

COUNCIL MEMBERS:

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



MINUTES
 Meeting of the Twin Falls City Council
August 27, 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: None

AGENDA ITEMS	Purpose	By:
I. CONSENT CALENDAR: 1. Consideration of a request to approve the accounts payable for August 21 – 27, 2012. 2. Consideration of a request to approve the August 20, 2012, City Council Minutes. 3. Consideration of a request to approve the fifth annual "The Cove Camp Out" in remembrance of Charlotte Meyers to be held on Saturday, September 8, 2012. 4. Consideration of a request to approve the Wings and Things Ultimate Fundraiser, sponsored by the Twin Falls Optimist Club, on Saturday, September 8, 2012 from 12:00 p.m. to 4:00 p.m.	<u>Action</u>	Staff Report Sharon Bryan Leila Sanchez Dennis Pullin Dennis Pullin
II. ITEMS FOR CONSIDERATION: 1. Consideration of a request from The Housing Company for pass-through funding support of their proposed housing project located on 5± acres on the west side of Fieldstream Way, approximately 425 feet north of North College Dr. West. 2. Consideration of a request to approve the Trina Robbins Fundraiser to be held at the Twin Falls City Park on Friday, September 7, 2012, from 5:30 p.m. to 9:30 p.m. 3. Consideration of a request to award a bid to replace the clubhouse roof at the Twin Falls Golf Club to Lewis Roofing in the amount of \$33,740. 4. Consideration of a request to amend Twin Falls City Code Sections 3-4-3, Qualifications and 3-4-5(C), Records, regarding pawnshops, brokers and secondhand dealers. 5. Consideration of a request to accept the Department of Transportation Small Community Air Service Grant Offer in the amount of \$500,000. 6. Consideration of a request to reject all bids for the Airport Snow Removal Equipment Building and re-bid the project. 7. Consideration of a request to accept the Grant Offer from the FAA for the Construction of an Airport Snow Removal Equipment Building and the Development of a Wildlife Hazard Management Plan. 8. Consideration of a request to reject the 2012 Hankins Pump Station Generator and Pump Project bid by Hills Construction Inc. and award the project to Irminger Construction, Inc. of Boise, Idaho, in the amount of \$568,481. 9. Consideration of a request to review and affirm the decision to award the 2012 Hankins Pump Station Generator and Pump Project to Irminger Construction Inc. 10. Public input and/or items from the City Manager and City Council.	Action	Travis Rothweiler Dennis Pullin Dennis Bowyer Bryan Krear Bill Carberry Bill Carberry Bill Carberry Lee Glaesemann Lee Glaesemann
III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:		
IV. PUBLIC HEARINGS: 6:00 - None		
V. ADJOURNMENT:		

**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: Don Hall, Suzanne Hawkins, Gregory Lanting, Jim Munn, Chris Talkington
Absent: Shawn Barigar, Rebecca Mills Sojka

Staff Present: City Manager Travis Rothweiler, City Attorney Fritz Wonderlich, Community Development Director Mitch Humble, Parks & Recreation Director Dennis Bowyer, City Engineer Jacqueline Fields, Project Engineer Lee Glaesemann, Staff Sergeant Dennis Pullin, Captain Bryan Krear, Airport Manager Bill Carberry, Assistant to the City Manager Mike Williams, Public Information Officer Josh Palmer, Deputy City Clerk Sharon Bryan, Deputy City Clerk/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 is present. Mayor Lanting introduced staff

CONSIDERATION OF THE AMENDMENTS TO THE AGENDA: None.
PROCLAMATIONS: None

AGENDA ITEMS

I. CONSENT CALENDAR:

1. Consideration of a request to approve the accounts payable for August 21 – 27, 2012.
2. Consideration of a request to approve the August 20, 2012, City Council Minutes.
3. Consideration of a request to approve the fifth annual "The Cove Camp Out" in remembrance of Charlotte Meyers to be held on Saturday, September 8, 2012.
4. Consideration of a request to approve the Wings and Things Ultimate Fundraiser, sponsored by the Twin Falls Optimist Club, on Saturday, September 8, 2012 from 12:00 p.m. to 4:00 p.m.

MOTION:

Vice Mayor Hall made the motion to approve the Consent Calendar as presented. The motion was seconded by Councilperson Hawkins and roll call vote showed all members present voted in favor of the motion. Approved 5 to 0.

II. ITEMS FOR CONSIDERATION:

1. Consideration of a request from The Housing Company for pass-through funding support of their proposed housing project located on 5± acres on the west side of Fieldstream Way, approximately 425 feet north of North College Dr. West.

City Manager Rothweiler explained the request.

If the Council decides to approve the request and support The Housing Company on their application for low-income housing tax credits by providing pass through funding as described above, then staff recommends that the Council approve the request subject to completion of amendments to the master development plan and development requirements in the WS&V PUD necessary to accommodate the proposed housing development. Approval of the request for funding support does not indicate support for the upcoming PUD amendment and does not in any way obligate the Council to approve that amendment.

Council discussion followed.

City Manager Rothweiler clarified that The Housing Company receives additional points on a point system for the low income tax credits and if they could receive 5% financial support from the local government unit they receive additional points. It is also a requirement for the Housing Company in order to move forward and submit their application.

He stated he could not answer whether this would be a disadvantage to other private entities from making similar types of investments. This is the first time he has been involved or approached with this type of transaction and learned of a section of Idaho Code expressly authorizing these types of moves.

Kathryn Almberg, The Housing Company, explained the tax credit project. The Carriage Lane tax credit project is obligated under the IRS Code Section to be 40 years in the affordability program for the low income tax credit. The Housing Company is obligated for 40 years for affordability and that is a deed restriction and also in the regulatory agreement that is executed with the Internal Revenue Service whom the program is under.

Councilperson Talkington asked why the City is lending its name for a project that cannot be conducted strictly between the seller and The Idaho Housing Company and who receives the financial gain.

Doug Vollmer said a private sector cannot do this because the rules state that a government entity must provide those funds. The funds are at 5% and will be transferred through escrow to the City and then transferred to The Housing Company.

City Manager Rothweiler stated the 5% is the estimated overall project cost. There is a land transaction and the construction costs and what needs to be part of the local match is 5% of the total of those costs which equal \$435,000. It is understood that a buy/seller agreement will occur between The Housing Company and WS&V; then 5% of those costs, upon closing, will be transferred to the City and the City would make the donation of that \$435,000. The City is serving as a pass through entity.

Kathryn Almberg stated that the project sponsor receives the tax credits, which is The Housing Company, and this allows them to sell them to an investor to have equity come into the project to build it. Idaho Housing and Finance Association administers all of the housing programs for the state of Idaho. In the tax credit program, they have a qualified allocation plan. Part of the allocation plan is an objective scoring mechanism that every sponsor puts in with their applications each year in September and February. The tax credits are awarded on a complete scoring system. For clarification, the tax credit program is commonly known now as a workforce housing. She stated that she has not received the market study, but it is due by the end of the week. A market study is a requirement by the allocating agency that every project that submits an application has to have a market study that proves need. The preliminary marketing studies showed that there is in a range of about 150 units that were needed in that market in that income category.

MOTION:

Vice Mayor Hall made a motion to approve a request from The Housing Company for pass-through funding support of their proposed housing project located on 5± acres on the west side of Fieldstream Way, approximately 425 feet north of North College Dr. West, subject to completion of amendments to the master development plan and development requirements in the WS&V PUD necessary to accommodate the proposed housing development. Approval of the request for funding support does not indicate support for the upcoming PUD amendment and does not in any way obligate the Council to approve that amendment. The motion was seconded by Councilperson Munn and roll call vote showed all members present voted in favor of the motion. Approved 5 to 0.

2. Consideration of a request to approve the Trina Robbins Fundraiser to be held at the Twin Falls City Park on Friday, September 7, 2012, from 5:30 p.m. to 9:30 p.m.

Staff Sergeant Pullin explained the request.

Staff recommends that the City Council approve the event.

The Twin Falls Police Department recommends that the on-duty Patrol Supervisor be given the authority to order the event organizers to mitigate the sound of amplified music. If there are noise complaints, disturbances by those participating in the event, and non-compliance, the on-duty Patrol Supervisor shall terminate the event.

MOTION:

Councilperson Munn made the motion to approve the Trina Robbins Fundraiser to be held at the Twin Falls City Park on Friday, September 7, 2012, from 5:30 p.m. to 9:30 p.m., as presented by staff. The motion was seconded by Councilperson Talkington and roll call vote showed all members present voted in favor of the motion. Approved 5 to 0.

3. Consideration of a request to award a bid to replace the clubhouse roof at the Twin Falls Golf Club to Lewis Roofing in the amount of \$33,740.

Parks & Recreation Director Bowyer explained the request.

There are no funds in the budget for this project. Staff recommends funding this project out of the contingency account. Staff did not budget for this project as an inspection after staff prepared the budget indicated a new roof was needed and staff wanted to rectify the problem before the winter season.

Staff recommends that the Council award the bid to replace the roof at the Twin Falls Golf Club clubhouse to Lewis Roofing in the amount of \$33,740

Council discussion followed.

City Manager Rothweiler stated that the cost of the project would come out of the capital budget if the funds are available. If additional funds are needed the funds would come out of the contingency fund.

Parks & Recreation Director Bowyer stated that EHM Engineering charged \$3,200, for engineering services.

MOTION:

Councilperson Hawkins made the motion to award the bid to replace the clubhouse roof at the Twin Falls Golf Club to Lewis Roofing in the amount of \$33,740, and take it out of capital expense if it is available and if not out of contingency to get the roof replaced at the clubhouse. The motion was seconded by Vice Mayor Hall and roll call vote showed all members present voted in favor of the motion. Approved 5 to 0.

4. Consideration of a request to amend Twin Falls City Code Sections 3-4-3, Qualifications and 3-4-5(C), Records, regarding pawnshops, brokers and secondhand dealers.

Captain Bryan Krear explained the request.

The proposed amendment to City Code Section 3-4-3 will update this section to follow best practices and to reflect our current practice of fingerprinting and conducting background investigations on both pawnbroker's license applicants and the applicant's employee in order to ensure they meet qualifications requirements, and to bring City Code 3-4-5(C) up-to-date and to reflect current practices, to allow for the reporting of pawn transactions to LeadsOnline.com within 24 hours of receipt instead of delivering their reports to the Police Department on a weekly basis.

Council discussion followed.

MOTION:

Vice Mayor Hall made a motion to suspend the rules and place Ordinance 3036, entitled:
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, AMENDING TWIN FALLS CITY CODE §3-4-3, TO REQUIRE MINIMUM QUALIFICATIONS FOR APPLICANTS AND EMPLOYEES, AND AMENDING TWIN FALLS CITY CODE §3-4-5(C), TO REQUIRE "LeadsOnline.com" REPORTING OF PROPERTY.

on third and final reading by title only.

The motion was seconded by Councilperson Talkington and roll call vote showed all members present voted in favor of the motion. Approved 5 to 0.

Deputy City Clerk Sanchez read the ordinance title.

MOTION:

Vice Mayor Hall made the motion to adopt Ordinance 3036, as presented. The motion was seconded by Councilperson Hawkins and roll call vote showed all members present voted in favor of the motion. Approved 5 to 0.

5. Consideration of a request to accept the Department of Transportation Small Community Air Service Grant Offer in the amount of \$500,000.

Airport Manager Carberry explained the request.

Staff recommends the City Council accept the grant offer and authorize the Mayor to sign the agreement.

Council discussion followed.

Airport Manager Carberry stated that it is a goal to have an additional flight in the morning, perhaps an upgrade to a regional jet in the morning that may increase from 30 seats to 50 seats for capacity, as well as more capacity for the overnight flight.

MOTION:

Councilperson Munn made the motion to accept the Department of Transportation Small Community Air Service Grant Offer in the amount of \$500,000, and authorize the Mayor to sign the FAA Grant Award Offer. The motion was seconded by Councilperson Talkington and roll call vote showed all members present voted in favor of the motion.

Airport Manager Carberry stated pricing is market driven and one that is managed very closely by the airlines. He stated that he would not associate any guarantees with pricing.

Approved 5 to 0.

6. Consideration of a request to reject all bids for the Airport Snow Removal Equipment Building and re-bid the project.

Airport Manager Carberry explained the request.

Staff recommends the City Council reject all bids for the construction of the airport snow removal equipment bldg and re-bid the project.

Council discussion followed.

Airport Manager Carberry stated that discussion was made with the architect to put systems in to save future operational costs, such as LED lighting and the ground source heating. The primary function of the building is for storage of snow equipment, but will also have a mechanical area (shop), small personnel area with some offices for a training lunch room, restrooms, and some tools and parts storage. He will discuss with the architect the possibility of having LED lighting in the office areas.

MOTION:

Councilperson Munn made the motion to approve to reject all bids for the Airport Snow Removal Equipment Building and re-bid the project. The motion was seconded by Councilperson Talkington and roll call vote showed all members present voted in favor of the motion. Approved 5 to 0.

7. Consideration of a request to accept the Grant Offer from the FAA for the Construction of an Airport Snow Removal Equipment Building and the Development of a Wildlife Hazard Management Plan.

Airport Manager Carberry explained the request.

Staff recommends the City Council accept the grant offer in the amount of \$1,658,262 and authorize the Mayor to sign the award. This is coupled with the 6.25% match budgeted in the airport construction fund which is equally funded by the City and County.

MOTION:

Councilperson Talkington made the motion to accept the grant offer in the amount of \$1,658,262, from the FAA for the Construction of an Airport Snow Removal Equipment Building and the Development of a Wildlife Hazard Management Plan, and authorize the Mayor to sign the award. The motion was seconded by Vice Mayor Hall and roll call vote showed all members present voted in favor of the motion. Approved 5 to 0.

8. Consideration of a request to reject the 2012 Hankins Pump Station Generator and Pump Project bid by Hills Construction Inc. and award the project to Irminger Construction, Inc. of Boise, Idaho, in the amount of \$568,481.

Project Engineer Glaesemann explained the request.

Staff recommends that the City Council reject the Hills Construction Bid due to their Mobilization price exceeding what the contract documents allow and not submitting "evidence of authority" with the bid as required.

Staff recommends that the City Council award the 2012 Hankins Pumps Station Generator and Pump Project to Irminger Construction Inc., in the amount of \$568,481.

Council discussion followed.

City Manager Rothweiler stated that the timing aspect is important. The pumps are about 200 to 240 day bid schedule. To go through a rebid process there would be a delay in project by somewhere between 6 to 8 weeks. The City's timeline would not be met which is associated with the Chobani projects that have been set forward in the agreements. This part of the project is funded by the ICDBG process and the City wants to move forward expeditiously.

City Attorney Wonderlich stated that if the project is awarded to the low bidder the high bidder has a valid complaint because the low bidder is non conforming and vice versa. In this case as it has been explained the City does not have time to rebid the project. Staff is recommending this as the least bad option.

MOTION:

Councilperson Munn made the motion to reject the 2012 Hankins Pump Station Generator and Pump Project bid by Hills Construction Inc. and award the project to Irminger Construction, Inc. of Boise, Idaho, in the amount of \$568,481. The motion was seconded by Councilperson Talkington and roll call vote showed all members present voted in favor of the motion. Approved 5 to 0.

9. Consideration of a request to reject the 2012 Hankins Pump Station Generator and Pump Project bid by Hills Construction Inc. and award the project to Irminger Construction, Inc. of Boise, Idaho, in the amount of \$568,481.

Project Engineer Glaesemann explained the request.

Staff recommends that the City Council affirm its prior award of the 2012 Hankins Pump Station Generator and Pump Project to Irminger Construction Inc., due to Hills Construction Inc.'s Mobilization price exceeding contract allowance and lack of sufficient "Evidence of Authority" submitted with their bid as was required.

6:04 P.M. Councilperson Munn left his seat for a previously scheduled appointment.

Council discussion followed.

MOTION:

Councilperson Talkington made the motion affirm the decision to award the 2012 Hankins Pump Station Generator and Pump Project to other than the low bidder based upon the applied evidence and to award the bid to Irminger Construction, Inc. , due to mobilization price exceeding what the contract documents allow and not submitting "evidence of authority" with the bid as required. The motion was seconded by Councilperson Hawkins and roll call vote showed all members present voted in favor of the motion. Approved 4 to 0.

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

City Manager Rothweiler stated that the City Council Strategic Planning Retreat will be held on September 7 and 8, 2012. He also reported on the sales of the downtown parking meters.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

IV. PUBLIC HEARINGS: 6:00 - None

V. ADJOURNMENT: The meeting adjourned at 6:18 P.M.

Leila A. Sanchez
Deputy City Clerk/Recording Secretary