

Present: Lance Clow, Don Hall, David E. Johnson, William Kezele, Gregory Lanting, Rebecca Mills Sojka
Absent: None
Staff Present: City Manager Travis Rothweiler, City Attorney Fritz Wonderlich, Community Development Director Mitch Humble, Staff Engineer Lee Glaesemann, Deputy City Clerk Sharon Bryan, Deputy City Clerk Leila A. Sanchez.

Mayor Don Hall called the meeting to order at 5:00 PM. He then invited all present, who wished to, to recite the Pledge of Allegiance to the Flag.

Mayor Hall introduced Reylene Abbott, President of the Twin Falls Youth Council. She reported on current projects. Members Christina Bruce and Nicole Askew were present.

CONSIDERATION OF THE AMENDMENTS TO THE AGENDA: None.

PROCLAMATIONS: None.

AGENDA ITEMS

OLD BUSINESS:

I. CONSENT CALENDAR:

1. Consideration of accounts payable for December 20, 2011-January 3, 2012, \$326,045.92.
December 23, 2011, Payroll total: \$106,933.97.
December 30, 2011, Fire Payroll total: \$47,902.53.
2. Consideration of the December 5, and December 19, City Council Minutes.

MOTION:

Council Member Clow made a motion to approve the Consent Calendar as presented. The motion was seconded by Council Member Kezele. Roll call vote showed Council Members Clow, Don Hall, Johnson, Kezele, Gregory Lanting, and Mills Sojka. Council Member Craig voted against the motion. Approved 6 to 1.

Reorganization of City Council

Outgoing Council Members Trip Craig, David E. Johnson, and William Kezele

Swear in new Council Members

Deputy City Clerk Bryan swore in new members Jim Munn, Jr., Chris Talkington, and Rebecca Mills Sojka.

Shawn Barigar was not present.

Select Mayor/Vice Mayor

MOTION:

Council Member Munn, Jr., made a motion to select Council Member Lanting to serve as Mayor of the City of Twin Falls for a two year term. The motion was seconded by Council Member Clow and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

Mayor Lanting nominated Council Member Hall as Vice Mayor for a two year term.

MOTION:

Council Member Talkington made a motion to select Council Member Hall as the Vice Mayor of the City of Twin Falls for a two year term. The motion was seconded by Council Member Clow and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

NEW BUSINESS:

I. CONSENT CALENDAR:

1. Consideration of a 4th and final extension of the plat of Desert Falls Subdivision, 58.36 (+/-) acres with 45 single family residential lots located at the southeast corner of 3300 East Road and Falls Avenue East, c/o Rod Mathis/Riedesel Engineering on behalf of FRS, LLC/Doug Strand.
2. Consideration of a 3rd and final two (2) year extension on the approval of the final plat for Pioneer Estates Subdivision, consisting of 13.84 (+/-) acres with 44 single family residential lots on property located at the northwest corner of Filer Avenue East and Meadowview Lane North, c/o The Land Group.

MOTION:

Vice Mayor Hall made a motion to approve the Consent Calendar as presented. The motion was seconded by Council Member Mills Sojka and 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 award the pipe procurement contract for the 2011 Northeast Sewer Project to HD Supply Waterworks of Meridian, Idaho, in the amount of \$881,330.38.

Staff Engineer Glaesemann explained the request using overhead projections and explained the bidding process.

The 2011 Northeast Sewer project is a multi-phase project to increase capacity and bypass existing sewer mains that run through the City. The City has been systematically upgrading and installing portions of the Northeast Sewer for several years. With the upcoming of Agro-Farma and subsequent development agreement between the City, Urban Renewal Agency, and Agro-Farma, the timeline for Northeast Sewer improvements have been accelerated. During first half of 2012, approximately 5 miles of large diameter sewer must be installed to accommodate expected Agro-Farma flows along the previously identified needed improvements.

The City entered into an agreement with Agro-Farma and the Urban Renewal Agency where URA agreed to allocate funds to the construction of the Northeast Sewer project. The City agreed to partially fund a portion of the work to relieve some existing problems in the collection system. The City also agreed to construct the work. Approval of this contract enables the URA and City to continue to execute the obligations of the development agreement.

The NE Sewer trunk line project is funded by the URA and the City. The project is originally funded with \$2 million Urban Renewal funds and \$4 million City funds. Since the agreement was signed, Agro-Farma expressed interest in expanding the capacity of the sewer and has agreed to fund the difference in cost in the event the Urban Renewal funds are not available.

Staff recommends that City Council approve and award the 2011 Northeast Sewer – Pipe Procurement contract to HD Supply Waterworks, in the amount of \$881,330.38.

Council discussion followed:

Vice Mayor Hall asked if Stage 1, as presented on the drawing, would affect the Canyon Springs road. Project Engineer Glaesemann said that in 2006 a pipe was replaced in the main grade going down in the canyon. The part to be constructed is along the golf course to the treatment plant and should not affect the road.

Councilperson Clow stated that the bid for \$881,330.38, in the budget impact it references how it is part of the overall budgets for \$2 million from URA and \$4 million from City funds. It also makes a reference to potential expansions by Agro-Farma and they bid a difference. He asked if the pipe being ordered would include the assumption that Agro-Farma needs some additional capacity.

Project Engineer Glaesemann stated that the new pieces of pipe will be sized appropriately for the expansion at Agro-Farma and also to build out of the City. There are areas that go down Pole Line Road through the mall and up on top of Canyon Springs Road that was recently put in but capacity will have to be reevaluated, because an industry the size of Chobani hadn't been anticipated.

City Manager Rothweiler stated that the phases that are illustrated on overhead projection are built to handle an estimated 2.5 million gallons from Chobani as well as the additional flows and capacities that are needed to be opened up to support growth in the corridor. This will open up 550 additional acres above 200 acres on the Chobani side. The pipe bid does not include the middle phase that would basically stretch between the two phase ones as illustrated that will come in a subsequent part of the project. The initial part of the project is to make sure that the development agreement with Chobani is honored and to make sure the City can accept the million gallons of flow based upon the timeline set in the development agreement.

The additional costs for the capacities that were not contemplated in the development agreement are paid for by Agro-Farma directly through the TIF dollars. The TIF dollars has grown considerably since the initial development agreement. If TIF dollars are not available Agro-Farma has made the commitment to cover those costs.

Council Member Talkington asked that at the time that stage 1 is cut in and the Mary Ellis Park area, Eastland & Pole Line, how would that impact potential new development.

Project Engineer Glaesemann stated that there will be a couple of pump stations that could be taken offline. There are some pump stations that have been waiting to get onto the gravity route. This will eliminate maintenance, electricity costs, etc. The new line will also provide capacity for new developments.

MOTION:

Council Member Mills Sojka made a motion to award the pipe procurement contract for the 2011 Northeast Sewer Project to HD Supply Waterworks of Meridian, Idaho, in the amount of \$881,330.38. The motion was seconded by Council Member Clow and roll call vote showed that all members present voted in favor of the motion. Approved 6 to 0.

2. Consideration of a contract with Spencer Turbine Company to provide the #4 Aeration Blower Equipment Package in the amount of \$179,000.

City Engineer Fields explained the request.

Approval of the request will allow the City to procure the Aeration Blower #4 equipment package consisting of a multistage centrifugal blower, motor, control panel, inlet throttling and accessories for a complete system.

The City engaged into an agreement with Agro-Farma and the Urban Renewal Agency where the URA agreed to allocate funds to the Waste Water Treatment Plant. The City also agreed to construct the work. Approval of this contract enables the URA and City to continue to execute the obligations of the development agreement.

Staff recommends that the Council approve and authorize the Mayor sign the contract with Spencer Turbine Company.

Council discussion followed:

Council Member Talkington stated that he is not comfortable using sole source provider bids. He asked why the staff believes they cannot get a better bid competitively.

City Engineer Fields stated that research was done to see if there was more effective equipment or either/or other brands that could be easily placed in the facility in a timely manner. Schedule is definitely an issue and where this particular product appears to be to be extremely competitive. The additional bonus for the City is that personnel has knowledge of the equipment and the ability to already do maintenance on a learning curve on that piece of equipment is diminished and the schedule can be met. This can be done in a manner that is cost effective. Some research was done in energy efficient blowers. Mr. McClure, a local engineer, did some energy efficient work and he suggested that staff contemplate a different type of blower. The purpose of the report was a preliminary report and not a final product selection type of item. Staff did the investigation and in the process that this blower could be obtained for less cost and the potential energy savings would not be realized.

MOTION:

Vice Mayor Hall made the motion to approve the contract with Spencer Turbine Company to provide the #4 Aeration Blower Equipment Package in the amount of \$179,000, and have the mayor sign such contract. The motion was seconded by Council Member Mills Sojka. Approved 6 to 0.

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

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

Vice Mayor Lanting stated that he will be working on the Council liaison assignments.

City Manager Rothweiler gave a brief update on the December 31st windstorm .

Council Member Talkington stated that he noticed discrepancies in how the Council apparently operates to what the Council operates. In Chapter 5 1-5-1(A), meetings for City Council are posted at 6:00 P.M. on the first and third Monday of the month, and paragraph C refers to work sessions being 4:00 P.M. every Monday. He asked if this is something that needs to be cleaned up and addressed.

Mayor Lanting instructed City Attorney Wonderlich to review the discrepancies in Chapter 5 1-5-1(A).

IV. PUBLIC HEARINGS: 6:00 – None.

V. ADJOURNMENT: to 67-2345 (1)(c) Executive Session:

1. To conduct deliberations concerning labor negotiations or to acquire an interest in real property which is not owned by a public agency.

MOTION:

Vice Mayor Hall made the motion to adjourn to 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. The motion was seconded by Council Member Munn and roll call vote showed all members present voted in favor of the motion. Approved 6 to 0.

The meeting adjourned at 5:58 P.M.

**Leila A. Sanchez
Deputy City Clerk/Recording Secretary**

Twin Falls City Council-Public Hearing Procedures for Zoning Requests

1. Prior to opening the first Public Hearing of the session, the Mayor shall review the public hearing procedures.
 2. Individuals wishing to testify or speak before the City Council shall wait to be recognized by the Mayor, approach the microphone/podium, state their name and address, then proceed with their comments. Following their statements, they shall write their name and address on the record sheet(s) provided by the City Clerk. The City Clerk shall make an audio recording of the Public Hearing.
 3. The Applicant, or the spokesperson for the Applicant, will make a presentation on the application/request (request). No changes to the request may be made by the applicant after the publication of the Notice of Public Hearing. The presentation should include the following:
 - A complete explanation and description of the request.
 - Why the request is being made.
 - Location of the Property.
 - Impacts on the surrounding properties and efforts to mitigate those impacts.Applicant is limited to 15 minutes, unless a written request for additional time is received, at least 72 hours prior to the hearing, and granted by the Mayor.
 4. A City Staff Report shall summarize the application and history of the request.
 - The City Council may ask questions of staff or the applicant pertaining to the request.
 5. The general public will then be given the opportunity to provide their testimony regarding the request. The Mayor may limit public testimony to no less than two minutes per person.
 - Five or more individuals, having received personal public notice of the application under consideration, may select by written petition, a spokesperson. The written petition must be received at least 72 hours prior to the hearing and must be granted by the mayor. The spokesperson shall be limited to 15 minutes.
 - Written comments, including e-mail, shall be either read into the record or displayed to the public on the overhead projector.
 - Following the Public Testimony, the applicant is permitted five (5) minutes to respond to Public Testimony.
 6. Following the Public Testimony and Applicant's response, the hearing shall continue. The City Council, as recognized by the Mayor, shall be allowed to question the Applicant, Staff or anyone who has testified. The Mayor may again establish time limits.
 7. The Mayor shall close the Public Hearing. The City Council shall deliberate on the request. Deliberations and decisions shall be based upon the information and testimony provided during the Public Hearing. Once the Public Hearing is closed, additional testimony from the staff, applicant or public is not allowed. Legal or procedural questions may be directed to the City Attorney.
- * Any person not conforming to the above rules may be prohibited from speaking. Persons refusing to comply with such prohibitions may be asked to leave the hearing and, thereafter removed from the room by order of the Mayor.