

July 6, 2021

This regular meeting of the Jerome City Council was called to order by Mayor Davis at 5:30 p.m. Present: Mayor David M. Davis, Councilman Robert Culver, Councilman Brent “Oop” Johnson and Councilman Jason Peterson. Councilman Chris Barber was excused.

Also present were staff members: City Clerk Bernadette Coderniz, City Administrator Mike Williams, City Attorney Ted Larsen, Building Official Dave Richey, Wastewater Superintendent Gilbert Sanchez, City Engineer Tyson Carpenter, IS Director Carlos Hernandez, Finance Director Ross Hyatt, Library Director Linda Mecham, Planning and Zoning Manager Ida Clark, Human Resources Manager Esmeralda Chavez, Deputy Fire Chief Lane Sickles and Police Captain Duane Rubink.

PLEDGE OF ALLEGIANCE:

Mayor Davis led the audience in recitation of the pledge of allegiance.

INVOCATION:

An invocation was given by Pastor Fritz Redmer of the Calvary Chapel Jerome.

CONSENT CALENDAR:

Those items contained in the consent calendar are as follows:

1. Approve the minutes of the June 15, 2021 regular meeting

Councilman Culver made the motion to approve the consent calendar as presented. Second to the motion was made by Councilman Johnson. After consideration, the motion passed unanimously by the following vote: **AYES:** Councilman Peterson, Councilman Culver and Councilman Johnson. **NAYS:** None.

CONTRACT AWARD – WESTERN CONSTRUCTION, INC.:

Mr. Carpenter spoke of the pavement conditions on S. Lincoln, and stated that staff attempted to make repairs when a contractor was there working on Maverik. Western Construction has material near the site for a state project and will be able to repair a small section of the road for under \$50,000 (the limit needed to solicit quotes). The work will include removing approximately 500 feet of rough pavement and putting down three inches of new pavement. Mr. Carpenter stated that, given budgetary limitations, this will be a short-term fix until the Idaho Transportation Department (ITD) begins their work on the I-84 interchange. He also stated that as funds become available, more work can be done along S. Lincoln from 300 S to Frontage Road. Upon inquiry by Councilman Peterson, Mr. Carpenter stated that the ITD-owned portion of the road will be done by ITD. Additionally, 300 S is also known as Montana Street. Upon inquiry by Mayor Davis, Mr. Carpenter stated that the project will begin next week if approved; the expected heat wave should not affect the timeline for completing the project. Traffic will be temporarily re-routed for a few days.

Councilman Culver made the motion to approve a contract award to Western Construction, Inc. for the S Lincoln Pavement Rehabilitation Project for a unit price bid of \$49,969.87. Second to the motion was made by Councilman Peterson. After consideration, the

motion passed unanimously by the following vote: **AYES:** Councilman Peterson, Councilman Culver and Councilman Johnson. **NAYS:** None.

Mr. Williams commended Mr. Carpenter for his efforts in getting the contract with Western Construction on short notice. He also noted that only 500 feet of road are getting repairs due to budgetary constraints, and the intent is to piggy back on the ITD project to finish the road from city limits to the ITD-owned portion of S. Lincoln.

LOMBARD CONRAD ARCHITECTS AGREEMENT:

Mr. Williams presented an agreement with Lombard-Conrad Architects for consideration. They were hired for a feasibility study on the 1st Avenue E property (formerly the Crystal Mall building) last year along with a space needs analysis for a new police station. The property was purchased in November 2020 and Starr Corporation (Starr) was hired as the Contract Manager/General Contractor (CMGC) for the project. Starr recommended that the city re-engage Lombard-Conrad to propose an agreement for design services and construction administration. Mr. Williams reviewed the agreement with council and noted the Scope of Services (conceptual site layout, floor plans, construction administration, etc.) along with other allowances for engineering services. He stated that Lombard-Conrad has experience in remodeling older facilities into law enforcement facilities; they are working with the Cities of Moscow and Chubbuck on similar projects. He also reviewed the basic services fees (schematic design phase, design development, etc.) with a total basic compensation of \$337,500.00; this figure is comparable to the Chubbuck project. Additional allowances were built into the agreement including landscape services (little room for extensive landscaping but enough to dress up the block), civil engineering and audio video services (for state-of-the-art training facilities in the building). A design contingency of \$25,000 is also included in the agreement but will only be used if unforeseen conditions are found during the construction phase as the building was repurposed many times throughout the years. A travel allowance in the amount of \$30,200 is also included in the agreement, and the total agreement amount is \$431,700.00. Once the agreement is in place, the existing facility will be gutted and then all parties involved can move forward with the design.

Mayor Davis inquired about the design services allowance and Mr. Williams confirmed that the total for this allowance is \$39,000 and is included in the final total. Mark Heazle with Lombard-Conrad appeared before council and spoke of the feasibility study and fee proposal for continued services. He reviewed the agreement and noted that the basic services fee includes mechanical engineers, electrical engineers and structural engineers as well as architectural services and interior design. He explained how the design services allowance is broken down into three separate allowances; with the benefit of having a CMGC there is some opportunity to reduce design services needed for landscape and civil engineering. Mr. Heazle noted that not fully engaging in landscape and civil engineering allows for time to determine what services are actually needed (limited landscaping, storm water retention, asphalt resurfacing, etc.) and could potentially save the City from engaging in unnecessary services. The need for audio/video services will be determined once the building is examined further. FF&E packages are for the procurement of furniture, furnishings and equipment. He stated that the goal is to reduce overall fees to the City and be efficient with services. Upon inquiry by Councilman Peterson, Mr. Heazle stated the fees are based on an assumption of hourly rates based on experience with previous projects. Additionally, the design services contingency allows the architect to address unforeseen conditions discovered during construction. Upon inquiry by Mayor Davis, Mr.

Heazle stated there may be an opportunity for city staff to assist with certain aspects of the construction (i.e. parking lot needs, etc.) which would reduce costs. However, if civil engineering services appear to be necessary, the decision will be made mutually with City staff, Starr and Lombard-Conrad.

Councilman Culver made the motion to approve a Professional Services Agreement with Lombard Conrad Architects for Police Department design and construction administration services for an amount not-to-exceed \$431,700. Second to the motion was made by Councilman Peterson. After consideration, the motion passed unanimously by the following vote: **AYES:** Councilman Peterson, Councilman Culver and Councilman Johnson. **NAYS:** None.

AGROPUR WASTEWATER DISCHARGE PERMIT, THIRD AMENDMENT:

Mr. Williams briefly spoke of the request by Agropur in 2017 for additional flow. At that time 500,000 gallons of additional flow were allocated, however only 250,000 gallons were allowed as it was believed that the City's collection system could not handle more. The additional 250,000 gallons were added to their permit with a provision in the agreement. He spoke of the City's goal to remove the lift stations at Agropur and 100 South (both on Nez Perce) and construct a gravity sewer line from their location to H Street. This would save on maintenance and long term costs associated with both lift stations. Other priorities have taken the place of the project and the gravity sewer line has yet to be constructed. Agropur was recently placed on a Compliance Agreement Schedule with the Department of Environmental Quality (DEQ) and required to upgrade their facility to cease with excessive pH and Biological Oxygen Demand (BOD) violations. Mr. Williams stated they were also asked by the DEQ to retain a higher level of daily flow to help with operational efficiencies. They recently reached out about allocating additional flow. Staff determined that an additional 100,000 gallons of flow could be allocated to keep them in compliance.

The amendment presented to council will forward 100,000 gallons of the previously-approved 250,000 gallons of flow to Agropur's existing permit, and they will pay all appropriate connection fees and additional Equivalent Residential Units (ERU's) in their monthly bill. Once the gravity sewer line is constructed, the City will only be responsible for allocating the remaining 150,000 gallons of flow. There will be no additional BOD's, Total Suspended Solids or phosphorus added to their permit; this amendment is for flow only. Regarding odor from the facility, Mr. Williams stated that, as part of Agropur's compliance agreement schedule, they will also be required to add some secondary treatment to their wastewater facility including aeration basins (these will reduce the BOD's and organic material entering into the system). The project should take place in the next fiscal year. Mr. Sanchez commented that Agropur has done well in reducing odor and violations, and that the additional 100,000 gallons of flow will not be an issue.

Upon inquiry by Councilman Peterson, Mr. Williams stated that the \$133,000 connection fee will be for the 100,000 gallons of flow; an additional connection fee will be assessed when the additional 150,000 gallons are allocated at a later date. There is no timeline on the sewer gravity line project as the City has other priorities to consider. Agropur purchased the property to the west for future expansion; if they are prepared to install the line before the City does, a reimbursement agreement can be negotiated. Upon inquiry by Councilman Peterson, Mr. Williams stated that line will go through the cemetery (in the right of way). Upon inquiry by Councilman Johnson, Mr. Williams stated the aeration basins are in the design phase and should be completed by 2022. Additionally, the gravity sewer line will be approximately one half mile

and will take approximately 4-6 months to complete once construction begins; it is not a funded project at this time.

Councilman Culver made the motion to approve the Third Amendment to August 5, 2008 Agreement between City of Jerome, ID and Agropur Inc. and modifications to Agropur's waste water discharge permit as presented. Second to the motion was made by Councilman Peterson. After consideration, the motion passed unanimously by the following vote: **AYES:** Councilman Peterson, Councilman Culver and Councilman Johnson. **NAYS:** None.

IDAHO MILITARY JEROME READINESS CENTER DISCUSSION:

Mr. Williams provided a map identifying the location of the new Regional Readiness Center to be operated by the Idaho National Guard. He stated that the City owns and operates water and waste water services at Crossroads Point and properties north of I-84 at Highway 93. The Idaho Military owns land south of I-84 where the location of the new facility will be. A feasibility study was completed, and they approached City staff to inquire about having water and wastewater services extended to them as City water is essential to the project for fire flow needs. Mr. Williams stated there is no policy in place regarding connection to City services, and this evening's discussion could determine if it is possible to connect them to water (waste water services are no longer being considered). He noted the water line that travels under I-84 would be considered a private water line and not maintained by the City. In conversations with Mr. Carpenter, Mr. Williams stated that the amount of water requested would be nominal as there is a good well and water system at that location. He inquired about going forward in negotiating an agreement for services with the Idaho National Guard with specific terms addressed (i.e. responsibility for the line, connection fees, etc.).

Lieutenant Jessup with the Idaho Army National Guard and the Construction Facilities Management Office appeared before council to briefly explain specifics of the project. It will be a 47,000 square foot building to house army units on the weekends for drill. Approximately 200-250 soldiers will be there on the weekends and approximately 20-30 soldiers throughout the week. The building will include a large drill hall, full kitchen and other amenities for a readiness center. Lt. Jessup stated the budget is \$20 million (federal and state funds). The project is in the design phase with 60% of the design completed, and they are seeking to connect a 10" water line to feed into the building and provide fire suppression. Lt. Jessup emphasized wanting to provide a service to Jerome and a list of economic and infrastructure benefits was provided for council's review.

Extensive discussion ensued, and topics of the discussion included: the ability to draw water from an existing well but without the capacity for fire suppression; increased sales tax revenues due to local vendors being sought for the project, lodging and dining needs; the previous denial of a water extension years ago; backflow devices to prevent contamination; adequate maintenance of the private water line; unknown details pertaining to water delivery, backflow or a meter; the existing National Guard buildings and the City's 50% interest in the Field Maintenance Shop (FMS) building; an arrangement to ensure legal transfer of property; the negative aspects of extending a water line (setting a precedence for future users); nearby property owned by the Bureau of Land Management (BLM) and ITD; future projects in the same area; an agreement with the military pertaining to the use of the water line, and a clause addressing additional users; conversations pertaining to ITD in the future; and, the need to protect the City. Mayor Davis commented that the water line would be the responsibility (upkeep and maintenance) of the National Guard and that he is interested in using the building in town. He

concurrent that approval by Council will be required for any extension of the water line in the future. Council directed staff to move forward with drafting an agreement with the Idaho Military for water services.

DEPARTMENT REPORTS:

Mr. Williams stated the Fiscal Year 2022 Budget documents will be presented to Council at the July 20th meeting. Staff hopes to have a draft available for review by next week. He noted that the preliminary budget meets many of the Council’s goals, objectives and priorities without utilizing 3% increase allowed by statute.

A committee will be formed per the Mayor’s request to review the American Rescue Plan funds being allocated to the City, and Mr. Williams stated that qualified uses for those funds will be considered. Those funds must be utilized by 2024.

Mr. Carpenter stated that the N. Tiger Drive project is near completion.

ADJOURNMENT:

There being nothing further to discuss, Mayor Davis adjourned this July 6, 2021 regular meeting of the Jerome City Council at 6:31.p.m.

By:

Mayor David M. Davis

Attest:

Bernadette Coderniz, City Clerk