



Twin Falls City Council Agenda

Monday, June 24, 2019, 5:00 PM

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

Members: Shawn Barigar, Suzanne Hawkins, Nikki Boyd, Chris Talkington, Gregory Lanting, Christopher Reid, Ruth Pierce

- 1) CALL MEETING TO ORDER/CONFIRMATION OF QUORUM
- 2) PLEDGE OF ALLEGIANCE
- 3) PROCLAMATIONS: None
- 4) GENERAL PUBLIC INPUT
- 5) CONSENT CALENDAR
 - a) **ACTION ITEM:** Request to approve the Accounts Payable for June 13 thru 19, 2019.
By: Amy Luna, Finance Administrative Assistant
 - b) **ACTION ITEM:** Request to approve the June 17, 2019, City Council Minutes.
By: Amy Luna, Finance Administrative Assistant
 - c) **ACTION ITEM:** Request to approve the 2019-2020 Alcohol License Renewals.
By: Amy Luna, Finance Administrative Assistant
 - d) **ACTION ITEM:** Request to approve the 5th Annual Vietnam War Veterans Commemoration.
By: Sergeant Justin Dimond, Twin Falls Police Department
 - e) **ACTION ITEM:** Request to approve the 9th Annual Kermes event.
By: Sergeant Justin Dimond, Twin Falls Police Department
 - f) **ACTION ITEM:** Request to approve the Findings of Fact and Conclusions of Law:
 - Temple View Properties Bldg. 600 SUP
 - Temple View Properties Bldg. 400 SUP
 - Maria Silva Annexation
 - The Falls at the Preserve Final Plat
- 6) ITEMS OF CONSIDERATION
 - a) **PRESENTATION:** Recognition of Kortnie Kent's Promotion to Senior Inspector.
By: Jarrold Bordi, Building Official
 - b) **ACTION ITEM:** Presentation of a proposal to create the Twin Falls Public Art Commission.
By: Mandi Thompson, Grant and Community Relations Manager

- c) **ACTION ITEM:** Discussion, with possible action, to utilize MPOG funds to provide grant match for a pending Small Community Air Service Grant Proposal.
By: William Carberry, Airport Manager
- d) **ACTION ITEM:** Request to allocate remaining MPOG funds.
By: Mandi Thompson, Grant and Community Relations Manager
- e) **ACTION ITEM:** Request to consider a Resolution to join the Multi-District Litigation (MDL) against Opioid Manufacturers and/or Distributors.
By: Shayne Nope, City Attorney
- 7) GENERAL INPUT/ADVISORY BOARD REPORT/ANNOUNCEMENTS
- 8) PUBLIC HEARINGS: None
- 9) ADJOURNMENT
 - a) **EXECUTIVE SESSION §74-206 (1)(b)** To consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public school student.

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

Public Input Procedures

1. Individuals wishing to provide public input regarding matters relevant to the City of Twin Falls shall:
 - Wait to be recognized by the Mayor or Chairman
 - Approach the microphone/podium
 - State their name, and whether they are a resident or property owner in the City of Twin Falls, and proceed with their input.
2. The Mayor or Chairman may limit input to no less than two (2) minutes. Individuals are not permitted to give their time to other speakers.

Public Hearing Procedures for Zoning Requests

1. Prior to opening the first Public Hearing of the session, the Mayor or Chairman shall review the public hearing procedures.
2. Individuals wishing to testify or speak before the City Council or Planning & Zoning Commission shall wait to be recognized by the Mayor or Chairman, approach the microphone/podium, state their name, and then proceed with their comments. Following their statements, they shall write their name and address on the record sheet(s) provided by the staff. The staff shall make an audio recording of the Public Hearing.
3. A City Staff Report shall summarize the application and history of the request.
4. 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.
5. 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 or Chairman.
6. The City Council or Planning & Zoning Commission may ask questions of staff or the applicant pertaining to the request.
7. The general public will then be given the opportunity to provide their testimony regarding the request. The Mayor or Chairman may limit public testimony to no less than two (2) minutes per person.
 - Individuals are not permitted to give their time to other speakers.
 - However, five (5) or more individuals that received written notice of the public hearing may appoint, 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 or Chairman. The spokesperson shall be limited to 15 minutes.
 - Written comments, including e-mail, received by 12:00 p.m. on the date of the hearing shall be either read into the record or displayed to the public on the overhead projector.
8. Following the Public Testimony, the applicant is permitted five (5) minutes to respond to Public Testimony.
9. Following the Public Testimony and Applicant's response, Council or Commission members, as recognized by the Mayor or Chairman, shall be allowed to question the Applicant, Staff or anyone who has testified. Responses shall be limited to answering the questions asked. The Mayor or Chairman may limit the time permitted for the answer.
10. The Mayor or Chairman shall close the Public Hearing. The City Council or Planning & Zoning Commission 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 or Chairman.



Twin Falls City Council Minutes

Monday, June 17, 2019, 5:00 PM

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

1) CALL MEETING TO ORDER/CONFIRMATION OF QUORUM

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

Absent: Vice Mayor Nikki Boyd.

Staff Present: City Manager Travis Rothweiler, Deputy City Managers Mitch Humble & Brian Pike, City Attorney Shayne Nope, City Planner Steve O'Connor, City Planner Lisa Strickland, City Planner Brock Cherry, Environmental Engineer Jason Brown, Assistant City Engineer Troy Vitek, Help Desk Tech Jeremiah Parent, Finance Administrative Assistant Amy Luna.

Mayor Barigar called the meeting to order at 5:01 PM. A quorum was present.

2) PLEDGE OF ALLEGIANCE

Mayor Barigar invited all present, who wished, to recite the Pledge of Allegiance to the Flag.

3) PROCLAMATIONS: None

4) GENERAL PUBLIC INPUT: None

5) CONSENT CALENDAR

Council Member Talkington request that the minutes be voted on separately as **Mayor Barigar** and **Council Member Talkington** was not in attendance.

MOTION: Council Member Talkington moved to approve the Consent Calendar with exception of the Minutes for the June 10, 2019, City Council Meeting. **Council Member Pierce** seconded the motion. Roll call vote showed all members present voted in favor of the motion. 7 to 0.

MOTION: Council Member Reid moved to approve the Minutes for the June 10, 2019, City Council Meeting. **Council Member Hawkins** seconded the motion. Roll call vote showed all members present voted. Motion passes 4-0-2 with Mayor Barigar and Council Member Talkington abstaining.

- a) **ACTION ITEM:** Request to approve the June 10, 2019, City Council Minutes.
- b) **ACTION ITEM:** Request to approve the Accounts Payable for June 6-12, 2019.
- c) **ACTION ITEM:** Request to approve the Kids' Entrepreneur Day.
- d) **ACTION ITEM:** Request to approve the Splash n Flick.
- e) **ACTION ITEM:** Request to approve the annual Fourth of July Fireworks Celebration.
- f) **ACTION ITEM:** Request to approve the Twin Falls Old Town Criterium.
- g) **ACTION ITEM:** Request to approve a Trust Agreement for Addison Springs Subdivision, a ZDA, placing Lots 2, 3, 4, & 5, Block 1 in trust.

6) ITEMS OF CONSIDERATION

- a) **PRESENTATION:** Presentation of Certificate of Appreciation and Recognition of Service to Debbie Lattin, Nancy Taylor & Lucy Wills, Historic Preservation Commission.

City Planner Strickland made a presentation of a Certificate of Appreciation and Recognition of Service to Debbie Lattin, Nancy Taylor & Lucy Wills, Historic Preservation Commission.

Mayor Barigar thanked all of the members honored.

Council Member Lanting thanked the members as well.

Council Member Pierce thanked the members as well.

- b) **ACTION ITEM:** Request to reappoint Samra Culum, Doug Baughman, and Allen Easterling and appoint Jonas Reagan, Monica McCue, and Jennifer Shaffer to the Historic Preservation Commission.

Mayor Barigar requested to reappoint Samra Culum, Doug Baughman, and Allen Easterling and appoint Jonas Reagan, Monica McCue, and Jennifer Shaffer to the Historic Preservation Commission.

Discussion ensued on the following:

Council Member Talkington: Any special project or focus that you would like to address?

MOTION: Council Member Lanting moved to approve the request to reappoint Samra Culum, Doug Baughman, and Allen Easterling and appoint Jonas Reagan, Monica McCue, and Jennifer Shaffer to the Historic Preservation Commission. **Council Member Reid** seconded the motion. Roll call vote showed all members present voted in favor of the motion. 7 to 0.

- c) **ACTION ITEM:** Request to approve the revised industrial surcharge program. This approval allows staff to continue to implement the industrial surcharge program in the most effective manner possible.

Environmental Engineer Brown requested to approve the revised industrial surcharge program. This approval allows staff to continue to implement the industrial surcharge program in the most effective manner possible.

Discussion ensued on the following:

Council Member Talkington: Have we violated any EPA regulations? Are the contributors of these metals from commercial users? What goes into the Snake River meets the EPA permit limits?

MOTION: Council Member Lanting moved to approve Resolution 2019-007 which allows staff to continue to implement the industrial surcharge program in the most effective manner possible. **Council Member Reid** seconded the motion. Roll call vote showed all members present voted in favor of the motion. 7 to 0.

- d) **ACTION ITEM:** Request to change the street name from Carriage Lane to Carriage Lane North, as platted in Addison Springs Subdivision, a ZDA.

Assistant City Engineer Vitek requested to change the street name from Carriage Lane to Carriage Lane North, as platted in Addison Springs Subdivision, a ZDA.

MOTION: Council Member Reid moved to approve the request to change the street name from Carriage Lane to Carriage Lane North, as platted in Addison Springs Subdivision, a ZDA. **Council Member Pierce** seconded the motion. Roll call vote showed all members present voted in favor of the motion. 7 to 0.

- e) **ACTION ITEM:** 2019 Canyon Springs Grade Roadway Project Update and request to authorize staff to negotiate directly with a general contractor on the open market.

Assistant City Engineer Vitek gave a 2019 Canyon Springs Grade Roadway Project Update and requested to authorize staff to negotiate directly with a general contractor on the open market.

Discussion ensued on the following:

Council Member Talkington: Commented on the concern of having an "*open checkbook*" for this kind of project.

MOTION: **Council Member Hawkins** moved to approve the request to authorize staff to negotiate directly with a general contractor on the open market. **Council Member Pierce** seconded the motion. Roll call vote showed all members present voted in favor of the motion. 7 to 0.

MOTION: **Council Member Reid** moved to recess to Executive Session 74206(1): (f) To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. The mere presence of legal counsel at an executive session does not satisfy this requirement. **Council Member Pierce** seconded the motion. Roll call vote showed all members present voted in favor of the motion. 7 to 0.

Recessed at 5:35 for Executive Session. Resumed Council Meeting at 6:01 pm.

7) PUBLIC HEARINGS

- a) **ACTION ITEM:** Request for Annexation with a current zoning designation of M-2 for property located at 305 Hankins Road South on behalf of Maria P. Silva. (PZ19-0029).

City Planner O'Connor requested Annexation with a current zoning designation of M-2 for property located at 305 Hankins Road South on behalf of Maria P. Silva. (PZ19-0029).

Discussion ensued on the following:

Council Member Hawkins: What does the property member have to do to have this property annexed into the City? Examples: Screen Fencing & Pavement.

Public Hearing Open: 6:06 pm.

Citizen Nolan Watting spoke in favor of the request.

Public Hearing Closed: 6:07 pm.

MOTION: **Council Member Talkington** moved to approve the request for Annexation with a current zoning designation of M-2 for property located at 305 Hankins Road South on behalf of Maria P. Silva. (PZ19-0029). **Council Member Hawkins** seconded the motion. Roll call vote showed all members present voted in favor of the motion. 7 to 0.

- b) **ACTION ITEM:** Request for a Special Use Permit to allow professional and medical offices at the property located at 1502 Locust St. N, Bldg. 600 in the Eastpark Professional Subdivision No. c/o EHM Engineers, Inc. on behalf of Temple View Properties, LLC. (PZ19-0049).

City Planner Cherry made a combined presentation of the request for a Special Use Permit to allow professional and medical offices at the property located at 1502 Locust St. N, Bldg. 600 in the Eastpark Professional Subdivision No. c/o EHM Engineers, Inc. on behalf of Temple View Properties, LLC. (PZ19-0049) and Special Use Permit to allow professional and medical offices at the property located at 1502 Locust St. N., Bldg. 400 in the Eastpark Professional Subdivision No. 2 c/o EHM Engineers, Inc. on behalf of Temple View Properties, LLC (PZ19-0050).

Discussion ensued on the following: None

Public Hearing Open: 6:13 pm.

Public Hearing Closed: 6:14 pm

MOTION: Council Member Lanting moved to approve the request for a Special Use Permit to allow professional and medical offices at the property located at 1502 Locust St. N, Bldg. 600 in the Eastpark Professional Subdivision No. c/o EHM Engineers, Inc. on behalf of Temple View Properties, LLC. (PZ19-0049), subject to continued compliance with all local, state and federal code requirements recommended by staff. **Council Member Hawkins** seconded the motion. Roll call vote showed all members present voted in favor of the motion. 7 to 0.

MOTION: Council Member Hawkins moved to approve the request for a Special Use Permit to allow professional and medical offices at the property located at 1502 Locust St. N., Bldg. 400 in the Eastpark Professional Subdivision No. 2 c/o EHM Engineers, Inc. on behalf of Temple View Properties, LLC (PZ19-0050), with City Staff recommendations. **Council Member Pierce** seconded the motion. Roll call vote showed all members present voted in favor of the motion. 7 to 0.

8) GENERAL INPUT/ADVISORY BOARD REPORT/ANNOUNCEMENTS

City Manager Rothweiler spoke about the retirement of Jackie Fields who has served the City for the past 13 1/2 years. There will be a celebration from 3:30 to 5:00 pm on Tuesday, June 18, 2019, in the overflow room.

Twin Falls County Assessor Brad Wills will have a public informational session to address the property tax assessments at the Twin Falls County Planning and Zoning Conference Room on Tuesday, June 18, 2019, from 6:00 to 8:00 pm.

ITD inspection of the Perrine Bridge will be conducted this week. Citizens please be patient, safe and remember that there are alternate routes that can be used.

9) ADJOURNMENT

The meeting adjourned at 06:19 PM

License No.	BUSINESS NAME	Physical Address	BEER OFF PREM ONLY - \$50.00	BOTTLED/CAN On Prem - \$150.00	DRAUGHT/BOTT LED On Prem - \$200.00	WINE On Prem - \$200.00	WINE On Prem - \$200.00	LIQUOR (inc's Wine) - \$562.50	Amount Paid	State License #	County License #	Comments
20-1187	55 Windbreak	1749 Kimberly Road							0.00			
20-1002	9 Beans and a Burrito	764 Cheney Drive							0.00			
20-1198	A Taste of Thai	837 Pole Line Rd							0.00			
20-1189	Addison Kicks 66	240 Addison Avenue West	50.00			200.00			250.00	1769	2020-047	
20-1005	Albertson's #4139	1221 Addison Avenue	50.00			200.00			250.00	2672	2020-116	
20-1123	Ameritel Inn - La Quinta	539 Pole Line Road							0.00			
20-1129	Anchor Bistro & Bar	334 Blue Lakes Blvd N							0.00		2020-041	No application
20-1006	Applebee's Neighborhood Grill & Bar	1587 Blue Lakes Blvd				200.00		562.50	762.50	2643	2020-026	
20-1105	Asian Food Market	404 Addison Ave West		150.00					150.00	6054	2020-121	
20-1204	Ballroom Brew LLC, Db a Milner's Gate	205 Shoshone St. N.			200.00			562.50	762.50	3312	2020-138	
20-1009	Big Smoke, LLC #110	659 Blue Lakes Blvd No	50.00			200.00			250.00	3047	2020-083	
20-1160	Big Smoke, LLC #111	287 Washington Street N	50.00			200.00			250.00	13903	2020-082	
20-1191	Black Bear Diner	1725 Harrison St.			200.00		200.00		400.00	23046	2020-118	
20-1195	Blaze Pizza	1925 Fillmore, Suite 100							0.00			
20-1197	Blu, LLC	1986 Addison Ave E.							0.00			
20-1121	Bowladrome	220 Eastland Drive			200.00			562.50	762.50	15987	2020-010	
20-1140	Buffalo Wild Wings	1239 Poe Line Road, Ste. 303			200.00			562.50	762.50	15741	2020-132	
20-1100	Bumpin Bernie's	139 Shoshone Street North		150.00				562.50	712.50	17029	2020-114	
20-1179	Burnt Lemon Grill	1040 Shoshone St E.			200.00				200.00	21543	2020-117	Owe \$200.00 for Wine
20-1125	Canyon Crest Dining & Event Center	330 Canyon Crest Drive			200.00			562.50	762.50	3632	2020-066	
20-1010	Castle's Corner - Blue Lakes	1230 Blue Lakes Blvd North	50.00			200.00			250.00	1787	2020-013	
20-1172	Castle's Corner - Parkview	1662 Parkview Drive	50.00			200.00			250.00	16324	2020-011	
20-1186	Cheverria's LLC	850 Shoshone St. W.							0.00			
20-1012	Chili's Bar & Grill	1880 Blue Lakes Blvd No			200.00			562.50	762.50	3918	2020-096	
20-1194	Chipotle Mexican Grill #2925	687 Blue Lakes Blvd N.							0.00			
20-1013	Costco Wholesale Corp	731 Poleline Road	50.00			200.00			250.00	3576	2020-044	
20-1176	Don Juan's Mexican Restaurant	1007 Blue Lakes Blvd N.			200.00		200.00		400.00	18803	2020-038	
20-1146	Elevation 486	195 River Vista Place #102			200.00			562.50	762.50	5436	2020-103	
20-1203	Emma's Café LLC	669 Blue Lakes Blvd		150.00					150.00	19109	2020-115	
20-1137	Europe Bar & Deli	679 Filer Ave		150.00		200.00			350.00	20776		NO County
20-1020	Fil-Mart 66	1612 Blue Lakes Blvd North	50.00			200.00			250.00	1718	2020-046	
20-1023	Fred Meyer's #383	705 Blue Lakes Blvd	50.00			200.00			250.00			
20-1025	Garibaldi's	645 Filer Avenue			200.00			562.50	762.50	3940	2020-100	
20-1165	Genghis Khan Mongolian Grill	611 Blue Lakes Blvd North							0.00			
20-1026	Gerties Brick Oven Cookery	602 2nd Avenue South							0.00			
20-1200	Glass Slipper LLC, Db a Party Center	215 Eastland Dr. Ste A	50.00			200.00			250.00	24641	2020-109	
20-1174	Guppies Hot Rod Grille	110 Main Ave. N.							0.00			
20-1126	Hilton Garden Inn	1741 Harrison St							0.00		2020-004	No application
20-1030	Idaho Joes	598 Blue Lakes Blvd North							0.00			
20-1031	Idaho Pizza Company	1859 Kimberly Road			200.00		200.00		400.00	5175	2020-134	
20-1167	Jaker's Restaurant	1598 Blue Lakes Blvd North			200.00			562.50	762.50	3441	2020-045	
20-1033	Janitzio Family Mexican Restaurant	2096 Kimberly Rd			200.00			562.50	762.50	3788	2020-099	
20-1182	Jarrito's Mexican Restaurant	565 Washington St. N.							0.00		2020-081	No application
20-1034	Johnny Carino's	1921 Blue Lakes Blvd N			200.00			562.50	762.50	4374	2020-126	
	Juanita's Tacos & More								0.00		2020-102	No application
20-1177	KB's - Fillmore St	1520 Fillmore St., Ste 3							0.00			

20-1185	KB's - Main Ave	117 Main Avenue East						0.00			
20-1035	Klover Klub Lounge, Inc.	402 Main Avenue North			200.00		562.50	762.50	2708	2020-015	
20-1199	Koto Brewing Co., LLC	156 Main Ave N			200.00		200.00	400.00	24684	2020-120	
20-1144	Kwik Mart	120 Ramage Street						0.00			
20-1004	La Quinta	539 Poleline Rd	50.00			200.00		250.00	7230	2020-021	
20-1037	LaCasita Mexican Restr.	111 South Park Avenue W		150.00			200.00	350.00	1786	2020-017	
20-1038	LaFiesta Mexican Restaurant	1288 Blue Lakews Blvd N			200.00		562.50	762.50	2509	2020-014	
20-1039	Log Tavern	401 4th Avenue West					562.50	562.50	5661	2020-107	Owe \$200.00 for Wine
20-1040	Loong Hing	1719 Kimberly Road		150.00			200.00	350.00	5129	2020-003	
20-1044	Mandarin House	735 Blue Lakes Blvd North		150.00			200.00	350.00	3745	2020-143	
20-1045	Maverik #224	120 6th Avenue West						0.00		2020-022	No application
20-1168	Maverik #492	883 Blue Lakes Blvd						0.00		2020-025	No application
20-1046	Maxie's Pizza & Pasta	170 Blue Lakes			200.00		200.00	400.00	14110	2020-005	
20-1116	Mi Pueblo Bakery	449 Washington Street North		150.00			200.00	350.00	6788	2020-051	
20-1183	Mi Tierra Mexican Restaurant	164 Main Ave. N.			200.00		562.50	762.50	14063	2020-089	
20-1164	Mia's Place	717 Main Avenue West			200.00		200.00	400.00	15510	2020-006	
20-1205	MOD Super Fast Pizza, LLC	683 Blue Lakes Blvd No			200.00		200.00	400.00	25672	2020-034	
20-1081	Mr. Gas	911 Blue Lakes Blvd North	50.00			200.00		250.00	1485	2020-043	Waiting on Payment
20-1075	Oasis Stop n Go #14	1390 Blue Lakes Blvd North	50.00			200.00		250.00	2406	2020-058	
20-1089	Oasis Stop N Go #19	688 Pole Line Road	50.00			200.00		250.00	1542	2020-063	
20-1088	Oasis Stop N Go #20	108 Addison Avenue W	50.00			200.00		250.00	4644	2020-090	
20-1087	Oasis Stop N Go #21	506 Blue Lakes Blvd N	50.00			200.00		250.00	4000	2020-061	
20-1001	Oasis Stop N Go #26	1509 Kimberly Rd	50.00			200.00		250.00	2925	2020-052	
20-1051	Oasis Stop n Go #3	1310 Addison Avenue East	50.00			200.00		250.00	3136	2020-054	
20-1052	Oasis Stop n Go #4	659 Addison Avenue E	50.00			200.00		250.00	3135	2020-056	
20-1053	Oasis Stop n Go #7	2220 Addison Avenue East	50.00			200.00		250.00	3121	2020-060	
20-1054	Oasis Stop n Go #8	515 Washington N	50.00			200.00		250.00	3095	2020-062	
20-1055	Oasis Stop n Go #9	890 Washington South	50.00			200.00		250.00	3113	2020-064	
20-1015	O'Dunkens	102 Main Avenue North			200.00		200.00	400.00	2360	2020-035	
20-1056	Outback Steak House	1965 Blue Lakes Blvd N						0.00	4310	2020-088	Have no application
20-1196	Pandora's Legacy	233 S 5th Ave South			200.00		562.50	762.50	22982	2020-074	
20-1188	Patagonia Grill LLC	772 Falls Ave.						0.00			
20-1057	Peking Restaurant	824 Blue Lakes Blvd North		150.00			200.00	350.00	1334	2020-001	
20-1206	Persian Coffee - Iraj Ranjbar	360 Main St. N						0.00			
20-1193	Petro's LLC	303 Main Avenue East	50.00			200.00		250.00	22615	2020-131	
20-1059	Pioneer Club - Sold to Olive Garden	1519 Kimberly Road						0.00			
20-1061	Prasal's Thai 2 Go	1563 Fillmore, Ste 1-A						0.00			
20-1062	Prasal's Thai Cuisine	428 2nd Avenue East		150.00			200.00	350.00	3181	2020-033	
20-1064	Red Lion Canyon Springs	1357 Blue Lakes Blvd North						0.00			
20-1024	Red Robin	1824 Blue Lakes Blvd			200.00		562.50	762.50			
20-1184	RedZone Sports Bar & Taproom - formally M	223 5th Ave South			200.00		562.50	762.50	19862	2020-075	
	Ridley's Family Markets							0.00			
20-1066	Rock Creek	200 Addison Avenue West			200.00		562.50	762.50	3602	2020-092	
20-1068	Rudy's Price Hardware	147 Main Avenue West		150.00		200.00	200.00	550.00	4731	2020-012	
20-1008	Scooter's	137 2nd Avenue East			200.00		562.50	762.50	2718	2020-018	
20-1132	Sharis of Twin Falls	1601 Blue Lakes Blvd N						0.00		2020-133	No application
20-1178	Shopko	1649 Poleline Road						0.00			
20-1073	Sizzler #650	719 Blue Lakes Blvd N			200.00		562.50	762.50			

20-1170	Slice	132 Main Ave North						0.00			
20-1074	Smith's Food and Drug #35	1913 Addison Avenue	50.00			200.00		250.00	2442	2020-042	
20-1048	St Lukes MVRMC	801 Poleline Rd W						0.00			
20-1192	Stay Well Health Foods	1563 Fillmore Street, Ste 2A						0.00			
20-1017	Stinker Store #51	1777 Kimberly Road	50.00			200.00		250.00	1401	2020-093	
20-1019	Stinker Store #54	880 Shoshone Street West	50.00			200.00		250.00	1419	2020-094	
20-1018	Stinker Store #55	2259 Addison Avenue	50.00			200.00		250.00	1389	2020-095	
20-1166	Stone House & Company	330 4th Avenue South			200.00		200.00	400.00	24064	2020-069	
20-1102	Sushi Tokyo Japanese Restr.	1111 Blue Lakes Blvd N Ste B		150.00			200.00	350.00	11981	2020-073	
20-1108	Sushi Ya	412 2nd Avenue East						0.00			
20-1076	Swenson's #4	115 Addison Avenue	50.00			200.00		250.00	3290	2020-119	
20-1107	Swenson's #6	991 Washington Street South	50.00			200.00		250.00			
20-1131	Target T-0699	1611 Blue Lakes Blvd N	50.00			200.00		250.00	10223	2020-078	
20-1078	The Cove	496 Addison Avenue West			200.00		562.50	762.50	2780	2020-027	
20-1027	The Ground Round	2128 Kimberly Road			200.00		200.00	400.00		2020-141	Need State
20-1028	The Hide Out Bar	157 Washington Street			200.00		200.00	400.00	4112	2020-140	
20-1202	The Olive Garden Italian Restaurant	1597 Pole Line Road E			200.00		562.50	762.50	4629	2020-036	
20-1175	The Orpheum Theatre	146 Main Avenue North		150.00			200.00	350.00			
20-1095	The Pocket - Closed	1532 Kimberly Road			200.00		562.50	762.50	3748	2020-080	
20-1070	The Shuffle Inn	633 2nd Avenue South			200.00		200.00	400.00	5969	2020-097	
20-1080	Tomato's Italian Grill	1309 Blue Lakes Blvd N			200.00		200.00	400.00	24163	2020-020	
20-1082	Tse Restaurant	1021 Blue Lakes Blvd N		150.00				150.00			
20-1083	Turf Club	734 Falls Avenue West			200.00		562.50	762.50	2054	2020-002	
20-1180	Twin Bean	144 Main Ave S.						0.00			
20-1163	Twin Falls Brickhouse	516 Hansen Street South			200.00		562.50	762.50	4170	2020-068	
20-1086	Twin Falls Golf Club	545 Grandview Drive			200.00		562.50	762.50		2020-114	Need State
20-1084	Twin Falls Grocery Outlet	2318 Addison Ave E	50.00			200.00		250.00	5231	2020-007	
20-1003	Twin Falls Holiday Inn	1586 Blue Lakes Blvd N						0.00			
20-1085	Twin Falls Moose Lodge #612	835 Falls Avenue	50.00	150.00			562.50	762.50			
20-1154	Twin Falls Sandwich Company	128 Main Avenue N			200.00		200.00	400.00	12677	2020-122	
20-1022	United Oil - Addison	322 West Addison	50.00			200.00		250.00	2733	2020-129	
20-1021	United Oil - Kimberly	1992 Kimberly Road	50.00			200.00		250.00	2732	2020-128	
20-1134	Von Scheidt Brewing Company	157 2nd Avenue West			200.00		200.00	400.00	10359	2020-112	
20-1090	Wal Mart #3897	1617 Washington St. N.	50.00			200.00		250.00	19192	2020-028	
20-1181	Wal Mart #3897 Fuel Station	1618 Washington St. N.	50.00			200.00		250.00	8346	2020-029	
20-1065	Walgreens #07277	306 Blue Lakes Blvd	50.00			200.00		250.00	10463	2020-104	
20-1136	Walgreens #12286	1732 Washington Street N	50.00			200.00		250.00	10530	2020-110	
20-1169	Whiskey Creek Saloon & Grill	213 5th Ave S.						0.00			
20-1091	Winco Food	1569 Blue Lakes Blvd North	50.00			200.00		250.00	1385	2020-049	
20-1093	Wok n Grill Restaurant	1188 Blue Lakes North		150.00		200.00		350.00	3752	2020-142	
20-1190	Yellow Brick Café	136 Main Avenue North			200.00		200.00	400.00	21084	2020-076	
			1,950.00	2,400.00	8,400.00	8,400.00	5,000.00	16,312.50	42,462.50		



Date: Monday, June 24, 2019
To: Honorable Mayor and City Council
From: Sergeant Justin Dimond, Twin Falls Police Department

ACTION ITEM

Request:

ACTION ITEM: Request to approve the 5th Annual Vietnam War Veterans Commemoration.

Time Estimate:

Staff requests that this item be placed on the Consent Calendar.

Background:

Hospice Visions, Inc., has submitted an application to hold a celebration to commemorate Vietnam War Veterans in the Twin Falls City Park on July 13, 2019. The event is scheduled from 8:00 a.m. to 3:00 p.m. This is the fifth annual event and the organizers anticipate approximately 250 to 300 people will be in attendance.

The event will host a guest speaker and a barbecue. There will be prerecorded, amplified music starting at 12:00 p.m. and continuing until 3:00 p.m.

To help celebrate the event, there will be a motorcycle ride beginning at 10:00 a.m. It is anticipated that 100 riders will participate. The ride will start at City Park and proceed south to Kimberly Road. From there, riders will travel east on Kimberly Road (US Highway 30) and proceed out of the city. Riders will be making stops at the Veteran's Cemetery and Vietnam Veteran's Memorial while making a loop through the cities of Kimberly, Hansen, and Jerome. Once through the City of Jerome, riders will proceed back to Twin Falls via Blue Lakes Boulevard and continue back to City Park.

The Twin Falls Police Department and the Twin Falls County Sheriff's Office will assist with an escort both out of town and back into town. All rules of the road will be followed by those participating in the event. There will be no street closures for the ride.

Alcohol will not be served during this event.

Approval Process:

Approval by the City Council

Budget Impact:

N/A

Regulatory Impact:

N/A

History:

N/A

Analysis:

N/A

Conclusion:

The Twin Falls Police Department Staff and several relevant City Staff members have reviewed and approved this Special Event Application. Based on this request and the information provided, Staff recommends that this event be approved as presented.

The Twin Falls Police Department Staff recommends that the on-duty Patrol Supervisor be given the authority to order the event organizers to mitigate the sound of amplified music. If there are continued noise complaints or disturbances by those participating in the event, and non-compliance, the on-duty Patrol Supervisor shall have the authority to terminate the event.

Attachments:

None



Date: Monday, June 24, 2019
To: Honorable Mayor and City Council
From: Sergeant Justin Dimond, Twin Falls Police Department

ACTION ITEM

Request:

ACTION ITEM: Request to approve the 9th Annual Kermes event.

Time Estimate:

Staff requests that this item be placed on the Consent Calendar.

Background:

The 9th Annual Kermes event, also known as the Hispanic Food Festival, is a fundraising event for St. Edward's Parish and the St. Edward's Catholic School. This event will be held in the Twin Falls City Park on Saturday, August 3, 2019, from 12:00 p.m. to 8:00 p.m.

The Kermes event is described as being a family-friendly, community social event open to the public. Admission to the event is free, and it will include activities for the entire family. There will be specific activities planned for children, to include bounce houses. Local vendors will have booths set up to sell food and miscellaneous items.

There will be amplified sound at this event. There will be five (5) live bands playing in the park band shell from 1:00 p.m. to 8:00 p.m.

It is estimated that there will be approximately 500 people attending the event this year. This estimate is based on last year's attendance.

Arrangements have been made for additional trash receptacles and portable toilets to be in the park during the event.

No alcohol will be sold at this event.

There were no calls for service generated for the Twin Falls Police Department at last year's event; therefore, no security is required.

Approval Process:

Consent of the Council

Budget Impact:

There is no budget impact.

Regulatory Impact:

N/A

History:

N/A

Analysis:

N/A

Conclusion:

Twin Falls Police Department Staff and several relevant City Staff members have approved this application request. Staff recommends that the City Council approve the Special Event Application based on the information provided.

The Twin Falls Police Department Staff recommends that the on-duty Patrol Supervisor be given the authority to order the event organizers to mitigate the sound of amplified music if necessary. If there are continued noise complaints, disturbances by those participating in the event, and non-compliance, the on-duty Patrol Supervisor shall have the authority to terminate the event.

Attachments:

None



BEFORE THE TWIN FALLS CITY COUNCIL

In Re:	)	
	)	
<u>Special Use Permit</u> , Application,	)	FINDINGS OF FACT,
	)	
<u>Temple View Properties, LLC</u>	)	CONCLUSIONS OF LAW,
<u>c/o EHM Engineers, Inc.</u>	)	
Applicant(s)	)	AND DECISION

This matter having come before the Twin Falls City Council on June 17, 2019 for public hearing pursuant to public notice as required by law for a Special Use Permit to allow professional service and medical offices on property located at 1502 Locust Street North, Building 400, and the City Council having heard testimony from interested parties being fully advised in the matter, now makes the following

FINDINGS OF FACT

1. Applicant has applied for a Special Use Permit to allow professional service and medical offices on property located at 1502 Locust Street North, Building 400
2. All legal requirements for notice of public hearing have been met with advertisement taking place on the following date: May 30, 2019
3. The property in question is zoned R-2 PRO PUD pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as Town Neighborhood in the duly adopted Comprehensive Plan of the City of Twin Falls.
4. The existing neighboring land uses in the immediate area of this property are: to the north, Retail; to the south, Office; to the east; Vacant; and to the west, Doctor's Office.
5. Relevant criteria and standards for consideration of this application are set forth in Sections 10-1-4, 10-1-5, 10-4-8, 10-7-12, 10-10-11, 10-11-1 thru 8 and 10-13-2.2, Twin Falls City Code.

Based on the foregoing Findings of Fact, the Twin Falls City Council hereby makes the following:

CONCLUSIONS OF LAW

1. The application for a Special Use Permit to allow professional service and medical offices on property located at 1502 Locust Street North, Building 400 is consistent with the purpose of the R-2 PRO PUD Zone, and is not detrimental to any of the outright permitted uses or existing special uses in the area.

2. The proposed use does constitute a special use as established by zoning requirements for the zone involved as required by Twin Falls City Code 10-13-2.2(D)1.

3. The proposed use will be harmonious with and in accordance with the general objectives or with any specific objective of a comprehensive plan and/or zoning regulations as required by Twin Falls City Code 10-13-2.2(D)2

4. The proposed use will be designed, constructed, operated and maintained to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area as required by Twin Falls City Code 10-13-2.2(D)3.

5. The proposed use will not be hazardous or disturbing to existing or future neighboring uses as required by Twin Falls City Code 10-13-2.2(D)4.

6. The proposed use will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community as required by Twin Falls City Code 10-13-2.2(D)6.

7. The proposed use will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any person, property or to the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors as required by Twin Falls City Code 10-13-2.2(D)7.

8. The proposed use will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares as required by Twin Falls City Code 10-13-2.2(D)8.

9. The proposed use will not result in the destruction, loss or damage of a natural, scenic or historic feature of major importance as required by Twin Falls City Code 10-13-2.2(D)9.

10 The proposed use is a proper use in the SUI Zone, subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

11. The application for a Special Use Permit to allow professional service and medical offices on property located at 1502 Locust Street North, Building 400 should be granted, subject to all applicable requirements of the Zoning Ordinance, Adopted Standard Drawings and City code of the City of Twin Falls, subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

Based on the foregoing Conclusions of Law, the Twin Falls City Council hereby enters the following

DECISION

1. The application for a Special Use Permit to allow professional service and medical offices on property located at 1502 Locust Street North, Building 400 is hereby granted, subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

2. The applicant shall comply with all applicable requirements of the Adopted Standard Drawings, the Zoning Ordinance, and the City Code of the City of Twin Falls, subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

3. The Special Use Permit shall be issued, as presented.

MAYOR – TWIN FALLS CITY COUNCIL

DATE

"EXHIBIT NO. A"

1. Subject to continued compliance with all local, state, and federal code requirements and other standards as applicable.

APPLICATION # PZ19-0049



CITY OF TWIN FALLS
PLANNING AND ZONING DEPARTMENT
203 Main Avenue East
P.O. Box 1907
Twin Falls, Idaho 83303-1907
Phone: 208-735-7267 Fax: 208-736-2641

SPECIAL USE PERMIT

Permit No. PZ19-0049

Granted by the Twin Falls City Council, as presented, on **June 17, 2019** to **Temple View Properties c/o EHM Engineers, Inc.** whose address is **621 N. College Rd, Suite 100** to allow a professional service and medical office on property located at 1502 Locust St North, Bldg. 600 and legally identified with the following Parcel ID: **RPT16230010040**

The Commission has attached the following conditions which must be fully implemented to avoid permit revocation (City Code Section 10-13-2.3):

- 1. Subject to continued compliance with all local, state, and federal code requirements and other standards as applicable.**

MAYOR-TWIN FALLS CITY COUNCIL

Date

This permit is for zoning purposes only. Other permits such as sign, building, electrical or plumbing permits, etc. may be required. All facilities must comply with all Building and Fire Code Regulations.

Please contact the Building Department at 735-7238 for further information.



CITY OF TWIN FALLS
PLANNING AND ZONING DEPARTMENT
203 Main Avenue East
P.O. Box 1907
Twin Falls, Idaho 83303-1907
Phone: 208-735-7267 Fax: 208-736-2641

SPECIAL USE PERMIT

Permit No. PZ19-0050

Granted by the Twin Falls City Council, as presented, on **June 17, 2019** to **Temple View Properties c/o EHM Engineers, Inc.** whose address is **621 N. College Rd, Suite 100** to allow a professional service and medical office on property located at 1502 Locust St North, Bldg. 400 and legally identified with the following Parcel ID: **RPT16230010030**

The Commission has attached the following conditions which must be fully implemented to avoid permit revocation (City Code Section 10-13-2.3):

- 1. Subject to continued compliance with all local, state, and federal code requirements and other standards as applicable.**

MAYOR – TWIN FALLS CITY COUNCIL

Date

This permit is for zoning purposes only. Other permits such as sign, building, electrical or plumbing permits, etc. may be required. All facilities must comply with all Building and Fire Code Regulations.

Please contact the Building Department at 735-7238 for further information.



BEFORE THE TWIN FALLS CITY COUNCIL

In Re:	)	
	)	
<u>Special Use Permit</u> , Application,	)	FINDINGS OF FACT,
	)	
<u>Temple View Properties, LLC</u>	)	CONCLUSIONS OF LAW,
<u>c/o EHM Engineers, Inc.</u>	)	
Applicant(s)	)	AND DECISION

This matter having come before the Twin Falls City Council on June 17, 2019 for public hearing pursuant to public notice as required by law for a Special Use Permit to allow professional service and medical offices on property located at 1502 Locust Street North, Building 600, and the City Council having heard testimony from interested parties being fully advised in the matter, now makes the following

FINDINGS OF FACT

1. Applicant has applied for a Special Use Permit to allow professional service and medical offices on property located at 1502 Locust Street North, Building 600
2. All legal requirements for notice of public hearing have been met with advertisement taking place on the following date: May 30, 2019
3. The property in question is zoned R-2 PRO PUD pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as Town Neighborhood in the duly adopted Comprehensive Plan of the City of Twin Falls.
4. The existing neighboring land uses in the immediate area of this property are: to the north, Retail; to the south, Office; to the east; Vacant; and to the west, Doctor's Office.
5. Relevant criteria and standards for consideration of this application are set forth in Sections 10-1-4, 10-1-5, 10-4-8, 10-7-12, 10-10-11, 10-11-1 thru 8 and 10-13-2.2, Twin Falls City Code.

Based on the foregoing Findings of Fact, the Twin Falls City Council hereby makes the following:

CONCLUSIONS OF LAW

1. The application for a Special Use Permit to allow professional service and medical offices on property located at 1502 Locust Street North, Building 600 is consistent with the purpose of the R-2 PRO PUD Zone, and is not detrimental to any of the outright permitted uses or existing special uses in the area.

2. The proposed use does constitute a special use as established by zoning requirements for the zone involved as required by Twin Falls City Code 10-13-2.2(D)1.

3. The proposed use will be harmonious with and in accordance with the general objectives or with any specific objective of a comprehensive plan and/or zoning regulations as required by Twin Falls City Code 10-13-2.2(D)2

4. The proposed use will be designed, constructed, operated and maintained to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area as required by Twin Falls City Code 10-13-2.2(D)3.

5. The proposed use will not be hazardous or disturbing to existing or future neighboring uses as required by Twin Falls City Code 10-13-2.2(D)4.

6. The proposed use will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community as required by Twin Falls City Code 10-13-2.2(D)6.

7. The proposed use will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any person, property or to the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors as required by Twin Falls City Code 10-13-2.2(D)7.

8. The proposed use will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares as required by Twin Falls City Code 10-13-2.2(D)8.

9. The proposed use will not result in the destruction, loss or damage of a natural, scenic or historic feature of major importance as required by Twin Falls City Code 10-13-2.2(D)9.

10 The proposed use is a proper use in the SUI Zone, subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

11. The application for a Special Use Permit to allow professional service and medical offices on property located at 1502 Locust Street North, Building 600 should be granted, subject to all applicable requirements of the Zoning Ordinance, Adopted Standard Drawings and City code of the City of Twin Falls, subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

Based on the foregoing Conclusions of Law, the Twin Falls City Council hereby enters the following

DECISION

1. The application for a Special Use Permit to allow professional service and medical offices on property located at 1502 Locust Street North, Building 600 is hereby granted, subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

2. The applicant shall comply with all applicable requirements of the Adopted Standard Drawings, the Zoning Ordinance, and the City Code of the City of Twin Falls, subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

3. The Special Use Permit shall be issued, as presented.

MAYOR – TWIN FALLS CITY COUNCIL

DATE

"EXHIBIT NO. A"

1. Subject to continued compliance with all local, state, and federal code requirements and other standards as applicable.

APPLICATION # PZ19-0050



BEFORE THE CITY COUNCIL OF THE CITY OF TWIN FALLS

In Re:

Annexation Application

Maria P. Silva

Applicant(s)

)
) FINDINGS OF FACT,
)
) CONCLUSIONS OF LAW,
)
) AND DECISION

This matter having come before the City Council of the City of Twin Falls, Idaho on **June 17, 2019** for public hearing pursuant to public notice as required by law for Annexation with a zoning designation of **M-2**, currently zoned **M-2**, for **1.65 (+/-)** acres located **on property located at 305 Hankins Road South** and the City Council having heard testimony from interested parties being fully advised in the matter, now makes the following

FINDINGS OF FACT

1. Applicant has applied for Annexation with a zoning designation of **M-2**, currently zoned **M-2**, for **1.65 (+/-)** acres located **on property located at 305 Hankins Road South**.
2. All legal requirements for notice of public hearing have been met with advertisement taking place on the following date: **May 30, 2019**.
3. The property in question is zoned **M-2** pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as **Industrial** in the duly adopted Comprehensive Plan of the City of Twin Falls.
4. The existing neighboring land uses in the immediate area of this property are: to the north, **Commercial**; to the south, **Industrial**; to the east, **Commercial and Residential**; to the west, **Agriculture**.

Based on the foregoing Findings of Fact, the City Council hereby makes the following

CONCLUSIONS OF LAW

1. The application for Annexation with a zoning designation of **M-2**, currently zoned **M-2**, for **1.65 (+/-)** acres located **on property located at 305 Hankins Road South** is consistent with the purpose of the **M-2** Zone, and is not detrimental to any of the outright permitted uses or existing special uses in the area.
2. The proposed annexation is consistent with the provisions of the Comprehensive Plan and Zoning Ordinance of the City of Twin Falls, and in particular Sections 10-1-4, 10-1-5, 10-4-10, 10-15-1(A) & (B) of the Twin Falls City Code.

3. The proposed use is proper use in the **M-2** Zone, subject to the conditions, which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

4. Public services may not be available at the time of development, depending upon the speed of development of this and other subdivisions and the ability of the City to obtain additional water and/or sewer capacity. Annexation of this property is not a guarantee city utilities are available. A will-serve letter will be issued upon review and approval for a final plat and/or a phase of a final plat.

5. The application for Annexation with a zoning designation of **M-2**, currently zoned **M-2**, for **1.65 (+/-)** acres located **on property located at 305 Hankins Road South** should be granted, subject to all applicable requirements of the Zoning Ordinance, Adopted Standard Drawings and City code of the City of Twin Falls and to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

Based on the foregoing Conclusions of Law, the Twin Falls City Council hereby enters the following

DECISION

1. The application for Annexation with a zoning designation of **M-2**, currently zoned **M-2**, for **1.65 (+/-)** acres located **on property located at 305 Hankins Road South** is hereby granted as presented.

2. The applicant shall comply with all applicable requirements of the Adopted Standard Drawings, the Zoning Ordinance, and the City Code of the City of Twin Falls and to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

MAYOR - TWIN FALLS CITY COUNCIL

DATE

APPLICATION # **PZ19-0029**



BEFORE THE CITY COUNCIL OF THE CITY OF TWIN FALLS

In Re:	)	
	)	
<u>Final Plat Application,</u>	)	FINDINGS OF FACT,
	)	
<u>The Falls at the Preserve Subdivision</u>	)	CONCLUSIONS OF LAW,
<u>Applicant(s).</u>	)	
	)	AND DECISION

This matter having come before the City Council of the City of Twin Falls, Idaho on **June 10, 2019** for consideration of the final plat of **The Falls at the Preserve Subdivision**, approximately **4.13 (+/-)** acres located at **the 2400 block Pole Line Road East**, and the City Council having heard testimony from interested parties, having received written Findings from the Planning and Zoning Commission and being fully advised in the matter, now makes the following

FINDINGS OF FACT

1. Applicant has requested approval of the final plat of **The Falls at the Preserve Subdivision**, approximately **4.13 (+/-)** acres located at **the 2400 block Pole Line Road East**.
2. The property in question is zoned **R-2 PUD** pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as **Town Neighborhood** in the duly adopted Comprehensive Plan of the City of Twin Falls.
3. The existing neighboring land uses in the immediate area of this property are: to the north, **Pole Line Rd. Extended/Residential**; to the south, **Vacant**; to the east, **Residential**; to the west, **Vacant**.
4. The City Engineering Office has reviewed the final plat and has approved the proposed street accesses and public utility extensions, subject to availability of such services at the time of development. The developer will pay all costs of public improvements, including but not limited to streets, curb gutter and sidewalks, sewer, water and pressurized irrigation systems. The proposed development includes dedication of additional right-of-way in compliance with the Master Street Plan.

Based on the foregoing Findings of Fact and the regulations and standards set forth below, the City Council hereby makes the following

CONCLUSIONS OF LAW

1. The final plat of **The Falls at the Preserve Subdivision**, approximately **4.13 (+/-)** acres located at **the 2400 block Pole Line Road East** is in conformance with the objectives of the zoning ordinance and the policy for developments in Twin Falls City Code §10-1-4. Specifically, the land can be used safely for building purposes without danger to health or peril from fire, flood or other menace, proper provision has been made for drainage, water sewerage and capital improvements including schools, parks, recreation facilities, transportation facilities and improvements, all existing and proposed public improvements conform to the Comprehensive Plan.

2. The final plat is in conformance with the Comprehensive Plan as required by Twin Falls City Code §10-12-2.3(H)(2)(a).

3. Public services are currently available to accommodate the proposed development, as required by Twin Falls City Code §10-12-2.3(H) (2) (b). Public services may not be available at the time of development, depending upon the speed of development of this and other subdivisions and the ability of the City to obtain additional water and/or sewer capacity.

4. The development of streets, sewer, water, irrigation, dedication of park land and other public improvements at the cost of the developer will not adversely affect any capital improvement plan and will integrate with existing public facilities, as required by Twin Falls City Code §10-12-2.3(H)(2)(c).

5. There is sufficient public financial capability of supporting services for the proposed development, as required by Twin Falls City Code §10-12-2.3(H)(2)(d).

6. There are no other health, safety or environmental problems associated with the proposed development that were brought to the City Council's attention, per Twin Falls City Code §10-12- 2.3(H)(2)(e).

7. The final plat is in conformance with the Preliminary Plat. Based on the foregoing Conclusions of Law, the Twin Falls City Council hereby enters the following

DECISION

The request for approval of the final plat of **The Falls at the Preserve Subdivision**, approximately **4.13 (+/-)** acres located at **the 2400 block Pole Line Road East** is hereby granted, subject to final technical review by the City Engineer's Office and subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein. The applicant shall comply with all applicable requirements of the Adopted Standard Drawings, the Zoning Ordinance, and the City Code of the City of Twin Falls.

MAYOR - TWIN FALLS CITY COUNCIL

DATE

“EXHIBIT NO. A”

1. Subject to final technical review and amendments as required by building, engineering, fire and zoning officials to ensure compliance with all applicable City Code requirements and standards.



Date: Monday, June 24, 2019
To: Honorable Mayor and City Council
From: Jarrod Bordi, Building Official

PRESENTATION

Request:

PRESENTATION: Recognition of Kortnie Kent's Promotion to Senior Inspector.

Time Estimate:

Presentation will take approximately 5-10 minutes.

Background:

Will be discussed in the presentation.

Approval Process:

N/A

Budget Impact:

Kortnie has been moved up to the Senior Inspector role. The financial impact is covered in our current budget.

Regulatory Impact:

N/A

History:

N/A

Analysis:

N/A

Conclusion:

N/A

Attachments:

None



Date: Monday, June 24, 2019
To: Honorable Mayor and City Council
From: Mandi Thompson, Grant and Community Relations Manager

PRESENTATION

Request:

ACTION ITEM: Presentation of a proposal to create the Twin Falls Public Art Commission.

Time Estimate:

10 minute presentation and time for questions and discussion

Background:

Public art plays an important role in increasing the understanding and enjoyment of art by the community. Art is more accessible and visible to people when displayed in public areas. A key feature of public artwork is the importance of integrating art into the urban fabric of the city in order to enrich and enhance the physical attractiveness of the city.

Public art transforms spaces and makes a valuable contribution to our appreciation of the city and the quality of public places. In addition, public art located in public places reflects the unique environment and cultural identity of the city to visitors and to our residents. It often provides a link with our history and can contribute to economic development and tourism.

The creation of a Public Art Commission and the development of a public art policy is an important strategy in the management of any current collections of public artwork, the commissioning of new artwork, and possibility of the inclusion of new public artwork in private development.

Establishing a Commission will provide a clear policy and guidelines for the commissioning, creation, placement, maintenance and promotion of the City's public art. The policy will guide and inform the community standards for the assessment of all public art commissioned by or proposed to the Commission, as well as management and promotion of any existing art.

Approval Process:

Upon the decision of the Council, under Title 2 of City Code, an ordinance will be drafted and adopted to create The Twin Falls Public Art Commission.

Budget Impact:

N/A

Regulatory Impact:**History:**

N/A

Analysis:

N/A

Conclusion:

The importance and prevalence of public art in the community is increasing, as is the need to manage and care for the public art that has been and will be installed.

Attachments:

1. Twin Falls Public Art Commision.docx

CITY OF TWIN FALLS PUBLIC ART COMMISSION

PURPOSE

The purpose of the Twin Falls Public Arts Commission (TFAC) is to establish policies and procedures for the operation, funding and implementation of a public art program in the City of Twin Falls.

MISSION

The mission of a public art program is to support a thriving arts community through the activation of public spaces. Expanding the opportunities for Twin Falls residents to experience various genres of art in public places will create a more visually pleasing and culturally rich environment while expanding the public's knowledge of arts and culture.

DEFINITION

Public art is any work of art in any media that has been designed, planned, sited or executed in a space accessible to the general public, anywhere from a public square to a wall inside a building open to the public.

ORGANIZATION

The TFAC will represent the City's interests in matters pertaining to public art, and will advise and make recommendations to the City Council concerning public art and public art activities, and will be responsible for carrying out this public art policy.

The TFAC should be comprised of not more than seven (7) voting members who will serve at the appointment of the Mayor, as approved by City Council. Individuals will be appointed to ensure the artistic and cultural community of Twin Falls is represented. Members are appointed at large and will serve a three (3) year term.

Where possible, the TFAC should include at least one (1) student that is enrolled in a post-secondary educational program. The student member will serve for a one (1) year term. In addition, where possible, one (1) high school (or equivalent educational program) student shall serve a one (1) year term.

There will be four (4) ex officio nonvoting members of the TFAC: City Council member appointed by the Mayor, City Manager's Office, Parks and Recreation, Planning and Zoning.

COMMISSION RESPONSIBILITIES

- Facilitating public art in public buildings and spaces;
- Informing City residents and visitors about public art;

- Guiding the subject matter and aesthetic direction of public art projects;
- Developing procedures for selection of art and artists, to include input from the public and City staff;
- Making recommendations to City Council, including recommendations on public art policy and recommendations on acquisitions of works of art
- Making recommendations to the City Council on acceptance of gifts and loans of artwork;
- Recommending sites for public art projects;
- Raising funds for public art projects;
- Maintaining an inventory and documentation of the City's collection of public art; and
- Surveying the City's collection of public art to determine if works require maintenance or other attention.

ACQUISITION

The City may acquire art by commission, purchase, loan, gift, or partnership. The role of the Commission is to advise the City on matters pertaining to art acquisition.

Commission:

The City hires an artist to create original artwork for a specific project. Commissions may be funded wholly by the City or funded in partnership with the URA or private partners.

Purchase:

The City acquires artwork via a direct financial obligation to do so.

Loan:

The owner of a work of art places the artwork in the temporary care of the City, without transferring ownership. The City and owner must sign a Loan Agreement for each loaned work of art, to include an explicit loan expiration date and either a provision holding the City harmless or an insurance policy for the declared value of the artwork. Before the loan expiration, the Commission (or an appointed representative) and the owner must agree whether 1) the artwork will be returned; 2) the loan period will be extended; or 3) the loan will be converted to a gift.

Gift:

The City accepts legal title to a work of art when the owner of the art offers it without a request for compensation and an authorized City official formally accepts the gift on behalf of the City. A Deed of Gift form must accompany each gifted work of art. The City Council, with the Commission's recommendation, can accept or refuse a gift.

Partnership:

The City uses private property for the installation of a public art project. Partnerships may be funded wholly by the City or funded in partnership with the Urban Renewal Agency (URA) or other community partners. The City and any partners to a project must sign an agreement, whose terms must include:

- Adherence to community standards;

- The minimum duration of the project's installation;
- An assurance that the project will remain openly accessible to the public;
- Assignment of any care and maintenance duties that the artwork might require;
- An assurance that the project will continue in its original form if its site is sold, leased, removed, or repurposed in any manner.

The Commission is responsible for reviewing all proposed acquisitions of art, in consultation with outside art professionals as needed. All artwork under consideration must be completely and thoroughly documented, to include:

- Past and current certificates of ownership;
- A detailed written description of the artwork, and photographs, video, sketches, and models (as appropriate) to best describe and document the work of art;
- Its value;
- All relevant information on the artist-of-record;
- Recommended sites, if any;
- Annual maintenance procedures and estimated budget;
- Any other fees associated with ownership (e.g. insurance or installation costs);
- If the acquisition is a loan, duration of ownership.

SELECTION

Artwork will be selected based on:

- Whether the work meets the City's adopted community standards for public art projects. The City's overall collection shall strive for diversity in style, scale, media, and artists.
- Quality of the work's construction. Construction must be sound in order to assure that the work is solidly mounted and made of materials that will be resistant to theft, vandalism, weather, and regular wear and tear without creating significant maintenance expense to the taxpayer.
- Appropriateness of the work for the proposed site. Installations must add interest and meaning to the environment in which it is placed. It must be compatible in scale, material, form, and content with its surrounding and for an overall relationship with the site. Structures must conform to any existing Master Plan for the site. Additionally, artwork shall not present a hazard to public safety.
- Suitability and availability of proposed site. Ideally, sites shall be located in public places within the prominent paths of circulation (e.g., an entry point, transit corridor, or plaza area), or is near a place of congregation (e.g., park, transportation center, entertainment or retail center).
- Artistic merit. Artwork may not be an advertisement for any commercial establishment, nor be primarily religious or political in nature.
- Financial considerations, including sources of funding and maintenance costs.
- Donor restrictions. The TFAC will be responsible for reviewing and evaluating the suitability of a proposed artwork donation and recommending to the City Council whether or not to accept the gift and/or allow it to be installed on city property.

At any time during the selection process, the Commission may request to see the original work (if it exists at the time). Every acquisition carries with it an explicit responsibility that it be displayed, maintained, preserved, and documented. This is a permanent, ongoing commitment unless otherwise specified. The TFAC and the City Council reserve the right to accept or reject proposed artwork based on the guidelines within this policy.

MAINTENANCE

The acquisition of artwork for the benefit of the public entails a commitment to long-term stewardship. The TFAC, in conjunction with City Departments such as Parks and Recreation, Public Works, Planning and Zoning and the City Manager's Office, assume this responsibility. The Commission will coordinate maintenance and conservation in conjunction with these departments.

The TFAC will coordinate routine maintenance in conjunction with others, including community organizations, art professionals, and City departments. Routine maintenance must be conducted in accordance with instructions provided by the artist unless otherwise authorized by the Commission. This authorization may only be given upon the recommendation of an art professional with authoritative experience regarding the type of artwork under consideration. All maintenance procedures must be documented (including pre- and post-maintenance photographs) and kept with the artwork's documentation.

Costs of on-going maintenance and repair anticipated through the lifespan of any artwork will be important considerations during the acceptance process. Costs for such activities must fall within the City's budgeted funding sources and the City must have labor availability to meet the maintenance needs. In the event any proposed artwork exceeds the City's capacity for maintenance or repair, the donating person or entity will be responsible to include resources for maintenance and repair.

DOCUMENTATION

Each artwork will have an accession number applied to it in an inconspicuous, reversible manner. The accession number format is the year accessioned, followed by an accession number for that year (e.g. 2018.01 for the first 2018 accession). All documentation for a work must reference its accession number.

The TFAC will maintain documentation of the City's public art collection in the office of the City Manager. Documentation for each work of art in the City's collection must include:

- An acquisition form documenting:
 - Acquisition date
 - Title
 - Artist
 - Medium

- Dimensions
- Location
- Donor contact information, if applicable
- An artist information sheet documenting:
 - Acquisition date
 - Contact information for the artist or estate of the artist
 - Information regarding the fabrication, installation, and maintenance requirements of the artwork
- A photographic record of the artwork
- The Deed of Gift or Loan Agreement, as applicable
- Any applicable copyright agreements
- Conservation or historical records, if applicable

REMOVAL OF ART

The city shall remove and dispose of works of art when it finds such action to be in the public interest based upon the following considerations:

- The artwork has no relevance to the collection or serves no exhibition function.
- The artwork has been vandalized and is unable to be repaired for any reason, including physical, structural, or financial reasons.
- The artwork no longer meets the current standards for public art.
- The artwork is no longer repairable or is in a seriously deteriorated condition.
- Due to the concerns for public safety if an artwork becomes a hazard or a public liability.

Recommendations for removal of public art shall be directed to the City Council.



Date: Monday, June 24, 2019
To: Honorable Mayor and City Council
From: William Carberry, Airport Manager

ACTION ITEM

Request:

ACTION ITEM: Discussion, with possible action, to utilize MPOG funds to provide grant match for a pending Small Community Air Service Grant Proposal.

Time Estimate:

This item will take approximately 10-15 minutes.

Background:

Discussion

I would like to update the City Council on the status of the pending application to include the variety of support letters for the grant and the financial match contributions being considered by local Magic Valley businesses, associations, and government entities.

The Small Community Air Service Development Program (SCASDP) was first developed in 2001 to assist communities with small non-hub airports like Magic Valley Regional to improve their air service. The major objective of the Small Community Program is to help communities secure enhancements through grant funding that will be responsive to their air transportation/air fare needs on a long-term basis after the financial support of the grant has ended. One of the most effective uses of these grants is through the use of short term revenue guarantees assisting an airline to expand or develop new service combined with a marketing initiative.

Progress on the Grant Proposal

With the grant proposal due by July 15th, our consultant as well as leaders in our community have been busy putting the pieces together. The idea within the proposal is to request a grant of approximately \$900,000 for an airline revenue guarantee, local airline station improvements, and a marketing plan to support the initial stages of establishing a new United Airlines route to Denver International Airport.

A Public/Private Partnership & Local Cash Match Contribution

One of the most significant criteria the U.S. DOT considers when reviewing a proposal would be the public/ private partnership approach in supporting a financial share of the grant project. The partnership's financial support of a percentage of the grant amount, typically around 12-15%, is critical to an applications consideration. Although there is no stated amount of grant match, the higher the match contribution from a community and breadth of support, the higher the consideration given to the grant request.

Approval Process:

A majority vote of the City Council is needed to approve any action.

Budget Impact:

The City Council may want to consider utilizing MPOG grant dollars as a means to contribute to the community's effort to apply matching funds toward the grant project.

The City of Twin Falls will be the entity applying for the grant and be responsible for all accounting of the grant if awarded.

Regulatory Impact:

If the community is successful in being awarded a grant, all project expenditures would be subject to the grant requirements associated with the award.

History:

N/A

Analysis:

N/A

Conclusion:

Staff recommends the City Council review the update of the pending grant application and ask any questions they may have. In addition, the City Council may want to take action to commit MPOG funding toward the grant project.

Attachments:

None



Date: Monday, June 24, 2019
To: Honorable Mayor and City Council
From: Mandi Thompson, Grant and Community Relations Manager

ACTION ITEM

Request:

ACTION ITEM: Request to allocate remaining MPOG funds.

Time Estimate:

15 minutes

Background:

As a result of changes to the MPOG (Municipal Powers Outsource Grant) process, there were only four applications submitted for consideration. Of the \$85,000 allocated in the budget, \$32,300 was awarded to four non-profit organizations. If the Council chooses, the remaining \$52,700 can be re-allocated to other projects.

The projects being proposed for funding include:

1. Victim Services (Police Department, Kim Burkhalter) - \$3,000
2. Matching funds for the Small Community Air Service Development Program (SCASDP)-\$20,000

Approval Process:

Majority approval by Council.

Budget Impact:

Regulatory Impact:

N/A

History:

N/A

Analysis:

N/A

Conclusion:

Attachments:

None



Date: Monday, June 24, 2019
To: Honorable Mayor and City Council
From: Shayne Nope, City Attorney

ACTION ITEM

Request:

ACTION ITEM: Request to consider a Resolution to join the Multi-District Litigation (MDL) against Opioid Manufacturers and/or Distributors.

Time Estimate:

10 Minutes

Background:

Cities and counties are pursuing a national lawsuit against the opioid manufacturers and distributors, consolidated into a “multi-district litigation” in a federal court in Ohio (the MDL). The general theory is that the manufacturers and distributors encouraged over-prescription and over-supply, ignoring glaring evidence that medications were being excessively and improperly used. This increased public costs for law enforcement, medical care, health insurance, addiction treatment, and more. Because the problem is nationwide, cities and counties everywhere have similar claims. This resolution would authorize the Mayor to enter into a contingency fee retainer with special counsel to pursue litigation on behalf of the City of Twin Falls.

Approval Process:

A simple majority vote of the council is required to move the resolution forward.

Budget Impact:

None

Regulatory Impact:

N/A

History:

N/A

Analysis:

N/A

Conclusion:

Should the Council approve the resolution, the Mayor will be authorized to enter into a contingency fee retainer agreement with special counsel to pursue litigation on behalf of the City of Twin Falls.

Attachments:

1. 2019 - Opioid MDL

RESOLUTION NO. 2019-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
TWIN FALLS, IDAHO, AUTHORIZING THE RETENTION OF
SPECIAL COUNSEL FOR THE PURPOSE OF FILING A
LAWSUIT AGAINST OPIOID MANUFACTURESRS AND/OR
DISTRIBUTORS

WHEREAS, the City Council of Twin Falls, Idaho is aware of problems in the community related to and associated with the epidemic of opioid addiction, abuse, and overdoses based on police reports, first responders' reports, medical reports, personal knowledge, and/or ongoing media coverage;

WHEREAS, the opioid addiction epidemic constitutes a continuing and increasing health problem of crisis proportions which negatively affects the health, safety and welfare of the citizens of the City and their families, and significantly disturbs the peace and good order of the City, and jeopardizes the protection and preservation of the City's property;

WHEREAS, opioid abuse, addiction and overdoses are increasing and placing heightened demand for and strain on local services to include, but not limited to, elevated number of citizens' visits to the nearby hospital emergency room, addiction treatment services, and the Twin Falls Police Department;

WHEREAS, the Council recognizes that the opioid addiction crisis is being addressed by programs and processes through various branches of government, businesses, and community groups and organizations, to include increased police training and apprehension of offenders, improved court proceedings, programs and outcomes, community-based awareness programs, education, family interventions, and addiction treatment programs;

WHEREAS, several counties and municipalities in the State of Idaho have filed or are preparing to file lawsuits against various opioid manufacturers and/or distributors in the hope of reducing the availability and over-prescribing of opioid drugs which lead to citizens' addictions, drug dependency and possibility of overdoses;

WHEREAS, the various county and municipal lawsuits have or may become part of the multi-district litigation pending in the United States District Court for the Northern District of Ohio, which coordinates numerous lawsuits across the nation;

WHEREAS, the City of Twin Falls desires to retain special counsel to pursue such litigation without risk to or substantial expenditure of public funds, and therefore wishes to proceed on a contingent fee basis such that legal fees and expenses will be paid only out of monetary recovery; and

WHEREAS, the law firms of Keller Lenkner LLC, Consovoy McCarthy Park PLLC, and Mooney Wieland PLLC are willing to represent the City of Twin Falls on a contingent fee basis as set forth above, and as provided in the retainer fee agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, AS FOLLOWS:

The Mayor is authorized and empowered to enter into a contingency fee retainer agreement to retain the law firms of Keller Lenkner LLC, Consovoy McCarthy Park PLLC, and Mooney Wieland PLLC as special counsel on behalf of the City of Twin Falls, to pursue litigation against manufacturers, distributors, prescribers, and/or retailers of opioid medications that, in the judgment of the City Attorney, are contributing to the aforementioned crisis, and to pursue such litigation in the interests of the City.

And be it further resolved by the City Council of Twin Falls that this resolution shall become effective upon the date of its passage.

PASSED BY THE CITY COUNCIL: June ___, 2019.

SIGNED BY THE MAYOR: June ___, 2019.

MAYOR

ATTEST:

DEPUTY CITY CLERK