MIDDLETON CITY COUNCIL MARCH 17, 2021

The Middleton City Council meeting on March 17, 2021 was called-to-order at 5:30 p.m. by Mayor Rule.

Roll Call: Mayor Rule, Council Members Huggins, Garner and O'Meara were all present. Council President Kiser came in at 5:34 p.m.

Pledge of Allegiance, Invocation: Jason Boyd – Pastor, Grace Bible Church

Mayor Rule welcomed everyone to the new City Council Chambers. He said a lot of hard work from city staff, especially Art Hill went into this remodel. The costs came in under what was originally anticipated. Becky Crofts noted the wall with the past and present Mayors of Middleton. Melissa Sorlien made the name plaques and reframed the pictures as the old name tags and frames needed an update. Mayor Rule thanked everyone who worked so tirelessly to make the chambers so beautiful.

Action Items

A. Approve Agenda

Motion: Motion by Council President Kiser to approve the Agenda as posted March 12, 2021 at 5:00 p.m. Motion seconded by Council Member Garner and approved unanimously.

Information Items

1. Presentation by Don Miller—Don Miller was not present. No presentation was given regarding the Mason Creek water project.

Action Items

- 1. Consent Agenda (items of routine administrative business)
 - a. Consider approving minutes for Council's March 3, 2021 regular meeting.
 - b. Consider ratifying March 12, 2021 payroll in the amount of \$81,648.55 and counts payable thru March 11, 2021 in the amount of \$ 204,380.30.

Mayor Rule called the items. Council President Kiser said this is a typical accounts payable. The invoices for Cemetery Rd will start coming in so the future accounts payable runs will be much larger.

Motion: Motion by Council President Kiser approve Consent Agenda Items a. and b. Motion seconded by Council Member O'Meara and approved unanimously.

2. Republic Services Waste Collection Services Contract and yearly consumer price index increase – Rachele Klein

Mayor Rule called the item and introduced Rachele Klein from Republic Services. Rachele explained the increase of 1.47% and updated Council on the changes and updates from Republic Services. There are concerns with commercial customers using the Recycling Dumpsters for trash.

Motion: Motion by Council President Kiser to approve Republic Services Waste Collection

Services Contract and yearly consumer price index increase. Motion seconded by Council Member Huggins and approved unanimously.

3. Consider approving a Special Event Permit Application for Celebrate Middleton Music Festival, July 24, 2021 at Middleton Place Park. – Spencer Kofoed

Mayor Rule called the item and introduced Spencer Kofoed who explained the plans for a community event titled Celebrate Middleton Music Festival. Covid has prevented so many of the youth of the community from performing. The plan is to create a community event where the youth of our community are spotlighted and given an opportunity to perform and share their talents. This would be an afternoon into the evening event. Dan Child (High School Music Director), Melissa Rowe (Community Christmas Choir), Stephanie Stevens (Millennial Choirs and Orchestras) are heading up the music committee. Spencer and his team would also like to coordinate a youth service project in conjunction (not on the same day) with this event as a way to give back to the community. He would like to make the Music Festival an annual event.

Discussion by Council: Like the idea and think it is a great location. Would like Spencer to work with city staff to decide best possible dates for the Music Festival and service project as well as the project that should be done.

Motion: Motion by Council President Kiser to approve a Special Event Permit Application for Celebrate Middleton Music Festival at Middleton Place Park and ask that Spencer, or those involved work with this work with city staff on the best possible dates for that event. Motion seconded by Council Member O'Meara and approved unanimously.

4. Consider approving closing west half of N Piccadilly Ave for Middleton Market Thursdays from 2:30 p.m. to 8:30 p.m. during the market season. — Jennica Reynolds

Mayor Rule called the item and Jennica Reynolds stated city staff developed a new plan to present for the Market which does not necessitating closing the west half of N. Piccadilly Ave. She and Public Works Director Bruce Bayne will work to create a permanent space in the Park for food trucks next year and on next years budget.

Discussion by Council: It is a city park, City Administration is talking about how they want to handle the said problem that doesn't effect the traffic flow through Middleton.

Motion: Motion by Council President Kiser no action taken for the closing the west half of N. Piccadilly Ave for the Marketplace Thursdays and allow City Staff to handle the parking arrangements within a City Park. The motion was seconded by Council Member O'Meara and approved unanimously.

5. Consider approving Stonehaven Subdivision No. 4 Final Plat. – Roberta Stewart

Mayor Rule called the item and introduced City Planner Roberta Stewart. Roberta presented the final plat and stated the developer has complied with all of the planning and engineering comments and the final plat is in compliance with all City codes and the Developer has paid all fees and pro-rata shares.

Motion: Motion by Council President Kiser to approve the Stonehaven Subdivision No. 4 Final Plat. Motion seconded by Council Member Garner and approved unanimously by Roll

Call Vote.

6. Consider approving Valhalla Country Estates No. 4 Bonding for asphalt patches for thrust block inspections and other repairs in an amount of \$10,425.00. – Roberta Stewart

Mayor Rule called the item and introduced City Planner Roberta Stewart. Roberta explained that there is a bond required because the work is not done. There were patches that occurred when the water line was lowered. Those patches were installed in cold weather so they need to be redone. When they went to look at the thrust blocks underneath the road and also outside of the road, to insure they were there and they were there. Now the asphalt needs patched. It was only until recently that the weather was warm enough to repair in the road but it was bad prior, so the developer needs a bond to get on to final plat so they can patch in warm weather.

Questions from Council:

Council President Kiser: Is there an estimated time on the patch? And when the City accepts the Bond who is responsible to coordinate that?

Roberta: It should be done within the next month. There is a lot of demand on the development so she doesn't anticipate it being a problem. The bond is received by the City and held until the work is done and the engineer has inspected and accepted the work. This amount is 150% of the actual amount to patch.

Motion: Motion by Council President Kiser to approve Valhalla Country Estates No. 4 Bonding for asphalt patches for thrust block inspections and other repairs in an amount of \$10,425.00. Motion seconded by Council Member Huggins and approved unanimously by Roll Call Vote.

7. Consider approving Valhalla Country Estates No. 4 Final Plat. – Roberta Stewart

Mayor Rule called the item and introduced City Planner Roberta Stewart. Roberta said the developer has complied with all of the planning and engineering comments. The final plat is in compliance with City code. All is in order, nothing outstanding. The bond takes care of the one outstanding item.

Mayor Rule said he received an email from the City Administrator Becky Crofts that he read into the record as follows:

Mayor Rule -

The developer for Valhalla Country Estates phase 4 has had to cut new pavement 5 times to bring their water infrastructure to code (see photos below). Once the final plat is signed the road is dedicated to the city, and the city assumes maintenance. The city and tax payers are not receiving a new road, and will bear the burden of early maintenance costs due to the condition of the road. It is my recommendation that the developer for Valhalla Country Estates be required to chip seal the entire roadway. This work should be a condition of final plat and must be completed prior to receiving certificate of occupancy.

Thank you for your consideration.

Becky Crofts City Administrator

Mayor Rule said Public Works Director Bruce Bayne and he looked at the road, it is a

patchwork quilt of cuts and repairs and non-repairs at this point. He does acknowledge they are trying to get to it, but what City Administrator is saying, to be truly responsible to the tax payers that are going to pay for repairing these streets, the only way to really get a decent seal on all of these cracks is to chip seal on top of it, or the seams are pretty much open. He doesn't disagree, but this is City Councils call.

Discussion by Council:

Council Member O'Meara: Seeing many asphalt patches over the years. They are never as smooth and contiguous to the original surface as the original surface. Are these patches in any way related to anything the City has done? Becky said no.

Council Member Garner: He thinks having the road chip sealed will be the best way to protect the tax payers from the burden of early maintenance costs.

City Attorney Chris Yorgason asked for clarification if the amount of the bond approved in the previous item includes the cost of chip sealing the road? Roberta said no. The chip seal is a completely different item.

Mayor Rule asked Joe Roberts the developer to address council:

Joe Roberts: 10309 Colorful Dr. Nampa, ID – The cuts in the road are to expose the thrust blocks for the inspections. The other cut is where they had to go in and lower the water line. He has no objection as it was originally approved. He requests that the council approves that the chip seal work should be a condition of final plat and must be completed prior to receiving certificate of occupancy.

Discussion by Council: The request is to approve the final plat now but not issue any Certificates of Occupancy on any houses until the competition of the chip seal. This would mean that the subdivision can get moving because the final plat is approved, building can happen but no one can move in.

Becky Crofts: Original request was allow the developer to move forward. The road is damaged and needs to be repaired to an appropriate condition. Aside from just the patching that was approved in prior motion. She doesn't believe the developer should be penalized from beginning construction. If Council approves the final plat, conditioned that the developer chip seal the road prior to Certificate of Occupancy. They cannot received CofO until the entire roadway has been chip sealed and restored.

Motion: Motion by Council Member O'Meara to approve the Valhalla Country Estates No. 4 Final Plat, conditioned that the developer chip seal the entire roadway prior to a Certificate of Occupancy's being issued. Motion seconded by Council Member Garner and approved unanimously by Roll Call Vote.

8. Consider approving K9 Police Policy. – Chief Takeuchi

9. Consider approving K9 Police Program in an amount not to exceed \$19,822.00. – Chief Takeuchi

Mayor Rule call the item and introduced Chief Takeuchi. The Chief reviewed the yearly costs and budget lines for the K9 program. Impact fees can only be used in the one time only set up. They cannot be used to pay the yearly costs. This has been a goal for Officer Carranza in his law enforcement career. He is committed to MPD and the Chief has discussed the officer signing a contract. The type of dog desired is one that is trained to

track a scent and apprehend as well as track a scent and locate narcotics. The difference is the amount of training for the officer and the dog. The total cost presented is if they were to do everything themselves. In response to Council President Kiser, he does have this in his budget.

Discussion by Council: Think it is a good program and will benefit the residents of Middleton. The Police will only have to use the dog once to recoup the cost.

Motion: Motion by Council President Kiser to approve the K9 Police Program in an amount not to exceed \$19,822.00. Motion seconded by Council Member Garner and approved unanimously.

8. Consider approving K9 Police Policy. - Chief Takeuchi

Mayor Rule called the item. Chief Takeuchi explained the K9 Policy. It is a compilation of several other surrounding agencies and MPD has made it their own. It still needs to be reviewed by the City Attorney. On policies like this the bigger agencies use a company called Lexipol to manage their policies and procedures which requires them to do yearly updates an keep up with case law and make sure the officers are up to date.

Motion: Motion by Council President Kiser to approve K9 Police Policy pending legal counsel review. Motion seconded by Council Member O'Meara and approved unanimously.

Mayor asked the Police Chief to introduce his officers and thanked them for their hard work and service, they don't get the recognition they deserve. Council President Kiser said the public should know that the Police officers give back to the community in ways that residents may not know or always be aware of.

10. Consider approving proclamation declaring May 1, 2021 as Arbor Day in the City of Middleton. – Tim O'Meara

Mayor Rule called the item and introduced Tim O'Meara (GMPRD). Tim said that the GMPRD received a donation from the Arbor Day foundation if the City of Middleton will proclaim May 1st at Arbor Day. GMPRD has teamed with a couple local scout troops to plant 25 trees on that day, plus the ones donated. The trees will be planted in Foote Park.

Motion: Motion by Council President Kiser to approve the proclamation declaring May 1, 2021 as Arbor Day in the City of Middleton. Motion seconded by Council Member Huggins and approved unanimously.

11. Consider approving Mayor's reappointment of Carl Lohrengel and Ray Waltemate to the Middleton Urban Renewal Agency Board. – Mayor Rule

Mayor Rule called the item and explained these gentlemen have served diligently in a not so active Middleton Urban Renewal area. The City Administrator Becky Crofts and the Mayor have been working to expand this area that will be more effective for the benefit of the City of Middleton. Urban Renewal areas are a great enticement to business and industry if they are set up right. The City is working to create the map which will then go to the county for approval and then ultimately be brought to City Council for approval.

Motion: Motion by Council President Kiser to approve Mayor's reappointment of Carl Lohrengel and Ray Waltemate to the Middleton Urban Renewal Agency Board. Motion seconded by Council Member O'Meara and approved unanimously.

Public Comment:

Christine Green: 23725 Lansing Lane:

She is representing the group of people speaking in regard to the Library. They have questions that were asked at the Library board meeting that were not able to be answered:

- Why can't the Library use the Trolley Station for story time and/or library programs?
 They were told it didn't fit in line with the Mayor's vision for the Trolley Station.
- They are concerned about budgeting for the Library. They don't want the budget cut again as the 38% from last year was a lot more than other organizations in the City and there are a lot of things that need to happen with the library that can't because budgeting was cut.
- They want to know why the City doesn't support expansion of the library especially with the immense growth in our community.
- Loss of the Lab: Children need a place to study and go. The community center does not
 offer the library programs. It was suggested that perhaps churches could help provide
 spaces for library programs. Not all people feel comfortable going into churches, and
 could make the programs appear exclusionary.
- Would love to hear how the City Council plans to get back those programs for our youth.

Jim Taylor: 1052 Triumph Dr:

He is a member of the Library Board and made the comment that Middleton is not a community library it is a City Library. The Library board does not set the City Budget, the board is a council. He told people if they wanted to complain about the Library to come talk to City Council because Council sets the budget. The Library employees are City employees. The people that get taxed are city residents.

Heather Ellis: 1045 Settlement Ave:

Wants to know what the criteria is for the Library Board members and how they are selected?

Mondor Family: 25156 Shirley Lane:

- Emma Mondor: The library is important and she likes story time.
- Calvin Mondor: He likes the library because he likes books
- A.J. Mondor: His family loves the library. The library has been great to them. The people who work there are so much more than employees.
 In relation to Arbor Day, there might be an opportunity to get free trees with Idaho Power. If we wanted to coordinate that, we might be able to get some trees for residents. (Mayor disclosure, he has worked with A.J. at the county for 4-5 years at the end of his term. He considers him a friend, but will not weigh his testimony any more or less than the other testimonies)
- Alicia Mondor: The Library is an integral part of this community. It deserves council
 respect and needs to be treated well. It needs to not be neglected as it has been. People
 are moving here because of the community. Having a library that is big enough for the
 growing community is so important. Educate your people and we will have a good
 community. We need a safe space for kids who need a place to go.
- Griffin Mondor (baby)

April Chainey: 577 Kennedy Ct:

Thanked the Council for all of the hard work they do. She is aware it is a thankless job. She stated that the Library hours have been cut substantially, and it is affecting the students she works with. She is the librarian at Middleton Heights Elementary. When she tries to promote the library this year, it was difficult. Parents have contacted her upset because the hours have been cut where for working parents it is almost impossible to get in there. Saturdays and Sundays it is closed and it only open one night until 7 p.m. Working parents cannot do that. The hours do not make it accessible for children and working parents. Star library is open 47 hours a week and Caldwell is open 62 hours a week. Middleton is open 34 hours a week. Both Star and Caldwell offer Saturday access. We need to get these kids a place that is safe, access to books, media and computers. By denying access to hours to the public library you are shooting yourself in the foot. She considers the Police, Fire and Library all at equal levels. To her, that is what is important in a community.

Jennifer Barr Library Director:

Mentioned in Board meeting that the Library budget may be cut this year. The Mayor has responded to multiple emails that there is no intention of cutting the library budget this year, but also that he will not support an increase in the Library budget. She is imploring the City Council and the Mayor to rethink that, as costs have continued to increase. In response to the hours the Library is open, they had evaluated the hours that receive the most use. Due to Covid most libraries reduced their hours. The Library has been open since June 2020 and been consistently open for public use. In order to operate at current level, they have had to use carry over from the previous year to offset the significant budget cut. If the budget stays the same despite the increased growth in Middleton and the increased tax revenue and increased need for a library we have to look at reducing services even more because there will be no carry over for next year. We cannot be part of the consortion because we are too small and don't have enough to offer. Residents recognize that the Library is an important part of our community, and that it fills an essential and vital role. When programs and hours are required to be cut because of funding. and the building is significantly smaller than most buildings of a community our size we are sending a message that the library is not valued and having an educated and community minded people is not as valued as it should be.

Mayor Comments, Council Comments:

Mayor Comments: "First, I will respond to all of this in writing. Leave your email address and I will send this. I have some emails and I will notify the Library Board. But I will address a number of these right now.

My Vision for the Library – The Library Board has asked me what my vision for the library is. I am not a Library Vision guy, my vision is to appoint good, strong members of our community to the Library Board who develop a vision for their library with the director and manage it accordingly. I kind of fibbed there a little bit, because I do have a vision for the library and we have shared it with City Council and they have taken action. That action is to gather up real-estate. There have been 2 parcels the city has obtained already. (Exchanged one piece for a value of about \$86,000, and the other parcel was purchased for \$94,000.) \$180,000 plus that the city has invested in a vision. That vision is a new City Hall, a New Police Station and a new Library down at that Campus Complex. City Council has been very supportive of us trying to gather up that real estate.

I want to get that \$186,000 support of Middleton's future in the right perspective and right place. The current budget for the library is \$250,000 at this point. This is my first year as mayor. I am not a library guru in any way shape or form and I am not pretending to be. But what we are charged with are the Tax Dollars and to handle them appropriately. So my vision is not a 1 year vision. I don't have instant gratification for the library. This is going to take my best guess an 8 or 10 year program to get it built up to where we can possibly have a new City Hall, a new Library and a new Police Station at that location.

- Cutting the Budget I am really glad that this was cleared up tonight, I couldn't imagine where these budget cut threats that were supposed to come from me certainly not City Council. We have had no meetings or discussion at all about any of the budgets this year, other than are we within budget parameters when we spend money on any one thing. So whoever was whipping that up, it really didn't serve the purpose very well. I want to clear that up, there has been nothing talked about. I don't have a vision to cut the library's budget, On the record I support the budget just as it was last year. I don't support big increases, I don't support moving a modular onto any of the ground there to have extra room for the Library when I'm still not convinced that these programs can't run out of the Community Center. Once that is done and off the table, we will start looking at other alternatives. But right now that Community Center is a great resource if we can corral it. I'm trying, Tim from GRMPD is trying. Who you should be talking to is your school district to make a decision on whether we can use it or if it should be crossed of the City's resource list.
- We are after employees I have nothing against employees, I know very few of them.
 Council there was an incident in a restaurant where two city employees were having a
 discussion about data the library had submitted and perhaps it wasn't accordingly, I
 haven't had a chance to talk to my attorney yet on if any policy by the city or law was
 broken. So I haven't handled that yet, but I will handle that administratively and report
 back to City Council on that.
- LAB Loss I just simply disagree with Ms. Cheney, the Police are at a higher level of importance to me in my opinion of the Community than the Library. When somebody is getting beat, raped, robbed, hurt, or in a car accident we don't call the Library, we call the Police Department. I won't budge on that the rest of my life. I chose to move that Police Department into the LAB and the domino effect is that we got these Council Chambers, I still support that and have nothing to apologize as far as that.

Council Member Tim O'Meara - Community Center

After the discussion at the Community Center last year, GMPRD was later informed that the School District was not interested in negotiating another classroom. Previously they had a discussion in the Community Center about the 3 classrooms that were generally used as storage closets for outdated school equipment. Those classrooms were in poor condition GMPRD has proposed renovating that with a joint effort between the city and GMPRD and then house the LAB in that classroom. The additional 2 classrooms could be used as storage. The School District has relented on making any decision on what they will do at this time.

Council President Kiser:

At the time that Council made that decision to move the LAB it was based on understanding that the LAB could go into the Community Center. Then Covid hit and everything else, and then the School District changed their position. The intention was not to cut that program but to relocate it. Because he has been in there and have seen that the age of the kids using it, and

the greatest volume were Middle School kids. It made sense to relocate it closer to the Middle School. Because those same kids were not going into the library. To put a program that they were going to use next to the Middle School, absolutely that made sense at the time, prior to Covid. As a Board when the decision was made to move the Police Station. The police needed space and the thought was the Community Center could house the LAB.

Library Hours of operation: Why hasn't the hours of operation just changed? Why not be closed on a Monday and be open on a Saturday? Look at the hours and adjust your available hours and use that time now that we are opening back up with Covid.

Council Member Huggins:

She was at the Library Board meeting and supports people who support the library to begin coming to these meetings. City Council cannot know what is important to residents, if they don't voice let the council know. After the last election residents voiced their concerns with traffic. During the construction of the skate park, the importance of city parks to residents was heard. If the residents come and tell Council what is important, it is Councils job to listen to how residents want their tax dollars spent in the best way possible. She thanked the public for coming, Council can't know this information if residents don't share it with them.

Mayor Rule: Regarding Library Board Members:

Criteria for Board Members; He doesn't have a list. He looks for people who are willing to serve. There were 3 names that came forward for the last board position. He looks at their experience, at their desire, at their abilities and try and make a good decision. He thinks there is a pretty good board.

(Resident didn't agree with that statement. Mayor called her to the podium.)

Christine Green: "The consensus with the board is there should be a certain amount of advocacy also involved. You should believe in, stand for and want to, yes stay on budget, but there shouldn't be an attitude of complacency. They should be willing to support the patrons in spaces where our children can have programs. There does not seem to be a lot of love and advocacy and wanting to do what will be best for the community via the library."

Mayor Rule: "I have explained my criteria and wanted to give Ms. Green and opportunity to speak on the record why she doesn't like the board members as it is. I think they are all great people and understand that Don getting ready to leave the board. We will look for another member based on the criteria that I just explained and hopefully we will find somebody good. Don has done a great job. I wish he was here to hear that."

Adjourn: Mayor Rule adjourned the city council meeting at 7:37 p.m.

ATTEST:

Steven J. Rule, Mayor

Jennica, Deputy Clerk

Minutes Approved: April 7, 2021

APRIL 20, 1910

WALL COUNTY

Utilities

From: Tiffanie Garcia <tiffanieagarcia@gmail.com>

Sent: Wednesday, March 17, 2021 2:48 PM

To: CITMID

Subject: For 3-17 city council meeting

Dear Jennica,

I would love it if this could be read aloud at the meeting tonight since I am unable to attend. Thank you so much!

Dear City council members and Mayor Rule,

I am writing because I am unable to attend the city council meeting tonight, but I felt strongly about voicing my support for the Middleton Police Department obtaining a Police K-9.

A police K-9 would be a huge asset to our police department, money well spent in my opinion. They work against drugs, keeping drugs off our streets and out of our schools (which unfortunately is an issue). A K-9 can do open air sniffs which can be done without a warrant, this being done for school lockers and storage facilities gives the officers a huge advantage. A K-9 searching for drugs is FAR more thorough than a human. They are also much faster at a search which in turn saves money on man hours. K-9's are more efficient in article or evidence searches which also saves money on man hours. Having a K-9 in town helps keep the citizens safer, as they can search for missing children/persons. They can track fleeing suspects which is for both officer and community safety. When doing building searches, they can use the K-9 which keeps the officers safe and reduces man hours getting the officers back on patrol quicker than if they had to search without the K-9.

Now when it comes to using a K-9 for apprehensions this greatly reduces the risk of an officer injury which saves money in workman's comp claims. A K-9 is the only weapon available to an officer that can be stopped once "deployed or fired". This greatly reduces city liability. At times when the only other option to an officer may be lethal force, a K-9 can be used instead. There is also the fact that suspects OFTEN give up without a fight just because a K-9 is present. In my option for the reasons stated above, a K-9 is absolutely what the MPD needs and should be approved tonight. Thank you for your time.

Tiffanie Garcia 269 Explorer St. Middleton



Public Comment Sign In

March 17, 2021 -City Coundil Meeting

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MUNKEL GRAFFE	1889 KIAGE WAL	LACE	
Andrea Miverson	149 E Willawcreek Dr	208-1014-3694	
heun Green	23725 vensing lane middletan	902-151-8459	library
4 Christin thees	05725 Jansangla	740-296-8036 Librar	Library
5 Jennéer Bari	1284 Peregrime Dr	208-585-6559	library
Jas Roberts	10369 Colorful Dr Nampa	768-975-5241	
Kyle Prewett	12463 W Sika Dr. Boice, Ib	(208) 634, 6934	6,7
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Public Comment Sign In

March 17, 2021 -City Coundil Meeting

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	Jenny Cahoon	321 E. I dahu St. #1	Cahoons 3 anotmail.	There
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