



AMENDED AGENDA
City Council Meeting
City of Middleton, Idaho

Date: Wednesday August 19, 2020

Time: 5:30 p.m.

Location: **Trolley Station** 310 Cornell Street, Middleton, Idaho

Council tour of new Police building: 5:15-5:25 p.m.

Call-to-order, roll call, Pledge of Allegiance, Invocation

Action Items

1. Consent Agenda (items of routine administrative business)
 - a. Consider approving minutes for Council's August 5, 2020 regular meeting.
 - b. Consider ratifying August 14, 2020 payroll in the amount of \$80,486.64 and accounts payable thru August 10, 2020 in the amount of \$253,108.53
 - c. Consider approving FCO's – Estates at West Highlands Preliminary Plat
 - d. Consider approving FCO's – Carlton Meadow Preliminary Plat
 - e. Consider approving FCO's – Valhalla Amended Preliminary Plat (Amended Preliminary Plat approved by Council Nov. 20, 2019)
2. Consider approving HyQual Middleton Water Quality Permitting and Natural Treatment Planning for FY2020: Additional Budget Request in an amount not to exceed \$11,500.00 - Becky Crofts
3. Consider adopting Ordinance No.637: AN ORDINANCE OF THE CITY OF MIDDLETON, CANYON, COUNTY, IDAHO, ENTITLED THE "ANNUAL APPROPRIATION ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2020, APPROPRIATING \$12,906,757 DEEMED NECESSARY TO DEFRAY ALL EXPENSES AND LIABILITIES OF THE CITY OF MIDDLETON, IDAHO FOR FISCAL YEAR 2021, AND SPECIFYING THE OBJECTS AND PURPOSES FOR WHICH SAID APPROPRIATIONS ARE MADE; PROVIDING FOR A WAIVER OF THE READING RULES; AND PROVIDING AN EFFECTIVE DATE. – Wendy Miles
4. **Public Hearing:** Consider removing the 25% local modifier from the building permit fee. Increasing Building Permit Fees more than 5%, effective October 1, 2020. – Becky Crofts
5. Consider approving sale of Tahoe to Sand Hollow Fire in the amount of \$3000.00. – Chief Takeuchi
6. Consider approving a State/Local Agreement (Construction) Project No. A012 (048) S. Cemetery Rd; SH-44 to Willow Creek Canyon County Key No. 12048 in an amount not to exceed \$287,059.00 – Becky Crofts
7. Consider approving Resolution No. 446-20: A RESOLUTION OF THE MIDDLETON CITY COUNCIL, MIDDLETON, CANYON COUNTY, IDAHO, INCREASING FEES, SOME MORE THAN FIVE PERCENT, FOR: BUILDING PERMIT FEES, CONNECTION

TO THE CITY'S WATER AND SEWER SYSTEMS, MODIFYING MONTHLY WATER AND SEWER USE AND BASE RATES; AND PROVIDING AN EFFECTIVE DATE. – Becky Crofts

8. Consider Amending Title 1, Chapter 15, Section 8, Design Review Permit, Updating the section and providing an effective date. – Bruce Bayne

Public Comments, Mayor and Council Comments, Adjourn

Posted by:


Jennica Reynolds, Deputy Clerk

Date: August 18, 12:00 p.m.

Please contact the City Clerk at (208) 585-3133 if you have special needs or require assistance.

1a

MIDDLETON CITY COUNCIL
AUGUST 5, 2020

The Middleton City Council meeting on August 5, 2020 was called-to-order at 5:36 p.m. by Mayor Steve Rule.

Roll Call: Council President Rob Kiser and Council Members Carrie Huggins, Jeff Garner and Tim O'Meara were present.

Pledge of Allegiance, Invocation: Isaac Christiansen

Information Items

1. Promotion of Officer (Corporal) Nathan Hilkey to Sergeant – Chief Takeuchi

Chief Alan Takeuchi promoted Corporal Nathan Hilkey to position of Sergeant. Nathan's wife was present and helped pin him.

2. Southwest District Health Director Nikki Zogg, and Lifeways Staff to present a budget request for the Western Idaho Community Crisis Center

Nikki gave a presentation of the Western Idaho Community Crisis Center and said she would be asking the City to consider donating funds for the Center in the future.

Discussion Items

1. Presentation to Council regarding Greater Middleton Parks and Recreation District acquiring an unimproved park in Falcon Valley. – Tim O'Meara

Greater Middleton Parks and Recreation District Executive Director Tim O'Meara proposed a transfer of ownership of Viper Park (an undeveloped City park site in Falcon Valley) to GMPRD. GMPRD would like to improve the land and then use it as recreational soccer fields. City Council discussed possible conflicts because the taxing districts do not align, and they would like to know the value of the land. They requested staff do more research on the value of the gift, the plan for the park, and how much bigger is the GMPRD. Becky said the reason the park has not been developed is because there is no access currently to the park due to the phasing of the subdivision. Bruce said we also need to look at the Development Agreement before a decision be made. As this was a discussion item, there was no action taken.

Action Items

- 1. Consent Agenda (items of routine administrative business)**
 - a. Consider approving minutes for Council's July 15, 2020 regular meeting and July 21, 2020 special meeting.**
 - b. Consider ratifying July 31, 2020 payroll in the amount of \$ 88,079.85 and accounts payable thru July 27, 2020 in the amount of \$157,351.65**

Mayor Rule called and introduced the items Council President Kiser and gave a brief overview of the accounts payable. Council Member Huggins asked about a payment to Zenner, Becky clarified they are the new manufacturer that will be developing the new radio water meter reading system.

Motion: Motion by Council President Kiser to approve consent agenda items a and b. Seconded by Council Member Garner. Approved unanimously.

- 2. Public Meeting: Consider approving a request by Landmark Pacific Investors to approve a Preliminary Plat according to Middleton City Code 5-4-4, for Estates at West Highlands Subdivision consisting of 81 residential and 10 common lots on approximately 37.83 acres of vacant land. The subject property is located on the east side of Cemetery Road, north of Willis Road and immediately to the north of the existing Estates at Meadow Park Subdivision in Middleton, Idaho, commonly referred to as Canyon County Parcel No. R3757700000. Preliminary Plat for Estates at West Highlands – Bruce Bayne**

Mayor Rule called the item. Planning and Zoning Official Bruce Bayne read the Staff Report. He said the Traffic Impact Study (TIS) has been completed with the Applicant prorata share determined to be \$101,750.00, The City is not allowing any new subdivisions to be built with swales but will require curb and gutter or rolled curb.

Applicant: Wendy Scheriff of JUB Engineers – 250 S Beachwood, Boise, ID 83709 This will be a nice addition to the City. Proposing 81 homes, 12 Common Lots and 3.72 acres of common area. The density is 2.14 dwelling units per acre. The average size of the lots is larger than the minimum of 8,000 sq. ft. as they are 9,600 sq. ft. The property was annexed into the City in 2005. The proposed development meets all standards in the City Code. They have changed the phasing at the recommendation of City Staff. She said that some of the neighbors have expressed concern that the plat is different than the original proposed plat. That is true, because that original plat expired, they are submitting for a new plat. She would like to ask that the TIS agreed percentage on the intersection improvements be based on the current cost of such improvements at the time the Final Plat is submitted.

Mayor stated that a petition by residents may be considered at a future date and time, but not tonight.

Council Member Huggins asked Bruce to confirm that all the City Codes were met. Bruce said that yes, all codes and standards have been met and the applicant is not asking for any exceptions.

Motion: Motion by Council President Kiser to approve a request by Landmark Pacific Investors to approve a Preliminary Plat according to Middleton City Code 5-4-4, for Estates at West Highlands Subdivision, providing the applicant meet the remaining conditions by the Planning and Zoning Commission. Motion seconded by Council Member Huggins. Approved Unanimously by Roll Call Vote.

- 3. Public Hearing: Consider approving the proposed budget Fiscal Year 2021 (from October 1, 2020 to September 30, 2021) Pursuant to Idaho Code 50-1002 to consider adopting an annual appropriations ordinance. – Becky Crofts and Wendy Miles**

Mayor Rule called the Public Hearing open at 6:45 p.m. City Treasurer Wendy Miles reviewed the budget. She said after the July 21, 2020 Budget meeting she discovered that she had overstated the expenses in the General Fund. To fix that the following changes were made to the budget. Changed the capital line under the General Fund for paving the parking lot, lowered capital items in Parks. Because we do have an SRO contract with Middleton School District, the vacancy following a Police officer quitting will not be filled. We are increasing the amount of projected building permits by 20. We are removing a new hire in the Building department. The published budget was \$12,910,905. The current budget with the changes is \$12,906,757. She would like Council to consider adopting the Fiscal 2021-year budget as presented.

Mayor Rule opened for public comment at 6:50 p.m.

James Taylor: Neutral: 1052 Triumph Dr.
Asked if the Council and Mayor considered a cutback due to the current economic conditions? Was there a percentage across the board that was taken off?

Mayor Rule stated that there was not a percentage decrease, however they did pull some items out of the budget. Becky Crofts stated that it is standard practice for the City to take all revenues and reduce them by 5% and budget at 95% of anticipated revenue. Wendy also took the sales tax line and anticipated revenues forecasted from sales tax down considerably due to low sales, anticipated income due to Covid-19.

James Taylor asked if salaries were increased to the city employees and if so, what percentage was that increase?

Mayor Rule stated that some salaries were increased, some were not. There is a 1% increase budgeted, not given yet.

James asked if the City is considering laying off an officer if the City does not get a contract from the School District?

Mayor Rule said the City is not considering laying off an officer. One of the 9 officers have left the department, and that salary was removed from the budget. The Mayor said they are meeting with the School District. He thinks in the next month they will have some form of an agreement with the School District for some form of an SRO service to Middleton City, we don't know what that is at this time.

James said his big concern is that he doesn't like the City of Middleton supporting the other taxing districts when it is not benefiting directly the citizens of Middleton to 100%.

Council Member Huggins said that in answer to James question, did the City cut expenses, the answer is no. What we do is cut the revenue that is going to come in and then try to allocate where to spend it. So, it is phrasing it differently, and in a way, we do cut expenses because we are only going to spend less revenue than we think is coming in. Also, some of the funds that we get from the state were reduced, with transportation being 15%, due to the state saying we couldn't count on those funds. So yes, we did cut,

but it was done on the revenue side and then figuring out what we have to spend money on, and if there is anything left, what we might be able to spend money on.

James stated that the publication in the paper was not detailed at all so he couldn't understand the detail.

Becky Crofts stated that the City follows the state statute for posting requirements in the newspaper. If they were to publish the entire budget it could get very expensive. That being said the City budget is always available at City Hall as was published for anyone to come in and look at or receive a full copy of the budget.

Mayor Rule asked if it is easy to navigate to the budget on the City Website? Wendy stated that it is under public hearings is listed right there. He asked that it be easily found on the City website.

Rod Wickstrum: Neutral: 9630 W Golden View Dr. Star, ID 83616. He is a property owner in Middleton. He stated he was able to get the budget online from the website. According to his calculations it looks like the budget has gone up from last year with the new number approximately 11%. He said usually there is a state law that says the budget can only be increased by 3%, but that can be worked around with forgone revenue and new construction. How much of the new budget comes from foregone revenue and new construction?

Becky Crofts said the budget was increased by the 3% allowed by state statute for it to go up. The total budget increase could be due to some capital expenses in the water and sewer funds and not necessarily in the property tax revenues.

Rod asked on the Capital outlay 2021 budget of \$1.6 million, last year it was \$1.13 million. Of that the use was only \$230,000, is there a reason why that budget item has increased so much, since very little of that was used this past year?

Becky Crofts said he was looking at the Capital Outlay in the streets department. The 2.32 million also has a lot built into that line. The city had anticipated that construction on S. Cemetery Road would begin this year. That state and local agreement has not come to the City yet. That agreement is about \$286,000. So, you will see that line carried forward in this budget coming up next year. Another reason for that line being so high is there is a contribution to a stoplight, \$350,000. If you take that number down by \$297,000 you will see that \$350,000 in the revenue line that has not been received yet, and therefore cannot be spent. That is a proportionate share amount that will come to the City for the Hartley stoplights that will come in with West Highlands. That money will be saved this year and will be moved forward into about 2023, when that stoplight will actually be constructed. The other part is about \$154,000 that was carried forward from the prior year into this year, also for the Hartley stoplight that is part of the \$1.5 million. Part of the \$154,000 is before City Council tonight to be allocated for a span-wire stoplight that ITD has requested the City put in the meantime while it is waiting for the permanent stoplight to be funded. As we project those funds to be received in revenue, we have to make sure city revenue funds balance. So, we have to put them in a capital

expense even if we are planning on saving them or carrying them forward for two to three years.

Rod asked how much of the budget came from foregone revenue and how much came from new construction?

Becky said there is \$0 foregone, the City took its forgone last year, new construction role was about \$250,000.

Mayor Rule closed the public comment portion at 7:03 p.m.

Motion: Motion by Council President Kiser to approve the proposed budget for Fiscal year 2021 Pursuant to Idaho Code 50-1002 in the amount of \$12,906,757. Seconded by Council Member Garner. Approved unanimously by Roll Call Vote.

Mayor closed the public hearing at 7:04 p.m.

4. Public Hearing: Consider Adopting Resolution 443-20 to amend Middleton City comprehensive plan to include the capital improvement plan for Caldwell Fire Department and Caldwell Rural Fire Protection District for the purpose of collecting impact fees. – Becky Crofts

Mayor Rule called the item and opened the public hearing at 7:05 p.m.

Becky Crofts said the public hearing before Council is for the resolution which adopts the Caldwell Fire Department and Caldwell Rural Fire Protection District capital improvement plan into the City as was reviewed by Planning and Zoning who approved it, and now it is before Council for adoption so that we can move forward in proposing to collect an impact fee. It is one of the steps that is necessary in creating an ordinance and adopting fees for impact fees. Before Council tonight is to adopt the Capital Improvement plan into the City of Middleton's Comprehensive Plan. This is one step that was missed back in December 2019 when Council was considering Middleton Rural Fire capital improvement plan. Council adopted the capital improvement plan for Middleton Rural Fire and the capital improvement plan for Greater Middleton Parks and Recreation District. This capital improvement plan was overlooked and needs to be corrected if we are going to move forward considering adoption of impact fees for that jurisdiction.

City Attorney Chris Yorgason stated that last fall when Council was going through the various public hearings, what happened was when the impact fee committee met at the end of October we had the capital improvement plans (CIP) for the Middleton Fire District, the Greater Middleton Parks and Recreation District and the City Transportation and Parks fees and reviewed those and those went to Planning and Zoning in November and it was shortly after that we realized we had missed the Caldwell CIP. By the time that was submitted to the impact fee advisory committee and circulated via email and had comments added by mid-November we had missed the Planning and Zoning Meeting for all the other capital improvement plans so when it came to the Council in November, even though the impact advisory committee had reviewed the Caldwell CIP,

it hadn't gone through Planning and Zoning, which is why it wasn't able to be adopted when the others were. It has now been reviewed by the Impact Committee, it was reviewed at the end of October, beginning of November. The comments look to be appropriate and reflect that they have met all the statutory requirements and would be appropriate to adopt if the City chooses to.

Council Member Huggins asked for clarification of the location/area covered by Caldwell Fire that is in the City limits. Becky Crofts stated it is the area south of the Boise River. Middleton Fire goes to the River, Caldwell Fire is south of the river. We have the Rule Steel area that is south. When building permits come in for that area the City works with Caldwell Fire for approval of those permits. Bruce Bayne said that the area goes all the way down to Lincoln south of the river and one mile each side of Middleton Road. That is the area in the current Middleton City impact area.

Chris Yorgason added that this capital improvement plan is for both City of Caldwell Fire and the Caldwell Fire District. The reason for that is those two entities work together and they share resources. The impact fees will go to the Caldwell District, but administratively and with shared resources it is combined and that is why it looks a little different than it would otherwise.

Mayor Rule opened the public comment portion at 7:10 p.m.

Bill Gigray: In Favor: 5700 E. Franklin Rd, Nampa Idaho. He is an attorney representing Caldwell Rural Fire Protection District. He agrees with the staff explanation of why this is before Council. Fire districts cross jurisdictional boundaries in this area. With all the growth, it is all intermixed. Cities that don't have fire departments, the fire service is provided by the Fire District not by the City. In order for the District to get Impact fees it has to work with all the jurisdictions that can do impact fees in order to obtain them.

Mayor Rule closed the public comment portion at 7:14 p.m.

Motion: Motion by Council President Kiser to adopt Adopting Resolution 443-20 to amend Middleton City comprehensive plan to include the capital improvement plan for Caldwell Fire Department and Caldwell Rural Fire Protection District for the purpose of collecting impact fees. Motion seconded by Council Member O'Meara. Approved unanimously by Roll Call Vote.

Mayor Rule closed the public hearing at 7:15 p.m.

5. **Consider approving Amended Resolution 2019-436 City of Middleton/Middleton Rural Fire District Intergovernmental Agreement and Joint Powers Agreement for the Collection and Expenditure of Development Impact Fees for Fire District Systems Improvements. – Becky Crofts**

6. **Consider adopting Ordinance No. 634: AN ORDINANCE AMENDING THE CITY OF MIDDLETON CITY CODE BY THE ADDITION OF A NEW CHAPTER 18 TO TITLE 1 PROVIDING FOR MIDDLETON RURAL FIRE DISTRICT DEVELOPMENT IMPACT FEES, PROVIDING FOR: SHORT TITLE, APPLICABILITY, FINDINGS AND PURPOSE; DEFINITIONS; IMPOSITION OF FIRE DISTRICT IMPACT FEE; COLLECTION OF FIRE DISTRICT IMPACT FEES; EXEMPTIONS; PROCESS FOR**

INDIVIDUAL ASSESSMENT; DEVELOPER CREDITS AND REIMBURSEMENTS; METHODOLOGY FOR CALCULATION OF FIRE DISTRICT IMPACT FEES; EXTRAORDINARY IMPACTS; FEE PAYER REFUNDS; ESTABLISHMENT BY THE FIRE DISTRICT OF AN IMPACT FEE TRUST FUND AND TRUST ACCOUNTS; USE AND EXPENDITURE OF FIRE DISTRICT IMPACT FEES; APPEALS, PROTEST AND MEDIATION; PERIODIC REVIEWS OF THE CAPITAL IMPROVEMENTS PLAN; ANNUAL AUDIT; THE JOINT DEVELOPMENT IMPACT FEE ADVISORY STANDING COMMITTEE; ENFORCEMENT AND COLLECTION; THE CITY AND FIRE DISTRICT INTERGOVERNMENTAL AGREEMENT; MISCELLANEOUS PROVISIONS; PUNISHMENT FOR VIOLATIONS OF THE ORDINANCE; CONSTRUCTION OF ORDINANCE INTENT; and PROVIDING AN EFFECTIVE DATE AND PUBLICATION.

– Becky Crofts

- 7. Consider approving Amended Resolution 2019-438 City of Middleton/Caldwell Rural Fire Protection District/City of Caldwell/Canyon County Intergovernmental Agreement and Joint Powers Agreement for the Collection and Expenditure of Development Impact Fees for Fire District Systems Improvements. – Becky Crofts**

- 8. Consider adopting Ordinance No. 635: AN ORDINANCE AMENDING THE CITY OF MIDDLETON CITY CODE BY THE ADDITION OF A NEW CHAPTER 19 TO TITLE 1 PROVIDING FOR CALDWELL RURAL FIRE PROTECTION DISTRICT DEVELOPMENT IMPACT FEES, PROVIDING FOR: SHORT TITLE, APPLICABILITY, FINDINGS AND PURPOSE; DEFINITIONS; IMPOSITION OF FIRE DISTRICT IMPACT FEE; COLLECTION OF FIRE DISTRICT IMPACT FEES; EXEMPTIONS; PROCESS FOR INDIVIDUAL ASSESSMENT; DEVELOPER CREDITS AND REIMBURSEMENTS; METHODOLOGY FOR CALCULATION OF FIRE DISTRICT IMPACT FEES; EXTRAORDINARY IMPACTS; FEE PAYER REFUNDS; ESTABLISHMENT BY THE FIRE DISTRICT OF AN IMPACT FEE TRUST FUND AND TRUST ACCOUNTS; USE AND EXPENDITURE OF FIRE DISTRICT IMPACT FEES; APPEALS, PROTEST AND MEDIATION; PERIODIC REVIEWS OF THE CAPITAL IMPROVEMENTS PLAN; ANNUAL AUDIT; THE JOINT DEVELOPMENT IMPACT FEE ADVISORY STANDING COMMITTEE; ENFORCEMENT AND COLLECTION; THE CITY AND FIRE DISTRICT INTERGOVERNMENTAL AGREEMENT; MISCELLANEOUS PROVISIONS; PUNISHMENT FOR VIOLATIONS OF THE ORDINANCE; CONSTRUCTION OF ORDINANCE INTENT; and PROVIDING AN EFFECTIVE DATE AND PUBLICATION. – Becky Crofts**

- 9. Consider approving Resolution 445-20 City of Middleton/Canyon County/Greater Middleton Area Recreation District Interagency Contract for Parks and Recreational Facilities Impact Fees Administrative Services [An Interagency Contract and Joint Powers Agreement] – Becky Crofts**

- 10. Consider adopting Ordinance No. 636: AN ORDINANCE AMENDING THE CITY OF MIDDLETON CITY CODE BY THE ADDITION OF A NEW CHAPTER 20 TO TITLE 1 PROVIDING FOR GREATER MIDDLETON AREA RECREATION DISTRICT PARKS AND RECREATIONAL FACILITIES DEVELOPMENT IMPACT FEES, PROVIDING FOR: SHORT TITLE, APPLICABILITY, FINDINGS AND PURPOSE; DEFINITIONS;**

IMPOSITION OF GREATER MIDDLETON AREA RECREATION DISTRICT PARKS AND RECREATIONAL FACILITIES DEVELOPMENT IMPACT FEES; COLLECTION OF GREATER MIDDLETON AREA RECREATION DISTRICT PARKS AND RECREATIONAL FACILITIES DEVELOPMENT IMPACT FEES; EXEMPTIONS; PROCESS FOR INDIVIDUAL ASSESSMENT; DEVELOPER CREDITS AND REIMBURSEMENTS; METHODOLOGY FOR CALCULATION OF PARKS AND RECREATIONAL FACILITIES DEVELOPMENT IMPACT FEES; EXTRAORDINARY IMPACTS; FEE PAYER REFUNDS; ESTABLISHMENT OF GREATER MIDDLETON AREA RECREATION DISTRICT PARKS AND RECREATIONAL FACILITIES JOINT DEVELOPMENT IMPACT FEE CAPITAL PROJECTS TRUST FUND - TRUST B and TRUST ACCOUNTS; USE AND EXPENDITURE OF GREATER MIDDLETON AREA RECREATION DISTRICT PARKS AND RECREATIONAL FACILITIES DEVELOPMENT IMPACT FEES; APPEALS, PROTEST AND MEDIATION; PERIODIC REVIEWS OF THE CAPITAL IMPROVEMENTS PLAN; ANNUAL AUDIT; THE JOINT DEVELOPMENT IMPACT FEE ADVISORY STANDING COMMITTEE; ENFORCEMENT AND COLLECTION; THE CITY AND COUNTY INTERGOVERNMENTAL AGREEMENT; MISCELLANEOUS PROVISIONS; PUNISHMENT FOR VIOLATIONS OF THE ORDINANCE; CONSTRUCTION OF ORDINANCE INTENT; and PROVIDING AN EFFECTIVE DATE AND PUBLICATION.
– Becky Crofts

- 11. Consider approving Resolution 444-20 City of Middleton/Canyon County Intergovernmental Agreement with and Joint Powers Agreement for the Development of Joint Plans for Capital Improvements and to Collect and Expend Development Impact Fees for Parks and Recreational Facilities System Improvements. – Becky Crofts**

Mayor Rule stated that items 5 -11 will need to be tabled to a future date.

City Administrator Becky Crofts explained that Bill Gigray ask the items to be tabled because when the City noticed the public hearing tonight for Ordinance 626, Ordinance 626 was before the Council back in December 2019. That was one ordinance that adopted all three impact fees for Greater Middleton Parks, Middleton Fire and Caldwell Fire. That ordinance was not published. We were waiting on additional information from Canyon County who still has not decided. As the City Attorney, Bill and Becky were discussing we want to bring those ordinances back to Council individually and separately, rather than in one ordinance together. We have worked to split those ordinances apart. Those items were not noticed appropriately for a public hearing. We want to make sure it is noticed 100% correctly and all the documents are correct. So that if the Council decided to move forward with these impact fees, everything was done consistent to state law.

Motion: Motion by Council President Kiser to table agenda Items 5,6,7,8,9,10 and 11 to the regularly scheduled 1st meeting in September, Sept 2nd. Seconded by Council Member Huggins. Approved unanimously.

12. Consider approving a quote from Oldcastle Infrastructure for concrete junction boxes located on drip tape line manifold at re-use farm in an amount not to exceed \$8,484.00. – Bruce Bayne

Mayor Rule called the item. Public Works Superintendent Bruce Bayne explained the need for the concrete junction boxes (which will be a city install) to connect the reuse line up.

Motion: Motion by Council President Kiser to approve a quote from Oldcastle Infrastructure for concrete junction boxes located on drip tape line manifold at re-use farm in an amount not to exceed \$8,484.00. Seconded by Council Member O'Meara. Approved unanimously.

13. Consider approving a quote for sign permit from Lytle Signs for the Police Building in an amount not to exceed \$2,877.00. – Becky Crofts

Mayor Rule called the item. City Administrator Becky Crofts explained the City received two quotes, Lytle Signs was the lower quote. This will replace the letters LAB with POLICE. The old letters will be returned to the library as they are property of the library.
The police have moved into building.

Motion: Motion by Council President Kiser to approve a quote for sign permit from Lytle Signs for the Police Building in an amount not to exceed \$2,877.00. Seconded by Council Member Garner. Approved unanimously.

14. Consider awarding contract to Irminger Construction, Inc for the Pilot Study Project in the amount not to exceed \$366,546.00. – Bruce Bayne

Mayor called the item. Public Works Superintendent Bruce Bayne explained that this project will supply the water to the pumps, filter and 18-inch pipeline which will feed the re-use water. It does both pumping, sand filter has the main line and there is also supplemental water that we can get from Mill Slough to bring in water as well as the reuse water we plan on using. The City received 3 bids, Irminger was the lowest bidder. This will be the second to last project needed to be done to actually get the water re-use working. There will be a small project for the pumps. Seeding will start in approximately a weeks' time, the farmer just took off the first crop of wheat on the City farm. As soon as that is done, we will be seeding it to alfalfa to be ready for when the lines are in. Becky added that as soon as the City had a contractor selected with the low bid one of the first meetings scheduled was with her, Bruce, the Mayor, the Engineer who designed the project – Mike with Civil Dynamics and Contractor – Travis. The purpose of that meeting was to value engineer the project and explore any ways to cost reduce the project. We identified one small change going from a 5 ft depth to a 4 ft depth as far as trenching and a few electrical changes, so due to the meeting the first change order that will come in should reduce the project by about \$20,000. She wanted to make Council aware that City Staff does take absolutely every opportunity to save tax-payer dollars and to get the best possible product for the project going forward and keep the cost as low as possible.

Motion: Motion by Council President Kiser to award the contract to Irminger Construction, Inc for the Pilot Study Project in the amount not to exceed \$366,546.00. Motion seconded by Council Member O'Meara. Approved unanimously.

15. Consider approving Request for Supplemental Engineering Services No. 3 Hartley Lane and SH44 Intersection – Project No. 18015 in and amount not to exceed \$20,000.00 – Becky Crofts

Mayor Rule called the item. City Administrator Becky Crofts explained that the Mayor and City Staff have been meeting with ITD on the intersection control at SH44 and Hartley. What is proposed is a stoplight that will cost 1 million dollars. The City does not have the money to fund that stoplight. ITD would like the City to move forward in some capacity as soon as is possible. Caleb Lakey from ITD has agreed to allow the City to put up a span-wire signal which is a very cost reduced signal not typically used for long term intersection control. This requires some engineering, some positioning and specs to be drawn up. We are thinking we can do that for \$154,000 including this amount to get that light up and functional as soon as possible. ITD is willing to donate some materials to the project because they would really like to see this moved forward. We anticipate this will be less than \$100,000 project and therefore not require a public bid opening. Through Joel Grounds of Precision Engineering we have contacted both agencies in the valley that do this work, Power Plus and Quality Electric, City will likely go with Power Plus as Quality Electric is currently doing the Amazon building. We are looking at October as an installation time frame. The request is for the amount not to exceed \$20,000 for Joel Grounds of Precision Engineering to get the plans and specifications ready to go.

Mayor Rule mentioned that this is a temporary solution for SH44 of Hartley and likely the permanent solution won't be for 2-3 years. He appreciates ITD working with the City to allow something to go in there. But there are turn lane problems which will require some expansion and possible change in the future. This temporary solution will take care of ITD's requirements now.

Motion: Motion by Council President Kiser to approve the Request for Supplemental Engineering Services No. 3 Hartley Lane and SH44 Intersection – Project No. 18015 in and amount not to exceed \$20,000.00. Motion seconded by O'Meara. Approved unanimously.

Public Comments, Mayor Comments, Council Comments:

Angela Priest: 222 W Meadow Creek Way. She is disappointed in City Council tonight. She is concerned because on Cemetery Road there are 3 new subdivisions going in. She wonders how accurate traffic studies done during Covid-19 can be. She said Wendy Schrief from JUB Engineers misrepresented in her verbal comments and probably documents submitted to the Council the feedback that was actually share by the existing residents at the Estates at Meadow Park. We know that land will be developed, the concern is that there is a two-lane road coming into the existing neighborhood that originally was planned to be extended. However, the new developer is changing the traffic pattern so that the street she lives on will now be a main thoroughfare with traffic

into the new neighborhood. She said that wasn't ever adequately represented as a huge concern of the existing residents. She said the main concerns from the neighbors is the changed traffic pattern and that the residents don't feel they have been able to voice their concerns directly to the Council.

Mike Graefe: 1889 Ridge Way. Please be careful and scrutinize what is happening on the Estates at West Highlands to make sure the irrigation system is addressed and doesn't cause problems with the West Highlands Subdivision and the Estates at Meadow Park. He asked questions about public hearing process on Final Plat. Bruce said there is no public hearing on final plats. At the final plat procedure, the construction is fully complete other than the homes. All the infrastructure, road systems, and utilities are in. He asked for clarification on the road going into Stonehaven with access off of Willis. Bruce explained there is a 60 ft Right of Way collector road from the entrance though the commercial property and then goes down to a 50 ft road once it gets to the residences. The Right of Way includes the roads, the sidewalks and usually at least one or two feet outside of that, in some cases a lot more.

Greg Priest: 222 W Meadow Creek Way. He asked when the public comment was made available for the plat for the Estates at West Highlands, and did Council know that the developer doubled the lots in that area and the lots are half the size of the original lots?

Bruce said he was not at the City when the public hearings were done. But they would have had to have been done when the initial project was annexed into the City from the County. Becky Crofts was not at the City either because it happened before 2012. The annexation happened in 2005. Mayor Rule said a lot of new people have shown up since those public hearings were held. Bruce said the zoning is R-3 and the developer could have put in a lot more homes than what he has. The density is 2.14 homes per gross acre the way it was approved. That is a lot less than 3. They have a lot larger lots, and a lot fewer homes than what the developer could have done per right. He also said their common space is 9.8%. They are only required to do 5%. They could have reduced that common space and built more lots. In this case this developer has done a lot to leave the lot sizes large. He understands they are smaller than the lots to the south, but the lot size is all within the rights of R-3 zoning. The minimum lot size of R-3 zoning is 8,000 square feet. The smallest lot in this development is about 9,000 square feet and there is a lot in there that is 21,000 square feet. There was no development agreement that was done with the original project. If there would have been then the developer would have had to stay with those requirements that were done in a development agreement. The City has done everything correctly and the developer has not built up to the maximum amount of lots allowed.

Mayor Rule said if he goes back in his memory, he had left City Council and he thinks the public hearings happened sometime in 2008-2009, he wants the Priest's to know the Mayor and Council have heard the disappointment expressed. He just wants them to know current City Staff and Council were not a part of those hearings.

Council Member Garner gave an update on the School District. They have gone to a pay to play program. Middle School \$100 and High School \$200.

Council Member O'Meara asked if the Mayor has a timeline for the restriping of the intersection of SH44 and Middleton Rd. Mayor said he was in contact with ITD late last week. It is planned and approved, and it is on an agenda. We do not have an ETA.

Mayor Comments: Mayor, Becky and Bruce had a meeting which prompted them to readdress the Transportation Map. We brought in Joel Grounds, the Middleton traffic engineer to take a functional, common sense approach to what Middleton's Map should look like. The map is being redrawn now, will go to P&Z to let them approve it and then it will come before City Council so that there will be a record and a true Transportation Map that is adopted and approved by P&Z.

Adjourn: Mayor Rule adjourned the meeting at 7:51 p.m.

ATTEST:

Steven J. Rule, Mayor

Jennica Reynolds, Deputy Clerk
Minutes Approved: August 19, 2020

1c



CITY OF MIDDLETON

City Council

Estates at West Highlands Subdivision

April 15, 2020 Application

August 5, 2020 City Council Review

August 19, 2020 City Council Approval

Findings of Fact, Conclusions of Law, and Decision

SUMMARY OF THE REQUEST

Consider a request by Landmark Pacific Investors to approve a Preliminary Plat according to Middleton City Code 5-4-4, for Estates at West Highlands Subdivision consisting of 81 residential and 12 common lots on approximately 37.83 acres of vacant land. The subject property is located on the east side of Cemetery Road, north of Willis Road and immediately to the north of the existing The Estates No. 1 at Meadow Park subdivision in Middleton, Idaho, commonly referred to as Canyon County Parcel No. R37577.

FINDINGS OF FACT

1. **APPLICANT:** The applicant is Landmark Pacific Investors.
2. **APPLICATION:** The application was accepted by the City on April 15, 2020.
3. **APPLICABLE CODES AND STANDARDS:** The ordinances and standards used in evaluating the application are:
Idaho Code Title 67, Chapter 65
Middleton City Code, (MCC) 1-14-2, 1-15-1, 5-4-3 and 5-4-4
Idaho Standards for Public Works Construction (ISPWC)
Middleton Supplement to the ISPWC
Middleton Comprehensive Plan and Maps
4. The subject property was annexed in 2005 and is zoned R-3, three residential units per gross acre. The proposed preliminary plat complies with that zoning density standard.
5. Proposed lots range in size from 9,600 to 21,367 square feet.
6. Road names are still to be confirmed so that the plat meets MCC 5-4-10-2.J.2.
7. A neighborhood meeting was held.
8. Cluster mailboxes are required and shown per correspondence from the Middleton Postmaster and the United States Postal Service regional office.
9. MCC requires developers to prepare and submit for city approval a traffic analysis TIS and payment of the proportionate share of traffic impacts at intersections. This is noted as a condition of approval.



CITY OF MIDDLETON City Council

10. The City engineer provided comments on June 15, 2020. The applicant has revised the plat to accommodate these comments.
11. **Written Agency Responses Received to Date:** Black Canyon Irrigation District.
12. **Written Comments from Landowners to Date:** Several landowners have submitted letters to the city in opposition to this subdivision, with the following areas of concern:
 - Smaller lots than originally proposed for this property.
P&Z response – the original plat for this property expired and the landowner needs to meet current R-3 zoning
 - Barricade off existing streets so that they do not go through
P&Z response – the existing streets which were not finished with the initial phase will be connected to become through streets. The city already has problems where existing streets dead end for utilities, police, fire, ambulance.
 - HOA standards may not be consistent.
P&Z response – the City is NOT a signature on any HOA documents and their requirements cannot be imposed by the City as such. The City MUST comply with City, State and Federal codes, only.
 - Size of homes and lots and all things promised previously.
P&Z response – the City did not enter into a development agreement on the previous project that was built and the proposed second phase where the preliminary plat has since, long expired. The City is mandated by State law and follows current zoning requirements in place when an applicant submits for a land use permit which is exactly what the City will do and has done for this preliminary plat.
 - Grade difference between this subdivision and adjoining property
P&Z response – the City engineer will review all grading requirements when the construction plans are submitted.

CONCLUSIONS OF LAW

Notice of the application was given according to law. The City Council public meeting was conducted according to law, and the City has kept a record of the application and related documents.



CITY OF MIDDLETON City Council

DECISION

The Middleton City Council approved the requested preliminary plat for Estates at West Highlands Subdivision, with the following conditions of approval:

- A. City of Middleton municipal domestic water, fire flow and sanitary sewer services are extended to serve the subdivision.
- B. City approved TIS included payment of pro-rata share of transportation improvements (CC-5-4-4-A-2-r) which is \$101,750 at all City required intersections before final plat approval of the first phase.
- C. Applicant completes all required street improvements.
- D. Corrections identified by the City Engineer and Planning and Zoning Official are completed.
- E. Requirements of Middleton Rural Fire are incorporated.

MOTION TO APPROVE BY CITY COUNCIL ON: August 5, 2020.

NOTICE

This decision is deemed by Idaho law to be a final decision. An affected person aggrieved by a final decision may within twenty-eight (28) days after all remedies have been exhausted under local ordinances seek judicial review as provided by chapter 52, title 67, Idaho Code. The applicant has a right in writing to request in writing to the city a regulatory taking analysis pursuant to section 67-8003, Idaho Code.

August _____, 2020.

Steven J. Rule, Mayor

Attest:

Bruce Bayne
Planning and Zoning Official

1d



CITY OF MIDDLETON

City Council

Carlton Meadows Subdivision

April 14, 2020 Application

July 1, 2020 City Council Review

August 19, 2020 City Council Approval

Findings of Fact, Conclusions of Law, and Decision

SUMMARY OF THE REQUEST

Consider a request by Elder LLC, Mike Holman to approve a Preliminary Plat according to Middleton City Code 5-4-4, for Carlton Meadows Subdivision consisting of approximately 66 residential and 6 common lots on approximately 18.29 acres of vacant land. The subject property is located on the east side of Hartley Ln., West side of Whiffin Ln., south of Main St (State Hwy 44) approximately 550' in Middleton, Idaho, commonly referred to as Canyon County Parcel No. R17610018A.

FINDINGS OF FACT

1. **APPLICANT:** The applicant is Elder LLC, Mike Holman.
2. **APPLICATION:** The application was accepted by the City on April 14, 2020.
3. **APPLICABLE CODES AND STANDARDS:** The main ordinances and standards used in evaluating the application are as follows:
Idaho Code Title 67, Chapter 65
Middleton City Code, (MCC) 1-14-2, 1-15-1 and 5-4-4
Idaho Standards for Public Works Construction (ISPWC)
Middleton Supplement to the ISPWC
Middleton Comprehensive Plan and Maps
4. The subject property was annexed and originally platted in 2006 and is zoned R-4, four residential units per gross acre. The proposed preliminary plat complies with that zoning density standard.
5. The proposed lots sizes are shown.
6. Road names have been completed and verified.
7. A neighborhood meeting was held.
8. Cluster mailboxes are required to be shown on the plat per correspondence from the Middleton Post Master and the United States Postal Service regional office.
9. MCC 5-4-3 requires developers to prepare and submit for city approval a traffic analysis and payment of proportionate share of traffic impacted intersections. This requirement has been met.

Findings, Conclusions, and Decision

Carlton Meadows Subdivision Preliminary Plat – City Council August 19, 2020

Page 1 of 2



CITY OF MIDDLETON City Council

CONCLUSIONS OF LAW

Notice of the application was given according to law. The City Council public meeting was conducted according to law, and the City has kept a record of the application and related documents.

DECISION

The Middleton City Council approved the request for the preliminary plat of Carlton Meadows Subdivision, with the following conditions of approval:

1. Acquire Middleton Rural Fire district approval.
2. The applicant will be required to make street improvements to both Whiffin Lane and Hartley Lane, per City Code.
3. The applicant will pay \$82,500 for their pro-rata share of traffic improvements at requested intersections before final plat approval.
4. Extend sanitary sewer and domestic water to and through this subdivision to accommodate for future surrounding developments per City Code.
5. The applicant will pay \$50,445 for their pro-rata share of the 30" Hartley sanitary sewer trunk line improvements before final plat approval.

MOTION TO APPROVE BY CITY COUNCIL ON: July 1, 2020.

NOTICE

This decision is deemed by Idaho law to be a final decision. An affected person aggrieved by a final decision may within twenty-eight (28) days after all remedies have been exhausted under local ordinances seek judicial review as provided by Title 67, Chapter 52, Idaho Code. The applicant has a right to request in writing to the City a regulatory taking analysis pursuant to section 67-8003, Idaho Code.

August _____, 2020.

Steven J. Rule, Mayor

Attest:

Bruce Bayne
Planning and Zoning Official

1e



CITY OF MIDDLETON City Council

VALHALLA COUNTRY ESTATES SUBDIVISION

Sept 5, 2019 Application

Sept 9, 2019 P&Z Meeting

Nov 20, 2019 City Council Meeting

Findings of Fact, Conclusions of Law, and Recommendation

SUMMARY OF THE REQUEST

A request by KCRJ, LLC to approve the Amended Preliminary Plat for Valhalla Country Estates Subdivision on 51.6 acres at the southwest corner of Purple Sage Road and Middleton Road, Middleton, Idaho: to allow for revisions to phases 3 and 4 to include an additional 9 lots total, including detached 5' wide concrete sidewalks in the revised phases.

FINDINGS OF FACT

1. **APPLICANT:** The applicant is KCRJ, LLC.
2. **APPLICATION:** The application was accepted by the City on Sept. 05, 2019.
3. **APPLICABLE CODES AND STANDARDS:** The ordinances and standards used in evaluating the application are:
 - Idaho Code Title 67, Chapter 65, especially 67-6512
 - Middleton City Code (MCC) 1-14-5; 1-15-1, 2 and 5; 5-4-3 and 4
 - Idaho Standards for Public Works Construction (ISPWC)
 - Middleton Supplement to the ISPWC
 - Middleton Transportation, Schools and Recreation Map, 12-20-2018 version
5. The request provides in-fill housing improvements on vacant land that was platted in 2006 as The Pines at Meadow Park Phases 2 and 3. Road, drainage, water and wastewater improvements were constructed before the economic recession in 2008, but no final plat was recorded, and the preliminary plat expired. The applicant is resuming this subdivision as Valhalla Subdivision and following the same procedures the city required for The Pines Phase 1, Powder River Phase 2, and The Crossings Phase 1, which were all resumed since 2013.
6. The applicant is requesting to amend the approved preliminary plat for Valhalla subdivision. Staying within the density and minimum lot size requirements of the existing R-3 zoning the applicant is requesting to add 9 additional lots. The adjoining street section in the affected phases will be revised to include a detached 5' wide



CITY OF MIDDLETON City Council

concrete sidewalk per City standards.

7. The applicant has noted that the amendment will not adversely impact the revised site drainage in the affected phases, therefore, revised drainage calculations were not completed.

8. The applicant has chosen not to revise the traffic impact study. As such the one currently on file with the City will dictate in determining the applicant's pro-rata share of transportation improvements and associated costs.

9. The Planning and Zoning Commission, after notice and hearing, recommended that City Council approve the request.

10. The City Engineer provided comments on September 9, 2019. And per the condition with the recommendation to approve the amended preliminary plat from Planning and Zoning, the applicant completed all the City Engineer's review comments.

11. Granting this application will not be detrimental to the public health, safety or welfare and is not in conflict with public interest.

CONCLUSIONS OF LAW

Notice of the application was given according to law. The City Council considered the application at a noticed, regularly scheduled meeting. The public meeting was conducted according to law, and the City has kept a record of the application and related documents.

RECOMMENDATION

Based on the Findings of Fact and Conclusions of Law, the City Council approved the Amended Preliminary Plat for Valhalla Country Estates Subdivisions.

August _____, 2020.

Steven J. Rule
Mayor

Attest:

Bruce Bayne
Planning and Zoning Official

5. Consider approving an amended preliminary plat for Valhalla Country Estates Subdivision.

Mayor Taylor called and introduced the agenda item, and asked if anyone in the audience would like to speak to the agenda item. The representative for Valhalla Country Estates Subdivision Joe Pauchner advised council the only amendments were adding sewer and water easements to the preliminary plat.

Motion: Motion by Council President Kiser to approve the amended preliminary plat for Valhalla Country Estates and was seconded by Council Member Furner and **carried unanimously.**

6. Consider amending Lots 1 and 2 Block 1, and Lots 1 and 2 Block 3, of the final plat for Western Pines Subdivision to show the emergency turnaround location where it was constructed.

Mayor Taylor called and introduced the agenda item, and asked if anyone in the audience would like to speak to this agenda item: none.

Motion: Motion by Council President Kiser to approve the amendments was seconded by Council Member Garner and carried unanimously.

7. Consider ratifying mayor's determination that relocation of the pathway from the north side to the south side of Phase 1 lots in Blue Meadows Subdivision No. 1 is not a material change that requires amendment of the preliminary plat.

Mayor Taylor called and introduced the agenda item, and asked if anyone in the audience would like to speak to the item: several people in the audience came and voiced their concerns about moving the pathway from the north side to the south side of the Phase 1 lots in Blue Meadows Subdivision No. 1: Scott Gordon, Kevin Bishop, Sherry Martin, Coleen Bishop, Spencer Wright, Farris Smotherman, Mark Christianson, Dr. Ron Crawford, and Debbie Caruthers.

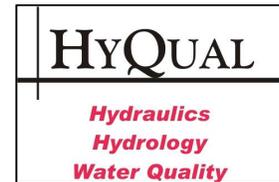
Motion: Motion by Council President Kiser to ratify the mayor's determination that the relocation of the pathway from the north side to the south side of Phase 1 lots in Blue Meadows Subdivision No. 1 is not a material change that requires amendment of the preliminary plat, was seconded by Council Member Garner and carried unanimously.

Mayor Taylor recessed the meeting at 7:41 p.m. and resumed the meeting at 7:44 p.m.

8. Consider approving an Agreement for Professional Services with JUB Engineers Inc. to design approximately 1,320 lineal feet of sewer to Emmett Road from its current location near the southeast corner of Middleton High School.

Mayor Taylor called and introduced the agenda item, and asked if anyone in the audience would like to speak to the item: none.

Motion: Motion by Council President Kiser to approve the Agreement for Professional Services with JUB Engineer's Inc. was seconded by Council Member Furner and carried unanimously by roll call vote.



Middleton Water Quality Permitting and Natural Treatment Planning for FY2020: Additional Budget Request

Submitted by: Dr. Jack Harrison, HyQual. P. A.

Submitted on: August 10, 2020

Overview

HyQual has been providing support for Middleton’s ongoing water quality permitting and natural treatment planning. This work includes tasks to support the City during:

- IPDES permit negotiations with DEQ
- Middleton Farm Planning and Reuse Pilot Study Design
- Mill Slough natural treatment implementation planning and study design, and offset permitting

An estimated project budget for FY2020 with a timeframe of 6 to 8 months was approved for work beginning October 1, 2019 (Tables 1 and 2). The primary focus during this period was on IPDES permit negotiations, and design and approval of reuse pilot study for the treatment of phosphorus. Work has continued under this budget for 10 months. At this time, an additional budget with an increased focus on temperature treatment is proposed for the remaining 2 months of FY2020.

Table 1 Summary of budgets for Fy2020

Detailed Budget Estimates

FY2020	
Approved 2020 Budget (for 6 to 8 months)	\$54,000
Spent as August 1, 2020	\$52,767
Remaining	\$1,233

Proposed Additional FY2020 Budget (for 2 months)	\$11,500
Total Budget for FY 2020	\$65,500
Total available through end of FY2020	\$12,733

FY2020 Budget Spent

The FY2020 budget spent through July 31, 2020 is shown in Table 2. As shown, much of the effort to date has been spent to prepare the Work Plan and associated documents for DEQ approval of Middleton Farm Pilot Study. If this pilot study is successful, then much of the Middleton’s current and future wastewater will be treated by this innovative approach to reuse.

Table 2 FY2020 budget and amounts billed to date (as of July 31, 2020)

Water Quality Permitting and Natural Treatment Planning for FY2020

Billing Summary Budget Authorized 9-26-19	PO# 2019087	Spent	%
	** Billings through: Jul 31, 2020	\$52,767	98%

FY20: Budgeted Engineering Services	Budget	Current Billing	Previous Billings	Total To Date	Remaining	%
IPDES Permitting	\$8,470	\$0.00	\$3,663.00	\$3,663.00	\$4,807.00	57%
Mdtn Farm Planning & Pilot	\$25,960	\$4,356.00	\$37,521.00	\$41,877.00	-\$15,917.00	-61%
Mill Slough & Offset Planning	\$14,080	\$0.00	\$7,227.00	\$7,227.00	\$6,853.00	49%
Water Quality Monitoring	\$5,060	\$0.00	\$0.00	\$0.00	\$5,060.00	100%
Exp	\$430	\$0.00			\$430.00	
> Total for HyQual Support	\$54,000	\$4,356.00	\$48,411.00	\$52,767.00	\$1,233.00	2%

FY2020 Additional Proposed Budget

Additional budget requested for ongoing work during Fy2020 (through September 30, 2020) is shown in Table 3. During this period there is ongoing work needed for the reuse/pilot study planning, monitoring and reporting, and a revised design of the Mill Slough offset project. Also, if the draft IPDES permit is issued by DEQ for review and comment, work related to IPDES permitting would be needed. With the start of the Pilot Study monitoring, all of the HyQual costs for water quality monitoring will be included under the Pilot Study tasks (i.e., no budget is needed for Task 4).

Table 3 Proposed additional FY2020 budget (through September 30, 2020)

Tasks	Engineering Level		Totals
	Senior/PM	WQ	
1. IPDES Permitting	20		\$3,960
2. Middleton Farm Planning and Pilot	20	10	\$5,060
3. Mill Slough Planning and Pilot	10		\$1,980
4. Water Quality monitoring			\$0
Total labor budget			\$11,000
Expenses			\$500
Total Budget Estimate			\$11,500
labor rate (\$/hr)	\$198	\$110	

Consistent with the previous HyQual budget, all work would be performed on a time and materials basis. And, that these budget estimates would not be exceeded with your prior approval. This budget also assumes Civil Dynamics will be authorized to provide engineering support including for mapping, attending meetings, review of draft documents and other general engineering support as needed to support these services.

Agreement

If this proposal meets your approval, it may serve as the basis for agreement by signing in the space provided below. This signature will be considered as the project authorization for the estimated budget shown above. Please return one signed copy via email or mail.

I look forward to working with you on this project. Please call me if you have any questions.

Respectfully submitted,

Accepted By:

HyQual, P. A.

CITY OF MIDDLETON

By Jack R Harrison
 Dr. Jack Harrison, P.E.
 President

By _____

Title _____

Date _____

ORDINANCE NO. 637

AN ORDINANCE OF THE CITY OF MIDDLETON, CANYON, COUNTY, IDAHO, ENTITLED THE “ANNUAL APPROPRIATION ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2020, APPROPRIATING \$12,906,757 DEEMED NECESSARY TO DEFRAY ALL EXPENSES AND LIABILITIES OF THE CITY OF MIDDLETON, IDAHO FOR FISCAL YEAR 2021, AND SPECIFYING THE OBJECTS AND PURPOSES FOR WHICH SAID APPROPRIATIONS ARE MADE; PROVIDING FOR A WAIVER OF THE READING RULES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 50-1003, Idaho Code, the City of Middleton is required to pass an annual appropriation ordinance prior to the commencement of each fiscal year; and

WHEREAS, pursuant to Section 50-1002, Idaho Code, the City of Middleton has prepared a budget and has tentatively approved estimated revenues and expenditures for the fiscal year commencing October 1, 2020 and ending September 30, 2021; and

WHEREAS, on Wednesday August 5, 2020, pursuant to Section 50-1002, Idaho Code, the City of Middleton held a public hearing for the purpose of considering public comment on services, expenditures and revenues planned for fiscal year 2021.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MIDDLETON, CANYON COUNTY, IDAHO, as follows:

Section 1. That the sums of money, or as much thereof as may be authorized by law, needed, or deemed necessary to defray all expenses and liabilities of the City of Middleton, for the general and special municipal purposes and objective of the City of Middleton, Idaho, be appropriated for the fiscal year commencing October 1, 2020 and ending September 30, 2021.

Section 2. That the summary of monies appropriated pursuant to the budget prepared and approved by the City Council, are as follows:

GENERAL FUND	\$3,181,114
IMPACT FEE FUND	\$ 754,268
LIBRARY FUND	\$ 275,445
SOLID WASTE FUND	\$ 617,127
STORM WATER FUND	\$ 65,044
TRANSPORTATION FUND	\$2,934,319
WASTE WATER FUND	\$3,635,428
WATER FUND	<u>\$1,444,012</u>
TOTAL EXPENDITURES ALL FUNDS	\$12,906,757

Section 3. All ordinances and parts of ordinances in conflict with this Ordinance are hereby repealed.

Section 4. That pursuant to the affirmative vote of the majority of the full Council, the rule requiring two (2) separate readings by title and one (1) reading in full be, and the same is hereby, dispensed with, and accordingly, this Ordinance shall be read by title once on the 19th day of August, 2020.

Section 5. That this Ordinance shall be in full force and effect from and after its adoption and publication.

ADOPTED by the City Council, and approved by the Mayor, of the City of Middleton, Idaho, the 19th day of August, 2020.

Steven J. Rule, Mayor

ATTEST:

Jennica Reynolds, Deputy City Clerk

DRAFT

Jennica Reynolds

From: Chris Grooms
Sent: Monday, July 13, 2020 8:51 AM
To: Jennica Reynolds
Subject: 2018 Codes and Fees

Follow Up Flag: Follow up
Flag Status: Flagged

Jennica,

A public meeting was held July 10, 2020 concerning the adoption of the 2018 Codes by the City of Middleton. This meeting was advertised in the newspaper and an announcement was sent by email to approximately 40 local builders. The topics discussed were:

1. State of Idaho 2018 Code adoption to begin January 1, 2021 with a requirement that all municipalities also adopt no later than 1/1/2021, with the 2018 Energy Code to begin July 1, 2021
2. 2018 International Building Code significant changes
3. 2018 International Residential Code significant changes
4. 2018 International Energy Code significant changes
5. Middleton to adopt the 2018 Codes to begin October 1, 2020, excluding the Energy Code, to coincide with the State of Idaho start date of July 1, 2021. An energy code class will be held spring of 2021.
6. Middleton fee changes:
 - a. Diminish the 25% fee reduction to 0%
 - b. Change from the 2012 Building Value Determination (BVD) to the 2018 BVD, a raise of approximately 15% in estimated building costs. This only affects the Permit fee and Plan Review fee.

Chris Grooms, Building Official
City of Middleton
208-631-4779

LEGAL NOTICE

**NOTICE OF PUBLIC HEARING
MIDDLETON CITY COUNCIL**

NOTICE IS HEREBY GIVEN the Middleton City Council is scheduled to conduct a public hearing at **5:30 pm on Wednesday, August 19, 2020** at 310 Cornell Street, Middleton ID, to consider removing the 25% local modifier from the building permit fee.

**Increasing Building Permit Fees more than 5%
Effective October 1, 2020**

From (Existing Fee)

Building Permit Fees
Value of improvements based on Building Safety Journal
August 2012
Less 25% local modifier

To (Proposed Fee)

Building Permit Fees
Value of improvements based on International Code Building
Valuation Data 2012

Everyone is invited to attend the hearing and offer comments. Written comments may be submitted at the hearing, or before to City of Middleton, 1103 W. Main Street, P.O. Box 487, Middleton, ID 83644.

Contact the City (208) 585-3133 at least five days prior to the hearing for assistance with physical challenges or language translation.

August 11, 18, 2020

23957

From: [Becky Crofts](#)
To: [Alan Takeuchi](#); [Jennica Reynolds](#)
Subject: Re: Chevrolet tahoe
Date: Monday, August 10, 2020 9:48:39 PM

We will add it to council agenda on Aug 19 for council to set the price and sell to sand hollow n

Sent from my iPhone

On Aug 10, 2020, at 5:24 PM, Alan Takeuchi <atakeuchi@middletoncity.com> wrote:

Becky,

Sand Hollow Fire has been approved to purchase the Tahoe for \$3000. I think this is a fair price for both departments. Let me know what we need to do to get this approved.

Thank you.

Chief Alan Takeuchi 823

Middleton Police Department

Office - 208-585-0008

Cell - 208-697-7593



Begin forwarded message:

From: Toby Robinson <shfdepchief@gmail.com>
Date: August 10, 2020 at 13:41:52 MDT
To: Alan Takeuchi <atakeuchi@middletoncity.com>
Subject: Chevrolet tahoe

Good afternoon Chief,

I have approval from my Sand Hollow fire district commissioners to purchase the Chevrolet Tahoe you intend to surplus from your department. It will replace our medical quick response vehicle that was totaled last fall.

Please let me know if you need anything further.

Thanks
Fire Chief,
Toby Robinson

Sand Hollow Fire district
208-573-3165

**STATE/LOCAL AGREEMENT
(CONSTRUCTION)
PROJECT NO. A012(048)
S CEMETERY RD; SH-44 TO WILLOW CREEK
CANYON COUNTY
KEY NO. 12048**

PARTIES

THIS AGREEMENT is made and entered into this _____ day of _____, _____, by and between the **IDAHO TRANSPORTATION BOARD** by and through the **IDAHO TRANSPORTATION DEPARTMENT**, hereafter called the State, and the **CITY OF MIDDLETON**, acting by and through its Mayor and Council, hereafter called the Sponsor.

PURPOSE

The Sponsor has requested federal participation in the costs of constructing a new .284 mile roadway segment south of SH-44, including a bridge over Willow Creek, in Middleton. This Agreement sets out the responsibilities of the parties in the construction and maintenance of the project.

Authority for this Agreement is established by Section 40-317 of the Idaho Code.

The Parties agree as follows:

SECTION I. GENERAL

1. This Agreement is entered into for the purpose of complying with certain provisions of the Federal-Aid Highway Act in obtaining federal participation in the construction of the project.
2. Federal participation in the costs of the project will be governed by the applicable sections of Title 23, U.S. Code (Highways) and rules and regulations prescribed or promulgated by the Federal Highway Administration, including, but not limited to, the requirements of 23 U.S.C. §313.23 and CFR §635.410.
3. Funds owed by the Sponsor shall be remitted to the State through the ITD payment portal at:
<https://apps.itd.idaho.gov/PayITD> .

4. All information, regulatory and warning signs, pavement or other markings, and traffic signals, the cost of which is not provided for in the plans and estimates, must be erected at the sole expense of the Sponsor upon the completion of the project.
5. The location, form and character of all signs, markings and signals installed on the project, initially or in the future, shall be in conformity with the Manual of Uniform Traffic Control Devices as adopted by the State.
6. This State/Local Agreement (Construction) upon its execution by both Parties, supplements the State/Local Agreement (Project Development) by and between the same parties, dated June 23, 2010.
7. Sufficient Appropriation. It is understood and agreed that the State is a governmental agency, and this Agreement shall in no way be construed so as to bind or obligate the State beyond the term of any particular appropriation of funds by the Federal Government or the State Legislature as may exist from time to time. The State reserves the right to terminate this Agreement if, in its sole judgment, the Federal Government or the legislature of the State of Idaho fails, neglects or refuses to appropriate sufficient funds as may be required for the State to continue payments. Any such termination shall take effect immediately upon notice and be otherwise effective as provided in this Agreement.

SECTION II. That the State shall:

1. Enter into an Agreement with the Federal Highway Administration covering the federal government's pro rata share of construction costs.
2. Advertise, open bids, prepare a contract estimate of cost based on the successful low bid and notify the Sponsor thereof.
3. Award a contract for construction of the project, based on the successful low bid, if it does not exceed the State's estimate of cost of construction by more than ten (10) percent. If the low bid exceeds the estimate

by more than 10%, the bid will be evaluated, and if justified, the contract will be awarded and the Sponsor will be notified.

4. Obtain concurrence of the Sponsor before awarding the contract if the Sponsor's share of the low bid amount exceeds the amount set forth in Section III, Paragraph 1 by more than ten (10) percent.
5. Provide to the Sponsor sufficient copies of the Contract Proposal, Notice to Contractors, and approved construction plans.
6. Designate a resident engineer and other personnel, as the State deems necessary, to supervise and inspect construction of the project in accordance with the plans and specifications in the manner required by applicable state and federal regulations. This engineer, or his authorized representatives, will prepare all monthly and final contract estimates and change orders, and submit all change orders to the Sponsor for their concurrence. If the Sponsor's share of any change order exceeds \$1,000.00, the State will submit a statement to the Sponsor indicating the amount owed by the Sponsor.
7. Appoint the Local Highway Technical Assistance Council as the contract administrator for the State.
8. Notify the Sponsor when construction engineering and inspection (CE&I) costs have reached approximately 85% of the estimated cost for CE&I.
9. Maintain complete accounts of all project funds received and disbursed, which accounting will determine the final project costs.
10. Upon completion of the project, after all costs have been accumulated and the final voucher paid by the Federal Highway Administration, provide a statement to the Sponsor summarizing the estimated and actual costs, indicating an adjustment for or against the Sponsor. Any excess funds transmitted by the Sponsor and not required for the project will be applied to any outstanding balance the Sponsor may have on a previously completed project. If no such outstanding balance exists, the excess funds will be returned to the Sponsor.

SECTION III. That the Sponsor shall:

1. Pay to the State before the advertisement for bids, the amount of **TWO HUNDRED EIGHTY-SEVEN THOUSAND FIFTY-NINE DOLLARS (\$287,059)**, which is the Sponsor's estimated share of the cost for construction plus preliminary engineering, and construction engineering & inspection (CE&I), and after deducting credit for the Sponsor's previous deposit as applies to Preliminary Engineering and the Sponsor's match for the consulting agreement. These costs and the Sponsor's match are detailed in the attached *Worksheet for State/Local Construction Agreements* marked Exhibit A. The actual cost to the Sponsor will be determined from the total quantities obtained by measurement plus the actual cost of engineering and contingencies required to complete the work. Construction engineering, inspection and contingencies will be approximately 19% of the total construction cost.
2. Upon approval of the lowest qualified bid received, if the Sponsor's share exceeds the amount set forth in Section III, Paragraph 1, transmit to the State the Sponsor's portion of such excess cost.
3. Authorize the State to administer the project and make any necessary changes and decisions within the general scope of the plans and specifications. Prior approval of the Sponsor will be obtained if it is necessary, during the life of the construction contract, to deviate from the plans and specifications to such a degree that the costs will be increased or the nature of the completed work will be significantly changed.
4. Designate an authorized representative to act on the Sponsor's behalf regarding action on change orders. That authorized representative's name is _____, Phone No. _____.
5. When change orders are submitted by the State for approval pursuant to Section II, Paragraph 6, the Sponsor or its authorized representative shall give

approval of same as soon as possible, but no later than ten (10) calendar days after receipt of the change order. If approval is delayed, any claims due to that delay shall be the responsibility of the Sponsor.

6. Upon receipt of any statement referred to in Section II, Paragraphs 6 and 10, indicating an adjustment in cost against the Sponsor, promptly remit to the State a check or warrant in that amount.
7. Maintain the project upon completion to the satisfaction of the State. Such maintenance includes, but is not limited to, preservation of the entire roadway surface, shoulders, roadside cut and fill slopes, drainage structures, and such traffic control devices as are necessary for its safe and efficient utilization. Failure to maintain the project in a satisfactory manner will jeopardize the future allotment of federal-aid highway funds for projects within the Sponsor's jurisdiction.
8. To the extent permitted by Idaho law and as provided by the Idaho Tort Claims Act, indemnify, save harmless the State, regardless of outcome, from the expenses of and against suits, actions, claims or losses of every kind, nature and description, including costs, expenses and attorney fees that may be incurred by reason of any act or omission, neglect or misconduct of the Sponsor or its consultant in the design, construction and maintenance of the work which is the subject of this Agreement, or Sponsor's failure to comply with any state or federal statute, law, regulation or rule. Nothing contained herein shall be deemed to constitute a waiver of the State's sovereign immunity, which immunity is hereby expressly reserved.

EXECUTION

This Agreement is executed for the State by its Highways Construction and Operations Division Administrator, and executed for the Sponsor by the Mayor, attested to by the City Clerk, with the imprinted corporate seal of the City of Middleton.

IDAHO TRANSPORTATION DEPARTMENT

Division Administrator
Highways Construction and Operations

ATTEST:

CITY OF MIDDLETON

City Clerk

Mayor

(SEAL)

By regular/special meeting
on _____.

hm:12048 SLAConst.docx

RESOLUTION

WHEREAS, the Idaho Transportation Department, hereafter called the **STATE**, has submitted an Agreement stating obligations of the **STATE** and the **CITY OF MIDDLETON**, hereafter called the **CITY**, for construction of S Cemetery Rd; SH-44 to Willow Creek; and

WHEREAS, the **STATE** is responsible for obtaining compliance with laws, standards and procedural policies in the development, construction and maintenance of improvements made to the Federal-aid Highway System when there is federal participation in the costs; and

WHEREAS, certain functions to be performed by the **STATE** involve the expenditure of funds as set forth in the Agreement; and

WHEREAS, The **STATE** can only pay for work associated with the State Highway system; and

WHEREAS, the **CITY** is fully responsible for its share of project costs; and

NOW, THEREFORE, BE IT RESOLVED:

1. That the Agreement for Federal Aid Highway Project A012(048) is hereby approved.
2. That the Mayor and the City Clerk are hereby authorized to execute the Agreement on behalf of the **CITY**.
3. That duly certified copies of the Resolution shall be furnished to the Idaho Transportation Department.

CERTIFICATION

I hereby certify that the above is a true copy of a Resolution passed at a *regular, duly* called special (X-out non-applicable term) meeting of the City Council, City of Middleton, held on _____, _____.

(Seal)

City Clerk

WORKSHEET FOR STATE / LOCAL CONSTRUCTION AGREEMENTS

Key No: 12048

Project No: A012(048)

Project Name: S Cemetery Rd; SH-44 to Willow Creek

Sponsor: City of Middleton

Description of work: This project will construct a new .284 mile roadway segment south of SH-44 and a bridge over Willow Creek in Middleton.

Date of State/Local Agreement for Project Development: 6/23/2010

	FEDERAL	LOCAL
TOTAL ESTIMATED COST OF CONSTRUCTION <i>Includes E&C</i>		
_____ \$3,893,000		
APPROVED FORCE ACCOUNT WORK		
_____ \$0		
PLUS PE BY STATE <i>(from 2101)</i>		
_____ \$36,000		
PLUS PL BY LHTAC <i>(from 2101)</i>		
_____ \$50,000		
PLUS PC <i>(from PC Agreements)</i>		
_____ \$501,971		
MINUS ALL NON-PARTICIPATING PARTICIPATING TOTAL		
_____ \$4,480,971		
MATCH PERCENTAGES	92.66%	7.34%
PERCENTAGE AMOUNTS		
MINUS FEDERAL MAXIMUM	_____ \$4,152,067.73	_____ \$328,903.27
ADD OVERAGE <i>(If Any To Local)</i>	_____ \$0	
LOCAL SHARE OF CONSTRUCTION AMOUNT	- - - - - 4,152,068 	_____ \$0
		_____ \$328,903

ADJUSTMENTS

PLUS ALL NON-PARTICIPATING <i>(From above if work by contract)</i>	_____ \$0
MINUS FUNDS ADVANCED BY THE SPONSOR FOR STATE PE <i>(from PD Agreement)</i>	_____ \$5,000
MINUS APPROVED FORCE ACCOUNT WORK <i>(From above)</i>	_____ \$0
MINUS PRELIMINARY ENGINEERING PAID BY LOCAL	_____ \$36,845

*(If LPA has not rec'd reimbursement, use actual PC dollars paid by LPA)
 (If LPA has rec'd reimbursement, use local match % of actual PC dollars paid by LPA)
 (Amounts must be supported by District Records Inspector Audit)*

CONSTRUCTION AMOUNT REQUIRED FROM SPONSOR AFTER ADJUSTMENTS **\$287,059**

Comments:

PREPARED BY: | Heather Parker | Date: 8/12/2020



City of Middleton

1103 W. Main St. Middleton ID 83644

208-585-3133, 208-585-9601 F

www.middleton.id.gov

Fee Schedule

Revised Aug. 19, 2020 Resolution 2020-

Res.		OLD	NEW
		FEE	FEE
ADMINISTRATIVE			
348-14	Bulk Water Rate and Public Works Fill Station Truck Inspection	\$26 & 3.34/1000 gal	\$26 & 3.34/1000 gal
	Hydrant Meter rental	\$5.00/day & \$3.34/1000 gal	\$5.00/day & \$3.34/1000 gal
	Public Works water & sewer tap inspections	\$50	\$50
376-16	Digital information / map 2'x4'	\$38.50	\$38.50
376-16	Digital information / wall map 42"x8'	\$112	\$112
<p>Note: Idaho Code 50-345 allows a city to collect a fee from users of a computerized mapping system, not exceeding the actual costs of development, maintenance and dissemination of digital forms of the system.</p>			
Copies			
	Black and white (8"x11" or 11"x17")	\$0.10 per page	\$0.10 per page
	Color (8"x11" or 11"x17")	\$0.50 per page	\$0.50 per page
	Large Format Print 36" wide	\$5.00 plus \$0.20 per square foot	\$5.00 plus \$0.20 per square foot
	CD	\$1.00 per disc	\$1.00 per disc
	Recording Transcripts	Actual cost plus 10%	Actual cost plus 10%
	Research for public records request	Staff hourly rate per Idaho Code	Staff hourly rate per Idaho Code
116-97	Non-Sufficient-Funds (NSF)	\$20	\$20
	Credit Card Processing (non-utility accounts)	2.50%	2.50%
BUILDING			
	Deposit	\$250	\$250
	Building Permit Fees		
	Building Permit	Value of improvements based on Building Safety Journal August 2012 Attachment A less 25% local modifier	<u>Value of improvements based on Building Safety Journal August 2012 Attachment A</u>
361-15	Residential Building Plan Review and Inspection Fee	25% building permit	25% building permit
327-12	Commercial Building Plan Review and Inspection Fee	65% building permit	65% building permit
327-12	Electrical Plan Review and Inspection Fee	Attachment B	Attachment B
327-12	Plumbing Plan Review and Inspection Fee	Attachment C	Attachment C
327-12	Mechanical Plan Review and Inspection Fee	Attachment D	Attachment D
411-18	Mechanical Manual J Res Check Review Fee	\$60	\$60
296-10	Permit after construction starts	Double permit fee	Double permit fee
327-12	Permit fee exemption - wheelchair access ramp to residence (permit required, fee exempt)	\$0	\$0
	Permit - extension request	\$25.00 per lot	\$25.00 per lot
	Public Works Residential Building Inspection Fee	\$25	\$25
	Public Works re-inspection	\$50	\$50
	Re-inspection (building, electrical, mechanical, plumbing)	\$75/hr per trip	\$75/hr per trip
	Re-review Plans	\$47/hr	\$47/hr
	<u>Storage Container</u>		<u>\$0</u>
	Impact Fees		
350-15	City Parks-Residential only/equivalent dwelling unit (EDU)	\$1,726/EDU	\$1,726/EDU
	Transportation-Residential/equivalent dwelling unit (EDU)	\$2,572	\$2,572
	Transportation-Commercial/1000 ft2	\$2,315	\$2,315
	Transportation-Industrial/acre	\$4,110	\$4,110
	Late Comers		
	East Sewer Trunk Line	\$1,000	\$1,000
	Lakes @ Telaga Sewer Hookup, Meter Fee, Initial	See development agmt	See development agmt
	Blue Meadows Sewer Hookup, Initial	See development agmt	See development agmt
	Backlund Sewer Hookup, Initial	See development agmt	See development agmt
	Hartley Oversized Water Line, Initial	See development agmt	See development agmt
	Rupp Water Line	See development agmt	See development agmt

CONNECTION		FEE	FEE
411-18	Sewer Connection*		
	5/8" x 3/4" per Equivalent Dwelling Unit (Res 411-18)	\$5,828	\$6,061
	1"	\$7,254	\$7,544
	1 1/2"	\$16,120	\$16,765
	2"	\$28,210	\$29,338
	3"	\$64,480	\$67,059
	4"	\$114,040	\$118,602
	* Fee is based on water meter size since at least 98% of water discharges through the sewer system.		
411-18	Water Connection** per Equivalent Dwelling Unit		
	5/8" x 3/4" (Res 411-18)	\$3,541	\$3,683
	1"	\$9,065	\$9,428
	1 1/2"	\$20,397	\$21,213
	2"	\$36,260	\$37,710
	3"	\$81,584	\$84,847
	4"	\$145,040	\$150,842
	** Fee is based on "draft", i.e., the pipe diameter area available for flow, and not based on the cost to install the device.		
LIBRARY		FEE	FEE
327-12	Non-resident Library Card (annual)	\$30	\$30
327-12	Senior Citizen Library Card (62 and over)	\$15	\$15
327-12	Fines for overdue items	\$0.25 per day per item	\$0.25 per day per item
		Replacement cost + \$2.00	Replacement cost + \$2.00
327-12	Lost or damaged items	per item/damage	per item/damage
	WiFi Hot Spot	\$5.00 per day	\$5.00 per day
	Kindle Rental	\$5.00 per day	\$5.00 per day
LICENSE		FEE	FEE
	Alcohol beverage		
376-16	Sales for on-premise consumption - beer	\$200	\$200
376-16	Sales for on-premise consumption - wine	\$200	\$200
376-16	Sales for off-premise consumption - beer	\$50	\$50
376-16	Sales for off-premise consumption - wine	\$200	\$200
PARK		FEE	FEE
	Pavillions and Shelters		
343-14	Deposit - refundable, no tax	\$50	\$50
		\$50 first 4 hours, \$10.00 per addtl hr	\$50 first 4 hours, \$10.00 per addtl hr
343-14	Pavillions 40 x 60 (four hours)	\$50 first 4 hours, \$10.00 per addtl hr	\$50 first 4 hours, \$10.00 per addtl hr
33-14	Shelters 24 x 30 (four hours)	\$50 first 4 hours, \$10.00 per addtl hr	\$50 first 4 hours, \$10.00 per addtl hr
354-15	Multi-purpose room at Middleton Place Park restroom		
	Deposit - refundable, no tax	\$100	\$100
		\$25 per hour	\$25 per hour
		\$75 for four (4) hours	\$75 for four (4) hours
		\$150 per day	\$150 per day
334-14	Cancellation within two (2) business days of reservation	\$10	\$10
334-14	City Resident Rental Discount	50%	50%
PERMIT		FEE	FEE
	Camper / RV 14-Day Parking Permit	\$83.25	\$83.25
	Catering Permit	\$20 per day not to exceed 5 days	\$20 per day not to exceed 5 days
	(On-premises designation, non refundable IC 23-934A)		5 days
	Fireworks Stand Permit	\$50	\$50
	Deposit - refundable	\$300	\$300
	Floodplain Development Permit with a building permit application	\$70.00 per structure or vacant lot in a platted subdivision	\$70.00 per structure or vacant lot in a platted subdivision
	Floodplain Development Permit with a development or design review application	\$3,000	\$3,000
	Infrastructure Construction Drawings Permit		
	Middleton Market Permit (Starting Jan. 1, 2019)	\$35	\$35

Middleton Market Space Rental daily/seasonal - Memorial Day to Labor Day (Starting Jan. 1, 2019)	\$10/\$160	\$10/\$160
Preliminary Plat Permit	\$325	\$325
Special Event Permit	\$160	\$160
Special Event City Staff Services	\$45.00 per hour, per person	\$45.00 per hour, per person
Vendors, peddlers, solicitors, temporary merchants permit	\$35 annually	\$35 annually
Bond, cashier's check or letter of credit - individual	\$1,000	\$1,000
Bond, cashier's check or letter of credit - business	\$1000 per EE, \$5000 max	\$1000 per EE, \$5000 max
Background Check	\$40	\$40
Work in Right-of-Way		
Approach Permit (curb cut)	\$0.00	\$0.00
Work in Right-of-Way - Refundable Deposit - single lot or area	\$2,000	\$2,000
Work in Right-of-Way - Refundable Deposit - multiple lots or areas	\$4,000	\$4,000
Work in Right-of-Way - Permit - Local Road	\$50/day	\$50/day
Work in Right-of-Way - Permit -Collector or Arterial Road	\$75/day	\$75/day

STORM WATER		FEE	FEE
327-12	Single Family Dwelling	\$1.45	\$1.45
327-12	Multi Family Dwelling	\$0.60 per unit per month	\$0.60 per unit per month
327-12	Commercial	\$8.01 per month	\$8.01 per month
327-12	Industrial	Measured rate	Measured rate
327-12	Minimum charge per user	\$1.45	\$1.45

SUBDIVISION		FEE	FEE
	Extension request (plat)	\$200	\$200
	Preliminary plat permit application	1 - 49 lots \$4,000 50 - 299 lots \$4,500 300+ lots \$7,500	1 - 49 lots \$4,000 50 - 299 lots \$4,500 300+ lots \$7,500
	Construction drawing permit application	1 - 49 lots \$5,500 50 - 299 lots \$6,500 300+ lots \$11,500	1 - 49 lots \$5,500 50 - 299 lots \$6,500 300+ lots \$11,500
	Final plat	\$1,000	\$1,000
	Re-review fee after the second review	\$1,000	\$1,000
	Vacate plat/Right-of-Way	\$575 + publication	\$575 + publication
	Waiver	\$575 +publication	\$575 +publication

TRASH See Republic Services Fee Table See Republic Services Fee Table

TROLLEY STATION		FEE	FEE
	Deposit: Refundable - due at time of reservation		
408-17	Deposit Meetings	\$100	\$100
408-17	Deposit Events	\$500	\$500
408-17	Rent: Due at time of reservation		
408-17	Hourly Rate	\$50 per hour	\$50 per hour
408-17	Whole Day (8 am - midnight)	\$320	\$320
408-17	Cancellation Fee (within 30 days of event)	\$30	\$30

UTILITY BILLING		FEE	FEE
	Deposit (tenant)	\$100	\$100
320-12	After hours service fee	\$30	\$30
327-12	24-hour water service turn-on	\$35	\$35
320-12	Late payment fee	\$10	\$10
320-12	Delinquent payment fee	\$15	\$15
	Water Base Rate	\$10.69	<u>\$11.12</u>
	Water Use Rate	\$1.58/1,000 Gallons	<u>\$1.83/1,000 Gallons</u>
	Wastewater Base Rate	\$34.89/Month	<u>\$36.29/Month</u>

***Note: \$29.10 effective the November billing which is collected December 2018.....\$33.55 effective the May billing which is collected June 2019.

Wastewater (Sewer) Use Rate \$3.36/1000 gallons times the monthly average Nov-March
~~\$2.90/1000 gallons times the monthly average Nov-March~~

1-15-8: DESIGN REVIEW PERMIT:

1-15-8-1: APPLICABILITY:

A design review is required for all nonresidential structures and residential structures containing more than ~~three (3)~~ two (2) residences. (Ord. 588, 3-1-2017; amd. Ord. 609, 7-3-2018)

1-15-8-2: REGULATIONS:

A. Design review approval is required before issuing a building permit.

B. Design review proposals shall be reviewed by the committee or Administrator as outlined in this section.

1. Authority Of The Administrator:

a. The Administrator is empowered to approve minor modifications to projects that have received design review approval by the committee for the duration of a valid building permit. Minor modifications under the authority of the Administrator may include, but are not limited to, the following: changes to approved colors and/or siding materials, landscape plans, window changes that do not significantly affect project design, appearance or function, changes to dumpster enclosures or changes to lighting.

The Administrator shall make the determination as to what constitutes minor modifications. All approved modifications must be documented on the approved set of plans on file with the City.

b. The Administrator is empowered to exempt from the design review process projects determined to be so minor as to not conflict with the design review standards of this chapter, nor to impact any adjacent properties. Examples include, but are not limited to: minor deck additions, additions of a window or door, minor landscape changes. Said exemption must be issued in writing by the Administrator prior to issuance of a building permit, and shall be approved by the Chair of the committee, or his/her designee. Should the Administrator or the committee Chair determine that the proposal cannot be exempted, said proposal shall receive design review approval prior to issuance of a building permit.

2. Authority Of The Committee: The committee is hereby empowered to approve all other application proposals defined in section [1-15-8-3](#) of this chapter. The committee may elect to approve applications for design review by consent agenda. All application criteria and standards established in this design review district or this chapter shall apply to consent agenda applications. (Ord. 588, 3-1-2017; amd. Ord. 609, 7-3-2018)

1-15-8-3: PROCEDURES FOR OBTAINING DESIGN REVIEW APPROVAL:

An applicant ~~person~~ desiring to obtain design review approval shall file with the City at least ~~five (5)~~ fourteen (14) business days prior to a regularly scheduled meeting of the committee a completed application form together with all of the fees, information and materials required by this chapter. Complete applications to be considered by the committee will be scheduled for the next available committee meeting. (Ord. 609, 7-3-2018)

1-15-8-4: SUBMITTAL REQUIREMENTS:

All design review plans and drawings shall be prepared by an Idaho licensed architect, or as approved by the building official.

A. Materials Waived: The materials required in this section may be waived by the Administrator after administrative review of the application should no need be found therefor.

B. Vicinity Map: A vicinity map in sufficient detail to show the location of the proposed construction within the City and in relation to adjacent properties, buildings, roads, streams and other public easements and rights-of-way.

C. Site Plan: A site plan of the property upon which construction is proposed in sufficient detail to show the following:

1. Exterior boundary lines of the property together with dimensions;
2. Location of the proposed and existing structures with dimensions showing the setback of each structure from the nearest property line and a statement indicating the percentage of the lot coverage by proposed building and parking areas together with the total square footage of the parcel of property;
3. Location of on site parking spaces and access including the dimensions of the spaces and the width and length of access;
4. Location of dumpster and/or garbage and recycling storage areas including the dimensions and proposed fencing or other screening;
5. Designation of the zoning district in which the project is located and the location of any zoning district boundary line within the proposed project or the immediate vicinity thereof;
6. Location of existing sewer and water lines indicating size, and the location and size of such lines to be extended into the proposed project together with the location of underground telephone, power, gas and cable utilities;
7. Location of existing and proposed fire hydrants in the immediate vicinity of the project or within the project;
8. Location and widths of rights-of-way of the adjacent roads together with the location of any proposed road or other right- of-way;
9. Location and dimensions of easements, private and public, within and adjacent to the proposed project together with the purpose thereof;
10. All existing vegetation over two inches (2") in caliper, including size and species;
11. Proposed landscaping of the project including types and size of trees, shrubs, ground cover and other vegetation;
12. Location and height of walls or fences; chain link fencing is not allowed on the street side(s) of the site. Brick, wrought iron, vinyl, or additional types of material may be approved, but will be reviewed on a case by case basis. Fencing to be decorative but functional for the site.
13. Location of parking areas;
14. Location of vehicular and pedestrian circulation patterns, easements and proposed improvements; and
15. Irrigation system for landscaping.
16. Pictures of street view(s), a minimum of both ways from site.

D. Architectural Plan: An architectural plan of the proposed construction in sufficient detail to show the following:

- ~~1. —1.~~ All actual exterior elevations, ~~and~~.
- ~~2. —2.~~ Location and type of exterior lighting. Only LED, downward facing, shielded lighting is allowed. [Cut sheet of lighting is required.]
3. Address numbers to be of contrasting color to building and shall be illuminated.
4. Plumbing exposed on roof to match color of roofing material.

E. Sample Board: A board with mounted samples of the actual building materials in the actual colors proposed. (Ord. 600, 12-20-2017; amd. Ord. 609, 7-3-2018)

1-15-8-5: DESIGN CRITERIA AND STANDARDS:

The intent of design review is to ensure harmony of the building and site with the community design elements of the City of Middleton. Each building ~~should~~ will contain ~~three (3)~~ four (4) or more of the following community design elements: A-frame or gable ~~roof~~, ~~some~~ stucco with, brick or rock, accenting, vertical or horizontal metal siding with brick or rock accenting and roofing, some timberwork, ~~and~~ or a public art feature (which must be reviewed and approved separately to be included as an element).

A. Architectural Quality:

1. The building character shall be clearly defined by use of sloped roofs, parapets, cornices or other architectural features,
2. There shall be continuity of materials, colors and signing within the project,
3. There shall be continuity among accessory structures, fences, walls and landscape features within the project,
4. Exterior lighting ~~shall~~ will be LED, shielded, downlighting and not have an adverse impact upon other properties and/or public roads,
5. Garbage storage areas and satellite receivers ~~shall~~ will be screened from public view,
6. The project's materials, colors and signing ~~shall~~ will be compatible with the townscape, surrounding neighborhoods and adjoining structures.

B. Circulation Design:

1. Traffic: Traffic shall flow safely within the project and onto adjacent roads. Traffic includes vehicle, bicycle and pedestrian use. Consideration shall be given to adequate sight distances and proper signage;
2. Pathways: Refer to subsections 5-4-10-8A1 and A2 of this Code. (Ord. 600, 12-20-2017; amd. Ord. 609, 7-3-2018)

1-15-8-6: CERTIFICATE OF OCCUPANCY:

The building inspector shall not issue a certificate of occupancy for structures which are required to obtain design review approval until upon final inspection by the Administrator it is determined that the project is constructed in accordance with the approved design review application and plans, and all improvements, amenities and landscaping have been installed. (Ord. 588, 3-1-2017; amd. Ord. 609, 7-3-2018)

1-15-8-7: TERMS OF APPROVAL:

Design review approval expires twelve (12) months from the date of the decision. (Ord. 588, 3-1-2017; amd. Ord. 609, 7-3-2018)

1-15-8-8: TIME LIMITATIONS FOR ACTION UPON APPLICATION:

The committee shall have thirty (30) days minimum, or until after the next regularly scheduled meeting to consider and approve or deny an application for design review approval pursuant to this chapter. The time for action upon an application may be extended by either the committee or the Council at the request of the applicant or in cases where the complexity of the project or changes made by the applicant during the review process require additional time to properly review and consider the application. (Ord. 588, 3-1-2017; amd. Ord. 609, 7-3-2018)

1-5-3: MEETINGS:

The Council shall hold regular meetings on the first and third Wednesday of each month. Each meeting shall be held in the building located at ~~310 Cornell Street~~ and commence at ~~five~~ thirty o'clock (6:30) P.M., unless otherwise approved by the Council. If the first or third Wednesday shall fall on a holiday, the meeting shall be held the evening following at the same time. The Mayor or one-half (1/2) plus one of the membership of the Council may call special meetings as provided in Idaho Code section 74-204(2). All regular and special meetings shall comply with Idaho Code section 74-201 et seq., regarding open meetings.

(Ord. 548, 1-21-2015; amd. Ord. 619, 7-17-2019)

Deleted: 6 North Dewey Avenue

Deleted: six