

**COUNCIL MEMBERS:**

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



**MINUTES**  
**Meeting of the Twin Falls City Council**  
**Monday, April 7, 2014**  
**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**  
**CONSIDERATION OF THE AMENDMENTS TO THE AGENDA**  
**PROCLAMATION: "Week of the Young Child" - Request made by Gena Anderson with Right On Track Child Care.**

**GENERAL PUBLIC INPUT**

AGENDA ITEMS	Purpose	By:
<b>I. CONSENT CALENDAR:</b>		
1. Consideration of a request to approve the Accounts Payable for April 1– April 7, 2014, total: \$705,115.30.	Action	Staff Report Sharon Bryan
2. Consideration of a request to approve March 10, 2014 and March 17, 2014, City Council Minutes.	Action	Leila A. Sanchez
3. Consideration of a request to approve the Annual Mother's Day and Cinco De Mayo event to be held at the Twin Falls City Park on Sunday, May 11, 2014.	Action	Dennis Pullin
4. Consideration of a request to approve the WS& V R-6 PRO Planned Unit Development Amended Agreement between the City of Twin Falls and WS&V, LLC.	Action	Jonathan Spendlove
<b>II. ITEMS FOR CONSIDERATION:</b>		
1. Consideration of a request to appoint Dennis Sonius as a commissioner for the Twin Falls Housing Authority for a five year term.	Action	Penny Earl/TF Housing Authority
2. Presentation by TF URA's Old Town/Downtown Infrastructure Subcommittee for an update on progress on Old Town/Downtown infrastructure improvements.	Presentation	Melinda Anderson & Leon Smith - URA
3. Consideration of a request to destroy semi-permanent and temporary records. 1922	Action	Sharon Bryan
4. Consideration of a request to exempt the Historic Preservation Commission's school and civic education programs from being considered open meetings per Resolution 1912.	Action	Nancy Taylor/Historic Preservation Commission
5. Consideration of a request to approve a revised Water Rate Resolution. 1923	Action	Jon Caton
6. Consideration of a request to approve the 2014 Heritage Trust Grant to restore the historic street lights along Lincoln Street between Addison Avenue and Heyburn Street.	Action	Mitchel Humble
7. Consideration of a request to award a Contract to Kruger Inc., in the amount of \$1,245,500 for Procurement Package A of the WWTP upgrades.	Action	Troy Vitek
8. Consideration of a request to award a contract to International Mountain Bicycling Association (IMBA) to provide construction assistance on the Twin Falls Youth Advisory Council's BMX Track.	Action	Travis Rothweiler
9. Consideration of possible amendments to Twin Falls City Resolution 1912.	Action	Travis Rothweiler & Fritz Wonderlich
10. Public input and/or items from the City Manager and City Council.		
<b>III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</b>		
<b>IV. PUBLIC HEARINGS: 6:00 P.M.: None</b>		
<b>V. ADJOURNMENT:</b>		

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

5:00 P.M.

Present: Suzanne Hawkins, Jim Munn, Shawn Barigar, Chris Talkington, Gregory Lanting, Don Hall, Rebecca Mills Sojka  
Absent: None

Staff Present: City Manager Travis Rothweiler, City Attorney Fritz Wonderlich, Community Development Director Mitchel Humble, Assistant City Engineer Troy Vitek, Planner I Jonathan Spendlove, Public Works Director Jon Caton, Staff Sgt. Dennis Pullin, Deputy City Clerk Sharon Bryan, Economic Development Director Melinda Anderson, Deputy City Clerk Leila A. Sanchez

Mayor Hall called the meeting to order at 5:00 P.M. He then invited all present, who wished to, to recite the pledge of Allegiance to the Flag. A quorum is present. A Boy Scout from Troop 100 was present.

CONSIDERATION OF THE AMENDMENTS TO THE AGENDA: None

PROCLAMATION: "Week of the Young Child" - Request made by Gena Anderson with Right On Track Child Care.

Mayor Hall read the Proclamation and presented it to Gena Anderson.

GENERAL PUBLIC INPUT:

Mike McCurdy, representing the Twin Falls Area Chamber of Commerce, requested naming the access drive serving the Twin Falls Visitor Center Neilsen Point Way.

Councilmember Barigar recused himself from participation in discussion, decision, debate and vote.

Council discussion followed.

Mayor Hall stated the request will be heard at the April 14, 2014, City Council meeting.

## AGENDA ITEMS

### I. CONSENT CALENDAR:

1. Consideration of a request to approve the Accounts Payable for April 1– April 7, 2014, total: \$705,115.30.
2. Consideration of a request to approve March 10, 2014 and March 17, 2014, City Council Minutes.
3. Consideration of a request to approve the Annual Mother's Day and Cinco De Mayo event to be held at the Twin Falls City Park on Sunday, May 11, 2014.
4. Consideration of a request to approve the WS& V R-6 PRO Planned Unit Development Amended Agreement between the City of Twin Falls and WS&V, LLC.

#### **MOTION:**

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

### II. ITEMS FOR CONSIDERATION:

1. Consideration of a request to appoint Dennis Sonius as a commissioner for the Twin Falls Housing Authority for a five year term.

Penny Earl, Executive Director, explained the request. The Board is recommending the appointment of Dennis Sonius to a five year term.

#### **MOTION:**

Councilmember Lanting moved to appoint Dennis Sonius to the Twin Falls Housing Authority beginning April 8, 2014, and to serve a five year term. The motion was seconded by Councilmember Talkington and roll call vote showed all members present voted in favor of the motion.

Penny Earl explained the recent changes at the agency including an increase of families moving out of the low income housing. She attributes this to Chobani Idaho, Inc.

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2. Presentation by TF URA's Old Town/Downtown Infrastructure Subcommittee for an update on progress on Old Town/Downtown (OT/DT) infrastructure improvements.

Economic Development Director Anderson gave the presentation. The Urban Renewal Agency (TFURA) met earlier in the day and discussed the City's Strategic Plan 2030, specifically, the goal to revitalize the downtown. As adequate infrastructure is essential to revitalization and redevelopment opportunities in OT/DT, TFURA hired JUB Engineering to assess the state of the infrastructure which included the water/sewer condition/capacity, streets, curb/gutter/sidewalks, landscaping, traffic, irrigation, etc. The report quantified what people generally knew: the infrastructure is in need of replacing or updating to enable new or redevelopment in DT/OT.

The OT/DT infrastructure committee held two public meetings in March to review the report, engineering's project recommendations, projects costs, revenue estimates, and developed recommendations for TFURA.

The committee reviewed the projects recommended by City Engineer Fields and discussed how to move forward. City Engineer Fields estimated costs of between \$8 million and \$18 million for the recommended eight projects. Her rough estimate is \$12 Million. Eight years is remaining in the TIFF District and \$17 million of TIFF funds could be used on projects.

The TFURA accepted Main Streets and Projects 1 – 5 , improvements on water and sewer lines to the five blocks of Main Avenue. The projects could be completed in five years.

In addition, the TFURA Board approved to hire a staff engineer to assist the City's Engineering Department with the TFURA.

Discussing followed.

- Potential of attracting businesses similar to Glanbia Headquarters.
- Underground improvements
- Hiring a staff engineer

City Manager Rothweiler explained the financial aspect of TFURA projects.

- Construction of Splash Park in Downtown Commons
- Impacts to downtown business owners and patrons during construction

Economic Development Director Anderson stated she would coordinate with the Twin Falls Community Foundation on the timeline of their project.

City Manager Rothweiler stated Area 4-1 closes in eight years, and Chobani in 20 years. Clif hasn't been formed yet, but will be 20 years after it is formed.

3. Consideration of a request to destroy semi-permanent and temporary records.

Deputy City Clerk Bryan explained the request.

**MOTION:**

Councilmember Lanting moved approval of Resolution 4924-1922. The motion was seconded by Vice Mayor Hawkins.

Discussion followed on retaining the Downtown Historic Old Towne and Business Improvement District: Downtown/Old Towne BID & Schallert & Assoc. 10/1998, Old Towne Landscape Standards (Prelim Draft) 7/1999, Historic Downtown BID Unification 1999.

Deputy City Clerk Bryan stated that the documents to be destroyed are copies of originals.

Councilmember Lanting, the maker of the motion, included removing the Downtown Historic Old Towne and Business Improvement District: Downtown/Old Towne BID & Schallert & Assoc. 10/1998, Old Towne Landscape Standards (Prelim Draft) 7/1999, Historic Downtown BID Unification 1999, from the resolution. Vice Mayor Hawkins seconded his motion. Roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

4. Consideration of a request to exempt the Historic Preservation Commission's school and civic education programs from being considered open meetings per Resolution 1912.

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Nancy Taylor, HPC Vice-Chairman, explained the request. The HPC is asking the City Council to consider the educational presentations be exempt from Transparency in City Government Resolution #1912. The educational program has been developed in such a way that it takes more than one person to do the presentation. The resolution states that if there are two or more then the meeting has to be posted as an open meeting. The Commission would have to advertise these presentations as open meetings to comply with Resolution #1912. An open meeting in a school classroom could pose an increased security risk to the children at the schools. This could possibly cause a very valuable history education opportunity to be discontinued.

Council discussion followed.

City Attorney Wonderlich clarified that city business is not being conducted at the presentations. The HPC are providing education on the history of Twin Falls schools. He stated his concern that the gathering of three or more HPC members may appear to be in conflict of the Transparency Resolution.

**MOTION:**

Councilmember Talkington moved to amend Resolution 1912, exempting the Historic Preservation Commission's school and civic education programs from being considered open meetings per Resolution 1912.

City Manager Rothweiler explained that there may be additional amendments to the Resolution and requested Council delay making a decision after Item for Consideration 9 is considered.

Councilmember Talkington withdrew his motion.

City Attorney Wonderlich clarified that presentations made by the HPC to the schools do not violate any open meeting laws or Resolution 1912.

5. Consideration of a request to approve a revised Water Rate Resolution.

Public Works Director Caton explained the request using overhead projection. The proposed resolution streamlines the process of permitting and construction of a water service line. Developers will be responsible for all materials and installation of service lines.

The Builders & Developers Council are in favor of the request.

Council discussion followed.

-Compliance with city standards

Public Works Director Caton explained the current process of permitting and construction of water service lines.

Brad Wills spoke in favor of the request.

Tim Vawser spoke in favor of the request. He stated that ductile iron had been used for potable water transmission and distribution. C100 ductile iron is now being used.

**MOTION:**

Councilmember Lanting moved to approve Water Rate Resolution ~~1922~~ 1923. The motion was seconded by Councilmember Barigar. Roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

6. Consideration of a request to approve the 2014 Heritage Trust Grant to restore the historic street lights along Lincoln Street between Addison Avenue and Heyburn Street.

Community Development Director Humble explained the request.

The residents living on the 100 & 200 blocks of Lincoln Street have partnered with the Twin Falls City Historic Preservation Commission (HPC) in applying for a Grant from the Idaho Heritage Trust. This Grant is for the restoration of the historic street lights to include removal, cleaning, repainting, and replacement of broken/missing globes. The grant is \$4,000.00. The funds are to be matched with a cash match. The cash match is being provided by the HPC's Certified Local Government (CLG) grant.

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The total project cost to have the ten (10) historic street lights restored is \$11,574.85. The amount requested from the Idaho Heritage Trust was \$5,787.42. The grant awarded from Idaho Heritage Trust is \$4,000.00. The \$7,574.85 needed to complete the project will be provided by the CLG grant applied for by the HPC. The CLG grant is matched with volunteer time.

The Idaho Heritage Trust grant is contingent upon an agreement between the property owners and the City of Twin Falls to ensure the City of Twin Falls will be responsible for all future maintenance of the light fixtures. The maintenance of the lights means that the improvement will not be allowed to deteriorate from the condition at the time of the completion of the project and that no demolition, removal or waste of the premises will be allowed.

This is the first phase of the restoration of the Historic Street Lights on Lincoln Street. The next phase of the project is to get the lights illuminated on a common meter. The City provided electricity and maintained the lights until 1978. At that time the City took the lights off a common meter. Some of the residents wired the lights to their homes. At this time about one half of the lights are connected to electricity. A careful study with all stakeholders, homeowners, city officials and HPC members will be sought to determine the best course to achieve the illumination of all the street lights. This project will be accomplished as much as possible with grant moneys. The historic street lights will be retrofit for energy efficiency without compromising their historical integrity.

The request is to authorize the Mayor to sign the Grant Award Agreement from the Idaho Heritage Trust.

Council discussion followed.

-Costs to power lights

City Manager Rothweiler stated that electrical costs to power lights for connection and service is estimated at \$100,000 a year. Light poles are in the public infrastructure and public right of way.

Wendy Rice explained the grant is for the physical structure of the light pole and explained the scope of work.

**MOTION:**

Councilmember Talkington moved to authorize the application of the 2014 Heritage Trust Grant to restore the historic street lights along Lincoln Street between Addison Avenue and Heyburn Street. The motion was seconded by Councilmember Barigar. Roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

Recess at 6:31 p.m.

Reconvened at 6:40 p.m.

7. Consideration of a request to award a contract to International Mountain Bicycling Association (IMBA) to provide construction assistance on the Twin Falls Youth Advisory Council's BMX Track.

City Manager Rothweiler explained the request.

Four years ago this month, the City Council gave approval to the Twin Falls Youth Advisory Council to construct a BMX dirt-bike park on City property located on Blake Street South adjacent to Rock Creek canyon. Later that summer four years ago, dirt was hauled in and some jumps and ramps were formed. The lead organizer from the Youth Council moved away to attend college and no one else could take the lead in finishing the project.

Since 2011, no one has maintained the area. In 2011, Bob and Robin Seastrom of Cycle Therapy volunteered their services to help the Twin Falls Youth Advisory Council to expand and enhance the existing BMX park. Cycle Therapy hired IMBA to design a complete BMX park at this site. The design is attached.

The next step is to bring in IMBA to provide assistance in the construction of the BMX Park. The Seastroms have secured local contractors to assist in the construction of the park. The cost for their construction assistance is approximately \$6,600. The representative of IMBA will be on site for up to 40 hours overseeing the construction of the park.

The City Council has been very supportive of the Twin Falls Youth Advisory Council with their endeavors to make our community a better place. Staff is recommending to the City Council to use contingency funds to pay for this contract.

Staff recommends that the City Council award the construction assistance contract to IMBA bid in the amount of not to exceed \$7,000.

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Council discussion followed.

Vice Mayor Hawkins stated the Youth Council has indicated that they will not commit to a project that they cannot honor and have expressed thanks to the Seastroms.

Council discussion followed.

-Signage

Bob Seastrom gave an update on the project. He stated that at some point and time restrooms may be placed, bike clinics will be held, and fund raising will continue to make permanent jump structures.

Parks & Recreation Director Bowyer stated that the annual cost for weed control is approximately \$1,600. The installation of water lines will keep the dirt packed. If the request is approved, the work will begin on Friday.

**MOTION:**

Councilmember Munn moved to approve International Mountain Bicycling Association (IMBA) to provide construction assistance on the Twin Falls Youth Advisory Council's BMX Track for an amount not to exceed \$7,000. The motion was seconded by Councilmember Mills Sojka. Roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

8. Consideration of a request to award a Contract to I. Kruger Inc., in the amount of \$1,245,500 for Procurement Package A of the WWTP upgrades.

Assistant City Engineer Vitek explained the request. Procurement Package A is for the IFAS equipment. CH2M Hill has reviewed the bids which were found to be acceptable and is recommending the City award the project to the apparent low bidder, I. Kruger, Inc.

Council discussion followed.

-Engineer's Estimate

-I. Kruger Inc., credentials

City Manager Rothweiler stated that the difference between the Engineer's Estimate and actual bid may go towards change orders or build alternate.

Assistant City Engineer Vitek explained that Kruger Inc., is one of the leading manufacturers in the United States.

**MOTION:**

Councilmember Talkington moved to award I. Kruger Inc., Procurement Package A in the amount not to exceed \$1,245,500. The motion was seconded by Councilmember Mills Sojka. Roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

9. Consideration of possible amendments to Twin Falls City Resolution 1912.

City Manager Rothweiler explained that at the March 31, 2014, City Council meeting, discussion was made on opening up the interview process for Council liaison committees. Based on comments made by the Council, staff has taken the liberty to make the following proposed revision to Section 3. Paragraph 2: In order to provide more transparency in City government, neither the Twin Falls City Council nor any of its commissions will permit the formation of ad hoc volunteer groups intended to report back to the City Council or commission, unless that group is formed as a committee or commission, created by a vote of the City Council or commission. Notwithstanding the foregoing, the Mayor may request the Council Liaison, commission chairman, department head, and/or such other persons deemed appropriate, to participate in the interviews for commission vacancies, without posting notices or agendas, and without opening such interviews to the public. Members of the Historic Preservation Commission may provide school and civic education programs without posting notices, agendas, and without opening the education programs to the public. No more than two elected City Council persons may serve on any committee, including ad hoc groups and subcommittees created by statute, ordinance, or other legislative act. The City Council, and its committees and commissions, shall always comply with all requirements of the Idaho Open Meeting Law.

Motion on the table:

Councilmember Talkington moved to amend Resolution 1912, exempting the Historic Preservation Commission's school and civic education programs from being considered open meetings per Resolution 1912. The motion was seconded by Councilmember Lanting.

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Councilmember Mills Sojka stated that she will not be voting in favor of Councilmember Tarkington's motion because she believes the amendment is not needed.

Councilmember Lanting stated that he is in favor of placing the exemption in written form in the resolution.

Councilmember Barigar stated that he agrees with Councilmember Mills Sojka, that the amendment is not required because the HPC is not deliberating. He believes the amendment adds confusion.

Councilmember Talkington stated that the resolution will be important to future Councils and the amendment will provide a history of its creation.

Councilmember Munn stated that the amendment would create bureaucracy.

Mayor Hall stated that technically the resolution does not have to be amended, but he understands that the HPC is sensitive to the issue and is requesting the amendment.

Vice Mayor Hawkins stated the amendments to the resolution will provide future Councils of its history.

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

City Attorney Wonderlich explained the revisions made to the resolution.

Discussion followed.

Councilmember Lanting stated that the interview process should not be opened to the public.

Councilmember Barigar stated the Mayor may conduct interviews on his own, present his recommendation to the Council and the Council liaison to the committee can weigh in at that point. He does not support allowing the public in the interview process.

Councilmember Talkington stated the importance of the Council liaison in interviews.

Councilmember Mills Sojka stated that she does not object to posting of interviews and recommends the Council liaison is involved in the interview process

**MOTION:**

Councilmember Lanting moved to accept the language as included by staff to Resolution 1912. The motion was seconded by Councilmember Talkington.

Councilmember Munn stated that the interview process should not be opened to the public. The Mayor has the authority to make the appointment and the Council confirms the appointment.

Vice Mayor Hawkins stated that two liaisons may serve on a committee and asked what process would be followed. Councilmember Munn stated that the Mayor would decide what process would be used.

Mayor Hall stated that that he is in favor of the amendment to the resolution outlining the Mayor's ability to bring a Council liaison, commission chairman, department head, etc., in the interview process.

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

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

-Twin Falls Today State of the City address will be held on April 8, 2014, at 11:30 a.m. at the Stone House.

-Public Works Department and Engineering Department will conduct informational sessions on backflow devices, Canyon Springs Road and WWTP project.

**III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:**

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

**V. ADJOURNMENT: The meeting adjourned at 7:32 P.M.**

Leila A. Sanchez  
Deputy City Clerk/Recording Secretary