

**COUNCIL MEMBERS:**

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



**AMENDED MINUTES**  
**Meeting of the Twin Falls City Council**  
**Tuesday, May 27, 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: None**

**GENERAL PUBLIC INPUT**

AGENDA ITEMS	Purpose	By:
<b>I. <u>CONSENT CALENDAR:</u></b>		
1. Consideration of a request to approve the Accounts Payable for May 20 through May 27, 2014.	Action	<u>Staff Report</u> Sharon Bryan
2. Consideration of a request to approve a Liquor, Beer and Wine License Transfer of ownership to Red Lion Hotel - Canyon Springs, 1357 Blue Lakes Blvd N.	Action	Sharon Bryan
3. Consideration of a request to approve the April 21, 2014 and May 12, 2014, City Council Minutes.	Action	Leila A. Sanchez
4. Consideration of a request to approve a Special Events Application for the Youth/Young Adults Ministry Event to be held at the Amazing Grace Fellowship located at 1061 Eastland Drive North on June 8, 2014.	Action	Dennis Pullin
<b>II. <u>ITEMS FOR CONSIDERATION:</u></b>		
1. Consideration of a request to adopt an ordinance amending Twin Falls City Code 3-15-9 to discontinue the requirement of a fiduciary bond for applicants of private security licenses.	Action	Matthew Hicks
2. Presentation of a draft ADA Transition Plan and key points of interest to the public and City Council.	Presentation	Josh Baird
3. Discussion of a proposed draft Agreement between the City of Twin Falls and CH2M Hill/OMI for the operations and management of the City's Waste Water Treatment Plant.	Discussion	Travis Rothweiler
4. Public input and/or items from the City Manager and City Council.		
<b>III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u></b>		
<b>IV. <u>PUBLIC HEARINGS:</u>           <b>6:00 P.M.</b></b>		
1. Requests to establish two new odor reduction units on the City Sewer Line on property located on the east side of Eastland Drive North and on the southeast side of Canyon Springs Road.	Public Hearing/ Action	Troy Vitek Mitchel Humble
<b>V. <u>ADJOURNMENT:</u></b>		
1. Executive Session 67-2345 (1) (c) To conduct deliberations concerning labor negotiations or to acquire an interest in real property which is not owned by a public agency.		

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

Present: Suzanne Hawkins, Jim Munn, Shawn Barigar, Chris Talkington, Gregory Lanting, Rebecca Mills Sojka  
*Don Hall attended the Executive Session at 7:00 p.m.*

Absent: None

Staff Present: City Manager Travis Rothweiler, City Attorney Fritz Wonderlich, Community Development Mitchel Humble, Captain Matt Hicks, Staff Sergeant Dennis Pullin, Staff Engineer Josh Baird, Assistant City Engineer Troy Vitek, Deputy City Clerk Leila A. Sanchez

Vice Mayor Hawkins called the meeting to order at 5:00 P.M. She then invited all present, who wished to, to recite the pledge of Allegiance to the Flag. A quorum was present.

**CONSIDERATION OF THE AMENDMENTS TO THE AGENDA:**

City Manager Rothweiler stated the May 12, 2014 City Council Minutes are amended.

**PROCLAMATION: None**

**GENERAL PUBLIC INPUT: None**

**I. CONSENT CALENDAR:**

1. Consideration of a request to approve the Accounts Payable for May 20 through May 27, 2014, total, \$576,883.52 and Payroll, May 23, 2014, total: \$119,516.09.
2. Consideration of a request to approve a Liquor, Beer and Wine License Transfer of ownership to Red Lion Hotel - Canyon Springs, 1357 Blue Lakes Blvd N.
3. Consideration of a request to approve the April 21, 2014 and May 12, 2014, City Council Minutes.
4. Consideration of a request to approve a Special Events Application for the Youth/Young Adults Ministry Event to be held at the Amazing Grace Fellowship located at 1061 Eastland Drive North on June 8, 2014.

**MOTION:**

Councilmember Talkington made a motion to approve the amended Consent Calendar including the May 12, 2014, Amended Minutes. The motion was seconded by Councilmember Lanting. 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 adopt an ordinance amending Twin Falls City Code 3-15-9 to discontinue the requirement of a fiduciary bond for applicants of private security licenses.

Captain Hicks explained the request.

On December 17, 2007, the Twin Falls City Council approved Title 3, Chapter 15, of the Twin Falls City Code (Private Security Service). Section 3-15-9 of this code has required private security applicants to obtain a fiduciary bond prior to approval

Staff is requesting the requirement be removed from Twin Falls City Code.

**MOTION:**

Councilmember Munn made a motion to suspend the rules and place Ordinance 3071, on third and final reading by title only. The motion was seconded by Councilmember Mills Sojka. Roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

Discussion followed.

Deputy City Clerk Sanchez read the ordinance by title only,  
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, AMENDING TWIN FALLS CITY CODE §3-15-9 REQUIRING FIDUCIARY BONDS FOR PRIVATE SECURITY LICENSES

**MOTION:**

Councilmember Barigar made a motion to approve Ordinance 3071. The motion was seconded by Councilmember Lanting.

City Attorney Wonderlich concurs with staff's recommendation.

Roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

2. Presentation of a draft ADA Transition Plan and key points of interest to the public and City Council.

Staff Engineer Josh Baird gave the presentation.

Staff was tasked with preparing a Draft ADA Transition Plan for public review. The plan was prepared to fulfill a federal mandate. It has been completed and reviewed internally by various City departments. In order to keep the public apprised of the process, staff intends to meet with local community groups representing persons with disabilities and ask for input. After these meetings it is anticipated a public meeting will be held to request participation from the general public. After all comments and suggestions have been received, the plan will be modified to incorporate revisions and will be presented as a final document to the Council for approval and adoption. When a plan is adopted, there will be an undetermined budget impact.

Discussion followed.

- Schedule and costs
- Public transportation
- History of Facility Reviews (1992 Review)
- LID's
- Grievance Policy and Procedure
- Twin Falls City Standard Drawings
- Curb-ramp survey form
- Budget impact
- Incentives to improve sidewalks using tax dollars

Staff Engineer Baird stated that in Appendix E of the schedule the cost to City to retrofit sidewalks and curbs ramps is estimated at \$48,000,000 and it is estimated that 80% of curb ramps are out of compliance. An average of two grievances per year are received on curb ramps. The Idaho Public Works Manual and the Idaho Transportation drawings can be used in lieu of Twin Falls City Standards Drawings. The City's Standards Drawings should be updated this current year.

City Manager Rothweiler explained that this is a transition plan. The City does not have to complete the curb projects listed in a five year window of time. Upcoming and current City projects will be ADA compliant. Sidewalks are the responsibility of the individual property owner and the Council has the authority, through its current ordinances, to instruct property owners to fix issues and deficiencies. In addition, he explained the advantages of the LID process and disadvantages of enforcing an LID.

No Council action taken.

3. Discussion of a proposed draft Agreement between the City of Twin Falls and CH2M Hill/OMI for the operations and management of the City's Waste Water Treatment Plant.

City Manager Rothweiler explained the request. Next week staff will present the agreement to the Council for approval. CH2M Hill/OMI has been providing professional management and operational services at the City of Twin Falls Waste Water Treatment Plant (WWTP) for more than thirty years. The current agreement is scheduled to expire on October 1, 2014. The proposed Agreement will extend the existing partnership for an additional 10 years.

The City and CH2M Hill/OMI used the current services Agreement as the foundation for the proposed Agreement. The recommended changes in the proposed Agreement are:

- Sections 2.12 to Section 2.15 have been changed. These sections detailed the repair budget and the rebate structure around annual budget.
- Section 3.7 allows the City to provide alternate means for access to the plant if there are issues on the grade.
- Sections 4.1 and 4.2 detail the Direct Cost and Base Fee. The direct fees will be based on the actual fees experienced at the plant. Annually, the anticipated budget must be agreed to by July 1, 2014 so it can be included in the annual budget.
- Section 4.3 reduced the management fee; changed from 22% to 20% of the actual Direct Cost.
- Section 4.5 explains the rebate of the Direct Cost and the Management Fee.
- Section 5.1.1 allows the option to adjust the final four monthly installments if there is a rebate or adjustment needed.
- Section 5.1.2 changes the due date for monthly installments from the 10<sup>th</sup> of the month to the 1<sup>st</sup> of the month.
- Section 5.4 was removed from the original contract. Interest is no longer charged for late payments.
- Section 7.1 details the terms of the Agreement for 10 years from October 1, 2014 to September 30<sup>th</sup>, 2024.
- Section 7.2 increases the liability amount from \$150,000 to \$250,000.
- Appendix B adds Auger Falls to our list of facilities that we manage.
- Appendix G lists a new Base Fee Adjustment formula. This is used if both sides cannot agree upon the Base Fee.

Shawn Moffitt explained the testing, meter readings, and upkeep that will be done at the Auger Falls ponds.

Mark Bowen, Regional Director of CH2M Hill, stated that he values the partnership with the City of Twin Falls.

City Council thanked CH2M Hill for providing effective and efficient services to the community

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

City Manager Rothweiler gave the following update:

-The City Pool bubble will be removed this week.

-Jon Caton, Public Works Director, received information from Idaho Power indicating that the City of Twin Falls saved the most kilowatt hours of anyone in the entire Idaho Power system and that collectively, saved 4,456,000 kilowatt hours which is roughly 1.6 kilowatt hours above second place. Public Works Director Caton stated that the total savings was \$273,000 in electrical costs.

-The Building Department will be partnering with the State, other cities, and Home Depot to have a one stop permit process.

-Jarod Bordi has been selected to serve as the next building official for the City of Twin Falls.

### **III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS: None.**

### **IV. PUBLIC HEARINGS: 6:00 P.M.**

1. Requests to establish two new odor reduction units on the City Sewer Line on property located on the east side of Eastland Drive North and on the southeast side of Canyon Springs Road.

Assistant City Engineer Vitek explained the request.

During the installation of the North East sewer, staff recognized that there may be odors associated with the new waste stream. In October of 2012, CH2M Hill delivered a report that identifies where they believe "Hot Spots" may occur. Staff recommends the installation of two Organic Media Biofilter units, one to be placed on property located on the east side of Eastland Drive North, approximately 50 feet south of Pole Line Road East, and the other to be placed on the southeast side of Canyon Springs Road where it intersects the Perrine Coulee. CH2M Hill's estimated construction cost for the units is \$535,000. Staff has reserved \$535,000 (TIF funds) for construction of the units. The two sites are approximately 25' wide and 50' deep. The main tank is approximately 10'-12' wide and 10' high. The units will be enclosed within a chain link slatted fence, and the vacuum unit needed to draw the air out of the sewer main is as loud as an air conditioning unit. The slats in the fence and tank will be earth tone in color to blend in as much as possible.

Discussion followed.

- Method used to reduce odor at Chobani
- Costs for annual maintenance and power costs
- Testing of technology and warranty

Assistant City Engineer Vitek stated that ferric chloride is an alternative to reduce odors, but it is costly. The proposed units will reduce odors by 99%.

City Manager Rothweiler stated that the North East sewer line serves the North East section of the community, starting with Kimberly, Chobani, residential and commercial customers. It would be appropriate to run costs with the normal operations. Staff is currently working with Chobani to start the UASB. Chobani's cleaning solutions could have contributed to the increased H<sub>2</sub>S gas production, which was out of the design parameters. Changes were made and odors have been reduced.

Assistant City Engineer Vitek explained that if the location in the canyon is approved, easements will need to be obtained for power and water from adjacent property owner Dave McCullum. The City will need to receive approval from the Twin Falls Highway District for easements for the Pole Line and Eastland location.

Vice Mayor Hawkins opened up the public hearing.

Terry Green, 2805 Pole Line Road East, spoke against the request. He recommended sealing the manholes and testing a unit for effectiveness in the Canyon prior to placing at Pole Line and Eastland.

Mark Bowen, CH2M Hill, spoke on the technology of the units. This is a proven technology and is used quite often. It is 99% effective in removing odor.

Scott Allan, Twin Falls Highway District Administrator, stated that Troy Vitek has been before the Commissioners on two occasions and their main concern is odor from the unit and the public's perception of the Twin Falls Highway District on the installation of the unit. The Commissioners would like to review supportive data as to the current background level and projected odor level after the unit is installed prior to proceeding with granting of easement.

Vice Mayor Hawkins closed the public hearing.

Deliberations:

- Measuring the hydrogen sulfide parts per million

Assistant City Engineer Vitek stated that an odor study was conducted and since that time, odors went up considerably and ferric chloride was used to reduce odors. The City can elect to do nothing and see if the report and the actual infield testing match. He will share the report with the Twin Falls Highway District at their next meeting.

Councilmember Talkington recommended installing the unit in the canyon for a trial run prior to installing the unit at Pole Line and Eastland.

Councilmember Lanting stated he would be in favor of the recommendation if the odors were not being treated with chemicals at Pole Line Road and Eastland. He asked if other properties are available other than the Pole Line and Eastland location.

City Engineer Vitek explained that the City will need to purchase property, unless property is donated, if a different location is chosen. The City does not have water in the Carriage Lane location. The Morning Sun Park location is best suited for the unit because of hydrology. If manholes are sealed the odor will begin to go down the tributaries and emit from every homeowner's vent in the area. Fencing can be changed.

- Data information for Council review
- Other location than Morning Sun Park
- Cost comparison on ferric chloride and units
- Impact of neighborhoods

City Manager Rothweiler stated Council does not have to make a decision tonight and may elect to hold an additional public hearing. Information that could be used for Council consideration would be presented at the public hearing and entered into the record.

Assistant City Engineer Vitek stated that after the City received numerous odor complaints, ferric chloride was added at the Chobani site, reducing odors. The report recommended the installation of units because it is cost effective and viable.

City Manager Rothweiler stated that ferric chloride used to treat the odor is expensive and impacting taxpayers. It is also corrosive to the City's system.

Assistant City Engineer Vitek stated that neighborhoods impacted by the odor include Carriage Lane, Falls Avenue, and Morning Sun Subdivision.

Council discussion followed.

- Placing unit at Canyon Springs only
- Plugging manholes
- Unit locations
- Reduction of odor when chemical treatment began
- Comprehensive strategy completed
- Cost effectiveness

Councilmember Barigar stated that odors made it unbearable to be outside until the chemical treatment started. A comprehensive strategy has been completed and installing the units is cost effective. Unsealing manholes will affect the lives of those living in the Pole Line area and does not address the larger issue.

**MOTION:**

Councilmember Barigar moved to approve the two new odor reduction units on the City sewer line on property located on the east side of Eastland Drive North and on the southeast side of Canyon Springs Road. The motion was seconded by Councilmember Lanting.

Councilmember Munn asked staff what the plan is if the Twin Falls Highway District denies access on their property.

Assistant City Engineer Vitek stated there is not a second location at this time.

Councilmember Talkington asked if there is another option than a slatted chain link fence.

Assistant City Engineer stated that a solid block wall is an option. A cost is associated with the installation of the wall.

**MOTION:**

Councilmember Talkington made an amendment to the motion that the enclosures of the Eastland/Pole Line odor control facility have a solid block wall extending as high as possible to block view from road level. The motion was seconded by Councilmember Lanting.

Discussion followed.

Roll call vote showed Councilmember Talkington voted in favor of the motion. Councilmembers Hawkins, Munn, Barigar, Lanting and Mills Sojka voted against the motion. Failed 1 to 5.

Roll call vote on the main motion showed Councilmembers Hawkins, Munn, Barigar, Lanting and Mills Sojka voted in favor of the motion. Councilmember Talkington voted against the motion. Approved 5 to 1.

**V. ADJOURNMENT:**

1. Executive Session 67-2345 (1) (c) To conduct deliberations concerning labor negotiations or to acquire an interest in real property which is not owned by a public agency.

Mayor Hall will be present at the Executive Session.

**MOTION:**

Councilmember Lanting moved to adjourn to Executive Session 67-2345(1)(c). The motion was seconded by Councilmember Barigar. Roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

The meeting adjourned at 6:49 p.m.

Leila A. Sanchez  
Deputy City Clerk/Recording Secretary