

COUNCIL MEMBERS:

SHAWN	LANCE	DON	GREGORY	JIM	REBECCA	CHRIS
BARIGAR	CLOW	HALL	LANTING	MUNN, JR.	MILLS SOJKA	TALKINGTON
		<i>Vice Mayor</i>	<i>Mayor</i>			



Minutes
 Meeting of the Twin Falls City Council
March 19, 2012
 City Council Chambers
 305 3rd 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: FAIR HOUSING MONTH – Representative Jeffrey McCurdy, Region IV Development Association

AGENDA ITEMS	Purpose	By:
I. <u>CONSENT CALENDAR:</u> 1. Consideration to approve the accounts payable for March 13 - 19, 2012. 2. Consideration to approve the March 12, 2012, City Council Minutes.	<u>Action</u>	<u>Staff Report</u> Sharon Bryan L. Sanchez
II. <u>ITEMS FOR CONSIDERATION:</u> 1. Presentation of a plaque of appreciation to Rebecca Duke for her terms of service on the Twin Falls Traffic Commission. 2. Consideration of a request for the appointment of three new Traffic Safety Commission Members. 3. Consideration of a request for the appointment of a member of the Twin Falls Development Impact Fee Advisory Committee. 4. Consideration of a request for the approval of a professional service contract with Region IV Development Association, Inc. to provide grant administration services in connection with the Idaho Community Development Block Grant (ICDBG) that was awarded to the City. The grant will help finance the electrical improvements performed by Idaho Power to support Agro-Farma, Inc.'s development on Kimberly Road. 5. Consideration of a request to accept the bid from Ovivo in the amount of \$4,353,551 on the UASB proposal for the Pretreatment Facility Equipment Procurement Package. 6. Consideration of a request to establish a resolution per Idaho State Code §67-2806(2)(h) that the Clarifier Procurement Package Project can be performed more economically by purchasing goods and services on the open market. 7. Consideration of a request to award the Primary Clarifier procurement package to Ovivo in the amount of \$260,070. 8. Discussion of the results of the 2012 City survey that was recently completed by the National Research Center. 9. Public input and/or items from the City Manager and City Council.	Presentation Action Action Action Action Action Action Action Discussion	Dennis Pullin Jim Munn Dennis Pullin Mitch Humble Jeffrey McCurdy, Region IV Troy Vitek Troy Vitek Troy Vitek Travis Rothweiler Mitch Humble
III. <u>ADVISORY BOARD REPORTS/ANNOUNCEMENTS:</u>		
IV. <u>PUBLIC HEARINGS:</u> 6:00 - 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: Shawn Barigar, Lance Clow, Don Hall, Gregory Lanting, Jim Munn, Jr., Rebecca Mills Sojka, Chris Talkington

Absent: None.

Staff Present: City Manager Travis Rothweiler, City Attorney Fritz Wonderlich, Community Development Director Mitch Humble, Staff Sergeant Dennis Pullin, Assistant to the City Manager Mike Williams, Deputy City Clerk Sharon Bryan, Recording Secretary Leila A. Sanchez

Mayor Lanting 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 with him. A quorum was present. Mayor Lanting introduced staff.

CONSIDERATION OF THE AMENDMENTS TO THE AGENDA:

City Manager Rothweiler requested the following be added to the agenda:

Consideration of a request to approve the Terrance Lonnie "Bo" Jones Fundraiser to be held at the Montana Steak House on Saturday, March 24, 2012.

Consideration of proceeding with contract negotiation and hiring procedure with strategic planning consultant, Kushlan Associates.

MOTION:

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

PROCLAMATIONS: FAIR HOUSING MONTH – Representative Jeffrey McCurdy, Region IV Development Association

AGENDA ITEMS

I. CONSENT CALENDAR:

1. Consideration to approve the accounts payable for March ~~13~~ – 12- 19, 2012, total: \$115,978.62
March 14, 2012, total: \$372.24
March 16, 2012, Payroll total: \$194.23
March 16, 2012, Payroll total: \$105,146.64
2. Consideration to approve the March 12, 2012, City Council Minutes.

MOTION:

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

PROCLAMATIONS: FAIR HOUSING MONTH – Representative Jeffrey McCurdy, Region IV Development Association

Mayor Lanting read and presented the proclamation to Jeffrey McCurdy.

Consideration of a request to approve the Terrance Lonnie "Bo" Jones Fundraiser to be held at the Montana Steak House on Saturday, March 24, 2012.

Staff Sergeant Pullin explained the request.

MOTION:

Councilperson Talkington made the motion to approve the Terrance Lonnie "Bo" Jones Fundraiser to be held at the Montana Steak House on Saturday, March 24, 2012, as presented. The motion was seconded by Councilperson Barigar and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

Vice Mayor Hall recognized and thanked Staff Sergeant Dan McAtee for his service with the City of Twin Falls. Staff Sergeant McAtee will retire on May 17, 2012.

II. ITEMS FOR CONSIDERATION:

1. Presentation of a plaque of appreciation to Rebecca Duke for her terms of service on the Twin Falls Traffic Commission.

Staff Sergeant Pullin and Commission Member Rod Mathis explained the request.

Staff Sergeant Pullin and Commission Member Rod Mathis, along with Councilperson Munn and Mayor Lanting presented the plaque to Rebecca Duke.

2. Consideration of a request for the appointment of three new Traffic Safety Commission Members.

Staff Sergeant Pullin explained the request.

The Traffic Safety Commission recommends the appointment of Dennis Magill to serve a three year term to begin on April 12, 2012, and to appoint Suzanne Hawkins and Paul Duty to serve a three year term to begin June 14, 2012.

MOTION:

Councilperson Clow made the motion to appoint Dennis McGill, Suzanne Hawkins, and Paul Duty as new members of the Traffic Safety Commission with Dennis McGill taking over for Rebecca Duke and to serve immediately, Suzanne Hawkins and Paul Duty to begin June 14, 2012. 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.

3. Consideration of a request for the appointment of a member of the Impact Fee Advisory Committee.

Community Development Director Humble explained the request.

The Mayor and staff recommend that the Council appoint Suzanne Hawkins to the Development Impact Fee Advisory Committee for a term expiring in March 2015, which will be considered a full term.

Councilperson Mills Sojka stated that the committee is building and development related, and she asked if in Ms. Hawkins' recent Council campaign did she accept funding from the development builder community.

Suzanne Hawkins stated that she received contributions from private donors but had no idea of their professional backing.

Councilperson Mills Sojka stated for clarity and transparency that the Sunshine Rules and Report stated that 80% of Ms. Hawkins' funding was donated by developers. She stated her concern for a conflict of interest.

Suzanne Hawkins stated that she is sure what Councilperson Mills Sojka is referring to is a contribution made by Doug Vollmer. Mr. Vollmer asked if he could donate to her campaign. She explained to Mr. Vollmer that if he chose to donate to her campaign because there was something he was hoping to gain out of it, he should not do that because that was not her intention or motive. Mr. Vollmer explained to her that he believed she was the best candidate for the seat.

Council discussion followed.

-Approval process of the member appointments.

Mayor Lanting stated that the position is a mayor appointed position with Council approval.

-Posting of position.

Community Development Director Humble stated that the position was posted three times with no interest. Interviews were not scheduled as normally done. A press release was sent to the media, posted on the City's website, and published in the Times News, as well as in the Chamber of Commerce newsletter.

-Sunshine Rules and Reporting.

- Impact Fee Advisory Committee meets twice a year.

MOTION:

Vice Mayor Hall moved to appoint Suzanne Hawkins to a three term beginning April 1, 2012, to the Impact Fee Advisory Committee. The motion was seconded by Councilperson Clow.

Council discussion followed.

Councilperson Talkington stated that this is not a Traffic Safety Commission appointment but a committee that deals with potential fee structuring for the building industry. The committee's ratio calls for four non-building related people and five building related people. The question raised by Councilperson Mills Sojka is a fair question.

Councilperson Munn asked Community Development Director Humble the configuration of the current Impact Fee Committee, the members and what different professions they represent, how Suzanne Hawkins's representation would impact the group, and will the requirements of the City code be fulfilled.

Community Development Director Humble stated that the City Code requires four out of nine members to be employed in the building or the building related field. Currently the Impact Fee Commission has five members in this field. There have been five members since the committee was first formed. The statement in the staff report is about how the City has operated, not so much about code compliance. The code is met with the current five members that are in the building related field, and a non-industry related person appointed to the last position would bring it up to five members. The City does comply with City Code.

Roll call vote showed Councilpersons Barigar, Clow, Hall, Lanting, Munn, and Talkington voted in favor of the motion. Councilperson Mills Sojka voted against the motion. Approved 6 to 1.

4. Consideration of a request for the approval of a professional service contract with Region IV Development Association, Inc. to provide grant administration services in connection with the Idaho Community Development Block Grant (ICDBG) that was awarded to the City. The grant will help finance the electrical improvements performed by Idaho Power to support Agro-Farma, Inc.'s development on Kimberly Road.

Jeff McCurdy, Region IV, explained the request.

The City of Twin Falls selected Region IV Development Association, Inc. to provide grant administration service. It is the intent of the City to utilize the services of Region IV Development Association to fulfill the requirements of the ICDBG program.

Council discussion followed:

Councilperson Clow asked if the environmental review is being subcontracted.

Jeff McCurdy stated that the work will be done in-house.

Councilperson Talkington asked how soon Region IV moves into the contract for the electrical work.

Jeff McCurdy stated that the grant has been awarded on the electrical work and the City of Twin Falls has been awarded the grant. The contract has been signed and returned to the Department of Commerce.

Councilperson Talkington stated that in previous recent construction projects, in particular the hospital, he received feedback from local contractors unable to meet the bonding requirements because of the size of the project. He asked if the Chobani project is going to be of such a large scale that local electrical contractors will not qualify for bidding.

Jeff McCurdy stated that this particular project will not go out to bid. The improvements will be done by Idaho Power.

MOTION:

Councilperson Talkington made the motion to accept the contract with Region IV in the amount not to exceed \$40,000. The motion was seconded by Vice Mayor Hall and roll call vote showed all members present voted in favor of the motion

5. Consideration of a request to accept the bid from Ovivo in the amount of \$4,353,551 on the UASB proposal for the Pretreatment Facility Equipment Procurement Package.

Assistant City Engineer Vitek explained the request.

Staff recommends that the Council approve the request and authorize the Mayor to sign with two conditions.

1. CH2MHill verifies the contract for any irregularities and will issue a letter of approval before the Mayor signs the agreement.
2. The City Engineer verifies the document and approves before the Mayor executes the agreement.

Councilperson Talkington asked how much money is coming from Chobani and the Twin Falls Urban Renewal District.

City Manager Rothweiler stated that the pretreatment facility during the original project was estimated to be \$7.5 million dollars. During the process it came to the attention that there was an extra piece of equipment that was going to be needed to be installed. The equipment assists in meeting the fat, oil, and grease requirement associated with the pretreatment requirement. The \$1.6 million dollars will either be paid for by Chobani or by TIF dollars if TIF dollars are available and the City has that commitment. \$4.6 million dollars of the project will be coming from the URA through the Chobani TIF dollars. \$2.75 million dollars would be coming from the City's cash reserves, in which the rate assessed to Chobani allows for repayment of that back to the general fund over time, or Chobani has the opportunity to acquire the pretreatment facility for the amount of the balance owed at that time.

MOTION:

Councilperson Munn made the motion to accept the bid from OVIVO in the amount of \$4,353,551 on the UASB proposal for the Pretreatment Facility Equipment Procurement Package, as presented. The motion was seconded by Councilperson Clow and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

Items for Consideration:

6. Consideration of a request to establish a resolution per Idaho State Code §67-2806(2)(h) that the Clarifier Procurement Package Project can be performed more economically by purchasing goods and services on the open market.
7. Consideration of a request to award the Primary Clarifier procurement package to Ovivo in the amount of \$260,070.

Assistant City Engineer Vitek explained both requests.

Consideration of a request to establish a resolution per Idaho State Code §67-2806(2)(h) that the Clarifier Procurement Package Project can be performed more economically by purchasing goods and services on the open market. Approval of this request will allow a resolution to be adopted and allow the City to purchase goods on the open market. Staff recommends that the Council approve the request as presented and adopt the resolution attached.

Consideration of a request to award the Primary Clarifier procurement package to Ovivo in the amount of \$260,070. Approval of this request will allow the City to enter into a contract with Ovivo.

MOTION:

Councilperson Clow made the motion to adopt Resolution 1882, as presented. The motion was seconded by Councilperson Barigar and roll call vote showed all members present voted in favor of the motion.

MOTION:

Councilperson Barigar made the motion to award the Primary Clarifier procurement package to Ovivo in the amount of \$260,070, as presented. The motion was seconded by Councilperson Clow and roll vote showed all members present voted in favor of the motion. Approved 7 to 0.

Added approved agenda item

Consideration of proceeding with contract negotiation and hiring procedure with strategic planning consultant, Kushlan Associates.

Assistant to the City Manager Williams explained the request.

The strategic planning committee unanimously elected to recommend the hire of Kushlan and Associates to assist the City of Twin Falls in the strategic planning process.

Council discussion followed:

Kushlan Associates will charge \$1,000 to facilitate an additional community meeting, and \$1,500 for an additional council retreat, if needed.

MOTION:

Councilperson Barigar made the motion to proceed with contract negotiation and hiring procedure with strategic planning consultant, Kushlan Associate. The motion was seconded by Councilperson Munn and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

Recess: 6:10 P.M.
Reconvened: 6:19 P.M.

8. Discussion of the results of the 2012 City survey that was recently completed by the National Research Center.

City Manager Rothweiler presented the findings of the 2012 City survey using a PowerPoint presentation.

No action taken.

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

City Manager Rothweiler stated that on March 26, 2012, an update will be given on the Municipal Power Outsource Grant applications. At that time the Council will be asked how they would like to move forward with the process.

Vice Mayor Hall stated that on May 19, 2012, Saturday, a walking tour of the Warehouse District Downtown is scheduled.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

IV. PUBLIC HEARINGS: 6:00 - None

V. ADJOURNMENT

The meeting adjourned at 7:32 P.M.

Leila A. Sanchez
Deputy City Clerk/Recording Secretary