

COUNCIL MEMBERS:

LANCE	TRIP	DON	DAVID E.	WILLIAM A.	GREG	REBECCA
CLOW	CRAIG	HALL	JOHNSON	KEZELE	LANTING	MILLS SOJKA
<i>Mayor</i>				<i>Vice Mayor</i>		



MINUTES

Meeting of the Twin Falls City Council
 February 22, 2011
 City Council Chambers
 305 3rd Avenue East Twin Falls, Idaho

CALL MEETING TO ORDER: 5:00 P.M.
 PLEDGE OF ALLEGIANCE TO THE FLAG
 CONFIRMATION OF QUORUM
 INTRODUCTION OF STAFF
 CONSIDERATION OF THE AMENDMENTS TO THE AGENDA:
 PROCLAMATIONS: None.

AGENDA ITEMS	Purpose	By:
I. <u>CONSENT CALENDAR:</u> 1. Consideration of accounts payable for February 15 – 22, 2011. 2. Consideration of the February 7 and 14, 2011, Minutes. 3. Consideration of the request to donate a tree with a plaque located in City Park.	<i>Action</i>	<i>Staff Report</i> Sharon Bryan L. Sanchez D. Bowyer
II. <u>ITEMS FOR CONSIDERATION:</u> 1. Consideration of a request to approve the bid proposals for the 2011 Waterworks Supplies Contract. 2. Consideration of a request to adopt an Ordinance repealing Twin Falls City Code §9-4-4 regulating U-turns. 3. Consideration of a request to adopt a Resolution authorizing the filing of the Petition for Judicial Confirmation. 4. Public input and/or items from the City Manager and City Council.	Action	Rob Bohling
III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u>		
IV. <u>PUBLIC HEARINGS:</u> 6:00 P.M. – None.		
V. <u>ADJOURNMENT:</u>		

**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: Trip Craig, Don Hall, David E. Johnson, William A. Kezele, Greg Lanting, Rebecca Mills Sojka
Absent: Lance Clow
Staff Present: City Manager Tom Courtney, Assistant City Manager Travis Rothweiler, City Attorney Fritz Wonderlich, Parks & Recreation Director Dennis Bowyer, City Engineer Jackie Fields, Staff Engineer Mike Trabert, Water Superintendent Rob Bohling, Deputy City Clerk/Recording Secretary Leila Sanchez

Mayor Hall called the meeting to order at 5:00 P.M. He invited all present, who wished to, to recite the Pledge of Allegiance to the Flag with him. A quorum was present. Mayor Hall introduced staff.

CONSIDERATION OF THE AMENDMENTS TO THE AGENDA:

PROCLAMATIONS: None.

AGENDA ITEMS

I. CONSENT CALENDAR:

1. Consideration of accounts payable for February 15 – 22, 2011, total: \$889,805.74. Payroll 2-18-2011, \$107,113.03.
2. Consideration of the February 7 and 14, 2011, Minutes.
3. Consideration of the request to donate a tree with a plaque located in City Park.

MOTION:

Vice Mayor Lanting made a motion to approve the Consent Calendar as presented. The motion was seconded by Councilperson Kezele and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

II. ITEMS FOR CONSIDERATION:

1. Consideration of a request to approve the bid proposals for the 2011 Waterworks Supplies Contract.

Water Superintendent Bohling explained the request. Staff recommends that the Council approve the request as presented.

Discussion followed.

Water Superintendent Bohling stated that the supplier that ends up with the lowest bid on one item receives the bid. Each item is bid on separately.

MOTION:

Vice Mayor Lanting made the motion to approve the bid as noted in the bid summary. The motion was seconded by Councilperson Johnson and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

2. Consideration of a request to adopt an Ordinance repealing Twin Falls City Code §9-4-4 regulating U-turns.

City Engineer Fields explained the request. Repealing the section of the Code will make enforcement of the driving laws more consistent with the State of Idaho and may be easier for the driver to understand. The Traffic Safety Commission and Staff recommend approval of the request.

Discussion followed:

City Engineer Fields stated that regulatory signs will be posted.

MOTION:

Councilperson Johnson made the motion to suspend the rules and place Ordinance #3000, entitled:
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, REPEALING TWIN FALLS CITY CODE §9-4-4.

on third and final reading by title only. The motion was seconded by Vice Mayor Lanting and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

Deputy City Clerk Sanchez read the ordinance title.

MOTION:

Councilperson Kezele made the motion to adopt Ordinance No. 3000 as presented. The motion was seconded by Vice Mayor Lanting and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

3. Consideration of a request to adopt a Resolution authorizing the filing of the Petition for Judicial Confirmation.

City Attorney Wonderlich explained the request. He explained the on-going issues at the WWTP facilities and at the Rock Creek Lift Station. The estimated repair cost is \$8,000,000, which the City does not have. The Idaho Bond Bank Authority stated that they would lend the City the money, but not without judicial confirmation of the loan. Constitutionally the City is allowed to borrow money if it is for an "ordinary and necessary" expense, but the Bond Bank wants a court to state that this is an "ordinary and necessary" expense prior to loaning the City the money. He continued to explain the judicial confirmation process.

Actual commitments of funds will not occur unless and until the City Council authorizes execution of loan agreements and execution of bid contracts for the project.

Staff recommends the Council adopt Resolution No. 1866, entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO AUTHORIZING THE FILING OF A PETITION FOR JUDICIAL CONFIRMATION, and to instruct the City Attorney to proceed with the filing.

Discussion followed:

City Attorney Wonderlich stated that it will take approximately two months to get through the judicial confirmation procedure. After approval of the judicial confirmation the Council will decide whether to fund the project or not.

City Manager Courtney stated that if the City has to bid the projects and the cost is unknown, other funds could be used as an interim financing tool until the project has been completed. Staff wants to make sure that the City does not borrow more than what is needed to fund the projects.

MOTION:

Councilperson Johnson made a motion to adopt Resolution No. 1866, entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO AUTHORIZING THE FILING OF A PETITION FOR JUDICIAL CONFIRMATION and instruct the City Attorney to proceed with the filing of the petition.

The motion was seconded by Councilperson Kezele.

Discussion followed.

Councilperson Mills Sojka stated the need for the project and the Mills process, but would rather have the voters of Twin Falls decide if they want to go \$8,000,000 in debt.

Councilperson Lanting stated that the repairs need to be done with or without the voters' approval.

Mayor Hall confirmed that repairs need to be done but that does not necessarily mean that the project needs to be funded with the \$8,000,000. The City can find alternate ways of funding some of the projects but the City does not have the capacity to fund the full project by taking from various City funds.

Councilperson Craig stated that Eastland Drive, the water tower, and the pool bubble are in need of repairs and replacement, which need to be paid from City funds that are in Reserves or in the Street Fund or in Contingency. Receipt of judicial confirmation money can be received for the Rock Creek Lift Station and WWTP.

Roll call vote showed Councilperson Hall, Johnson, Kezele, and Lanting voted in favor of the motion. Councilperson Mills Sojka voted against the motion. Approved 5 to 1.

MINUTES

February 22, 2011

Page 4 of 4

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

Brad Wills, 222 Shoshone Street West, spoke in favor of the approval of Judicial Confirmation.

Councilperson Johnson gave an update of the February 22, 2011, Citizen Finance & Planning Committee Meeting.

Vice Mayor Lanting stated that the Police Award Ceremony will be held on February 23, 2011, in the CSI Rick Allen Room and a Fountain Plaza Open House will be held on February 23, 2011, at the Ballroom between 4:00 P.M. to 7:00 P.M.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

IV. PUBLIC HEARINGS: 6:00 P.M. – None.

V. ADJOURNMENT: Adjourned at 5:32 P.M.

Leila A. Sanchez
Deputy City Clerk/Recording Secretary