

COUNCIL MEMBERS:

|                   |          |                 |                 |               |                     |                  |
|-------------------|----------|-----------------|-----------------|---------------|---------------------|------------------|
| SHAWN BARIGAR     | DON HALL | SUZANNE HAWKINS | GREGORY LANTING | JIM MUNN, JR. | REBECCA MILLS SOJKA | CHRIS TALKINGTON |
| <i>Vice Mayor</i> |          |                 | <i>Mayor</i>    |               |                     |                  |



**MINUTES**

Meeting of the Twin Falls City Council  
**December 10, 2012**  
 City Council Chambers  
 305 3<sup>rd</sup> Avenue East - Twin Falls, Idaho

**5:00 P.M.**

PLEDGE OF ALLEGIANCE TO THE FLAG  
 CONFIRMATION OF QUORUM  
 INTRODUCTION OF STAFF  
 CONSIDERATION OF THE AMENDMENTS TO THE AGENDA:  
 PROCLAMATIONS:

| AGENDA ITEMS  | Purpose       | By:   |
|---|---------------|---|
| <b>I. <u>CONSENT CALENDAR:</u></b><br>1. Consideration of a request to approve the accounts payable for December 4 - 10, 2012, total: \$675,872.47<br>2. Consideration of a request to approve the November 26, 2012, City Council Minutes.   | <u>Action</u> | <u>Staff Report</u><br>Sharon Bryan<br>L. Sanchez |
| <b>II. <u>ITEMS FOR CONSIDERATION:</u></b><br>1. Showcasing of the Twin Falls Public Library Bookmobile.<br>2. Consideration of a request to award the Waste Water Treatment Plant Primary Clarifier Conversion Project to Performance Systems Inc. of Fruitland, ID.<br>3. Consideration of a request to adopt the City of Twin Falls Personnel Resolution.<br>4. Public input and/or items from the City Manager and City Council |               | Susan Ash<br>Troy Vitek<br><br>Susan Harris       |
| <b>III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u></b>  |               |   |
| <b>IV. <u>PUBLIC HEARINGS:</u> 6:00- None</b>   |               |   |
| <b>V. <u>ADJOURNMENT:</u></b>   |               |   |

*\*Any person(s) needing special accommodations to participate in the above noticed meeting should contact Leila Sanchez at (208) 735-7287 at least two working days before the meeting.*

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

**Absent:** None

**Staff Present:** City Manager Travis Rothweiler, City Attorney Fritz Wonderlich, PIO Josh Palmer, Personnel Director Susan Harris, Lieutenant Craig Stotts, Assistant City Engineer Troy Vitek, Deputy City Clerk/Recording Secretary Leila Sanchez

Mayor Lanting 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. Mayor Lanting introduced staff. A quorum is present.

Boy Scout Blake Christensen from Troop 174 introduced himself to Council.

**CONSIDERATION OF THE AMENDMENTS TO THE AGENDA: None**

**PROCLAMATIONS:**

**Mayor Lanting read the following "Chobani Day" Proclamation:**

WHEREAS, Chobani has worked collaboratively with the City of Twin Falls, Twin Falls Urban Renewal Agency, United Dairymen of Idaho, Southern Idaho Economic Development Organization, Twin Falls Area Chamber of Commerce, Business Plus and the State of Idaho to locate to the City of Twin Falls, to build and operate a state-of-the-art yogurt manufacturing plant in Twin Falls.

WHEREAS, Chobani will create hundreds of good employment opportunities for our region's unemployed and underemployed, and will provide future careers for our youth in the food manufacturing industry, and whereas every 10 jobs created by Chobani will result in another 66 new jobs created in supporting industries, for a total of more than 3,000 direct and indirect jobs.

WHEREAS, Chobani held a groundbreaking on December 19, 2011, and as of today, has constructed a new, \$450 million dollar dairy processing facility in the City of Twin Falls, which will have an estimated economic impact of \$1.3 billion dollars annually in Magic Valley.

WHEREAS, Chobani incorporates the ideals set forth in the City of Twin Falls "Mission Statement":  
Our mission, as stewards of the public trust, is to meet current and future needs of the community, promote citizen involvement, preserve our heritage, protect our social and physical resources and enhance the quality of life in Twin Falls.

THEREFORE, as Chobani has been 'Nothing but Good' for the City of Twin Falls, I GREGORY LANTING, Mayor of the City of Twin Falls, Idaho, do hereby proclaim December 17, 2012, as..."CHOBANI DAY"

**AGENDA ITEMS**

**I. CONSENT CALENDAR:**

1. Consideration of a request to approve the accounts payable for December 4 - 10, 2012, total: \$675,872.47
2. Consideration of a request to approve the November 26, 2012, City Council Minutes

**MOTION:**

Councilperson Talkington made the motion to approve the Consent Calendar as presented. The motion was seconded by Vice Mayor Hall and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

**II. ITEMS FOR CONSIDERATION:**

1. Showcasing of the Twin Falls Public Library Bookmobile.

Susan Ash stated that the bookmobile will be manned with available public library staff and Beth Swensen will be coordinating bookmobile services.

Mayor Lanting adjourned the meeting at 5:11 P.M. to tour the bookmobile.

Mayor Lanting reconvened the meeting at 5:18 P.M.

Christina Bruce, President of the Youth Council, stated that six new members were recently voted in to the council. In addition, she gave an update of the Youth Council's activities.

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2. Consideration of a request to award the Waste Water Treatment Plant Primary Clarifier Conversion Project to Performance Systems Inc. of Fruitland, ID.

Assistant City Engineer Vitek explained the request.

Staff recommends that the Council approve the request and authorize the Mayor to sign the contract.

Discussion followed:

Councilperson Mills Sojka asked how Chobani Idaho Inc. can be online this month without the project being completed until June of 2013.

Assistant City Engineer Vitek stated that part of the original negotiation was that Chobani would have a certain load along the way. Currently the load is at 500,000 gallons per day, which the WWTP can handle. When the pretreatment facility located on Hankins is improved, Chobani can disburse up to 800,000 gallons per day. After improvements, Chobani is allowed 1,000,000 gallons per day.

City Manager Rothweiler stated that the nutrient loadings going into the wastewater treatment facility, up to 800,000 gallons per day, can be handled by the biological processes at the plant without the upgrade in place. To go over the 800,000 gallons per day up to the 1,000,000 gallons per day commitment, the infrastructure needs to be completed.

Vice Mayor Hall asked why the bids received were above the Engineer's Estimate.

Assistant City Engineer Vitek stated that this is due to the nature of the work.

Councilperson Talkington asked how the City ascertains that the 800,000 gallons per day is not exceeded and what is the City's involvement with DEQ, if the flows are exceeded, and is the City subject to fines.

Assistant City Engineer Vitek stated that the City monitors the wastewater coming off the plant. DEQ is acting as representative to EPA and the City has been partnering with DEQ through the entire process.

**MOTION:**

Councilperson Talkington made the motion to award the Waste Water Treatment Plant Primary Clarifier Conversion Project to Performance Systems Inc. of Fruitland, ID, in the amount of \$1,015,177 as presented. The motion was seconded by Councilperson Mills Sojka and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

3. Consideration of a request to adopt the City of Twin Falls Personnel Resolution.

Personnel Director Harris explained the request.

The City is participating in an incentive program offered through ICRMP. Participation in the program will reduce the City's premium by 5%, or approximately \$16,000, by meeting certain requirements established by ICRMP. One of the requirements is to have 80% of all City employees review the Personnel Policy. There have been many changes to policies and practices since its adoption. In an effort to have employees review a current policy, the policy has been updated to reflect current practices which have been implemented as a result of new laws, Council directive or change in policy. This update includes only those policy additions or changes that are currently in place. Over the course of the next year it is the intent of the Human Resources Department to make substantial revisions to this policy in both its content and its form.

Discussion followed.

City Manager Rothweiler stated that the policy manual reflects the City's current operating practices and the proposed document will be subject to change.

Council discussion followed:

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Councilperson Mills Sojka referred to the policy regarding 3. Harassment B. Policy. She stated that Boise recently added sexual orientation as a status they do not discriminate against. She asked if the City has taken this under consideration.

Personnel Director Harris stated that the language was taken from the EEOC and at this point, this was in the resolution. She stated that the resolution can be amended.

Councilperson Munn referred to the policy 4. Drug Free Workplace Policy 4) Random Employees in Safety Sensitive Positions. He asked if Police and Fire should be stated in the document.

City Attorney Wonderlich stated that the language is out of the statute; therefore, the City wants to mirror that language.

Councilperson Munn stated that the City used to be a drug free workplace where everyone was tested. He asked if the City was moving away from the testing. City Attorney Wonderlich stated that the statute changed.

Councilperson Talkington asked if elected members are considered City employees as far as drug free. Personnel Director Harris answered in the negative.

City Manager Rothweiler stated that there was a 9<sup>th</sup> Circuit ruling that said that unless you fit under the safety sensitive umbrella, an employee could not be randomly tested in our area.

City Attorney Wonderlich clarified that testing is limited to safety sensitive positions.

Vice Mayor Hall asked for additional information from staff as to why Pocatello and Boise added "sexual orientation" to their policy.

City Manager Rothweiler stated that staff will do research.

**MOTION:**

Councilperson Barigar made the motion to adopt Resolution 1897 as presented. The motion was seconded by Vice Mayor Hall and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

Boy Scout Josh Sorenson, Troop 174, introduced himself to the Council.

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

City Manager Rothweiler stated that he has asked Assistant to the City Manager Mike Williams to work with the Personnel Department on research of the harassment language. He also announced that Chobani's Grand Opening will be held on December 17, 2012, at 3:00 P.M., therefore the December 17, 2012, Council meeting will begin at 6:00 P.M.

Vice Mayor Hall stated that he attended the Idaho Crime Prevention Association Luncheon and the speaker from the governor's office discussed legalization of marijuana. He would like to invite the speaker to speak to the Council and give a short presentation.

Councilperson Mills Sojka announced that on December 15, 2012, the Cross Fit Challenge fundraiser will be held at Gold's Gym. All proceeds will be given to the Crisis Center. In addition, the Senior Center will hold their annual spaghetti dinner on December 12, 2012, between 6:00 P.M. to 8:00 P.M.

City Manager Rothweiler stated that at the Association of Idaho Cities and the Association of Taxpayers Conference the predominant focus of discussion was the issue of personal property tax.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

IV. PUBLIC HEARINGS: 6:00 - None

V. ADJOURNMENT: The meeting adjourned at 5:49 P.M.

Leila A. Sanchez  
Deputy City Clerk/Recording Secretary

