

COUNCIL MEMBERS:

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



MINUTES
Twin Falls City Council
Monday, September 14, 2015
5:00 P.M.
City Council Chambers
305 3rd Avenue East, Twin Falls, Idaho

PLEDGE OF ALLEGIANCE TO THE FLAG
CONFIRMATION OF QUORUM
CONSIDERATION OF THE AMENDMENTS TO THE AGENDA
PROCLAMATIONS
Constitution Week 2015
College of Southern Idaho Day

GENERAL PUBLIC INPUT

AGENDA ITEMS

I. CONSENT CALENDAR:

	<u>Purpose:</u>	<u>By:</u>
1. Request to approve the Accounts Payable for September 14, 2015	Action	Sharon Bryan
2. Request to approve a final plat for the Westpark Commercial Subdivision #9, a PUD consisting of 3.86(±) acres with 3 lots and 1 tract for commercial development on property located north of Pole Line Road & west of Canyon West Drive for Westpark Partners, LLC.	Action	Rene'e Carraway-Johnson
3. Request to approve the Improvement Agreement for the purpose of developing Broadmoor Subdivision.	Action	Troy Vitek
4. Request to approve the Improvement Agreement for Golden Eagle Subdivision No. 6.	Action	Troy Vitek
5. Request to approve a Trust Agreement for Golden Eagle Subdivision No. 6.	Action	Troy Vitek
6. Request to approve the Improvement Agreement for Grandview Estates Subdivision.	Action	Troy Vitek
7. Request to approve the Sidewalk Improvement Deferral Agreement for Mary Jo Beckley for property to be developed at 232 Larkspur Drive.	Action	Troy Vitek
8. Request to approve a Sidewalk Improvement Deferral Agreement for Patrick Day for property to be developed at 864 Mountain View Drive East.	Action	Troy Vitek
9. Request to approve a Curb-Gutter & Sidewalk Improvement Deferral Agreement for Lowell Wolters for property to be developed at 912 Grandview Drive.	Action	Troy Vitek
10. Request to approve a customer appreciation "Fall Open House" concert at Snake River-Harley Davidson located at 2404 Addison Avenue East, on September 26, 2015, from 5:00 p.m. to 8:00 p.m.	Action	Dennis Pullin
11. Request to approve the Rim to Rim Race for Habitat for Humanity Magic Valley on September 19, 2015, from 6:00 a.m. 2:00 p.m.	Action	Ron Fustos

CONTINUED ON NEXT PAGE

II. <u>ITEMS FOR CONSIDERATION:</u>	<u>Purpose:</u>	<u>By:</u>
1. Presentation to recognize Firefighters William Blanton, Jeff Miller, and Scott Wyatt for their successful completion of the Twin Falls Fire Department's Driver's Academy.	Presentation	Ron Clark
2. Presentation to recognize recently promoted Firefighter Andrew Stephenson to the rank of Driver/Operator, and Driver/Operator Josh Kliegl to the rank of Captain.	Presentation	Ron Clark
3. Request to award a contract to JUB in the amount of \$468,120 for engineering services related to the Canyon Springs Project.	Action	Troy Vitek
4. Request to accept the Draft Charter for the Canyon Springs Ad Hoc Citizen Advisory Committee.	Action	Troy Vitek
5. Request to approve the bid from Quality Vans for the purchase of a SWAT transportation vehicle at the total bid price of \$109,299.00.	Action	Matt Hicks
6. Request to approve a Resolution of the City Council of the City of Twin Falls authorizing certain city officials to receive informal bids, objections and specifications and procedures and to approve the lowest responsible bid in the informal bidding process.	Action	Travis Rothweiler
7. Request to approve an Ordinance of the City Council of the City of Twin Falls, Idaho modifying Title 1 of the Twin Falls City Municipal Code.	Action	Travis Rothweiler
8. Public input and/or items from the City Manager and City Council.		
III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u>		
IV. <u>PUBLIC HEARINGS:</u> 6:00 P.M. – None		
V. <u>ADJOURNMENT:</u>		
1. Executive Session § 74-206(1)(e) To consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations.		

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.

AGENDA
Monday, September 14, 2015

Present: Suzanne Hawkins, Shawn Barigar, Gregory Lanting, Don Hall, Rebecca Mills Sojka, Chris Talkington

Absent: Jim Munn

Staff Present: City Manager Travis Rothweiler, City Attorney Fritz Wonderlich, Deputy City Attorney Shayne Nope, Deputy City Manager Mitchel Humble, Deputy City Manager Brian Pike, City Engineer Jacqueline Fields, Assistant City Engineer Troy Vitek, Captain Matt Hicks, Fire Chief Ron Clark, Staff Sergeant Dennis Pullin, Shop Foreman Norm Hatke, Deputy City Clerk Sharon Bryan

PLEDGE OF ALLEGIANCE TO THE FLAG

Mayor Hall called the meeting to order at 5:00 P.M. He then invited all present, who wished, to recite the pledge of Allegiance to the Flag with him.

CONFIRMATION OF QUORUM

A quorum is present.

CONSIDERATION OF THE AMENDMENTS TO THE AGENDA

City Manager Rothweiler asked that Noodles & Company Alcohol License be added to the Consent Calendar.

MOTION:

Councilmember Lanting moved to approve the addition of Noodles & Company Alcohol License to the Consent Calendar. The motion was seconded by Councilmember Talkington. Roll call vote showed all members present voted in favor of the motion. Approved 6 to 0

PROCLAMATIONS:

Constitution Week 2015

Mayor Hall read the proclamations and presented it to Diane Green.

Diane Green gave a brief history on Constitution Week 2015.

College of Southern Idaho Day

Mayor Hall read proclamation.

Vice Mayor Hawkins introduced the President of the Youth Council Jesse Stroup.

President Jessie Stroup introduced the Youth Council officers.

Vice Mayor Hawkins said Youth Council has three new members.

Councilmember Lanting mentioned that Code Officer Stanley had emailed a thank you to the Youth Council for their work on cleaning a residence.

GENERAL PUBLIC INPUT - None

I. CONSENT CALENDAR:

1. Request to approve the Accounts Payable for September 14, 2015

2. Request to approve a final plat for the Westpark Commercial Subdivision #9, a PUD consisting of 3.86(±) acres with 3 lots and 1 tract for commercial development on property located north of Pole Line Road & west of Canyon West Drive for Westpark Partners, LLC.
3. Request to approve the Improvement Agreement for the purpose of developing Broadmoor Subdivision.
4. Request to approve the Improvement Agreement for Golden Eagle Subdivision No. 6.
5. Request to approve a Trust Agreement for Golden Eagle Subdivision No. 6.
6. Request to approve the Improvement Agreement for Grandview Estates Subdivision.
7. Request to approve the Sidewalk Improvement Deferral Agreement for Mary Jo Beckley for property to be developed at 232 Larkspur Drive.
8. Request to approve a Sidewalk Improvement Deferral Agreement for Patrick Day for property to be developed at 864 Mountain View Drive East.
9. Request to approve a Curb-Gutter & Sidewalk Improvement Deferral Agreement for Lowell Wolters for property to be developed at 912 Grandview Drive.
10. Request to approve a customer appreciation “Fall Open House” concert at Snake River-Harley Davidson located at 2404 Addison Avenue East, on September 26, 2015, from 5:00 p.m. to 8:00 p.m.
11. Request to approve the Rim to Rim Race for Habitat for Humanity Magic Valley on September 19, 2015, from 6:00 a.m. 2:00 p.m.

MOTION:

Councilmember Lanting moved to approve the Consent Calendar as amended. The motion was seconded by Councilmember Barigar. Roll call vote showed all members present voted in favor of the motion. Approved 6 to 0

Councilmember Mills Sojka asked what designation in the West Park Commercial Subdivision #9 is Avenida Del Rio.

Assistant City Engineer Vitek explained that the developer has chosen to make that a private roadway.

II. ITEMS FOR CONSIDERATION:

1. Presentation to recognize Firefighters William Blanton, Jeff Miller, and Scott Wyatt for their successful completion of the Twin Falls Fire Department’s Driver’s Academy.

Fire Chief Clark gave the presentation and Mayor Hall presented certificates.

2. Presentation to recognize recently promoted Firefighter Andrew Stephenson to the rank of Driver/Operator, and Driver/Operator Josh Kliegl to the rank of Captain.

Fire Chief Clark welcomed Driver/Operator Andrew Stephenson, and newly promoted Captain Josh Kliegl. Mayor Hall presented them with helmets.

3. Request to award a contract to JUB in the amount of \$468,120 for engineering services related to the Canyon Springs Project.

Assistant City Engineer Vitek gave an update of the Canyon Springs Road Project. He explained that through the RFQ process as required by State Code for hiring of professional engineers JUB had highest score for this particular project. JUB and Brian Smith, the area manager, out of Boise will be the project manager in charge of this job. A scope has been developed with JUB. The total value of the services is \$745,145 but includes costs for construction management in the amount of \$277,025 which should be negotiated at a later time when the project is being bid.

Staff recommends that the Council authorize staff to sign the contract with JUB.

Councilmember Talkington said he is concerned that JUB is getting several bids and wants to make sure that they can complete all the projects in a timely manner.

Brian Smith, JUB explained that JUB has several engineers that will be working on the different projects. He said that each engineer specializes on the different jobs.

Councilmember Talkington wants to make sure that awarding this contract would still involve the City's Consultant Phil Kushlan and that all the responsible and affected parties including the Breckenridge property be included in the foundation of the project.

Assistant City Engineer Vitek explained Phil Kushlan's job will be to work with the affected parties and developing what JUB should be focusing on.

Councilmember Mills Sojka asked if the committee will have some sort of cost estimate from JUB at the time they are deliberating.

Assistant City Engineer Vitek explained that while they are in deliberation, if JUB has an idea of where they are heading, they will be checking the costs.

City Manager Rothweiler said that when the City defines the term realistic it is incredibly subjective because one of the challenges the City have is realistic may be what is the project going to look like and is it going to be able to have in host pedestrian it may involve costs. When you start looking at what that becomes it is important that the committee not be too narrowly defined but that there is a periodically check in with the City Council about the different levels of support for different ideas. There is going to be a whole host of different options and the committee are going to cover the entire spectrum of possibilities and cost will also cover those same levels of possibilities. It is going to need a balance between what is achievable and what is affordable.

City Manager Rothweiler will encourage Phil Kushlan and JUB to periodically check in with the City Council on the committee's progress, allowing for Council input and guidance.

MOTION:

Councilmember Talkington moved to award a contract to JUB in the amount of \$468,120 for engineering services related to the Canyon Springs Project. The motion was seconded by Vice Mayor Hawkins. Roll call vote showed all members present voted in favor of the motion. Approved 6 to 0

4. Request to accept the Draft Charter for the Canyon Springs Ad Hoc Citizen Advisory Committee.

Assistant City Engineer Vitek explained that on May 4, 2015, it was determined that the roadway would need a public process on how it should be developed in the future. With that direction staff hired a Public Liaison consultant and brought that contract before the Council on June 22, 2015. Moving forward the committee will need a charter that codifies the project objectives, citizen involvement, membership and roles of the members. Once the charter has been adopted, staff will work with the Mayor for determining members. Council will be asked to approve appointments.

AGENDA

Monday, September 14, 2015

Councilmember Talkington suggested limiting the ad hoc committee to 9 members and the Magic Valley Trail Enhancement Committee be limited to one representative.

Assistant City Engineer Vitek said they will be limited to one representative.

Councilmember Mills Sojka recommended that the committee include Canyon Springs Golf Course, Zip Line and the YMCA Walking Club, choosing people that haven't served on a committee.

Councilmember Talkington asked if the Council has a deadline that needs to get this focused to its final form.

City Manager Rothweiler said that Staff hopes to have a recommendation to City Council in less than a year, but will know more after the committee meets.

Councilmember Talkington made the comment of what could the City possibly learn in two years that we couldn't learn in one year or possibly 6 months.

City Manager Rothweiler concerned about funding and costs.

MOTION:

Councilmember Lanting moved to accept the Draft Charter for the Canyon Springs Ad Hoc Citizen Advisory Committee. The motion was seconded by Councilmember Barigar. Roll call vote showed all members present voted in favor of the motion. Approved 6 to 0

5. Request to approve the bid from Quality Vans for the purchase of a SWAT transportation vehicle at the total bid price of \$109,299.00.

Captain Hicks explained that Strategic Plan Focus Area #3 Secure Community Goals were to maintain public safety at the highest practical level. The City will maintain fire apparatus, equipment and facilities to the highest standards.

Captain Hicks explained that the Police Department was approved to purchase a transportation vehicle for ~~our~~ Special Weapons and Tactics (SWAT) Team in the FY 2015 budget in the amount of \$95,000.

The lowest responsive bidder was Quality Vans based out of Tempe, Arizona, with a quote of \$109,299 for the vehicle. Based on staff review committee's assessment, the bid received from Quality Vans is the lowest bid received and is compliant with the conditions and specifications set forward in the bid documents.

The purchase of this vehicle was approved in the FY 2015, budget in the amount of \$95,000. Because the lowest bid amount received was \$109,299 Police Department is requesting that the City Council amend the current Capital Improvement Fund budget to accommodate the purchase of this vehicle.

The Twin Falls Police Department would like to recommend that Quality Vans, based out of Tempe, Arizona, be awarded the contract in the amount of \$109,299.

Mayor Hall asked if this company has built like vehicles.

Captain Hicks said the company is a reputable company.

Councilmember Mills Sojka asked if the City applied for grants.

Captain Hicks said that staff looked but were unable to find any grants to fund this project.

MOTION:

Councilmember Barigar moved to approve the bid from Quality Vans for the purchase of a SWAT transportation vehicle at the total bid price of \$109,299. The motion was seconded by Councilmember Lanting. Roll call vote showed all members present voted in favor of the motion. Approved 6 to 0

6. Request to approve a Resolution of the City Council of the City of Twin Falls authorizing certain city officials to receive informal bids, objections and specifications and procedures and to approve the lowest responsible bid in the informal bidding process.

City Manager Rothweiler explained that Idaho Code sections 67-2805 and 67-2806 provide the process and the guidance on how local government units procure services and capital assets. The estimated dollar value of the service or asset is used to determine the type of bidding process used by the local government. Public works construction projects between \$25,000 - \$100,000 and procurement of services or personal property \$25,000 - \$50,000 follow a process referred to as the informal bidding process.

The informal bidding process requires receipt of bids by the “clerk, secretary or other *authorized official*.” In an effort to clarify who is authorized to approve the lowest responsive bid by the governing board or *board-authorized official*, the City Council approved Resolution 1920 on March 10, 2014. This resolution authorized the City Manager, Chief Financial Officer (City Clerk/Treasurer), Chief of Police, Fire Chief, City Engineer, Public Works Director, Streets Superintendent, Water Superintendent, Community Development Director, Human Resource Director, Information Services Director, Parks and Recreation Director, and Airport Manager to receive informal bids, objections to specifications and procedures, and to approve the lowest responsive bid, for informal bidding of public works construction projects (\$25,000 - \$100,000) and procurement of services or personal property (\$25,000 - \$50,000).

The proposed Resolution adds the Deputy City Managers to the approved list of individuals allowed to accept informal bids. It also removes the Community Development Director position.

Councilmember Talkington asked if City meets all requirements of all codes.

City Attorney Wonderlich answered in the affirmative.

MOTION:

Councilmember Talkington moved to approve Resolution #1950, authorizing certain city officials to receive informal bids, objections and specifications and procedures and to approve the lowest responsible bid in the informal bidding process. 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

7. Request to approve an Ordinance of the City Council of the City of Twin Falls, Idaho modifying Title 1 of the Twin Falls City Municipal Code.

City Manager Rothweiler explained that the primary purpose of the proposed Ordinance is to update Title 1 of the Twin Falls Municipal Code. Many of the recommended changes are contained in several sections of the Idaho Code, specifically 50-902, 50-903, 18-101, 50811, 50-808, and 34-1801. In addition, the proposed Ordinance removes several outdated sections.

Additionally, the Ordinance defines the term “Department Heads.” Historically, the term has been used to reflect those who are a part of the City’s executive team. As a result of the City’s reorganization, the members of the City’s executive team include the Deputy City Managers, Chief Financial Officer, Police Chief, Fire Chief, City Engineer, Public Works Director, and Human Resource Director. The Ordinance proposes to codify the historical interpretation.

AGENDA

Monday, September 14, 2015

City Attorney Wonderlich explained the changes.

Councilmember Mills Sojka ask if there was a way to change the way the Mayor is selected.

City Attorney Wonderlich explained that the City follows the State Law for appointment of Mayor.

Councilmember Mills Sojka asked who chooses the option of how the Mayor is selected. City Attorney explained how to choose the option.

Councilmember Talkington said he is concerned about the implications the Ordinance may have and would like to study it for another week.

Councilmember Lanting said he feels that he understands and would vote for it.

Councilmember Barigar said he had no problem moving forward.

Vice Mayor Hawkins said she has no problem moving forward.

Councilmember Mills Sojka said she had no problem waiting.

Mayor Hall said he has no problem waiting.

Councilmember Lanting does not have a problem waiting but would like to wait until City Attorney Wonderlich is in attendance.

City Manager Rothweiler would like to do first reading and then bring this back to Council on October 5, 2015.

MOTION:

Councilmember Lanting moved to suspend the rules and place Ordinance 3106 on first reading by title only. The motion was seconded by Councilmember Barigar. Roll call vote showed all members present voted in favor of the motion. Approved 6 to 0

Deputy City Clerk Bryan read Ordinance 3106 by title only;

ORDINANCE NO. 3106

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, REPEALING TITLE 1 OF THE TWIN FALLS CITY CODE, AND REPLACING IT WITH A NEW TITLE 1, PROVIDING FOR A CITY CODE, ADMINISTRATION INCLUDING A MAYOR, VICE MAYOR AND CITY MANAGER, AND GENERAL PENALTIES FOR VIOLATION OF THE CITY CODE.

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

On Monday, September 21, 2015 the Council Meeting will start at 3:30 p.m., for the purpose of touring the Waste Water Treatment Plant.

The September 28, 2015, City Council meeting will be cancelled.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

- Councilmember Lanting reported on the Library Foundation Golf Scramble.
- Councilmember Mills Sojka asked for the contact person for the Canyon Springs Citizen Committee. Mayor Hall said they can contact him or Leila Sanchez.

AGENDA

Monday, September 14, 2015

- Councilmember Barigar reported that there will be an Open House Celebration at the Wills Motor Company, Wednesday, September 16, 2015 from 5:30 p.m. to 8:00 p.m.

IV. PUBLIC HEARINGS: 6:00 P.M. – None

V. ADJOURNMENT:

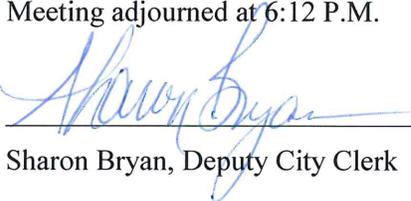
1. Executive Session § 74-206(1)(e) To consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations.

MOTION:

Councilmember Barigar moved to adjourn to Executive Session 74-2006(1)(e). 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

Meeting adjourned at 6:12 P.M.



Sharon Bryan, Deputy City Clerk