibility of equipment, components, accessories, computer software, replacement parts or service is the paramount consideration." The City has investigated sources for electronic control device equipment and has discovered that the only source for this equipment that will comply with the Twin Falls Police Department's written policy and instructor and operator training curriculum on its use of electronic control devices is TASER International.

MOTION:
Councilmember Talkington moved to approve Resolution 1938. The motion was seconded by Councilmember Lanting.

Discussion followed.

Luke Allen stated there is a company called Fasers that makes tasers. The tasers have not been tested and have been marketed primarily for the private sector.

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

City Manager Rothweiler stated that Wednesday, December 24, Thursday, December 25, 2014, and Thursday, January 1, 2015, City Hall will be closed. The Monday, December 29, 2014, City Council meeting has been cancelled.

Councilmember Lanting reported on an Urban Renewal Agency Board meeting that was held on December 22, 2014. The Board approved Option A - Replace all public utilities in alleyway.

Discussion followed.
-Budgeting

City Manager Rothweiler explained that the original plan did not contemplate changing out the water line. Without changing out the waterline they estimated the life of the waterline at 10 to 15 years. The Board was concerned that when working in the area it might degrade the line and have a life span of 5 to 10 years. City Manager Rothweiler stated he recommended the completion of the water and sewer lines because of the amount of disruption that could occur in the downtown area. He continued to discuss other URA projects and funding.

Mayor Hall stated that Top Story is going through changes and recommended that Council go on a holding pattern to review the City's media strategy.

III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u>

IV. PUBLIC HEARINGS: 6:00 P.M. – None

V. ADJOURNMENT: The meeting adjourned at 6:21 p.m.

Leila A. Sanchez
Deputy City Clerk/Recording Clerk

Date: December 22, 2014 City Council Meeting

To: Honorable Mayor and City Council

From: Sharon Bryan, Deputy City Clerk

Request:
Approve Alcohol License for Gups LLC dba Guppies Hot Rod Grille, 110 Main Avenue North.

Time: Consent Calendar

Background: Approval of Alcohol License

Budget Impact: N/A

Regulatory Impact: City and State Code Compliance

Conclusion: Staff recommends approval of Alcohol License.

Attachments: Alcohol License Application

ALCOHOL LICENSE APPLICATION

BUSINESS NAME Gups LLC ST NSE # 17284
(Please attac a c r state license)

DOING BUSINESS AS Guppies Hot Rod Grille

BUSINESS ADDRESS 110 Main Ave North Twin Falls Id 83301

LEGAL DESCRIPTION OF PLACE OF BUSINESS Family Restaraunt

Lot ________ Block 100 Subdivision ________

MAILING ADDRESS 110 Main Ave North Twin Falls Id 83301

CONTACT PERSON Aaron PHONE # 733-0985

			(Check)
BEER:	*Bottled for consumption off the premises only*	*($ 50.00)*	
	Bottled for consumption on premise	*($ 150.00)*	
	Bottled & Draught for consumption on premises	*($200.00)*	✓
WINE:	*Retail Sales for consumption off premises only*	*($200.00)*	
	Wine by the Drink for consumption on premises only	*($200.00)*	✓
LIQUOR:	*Liquor license & fees cover wine license & fees*	*($562.50)*	

As provided by the laws of the City of Twin Falls, Idaho for the term ending **June 30, 2010** tendered herewith is the license fee of $____________. *(Ordinance #2708)*

APPLICANT IS AN INDIVIDUAL (____) PARTNERSHIP (X) CORPORATION (____)

IF A PARTNERSHIP, NAME ALL PARTNERS: (PLEASE PRINT)

NAME: Dale Gupton RESIDENCE: 1472 Bitteroot Drive

NAME: Aaron Gupton RESIDENCE: 220 Grandview Drive

NAME: ____________ RESIDENCE: ____________

IF A CORPORATION OR ASSOCIATION, NAME ALL OFFICERS:

NAME: ____________ ADDRESS: ____________

TITLE: ____________

NAME: ____________ ADDRESS: ____________

TITLE: ____________

NAME: ____________ ADDRESS: ____________

TITLE: ______________________

NAME: ______________________ ADDRESS: ______________________

TITLE: ______________________

DATE OF INCORPORATION OR ORGANIZATION ______________________

PLACE OF INCORPORATION OR ORGANIZATION ______________________

PRINCIPAL PLACE OF BUSINESS IN IDAHO ______________________

OWNER OF PREMISES (*Please Print*) Kelly Howa

NAME OF PERSON WHO WILL MANAGE BUSINESS OF SELLING BEER AT RETAIL:
(*Please Print*) Aaron J. Gupton

****

(IF A PARTNERSHIP, ALL PARTNERS NEED TO SIGN)

SIGNATURE OF APPLICANT [signature]

NAME (*Please Print*) Aaron Gupton BIRTHDATE: July 3 1972

RESIDENCE OF APPLICANT 220 Grandview Drive

LENGTH OF RESIDENCE IN IDAHO 32 yrs.

SIGNATURE OF APPLICANT [signature]

NAME (*Please Print*) Dale A. Gupton BIRTHDATE: 9-25-49

RESIDENCE OF APPLICANT 1422 Bitterroot Drive

LENGTH OF RESIDENCE IN IDAHO 41 yrs

SIGNATURE OF APPLICANT ______________________

NAME (*Please Print*) ______________________ BIRTHDATE: ______________________

RESIDENCE OF APPLICANT ______________________

LENGTH OF RESIDENCE IN IDAHO ____________

SIGNATURE OF APPLICANT ______________________

NAME (*Please Print*) ______________________ BIRTHDATE: ______________________

RESIDENCE OF APPLICANT ______________________

LENGTH OF RESIDENCE IN IDAHO ____________

***Subscribed and sworn to before me this** 19 **day of** December **, 20**14.*

JEANNETTE BOLTON NOTARY PUBLIC STATE OF IDAHO

[signature]
Notary Public for Idaho
Residing at: Twin Falls
Notary Expiration Date: 3-7-19

State of Idaho

Cycle Tracking Number: 75905

Idaho State Police

Premise Number: 2T-17284 **Retail Alcohol Beverage License** License Year: 2015

License Number: 17284

This is to certify, that Gups LLC

doing business as Guppies Hotrod Grille

is licensed to sell alcoholic beverages as stated below at
110 Main Ave No, Twin Falls, Twin Falls County

Acceptance of a license by a retailer shall constitute knowledge of and agreement to operate by and in accordance to the Alcohol Beverage Code, Title 23. Only the licensee herein specified shall use this license.

County and city licenses are also required in order to operate

Liquor	No	
Beer	Yes	$50.00
On-premise consumption	Yes	$0.00
Kegs to go	No	
Restaurant	Yes	$0.00
Wine by the bottle	No	
Wine by the glass	Yes	$100.00
Multipurpose arena	No	
Growlers	No	
TOTAL FEE:		$150.00

Signature of Licensee, Corporate Officer, LLC Member or Partner

GUPS LLC
GUPPIES HOTROD GRILLE
110 MAIN AVE NO

TWIN FALLS, ID 83301

Mailing Address

License Valid: 11/04/2014 - 06/30/2015

***Expires:* 06/30/2015**

Director of Idaho State Police

ABC FORM NO: AB

City of Twin Falls, Idaho

City Council

Schedule of Regular Meetings & Public Hearings

Year 2015

★★★★★

All of the following meetings are held in the **<u>City Council Chamber located at 305 Third Avenue East and are televised over Channel 17 Cable TV</u>**

City Council meets on Monday of every week at 5:00 PM. and Public Hearings are held at 6:00 P.M.

January	5, 2015	
January	12. 2015	
January	20, 2015, Tuesday	
January	26, 2015	
February	2, 2015	
February	9, 2015	
February	17, 2015, Tuesday	
February	23, 2015	
March	2, 2015	
March	9, 2015	
March	16, 2015	
March	23, 2015	No Public Hearings
March	30, 2015	
April	6, 2015	No Public Hearings
April	13, 2015	
April	20, 2015	
April	27, 2015	
May	4, 2015	
May	11, 2015	
May	18, 2015	
May	26, 2015, Tuesday	
June	1, 2015	
June	8, 2015	
June	15, 2015	
June	22, 2015	
June	29, 2015	
July	6, 2015	No Public Hearings
July	13, 2015	
July	20, 2015	
July	27, 2015	
August	3, 2015	
August	10, 2015	
August	17, 2015	
August	24, 2015	
August	31, 2015	
September	8, 2015, Tuesday	
September	14, 2015	
September	21, 2015	
September	28, 2015	
October	5, 2015	
October	12, 2015	
October	19, 2015	
October	26, 2015	
November	2, 2015	
November	9, 2015	
November	16, 2015	
November	23, 2015	No Public Hearings
November	30, 2015	
December	7, 2015	
December	14, 2015	
December	21, 2015	No Public Hearings
December	28, 2015	

Date: Monday, January 5, 2015, Council Meeting

To: Honorable Mayor and City Council

From: Interim Chief Bryan Krear, Twin Falls Police Department

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Request:

Swearing in ceremony for two new Twin Falls Police Department Officers. It is requested that Mayor Don Hall administer the Oath of Office to **Officers Matthew Guzman** and **Tyler Smotherman**.

Time Estimate:

The presentation will take approximately 10 minutes.

Background:

Matthew Guzman was hired by the Twin Falls Police Department on December 8, 2014, as a full-time Police Officer.

Matthew was born in Madera, California. After graduating high school, he joined the United States Navy and served as an Aviation Ordnanceman onboard the *USS John C. Stennis* aircraft carrier for four years. He completed two West Pac deployments during the duration of his service and separated in 2010.

Matthew furthered his education by attending the University of Colorado Colorado Springs and attained a Bachelor of Arts Degree in Criminal Justice.

Matthew moved to the Magic Valley in order to be closer to his family and to pursue a career in law enforcement.

Tyler Smotherman was hired by the Twin Falls Police Department on December 8, 2014, as a full-time Police Officer.

Tyler was born in Ventura County, California. He and his family moved to Coeur d'Alene, Idaho, in May 2003. He attended and graduated from Coeur d'Alene High School. He went on to further his education at the University of Idaho and graduated with Bachelor of Arts Degrees in Political Science and International Studies, with minors in Spanish and Military Science. During college, Tyler became nationally certified as an EMT. He also commissioned as a U.S. Army Officer through the Army Reserve Officers Training Corps Program. In 2014, Tyler graduated from the 18-week U.S. Army Military Police Basic Officer Leader Course and is currently serving as a Military Police Platoon Leader in the Idaho Army National Guard.

Tyler is married to his wife, Rachel. They enjoy all types of outdoor activities together.

Approval Process:
N/A

Budget Impact:
This will not impact the budget.

Regulatory Impact:
N/A

Conclusion:
Interim Chief Krear would like to have the Twin Falls Police Department's two newest Police Officers sworn in before the City Council, with Mayor Don Hall administering the Oath of Office on January 5, 2015.

Attachments:
None

aed

Date:	Monday, January 5, 2015
To:	Honorable Mayor and City Council
From:	**Mandi Thompson, Grant Manager**

Request:
Consideration of the request for the City Council to authorize the Mayor to sign the resolution supporting the City's WaterSMART 2015 grant application.

Time Estimate:
Staff presentation will take approximately 5 minutes. Following the presentation, there will be time for questions.

Background:
The City of Twin Falls Water Department reads and bills 16,525 residential water meters each month. In 2010, the Water Department began replacing existing residential water meters 25 years or older with automated meter reading (AMR). Additionally, all newly constructed homes were required to install AMR beginning in 2012. Currently, 2,785 meters are AMR. There are 8,472 meters 25 years old or older set for replacement. The current budget includes $160,000 for AMR. There are various sizes and pricing of residential meters, ranging from ¾" to 2" and $170 to $700. Assuming that only ¾" meters are replaced at $170 per meter, the current budgeted amount will only allow for the replacement of 940 meters this fiscal year. At this rate, it will take nine years to replace all of these meters, by which time additional meters will need to be replaced.

The U.S. Bureau of Reclamation sponsors the WaterSMART grant program, which was established to provide assistance on the efficient use of water and the coordination of water conservation activities. Organizations located within western states with water power delivery authority are eligible to apply for WaterSMART grants. Historically, such grants have been awarded to municipalities in California, Utah and Nevada to automate their meter system in an effort to allow its meter readers to more easily discover possible leaks, uncover meters that have been tampered with, and identify unusual flow activity for business and residential customers.

Staff is preparing the application, which will request $300,000 in federal funds to be used in conjunction with an anticipated $169,000 in the 2015-16 budget. These funds will allow the City to replace approximately 1,600 additional meters and lay the groundwork for the adoption of advanced meters infrastructure (AMI), which will allow customers real-time access to their water use through a geo-based internet portal.

Approval Process:
A majority vote by Council is needed to approve this request.

Budget Impact:
This grant award would impact the 2015-16 budget. There is currently $160,000 in the 2014-15 budget for AMR replacement, and a five year projection estimates $169,000 in the 2015-16 budget. The WaterSMART program requires a 50% cost share from applicants. There will be no need for additional funds beyond the budgeted amount for match for this application. The application is requesting $300,000 in federal funds.

Regulatory Impact:
No regulatory impact.

Conclusion:
Grant Manager Mandi Thompson and Public Works Director Jon Caton recommends the City Council authorize the Mayor to sign the Resolution Authorizing a WaterSMART application.

Attachments:
Resolution

RESOLUTION NO. ___

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, AUTHORIZING A WATERSMART APPLICATION TO THE U.S. BUREAU OF RECLAMATION FOR AUTOMATED WATER METER DEVICES IN THE CITY OF TWIN FALLS

WHEREAS, the City of Twin Falls operates and maintains a domestic water system pursuant to Idaho Code §50-323; and

WHEREAS, the City of Twin Falls delivers water to over 16,800 water users within the City limits; and

WHEREAS, the City of Twin Falls is committed to operating a reliable and efficient water delivery system through the replacement of existing residential water meters with automated water meters; and

WHEREAS, the City of Twin Falls has budgeted for the replacement of approximately 1,000 meters per year for the next ten (10) years; and

WHEREAS, the City of Twin Falls has the opportunity to apply for federal WaterSMART grant funds to shorten the timeframe for replacement and to offset the cost of implementing an automated meter system.

NOW, THEREFORE, IT IS HEREBY RESOLVED:

That the Twin Falls City Council authorizes the application to the U.S. Bureau of Reclamation for a WaterSMART grant for approximately XX automated residential water meter devices in the City of Twin Falls and authorizes the Mayor to enter into an agreement with the Bureau of Reclamation for the WaterSMART grant.

DATED this 5th day of January, 2015.

____
Mayor, City of Twin Falls

ATTEST, ________________________
Deputy City Clerk,
City of Twin Falls

Date:	January 5, 2014
To:	Honorable Mayor and City Council
From:	Jacqueline D. Fields, P.E., City Engineer

Request:

Consideration of a request to partner with the Twin Falls Highway District on a project to install a signal at the intersection of Addison Ave. E. and Hankins Rd.

Time Estimate:

The staff presentation will take approximately 5 minutes.

Background:

In the City of Twin Falls (City), local roads are maintained and improved by the City, unless they are private or State highways. Outside of the City limits, the roads are maintained by the Twin Falls Highway District (TFHD) unless they are private or State highway. There are locations where the TFHD and the City share jurisdiction. Over the years, we have agreed to share some maintenance activities as well. The jurisdiction of the intersection of Addison Ave. E and Hankins Rd. is shared. The D&B corner is within the City Limits and the remainder is within the TFHD jurisdiction.

This intersection has accidents, meets a signal warrant, and will continue to experience increasing delay associated with development. City and TFHD staff have discussed the possibility of partnering on a signal project as a potential Local Highway Safety Improvement Program (LHSIP) project.

The LHSIP currently is constrained so that right of way acquisition is not possible. This intersection's ability to function could be improved with the addition of a signal in its current geometry. Eventually there may be an opportunity to expand the intersection to address additional lanes. If the governing entities prefer to acquire right of way, this project application would not go forward at this time. It is probable that the project would need to be planned for a later date, potentially several years away. Staff did not discuss this alternative.

The intersection is considered, by ITD, to be in the TFHD jurisdiction and so the TFHD would need to be the sponsor with support from the City. However, the TFHD doesn't have staff to operate the signal. Scott Allen and I discussed the possibility of submitting a LHSIP project where TFHD is the sponsor providing the matching funds (about $40,000) and the City supports the project by making the LHSIP application, acting as the liaison for the design contract, and ultimately operating the signal.

There was no discussion on how to address damages to the infrastructure. The outcome of such a discussion could come forward in the form of an Agreement between the TFHD and the City.

Approval Process:

If the City and the TFHD agree that this, or a modified proposal, is acceptable, then City staff will prepare the application in conjunction with the TFHD.

Budget Impact:

The impact on the City's budget initially is time spent to prepare the grant application. Upon award of the project, the financial impact would be staff time to review the plans. Upon completion, there would be a power bill and long term maintenance activities such as bulb replacements and eventually controller upgrades consistent with other signals in the City.

Regulatory Impact:

None.

Conclusion:

Staff requests direction from the City Council

Attachments: n/a

Monday	January 5, 2015
To:	Mayor and City Council
From:	Mitchel Humble, Deputy City Manager

Request:

Consideration of a request to adopt an ordinance amending City Code 6-4-9 regarding the City official and department responsible for administering the City's kennel licensing process.

Time Estimate:

The presentation will take approximately 3 minutes. Following the presentation, additional time may be necessary for questions.

Background:

The City amended its kennel regulations last in March, 2008. At that time, the kennel licensing process was administered by the Sherry Jeff, the Sanitation Director in the Utility Billing Department. The Code was amended to name that position as the City official responsible for kennel licensing. At that time, Sherry also supervised the City's Code Enforcement activities. Much of the City kennel licensing and animal permitting duties were performed by Code Enforcement personnel under Sherry's direction. When Sherry retired, those duties continued to be performed by Code Enforcement personnel, even after they were reorganized into the Planning & Zoning Department. However, the Code was never amended to reflect that change in responsibility.

Kennel licensing and animal permitting will stay with the Code Enforcement Department when the department moves to the new Public Safety group under the direction of Deputy City Manager Brian Pike. The attached ordinance amends City Code 6-4-9 to remove this responsibility from the Sanitation Director and the Utility Billing Department. Instead, the attached ordinance assigns the responsibility to the Code Enforcement Officer. The ordinance is a simple language correction to reflect the changes in personnel and responsibilities that have occurred over the last few years. The ordinance makes no substantive change to the kennel licensing process at all. Staff recommends adoption of the attached ordinance as presented.

Approval Process:

If the Council desires to adopt the attached ordinance at this meeting, a motion to suspend the rules and place the ordinance on third and final reading by title only is needed first. The title of the ordinance will then need to be read into the record. At that point, a simple majority vote of the Council is needed to adopt the ordinance.

Budget Impact:

None

Regulatory Impact:

Approval of this request will change the City official and department designated to administer the City's kennel licensing process from the Sanitation Director and the Utility Billing Department to the Code Enforcement Officer.

Conclusion:

Staff recommends that the Council adopt the attached ordinance as presented.

Attachment:

Ordinance No. ____

ORDINANCE NO. ______

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, AMENDING TWIN FALLS CITY CODE §6-4-9 PROVIDING FOR KENNEL REGULATIONS.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, THAT TWIN FALLS CITY CODE §6-4-9 PROVIDING FOR KENNEL REGULATIONS, IS AMENDED AS FOLLOWS:

“6-4-9: KENNEL REGULATIONS:

(A) Kennel Fees: Any person conducting, operating or maintaining a "kennel" as herein defined shall pay to the City of Twin Falls, ~~utility billing department~~ for the privilege of conducting, operating or maintaining such kennel an annual license fee of one hundred dollars ($100.00). All license fees are renewable each year on March 1, and a license may be obtained for a fraction of a year, but the fee shall remain the same for any fraction of a year.

(B) Qualifications For Issuance Of Kennel License:

1. Permit: A kennel must have a current valid kennel license obtained by application; approved through the ~~sanitation director~~ code enforcement officer and subsequently inspected by a Twin Falls animal control officer. Such kenneling permits are required to be displayed and readily available for inspection by any authorized person.

2. Residentially Zoned Areas: No person shall harbor or possess more than four (4) dogs and four (4) cats within residential zones within the city of Twin Falls. Kennels shall be permitted only in commercial or industrial zones within the city of Twin Falls.

3. Records: A kennel record must be kept available for inspection. Such record to show: the name, current address, and telephone number of the owner of the dog/cat, the date entered the kennel, the reason for its being in the kennel, i.e., for boarding, sale, breeding, grooming, etc., the description of the dog/cat (age, breed, sex, color, etc.). On any dog/cat over four (4) months of age, a current valid rabies certificate shall be maintained as a part of this record, as long as the dog/cat is maintained in the kennel.

4. Purpose: The basic intent of these regulations is to see that all animals receive proper care, that they are being treated kindly, properly fed, and that their surroundings are being kept in a sanitary condition.

5. Animal Rooms; Dogs: Cage length and width shall exceed the animal's length from the base of the tail to the tip of the nose by at least six inches (6"). Cage height shall exceed

the animal's height by at least four inches (4"). Small puppies may be caged together using their combined length according to the above formula. Cages shall be so constructed and be of nonporous material and such that is to be maintained in a sanitary condition. Animals shall be removed from and be provided with an exercise yard for their use for such periods as determined by the size, age, and condition of the animal. Diseased animals must be maintained apart from healthy animals in suitable and separate quarters.

(a) General: Walls and floors shall be of material easily cleaned and kept in a sanitary condition. The room shall be properly screened, insect and vermin proof. It shall be properly ventilated to prevent drafts and remove odors. Heating and cooling should be provided as required, with sufficient light (preferably natural) to allow observation of animals, and sanitation.

6. Animal Rooms; Cats: Similar to dogs except allowance for increased respiratory disease and increased climbing agility. (Cages need roofs and sneeze barriers). Cat kennels should have a double door system to prevent escape. Runs should not be built facing each other as cats become anxious when in view of other cats. Cat cages should be of correct size, contain a cat bed, toys, water and food bowls, and litter trays.

7. Outdoor Facilities: Outdoor facilities shall be provided with windbreaks, roofing, and shelter adequate to protect the animals from the weather. They shall be adequately drained and maintained in a sanitary manner. Adequate and sanitary means of disposing of droppings shall be provided. Kennel runs shall have a minimum free and clear area of ten (10) square feet per dog. Indoor shelter, except where animals are caged, shall have a minimum of six (6) square feet per dog. When the minimum area is provided it should be supplemented with exercise yards for dogs which are maintained for extended periods. For purposes of this subsection, an "exercise yard" is defined as an area enclosed by a fence of at least six feet (6') in height wherein dogs are allowed to run and exercise. Unless otherwise authorized, fencing shall be constructed of commercial chain-link, carried on solid posts set in concrete. Suggested minimums for fencing include 11-gauge wire, two inch (2") steel posts set on no greater than ten foot (10') spans. Kennels shall not be left unattended for a period in excess of twenty four (24) hours. All animals shall be supplied with sufficient good and wholesome food and fresh water as the feeding habits of such animals require.

8. Sick Animals: Sick animals shall be separated from those appearing healthy and normal. Sick animals shall be removed from display or sale and kept in isolation quarters with adequate ventilation to keep from contaminating well animals.

9. Sale Of Animals; Open Store Hours: If the operation of the kennel includes the sale of animals, then there shall be an employee or owner on duty at all times during the hours any store is open whose responsibility in that shop or department shall be the care and welfare of the animals held for sale or display.

10. Sale Of Animals; Closed Store Hours: If the operation of the kennel includes the sale

of animals, then an employee or owner shall come in to feed, water and do necessary cleaning of animals on days the store or shop is closed.

11. Selling Sick Or Injured Animals Prohibited: No person, persons, association, firm or corporation shall knowingly sell a sick or injured dog or cat.

12. Misrepresentation Prohibited: No person, persons, association, firm or corporation shall knowingly misrepresent a dog or cat to a customer in any way.

(C) Revocation Of License:

1. The animal control officer may recommend to the ~~sanitation director~~ code enforcement officer the revocation of any kennel license upon evidence that any of the conditions set forth in this chapter as a prerequisite to the issuance of a license have been violated.

2. All areas of kennel runs, yards, food storage, and auxiliary buildings shall be subject to inspection of authorized persons. The ~~sanitation director~~ code enforcement officer or designee, animal control officer or authorized city official, fire department and the police may at reasonable hours, inspect or cause to be inspected, any structure or premises and issue any such order as may be necessary to carry out the provisions of this section and to enforce state statutes pertaining to neglected or abused animals. An emergency name, address, and phone number must be posted in a conspicuous place at the front of the property for use by authorized persons.

3. The ~~sanitation director~~ code enforcement officer may revoke any kennel license issued under this chapter for violation of any of the provisions of this code or ordinance of the city or laws of the state of Idaho. Prior to revocation by the ~~sanitation director~~ code enforcement officer, the animal control officer or administrator shall notify the applicant in writing, setting forth specifically the grounds of the complaint and the time and place of the hearing. Such notice shall be personally served upon the licensee, or mailed postage prepaid to the licensee at his/her last known address at least three (3) days prior to the date set for the hearing.

(D) Appeal Of Code Enforcement Officer's ~~Sanitation Director~~'s Decision: If the applicant is aggrieved by the decision of the code enforcement officer ~~sanitation director~~, the applicant may appeal such decision to the city council within fifteen (15) days of notice of the decision of the code enforcement officer ~~sanitation director~~. The applicant must, in writing, appeal to the city council and set forth the reasons therefor why the applicant should not be denied a license. The city council shall set the time and place for a hearing a reasonable period of time subsequent to applicant's written notice of appeal. Notice of such hearing shall be personally served upon the applicant, or mailed postage prepaid to the applicant at his/her last known address, at least three (3) days prior to the date of the hearing. The order of the city council shall be final."

PASSED BY THE CITY COUNCIL, , 2014.

SIGNED BY THE MAYOR , 2014.

MAYOR

ATTEST:

DEPUTY CITY CLERK

Monday	January 5, 2015
To:	Mayor and City Council
From:	Mitchel Humble, Deputy City Manager

Request:

Discussion and possible action regarding the Council's prioritization of upcoming amendments to City Code, Title 10.

Time Estimate:

The presentation will take approximately 5 minutes. Following the presentation, additional time will be necessary for discussion and direction from the Council.

Background:

The City Council has initiated several Title 10 City Code amendments over the last few years. Many of those amendments have been completed, but there are still many left on the list to work on. The list below contains those amendments that the Council or Planning & Zoning Commission has initiated, but that are not yet finished. Each item on the list includes a brief description of what the amendment includes.

1. Public Hearing Notice – review and amend as necessary the requirements for public hearing notices. The P&Z has finished reviewing a draft amendment. The public hearings for this amendment will begin at the 1/27/15 P&Z meeting.
2. Design Standard for Alternative Landscaping – P&Z initiated, provide some standard for what is acceptable as "alternative landscaping." May be a Code amendment or may create a stand-alone design guide.
3. Urban Village/Urban Infill – *Recommendation in the Comprehensive Plan*. Create a mixed-use zoning district with development guidelines, higher density housing, office, and retail.
4. Open Space Residential/Cluster Development – *Recommendation in the Comprehensive Plan*. Create cluster development residential guidelines, similar densities, but on smaller lots with open space.
5. Neighborhood Center Development – *Recommendation in the Comprehensive Plan*. Review and possibly amend our Neighborhood Center Code content, uses and design.
6. Xeriscaping/Landscape Requirements – *Recommendation in the Comprehensive Plan*. Review landscape standards for appropriateness, include allowances for xeriscaping.
7. Gateway Arterial Landscaping – review gateway arterial landscaping requirements: some developers have suggested that they are too restrictive for in-fill or redevelopment projects.
8. Land Uses – update permitted use regulations, consider creating conditional uses, reduce the number of special uses, create definitions for all uses, and a use matrix.
9. Downtown Zoning District(s) – review and possibly amend the Code for downtown: facilitate redevelopment, parking, landscaping, architectural?
10. Sign Code – review Sign Code for needed adjustments since its 2009 adoption.
11. Office District – review and possibly create an Office zoning district, rather than the current overlay.
12. New Residential District(s) – review and possibly create residential zoning districts for single family between R-1 and R-2, duplex, and fourplex.

The Planning & Zoning Commission has taken over the Code amendment preparation work from the former Zoning Ordinance Amendment Committee (ZOAC). The Commission has now finished all the amendments that were begun by the ZOAC. Staff would like to get the Council's input regarding the prioritization of the remaining amendments.

Approval Process:

This item is a discussion item, no action is necessary. However, the Council may desire to provide direction through a motion and simple majority vote.

Budget Impact:

None

Regulatory Impact:

The Council's discussion of this item will provide staff and the Planning & Zoning Commission direction regarding the relative priority of the potential Code amendments listed above.

Conclusion:

Staff recommends that the Council discuss and prioritize the potential code amendments listed above.

Attachment:

None

	Public Hearing: **MONDAY, JANUARY 05, 2015** To: Honorable Mayor Hall and City Council From: Jonathan Spendlove, Community Development Dept.

ITEM IV-

Request: Requests for a ***Zoning Title Amendment*** to amend Title 10-Chapter 4-Section 8.2 (B) 3; by adding a land use; (c) outside storage yard **and shop** as an accessory use for a government facility by Special Use Permit and by adding a definition of Open and Outside Storage Yard and Shop to Title 10; Chapter 2. c/o Kent Taylor on behalf of Twin Falls BLM, LLC (app 2693)

Time Estimate:

The applicants presentation may take up to ten (10) minutes followed by a staff presentation which may take up to an additional ten (10) minutes.

Background:

Applicant:	
Twin Falls BLM, LLC 694 Grandview Lane Lake Forest, IL 60045	**Requested Zoning:** Amendment to Twin Falls City Code – Title 10 – Chapter 2-Section 1 and Title 10- Chapter 4- Section 8.2(B)
Representative:	
Kent Taylor PO Box 1901 Twin Falls, ID 83301 ianaye@taylorlawoffices.net	**Applicable Regulations:** 10-2-1, 10-4-8.2, 10-14-1 through 7,

Approval Process:

All procedures will follow the process as described in TF City Code 10-14: Zoning Amendments.

Zoning Title Amendments, which consist of text or map revisions, require a public hearing before the Planning Commission. Following the public hearing, the Commission may forward the amendment with its recommendation to the City Council. Any material change by the Commission from what was presented during the public hearing will require an additional hearing prior to the Commission forwarding its recommendation to the Council.

After the Council receives a recommendation from the Commission, a public hearing shall be scheduled where the Council may grant, grant with changes, or deny the Zoning Title Amendment. In any event the Council shall specify the regulations and standards used in evaluating the Zoning Amendment, and the reasons for approval or denial.

In the event the Council shall approve an amendment, such amendment shall thereafter be made a part of the Title upon the passage and publication of an ordinance.

Regulatory Impact:

Approval by the City Council will allow the code to be amended as presented.

History:

The City Council approved Ordinance 2012 on July 6, 1981 which replaced Twin Falls City Code - Title 10: Zoning & Subdivision Regulations in its entirety. There have been numerous Zoning Amendments over the years.

Analysis:

This request was initiated by Twin Falls BLM, LLC. This corporation is in the process of submitting for a building permit to construct and operate a new facility at 2862 Addison Ave West. This site is zoned C-1. Within the Land Use Category of ***Governmental Facility*** a governmental ***office*** is a permitted use. During the numerous discussions and reviews of the proposals with the representatives of the BLM staff discovered part of the BLM facility included an open, outside and partially enclosed area for the storage of vehicles, equipment and materials associated with BLM. Current City Code does not allow the use of an open storage yard or shop in the C-1 Zoning District for a governmental facility.

The proposed amendment modifies two sectors. The first would add a definition of "Open and Outside Storage and Wareyards" in **City Code 10-2-1: Definitions**. The Second would add a new "Use" in **City Code 10-4-8: C-1, Commercial Highway District: Use Regulations: Special Uses:** "Open and Outside Storage and Wareyards which are owned or leased by a governmental entity."

Possible Impacts: *The amendment would allow for "storage yards" owned and operated by a Governmental Agency to apply for a Special Use Permit to operate in the C-1 Zone. This would allow for local governmental oversight and public input to the design and operation of storage yards in those areas Zoned C-1.*

Currently, the "Open Storage Yard" use is Permitted in the M-2 Zoning district, and requires an SUP in the M-1 Zoning District. A shop is permitted in both the M-1 & M-2. However, this use is also limited to City, County and Highway District owned and operated facilities.

If the Council is so moved to grant this request, staff recommends some modifications be made to the amendment in order to maintain consistency within the City Code. The staff recommended changes are shown in attachment #3. These changes will maintain consistency throughout the code, and also shows a progression of Permitted and Special Uses from M-2 to M-1 to C-1.

Conclusion:

On December 09, 2014 the Commission unanimously recommended approval of the request, as presented. The City Council may grant the amendment as requested or it may recommend a modification of the amendment requested (will require another public hearing before the Commission), or it may deny the amendment.

Attachments:

1. Narrative
2. Applicant submitted amendment
3. Staff recommended amendment
4. Portion of the December 9, 2014 P&Z minutes

ATTACHMENT 2

The proposed amendments clarify and more fully describe the uses which certain governmental entities have for facilities which they own or lease. The outstanding open storage of equipment, vehicles and materials is ancillary and supplemental to many governmental facilities including the Bureau of Land Management and U.S. Forest Service. The unified and efficient operation of these facilities requires that the office function be integrated into the operational function.

By placing the proposed uses within the special use permit section, the Planning and Zoning Commission and the Twin Falls City Council will be able to address any relevant and unique conditions.

Dated this 4th day of November, 2014.

By:

ATTACHMENT 1

I.

FIRST AMENDMENT

To add an additional subsect to the Zoning and Subdivision Regulations.

Title 10 – Zoning and Subdivision Regulations

Chapter 4 – Zoning District Regulations

10-4-8 C1 Commercial Highway District

10-4-8-2 Use Regulations

10-4-8-2(B) Special Uses. A special use permit may be granted for a permanent use that is not in conflict with the comprehensive plan and that is not permitted outright because it may conflict with other uses in the district unless special provisions are taken. Special use permits may be granted for the following uses:

1. Communications and utilities:
   a. Radio and television stations with wireless communications facilities.
   b. Utility owned buildings and structures more than twenty-five (25) square feet in area or more than three (3') feet above ground.

2. Cultural facilities:
   a. Cemeteries.
   b. Zoos.

3. Governmental facilities:
   a. Jails, detention centers, work release centers.
   b. Water treatment plants.

(NEW SUBSECTION)

   c. Open and outside storage and wareyards which are owned or leased by a governmental entity.

II.

SECOND AMENDMENT

To add a NEW DEFINITION to "10-2-1: Definitions" for the term "Open and Outside Storage and Wareyard".

(NEW DEFINITION)

10-2-1: Definitions

****

OPEN AND OUTSIDE STORAGE AND WAREYARDS: Ingress and egress, parking, storage, and maneuvering of vehicles, equipment and materials associated with the operation of an owned or leased governmental facility.

Dated this 4th day of November, 2014.

By:

10-2-1: DEFINITIONS: OPEN STORAGE YARD: storage of vehicles, equipment and materials accessory to the operation of an owned or leased governmental facility.

10-4-8.2: C-1, COMMERCIAL HIGHWAY DISTRICT - USE REGULATIONS:

(B) Special Uses: A Special Use Permit May Be Granted For A Permanent Use That Is Not In Conflict With The Comprehensive Plan And That Is Not Permitted Outright Because It May Conflict With Other Uses In The District Unless Special Provisions Are Taken. Special Use Permits May Be Granted For The Following Uses:

3. Governmental Facilities:

a. Jails, detention centers, work release centers.

b. Water treatment plants.

c. City, county, highway district, state, or federal - open storage yard

MINUTES
TWIN FALLS CITY PLANNING & ZONING COMMISSION
December 9, 2014, 6:00PM
City Council Chambers
305 3rd Avenue East Twin Falls, ID 83301

PLANNING & ZONING COMMISSION MEMBERS
CITY LIMITS:

Nikki Boyd	Jason Derricott	Tom Frank **Chairman**	Kevin Grey **Vice-Chairman**	Gerardo "Tato" Munoz	Christopher Reid	Jolinda Tatum

AREA OF IMPACT:
Ryan Higley **Vice-Chairman**
Steve Woods

CITY COUNCIL LIAISON
Rebecca Mills Sojka

ATTENDANCE

CITY LIMIT MEMBERS		AREA OF IMPACT MEMBERS	
Present	Absent	Present	Absent
Boyd	Derricott	Woods	Higley
Frank			
Grey			
Munoz			
Reid			
Tatum			

CITY COUNCIL LIAISON(S):
CITY STAFF: Carraway-Johnson, Nope, Spendlove, Strickland, Vitek, Wonderlich

1. **Requests the Commission's recommendation on a *Zoning Title Amendment* to amend Title 10-Chapter 4-Section 8.2 (B) 3; by adding (c) outside storage yard as an accessory use for a government facility by Special Use Permit and by adding a definition of Open and Outside Storage Yard to Title 10; Chapter 2. c/o Kent Taylor on behalf of Twin Falls BLM, LLC (app 2693)**

Applicant:
Kent Taylor, representing the Twin Falls BLM, LLC, stated this is an Idaho LLC that was awarded a project that is in progress on Addison Avenue. Once they began the project it was brought to their attention that the code does not allow for any outside storage, client is proposing a code amendment that would allow for outside storage, so they could comply with the requirements of their proposal. Staff wanted to develop some consistencies throughout the code and he agrees with the verbiage proposed by staff in the their report.

Staff Analysis:
Planner I Spendlove stated the proposed amendment modifies two sectors. The first would add a definition of "Open and Outside Storage and Wareyards" in **City Code 10-2-1: Definitions**. The Second would add a new "Use" in **City Code 10-4-8: C-1, Commercial Highway District: Use Regulations: Special Uses:** "Open and Outside Storage and Wareyards which are owned or leased by a governmental entity."

Possible Impacts: *The amendment would allow for "storage yards" owned and operated by a Governmental Agency to apply for a Special Use Permit to operate in the C-1 Zone. This would allow for* *local governmental oversight and public input to the design and operation of storage yards in those areas Zoned C-1.*

Currently, the "Open Storage Yard" use is Permitted in the M-2 Zoning district, and requires an SUP in the M-1 Zoning District. However, this use is also limited to City, County and Highway District owned and operated facilities.

If the commission is so moved to recommend approval of this amendment, staff recommends some modifications be made to the amendment in order to maintain consistency within the City Code. The staff recommended changes are shown in attachment #3. These changes will maintain consistency throughout the code, and also shows a progression of Permitted and Special Uses from M-2 to M-1 to C-1.

Planner I Spendlove stated upon conclusion the Commission may recommend to the City Council that the amendment be granted as requested, or it may recommend a modification of the amendment requested (will require another public hearing before the Commission), or it may recommend that the amendment be denied.

PZ Questions/Comments:

- Commissioner Woods asked why a governmental agency should receive special privileges that are available to the public and if this would be along arterials.
- Planner I Spendlove explained that the government agencies already have a special consideration because they are operating differently from a private sector. There are probably business that could be considered an open storage yard but are considered a commercial business. It not much different than allowing for water tanks in certain areas to provide public service.
- Commissioner Frank asked if there are any guidelines to an open storage yard.
- Planner I Spendlove explained it would be in conjunction with an office as an accessory to the use which is why it is being listed as a special use permit.
- City Attorney Wonderlich explained that you have to look at specifics for this use when the item comes through for a Special Use Permit request.
- Commissioner Munoz asked about the definition and by allowing it to be an open storage yard and would it contradict the open yard definition if fencing is required.
- Planner I Spendlove explained specific requirements are not listed in the definition and that is why it has been listed as a Special Use Permit conditions for fencing, location and different things directed toward development can be defined by the Commission. Open implies the storage is not inside a building.

Public Hearing: Opened & Closed

Deliberations Followed:
Commissioner Munoz stated he doesn't want to contradict the verbiage that is used. He has no concerns with this being a special use permit item.

Motion:
Commissioner Boyd made a motion to recommend approval to the City Council, as presented. Commissioner Tatum seconded the motion. All members present voted in favor of the motion.

Recommended For Approval To The City Council, As Presented
City Council Public Hearing Scheduled January 5, 2015

II. ITEMS FROM THE ZONING DEVELOPMENT MANAGER AND/OR THE PLANNING & ZONING COMMISSION:

- Zoning & Development Manager Carraway stated a draft Calendar of the 2015 Planning & Zoning Commission meeting schedule will be emailed to the Commission if they have any questions or concerns please let staff know.
- Chairman Frank asked that an updated public hearing procedure sheet be emailed to him with any new titles.

III. UPCOMING PUBLIC MEETINGS: (held at the City Council Chamber unless otherwise posted)

1. Work Session- **January 7, 2015**
2. Public Hearing-**January 13, 2015 & January 27, 2015**

IV. ADJOURN MEETING:

Chairman Frank adjourned the meeting at 7:42 PM

Lisa A Strickland
Administrative Assistant
Planning & Zoning Department