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**MIDDLETON CITY COUNCIL  
APRIL 17, 2024**

The Middleton City Council Meeting was called to order on April 17, 2024, at 5:36 p.m. by Mayor Jackie Hutchison.

**Roll Call:** City Council: Council President Kiser and Council Members O'Meara Christiansen and Murray were all present.

Mayor Jackie Hutchison, City Attorney Douglas Waterman, City Administrator Ms. Hobbs, Planning & Zoning Official Ms. Stewart, Public Works Director Mr. Van Gilder, and Deputy Clerk Ms. Reynolds were present.

**Pledge of Allegiance, Invocation:** Jennica Reynolds – Deputy City Clerk

**Action Items**

**A. Approve Amended Agenda**

**Motion:** Motion by President Kiser approving the Amended Agenda posted April 15, 2024, 4:00 p.m. Motion seconded by Councilman O'Meara and approved unanimously.

**Public Comment on Non-Public Hearing Items of City Business (3 min each)**

*No public comment*

**Action Item:**

- 1. Consent Agenda (items of routine administrative business)**
  - a. Consider approving minutes for City Council April 3, 2024, Regular meeting.
  - b. Consider ratifying payroll for April 5, 2024, in the amount of \$114,969.61.
  - c. Consider approving accounts payable through April 5, 2024, in the amount of \$363,198.03.

Council President Kiser called the items and stated that he had reviewed the accounts payable. Nothing was out of the ordinary.

**Motion:** Motion by President Kiser approving Consent Agenda Items 1 a-c. Motion seconded by Councilman Christiansen and approved unanimously.

- 2. Consider approving application for Liquor License to The Bank Bar LLC, located at 21 N. Dewey Ave and authorizing the City Clerk to issue said license. – Ms. Hobbs.**

Mayor Hutchison called the item and Ms. Hobbs explained the item. This is the first Liquor license the City issuing. The Bank Bar will come back to have the renewal license approved in May. This license expires May 31, 2024.

**Motion:** Motion by President Kiser approving application for Liquor License to The Bank Bar LLC, located at 21 N. Dewey Ave and authorizing the City Clerk to issue said license. Motion seconded by Councilman O'Meara and approved unanimously.

- 3. Public Hearing: Consider adopting Ordinance No. 693: AN ORDINANCE ENACTED BY THE MIDDLETON CITY COUNCIL AMENDING TITLE 5, CHAPTER 4, SECTION 05-04-04,**

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**MIDDLETON CITY CODE, REGARDING REQUIREMENTS FOR THE SUBMISSION OF A PRELIMINARY PLAT APPLICATION BASED UPON SCHOOL CAPACITY; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; AND REPEALING ALL ORDINANCES, RESOLUTIONS, ORDERS AND PARTS THEREOF, IN CONFLICT HEREWITH. – Ms. Stewart**

Mayor Hutchison opened the public hearing at 5:41 p.m.

Planning and Zoning Official Ms. Stewart gave a presentation of the Proposed Ordinance. (Exhibit 1). She added as late exhibits to the staff report Exhibit B.

Public Works Director Mr. Van Gilder shared information regarding the waste water treatment plant's (WWTP) capacity and the necessity of upgrading the WWTP to address stricter discharge requirements. Current projections for the cost of the initial phase of the plant upgrade is between \$50 million and \$80 million. More specific discussion with council about potential funding plans for the project are anticipated in the future. Capping or restricting growth of the city will lose the advantage that might otherwise be available to our rate payers of spreading the repayment costs across a wider population base during the life of the loan.

The Council asked a question about the timeline of the WWTP plant upgrade. Mr. Van Gilder stated that the plant design is substantially completed. Construction will likely be dependent on the city obtaining funding including the authority to take on debt to finance the project.

The Council asked a question about whether a judicial confirmation would be necessary to obtain debt authority. Mr. Van Gilder stated that the City anticipates seeking a bond election, but that has not been finalized yet. Depending on the City's ability to gain debt authority through a bond election, the City may need to consider a process of judicial review to obtain funds necessary to comply with state regulations.

The Council asked a question about the design population planned for the plant. Mr. Van Gilder stated the new plant is planned for a population of approximately 40,000 people. That is the new plant at full build out. The initial construction has been scaled back to delay construction of the components that will likely not be needed until we reach a population of 30-40,000. These subsequent phases could be potentially paid by impact fees, or some other methods and can be delayed sometimes.

The current plant currently serves 4,000 connections or roughly 12,000 people. The plant as configured has capacity to serve about 8,000 connections or roughly 26,000 people operating under the City's existing permit. The initial phase of the new plant expansion required to meet the anticipated permit will increase the overall treatment capacity to about 9,500 connections or a population of 28,000. Expansion of the plant to serve the ultimate design capacity of 40,000 people could be achieved with two subsequent construction phases.

The Council asked a question regarding the calculation of equivalent dwelling units (EDU's) for the schools. Mr. Van Gilder responded that a determination of the impact from a school to the water and sewer utilities can be suitably estimated based on the size of the domestic water connection to the school. The impact to the system is then typically expressed in Equivalent Dwelling Units. The Equivalent Dwelling Units term has been interchanged with

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Equivalent Residential Units in the past discussions. It was noted that impact and connections for water and sewer are typically utilize this process to determine a non-residential connections effect on the system. Mr. Van Gilder noted that impact fees for transportation, police, fire, and parks use a similar but slightly different processes. This can result in a single applicant being assessed a different level of impact (number of EDU's) when calculating different connection or impacts. i.e. the transportation impact of a movie theater may be different than its impact on the police service.

Mayor Hutchison opened public testimony at 6:07 p.m.

*Carrie Huggins:* Neutral. She appreciates the optimism behind this going forward. She is optimistic that the next school bond will pass. She is concerned that by the time the new school is built it will still be at capacity. Has there been some type of survey to understand how many parcels would be affected. She would also like know that this ordinance is defensible.

*Susan Lowe:* In Favor. She thanked those who support this. She thinks we shouldn't force out children and their teachers into overcrowded classrooms or portables. It doesn't provide an optimal learning environment and may be affecting college level learning as well.

*Greg Timinsky (MRFD Chief):* Opposed. His concern is for all 110 miles of the area for the fire district. If this passes he fears development will get pushed out into the county. He currently is not supported in the County with the lack of water supply. And that puts all of our citizens that live outside of City infrastructure at risk.

*Greg Hathaway (SRVBCA – Canyon County Homebuilders Association):* Opposed. He is concerned this will negatively impact the affordability of housing in this town. He doesn't believe development will stop.

*Howard Ronkin:* In Favor. Kudos to Councilman Murray for doing the legwork to make sure this stands on good ground. This is a first step in rectifying the legislature's inaction in funding education for our city and state. It may be helpful in influencing other communities or areas that probably suffer from the same pressures of rampant growth.

*Tyson Sparrow:* In Favor. In regards to the superintendent and possible future superintendents. This isn't an emotional decision for a superintendent. It is based on actual data of students who attend and graduate from the school. This has nothing to do with turning over the city's planning authority. This is about giving a voice to the kids who cannot vote to make sure they have conducive environment in which to learn. He worked on the ordinance with Councilman Murray and at Mayor's request got a second opinion from other lawyers and they said we are in good standing with it.

*Marc Gee (MSD Superintendent):* Likes that this ordinance defines schools as an essential part of the community. We don't want to keep expanding if we can't support the education of our students. We are overcrowded in our schools and haven't passed a bond. The ordinance may not be perfect, but it is a step. Currently Heights Elementary is at 579/399 students which is 146% capacity with five portable units and ten classrooms. Mill Creek Elementary is at 727/616 students which is 118% capacity with six portables and 12 classrooms. Purple Sage Elementary is 462/594 students which is 77% capacity with no portables. Purple Sage is where they house some of the special programs, so they have to

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take that into consideration and keep the capacity lower at that school. They have been unsuccessful at passing bonds the last five times. If the bond in May 2025 passes, that will give them a lock in date of 2027.

*Question and answer from Council regarding process of superintendent gathering data and funding of schools and the bond.*

*Joey Palmer (Vallivue Assistant Superintendent):* Vallivue School District has a small footprint in Middleton. He thanks the council for thinking outside of the box. This could be a model for other cities to look at.

*Kim Carson:* In Favor. Excited to support this ordinance. We need to lead by example. There are multiple reasons to slow growth. Residents need to live, work and shop in Middleton.

*Alicia Purdy:* In Favor. She is a teacher in the Vallivue District. It is impossible to teach 35-40 students in a classroom, you are doing nothing more than managing behaviors. She hopes we can set the bar for other districts because they are all paying attention.

*Ken Burgess (SRVBCA and South Contractors Association of Southwestern Idaho):* Opposed. He is concerned about the unintended consequences. This acts as a de facto moratorium only in city limits. And forcing building outside of city limits, but still within the Middleton School District. The HSB 521 bill will give \$17 million to the Middleton School District.

*Mike Graefe:* In Favor. You can show anything that you want with statistics. The lottery was supposed to provide funding for the schools until the Legislature decided to use it as their slush fund. We need Impact Fees for Schools, and Middleton needs to pass a bond. But we can start with the ordinance.

*Janet Gibson:* In Favor. This is cutting edge and a pivotal ordinance. It won't impact anything for 7-10 years, but we need to start somewhere. What about redistricting the School District? We need commercial and to focus on what we have.

*Adam Capell (Toll Brothers, Inc):* Opposed. He reiterated his letter. He is concerned about the unintended consequences. This undercuts the bond efforts. It also could have loss of property or loss of life consequences as a result of driving growth to the county. In his opinion it puts land use decisions in the hands of the schools and many other things. Middleton does need the commercial, but you have to have the residential in order to get the commercial.

*Don Reynolds:* Neutral. Middleton City and Middleton Community issues overlap more often than not. He has served on the Parent Advisory Committee for Heights Elementary and he even ran for the school board. Education of the bonds is an issue. He is concerned that with this ordinance the City is only one of four players. He sees the need to solve the problem with schools and the overcrowding problem. But if only one of us are playing by the rules and the others (Star, Caldwell and Canyon County) are not, then he has concerns. The state is ultimately responsible. He likes the proposal of this a lot, but would hope that Council can find another remedy that doesn't turn control completely over to the school district to approve or deny an application.

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Mayor Hutchison closed public testimony at 6:54 and called a brief recess. The meeting reconvened at 7:05 p.m.

Council Discussion:

*Kiser:* He believes this ordinance is defensible. The City Attorney drafted the ordinance. It is rock solid. In regards to the concern that a new school will be at capacity when built. That could be a reality, with 3000 more homes in the queue. What about the existing homes? There are people that don't have kids that move out and new families with children are moving in. What about the infill properties? They drew a line at 10 because at some point you have to do so. The school district is not going to magically fudge the numbers to state in order to control the City land use. It would be nice if the County would rectify the water for fires situation. He is not worried about being hemmed in, because if a developer wants to go to the county, they will.

*O'Meara:* Opposed to the idea this will shut down growth within the city forever. It will not. This is something being enacted now because we have a current situation. Once that situation is resolved this can be changed. Other school districts and cities are watching. Existing families always add to their numbers and can always add to their house.

*Christiansen:* Likes the premise of the ordinance but would like the terminology of it to be reworked. He thinks the pros and cons could be addressed and if the ordinance was written to include and define the things discussed in order to better suit the City to avoid a lawsuit. He still believes the City is exposing itself to a lawsuit the way it is currently written. Whether we win or prevail or not depends on the amount of loss that might be brought forward to the court. His biggest concern is the school district boundary as compared to the City boundary. He is concerned that if people inside the city are involved in this ordinance as compared to those outside in the impact zones in both Canyon County and Star impact zones, their rights could be affected differently. He is also concerned that if Middleton is encroached upon, as our infrastructure comes, costs increase. The tax base is enhanced by having more participants. To Jason's comments, we need to be aware that growth does impact our tax liability. Building permits are what helps pay for a large portion of our city funding.

*Murray:* Concerned that if we put this off, we will find ourselves having to put it off for a year, 18 months, two years. Things have a way of losing steam and being forgotten about when other things arise. Not opposed to amendments, or even repealing the ordinance if we find it is having a negative effect on the community. If he hears any talk about weaponizing this to stop the growth of the town, he will push for amendments and or repealing. It is not intended to be used as a weapon. We still need a school. We need to pass a bond. Education in this state is a constitutional right. Over the last 20 years the Legislature has failed in it's duty to adequately fund schools. We need to step up where they have failed. We already know what happens if we do nothing. People across the state are watching, Middleton has the opportunity to make a splash and change the narrative on schools in this state. Regarding the fire chiefs' concerns about development being pushed to the county, it is already happening. Wastewater capacity, this ordinance is less restrictive. He is pro commercial and pro industrial. Impact fees will do nothing for the problem now.

*Christiansen:* What is the rush? We already have a water treatment plant concerns that are being addressed right now, we also have 3400 homes in the queue that are impacted by this

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yet. We don't know the impact of the field project. He has learned hard lessons going out of the gate too fast. His concern is the property rights issue. He thinks we have time to write the terms into the definitions.

*Kiser:* Doesn't believe there is a property rights issue. There are two different city codes, Middleton's and Stars. It is in our code. You can or cannot build a specific way.

*Christiansen:* Believes there is property rights discrepancy.

*Douglas Waterman:* Property rights and the modification of them through ordinance is different than a taking. A compensable regulatory taking requires essentially the extinguishment of any economic viable use of a property or some sort of exaction associated with the development application. But it's not a taking. It's also not a taking. For example, when the City did away with its R-4 zone, the consequence of that is that the properties inside the City of Middleton have a different set of rights. Because prior to that code amendment, you could do a thing with your property that you now cannot. And so you are correct that the ordinance does have an impact on people's property rights, but the ordinance as drafted, it's my opinion, that does not constitute a de facto taking that would be compensable under the Regulatory Takings Act.

*Murray:* This hasn't been a rushed process, Tim was aware of this ordinance but wasn't in on any of the drafting of it. He and Rob were in on the drafting and pitching to Star and Canyon County. This isn't a rush for us. We have been working on this since late summer/fall of 2022.

**Motion:** Motion by President Kiser to read Ordinance 693 by title only. Motion seconded by Councilman O'Meara. Roll Call Vote:

Kiser – Yes, O'Meara – Yes, Christiansen – No, Murray – Yes. Motion passes 3:1.

President Kiser read the Ordinance by title only.

**Motion:** Motion by President Kiser to waive the 3-reading rule and adopt Ordinance No. 693. Motion seconded by Councilman O'Meara. Roll Call Vote:

Kiser – Yes, O'Meara – Yes, Christiansen – No, Murray – Yes. Motion passes 3:1.

**4. Consider approving the Summary for Ordinance 693: AN ORDINANCE ENACTED BY THE MIDDLETON CITY COUNCIL, CITY OF MIDDLETON, COUNTY OF CANYON, STATE OF IDAHO, AMENDING THE MIDDLETON CITY CODE TITLE 5, CHAPTER 4, SECTION 05-04-04 REGARDING REQUIREMENTS FOR THE SUBMISSION OF A PRELIMINARY PLAT APPLICATION BASED UPON SCHOOL CAPACITY; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; AND REPEALING ALL ORDINANCES, RESOLUTIONS, ORDERS AND PARTS THEREOF, IN CONFLICT HEREWITH.**

**Motion:** Motion by President Kiser to approve the printing of the Summary for Ordinance 693. Motion seconded by Councilman O'Meara and approved unanimously.

**5. In regards to Water Rights:**

**Consider authoring the mayor to execute a task order with HDR Engineering, Inc.**

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**to prepare a Water Rights Master Plan in the lump sum not to exceed \$13,000. –  
Mr. Van Gilder**

Mayor Hutchison called the item and Mr. Van Gilder explained this is a task order with HDR engineering to work on some water rights workforce. This is the first step in another water rights application to consider what kind of planning range we need and to continue water rights application for our domestic water system growth. We request your permission to start working on that with HDR and our city engineer. The money is coming from Engineering, professional engineering services.

**Motion:** Motion by President Kiser authorizing the mayor to execute a task order with HDR Engineering, Inc. to prepare a Water Rights Master Plan in the lump sum not to exceed \$13,000. Motion seconded by Councilman Christiansen and approved unanimously.

**Mayor Comments:**

*Mayor Hutchison:* This ordinance has been talked about for a long time. There are all kinds of good and bad. The good thing is, whatever the bad happens to be won't happen for many, many years. I want to thank Councilman Murray and Councilman Kiser for getting the ball rolling. This is the first step on pushing the developers in our state, who hire many of us, sheet rockers, painters, electricians and plumbers, to take into consideration their bottom line and to contribute more so that this problem of school overcrowding can be addressed in a permanent way. 17 million from the state is ok. 20 years ago would have been a great number to build a school. Nowadays, it's not going to be quite there. And with the additional thousand students coming over the next couple of three or four years, ten years, and all the ones from Star and the County, we're going to need more than one school. We're going to need three and four schools and probably someday another high school. So I encourage anybody out there in other cities throughout the state of Idaho, to join forces with these four gentlemen and get the ball rolling and push this through so that as a start, the kids in our state have the best opportunity and the same opportunity that was granted myself and many of us in here.

**Public Comments on non-agenda items of city business:**

*Jim Taylor:* Would like to see an ordinance regarding the beautification of our city, so that the broken down cars, that become "lawn art" can be removed. He would also like to get a crime report from the police department.

*Tyson Sparrow:* Likes the beautification of the Roadside Park restrooms.

*Don Reynolds:* Agrees with Tyson, he would like to see the weeds in the beds at Roadside Park pulled. If there is a problem with water in the County, we need to talk with the County. He believes people would stop blocking the box in front of the Fire Station if police started handing out tickets.

*Carrie Huggins:* She was excited to see an all-abilities park budgeted and funded.

**Mayor, Staff and Council Comments:**

*President Kiser:* All the hard work with Murray can't stop here. People need to reach out to their County Commissioners and Legislative representatives and push, push, push.

*Councilman O'Meara:* This ordinance will not solve our problems unless we get our citizens

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to push forward with bond issues and develop our school system the way it needs to be. Passed residents have brought the schools to this point. New residents have benefitted but are not willing to contribute to improving the schools. So we really need to market with our school district any bond that comes up. As far as water issue the fire chief brought up, that needs to be brought up when the Council goes to the County Commissioners in June.


*Councilman Christiansen:* Grateful for the work that has gone into the ordinance. His main concern is that it not stop here. He still wants the opportunity to correct some of the things discussed.

*Councilman Murray:* He is so proud of Middleton. This is the beginning and it may require sacrifice and that we as residents go to meetings in order to be active, but we all need to push Star, the County, Caldwell, etc. Please be active.

**Adjourn:** Mayor Hutchison adjourned the meeting at 7:58 p.m.

ATTEST:


  
Jennica Reynolds, Deputy Clerk  
Minutes Approved: May 1, 2024

  
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J. L. Hutchison, Mayor

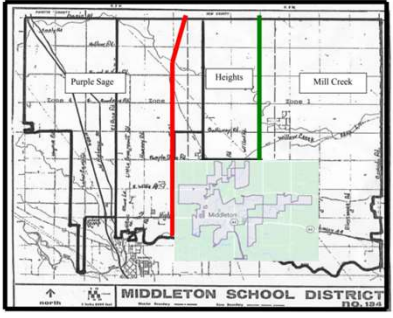
(As a test a full unedited transcript of the meeting is attached. See pages 22-76)








**Proposed Amendment to Middleton City Code Section MCC 5-4-4 (School Capacity) Ordinance 693**



1

**MCC 5-4-4 Criteria for Preliminary Plat approval**




**Application Request:**  
Request for amendment to Middleton City Code section 5-4-4 regarding the preliminary plat process. During the past few years, MCC 5-4-4 requirements for a preliminary plat pertained to only technical data such as paper size, scale, survey data, etc. On March 8, 2024, City Council approved Ordinance 689 to add additional criteria to consider, including (1) whether the preliminary plat is in harmony with the Comp Plan and City Transportation Plan, (2) whether there is sufficient sewer and water capacity to serve the project, and (3) whether historic, scenic or natural sites are preserved appropriately.

Proposed Ordinance 693 will add one more criteria to satisfy before a preliminary plat can proceed to approval. It pertains to the application submittal process. The applicant must provide in their initial application packet a letter from the School District indicating that the schools serving the development are not above 110% capacity. If the letter is not in the submittal packet, then City planning staff cannot intake the application, and the application will not be processed in any way. This requirement will not pertain to small developments with fewer than 5 lots or infill projects with fewer than 10 lots.

2


**MCC 5-4-4 Criteria for Preliminary Plat approval**



**5-4-4: PRELIMINARY PLAT:**  
...  
*e. School Capacity: A signed statement from any school district in which the subdivision is located, verifying that the proposed subdivision, upon completion, shall not cause or contribute to the Total Service Obligation of any public school that will be serving the subdivision to exceed one hundred and ten percent (110%) Capacity of such school, except as follows:*  
*i. Small Developments: The foregoing capacity verification shall not be required for subdivisions where the total number of lots is fewer than five (5). A developer shall not be permitted to avoid the obligations of this Subsection (e) by artificially partitioning a large development into smaller developments.*  
*ii. Infill Developments: The foregoing capacity verification shall not be required for a subdivision where the total number of lots is fewer than ten (10), and such subdivision is an infill subdivision, which shall mean any proposed subdivision that is immediately adjacent, on at least three sides, to the municipal boundaries of the City of Middleton, and which is also entirely within the municipal boundary of the City of Middleton.*

3

**MCC 5-4-4 Criteria for Preliminary Plat approval**



*As used in this subsection (e), each school's "Capacity" shall be determined based upon the total of the actual capacity of such primary school facility added to the actual capacity of any permanent structures used to house students at said school facility. Actual capacity of common areas (restrooms, lunchrooms, libraries, and similar spaces) shall be taken into account when determining the actual capacity of additional permanent structures used to house students at a school facility.*  
*As used in this subsection (e), Total Service Obligation shall be calculated by adding the total number of built and buildable lots (including lots in all phases of any subdivision that has obtained preliminary plat approval) within the area served by such school together with the total number of buildable lots located within the proposed subdivision, and multiplying said number by the Student-Per-EDU-Number.*  
*As used in this subsection (e), Student-Per-EDU-Number means that number, calculated annually by the school districts and acknowledged by the City Council, which is the average number of students expected from each residential dwelling unit built or existing within said school district. There shall be a Student-Per-EDU-Number calculated for each category of students (elementary students, middle school students, and high school students). School districts shall use a reasonable and substantiated method for determining the Student-Per-EDU-Number."*

4

**MCC 5-4-4 Criteria for Preliminary Plat approval**


**PROS & CONS**

It goes without saying that the City is concerned about the School District and the over-crowding problem. The best way to fix the problem is for the residents in the School District to approve a school bond, but the residents have refused to approve a bond for over 15 years despite several attempts by the School District. Approving Ordinance 693 will be the City's attempt to help fix the problem, but it may have unintended consequences, some good, some bad:

Approving Ordinance 693 will relieve some of the future pressure on the schools because it will greatly slow down or stop the approval of new subdivisions. Slowing school capacity should help ensure each child gets the best chance at a good education.


It should be noted, however, that this "easing" or "slowing" will not occur for at least seven to 10 years. City had already approved 3,684 lots during the past Administrations. Of that total number, 580 building permits have already been issued and 3,104 of the lots are still in the queue as "building permit eligible." In recent years the City has issued between 200 and 300 building permits per year. At this pace of issuance, City will still continue to experience the current level of homebuilding for 7 to 10 more years until the queue is empty. Therefore, City residents may not feel the slowing effects of this Ordinance for quite a number of years.

3,104 available building permits + 300 permits per year = approx. 10 years left in the queue



5

**MCC 5-4-4 Criteria for Preliminary Plat approval**



The sewer capacity analysis recently enacted by City Council has greatly slowed the approval of new subdivisions, but this slower pace could be reversed within two to four years as the new sewer treatment plant begins to become a reality.

The school capacity ordinance, however, will entirely stop the approval of new subdivisions until a sufficient number of schools are expanded or built. It will even stop subdivisions that are 55+ or subdivisions that may contain a charter school as a part of the project. This slow down could exceed the sewer capacity slow down by a number of years. While Middleton stops growing, Canyon County, Star, and Caldwell could fill in the vacuum left by Middleton if they do not adopt a similar school capacity ordinance.

If the City gets too encased or surrounded by County, Star and Caldwell growth, it may be very difficult for the City to grow in the future once the school capacity issue is solved. The population of Middleton could cap somewhere between 17,000 to 25,000 people, which can be good or bad, depending on one's perspective. A small town is desirable, but an aging infrastructure and a new sewer treatment plant can be quite a financial burden for a small population to bear. It is estimated that the City's new sewer treatment plant required by increased State and Federal standards will cost approximately \$50,000,000 to \$80,000,000. The smaller the city, the more each City resident must pay on his or her sewer utility bill. (Jason Van Gilder to address)

6

**POWDERING** • **Pros & Cons** • MCC 5-4-4 Criteria for Preliminary Plat approval

Another unintended consequence could be the chilling effect on school bond approval. This ordinance will completely stop new subdivisions until new schools are built or expanded. Residents of both the County and City can completely stop growth for an indefinite period of time by simply not passing a new school bonds. Council may be abdicating its decision-making power by placing the decision making power into the hands of a large number of people who are not City residents.

Moreover, we currently have a great School Superintendent who is tirelessly working to improve the schools and expand capacity. But what happens if a bad Superintendent takes over, and he or she is negligent or incompetent and fails to expand capacity in a reasonable fashion. Under these circumstances, City Council will have placed its decision-making power and possibly the future of the City in the hands of an incompetent person.

7

**GROWTH MAP**

GIS Mapping of County Subdivisions surrounding the City.

8

MCC 5-4-4 Criteria for Preliminary Plat approval

**Comprehensive Plan:**

Any changes to the City's Subdivision Ordinance should be in compliance with the City's Comprehensive Plan. (Idaho State Statute 67-6511 & MCC 1-14-3.)

*Planning Staff finds that the proposed changes to MCC 5-4-4 are in harmony with the Comprehensive Plan's Goal 13 because easing the pressure on school capacity will create an environment more "conducive to the education process."*

9

MCC 5-4-4 Criteria for Preliminary Plat approval

**Comments Received from Public:** Attached as Exhibit "A" to Staff Report. **Late Comments were submitted (Exhibit B)**

**Comments from Agencies:** None

**Notices**

|  |           |
|--|-----------|
| Newspaper Notification                 | 3/31/2024 |
| Circulation to Agencies                | 3/27/2024 |
| Posted on Website "Public Hearing Tab" | 3/27/2024 |

**Applicable Codes and Standards:** Idaho State Statute Title 67, Chapter 65 and Title 50, Chapter 13. Middleton City Code 1-3, 1-14, 4-5, 5-1, 5-2, 5-3 and 5-4.

10

MCC 5-4-4 Criteria for Preliminary Plat approval

**Planning & Zoning Commission Recommendation:** The Planning & Zoning Commission considered Ordinance 693 during a public hearing held on March 25, 2024. The Commission noted that two schools are already well over capacity and found that the State Legislature has been remiss in its constitutional duty to provide Middleton students with a good education. Therefore, the Commission recommends that City Council adopt Ordinance 693.

11

MCC 5-4-4 Criteria for Preliminary Plat approval

**Conclusions and Recommended Conditions of Approval:** Per State law, City Council should base any decision and order on findings of facts and conclusions of law.

Planning Staff has stated all findings above in italics.

As to conclusions of law, Planning Staff finds that City Council has the authority to approve or deny the proposed code change. Additionally, Planning Staff finds that all public notice requirements were met. Planning Staff further set forth the portions of the Idaho State Code and Middleton City Code to be considered in making a decision on the application. WWTP

12

Exhibit B

**From:** [Roberta Stewart](#)  
**To:** [Roberta Stewart](#)  
**Subject:** FW: Ordinance 693  
**Date:** Tuesday, April 16, 2024 10:29:30 AM

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**From:** Jane Kramer <[kmsidaho@gmail.com](mailto:kmsidaho@gmail.com)>  
**Sent:** Monday, April 15, 2024 12:35 PM  
**To:** CITMID <[citmid@middletoncity.com](mailto:citmid@middletoncity.com)>  
**Subject:** Ordinance 693

To the Middleton City Council and Mayor:

I genuinely hope that Ordinance #693 is approved at the upcoming City Council meeting. I applaud your creativity by attempting to control the impact of new development on our schools.

Jane Kramer  
Kramer Management Services  
(1600 Shoal Point Ave., Middleton, ID 83644)  
208 371 9971  
[kmsidaho@gmail.com](mailto:kmsidaho@gmail.com)

April 15, 2024

Via email Mhobbs@middletoncity.com  
City of Middleton  
c/o Monica Hobbs, clerk  
1103 West Main Street  
Middleton, Idaho 83644

**Re: Proposed Ordinance 693 (School Capacity)**

Dear Mayor Hutchison and Council,

Toll Brothers would like to provide comments on draft ordinance 693. Our intent with these comments is to provide the Mayor and Council with a different perspective on the impact of the Ordinance if adopted. Toll Brothers is actively involved in the Middleton community with our West Highlands and Black Powder residential projects. For the last several years Toll Brothers has been responsible for roughly 30% of the new homes constructed and sold in Middleton. A first-class school system makes our residential communities attractive to local families and is a key component to the success of our projects. For that reason, we appreciate the Council taking such an active role in working to ensure the success of the Middleton School District. Because we share the same goals as the City related to school capacity and the overall economic health of Middleton, we hope you will consider the following items:

- 1. The Ordinance may Undercut Bond Efforts:** Idaho's Legislature recently appropriated approximately \$1.5B into the school district facilities fund to be used by local districts to pay down bonds and construct or renovate school facilities. This money will help local school districts, but will not likely replace the traditional school funding mechanism of voter-approved bonds. Such bonds require a 2/3 approval vote from District residents. The District's bond efforts have failed for the last several election cycles. The Ordinance will likely undercut the District's bonding efforts because residents will believe the Ordinance has stopped growth and there is no longer need for bond funding. That is not the case because growth will continue in the District Boundary as discussed in Section 2 below. It is our experience that many residents in the District already believe that voting against school bonds will stop growth and vote "no" solely to frustrate growth at the expense of the District and its students.
- 2. The Ordinance will not prevent additional school capacity demands:** A map of the district boundary is attached. The district serves Middleton, Star, and Canyon County residents. Stopping growth in Middleton will not stop already approved projects in the District boundary or new projects in Star and Canyon County. There are several pending residential developments in Star and Canyon County that will contribute students to the District. Under a scenario where the Ordinance is adopted, residents living outside of Middleton will continue to drive and bus students to schools located in the City. This will impact the City's transportation infrastructure but the City's housing stock and tax base will remain flat.
- 3. The Ordinance is not tailored to address school capacity.** The Ordinance includes exceptions for small and infill subdivisions. These types of projects may have lower impacts on some public services, but not on schools. Each new residence or unit has the same probability of contributing students into the district regardless of size or location within the City. The proposed carve outs arbitrarily treat land owners wanting to subdivide their property differently without any rational

basis. Some exceptions based on use could make sense. Such as exceptions for active adult or senior living because they would not contribute students to the District. Also, there are portions of Middleton that are not within the District (everything south of the Boise River). These areas should be excluded from the Ordinance if adopted.

4. **The Ordinance will prevent construction of charter schools.** Charter schools have been very successful and popular in Idaho to provide parents and students with more options. Developers have partnered with charter schools in the Treasure Valley on several occasions. These include the Novus Academy in the Avimor community in Eagle, and Gem Prep in Brighton's Apex Subdivision in Meridian. There are options for these type of partnerships in Middleton but the Ordinance will prevent this type of solution to the District's capacity issues.
5. **The Ordinance takes land use planning power from the City.** The Ordinance relies on the District to authorize subdivisions, which is a decision in the purview of the City under Idaho law. If the Ordinance were adopted, even when the City is supportive of a residential project, it cannot move forward without the District's authorization. The City would not have control of the District's management of its schools (calendar, redistricting, etc.). The City would also be reliant on the District's capacity determination and students per household calculation. Idaho law (I.C. § 67-6513) already gives the City the express power to evaluate school services when reviewing subdivision applications. The Ordinance is not needed and takes away the City's discretionary powers.
6. **The Ordinance will stop residential development in Middleton.** As drafted the Ordinance will stop nearly all development in the City based on the District's current elementary enrollment. The 2023-2024 enrollment figures are attached. All schools are under capacity except Heights and Mill Creek Elementary. Notably, redistricting the elementary schools would largely address the current capacity imbalances at the elementary level. Stopping residential growth will not correct the existing capacity issues, but it will have negative effects on the community. Housing is still in high demand in Middleton and stopping supply will increase prices and create more affordability problems. Also, many Middleton residents earn their living through the residential development industry. Likewise, much of the City budget is funded through development fees.

We hope the City will carefully consider the Ordinance and the potential impacts on the District's bonding efforts, the Council's power as the land use authority, and the overall economic health of the community. We hope the focus can shift from stopping housing to funding solutions for the District. Thank you for your time and consideration.

Sincerely,



Adam R. Capell

## District Enrollment Figures 2023-2024

### MSD Enrollment/Capacity / Middleton School 1 of 1

Filters

School Year: 2023-2024

Quarterly Term: April-June

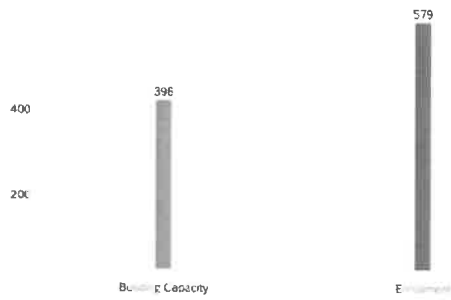
[Back to top](#)



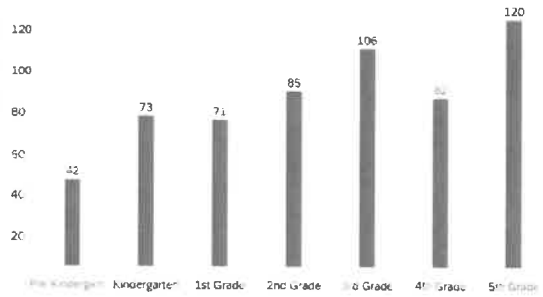
### Middleton School District Open Enrollment & Capacity

The tables below represent Middleton School District enrollment and capacity at each building  
 Building capacity is highlighted in **blue**  
 Buildings and grade levels highlighted in **green** have not yet reached capacity  
 Buildings and grade levels highlighted in **red** are at/over capacity

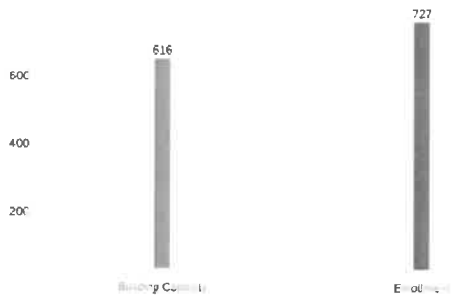
#### Middleton Heights Elementary: Building Capacity



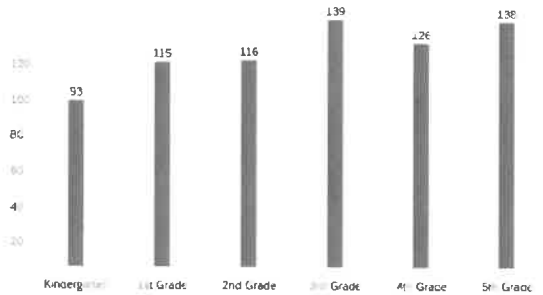
#### Middleton Heights Elementary: Grade Level Enrollment



#### Mill Creek Elementary: Building Capacity



#### Mill Creek Elementary: Grade Level Enrollment

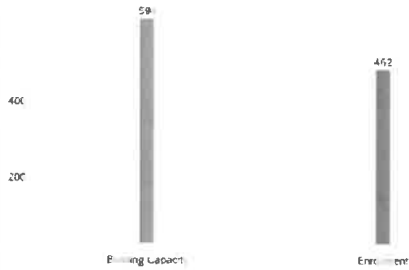


# Toll Brothers

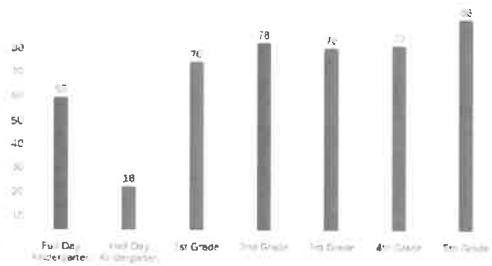
AMERICA'S LUXURY HOME BUILDER

Build to 100%

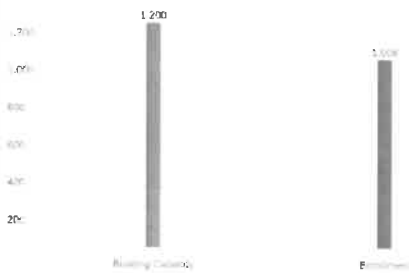
Purple Sage Elementary: Building Capacity ▾



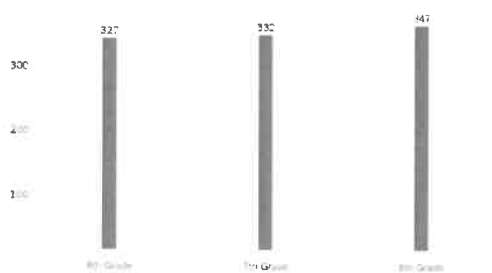
Purple Sage: Grade Level Enrollment ▾



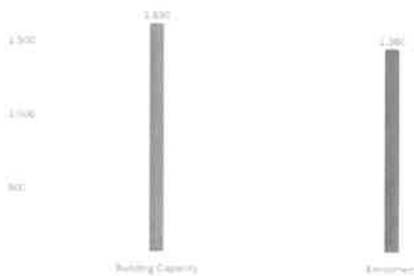
Middleton Middle School: Building Capacity ▾



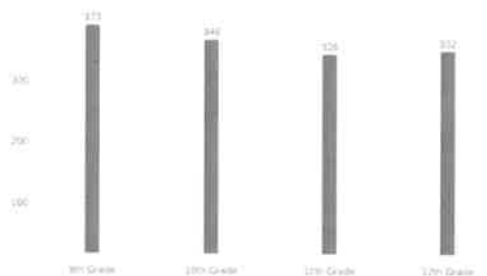
Middleton Middle School: Grade Level Enrollment ▾



Middleton High School: Building Capacity ▾



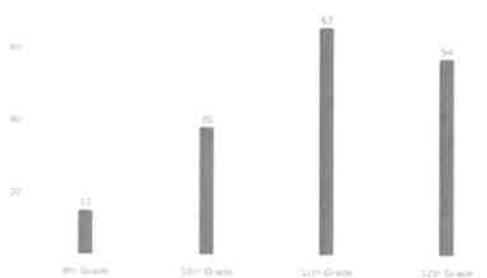
Middleton High School: Grade Level Enrollment ▾



Middleton Academy: Building Capacity ▾



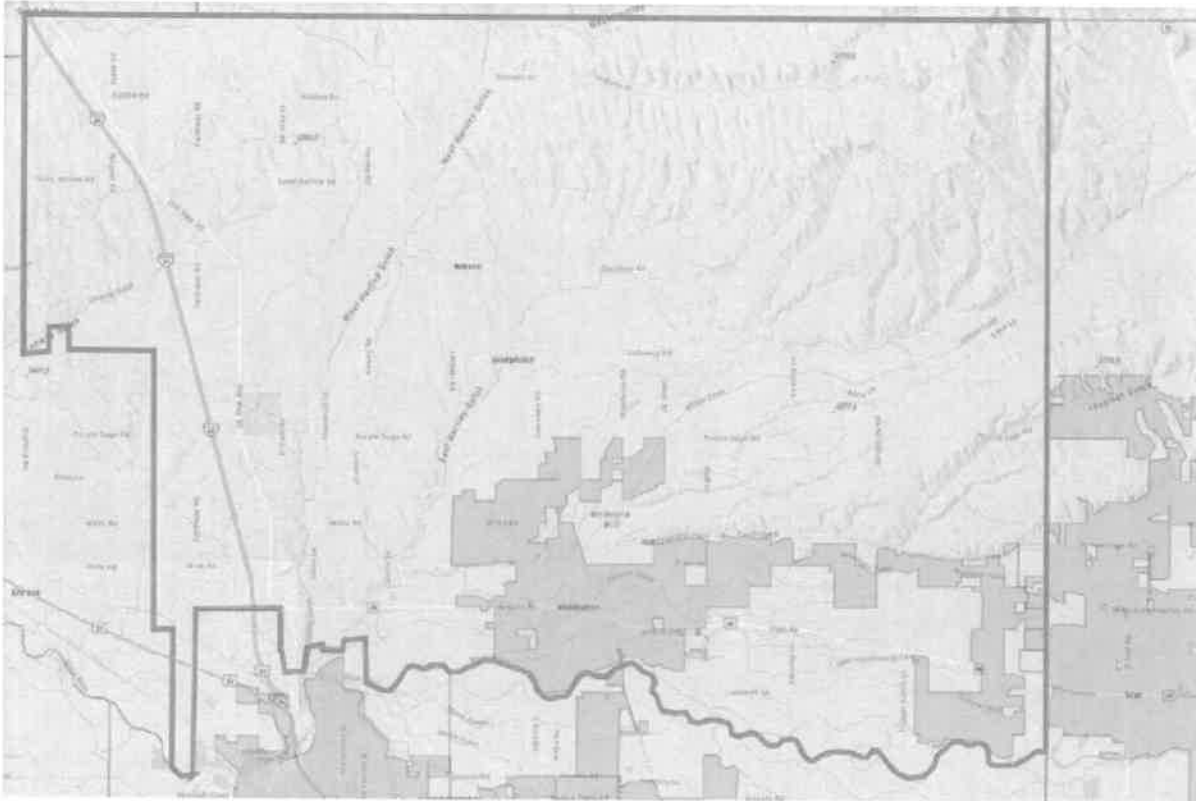
Middleton Academy: Grade Level Enrollment ▾



# Toll Brothers

AMERICA'S LUXURY HOME BUILDER®

## District Boundary Map







April 15, 2024

Honorable Jackie Hutchison, Mayor  
City of Middleton  
P.O. Box 487  
Middleton, Idaho 83644

RE: Code Amendment Application -- Ordinance 693

Dear Mayor Hutchison and members of Middleton City Council,

On behalf of the Snake River Valley Building Contractors Association (SRVBCA) and the Building Contractors Association of Southwestern Idaho (BCASWI), we appreciate the opportunity to provide comments on proposed Ordinance 693 regarding additional criteria for approval of preliminary plat based on level of school capacity.

As you are aware, our organizations consist of those involved in the new, single-family, residential construction industry. Collectively we have 670 member businesses employing nearly 4,000 people in the Treasure Valley, many of whom live and work in Middleton. The biggest challenge we have faced over the last few years is keeping up with the housing demand in the Treasure Valley. The affordability and attainability challenge of housing has been increased prices, largely due to increased demand and a lack of inventory. Our goal is to address the housing inventory problem and level off housing prices in the region.

The SRVBCA and the BCASWI have concerns about Ordinance 693. As proposed, the Ordinance will serve as a de-facto moratorium on new residential development within the City of Middleton. A residential building moratorium by any jurisdiction in the Treasure Valley only serves to contribute to the housing affordability problem in the area by limiting supply.

The effect of this ordinance will most certainly be accelerated residential development occurring in the County outside Middleton City boundaries – yet still served by Middleton School District. Housing developments surrounding Middleton will still impact Middleton School District enrollment. Such developments will still impact Middleton City infrastructure and services such as roads and parks. However, the city will have no long-term property tax or impact fee income from new construction in order to maintain existing levels of service of these facilities.

Our members are sensitive to the challenges of growing school districts like Middleton. We believe the mutually beneficial solution is to plot a strategy to a successful bond campaign, so that new facilities can be built to accommodate student population growth. This solution is beneficial to the school district, beneficial to the community, and – most importantly – beneficial to the children in the Middleton School District. We stand ready to help with a legitimate solution to this challenge, but fear the adoption of Ordinance 693 will give citizens the false impression that the Middleton School facilities issue has been resolved, lessening the support for a needed school bond.

On a bigger-picture note, school facilities funding is a statewide problem, and the Idaho Home Builders Association (IHBA) recognizes that. Certainly, growing districts like Middleton are facing challenges, but so, too, are other districts with older, dilapidated buildings. Through our government affairs work the IHBA is involved in working with the Governor and Legislature to find a solution to the broader school facilities funding problem. We are working alongside other stakeholders to increase state-funded involvement in public school facilities, and in the just-finished legislative session some progress has been made in that regard that will benefit the Middleton School District by an estimated \$17 million. It will take time to get state policy makers to settle on a complete solution, and we recognize this may not help Middleton immediately, but know that the builders and developers of the state are involved in, and hope to see, a school facilities funding solution.

In the meantime, we hope you will consider the potential unintended consequences to the City of Middleton by adopting Ordinance 693 and we respectfully urge you to oppose the proposal.

Thank you for your service to the citizens of Middleton. We look forward to a continuing dialog with you.

Sincerely,



Jenna Englund, President  
Building Contractors Association  
of Southwestern Idaho



Tyler Bosier, President  
Snake River Valley  
Building Contractors Association



3) Consider adopting Ordinance No. 693:

April 17, 2024 - City Council - Public Hearing

Please check

|   | Name            | Address                              | Phone or Email              | Please check |         |         |         |
|---|-----------------|--------------------------------------|-----------------------------|--------------|---------|---------|---------|
|   |                 |                                      |                             | In Favor     | Neutral | Opposed | Testify |
| 1 | Carrie Huggins  | 600 Cemetery Rd<br>Middleton ID      | 208 585 6258                |              | X       |         | X       |
| 2 | SUSAN LOWE      | 1130 LA REATA WAY<br>MIDDLETON       | <del>208</del> 559-250-0547 | X            |         |         | X       |
| 3 | BENJAMIN RHODES | 24150 N GRAYHAWK<br>MIDDLETON        | 714 815 2110                | X            |         |         |         |
| 4 | Mark Aless      | 25762 Amble Way                      | 208-615-1688                | X            |         |         |         |
| 5 | Greg Timmsky    | 302 E MAIN ST Middleton              | 208-941-8898                |              |         | X       | X       |
| 6 | Tyson Sparrow   | 211 N CAMPBELL<br>AVE.               | 208-515-4221                | X            |         |         | X       |
| 7 | Greg Hathaway   | 7175 Shoemaker dr.<br>Nampa ID.      | 208 407-9723                |              |         | X       | X       |
| 8 | HOWARD RONKIN   | 551 7th St.<br>Midd. 83644           | 425-422-6844                | X            |         |         | X       |
| 9 | Marc Gee        | Middleton School District<br>Address | _____                       |              |         |         | X       |



3) Consider adopting Ordinance No. 693:  
 April 17, 2024 - City Council - Public Hearing

Please check

|    | Name         | Address                                 | Phone or Email | Please check |         |         |         |
|----|--------------|---|----------------|--------------|---------|---------|---------|
|    |              |   |                | In Favor     | Neutral | Opposed | Testify |
| 10 | Joey Palmer  | 5207 S Montana<br>Caldwell, ID VSD #13  | 208.504.6406   |              |         |         | X       |
| 11 | Kim Carson   | 9895 MEADOW PARK BLVD                   |                | X            |         |         | X       |
| 12 | Alicia Purdy | 11865 W DRIFTWOOD CT<br>Boise, ID 83713 | (208) 713-0714 | X            |         |         | X       |
| 13 | KEN BURGESS  | 7200 W Mcmullen BOI                     | 208-861-2052   |              |         | X       | Y       |
| 14 | MIKE GRAEF   | 1889 RIDGE WAY                          | 208-517-6227   |              |         |         | X       |
| 15 | Janet Gibson | on file                                 | on file        | X            |         |         | X       |
| 16 | Adam Capell  | 868 W GRASSLAND                         | on file        |              |         | X       | X       |
| 17 | DAVID LUIZ   | 1594 LOCK NESS AVE                      | ON FILE        | X            |         |         |         |
| 18 | Don Reynolds | 452 E WALCOTT LAKE CIR.                 | 208 9655225    |              | X       |         | X       |



Aster 2/16

# City Council Public Comment

April 17, 2024

|    | Name           | Address           | Phone or Email | Topic/Agenda Item # |
|----|----------------|-------------------|----------------|---------------------|
| 1  | Jim Taylor     | 1052 Trimmick Rd  | 209-602-899    | city approval       |
| 2  | Tysal Sparrow  | 211 N Campbell    | 208-515-4220   |                     |
| 3  | Don Reynolds   | 452 E Walcott Ave | 208-965-5225   |                     |
| 4  | Carrie Hussain | 600 Cemetery Rd   | 208-585-6250   |                     |
| 5  |                |                   |                |                     |
| 6  |                |                   |                |                     |
| 7  |                |                   |                |                     |
| 8  |                |                   |                |                     |
| 9  |                |                   |                |                     |
| 10 |                |                   |                |                     |

0:00:00 05:41:46 PM Start Audio Recording [05:41:46 PM]  
0:00:00 05:41:46 PM This SonicClear Cloud Transcription was produced on 04/24/24 11:53. This Summary and Verbatim Transcription  
0:00:00 05:41:46 PM is a draft using artificial intelligence technology and may include inaccuracies.  
0:00:00 05:41:46 PM  
0:00:00 05:41:46 PM The transcription processing parameters were One Channel, disfluencies excluded, and profanity filter  
0:00:00 05:41:46 PM off.  
0:00:00 05:41:46 PM \_\_\_\_\_  
0:00:00 05:41:46 PM SUMMARY  
0:00:00 05:41:46 PM  
0:00:00 05:41:46 PM Unfortunately there is no agenda or notes provided in the context information for this meeting recording.  
0:00:00 05:41:46 PM Based on the transcript, here is a draft of formal meeting minutes:  
0:00:00 05:41:46 PM CITY COUNCIL MEETING MINUTES  
0:00:00 05:41:46 PM Date: [Insert date here]  
0:00:00 05:41:46 PM Time Meeting Called to Order: [Insert time here]  
  
0:00:00 05:41:46 PM Council Members Present:  
0:00:00 05:41:46 PM [List names and titles of council members present]  
  
0:00:00 05:41:46 PM Additional City Staff Present:  
0:00:00 05:41:46 PM [List names and titles of any city staff members mentioned, such as the City Clerk, City Planner, Public Works Director, etc.]  
0:00:00 05:41:46 PM 1. Call to Order and Roll Call  
0:00:00 05:41:46 PM Time: [Insert time when meeting was called to order]  
0:00:00 05:41:46 PM The meeting was called to order by Council President Kaiser. Roll call was taken and a quorum was  
0:00:00 05:41:46 PM established.  
0:00:00 05:41:46 PM 2. Pledge of Allegiance  
0:00:00 05:41:46 PM Time: [Insert time when Pledge of Allegiance occurred]  
0:00:00 05:41:46 PM The Pledge of Allegiance was recited.  
0:00:00 05:41:46 PM 3. Invocation  
0:00:00 05:41:46 PM Time: [Insert time when invocation prayer occurred]  
0:00:00 05:41:46 PM Jennifer gave the invocation prayer, praying for the armed forces, police, fire department, youth,  
0:00:00 05:41:46 PM City Council, Mayor, and for wisdom and understanding in the meeting.  
0:00:00 05:41:46 PM 4. Approval of Agenda  
0:00:00 05:41:46 PM Time: [Insert time when amended agenda was approved]  
0:00:00 05:41:46 PM The amended agenda was approved.  
0:00:00 05:41:46 PM 5. Public Comments  
0:00:00 05:41:46 PM Time: [Insert time when it was announced no one signed up for public comments]  
0:00:00 05:41:46 PM There was no one signed up for public comments at the start of the meeting.  
0:00:00 05:41:46 PM 6. Consent Agenda

0:00:00 05:41:46 PMTime: [Insert time when consent agenda was taken up]

0:00:00 05:41:46 PMThe consent agenda included approving minutes from the previous meeting, payroll, and accounts payable.

0:00:00 05:41:46 PMCouncilmember Murray noted there was nothing extraordinary in the accounts payable.

0:00:00 05:41:46 PMMotion: To approve the consent agenda.

0:00:00 05:41:46 PMMoved by: [Name of council member who made motion]

0:00:00 05:41:46 PMSeconded by: [Name of council member who seconded]

0:00:00 05:41:46 PMVote: Motion passed unanimously.

0:00:00 05:41:46 PM7. New Business

0:00:00 05:41:46 PMA. Liquor License Application - The Bank Bar LLC

0:00:00 05:41:46 PMTime: [Insert time when liquor license application was discussed]

0:00:00 05:41:46 PMCity Clerk Miss Hobbs presented an application for a liquor license for The Bank Bar LLC. Council had

0:00:00 05:41:46 PMno questions.

0:00:00 05:41:46 PMMotion: To approve the liquor license application for The Bank Bar LLC.

0:00:00 05:41:46 PMMoved by: [Name of council member who made motion]

0:00:00 05:41:46 PMSeconded by: [Name of council member who seconded]

0:00:00 05:41:46 PMVote: Motion passed unanimously.

0:00:00 05:41:46 PMB. Public Hearing - Ordinance 693 - Preliminary Plat Applications and School Capacity

0:00:00 05:41:46 PMTime: [Insert time when public hearing began]

0:00:00 05:41:46 PMi. Presentation from City Staff

0:00:00 05:41:46 PMCity Planner Miss Stewart presented details of proposed Ordinance 693 regarding preliminary plat applications and school capacity. She outlined pros and cons of the ordinance. Public Works Director

0:00:00 05:41:46 PMJason Van Gilder also spoke regarding impacts on sewer capacity planning.

0:00:00 05:41:46 PMii. Public Comments

0:00:00 05:41:46 PM[Summarize key points made by members of the public, listing their full names and affiliations if available. A bulleted list format can be used here for conciseness.]

0:00:00 05:41:46 PMiii. Council Questions and Discussion

0:00:00 05:41:46 PM[Summarize key points made by council members during their discussion and debate of this issue.]

0:00:00 05:41:46 PMMotion: [Insert motion title or description related to Ordinance 693]

0:00:00 05:41:46 PMMoved by: [Name of council member who made motion]

0:00:00 05:41:46 PMSeconded by: [Name of council member who seconded]

0:00:00 05:41:46 PMVote: [Indicate if motion passed unanimously or provide roll call vote]

0:00:00 05:41:46 PM 8. Adjournment  
0:00:00 05:41:46 PM Time: [Insert time when meeting was adjourned]

0:00:00 05:41:46 PM With no further business to discuss, the meeting was adjourned.

0:00:00 05:41:46 PM Respectfully submitted,  
0:00:00 05:41:46 PM [Insert name and title of person preparing the minutes]

0:00:00 05:41:46 PM \_\_\_\_\_  
0:00:00 05:41:46 PM TRANSCRIPT  
0:00:00 05:41:46 PM  
0:00:00 05:41:46 PM  
0:00:03 05:41:49 PM Twice. We're gonna be going on the record.  
0:00:44 05:42:30 PM Should be.  
0:01:07 05:42:53 PM Don't you just love technology?  
0:01:08 05:42:54 PM It's the best.  
0:01:11 05:42:57 PM Just a reminder, if you came in.  
0:01:13 05:42:59 PM And you want to testify to any.  
0:01:15 05:43:01 PM Of, to the public hearing in particular.  
0:01:18 05:43:04 PM And or you would like to speak to any public comment portion of the meeting, you need to  
0:01:25 05:43:11 PM sign up in the back. There's sign up forms for the public hearing as well as the before  
0:01:32 05:43:18 PM council, before the agenda, and at the end of the agenda.  
0:01:36 05:43:22 PM So you would please make your way.  
0:01:39 05:43:25 PM To the back of the room and sign and check the testify, mark the testify box, and that  
0:01:45 05:43:31 PM will help us to keep the meeting in order. And I'm almost there.  
0:01:49 05:43:35 PM Mayor just wanted to do that, so. Okay, we're alive.  
0:01:53 05:43:39 PM Okay.  
0:01:55 05:43:41 PM City council meeting date Wednesdays, April 17, 2024. The time is 536.  
0:02:04 05:43:50 PM Call to order. Roll call, please.  
0:02:07 05:43:53 PM Council President Kaiser.  
0:02:08 05:43:54 PM Here.  
0:02:09 05:43:55 PM Council member Chris Jansen.  
0:02:11 05:43:57 PM Here.  
0:02:11 05:43:57 PM Councilmember Murray.  
0:02:12 05:43:58 PM Here.  
0:02:13 05:43:59 PM Councilmember Romero?  
0:02:14 05:44:00 PM Here.  
0:02:16 05:44:02 PM Okay.  
0:02:16 05:44:02 PM Can we.  
0:02:23 05:44:09 PM I pledge my allegiance to the flag.  
0:02:26 05:44:12 PM Of the United States of America and to the Republic for which it stands, one nation under  
0:02:33 05:44:19 PM God, indivisible, with liberty and justice for all.  
0:02:47 05:44:33 PM So, yeah, Jennifer is going to give our invocation. Yes.  
0:02:53 05:44:39 PM Lead us in prayer, Jennifer.



0:02:56 05:44:42 PM Thank you.  
0:02:57 05:44:43 PM I'm not Bishop Barclay, but I will.  
0:03:01 05:44:47 PM Prepare yourself to bring the matter.  
0:03:04 05:44:50 PM Our Father in heaven, we are grateful to be able  
to be gathered together tonight to be a  
0:03:10 05:44:56 PM part of this city council meeting. We are  
grateful, Father, for the blessings of freedom  
0:03:17 05:45:03 PM that we enjoy in this city, in this land, in our  
country. And we are grateful and mindful  
0:03:27 05:45:13 PM of those that have sacrificed so much to allow us  
to continue to enjoy these freedoms.  
0:03:33 05:45:19 PM We pray, Father, that thou wilt watch.  
0:03:35 05:45:21 PM Over our armed forces and those that serve in all  
branches of the military and other  
0:03:43 05:45:29 PM service organizations. We're grateful for our  
police and fire and for their hard work and  
0:03:49 05:45:35 PM effort and keep them safe and protected as well.  
We pray a special blessing upon the  
0:03:54 05:45:40 PM youth of our city and this area. God bless them to  
be able to understand the importance  
0:04:04 05:45:50 PM of being involved in government, that as they grow  
and develop, that they might be able  
0:04:09 05:45:55 PM to make wise decisions that will affect all of.  
  
0:04:12 05:45:58 PM Us in the future.  
0:04:13 05:45:59 PM Heavenly Father, at this time we pray a special  
blessing upon this council and upon our  
0:04:17 05:46:03 PM mayor. And we pray that thou wilt bless them with  
minds and hearts opened to be able to  
0:04:26 05:46:12 PM understand the decisions that need to be made, to  
be able to.  
0:04:32 05:46:18 PM To understand the severity and the challenges that  
come with any decision that is made by  
0:04:43 05:46:29 PM this elected body. We are grateful for all those  
that work so hard and diligently on our  
0:04:48 05:46:34 PM behalf and pray that thou wilt bless them. Help us  
to keep the dialogue simple this  
0:04:53 05:46:39 PM evening, as there are many differing opinions that  
we might be able to come to a  
0:04:58 05:46:44 PM consensus whether we agree or not, but be able to  
move forward in this city council  
0:05:06 05:46:52 PM meeting for the best interest of all those  
involved. We love thee. We are so grateful for  
0:05:14 05:47:00 PM the blessings that God has blessed us with, and we  
pray for thy spirit and blessings to  
0:05:18 05:47:04 PM be upon this meeting.  
0:05:20 05:47:06 PM In the name of Jesus Christ, amen. Amen.  
0:05:29 05:47:15 PM Yes, please.  
0:05:30 05:47:16 PM Okay.  
0:05:31 05:47:17 PM All right, Council Forrest, we have an amended  
agenda. Questions on the amended agenda?  
0:05:37 05:47:23 PM All right, then.  
0:05:38 05:47:24 PM We approve the amendment agenda dated April 15,  
posted at 04:00 p.m.. 2nd. It's been moved

0:05:46 05:47:32 PM and seconded. All in favor, say aye.  
0:05:48 05:47:34 PM Opposed.  
0:05:49 05:47:35 PM Motion carries.  
0:06:20 05:48:06 PM All right, we have no one signed up for the public  
comments at the start of the meeting,  
0:06:25 05:48:11 PM so we'll move on action. Item number one is the  
consent agenda. Consider approving  
0:06:29 05:48:15 PM minutes from city council, April 3, regular  
meeting. Consider ratifying payroll for April  
0:06:34 05:48:20 PM 5, 2024. Consider approving accounts payable  
through April 5.  
0:06:39 05:48:25 PM Council question. I've gone through the accounts  
payable. All standard. Nothing  
0:06:45 05:48:31 PM extraordinary there, nothing out of the ordinary.  
No new vendors, no new projects.  
0:06:50 05:48:36 PM Okay, move.  
0:06:52 05:48:38 PM We approve consent agenda, items a, B, and C.  
Second. It's been moved and seconded. All in  
0:06:57 05:48:43 PM favor say aye.  
0:06:59 05:48:45 PM Opposed.  
0:07:00 05:48:46 PM Motion carries.  
0:07:02 05:48:48 PM Okay, number two, consider approving application  
for liquor license to the bank Bar LLC,  
0:07:07 05:48:53 PM located at 21 North Dewey Avenue, and authorizing  
the city clerk to issue said license.  
0:07:15 05:49:01 PM Miss Hobbs?  
0:07:21 05:49:07 PM All right, so I am here to.  
0:07:23 05:49:09 PM Ask you to consider approving application from the  
liquor license for the vein Devon.  
0:07:28 05:49:14 PM De Valdaris and Gabriel Calderas doing business  
there.  
0:07:32 05:49:18 PM First, liquor license that we're going to be  
issuing for the city application now and  
0:07:38 05:49:24 PM then.  
0:07:43 05:49:29 PM This is a prorated fee.  
0:07:44 05:49:30 PM Correct?  
0:07:48 05:49:34 PM Council questions for.  
0:07:50 05:49:36 PM Pretty straightforward.  
0:07:51 05:49:37 PM All right, I move we approve the liquor license to  
the bank Bar LLC, located at 21 North  
0:07:58 05:49:44 PM Dewey Avenue. Authorized city clerk to issue said  
license.  
0:08:01 05:49:47 PM Second.  
0:08:02 05:49:48 PM It's been moved and seconded. All in favor say  
aye. Opposed. Motion carries.  
0:08:10 05:49:56 PM Number three, public hearing. Consider adopting  
ordinance number 693, an ordinance enacted  
0:08:16 05:50:02 PM by the Middleton City Council amending title five,  
chapter four, section 050404,  
0:08:24 05:50:10 PM Middleton City Code, regarding requirements for  
the submission of a preliminary plat  
0:08:29 05:50:15 PM application based upon school capacity, providing  
for an effective date, providing for

0:08:35 05:50:21 PMservability and repealing all ordinances, resolutions, orders, and parts thereof in  
0:08:41 05:50:27 PMconflict herewith.  
0:08:42 05:50:28 PMMiss Stewart?  
0:08:44 05:50:30 PMYes.  
0:08:44 05:50:30 PMThank you, madam mayor and council members.  
0:08:47 05:50:33 PMSo if you look up there on the screen, we can just start with the school district in  
0:08:51 05:50:37 PMgeneral. You can see that it's very large, and I plopped in a little bit of Middleton  
0:08:56 05:50:42 PMthere. The green line is Duff Lane and the red line is Emmett Road. So you can kind of  
0:09:02 05:50:48 PMsee which elementary school children are corresponded with. So this is a request for  
0:09:10 05:50:56 PMamendment to Middleton City Code, section five four.  
0:09:14 05:51:00 PMI have to change my glasses. Regarding the preliminary plaque process during the past few  
0:09:21 05:51:07 PMyears, section 544, requirements for preliminary plaque pertain to only technical data,  
0:09:27 05:51:13 PMsuch as paper size, scale, survey data. You have to have the North Arrow, things like  
0:09:32 05:51:18 PMthat. Technical on March 6, 2024, city council approved ordinance 689 to add additional  
0:09:39 05:51:25 PMcriteria to consider, including whether the preliminary plan is in harmony with the comp  
0:09:44 05:51:30 PMplan and the sea transportation plan, whether there is sufficient sewer and water  
0:09:48 05:51:34 PMcapacity to serve the project and three, whether historic, scenic or natural sites are  
0:09:53 05:51:39 PMpreserved appropriately. Now, today, proposed ordinance 693 will add one more criteria to  
0:10:00 05:51:46 PMsatisfy before a preliminary plan can proceed to approval.  
0:10:04 05:51:50 PMIt pertains to the application submittal process, though the applicant must provide in  
0:10:09 05:51:55 PMtheir initial application packet a letter from the school district indicating that the  
0:10:14 05:52:00 PMschools serving the development are not above 110% capacity. If the letter is not in the  
0:10:21 05:52:07 PMsubmittal packet, then city planning staff cannot intake the application and the  
0:10:27 05:52:13 PMapplication will not be processed in any way. This requirement will not pertain to small  
0:10:32 05:52:18 PMdevelopments with fewer than five lots or infill projects with fewer than ten lots, and  
0:10:37 05:52:23 PMan Enfield project means that it's surrounded on three sides by city limits. I'm assuming  
0:10:43 05:52:29 PMeverybody read this code section, but I can read it now. It was in the agenda.  
0:10:50 05:52:36 PMI think we're okay then. Everybody should have read this, and I gave a good description of  
0:10:56 05:52:42 PMit. So tonight I'm just going to throw up the pros and cons arguments to just get the

0:11:04 05:52:50 PMacademic discussion started. There's good and bad. So it goes without saying that the

0:11:10 05:52:56 PMcity is very concerned about the school district and the overcrowding problem.

0:11:14 05:53:00 PMThe best way to fix the problem is for the residents in the school district to approve a

0:11:19 05:53:05 PMschool bond. But the residents have refused to approve a school bond for over 15 years,

0:11:24 05:53:10 PMdespite several attempts by the school district. So approving ordinance 693 tonight would

0:11:30 05:53:16 PMbe the city's attempt to help fix the problem. But it may have unintended consequences.

0:11:35 05:53:21 PMIt may have unintended consequences.

0:11:37 05:53:23 PMSome are good and some may be bad. So approving ordinance 693 will relieve some of the

0:11:44 05:53:30 PMfuture pressure on schools because it will greatly slow down or stop the approval of new

0:11:49 05:53:35 PMsubdivisions. Slowing school capacity should help ensure each child gets the best chance

0:11:55 05:53:41 PMat a good education it should be noted, however, that this easing or slowing will not

0:12:01 05:53:47 PMoccur for at least seven to ten years. Citi had already approved 3684 lots during the

0:12:07 05:53:53 PMpast administrations. Of that total number, 580 building permits have already been

0:12:13 05:53:59 PMissued, leaving 3104 lots still in the queue as building permit eligible.

0:12:20 05:54:06 PMIn recent years, the city has issued between 175 to 300 building permits per year.

0:12:27 05:54:13 PMDepends. At this pace of issuance, city will still continue to experience the current

0:12:33 05:54:19 PMlevel of home building for at least seven to ten more years until the queue is empty.

0:12:38 05:54:24 PMTherefore, city residents may not feel the slowing effects of this ordinance for quite a

0:12:42 05:54:28 PMnumber of years. And I got that ten year by just dividing the remaining 3104 eligible

0:12:50 05:54:36 PMpermissions rent by 300 per year, and that equals ten years, approximately the sewer

0:12:57 05:54:43 PMcapacity analysis recently enacted by city council has greatly slowed down the approval

0:13:02 05:54:48 PMof new subdivisions, but this slower pace could be reversed within two to four years as

0:13:06 05:54:52 PMthe new sewer treatment plant begins to become a reality.

0:13:10 05:54:56 PMThe school capacity ordinance, however, will entirely stop the approval of new

0:13:15 05:55:01 PMsubdivisions until a sufficient number of schools are expanded or built. It will even

0:13:20 05:55:06 PMstop subdivisions that are 55 plus or subdivisions that may contain a charter school as a

0:13:25 05:55:11 PMpart of the project. This slowdown could exceed the sewer capacity slowdown by a number

0:13:30 05:55:16 PMof years while Middleton stops growing. Canyon County, Star and Caldwell could fill in

0:13:37 05:55:23 PMthe vacuum left by Middleton if these entities do not also adopt a similar school

0:13:42 05:55:28 PMcapacity ordinance. If the city gets too encased or surrounded by county Star and

0:13:48 05:55:34 PMCaldwell Grove, it may be very difficult for the city to grow in the future once the

0:13:52 05:55:38 PMschool's capacity issue is solved, and it will be solved one day.

0:13:57 05:55:43 PMThe population of Milton could cap somewhere between 17,000 to 25,000 people, which can be

0:14:03 05:55:49 PMgood or bad depending on one's perspective. A small town is desirable for many, many

0:14:09 05:55:55 PMpeople, but an aging infrastructure and a new sewer treatment plant can be quite a

0:14:14 05:56:00 PMfinancial burden for a small population to bear. It is estimated that the city's new

0:14:19 05:56:05 PMsewer treatment plant, required by increased state and federal standards, will cost

0:14:23 05:56:09 PMapproximately 50 million to \$80 million. The smaller the city, the more each city

0:14:29 05:56:15 PMresident must pay on his or her sewer utility bill, and Madam mayor has requested the

0:14:36 05:56:22 PMJason Van Gilder, who is the public works director, to come up after I'm done speaking to

0:14:42 05:56:28 PMjust give a little update on the cost incurred and timing to flesh that out a little bit

0:14:48 05:56:34 PMmore so. Another unintended consequence could be the chilling effect on school bond

0:14:54 05:56:40 PMapproval.

0:14:55 05:56:41 PMThis ordinance will completely stop new subdivisions until new schools are built or

0:14:59 05:56:45 PMexpanded. Residents of both the county and city can completely stop growth for an

0:15:05 05:56:51 PMindefinite period of time. By simply not passing a new school, council may be abdicating

0:15:11 05:56:57 PMits decision making power by placing the decision making power in the hands of a large

0:15:16 05:57:02 PMnumber of people who are not city residents. Moreover, we currently have a great school

0:15:21 05:57:07 PMsuperintendent who is tirelessly working to improve the schools and expand capacity. But

0:15:26 05:57:12 PMwhat happens if a bad superintendent takes over and he or she is negligent or incompetent

0:15:31 05:57:17 PMand fails to expand capacity in a reasonable fashion?

0:15:35 05:57:21 PMUnder these circumstances, city council will have placed its decision making power and

0:15:39 05:57:25 PMpossibly the future of the city in the hands of an incompetent person. So I'm just going

0:15:45 05:57:31 PMto stop here real quick and show you this is a map that was recently made in the last few

0:15:51 05:57:37 PMmonths by our fledgling GIS department and it shows up there in pink and blue. You'll see

0:16:00 05:57:46 PMcity limits and I think the pink are our subdivisions. But she downloaded county

0:16:09 05:57:55 PMsubdivisions right now from their shape files and that's the orange that you can see and

0:16:14 05:58:00 PMa little bit of the green, the high green. And then I clipped off of the canyon county

0:16:20 05:58:06 PMsubdivision tracker.

0:16:22 05:58:08 PMI clipped in and put I'm going to move my mouse if you can see it. These kind of high

0:16:27 05:58:13 PMyellow are new subdivisions that are under consideration right now. In fact, this is

0:16:32 05:58:18 PMFarmington Hills. There's some up here. I didn't put them all in, just the bigger ones.

0:16:36 05:58:22 PMAnd then there's one down here just off of Hartley below Idaho. So you can see right now

0:16:43 05:58:29 PMtoday the growth that is surrounding the city of Middleton. And this would be kind of

0:16:49 05:58:35 PMinfill here, but the county is kind of, if you see my mouth, the county is moving in

0:16:54 05:58:40 PMhere. I don't think the county wants to, but it is a the process of people having to turn

0:16:59 05:58:45 PMto them for subdivisions.

0:17:04 05:58:50 PMSo if you're going to make a change to the comprehensive, to the subdivision ordinance,

0:17:10 05:58:56 PMyou need to show that it's in compliance with the city's comprehensive plan or in

0:17:14 05:59:00 PMharmony. Planning staff finds that the proposed changes to Middleton City code 544 are in

0:17:20 05:59:06 PMharmony with the comprehensive plan goals 13 because easing the pressure on school

0:17:26 05:59:12 PMcapacity will create an environment more, quote, conducive to the education process.

0:17:31 05:59:17 PMEnd quote.

0:17:34 05:59:20 PMSo there were comments received from the public. The ones that were submitted early were

0:17:38 05:59:24 PMattached as exhibit aid to the staff report.

0:17:41 05:59:27 PMLate comments came in. There were three of them and I put them on each council member and

0:17:48 05:59:34 PMmadam mayors at their place setting. And so they had time to read them hopefully before

0:17:53 05:59:39 PMwe started tonight. And there were many set back there for the public too, so they could

0:17:59 05:59:45 PMsee them also, and I need to get these into the record as exhibit b. It's all three

0:18:05 05:59:51 PMcomments.

0:18:10 05:59:56 PMThere were no comments from agencies. If you look up on the screen, you'll see legal

0:18:16 06:00:02 PMnotice and then also the pertinent codes and standards. The Planning and Zoning

0:18:22 06:00:08 PMcommission considered ordinance 693 during a public hearing held on March 25, 2024. The

0:18:29 06:00:15 PMcommission noted that two schools are already well over capacity and found that the state

0:18:33 06:00:19 PMlegislature has been remiss in its constitutional duty to provide Middleton students with

0:18:38 06:00:24 PMa good education. Therefore, the commission recommends that city council adopt ordinance

0:18:43 06:00:29 PM693 tonight per state law and city council per state law and also Middleton City Code.

0:18:51 06:00:37 PMCity council should base any decision, decision and order on findings of facts and

0:18:55 06:00:41 PMconclusions of law. Planning staff has stated all findings above and italics as to

0:19:00 06:00:46 PMconclusions of law. Planning staff finds that city council has the authority to approve

0:19:05 06:00:51 PMor deny the proposed code change. Additionally, planning staff finds that all public

0:19:10 06:00:56 PMnotice requirements were met. Planning staff further set forth the portions of the Idaho

0:19:14 06:01:00 PMState code and Middleton City Code to be considered in making decision on the

0:19:20 06:01:06 PMapplication.

0:19:21 06:01:07 PMAnd I can stand for questions now or, and then we can bring up Jason if you have

0:19:27 06:01:13 PMquestions.

0:19:30 06:01:16 PMScribbled.

0:19:31 06:01:17 PMJason, let's have Jason.

0:19:40 06:01:26 PMMayor and counsel.

0:19:41 06:01:27 PMJason thank you.

0:19:42 06:01:28 PMPublic Works Director yes, I'm here to.

0:19:45 06:01:31 PMTo speak to the aspects of this.

0:19:48 06:01:34 PMBuild that relate to our sewer planning planning capacity, as you know, and we have talked

0:19:54 06:01:40 PMabout a number of times, we are planning a significant expansion of.

0:19:57 06:01:43 PMOur plan that will address.

0:20:02 06:01:48 PMAdditionally more stringent requirements brought on by federal water quality standards.

0:20:10 06:01:56 PMThese will require us to build a new and more expensive plant. IdeQ's process requires us

0:20:18 06:02:04 PMto plan for 20 years that planning has occurred and shows us with a substantial larger

0:20:27 06:02:13 PMpopulation. The plant we are planning to construct at the beginning is not is the first

0:20:33 06:02:19 PMcomponent of that, which will be for largely the lots that misses Stewart had talked

0:20:41 06:02:27 PMabout at the beginning that.

0:20:42 06:02:28 PMAre on the books and that are.

0:20:43 06:02:29 PMConstructed now and currently serve our current population. That plant is going to be

0:20:50 06:02:36 PMexpensive. We are working through right now. We have a sewer rate study that authorized

0:20:57 06:02:43 PMand we are in the middle of there doing some excellent work. We have to hook up some

0:21:00 06:02:46 PMstuff back to you soon to talk about potential plans to fund and to support a large loan

0:21:09 06:02:55 PMinvestment in that plan.

0:21:12 06:02:58 PMAnd yes, by capping the growth of our city or restricting the growth.

0:21:22 06:03:08 PMWe.

0:21:22 06:03:08 PMWill lose the advantage that we might have of spreading out those payments in the second

0:21:27 06:03:13 PMhalf of that loan. As more property comes on, it can last the impact to the current and

0:21:36 06:03:22 PMfuture utility rate payers. So that is who I am here to speak to. If there's additional

0:21:43 06:03:29 PMquestions, I'll be glad to answer.

0:21:46 06:03:32 PMChristine.

0:21:50 06:03:36 PMIn the report, it said that the construction for the plant modifications would be two to

0:21:58 06:03:44 PMfour years.

0:21:59 06:03:45 PMDid I read that correctly?

0:22:00 06:03:46 PMWe anticipate a construction season of roughly two years once we break ground. Once we

0:22:07 06:03:53 PMbreak ground, we'll kind of be dependent on when we have debt authority to take on debt

0:22:13 06:03:59 PMand that kind of.

0:22:15 06:04:01 PMBut the question is more, do you have kind of an approximate start date of when that might

0:22:19 06:04:05 PMbe at this point?

0:22:21 06:04:07 PMI know there's probably a lot of variables to that.

0:22:23 06:04:09 PMYes.

0:22:28 06:04:14 PMWe had funded the design of that plant. That plant has what they're calling final

0:22:34 06:04:20 PMconstruction plans that were submitted to me this month. If we had that \$50 to \$80

0:22:40 06:04:26 PMmillion, we could potentially be under construction in maybe two or three months. But

0:22:46 06:04:32 PMthat's not the hold up. We need to figure out the plans part of it, and that may take us

0:22:53 06:04:39 PMsome time, depending on some other loan opportunities and branch opportunities.

0:22:58 06:04:44 PMAnd as we put the package together.

0:23:01 06:04:47 PMThank you.

0:23:05 06:04:51 PMIs that an odd or a shape?

0:23:07 06:04:53 PMYes.

0:23:08 06:04:54 PMCouncilman Murray for the sewer bond. Are we looking to put it out to a vote bond or

0:23:15 06:05:01 PMjudicial review?

0:23:17 06:05:03 PMI think we are looking at a boat bond.

0:23:20 06:05:06 PMI don't know if we have finalized the timing or the process, but, yes, I think the

0:23:26 06:05:12 PMinitial. All indications I've heard is that we would prefer to pass this as a bond. Nampa

0:23:34 06:05:20 PMdid something similar. I suspect that should something like that not pass, that will come



0:23:40 06:05:26 PMwith time where the city will need to seek. It may need to seek a judicial confirmation

0:23:47 06:05:33 PMfor that death.

0:23:49 06:05:35 PMWell, that's why I was asking, because if we go to. If we go to bond first, then it fails,

0:23:53 06:05:39 PMand then we have to start the judicial review process. That makes the entire process

0:23:56 06:05:42 PMlonger.

0:23:57 06:05:43 PMSo that could we set the start.

0:24:00 06:05:46 PMDate a year, two, three?

0:24:01 06:05:47 PMYou know, it could be a while then a construction time of two years. So we could be

0:24:05 06:05:51 PMlooking at.

0:24:08 06:05:54 PMWould you say four years is a.

0:24:09 06:05:55 PMGood estimate of being planned to capacity for wastewater?

0:24:13 06:05:59 PMNot unrealistic.

0:24:14 06:06:00 PMOkay, now, that wouldn't necessarily say right now, we are. We are the. I think the

0:24:23 06:06:09 PMprocess we are under is staff is not recommending residential annexation based on the

0:24:29 06:06:15 PMsewer class in our current plans. Once we have the financing secured, we are under

0:24:36 06:06:22 PMconstruction with our new plant. I think that recommendation could be relooked at again.

0:24:41 06:06:27 PMAnd so you may only be a year, year and a half from where you could potentially be in that

0:24:49 06:06:35 PMtype of position.

0:24:50 06:06:36 PMIf that's helpful.

0:24:52 06:06:38 PMWell, the point that I was eventually getting to by roundabout method was that being

0:24:57 06:06:43 PMplanned to capacity will have roughly the same effect as this ordinance in terms of not

0:25:04 06:06:50 PMbeing able to approve new homes until we have capacity in our wastewater treatment.

0:25:09 06:06:55 PMThat's what I was eventually getting to. What is the size of our proposed plant in terms

0:25:15 06:07:01 PMof, if you were to say, population?

0:25:18 06:07:04 PMRight now we have sports population of 18,000. What is the new one planned for.

0:25:25 06:07:11 PMThe new plant in? We'll talk some rough numbers. I don't have numbers in front of you.

0:25:30 06:07:16 PMThe new plant is planned for a population of 40,000.

0:25:37 06:07:23 PMThat is the new plant at full build out. We have scaled that back and some of the

0:25:43 06:07:29 PMcomponents that likely would not be needed until we reach that 30 or 40,000 mark. We'll

0:25:50 06:07:36 PMbe putting a subsequent phase that could potentially be paid by impact fees or some other

0:25:56 06:07:42 PMmethods and can be delayed sometimes.

0:25:58 06:07:44 PMSo.

0:26:01 06:07:47 PMThe initial phase that we are looking at in rough estimates, your plant currently serves

0:26:10 06:07:56 PM about 4000 connections, or about 12,000 people.  
Your plant has capacity to serve about  
0:26:22 06:08:08 PM 8000 connections. So that's roughly 26,000 people.  
And then your other, your first, when  
0:26:33 06:08:19 PM you reconfigure the plan to meet the current  
regulations, that would be a slight  
0:26:37 06:08:23 PM improvement of, say, 27, 28,000 people. And then  
the last two improvements will be in  
0:26:45 06:08:31 PM future phases of the plant construction.  
0:26:49 06:08:35 PM That was a lot of information bearing with me.

0:26:53 06:08:39 PM You should know me well enough on that, although I  
always appreciate new information.  
0:26:57 06:08:43 PM Thank you.  
0:26:58 06:08:44 PM So, Jason, we currently figure out capacity based  
on homes. So many per home.  
0:27:06 06:08:52 PM Same thing.  
0:27:07 06:08:53 PM When we do a business or a  
0:27:09 06:08:55 PM School, we correlate everything to an equivalent  
dwelling unit in this business or  
0:27:18 06:09:04 PM equivalent residential unit meant to represent a  
single family home, which have  
0:27:24 06:09:10 PM surprisingly predictable statistics.  
0:27:26 06:09:12 PM Okay.  
0:27:28 06:09:14 PM The problem we have that I see.  
0:27:30 06:09:16 PM Is we have a school of that.  
0:27:33 06:09:19 PM Will support 500 kids. That's what it's built for.  
That's what we capacity for.  
0:27:38 06:09:24 PM And now it has 700 kids.  
0:27:40 06:09:26 PM So that's above. And then you do that to the next  
school or the next school. And so now,  
0:27:44 06:09:30 PM all of a sudden, our numbers. Well, they say one  
thing on paper, but the reality of that  
0:27:49 06:09:35 PM number is different. So how do we combat that?

0:27:52 06:09:38 PM How do we deal with that where.  
0:27:56 06:09:42 PM We don't have that?  
0:27:58 06:09:44 PM We know what it was built for.  
0:28:00 06:09:46 PM Capacity was set aside, but now we're exceeding  
said capacity.  
0:28:04 06:09:50 PM How do we deal with that moving forward?  
0:28:06 06:09:52 PM I think I'd be qualified to speak.  
0:28:10 06:09:56 PM In terms of wastewater and water, but.  
0:28:12 06:09:58 PM It is wastewater, though.  
0:28:13 06:09:59 PM It is wastewater.  
0:28:14 06:10:00 PM That's 200 extra flushes, I don't know how many  
times a day, and water running down the  
0:28:19 06:10:05 PM sink that is running right to our plant.  
0:28:21 06:10:07 PM So how do we adjust to meet.  
0:28:24 06:10:10 PM Those needs when we start looking at our capacity?

0:28:27 06:10:13 PM So the question is, could our sewer.  
0:28:30 06:10:16 PM System.

0:28:32 06:10:18 PM Support a increased a larger school facility?

0:28:38 06:10:24 PM Not necessarily larger. It's just that right now we base all our numbers off of dwelling

0:28:43 06:10:29 PM units. And how do you base it off of the. Let's pick heights or Mill Creek, since they're

0:28:47 06:10:33 PM right here in town. How do you base that based off the building capacity?

0:28:51 06:10:37 PM We take out sewer flows largely.

0:28:55 06:10:41 PM You can do that.

0:28:56 06:10:42 PM As we are looking at some adjustments to our water. We've talked about sizing based on the

0:29:05 06:10:51 PM water capacity of the meter size. So the meter size is probably a four inch and probably

0:29:13 06:10:59 PM has capacity for.

0:29:16 06:11:02 PM Or actually probably a two inch. Probably have capacity for 500 or 700 students. I doubt

0:29:25 06:11:11 PM water class because you're loading.

0:29:27 06:11:13 PM Factor at your schools.

0:29:28 06:11:14 PM Okay, so we don't.

0:29:29 06:11:15 PM Yeah.

0:29:30 06:11:16 PM Cause we don't. It's all based off water capacity.

0:29:32 06:11:18 PM When you get into the business side of things.

0:29:34 06:11:20 PM Yes.

0:29:35 06:11:21 PM Okay.

0:29:36 06:11:22 PM That helps me where I was trying.

0:29:37 06:11:23 PM To get to what I was trying.

0:29:38 06:11:24 PM To wrap my head around.

0:29:40 06:11:26 PM If I could add to that, we figure how many per household and whether they're at home or

0:29:47 06:11:33 PM they're at school, that number still is in existence.

0:29:52 06:11:38 PM Okay.

0:29:55 06:11:41 PM So we figure a home takes about.

0:29:59 06:11:45 PM 200 gallons per day for an erg. 100 8100, 200 somewhere right in there. And then that

0:30:08 06:11:54 PM generally figures they're not there.

0:30:11 06:11:57 PM It goes up and down.

0:30:13 06:11:59 PM The business during the day would get.

0:30:15 06:12:01 PM Its own allocation of errors based on.

0:30:21 06:12:07 PM Different dates of business.

0:30:24 06:12:10 PM Councilman Bury.

0:30:25 06:12:11 PM I'm going to piggyback off rob.

0:30:28 06:12:14 PM It's not just flushes of toilets. You're looking at an additional 100, 100 5200 kids at

0:30:36 06:12:22 PM each school, however many at each school, washing dishes for them, cooking meals for it.

0:30:41 06:12:27 PM So you're using more water out of our wells and you're putting more wastewater into our

0:30:45 06:12:31 PM system. It's not just flushing the toilets. It's all.

0:30:48 06:12:34 PM Everything else that goes from having kids there 8 hours a day.

0:30:56 06:12:42 PM Any other questions for Jason?

0:30:59 06:12:45 PM Just a curiosity question mentioned the.

0:31:03 06:12:49 PM Yes.

0:31:04 06:12:50 PM The calculations that we use, is it the same as what the school.

0:31:08 06:12:54 PM The for the school is included in the willingness here?

0:31:13 06:12:59 PM Generally, yes. On the water, sewer, the sometimes different categories of their impact

0:31:23 06:13:09 PM Needs will have their own. Police are based on the square footage of commercial area or

0:31:30 06:13:16 PM Square footage of school. Your trips will be based on a square footage of trips. So a

0:31:38 06:13:24 PM Business that generates 0.5 erus, because there's one person there.

0:31:45 06:13:31 PM Like a movie theater might have smaller.edu but might have a much higher trip count. So

0:31:51 06:13:37 PM While edus are fairly consistent in city boil water and sewer discussions, they can be

0:31:59 06:13:45 PM Significantly different when we talk about truck generation or fire impact fees or police

0:32:10 06:13:56 PM Impacts.

0:32:11 06:13:57 PM So that's helpful.

0:32:13 06:13:59 PM Yeah.

0:32:13 06:13:59 PM Thanks for answering.

0:32:14 06:14:00 PM I appreciate that.

0:32:20 06:14:06 PM I say something here?

0:32:22 06:14:08 PM Thank you.

0:32:26 06:14:12 PM Do you have any more to say, Miss Stewart?

0:32:27 06:14:13 PM Nope.

0:32:28 06:14:14 PM I'm done.

0:32:29 06:14:15 PM Okay.

0:32:56 06:14:42 PM The time is I have 606.

0:33:00 06:14:46 PM 607.

0:33:04 06:14:50 PM Okay.

0:33:05 06:14:51 PM Number one, Carrie Huggins. Would you like to speak?

0:33:08 06:14:54 PM Sure.

0:33:17 06:15:03 PM Carrie Huggins.

0:33:18 06:15:04 PM 600 Cemetery Road, Middleton, Idaho.

0:33:21 06:15:07 PM I'm neutral on this because I can.

0:33:25 06:15:11 PM Appreciate the optimism behind this going forward.

0:33:31 06:15:17 PM My skepticism is pretty much in line with the things that Roberta listed off, which is if

0:33:40 06:15:26 PM Star Caldola county continue to grow, it will not change the school numbers.

0:33:49 06:15:35 PM I'm optimistic that the next school bond will pass. I'm concerned that by the time the

0:33:55 06:15:41 PM School is built, we will still be at capacity. So these are just things I'd like to hear

0:34:01 06:15:47 PM in discussion and to know that. That whichever way this goes, you at.

0:34:07 06:15:53 PM Least know that those are some concerns.

0:34:09 06:15:55 PM And that there is some kind of. Even though it's not going to be set, that there is some

0:34:14 06:16:00 PM feeling that there's a direction that will be taken if some of these skeptical things

0:34:20 06:16:06 PM that I see do come to fruition.

0:34:25 06:16:11 PM In full disclosure, I think most of you know, I own ten acres in town. It's always been in

0:34:30 06:16:16 PM town, always been.

0:34:30 06:16:16 PM In the city limits.

0:34:32 06:16:18 PM So this is it. And we're lazy homeowners.

0:34:36 06:16:22 PM It's not like we're going to be doing something, but if we wanted to, we would not be able

0:34:42 06:16:28 PM to use the r three zoning that I believe we're in right now.

0:34:48 06:16:34 PM And so I was curious if you. If you knew or if it mattered that how many. How many parcels

0:34:56 06:16:42 PM are like mine? How many people are really affected by this? I don't know if it's just me

0:35:01 06:16:47 PM or if it's 20.

0:35:04 06:16:50 PM I don't feel that it's a lot. So I'm just wondering if there's any discussion on those

0:35:09 06:16:55 PM numbers. If you were to find out how many parcels within the city limits really do

0:35:13 06:16:59 PM qualify for this.

0:35:18 06:17:04 PM And hoping that.

0:35:23 06:17:09 PM There's some discussion on, because we now have an over 55. If a developer were to come

0:35:31 06:17:17 PM forward and say, I have an over 55 development that's not going to affect your schools,

0:35:35 06:17:21 PM if there's any legal liability to something coming forward under those circumstances,

0:35:42 06:17:28 PM because what we've heard is that this ordinance is defensible.

0:35:49 06:17:35 PM And I'd like at least a little discussion on exactly what defensible might mean and what

0:35:55 06:17:41 PM you're willing to defend under circumstances.

0:36:01 06:17:47 PM So.

0:36:02 06:17:48 PM And what that would mean, ability. Is, is there any path for someone who has a really

0:36:08 06:17:54 PM unique situation with this ordinance? There may be.

0:36:13 06:17:59 PM There may not be.

0:36:15 06:18:01 PM So those are just the discussion items I'm looking for.

0:36:20 06:18:06 PM Any questions?

0:36:21 06:18:07 PM Thank you.

0:36:24 06:18:10 PM Susan Lowe.

0:36:30 06:18:16 PM Susan Lowe.

0:36:32 06:18:18 PM Oh, boy.

0:36:34 06:18:20 PM 1130 Laura.

0:36:40 06:18:26 PM I'd like to start by thanking Councilman Murray and all of those of you who supported this

0:36:46 06:18:32 PM ordinance. I personally think it shows a genuine concern for the children in Middleton's

0:36:52 06:18:38 PM district.

0:36:55 06:18:41 PM I believe we shouldn't force our children.

0:36:57 06:18:43 PM And their teachers into overcrowded classrooms or portables as needed conducive to optimal

0:37:03 06:18:49 PM learning. I do not have children or grandchildren.

0:37:06 06:18:52 PM In the Millington school district, but I've.

0:37:08 06:18:54 PM Taught at every college level, and in.

0:37:10 06:18:56 PM Doing so, I witnessed firsthand students coming into junior colleges and not being

0:37:17 06:19:03 PM prepared. And often that's because their needs were lost in the k through twelve. So I

0:37:24 06:19:10 PM believe that it's difficult to.

0:37:26 06:19:12 PM Learn under those circumstances.

0:37:28 06:19:14 PM If they're overcrowded, if not impossible, they.

0:37:31 06:19:17 PM Often come into college without the building.

0:37:34 06:19:20 PM Blocks necessary for appropriate education success.

0:37:40 06:19:26 PM I did a little bit of research.

0:37:42 06:19:28 PM This evening, and just to look at college dropout rates in junior colleges coming straight

0:37:50 06:19:36 PM in from 20 and 2020 and 2021, there was a 39% drop on full time students who were their

0:38:03 06:19:49 PM first year graduates at a public two year community college. Now, my experience is that

0:38:10 06:19:56 PM most of the time that is because they haven't.

0:38:13 06:19:59 PM Learned to read sufficiently so they can't.

0:38:16 06:20:02 PM Read college works, or they haven't planned to write sentences appropriately so they're

0:38:21 06:20:07 PM not gone. College materials material.

0:38:24 06:20:10 PM I did note, though, that it looks like it's dropped from that currently. It's the 2024

0:38:32 06:20:18 PM thing that's come down to maybe 25%. Still, a significant number of our children.

0:38:37 06:20:23 PM Are not getting the services that they.

0:38:39 06:20:25 PM Need in full deterrent classes.

0:38:42 06:20:28 PM So it is my opinion that building additional homes when our schools are over capacity

0:38:49 06:20:35 PM should never take precedence over any child's learning environment. And I hope that the

0:38:54 06:20:40 PM entire council tonight will show support for Middleton's kids and teachers by voting.

0:39:01 06:20:47 PM Questions.

0:39:04 06:20:50 PM Thank you.

0:39:08 06:20:54 PM Greg Taminsky.

0:39:14 06:21:00 PM Council mayor Staff Greg Taminsky, 302 East Maine Middleton Fire Station I'm.

0:39:20 06:21:06 PMYour Middleton rural Fire District fire chief.

0:39:23 06:21:09 PMSo as much as I do appreciate helping the schools, because I know that.

0:39:27 06:21:13 PMThe schools need help, I know that.

0:39:29 06:21:15 PMThey're overcrowded and know that we need to pass the bond for schools in this community.

0:39:36 06:21:22 PMTerrorism.

0:39:37 06:21:23 PMMy concern is different. I have to look out for the citizens in the entire fire district,

0:39:42 06:21:28 PM110 sq. Mi. And my fear as the fire chief is that if we stop the development or slow

0:39:51 06:21:37 PMdevelopment by this ordinance within the city, it will push it out to the county, towards

0:39:57 06:21:43 PMStar, towards Paulville, wherever the school district currently sits in.

0:40:03 06:21:49 PMAnd unfortunately in Canyon county over the past 1010 years, we don't get support.

0:40:08 06:21:54 PMFor the water supply.

0:40:09 06:21:55 PMSo we can drive all the beautiful million dollar engines we want to a.

0:40:13 06:21:59 PMFire to put a fire out.

0:40:16 06:22:02 PMAnd without water we can't do anything.

0:40:19 06:22:05 PMIn the past ten years we've had developers willing to put a water supply in and go through

0:40:26 06:22:12 PMthe county level. And then the county tells them, you don't have to do that. It is taped

0:40:31 06:22:17 PMoff that we have power supply, but currently, today it is not supported in county. So

0:40:40 06:22:26 PMthat is my fear of if this was to pass, that it will push growth out into the county

0:40:49 06:22:35 PMarea, what's already growing pretty rapidly, and we will lack the water supply which puts

0:40:56 06:22:42 PMall of our citizens that live outside of city infrastructure at all at risk. That's

0:41:03 06:22:49 PMreally all that report unless you have any questions.

0:41:10 06:22:56 PMThanks, Greg.

0:41:15 06:23:01 PMOkay, Greg Holloway. And it says you're opposed.

0:41:20 06:23:06 PMIt's Hathaway.

0:41:21 06:23:07 PMHathaway.

0:41:22 06:23:08 PMI'm sorry, it's, it's my hand.

0:41:24 06:23:10 PMReady.

0:41:26 06:23:12 PMCouncil members, mayor, staff.

0:41:29 06:23:15 PMGrEG HathawAy, former SRBCA president for Canyon County Homebuilders Association I do not

0:41:38 06:23:24 PMsupport this because I'm concerned about what it's going to do to the affordability in

0:41:43 06:23:29 PMthis town when you limit properties to.

0:41:46 06:23:32 PMBuild on, you controlling costs.

0:41:49 06:23:35 PMAnd in line with Mister Zeminski's comments.

0:41:54 06:23:40 PMI don't believe that they're going to.

0:41:55 06:23:41 PM Be able to receive the support unless we're allowed to.

0:41:59 06:23:45 PM So that's basically what I have.

0:42:01 06:23:47 PM Thank you for your time.

0:42:05 06:23:51 PM Okay, this time I'll read all the ones that I missed that are in favor, but are not

0:42:10 06:23:56 PM speaking. Would be a Miss Rhodes.

0:42:14 06:24:00 PM Yes, she's in in favor.

0:42:16 06:24:02 PM Mark Press, who is in favor?

0:42:22 06:24:08 PM And the next person who will be speaking is Howard Rutkin, who is in favor?

0:42:41 06:24:27 PM Nathan of council.

0:42:42 06:24:28 PM Mayor Howard Broncan, 551 7th Street, Millington. As stated, I am in favor of this

0:42:51 06:24:37 PM ordinance. Kudos to Councilman Murray for bringing me up and doing the legwork to make

0:42:57 06:24:43 PM sure that it stands on good ground before it even got to this stage. I see this as a

0:43:05 06:24:51 PM first step in rectifying the legislature's inaction in funding education for our city and

0:43:11 06:24:57 PM state.

0:43:12 06:24:58 PM It may very well help to be helpful in influencing other communities or areas, what can be

0:43:19 06:25:05 PM done because they're under the same state legislature, probably suffering the same

0:43:26 06:25:12 PM pressures of rampant growth. But here in Middleton, this is our opportunity to act and in

0:43:33 06:25:19 PM such a way that shows those other communities and areas what can be done to slow the

0:43:38 06:25:24 PM rampant growth we've all been seeing in the ramifications thereof to our infrastructure

0:43:43 06:25:29 PM and our small town way of life. So the fact that we've even come to this point, I think

0:43:49 06:25:35 PM is a very important milestone, and I think we need to take one more big step.

0:43:54 06:25:40 PM And approve this measure.

0:43:56 06:25:42 PM Thank you.

0:43:57 06:25:43 PM Thank you.

0:43:59 06:25:45 PM Tyson Sparrow, who is in favor?

0:44:06 06:25:52 PM Mayor and counsel, I just wanted to get up here and.

0:44:11 06:25:57 PM Speak to the ordinance.

0:44:12 06:25:58 PM Many of you know me. 211 North Kabul Avenue. Sorry, I forgot to put my address in the

0:44:17 06:26:03 PM answer.

0:44:18 06:26:04 PM This is something that I helped councilmember Murray bring to the attention of the

0:44:23 06:26:09 PM community. I wanted to cover a couple things that were covered in the presentation. One,

0:44:28 06:26:14 PM in regards to the superintendent and possible future superintendents. This isn't an

0:44:33 06:26:19 PM emotional decision for a superintendent. It's based on actual data.

0:44:38 06:26:24 PM Students that attend the school, students to.



0:44:40 06:26:26 PM Graduate from the school has nothing to.  
0:44:43 06:26:29 PM Do with turning over control of the city's  
planning authority to you as council members.  
0:44:48 06:26:34 PM It's a database decision. So it's, it's not an  
emotional decision by any means.  
0:44:53 06:26:39 PM Based on the numbers presented in the slide, 300  
students or 300 homes per year building  
0:44:58 06:26:44 PM permits at the current that they figure student  
grow home, that's 195 new students every  
0:45:04 06:26:50 PM single year. Based on what we already have planned  
and committed to this graduating  
0:45:09 06:26:55 PM class, I just looked the numbers up. We have 300  
plus in the graduating class with a 96%  
0:45:15 06:27:01 PM that are graduating. So we're losing 288 students  
that are graduating this year. So as  
0:45:22 06:27:08 PM far as the numbers go, we're losing more students  
than we're gaining as far as the  
0:45:26 06:27:12 PM building process goes.  
0:45:28 06:27:14 PM To kind of speak to that a little bit, what I'm  
here to encourage you to do is I'm  
0:45:34 06:27:20 PM definitely in favor of it. It's something that  
needs to happen for the students in our  
0:45:39 06:27:25 PM community to have a conducive environment to  
learn. This is something that you have total  
0:45:44 06:27:30 PM control over as far as being able to add new  
buildings, add to the problem or mitigate  
0:45:52 06:27:38 PM the problem. Not very many governing authorities  
have the direct ability to affect that  
0:46:01 06:27:47 PM many students. And speaking on behalf of the  
students, those are kids that can vote.  
0:46:07 06:27:53 PM They have no voice in our opinion as adults to  
make decisions. We just cram them in the  
0:46:13 06:27:59 PM classroom and just allow people to do it. So I'm  
encouraging you to think outside the  
0:46:20 06:28:06 PM box. I heard the word fear. Don't let fear govern  
your decision.  
0:46:26 06:28:12 PM Be a little bit courageous. It is something that's  
new. I know you guys did the legwork.  
0:46:32 06:28:18 PM We heard it voted on unanimously in playing and  
zooming. The attorneys that Mayor  
0:46:38 06:28:24 PM Hutchinson recommended to get a second opinion on,  
they told us you guys are in good  
0:46:43 06:28:29 PM standing.  
0:46:44 06:28:30 PM So with that, I encourage you to be courageous and  
think of the children.  
0:46:51 06:28:37 PM Thank you, Dix.  
0:46:53 06:28:39 PM Thank you.  
0:46:56 06:28:42 PM Mark.  
0:46:56 06:28:42 PM Gee, Superintendent geez.  
0:47:07 06:28:53 PM Martin.  
0:47:08 06:28:54 PM 18 213 North Orchid Way. Nampa, superintendent of  
the Middleton School District. Mayor  
0:47:15 06:29:01 PM Hutchinson. Councilmembers, first off, I apologize  
for not being here for the beginning

0:47:20 06:29:06 PM of the meeting.  
0:47:20 06:29:06 PM So I don't know what the reference was regarding emotional superintendent.  
0:47:24 06:29:10 PM I know.  
0:47:27 06:29:13 PM Emotions do run high, but.  
0:47:30 06:29:16 PM I do hope so.  
0:47:32 06:29:18 PM I'll try and keep my emotions in check tonight, but I appreciate the time to be here  
0:47:37 06:29:23 PM tonight to share a few thoughts, and I've written a little bit. I'll share any others as  
0:47:42 06:29:28 PM they come up, but there are two main reasons.  
0:47:46 06:29:32 PM That I would support this ordinance.  
0:47:47 06:29:33 PM The first, and I don't think it's really necessarily something that is written  
0:47:54 06:29:40 PM specifically in there, but it defines schools as an essential part of the community  
0:47:59 06:29:45 PM infrastructure that's not written in very many places, that schools are an essential  
0:48:05 06:29:51 PM part. And when I say schools, I'm talking.  
0:48:08 06:29:54 PM About public schools, charter schools, private schools, home school.  
0:48:12 06:29:58 PM Education in general is an essential part of our community, and this ordinance puts that  
0:48:22 06:30:08 PM in front and center that schools.  
0:48:24 06:30:10 PM Are an essential part of that.  
0:48:25 06:30:11 PM We don't want to keep expanding if we don't believe we can support the.  
0:48:30 06:30:16 PM Education of our students.  
0:48:34 06:30:20 PM And that would be the case no matter how big or small we are. And number two, we are  
0:48:43 06:30:29 PM overcrowded in our schools. We haven't passed a bond. And the second thing that I  
0:48:49 06:30:35 PM appreciate is that the city is trying to do something.  
0:48:54 06:30:40 PM The ordinance may not be perfect, but.  
0:48:56 06:30:42 PM It is a step.  
0:48:57 06:30:43 PM It's something that could help us keep our students in a school that is at the capacity  
0:49:07 06:30:53 PM that it was originally designed for. Currently, our school sits the following. Heights  
0:49:12 06:30:58 PM elementary was built for 579 students.  
0:49:15 06:31:01 PM I'm sorry, has 579 students right now, but was originally designed for 399. That's 146% of  
0:49:23 06:31:09 PM capacity with five portable units. Ten classrooms. Mill Creek Elementary, 727 students in  
0:49:30 06:31:16 PM the building originally designed for 616, 118% capacity with six portables. Twelve  
0:49:37 06:31:23 PM classrooms.  
0:49:38 06:31:24 PM Purple stage elementary, 462 students in a building designed for 594, 77% capacity with no  
0:49:44 06:31:30 PM portables. Now, part of purple Sage, not all of it, but part of purple sage is that we  
0:49:50 06:31:36 PM have housed some of our special programs at Purple Sage. And so a classroom, when you're

0:49:54 06:31:40 PM designing, when you're looking at the capacity for a school system or a school building

0:50:01 06:31:47 PM is designed, is derived from the purpose of the room.

0:50:06 06:31:52 PM So when the school keep going.

0:50:09 06:31:55 PM Permission to continue.

0:50:11 06:31:57 PM Thank you.

0:50:12 06:31:58 PM So when you are creating the capacity for a school, you look at the use of the room. So if

0:50:20 06:32:06 PM the room was going to be a regular classroom, you might expect a capacity of 25 to 30

0:50:25 06:32:11 PM students within that classroom space, because that's what the room was designed for. We

0:50:30 06:32:16 PM are utilizing some of those rooms for some of our special populations that need more

0:50:35 06:32:21 PM space than that. So some of our special needs students, you don't put 30 special needs

0:50:40 06:32:26 PM students into a one classroom.

0:50:42 06:32:28 PM And even though that is the capacity of that room, those are, I mean, we keep those

0:50:48 06:32:34 PM intentionally small. And so some of that percentage.

0:50:55 06:32:41 PM Would.

0:50:55 06:32:41 PM Be due to that.

0:50:56 06:32:42 PM Not all. There is still a little bit of.

0:50:59 06:32:45 PM Space at purple sage.

0:51:01 06:32:47 PM But one of the concerns that we.

0:51:02 06:32:48 PM Have is that we do have within the city limits 3000 plus possible homes that could be

0:51:10 06:32:56 PM built already, that are already in approved development. And that doesn't include what's

0:51:15 06:33:01 PM out in the county, what's out in star, what's in call. All of those different

0:51:19 06:33:05 PM organizations, all of those different entities have property within the school district

0:51:25 06:33:11 PM boundaries, which run basically from Canada all the way over, just a little bit past the

0:51:31 06:33:17 PM freeway and then.

0:51:32 06:33:18 PM On the south, the river side is the boundary.

0:51:37 06:33:23 PM We've tried to pass five bonds, and we haven't been able to pass those bonds. We do have a

0:51:42 06:33:28 PM plan for a bond in May of 2025 with a lock in date of 2027. If that bond were to be

0:51:49 06:33:35 PM successful. We anticipate that there'll be some really positive movement on that bond

0:51:55 06:33:41 PM with some.

0:51:55 06:33:41 PM Of the help that the legislature has.

0:51:57 06:33:43 PM Given in terms of the facilities dollars.

0:52:01 06:33:47 PM In its most recent legislative session.

0:52:06 06:33:52 PM And I would like to say, too, I totally understand those interested groups that come and

0:52:14 06:34:00 PM say, I don't support this ordinance. I want to say to this council that I don't see those

0:52:21 06:34:07 PMgroups as being anti education. I expect those groups to come and advocate for what their

0:52:27 06:34:13 PMgroups are calling for, developers, our fire system. I mean, they have to look at that,

0:52:34 06:34:20 PMand that's bringing that all to you as a council, to look at this.

0:52:42 06:34:28 PMI appreciate the time, I appreciate the effort, and I appreciate the situation that you

0:52:49 06:34:35 PMfind yourselves in and how hard this decision might be, and I appreciate you taking that

0:52:54 06:34:40 PMon as a council. And with that, I would stand for any questions.

0:53:01 06:34:47 PMAhead.

0:53:01 06:34:47 PMSorry, Mark I believe I heard a few days ago that Cuna had passed a similar ordinance.

0:53:11 06:34:57 PMCan you speak to that?

0:53:12 06:34:58 PMAs far as I know. As far as I know.

0:53:15 06:35:01 PMI spoke with the Cuna superintendent yesterday. They have not passed the ordinance. The

0:53:21 06:35:07 PMordinance was discussed in this Da Cunha school board with a recommendation to take a. To

0:53:28 06:35:14 PMtake a proposal to the city council. That's as far as I understand.

0:53:33 06:35:19 PMThat is where Cuned is at with.

0:53:35 06:35:21 PMThis particular type of ordinance.

0:53:37 06:35:23 PMThank you, Councilman Murray.

0:53:38 06:35:24 PMTim, I can answer that a little better because it was me causing mischief.

0:53:43 06:35:29 PMI went to the school board and cuned presented.

0:53:45 06:35:31 PMSo, yeah, they are going to recommend the city council for adoption, is my understanding.

0:53:55 06:35:41 PMMark, earlier it was. Concern was raised that land approval authority would be passed to

0:54:03 06:35:49 PMthe schools, not under yourself, because we all know you to be an upstanding citizen, but

0:54:08 06:35:54 PMunder.

0:54:08 06:35:54 PMA hypothetical future superintendent.

0:54:13 06:35:59 PMCould twist numbers and therefore control land use. The numbers that you rely upon. If you

0:54:23 06:36:09 PMreceived an application under this ordinance today and you were going to generate a

0:54:26 06:36:12 PMletter, would those be the same numbers that you provide to the state for state funding

0:54:30 06:36:16 PMin terms of the population of your schools?

0:54:33 06:36:19 PMYes.

0:54:35 06:36:21 PMQuick detail there.

0:54:37 06:36:23 PMWe provide two different numbers to the state when we talk about the number.

0:54:44 06:36:30 PMOf students in our school.

0:54:45 06:36:31 PMOne of those numbers is actual enrollment. So all of the students whose parents have come

0:54:50 06:36:36 PMand enrolled their students in the school, state bases their funding, however, on what is

0:54:56 06:36:42 PM called Ada, or average daily attendance. And so let's say right now we have 4352 students

0:55:04 06:36:50 PM within our school district.

0:55:05 06:36:51 PM Roughly that right now, if we have that, that would be what we report as our enrollment,

0:55:12 06:36:58 PM and that gets uploaded, I would say seven, eight different times during a given school

0:55:17 06:37:03 PM year. So as the numbers fluctuate, the state receives that information, but then we also

0:55:24 06:37:10 PM send in what our attendance is. And so when we get our funding, the funding is based on

0:55:30 06:37:16 PM the average daily attendance. So if we had 4352 students in our school, but on average

0:55:37 06:37:23 PM 4100 students came to school, that would be the number that we are reporting that we get

0:55:43 06:37:29 PM funded on. That's not necessarily the bodies in the school or that could be in the school

0:55:48 06:37:34 PM at any given time.

0:55:49 06:37:35 PM It's that average daily attendance. And so those are the two different numbers that would

0:55:53 06:37:39 PM get reported to the state, but they are reported to the state multiple times a year.

0:55:58 06:37:44 PM But regardless of who shows up, I mean, the kids daily attendance, the ADA, right. You

0:56:05 06:37:51 PM still have to provide lunches and space and everything else for the total number of

0:56:10 06:37:56 PM children who are enrolled.

0:56:11 06:37:57 PM Absolutely.

0:56:12 06:37:58 PM We are not able to plan based on ADA except for funding, everything else, we have to have

0:56:18 06:38:04 PM the number of books, desks, space for all of those students to be in the schools at any

0:56:24 06:38:10 PM given time.

0:56:25 06:38:11 PM So if a future hypothetical, emotional and amoral superintendent was twisting numbers to

0:56:32 06:38:18 PM control land use in the town, they would also be providing false numbers to the state, I

0:56:39 06:38:25 PM would assume, because those would be the same numbers.

0:56:41 06:38:27 PM Well, I would assume that if they were doing that, the only way they could really get away

0:56:46 06:38:32 PM with that, unless they were really diving into the computer systems, would be that they

0:56:51 06:38:37 PM would be giving a false number to a developer or in that letter, counting on somebody not

0:56:58 06:38:44 PM verifying with the state.

0:57:00 06:38:46 PM Now, the superintendent is hired by the school board, correct?

0:57:02 06:38:48 PM Correct.

0:57:03 06:38:49 PM And the school board is elected by the people, the same as this body, correct?

0:57:06 06:38:52 PM That is correct.

0:57:07 06:38:53 PM So there are control measures in place to make sure that the people's will next. But this

0:57:13 06:38:59 PMis my laugh, and I'm sorry, Rob. Charter schools were also brought up that charter  
0:57:19 06:39:05 PMschools were brought up that this could possibly harm the building of charter schools,  
0:57:24 06:39:10 PMbecause developers have been part of partnering with charter schools to bring schools  
0:57:28 06:39:14 PMinto the area.  
0:57:29 06:39:15 PMNow, under the state constitution, under state law, are charter schools required to admit  
0:57:37 06:39:23 PMany kid who applies to that school?  
0:57:39 06:39:25 PMThey are not. The only of those schools that I mentioned at the beginning, public schools,  
0:57:43 06:39:29 PMcharter schools, private schools, home schools. The only entity that is required to take  
0:57:48 06:39:34 PMany student within the boundaries is the public school. Within that they have lotteries  
0:57:54 06:39:40 PMand boundaries, but they are not required to take.

0:57:57 06:39:43 PMJust any student that can.  
0:57:59 06:39:45 PMSo the only facilities that kids in this community have a right to attend are the public  
0:58:05 06:39:51 PMschools under your and school board jurisdiction, correct?  
0:58:08 06:39:54 PMThat would be correct.  
0:58:09 06:39:55 PMSo it really makes the charter school point kind of moot because they have the authority  
0:58:14 06:40:00 PMto approve or deny whatever students apply.  
0:58:17 06:40:03 PMWell, that, and I would add in there that based on the charter, and it depends on  
0:58:22 06:40:08 PMcharters, are all written differently.  
0:58:24 06:40:10 PMBorders for charters can have encapsulate multiple school districts. For instance, we have  
0:58:34 06:40:20 PMa charter school here in town that when I first came to Middleton, and I can't speak in  
0:58:39 06:40:25 PMthe last couple of years, but when I first came to Middleton, I asked about how many were  
0:58:44 06:40:30 PMcoming from the Middleton school district, and they estimated around 50% of the school  
0:58:49 06:40:35 PMwas coming.  
0:58:49 06:40:35 PMFrom the Middleton school district.  
0:58:51 06:40:37 PMThe rest were coming from districts outside of the area. And that goes to the purpose of  
0:58:58 06:40:44 PMcharter schools, because charter schools are often geared towards a particular method of  
0:59:04 06:40:50 PMteaching or philosophy which attracts students from all over, not just within that  
0:59:11 06:40:57 PMboundary of the school district.  
0:59:13 06:40:59 PMCouncilman O'Meara.  
0:59:15 06:41:01 PMThank you, Mayor Mark. Outside student capacity. Kids coming from Napa, Caldwell  
0:59:24 06:41:10 PMtransferring into Middleton, how large is that amount of students?  
0:59:29 06:41:15 PMWithin the 80 total in our district.

0:59:36 06:41:22 PM And that's across kindergarten through high school.

0:59:38 06:41:24 PM Right. You mentioned, and this is a topic that has been presented by a developer, which I

0:59:47 06:41:33 PM don't really hold a lot of credence to, but according to your statement, there is

0:59:53 06:41:39 PM capacity at Purple Sage. Small amount.

0:59:58 06:41:44 PM Small amount and within certain grade levels, meaning we have two grade levels up at

1:00:03 06:41:49 PM purple Sage, that if a student were to come, we would not accept that student because

1:00:07 06:41:53 PM there is no capacity.

1:00:09 06:41:55 PM If you had to redistrict and put some of those students out to purple sage, would that

1:00:17 06:42:03 PM solve your overcapacity at any other school?

1:00:20 06:42:05 PM The least, the smallest percentage of overcapacity that we get, if we're talking just our

1:00:26 06:42:11 PM elementary schools, would be right around 111 112% of capacity. If we equally. If we took

1:00:33 06:42:18 PM them and we're equal, we're going to have the exact same number in every school. That

1:00:38 06:42:24 PM would give us the lowest amount, and that would be at about 111 112 capacity with our

1:00:44 06:42:29 PM current number of students.

1:00:45 06:42:31 PM That's exactly the answer I was looking for.

1:00:47 06:42:33 PM Thank you.

1:00:49 06:42:35 PM Any other questions?

1:00:50 06:42:36 PM I have one.

1:00:52 06:42:37 PM If this ordinance passes, does the school district still need to run a bond.

1:00:56 06:42:41 PM And still build a man?

1:00:57 06:42:43 PM Yes, we are.

1:00:59 06:42:45 PM We are very much behind.

1:01:01 06:42:46 PM Thank you.

1:01:04 06:42:49 PM Thank you very much.

1:01:05 06:42:50 PM Thank you.

1:01:06 06:42:51 PM Thank you, Mark.

1:01:12 06:42:58 PM Joey Palmer.

1:01:19 06:43:05 PM Joey Palmer. 5207 South Montana. That's the address for the Valley View School District.

1:01:25 06:43:10 PM I'm not from these parts.

1:01:26 06:43:12 PM I'm the assistant superintendent for Valley View.

1:01:28 06:43:13 PM But I'm not sure if you're familiar with this, but we have a small footprint in Middleton

1:01:33 06:43:19 PM and the kids are zoned to go to East Canyon Elementary School.

1:01:36 06:43:22 PM Some of you middle school and Bridgeview High School value school district is in support

1:01:42 06:43:27 PM of this ordinance. Thank you for thinking outside the box. What we think it is is it.

1:01:46 06:43:31 PM Could be a model for other cities to look at.

1:01:48 06:43:34 PM So thanks for taking the lead and.

1:01:50 06:43:35 PM Seeing how this could potentially be good news for other city council members that we have

1:01:55 06:43:41 PM this year that you may recognize or not.

1:01:57 06:43:43 PM So with that being the case, just.

1:01:59 06:43:45 PM Wanted to take the time to say.

1:02:00 06:43:46 PM We support it and thank you.

1:02:03 06:43:48 PM Thank you.

1:02:03 06:43:49 PM Thank you.

1:02:07 06:43:53 PM Kim Carson, who has marked the box, it says she is in favor.

1:02:21 06:44:06 PM Kim Parson, 9895 Meadow Park Boulevard, Middleton.

1:02:25 06:44:11 PM I'm excited to support this ordinance and.

1:02:27 06:44:13 PM I'm grateful for the hard work that.

1:02:29 06:44:14 PM We are drafting it. Our children are deserving of and have the right to the very best

1:02:35 06:44:21 PM education we can provide at this time.

1:02:39 06:44:24 PM I do not believe we are providing our best with the exorbitant number of homes approved

1:02:44 06:44:30 PM and not being able to pass a school bond for new construction. We all know that our

1:02:49 06:44:35 PM schools are vesting at the seams. This does not provide the quality environment for

1:02:54 06:44:40 PM students that they deserve. I disagree with staff's position that a school bond may be

1:03:01 06:44:46 PM less likely to.

1:03:02 06:44:47 PM Pass if this ordinance is enacted.

1:03:05 06:44:50 PM I believe that people have been looking for something, anything from this body that will

1:03:11 06:44:57 PM slow the craziness that we have been experiencing. I believe if they see you take.

1:03:17 06:45:02 PM Action to protect our schools and act as the leaders we elected you to.

1:03:22 06:45:08 PM Be, they will be more likely to approve a school bond. We have the opportunity to be

1:03:30 06:45:15 PM leaders, act as the adult in the room and do the right thing for the city of Middleton.

1:03:35 06:45:21 PM With this ordinance, we need to continue to the pressure on the city of Star to follow

1:03:41 06:45:26 PM suit. But leaders and adults lead by example.

1:03:47 06:45:32 PM They do not keep digging a hole.

1:03:49 06:45:34 PM Because everyone else is doing it. We cannot ask other cities to do.

1:03:54 06:45:39 PM Something we ourselves are not willing to do.

1:03:57 06:45:43 PM Again, please lead by example. Here is your opportunity. There are multiple reasons to

1:04:04 06:45:50 PM slow Middleton city residential growth. In addition to schools, there are sewer capacity,

1:04:10 06:45:56 PM traffic and irrigation concerns.

1:04:13 06:45:59 PM These important items need attention. Here is your opportunity. We need to attract new

1:04:20 06:46:05 PM commercial and industrial business to the area. Residents need to be able to live, work



1:04:25 06:46:11 PM and shop here. We need city leaders to have the time to focus, to shift their focus.

1:04:32 06:46:17 PM To this instead of additional residential development. Here is your opportunity.

1:04:39 06:46:24 PM I respectfully request that you approve this ordinance to benefit our children and our

1:04:43 06:46:29 PM schools and ultimately the lifestyle of every single resident.

1:04:49 06:46:35 PM Thank you.

1:04:51 06:46:36 PM Thank you.

1:04:53 06:46:38 PM Thank you.

1:04:57 06:46:42 PM Alicia Purdy.

1:05:00 06:46:45 PM And she is in favor.

1:05:04 06:46:50 PM Alicia Party, 11865 west strip report, Boise. And I know I'm not a resident here, but I am

1:05:11 06:46:56 PM a teacher in the neighboring district and I would like to speak to the impact on our

1:05:16 06:47:02 PM students. When there is a workout in the classroom, it is impossible to teach.

1:05:21 06:47:07 PM When you have 35, 40 students in.

1:05:24 06:47:09 PM a classroom, you are doing nothing more than managing behaviors.

1:05:28 06:47:14 PM And that's not fair to our students, it's not fair to your students. And we've seen the

1:05:32 06:47:18 PM same thing happening in my district, which are valid and luckily we were able to pass

1:05:37 06:47:22 PM along.

1:05:38 06:47:23 PM But it's not new. The bond is in effect, but those.

1:05:41 06:47:27 PM Schools are not built yet and we're.

1:05:43 06:47:28 PM Still bursting at the students. And it's hard on our students, it's.

1:05:47 06:47:32 PM Hard on our teachers, it's hard on everyone in the educational environment. And I hope

1:05:52 06:47:37 PM that you can set the bar for other districts in this area because they are all paying

1:05:57 06:47:42 PM attention to what's happening with your white family. I've heard from teachers over at

1:06:01 06:47:46 PM Mountain.

1:06:01 06:47:47 PM Home that they are paying attention. They're watching you. Everyone is watching.

1:06:06 06:47:51 PM So best and thank you. Thank you.

1:06:12 06:47:58 PM Ken Burgess, who is opposed?

1:06:17 06:48:03 PM Good evening, mayors council. My name is Ken Burgess. I'm here today representing the

1:06:22 06:48:08 PM Snake River Valley Building Contractors association and the South.

1:06:27 06:48:13 PM Contractors association of Southwestern Idol.

1:06:30 06:48:16 PM And I think you did get a.

1:06:32 06:48:17 PM Joint letter that was submitted with some comments on your couple things.

1:06:36 06:48:22 PM Most of my points that are in.

1:06:37 06:48:23 PM That letter I think have already been made, but the one kind of unintended consequence

1:06:41 06:48:27 PM that I think you as a council are really considering is if you.

1:06:46 06:48:31 PM Put this ordinance in place, it's acting.

1:06:48 06:48:34 PM As a de facto moratorium identity. So that might be a popular thing.

1:06:53 06:48:38 PM I appreciate that.

1:06:54 06:48:40 PM But what you're going to end up doing is you're going to forcing that building to happen

1:06:58 06:48:44 PM outside the city limits, out of the county, but yet still within the Middleton school

1:07:03 06:48:48 PM district boundaries. And so the true impact of what this might mean in that regard I

1:07:08 06:48:54 PM think is questionable.

1:07:11 06:48:56 PM The second thing is, and those people are still going to be using your roads, those people

1:07:15 06:49:01 PM are still going to be using your parts, but you'll be left without that longer term

1:07:20 06:49:05 PM profit tax.

1:07:21 06:49:06 PM Base that comes, comes with that new development.

1:07:24 06:49:09 PM The other thing I wanted to point.

1:07:25 06:49:11 PM Out is that as it relates to.

1:07:27 06:49:13 PM School facilities funding, this is a statewide problem.

1:07:31 06:49:16 PM And from the Home Builders association, we have recognized that and have become engaged in

1:07:37 06:49:22 PM trying to convince and help the legislature and the governor come up with a broader

1:07:41 06:49:27 PM school funding solution.

1:07:44 06:49:29 PM Middleton has a growth problem in that regard.

1:07:46 06:49:31 PM That is true. So does Cuna. So does Valley view.

1:07:50 06:49:35 PM Nampa, on the other hand, is a completely different story. They still have facilities

1:07:54 06:49:39 PM problems, but their.

1:07:55 06:49:40 PM Problem isn't that they're growing too fast.

1:07:56 06:49:42 PM Their problem is that their buildings are 50 and 60 years old. And so what we have done is

1:08:02 06:49:47 PM we have worked with the legislature, with other stakeholder groups, including school

1:08:06 06:49:52 PM districts there, the school board association, to try to help come up with a broader

1:08:11 06:49:57 PM state responsibility as it relates to school.

1:08:16 06:50:01 PM That first kind of baby step of that was that House Bill 521 was passed this last

1:08:22 06:50:07 PM legislative session. The governor just signed it on March 29, which provides one and a

1:08:27 06:50:12 PM half billion dollars to be distributed across the state for the purposes facilities. It

1:08:33 06:50:18 PM is estimated that the Middleton school district will receive roughly \$17 million, but

1:08:39 06:50:24 PM that's still not enough to build an elementary school. And a bond, yes, is still going to

1:08:44 06:50:30 PM be necessary in order to solve this problem. But hopefully, we think that that will help.

1:08:49 06:50:35 PM And we as homebuilders, we've had conversations with Superintendent Dee and others about

1:08:56 06:50:41 PM doing what we can do to help get a new long pass in order to solve the problem. So,

1:09:01 06:50:47 PM mayor, thank you very much, and.

1:09:03 06:50:48 PM Councillor, appreciate you carrying us out. Thank you.

1:09:12 06:50:58 PM Mike Graff.

1:09:14 06:51:00 PM Grape.

1:09:15 06:51:01 PM Grape.

1:09:17 06:51:02 PM Every time I say it.

1:09:23 06:51:08 PM Mike grave 1889 Ridgeway.

1:09:25 06:51:11 PM I am in support of this.

1:09:30 06:51:15 PM Ordinance.

1:09:33 06:51:19 PM Stuff I'm hearing tonight, it just really hurts me.

1:09:39 06:51:24 PM We're talking about statistical numbers as far as the number of students in this one and

1:09:47 06:51:32 PM number of students there, how.

1:09:48 06:51:34 PM Many flushes in that toilet and how.

1:09:50 06:51:36 PM Many showers in that room and all that. My dad had a rule scene, and he says numbers never

1:09:58 06:51:43 PM lie. Statistics, but liar sure can't figure.

1:10:03 06:51:49 PM And that he used that as his definition for statistics. You can show anything you want to

1:10:09 06:51:55 PM show with a statistic, either side of the coin, and just come in just as forceful on one

1:10:16 06:52:02 PM side or the.

1:10:17 06:52:02 PM Other with a statistic.

1:10:19 06:52:04 PM But the way I see this tonight, no action on you guys. That's not an option.

1:10:26 06:52:12 PM Something has to happen.

1:10:30 06:52:16 PM I lived in Idaho for 53 years. I came from Wisconsin, and I go back to, let's see, it was

1:10:41 06:52:26 PM a lottery. It was going to be a cure all for a lot of things.

1:10:44 06:52:30 PM The lottery.

1:10:46 06:52:31 PM Well, the lottery was sold back then, as I remember it, to bail out the schools.

1:10:53 06:52:38 PM And what happened?

1:10:54 06:52:39 PM The lottery made a lot of money.

1:10:57 06:52:42 PM And what happened? The legislature decided, that's a nice slush.

1:11:01 06:52:47 PM Fund that we can.

1:11:03 06:52:49 PM And they used it for almost everything but schools. They did give some to schools, but the

1:11:09 06:52:54 PM intent and the sales pitch for the lottery was for schools and education.

1:11:20 06:53:05 PM That's the one big thing, is the lottery. The other thing, impact fees. A couple of years

1:11:26 06:53:11 PM ago, I was approached by a gentleman, and he told me about a bill that was before our

1:11:30 06:53:16 PM legislature, and it had to do with impact fees for schools. And I even called one of our.

1:11:39 06:53:25 PM Legislators, who were probably three times.

1:11:44 06:53:29 PM I never got a return call, and.

1:11:46 06:53:31 PM I explained what I was calling for. I don't know why we keep talking around all this

1:11:52 06:53:37 PM stuff. Impact fee. I don't know what the problem is.

1:11:55 06:53:41 PM If you want to build a house here, have an impact fee for it. I'm in support of this

1:12:01 06:53:46 PM ordinance, but that all leads to that. And if middle can can be the driving force in the

1:12:08 06:53:53 PM state of Idaho to get this thing, the ball rolling on this and have something finally

1:12:14 06:54:00 PM happened. Kudos to all you guys, because it has to happen.

1:12:23 06:54:09 PM Susan came up with a bunch of numbers. Of course, that's statistics or whatever. But

1:12:28 06:54:13 PM numbers, but anyway, on the students that aren't cutting it, that are dropping out of

1:12:33 06:54:18 PM school and what, what are we raising here? We've got good educational, had really good

1:12:40 06:54:26 PM educational systems available and we still have some good educational systems, but they

1:12:45 06:54:31 PM need help and obviously the bond's not the way we're going to do that for right now.

1:12:51 06:54:37 PM Start with an impact.

1:12:52 06:54:38 PM He start with this ordinance to where the builders are going to have to really start

1:12:58 06:54:44 PM putting pressure on the situation.

1:13:00 06:54:46 PM To start getting some things done and.

1:13:03 06:54:48 PM Pushed a smaller communities.

1:13:05 06:54:50 PM That's her way of telling me.

1:13:12 06:54:58 PM Thanks, Mike.

1:13:13 06:54:58 PM I would have said it a little different.

1:13:18 06:55:04 PM Janet Gibson is in favor.

1:13:28 06:55:14 PM Janet Gibson, 945 Hartsway Middleton.

1:13:33 06:55:18 PM As people already mentioned, this is a pivotal ordinance not just for Middleton but for

1:13:40 06:55:25 PM Idaho. And to be at the cutting edge is such a responsibility and an honor. And I'm so

1:13:49 06:55:34 PM excited that you all are contemplate risks. It's a big deal.

1:13:53 06:55:38 PM I want to address a couple of arguments that I think are a little bit capricious and win

1:13:56 06:55:42 PM made. And one is if we don't allow builders to build, then star and county and call

1:14:03 06:55:48 PM global build, we could do that forever and ever. Right. Because that is going to happen.

1:14:09 06:55:54 PMBut if we act out of fear that, oh my gosh, somebody else is going to take that land,  
1:14:14 06:56:00 PMthen it will never stop.  
1:14:16 06:56:02 PMRight. What about. I have no idea how this works, but what about redistricting Middleton  
1:14:23 06:56:08 PMschool district? So it's actually in our city limits, but we're not responsible for the  
1:14:27 06:56:12 PMcounty.  
1:14:28 06:56:13 PMNow.  
1:14:28 06:56:13 PMThat has nothing to do with you guys.  
1:14:30 06:56:15 PMThat's super techniquey.  
1:14:31 06:56:17 PMThat's the state of Idaho. But there's other things that can be done. We can't always act  
1:14:37 06:56:22 PMout of here.  
1:14:38 06:56:23 PMThe idea that this won't impact anything from seven to 1010 years, well, at some point you  
1:14:43 06:56:29 PMgot to take the sand, right. So yeah, we've got 3700 homes that are still coming. But  
1:14:49 06:56:35 PMwhat about the next 3800? That's what this bill represents. And that's so exciting.  
1:14:56 06:56:41 PMYeah, we're not going to see the effect right away, but if we don't take a stand, it'll  
1:15:00 06:56:45 PMnever happen. One person already brought up the idea that if we don't have as much  
1:15:06 06:56:52 PMresidential growth, it allows us to focus on commercial and industrial and that brings in  
1:15:11 06:56:57 PMmore money to the city than residents do. We need that commercial, we need that  
1:15:16 06:57:02 PMindustrial. Do we need more homes?  
1:15:19 06:57:04 PMI don't think so.  
1:15:21 06:57:06 PMBut how exciting would it be to sit here every couple times a month and hear new  
1:15:26 06:57:11 PMbusinesses coming in for applications and watch our city grow that way. That would be  
1:15:32 06:57:17 PMwonderful. There are cities maybe not in Idaho, but certainly throughout this country  
1:15:39 06:57:24 PMthat don't have any room to grow and somehow they managed to remain viable.  
1:15:43 06:57:29 PMHow does that happen? It happens because they focus on what they got.  
1:15:48 06:57:34 PMWe don't have to keep growing and expanding. We need to think about Los Angeles. You think  
1:15:54 06:57:39 PMabout a crazy city that just kept growing and growing and growing and now it's completely  
1:15:59 06:57:45 PMout of control. Middleton does not have to do that. The counties in Idaho don't have to  
1:16:05 06:57:51 PMdo that.  
1:16:06 06:57:52 PMBut it starts with something like this today. So I do hope you all take this into  
1:16:11 06:57:56 PMconsideration and Provis ordinance because I think it's a great first step.  
1:16:15 06:58:01 PMThank you, Janet.  
1:16:20 06:58:05 PMAdam Capel, and he is opposed.

1:16:28 06:58:14 PM Good evening, Mayor Hutchinson Council, appreciate you having me tonight. For the record,  
1:16:32 06:58:18 PM Adam Rappel, 868 West Grassland Street, Middleton. I appreciate the effort and everything  
1:16:38 06:58:24 PM that's been said tonight.  
1:16:39 06:58:24 PM There's been a lot of great points.  
1:16:40 06:58:26 PM And can appreciate everyone's perspective.  
1:16:43 06:58:29 PM A lot of what I have to say has already been said in the presentation that Stewart put on  
1:16:47 06:58:33 PM and others have said already. I just wanted to reiterate a few things that are also in my  
1:16:51 06:58:37 PM letter. I hope you've had a chance to read some good content in there. But you know, one,  
1:16:57 06:58:42 PM I think that these are all unintended consequences. Nobody, I think, intends to undercut  
1:17:01 06:58:47 PM bond efforts, intends to increase growth in the county and other areas, but withhold  
1:17:07 06:58:52 PM property taxes and impact peace from the city, intends to increase the likelihood of  
1:17:13 06:58:59 PM damage, loss of property, loss of life as a result of driving growth to the county,  
1:17:19 06:59:05 PM intends to put land use decisions in the hands of the schools and many other things.  
1:17:25 06:59:10 PM But these are all real unintended consequences.  
  
1:17:27 06:59:13 PM That I hope you will really seriously.  
1:17:29 06:59:14 PM Consider before making the decision tonight to.  
  
1:17:32 06:59:17 PM Address a few points that were brought up.  
1:17:33 06:59:19 PM You know, commercial industrial, you've really got to have the residential base in first.  
1:17:37 06:59:22 PM To support the commercial users that people.  
1:17:39 06:59:24 PM Really envision coming to the city on charter schools. You know, charter schools aren't  
1:17:43 06:59:28 PM just going to deny kids they're there. Their funding is based off enrollment as well.  
1:17:47 06:59:33 PM They're not going to open their doors and sit empty.  
1:17:49 06:59:34 PM They're going to invite students to participate in their education. And then regarding the  
1:17:53 06:59:39 PM superintendent, I don't think anyone's questioning superintendent gee in any way, shape  
1:17:57 06:59:42 PM or form or the data, but what a superintendent can do is they can prohibit boundaries  
1:18:04 06:59:49 PM from being adjusted and things like that, which are things that are necessary in areas  
1:18:08 06:59:53 PM that are growing. So with that, I hope you'll give all consideration and I do appreciate  
1:18:13 06:59:58 PM the position that you're in.  
1:18:14 07:00:00 PM So thank you for your time.  
1:18:19 07:00:04 PM David Louise.  
1:18:21 07:00:07 PM And he's. Oh, sorry.  
1:18:24 07:00:10 PM He's in favor, but he's not speaking. Don Reynolds, who's neutral in this speech.

1:18:35 07:00:20 PM They are councilled on right on the four, five, two.

1:18:36 07:00:22 PM East wall.

1:18:37 07:00:22 PM Caught Lake Court first thought it was another one of those issues where you as a council

1:18:41 07:00:27 PM get to decide between city matters and city community or Middleton city matters and

1:18:46 07:00:32 PM Middleton community matters. And I think these two overlap more often than not. We moved

1:18:51 07:00:37 PM to this town 14 years ago, in large part because we were highly recommended to attend

1:18:57 07:00:43 PM heights elementary, in particular because of the principal, Gilbert at the time.

1:19:02 07:00:47 PM And our kids all went through that school. And I appreciate the education and got.

1:19:05 07:00:51 PM The work they did.

1:19:06 07:00:52 PM We served on the parent advisory committee at that time, volunteered school board. At one

1:19:12 07:00:57 PM point when the school board had issues, I think that one thing that I would say in

1:19:20 07:01:06 PM regards to the school.

1:19:23 07:01:08 PM I met with super Superintendent Gee after I heard about the meeting through a roundabout

1:19:28 07:01:14 PM way, went to the high school, found an open door, wandered down the hallway, found a

1:19:35 07:01:20 PM classroom where people happened to be and had a good conversation about how school

1:19:39 07:01:25 PM budgets work. So I think the school bond issue is more of an issue with regards to

1:19:44 07:01:30 PM educating the public on how school bonds work and how school budgets work. Like I tell my

1:19:50 07:01:35 PM wife all the time, I know every time there's a bingo night and I know every time there's

1:19:54 07:01:39 PM a movie in the park, but I have a really hard time to find public meetings. My concern

1:20:00 07:01:45 PM with this is that we are one of four players in regards to this decision in our school

1:20:05 07:01:50 PM district. I see the need to solve the problem with schools and our overcrowding problem.

1:20:10 07:01:55 PM But if only one of us are playing by the rules, the other three, meaning the city of Star,

1:20:15 07:02:00 PM city of Caldwell, the county, aren't playing by those same rules, then I do have concerns

1:20:21 07:02:06 PM and I think that there's something to be considered. I think the state is ultimately

1:20:24 07:02:10 PM responsible to be held accountable. Buyer beware. I hear all the time people talk about

1:20:31 07:02:16 PM what buyers want. Well, when I bought a home, it was my responsibility to figure out

1:20:35 07:02:21 PM whether my setbacks were what I wanted them to be or whether the schools were a good

1:20:39 07:02:24 PM school district or whether traffic getting to and from work was appropriate.

1:20:43 07:02:28 PMI like the idea of this one a lot, or this proposal a lot. I just would hope that you can  
1:20:48 07:02:34 PMfind a remedy to consider that doesn't turn control completely over to the school  
1:20:53 07:02:39 PMdistrict with a yes or no, something similar to the sewer and water. If there's capacity  
1:20:59 07:02:44 PMissue, the city has the ability to change that. If the fire district, if the city gets a  
1:21:04 07:02:50 PMrecommendation to approve or deny, maybe that's what we need is just the school district  
1:21:09 07:02:54 PMto provide a letter of recommendation to approve or deny, rather than being able to just  
1:21:14 07:03:00 PMstop the application cold. We talked about the small town feel.  
1:21:19 07:03:04 PMSmall town isn't about the size of the city. It's about going and attending the fall  
1:21:25 07:03:10 PMharvest festival or the Easter egg hunt, the 4 July water fight or Christmas parades.  
1:21:31 07:03:16 PMSmall town is all about community and communication. I appreciate the opportunity to  
1:21:36 07:03:21 PMspeak and appreciate those who have different opinions and hope that as a council, you  
1:21:40 07:03:26 PMtake those considerations, those opinions into consideration.  
1:21:44 07:03:30 PMThanks for your time.  
1:21:46 07:03:31 PMThank you. Yes.  
1:21:52 07:03:37 PMWe're going to take a break now for ten minutes and the high school young adults can come  
1:21:57 07:03:43 PMup and sign your documents.  
1:22:02 07:03:48 PMCome on up, guys.  
1:22:22 07:04:07 PMI know.  
1:22:23 07:04:08 PMI might let go of it though.  
1:22:26 07:04:12 PMWe are now live. We are back. It is 07:05 and a half.  
1:22:35 07:04:21 PMOkay, council.  
1:22:38 07:04:23 PMAll right, council, I'll kick it off.  
1:22:39 07:04:25 PMThis was brought up early.  
1:22:45 07:04:30 PMDefendable was something that was brought up. I personally believe it is defendable. Not  
1:22:52 07:04:38 PMonly did our own attorney draft, it was outside counsel by two separate entities. Both  
1:22:58 07:04:43 PMagreed that this thing is rock solid. So I think defendable.  
1:23:03 07:04:49 PMI'm not worried about that.  
1:23:05 07:04:50 PMI don't worry.  
1:23:05 07:04:51 PMCouncil sits with that.  
1:23:10 07:04:56 PMConcern that the.  
1:23:12 07:04:57 PMNew school would be a capacity when.  
1:23:13 07:04:59 PMIt opens and that could be a reality. 3000 more homes in the queue.  
1:23:20 07:05:06 PMThat that's realistic.  
1:23:23 07:05:08 PMOne thing that wasn't brought up, everybody focuses on new homes. What about existing  
1:23:27 07:05:13 PMhomes? And I know of several people that.



1:23:31 07:05:16 PMHave moved to different locations who had.  
1:23:37 07:05:22 PMNo children, but yet families bought their house.

1:23:39 07:05:25 PMSo you have a person move out of our community and then someone moves in and increases to  
1:23:44 07:05:30 PMthe school district. Not a new home, it's an existing home. But that's something that's  
1:23:48 07:05:33 PMnot, that's not talked about here. That is something that obviously we have.  
1:23:53 07:05:38 PMZero control over there, but that is.  
1:23:55 07:05:40 PMAgain, that's a deal. So could it be a capacity?

1:23:57 07:05:42 PMAbsolutely.  
1:23:57 07:05:43 PMI mean, I don't have that magic ball for that. So that's, that's a hard one there in terms  
1:24:04 07:05:50 PMof the capacity, because what do you do with the existing homes?  
1:24:07 07:05:52 PMAs you know, young families move in and buy existing homes that are there. So that's not  
1:24:16 07:06:01 PMsomething we talked about.  
1:24:17 07:06:02 PMWith that.  
1:24:19 07:06:05 PMAnd then unique properties. I know in the ordinance we talk about infill projects and up  
1:24:26 07:06:11 PMto ten homes and that type of things.  
1:24:29 07:06:15 PMAnd we did that because I know, at some point you got to draw a line in the sand and say  
1:24:34 07:06:20 PMten.  
1:24:37 07:06:22 PMAnd it's hard to say, okay, 15 because then 15 can turn okay, 20. Okay, now it's 25.  
1:24:43 07:06:28 PMNext thing you know you're back up to 100.  
1:24:45 07:06:30 PMSo what's the balance there with the unique properties that we have?  
1:24:49 07:06:34 PMThat would be.  
1:24:53 07:06:38 PMFor lack of.  
1:24:53 07:06:39 PMIt would be those infill projects. But I like the direction we're going with the ten for  
1:24:59 07:06:44 PMnow because it just made sense at the time for us with it and council, you can.  
1:25:03 07:06:49 PMTouch on this here in just a second.  
1:25:10 07:06:56 PMThere were a lot of things said that the school district is now in control of land use  
1:25:16 07:07:01 PMbecause somehow they're going to magically fudge the numbers to the state that I found.  
1:25:23 07:07:08 PMI've had this conversation with Mister gee a little not too long ago and I found humor in  
1:25:27 07:07:13 PMit that people go that direction. The school district is now running the city. So is what  
1:25:39 07:07:24 PMit is there wrote down. Just I was trying to catch some of the big ones.  
1:25:49 07:07:35 PMOkay, so I'm done there. But just capacity being open at capacity defensible and the  
1:25:58 07:07:43 PMunique properties, water supply thing, I completely understand that. And it would be nice

1:26:03 07:07:48 PMif the county would rectify that situation. We can talk more about that later. But

1:26:08 07:07:54 PMthat's, oh, and the hemmed in part.

1:26:11 07:07:57 PMHere's my take on being at any.

1:26:14 07:07:59 PMGiven time, a developer could say, I'm.

1:26:15 07:08:01 PMGoing to go to the county anyway.

1:26:16 07:08:02 PMSo even if we were wide open for business, they said no. You know, the trend says we're

1:26:20 07:08:06 PMgoing.

1:26:20 07:08:06 PMTo build one acre lots because everybody likes them. Well, want to be in the county.

1:26:24 07:08:09 PMGreat.

1:26:25 07:08:11 PMSo I don't know how.

1:26:27 07:08:13 PMAnd even with our sewer where it's.

1:26:29 07:08:14 PMAt, that infrastructure, we're 2345. I mean, we don't know how many years someone could

1:26:37 07:08:23 PMsay, yeah, I'm gonna.

1:26:38 07:08:23 PMGo with Coldwell now or I'm gonna.

1:26:39 07:08:24 PMGo with stuff, whatever, right?

1:26:40 07:08:26 PMI mean, there's so many things out.

1:26:41 07:08:27 PMOf our control there that being hemmed in part, I don't look at that right now as, as a

1:26:49 07:08:35 PMviable, like, oh, you're gonna box us in kind of thing.

1:26:55 07:08:40 PMSo that's all I got.

1:26:57 07:08:42 PMBut those defendable. If you guys got thoughts on that capacity and the unique properties,

1:27:04 07:08:49 PMthe discussion part.

1:27:05 07:08:51 PMSo let's just go down the line, Tim.

1:27:13 07:08:58 PMWell, quite frankly, I'm a little opposed to the argument that this is going to shut down

1:27:27 07:09:13 PMgrowth within the city forever. It's not. This is something that we're enacting now

1:27:33 07:09:19 PMbecause we have a current situation. Once that situation is resolved, this can be changed

1:27:39 07:09:25 PMor altered just like any code that we have. So if it doesn't work, we can change it.

1:27:50 07:09:35 PMBut at least if we do something, maybe we get somebody's attention. Obviously other school

1:27:58 07:09:44 PMdistricts are listening to what's going on here and.

1:28:04 07:09:49 PMMaybe we're.

1:28:04 07:09:50 PMJust a sounding board, but at least we're making a move in the right direction. I think

1:28:12 07:09:57 PMso.

1:28:16 07:10:02 PMI really don't see the argument of, well, it's going to increase the value of homes and

1:28:24 07:10:09 PMit's going to make it so that only the rich can live here or something. I don't buy that

1:28:31 07:10:16 PMargument. I do understand your point. As far as existing homes being moved into by new

1:28:43 07:10:28 PMstudents, existing families can always add on to the capacity of their house, add more

1:28:50 07:10:36 PM students. I mean, we don't know how big people's families are going to be.

1:28:55 07:10:40 PM I've seen quite a few families in this community. There are eight and ten kids. So I want

1:29:02 07:10:48 PM them all to have the same educational opportunities that I had growing up.

1:29:14 07:11:00 PM That's just my opinion.

1:29:19 07:11:04 PM You know, for me, first, I want to be real clear in my preface remarks here, I honestly

1:29:26 07:11:12 PM appreciate the work that has begun too, with council members Mary and you, Rob, in

1:29:36 07:11:22 PM putting this, you've been working on it for, I don't know, two or three years at least.

1:29:41 07:11:27 PM And I don't say the things that I'm going to say lightly without recognition of that. I

1:29:48 07:11:33 PM also want to preface it by saying, I see you've got the picture up there. As what's been

1:29:53 07:11:39 PM said throughout the meeting tonight, there is a bright line between the city of Middleton

1:30:00 07:11:46 PM and the school district, both in terms of our levy.

1:30:04 07:11:49 PM Or, excuse me, our district voter revenue.

1:30:09 07:11:54 PM District, and the size and the complexity and the number of students that come that are

1:30:14 07:12:00 PM outside the city of Middleton. And even beside that, I know that.

1:30:19 07:12:05 PM Mark, you would agree that Citi has.

1:30:22 07:12:07 PM Been doing a lot of things trying to support the school's efforts, not just in the topic

1:30:29 07:12:15 PM matter that we are.

1:30:30 07:12:16 PM Discussing today, but others.

1:30:32 07:12:18 PM And I say that with pride. We need to do that to the level that we can, given that bright

1:30:39 07:12:25 PM line that we have that exists, we can't.

1:30:44 07:12:29 PM So I do have some comments prepared here, but I want to preface these by saying that, as

1:30:53 07:12:39 PM with any, through my years of negotiating in my past employ, you have two sides to every

1:31:01 07:12:47 PM issue and there are definite positives to both sides. There are things that need to be

1:31:10 07:12:55 PM discussed and there needs to be.

1:31:14 07:12:59 PM Movement between.

1:31:16 07:13:02 PM I suggest and I'll tell you the reasons why in a moment. I'm recommending that council put

1:31:25 07:13:11 PM the ordinance forward for discussion and inclusion of some of these items that are

1:31:33 07:13:19 PM differences that could be borne through or could be resolved through better terminology

1:31:40 07:13:26 PM within the ordinance itself.

1:31:43 07:13:28 PM I see a lot of validation to the pro comments and I see validation to the negative

1:31:48 07:13:34 PM comments. But I think if we write the ordinance so that it includes these things, defines

1:31:55 07:13:40 PM these things, I think we better suit the city to avoid lawsuit. Now, I know you said,

1:32:02 07:13:48 PM rob, I still believe, and I'll bring it here.

1:32:05 07:13:51 PM In just a minute.

1:32:06 07:13:52 PM I believe we are exposed to lawsuit.

1:32:09 07:13:54 PM Whether we win or prevail or not depends on the amount of loss that might be brought

1:32:14 07:14:00 PM forward to the court. We'll get to that in a minute. So, again, these items that I'm

1:32:20 07:14:05 PM going to talk about, I'm not saying it's.

1:32:21 07:14:07 PM A pro or a negative.

1:32:22 07:14:08 PM I think it's something that we need to discuss and I think we need to add into the

1:32:27 07:14:13 PM ordinance so that these things are covered for the benefit of everybody.

1:32:33 07:14:18 PM The biggest concern to me, it's already been discussed, is the school boundary as compared

1:32:37 07:14:23 PM to the city boundary. And the first item is the variance leads to conflicting impacts on

1:32:46 07:14:32 PM the property rights, the property rights of the citizens. Carry your comment about your

1:32:53 07:14:38 PM ten acres. I live off of Kingsbury Road and on the east side of Kingsbury, just north of

1:32:59 07:14:45 PM the highway, there's a, I don't know, I've heard 1500 homes going into that area that is

1:33:09 07:14:54 PM going in front of the city of Star to be annexed in and to build these homes. And it

1:33:16 07:15:01 PM includes a school property on that.

1:33:19 07:15:05 PM So by this ordinance, those 1500 homes, depending on how long it takes for.

1:33:24 07:15:10 PM Them to be built, those students, the.

1:33:29 07:15:14 PM Students from that can move into the Middleton school district because that is included in

1:33:34 07:15:20 PM the Middleton school district, whereas Carrie's ten acre piece she might want to

1:33:41 07:15:26 PM subdivide is not included because the ordinance.

1:33:45 07:15:30 PM That affects just the city of Middleton.

1:33:48 07:15:33 PM So that creates then a disparity in property ownership rights between those 1500 homes and

1:33:56 07:15:42 PM the ten pieces that Carrie might want to build.

1:34:00 07:15:45 PM So I'm very, very concerned that if people inside the city that are involved in this

1:34:09 07:15:55 PM ordinance, as compared to those outside, in the impact zones in both Canyon county and

1:34:16 07:16:02 PM the star impact zone, their rights are affected differently by virtue of this ordinance.

1:34:22 07:16:07 PM And I believe there needs to be clarity in the ordinance or alignment between Canyon

1:34:28 07:16:14 PM county and the star with the ordinance. Mark to your comments about, you know and to the

1:34:35 07:16:21 PM tenants of the, the LUpa statement that says that the schools are a part of the impact

1:34:43 07:16:29 PM and should be considered. Well, that's true of not just Middleton by virtue of the ordinance. That's true of the impact zone as well.

1:34:51 07:16:37 PM So I think it's incumbent upon the ordinance to have that protection for everyone, that the property rights within the school district are all the same.

1:35:18 07:17:03 PM I'm not sure exactly how to say this, that again, that 1500 school development that could

1:35:24 07:17:10 PM conceivably go into the school system as we have it now. And so the idea of this

1:35:32 07:17:18 PM ordinance is to support capacity in the schools.

1:35:37 07:17:23 PM They don't help the capacity of the school. Whereas I'm not saying this correctly, they

1:35:46 07:17:32 PM can flow into the school, which adds to the overcapacity situation that we have. Whereas

1:35:54 07:17:39 PM it isn't the same as within the city with the ordinance. Our ten acres, 30 acres, hundred

1:36:04 07:17:49 PM acre infield parcels cannot. So it creates more overcrowding outside of our city, inside

1:36:15 07:18:00 PM the city, we are not able to participate in that.

1:36:20 07:18:05 PM So I believe what I'm trying to say, that's the biggest issue to me, is that I think we

1:36:24 07:18:09 PM need to step aside and work with Star and work with Canyon county to help us make that

1:36:33 07:18:18 PM impact universal across the school.

1:36:35 07:18:21 PM District, not just within the city.

1:36:48 07:18:33 PM We talked a little bit about you mentioned in your comments about. I don't believe that

1:36:53 07:18:39 PM it's a number. I think what's already been said the is a number, and I can't imagine that

1:37:01 07:18:47 PM the school would not participate in providing that information, regardless whether we

1:37:07 07:18:52 PM have a happy or an unhappy superintendent. But there are things that come about and I'm

1:37:14 07:18:59 PM simply suggesting that might be something to discuss and make sure we have adequate

1:37:19 07:19:04 PM protection in the ordinance. So if something like that does come up, can't envision it,

1:37:25 07:19:10 PM but better to have a protection in the ordinance in case it does.

1:37:29 07:19:15 PM Bond vote there's been a lot of discussion on the bond vote. The bond could be impacted

1:37:36 07:19:22 PM either favorably or not, but I think, I really don't know how there would be clarifying

1:37:42 07:19:28 PM language in the ordinance to protect us from that. But we want to nullify the community's

1:37:49 07:19:35 PM reliance on this bond. To think that your comments were great. I mean, pro or con, there

1:37:58 07:19:43 PM are going to be those that think that it will nullify their responsibility to vote for a

1:38:02 07:19:48 PMbond.  
1:38:02 07:19:48 PMSo we would.  
1:38:05 07:19:50 PMI don't know what language to use, but I think that should be considered. As far as the  
1:38:09 07:19:55 PMgarden community, we talked about that at length. Again, discussion, good discussion on  
1:38:16 07:20:02 PMwhat that will do.  
1:38:19 07:20:05 PMMiddleton.  
1:38:20 07:20:05 PMIf Middleton is this big, you know, I can't imagine it would be forever that way. But if  
1:38:26 07:20:12 PMwe're encroached and it becomes this big, as our infrastructure comes, costs increase. So  
1:38:32 07:20:18 PMdoes our tax liability increase within the community to what was said with our water  
1:38:39 07:20:25 PMtreatment plant. Right now, if we are this community and we don't grow any increases in  
1:38:45 07:20:30 PMthe cost of our police or any infrastructure you want to talk about, so does it increase  
1:38:51 07:20:37 PMexponentially the cost to the residents within that area? I think that it's unrealistic  
1:39:00 07:20:45 PMto think that it's going to be encroached, but I think it's something that we need.  
1:39:04 07:20:49 PMTo be aware of.  
1:39:06 07:20:52 PMTax base, I just did on the tax base, I think the tax base is enhanced by having more  
1:39:11 07:20:57 PMparticipants. To Jason's comments, we need to be aware that growth does impact our tax  
1:39:22 07:21:08 PMliability. Building permits are what helps pay for a large portion of our city funding  
1:39:29 07:21:15 PMand keeps the lights on here. We already talked about the charter school impact.  
1:39:34 07:21:20 PMI'm a little unclear, but I think at the very least we should include that in the  
1:39:39 07:21:24 PMordinance language of what the impact is to a charter school. I know there was a really  
1:39:45 07:21:31 PMgood discussion and I didn't understand all of it, but at the end of the day, I think  
1:39:49 07:21:34 PMthat should be considered in the verbiage in the ordinance itself. I also suggested  
1:39:56 07:21:41 PMearlier some clarifying remarks I think are simple. Basically clarifying. We need to  
1:40:01 07:21:47 PMwrite in there exempting commercial developments.  
  
1:40:06 07:21:51 PMBoth commercial and industrial developments are excluded, along with retirement  
1:40:11 07:21:56 PMcommunities or communities where the total service obligation does not impact the school  
1:40:16 07:22:01 PMdistrict.  
1:40:17 07:22:02 PMThat needs to be written or clarified.  
1:40:19 07:22:05 PMIn my opinion, in the ordinance. And that's, I think, fairly easy to do. Define the as  
1:40:25 07:22:11 PMequivalent dwelling unit versus just right in the ordinance I think could be helpful.

1:40:31 07:22:17 PMI asked the question about the edus and how they're calculated. It sounds to me like

1:40:35 07:22:20 PMthere's a bunch of different calculations that need to be considered in the aggregate

1:40:40 07:22:25 PMnumber of.

1:40:40 07:22:26 PMYou have to use.

1:40:41 07:22:27 PMBut again, that's, I don't know exactly what constitutes, but regardless, I think it's an

1:40:46 07:22:32 PMopportunity to make the clarifying remark in the ordinance. And I mentioned already as

1:40:52 07:22:37 PMfar as the attorney review.

1:40:54 07:22:39 PMYeah, we got back. We are. I'll just read my statement here. We are legally sound. We

1:41:01 07:22:46 PMstill have exposure to lawsuit.

1:41:03 07:22:49 PMAnd two, the very first comment that.

1:41:05 07:22:51 PMI had about property rights, if somebody.

1:41:10 07:22:55 PMWants, like Carrie says, hey, this isn't fair, I'm going to sue because I can't, I can't

1:41:15 07:23:01 PMdevelop my property yet. We've got a 1500 home development down here that did. There's a

1:41:20 07:23:06 PMloss to me because of that.

1:41:22 07:23:08 PMSo if somebody has a loss that they can bring to the court and they're sympathetic to it,

1:41:26 07:23:12 PMthen there's a loss to us. To say we're immune from it, I.

1:41:30 07:23:15 PMThink would be a loss.

1:41:33 07:23:18 PMSo, and then the House Bill 521 has already been mentioned. That's been passed.

1:41:38 07:23:23 PMI think the gentleman down here spoke to that. I think that's going to help, but not

1:41:42 07:23:28 PMimmediately. So at the end, I want to just summarize again what I've said.

1:41:47 07:23:33 PMI'm not opposed.

1:41:48 07:23:34 PMI think that there's good legs to this, but I think that with any rule or law, I mean,

1:41:56 07:23:41 PMLabor laws are what I negotiated with employees in my previous employment, there's always

1:42:04 07:23:50 PMopportunity to clarify something to prevent loss or differences in law of the way things

1:42:12 07:23:58 PMmight be handled.

1:42:13 07:23:59 PMSo I rest my case. I just, I would just propose to council that we consider going to a dig

1:42:21 07:24:06 PMforward and talk about some of these things and how we might be include some clarifying

1:42:27 07:24:12 PMportions to the ordinance.

1:42:30 07:24:16 PMCouncilman Murray, I hope you'll all be patient with me because I took a few notes here

1:42:37 07:24:22 PMthroughout the evening.

1:42:42 07:24:28 PMMark, my concern is that if we put this off, we'll find ourselves having.

1:42:46 07:24:31 PMTo put it off for a year, 18 months, months, two years.

1:42:51 07:24:37 PMThings have a way of losing steam and being forgotten about when other things arise. I

1:42:57 07:24:43 PM have never said that I am against amendments or changes to it once we have it in there. I

1:43:05 07:24:50 PM haven't even said I'm against repealing it.

1:43:06 07:24:52 PM In fact, I've said the opposite multiple times. If we get a year down the road, 18 months,

1:43:10 07:24:56 PM whatever down the road, and we're seeing unintended consequences that are having a large

1:43:15 07:25:01 PM negative effect on the community, I will take ownership for that. And I'll be the first

1:43:19 07:25:04 PM one to say it needs to be changed, where it needs to go. If I hear any talk in the

1:43:25 07:25:11 PM community about weaponizing this to stop the growth of the town, I will also push for

1:43:32 07:25:17 PM amendments or appealing, because that is not its purpose. It is not a weapon.

1:43:37 07:25:22 PM It is a tool to protect a constitutional right in this state. We still need a bond. We

1:43:44 07:25:29 PM still need a school. We got half the money for that. Thanks to Mike Moyle's bill that

1:43:49 07:25:34 PM just.

1:43:49 07:25:34 PM Got passed, we're getting 17.

1:43:51 07:25:36 PM \$18,000,000.12 of that, roughly is going to go towards a school. So when the next bond

1:43:56 07:25:42 PM comes out, it's going to be only for roughly half the cost of a new elementary school, to

1:44:01 07:25:46 PM my understanding. And if we can't pass that, then I don't know why any of us are here. 55

1:44:09 07:25:54 PM plus communities are not immune to having kids in them.

1:44:13 07:25:58 PM I can personally think of three people I know who are over 55 years old and have kids who

1:44:17 07:26:03 PM are in our local schools on top of that. And this is just. We can talk about it more at

1:44:22 07:26:08 PM length later about adding, if we pass it, but we then run the risk of 1015, 20 years down

1:44:27 07:26:13 PM the road having a sea of 55 plus communities and having a very unbalanced community. Any

1:44:34 07:26:19 PM healthy community needs to be a diverse balance of income stratas and business and

1:44:39 07:26:25 PM industries. You don't just want all your eggs in one basket.

1:44:47 07:26:32 PM Briefly, I'll go over many of you are here for the planning and voting presentation, but

1:44:52 07:26:37 PM education in this state is a constitutional right. It's under Article nine. Multiple

1:44:57 07:26:42 PM screen corps cases going over a course of 20 years found. The state Supreme Court found

1:45:03 07:26:49 PM that the legislature has failed in its duty to adequately fund schools.

1:45:08 07:26:53 PM That's not our fault.

1:45:08 07:26:54 PM That's nobody in this room's fault. For 20 years since the Supreme Court reached that

1:45:13 07:26:59 PM ruling in the majority opinion, they have still failed to address it. So in my mind, we



1:45:20 07:27:05 PM need to step up where they have failed because something has to happen. We know what will

1:45:26 07:27:12 PM happen if we do nothing. It's the same thing that we've seen happening for years.

1:45:31 07:27:17 PM But if we try, then at least we've taken a shot at it. And it's not perfect the way it's

1:45:38 07:27:24 PM written right now. I think we could get more nuanced, but let's get into that discussion,

1:45:44 07:27:30 PM if we can pass this tonight, get into discussion with different stakeholders, different

1:45:49 07:27:34 PM parties, how we can mitigate the various possible side effects.

1:45:55 07:27:41 PM Absolutely correct that we need to get.

1:45:57 07:27:43 PM Other partners on board.

1:45:58 07:27:44 PM I've been trying almost all my lonesome. Rob and I went down to star and we went to Canyon

1:46:04 07:27:49 PM county. But I think everybody, just like we're seeing here tonight, nobody wants to be

1:46:10 07:27:55 PM that first guy.

1:46:11 07:27:57 PM I used to be in the airborne, right? I used to jump out of airplanes for a living.

1:46:16 07:28:01 PM Terrified of heights. I to this day, I am terrified of heights. Never once did I have to

1:46:22 07:28:08 PM be the first guy in that doorway.

1:46:24 07:28:10 PM And I was always thankful for that because you end up standing there, up to five minutes

1:46:29 07:28:14 PM in the doorway looking 1500ft below. I never wanted to see that. Nobody wants to be that

1:46:35 07:28:20 PM first guy. So if we can muster up the courage and take that first step, others will

1:46:41 07:28:27 PM follow. People across the state are watching.

1:46:45 07:28:31 PM I've heard from Mountain home. I've heard back from Moscow. I've heard from Caldwell

1:46:50 07:28:35 PM school districts and city councils, from legislators.

1:46:54 07:28:40 PM People are watching.

1:46:55 07:28:41 PM Little Middleton has the opportunity to make a splash.

1:47:00 07:28:45 PM That will change the entire narrative on schools in this state. Schools are a right,

1:47:05 07:28:51 PM therefore they are infrastructure.

1:47:09 07:28:54 PM In the last, what, four or five.

1:47:12 07:28:57 PM Months, we denied multiple developments based upon failed intersections. Right.

1:47:18 07:29:04 PM We need lights at those intersections. We can't build them. The state can build them. A

1:47:25 07:29:10 PM developer can pay to build them. Somebody else can pay to build them.

1:47:27 07:29:13 PM But we denied based on the fact that those intersections cannot handle more traffic. So

1:47:33 07:29:18 PM are we putting the power of development in the hands of ITD because they haven't built the

1:47:38 07:29:23 PM light there?

1:47:40 07:29:25 PM Im just saying.  
1:47:44 07:29:29 PM Sorry, ive got a lot here. Weve got that one  
twice.  
1:47:50 07:29:36 PM The chiefs worries about pushing development to  
the county. Its already going to happen.  
1:47:55 07:29:41 PM Wastewater capacity.  
1:47:58 07:29:43 PM Virtually the same effects that will arise from  
our wastewater being planted to capacity  
1:48:04 07:29:50 PM are the effects of this ordinance. Except the  
ordinance is actually less restrictive  
1:48:08 07:29:53 PM because we do still have some capacity within the  
boundaries of purple sage. Our  
1:48:13 07:29:59 PM wastewater being planted capacity just says,  
sorry, that's it.  
1:48:24 07:30:09 PM We could potentially add commercial and industrial  
to it. It might be redundant. I don't  
1:48:29 07:30:15 PM see why anyone would think that it applies to  
commercial. But I'd like to say openly  
1:48:34 07:30:20 PM tonight.  
1:48:35 07:30:20 PM That I am pro commercial.  
1:48:36 07:30:22 PM I am pro industrial. This has nothing to do with  
that.  
1:48:45 07:30:31 PM Impact fees. Yes, we need them.  
1:48:47 07:30:33 PM But even if they passed it right.  
1:48:48 07:30:34 PM Now, today, it's too late. The damage is done.  
  
1:48:52 07:30:37 PM In order for impact fees to build this school, you  
either have to wait for them to  
1:48:55 07:30:41 PM accumulate enough to build the school with those  
funds or have a long enough history that  
1:48:59 07:30:45 PM you can show average income and then bond against  
that. If we had passed impact fees five  
1:49:05 07:30:50 PM years ago, then we could bond against.  
1:49:07 07:30:53 PM That and build a school.  
1:49:08 07:30:53 PM That's not the case now.  
1:49:13 07:30:58 PM I think that's, that's most of what I've got.  
1:49:17 07:31:02 PM Can I respond?  
1:49:18 07:31:03 PM Yes, please.  
1:49:20 07:31:05 PM First is, what's the rush?  
1:49:22 07:31:07 PM Number one, I don't understand the rush because we  
do have water treatment plant concerns  
1:49:31 07:31:17 PM that are going on right now.  
1:49:33 07:31:19 PM We also have 3400 in the queue that aren't  
impacted by this yet.  
1:49:40 07:31:25 PM Field project.  
1:49:40 07:31:26 PM I don't know.  
1:49:41 07:31:26 PM Then I submit and I hear what you're saying. We've  
talked about this before, but.  
1:49:49 07:31:35 PM I.  
1:49:50 07:31:35 PM Just learned a lot of hard lessons by going out of  
the gate too fast without having  
1:49:56 07:31:41 PM everything. Well, not everything, but at least a  
reasonable.  
1:50:02 07:31:48 PM I think the property rights issues me.

1:50:06 07:31:52 PMThat'S a big one.  
1:50:07 07:31:52 PMThat's a property rights issue.  
1:50:08 07:31:54 PMAnd if I'm referring to it improperly.  
1:50:10 07:31:56 PMAs property rights, please correct me.  
1:50:13 07:31:59 PMBut I think it's a difference that.  
1:50:16 07:32:01 PMCould come back and buy us legally.  
1:50:19 07:32:04 PMI really don't see the need to be. So far.  
1:50:26 07:32:12 PMWe have time to write a few things in the areas  
that you've been pushing to the audience.  
1:50:33 07:32:19 PMIn terms of definition, we will see what the rush  
is, but as far.  
1:50:38 07:32:24 PMAs commercial industrial, it's implied.  
1:50:44 07:32:29 PMIt's also implied that it wouldn't be applicable  
to 55 and over and over. But again, I've  
1:50:52 07:32:38 PMlearned through the school that even though it's  
implied, clarity to what the impact, not  
1:51:00 07:32:45 PMthe impact, what the meaning is as it relates to  
those entities goes a long way to avoid  
1:51:07 07:32:53 PMthe confusion later on.  
1:51:09 07:32:55 PMSo I hear what you're saying.  
1:51:12 07:32:58 PMThere's a lot of good things, a. Lot  
1:51:13 07:32:59 PMof good things that you guys.  
1:51:14 07:33:00 PMHave thought out, and I appreciate it. And again,  
I think that the audience has great  
1:51:19 07:33:05 PMlegs.  
1:51:20 07:33:05 PMI just think my experience would indicate that at  
the best, and we can maybe select a  
1:51:26 07:33:11 PMvehicle, we can maybe hold meetings with Kenny and  
Star and whoever else, workshop body,  
1:51:33 07:33:19 PMand maybe some of the school districts that are  
members.  
1:51:39 07:33:25 PMThat want to help, but I think there's got to be  
some opportunity to.  
1:51:43 07:33:29 PMGet some binding from those guys. To me, that's a  
huge issue participating.  
1:51:50 07:33:35 PMWhat we're doing here is disorder.  
1:51:52 07:33:37 PMSo anyway, that's just respectfully staged.  
1:51:57 07:33:43 PMI'd like to touch on that property rights that you  
talked about. Because you talked about  
1:52:00 07:33:46 PMStar, you're talking.  
1:52:02 07:33:48 PMAbout Middleton cities, different codes, different  
everything. So there's no property  
1:52:06 07:33:52 PMright issue there.  
1:52:08 07:33:54 PMSomeone milton gonna get upset because they can't  
build an r four with a five sweat  
1:52:12 07:33:58 PMsetback because Star does.  
1:52:14 07:33:59 PMIt's not in our code. You can't do it.  
1:52:16 07:34:01 PMSo we're not taking away from your right. We're  
just saying if you're in the city of  
1:52:19 07:34:05 PMMiddleton and you want to do something, this is  
what you want.  
1:52:22 07:34:07 PMOr you ask for a variance.  
1:52:23 07:34:09 PMSo in terms of the right property rights, it's.

1:52:30 07:34:15 PM You can correct me if I'm wrong.  
1:52:31 07:34:16 PM Douglas, but you're talking about two different cities and there's different building  
1:52:36 07:34:21 PM thoughts behind it.  
1:52:37 07:34:23 PM Yes, that's true, but it's.  
1:52:40 07:34:25 PM The school ordinance involves Middleton residents. The Skipp school district involves  
1:52:49 07:34:34 PM impact by both.  
1:52:51 07:34:37 PM So as I said, the residents in.  
1:52:54 07:34:40 PM Both areas are impacted in the ability to develop.

1:53:01 07:34:46 PM It isn't a matter of the city.  
1:53:02 07:34:48 PM Ordinance as it relates to building.  
1:53:05 07:34:50 PM It's a matter of this ordinance impacting.  
1:53:07 07:34:53 PM Your ability to build as compared to somebody outside of Middleton. That does have an  
1:53:15 07:35:01 PM impact on the.  
1:53:16 07:35:01 PM Capacity of the students.  
1:53:19 07:35:04 PM So it was explained to me when I asked that question, it could infringe on property  
1:53:26 07:35:11 PM rights.  
1:53:26 07:35:11 PM And again, Douglas, I don't know if that's the right term, but it is.  
1:53:29 07:35:15 PM It could be someone's perception of a loss as compared to another one that.  
1:53:34 07:35:20 PM Is applying this code differently.  
1:53:38 07:35:23 PM So, mayor council, the what I can.  
1:53:40 07:35:26 PM So property rights and the modification of them through ordinance is different than a  
1:53:46 07:35:31 PM taking. A compensable regulatory taking requires essentially the extinguishment of any  
1:53:51 07:35:37 PM economic viable use of a property or some sort of exaction associated with the  
1:53:55 07:35:41 PM development application. But it's not a taking. It's also not a taking. For example, if  
1:54:00 07:35:46 PM the city, when it did away with its four real estate zones, the consequence of that is that the  
1:54:06 07:35:51 PM properties inside the city of Milton have a different set of rights.  
1:54:09 07:35:54 PM Because prior to that code amendment, you could do a thing with your property that you now  
1:54:14 07:35:59 PM cannot. And so you are correct that the ordinance does have an impact on people's  
1:54:18 07:36:04 PM property rights, but the ordinance as drafted, it's my opinion, that does not come  
1:54:25 07:36:10 PM constitute a de facto taking that would be compensable under the Regulatory Takings act.  
1:54:33 07:36:18 PM Councilmember, can I just respond to mark real quick? So to. I mean, Tim, you were aware  
1:54:42 07:36:28 PM of it, but you weren't in on any of the drafting or anything. But Rob and I were in on  
1:54:46 07:36:31 PM the drafting and pitching the star in Canyon county. This isn't a rush for us.

1:54:53 07:36:38 PM We've been working on this going back to, I think it was late summer, fall of 22. I even  
1:55:00 07:36:45 PM remember the development application that led me to reading that code and finding that  
1:55:04 07:36:50 PM section. It was the one right there by Milk Rick. So this is not a rush to us. You know,  
1:55:10 07:36:56 PM this is something I've been wanting to gain traction on for a long time.  
1:55:18 07:37:03 PM Boy, I had something else and I lost it.  
1:55:21 07:37:06 PM That's okay.  
1:55:22 07:37:07 PM Take time.  
1:55:28 07:37:14 PM I don't know, I suppose I lost it.  
1:55:30 07:37:16 PM Must not be very good.  
1:55:33 07:37:19 PM Any other comments?  
1:55:35 07:37:20 PM Any other thoughts?  
1:55:40 07:37:25 PM All right, I moved that we read ordinance number six by title only. Second been moved and  
1:55:49 07:37:34 PM seconded. Roll call, please.  
1:55:50 07:37:36 PM Council president Kaiser?  
1:55:52 07:37:37 PM Yes.  
1:55:52 07:37:38 PM Council member O'Meara?  
1:55:54 07:37:40 PM Yes.  
1:55:55 07:37:40 PM Councilmember Christiansen?  
1:55:57 07:37:43 PM I'll be a no.  
1:56:00 07:37:46 PM Council member Murray?  
1:56:02 07:37:47 PM Yes.  
1:56:03 07:37:49 PM Motion passes three to one. An ordinance enacted by the Middleton City Council amending  
1:56:09 07:37:54 PM title V, chapter four, section five four, Middleton City code, regarding requirements for  
1:56:16 07:38:02 PM the submission of a preliminary plat application based upon school capacity, providing  
1:56:21 07:38:06 PM for an effective date, providing for severability and repealing all ordinances,  
1:56:25 07:38:10 PM resolutions, orders and parts thereof in conflict here within. I move we waive the pre  
1:56:30 07:38:16 PM reading rule and adopt ordinance number 693 2nd. It's been moved and seconded.  
1:56:36 07:38:21 PM Roll call, please.  
1:56:36 07:38:22 PM Council President Kaiser.  
1:56:38 07:38:23 PM Yes, councilmember O'Meara?  
1:56:40 07:38:26 PM Yes.  
1:56:41 07:38:26 PM Councilmember Christiansen?  
1:56:42 07:38:28 PM No.  
1:56:43 07:38:29 PM Councilmember Murray?  
1:56:44 07:38:30 PM Yes.  
1:56:46 07:38:31 PM Motion passes three to one.  
1:56:53 07:38:39 PM I can do so.  
1:56:56 07:38:41 PM Number four, consider approving the summary.  
1:56:58 07:38:43 PM I jumped.  
1:56:58 07:38:44 PM I closed that to summary.  
1:57:00 07:38:46 PM Sorry.  
1:57:01 07:38:46 PM That's ok.  
1:57:01 07:38:47 PM Thought I jumped ahead.

1:57:03 07:38:48 PM The summary for ordinance 693, an ordinance enacted by the Middleton City Council, City of  
1:57:08 07:38:54 PM Middleton, county of Canyon, State of Idaho, amending the Middleton City Code, title  
1:57:15 07:39:00 PM five, chapter four, section 050404, regarding requirements for the submission of a  
1:57:23 07:39:08 PM preliminary plan application based upon school capacity, providing for an effective date,  
1:57:29 07:39:14 PM providing for servability and repealing all ordinances, resolutions, orders and parts  
1:57:35 07:39:20 PM thereof in conflict herewith.  
1:57:38 07:39:24 PM Member council, this is so we can just have to prove the summary in the paper and not the  
1:57:43 07:39:29 PM entire.  
1:57:44 07:39:30 PM Saves us money.  
1:57:45 07:39:31 PM Saves us a bunch of money in printing fees.  
1:57:50 07:39:36 PM All right, then.  
1:57:51 07:39:36 PM I move we approve the sum.  
1:57:56 07:39:41 PM I move that we approve the summary printing or printing of the summary of the ordinance of  
1:58:00 07:39:46 PM ordinance number 693. 2nd it's been moved and seconded. All in favor, say aye.  
1:58:05 07:39:51 PM Aye.  
1:58:06 07:39:52 PM Opposed?  
1:58:07 07:39:53 PM Motion carries.  
1:58:10 07:39:56 PM Number five, in regards to water rights, consider offering the mayor to execute a test  
1:58:17 07:40:03 PM order of HDR Engineering, Inc. To prepare a water rights master plan in the lump sum not  
1:58:24 07:40:09 PM to exceed 13,000.  
1:58:25 07:40:11 PM Mister van.  
1:58:29 07:40:15 PM Mayor, councilmembers, this is a task order with HDR engineering to work on some water  
1:58:33 07:40:19 PM rights workforce.  
1:58:35 07:40:20 PM This is the first step in another.  
1:58:37 07:40:22 PM Water rights application to consider what kind of planning range we need and to do the  
1:58:43 07:40:29 PM planning for water rights application will continue our domestic water system growth  
1:58:50 07:40:36 PM under FS.  
1:58:55 07:40:40 PM This is first step in this.  
1:58:58 07:40:43 PM We did have a water rights application.  
1:58:59 07:40:45 PM For a number of years that was open that recently was closed a year and a half ago as we  
1:59:05 07:40:51 PM approved of those water rights. Just generally could continue to be working on water  
1:59:11 07:40:57 PM rights and continue to have an application. So this is the right time to do that.  
1:59:16 07:41:02 PM Request your permission to start working on that with HDR and our city engineer.  
1:59:22 07:41:08 PM Glad to answer your questions.  
1:59:25 07:41:10 PM Money's coming from.  
1:59:28 07:41:14 PM Engineering, professional engineering services.

1:59:30 07:41:15 PM Within the budget of the water department.  
1:59:33 07:41:19 PM Perfect.  
1:59:35 07:41:20 PM Any other questions?  
1:59:37 07:41:23 PM Since.  
1:59:38 07:41:24 PM Since Carrie is here tonight, I just want to say that I've been making sure to ask if  
1:59:43 07:41:28 PM something's within the budget. Rob took my thunder on that one.  
1:59:47 07:41:33 PM I just wanted to know where it was coming from.  
  
1:59:49 07:41:34 PM He jumped right there.  
1:59:52 07:41:37 PM All right, then I moved. We authorized the mayor to execute a task order with HDR  
1:59:57 07:41:42 PM Engineering incorporated to prepare a water rights master plan and a lump sum not to  
2:00:01 07:41:46 PM exceed \$13,000. 2nd it's been moved and seconded.  
  
2:00:07 07:41:52 PM All in favor say aye.  
2:00:08 07:41:53 PM Aye.  
2:00:09 07:41:54 PM Opposed.  
2:00:10 07:41:55 PM Motion carries.  
2:00:14 07:41:59 PM Okay.  
2:00:16 07:42:01 PM Mayor wishes to speak this ordinance 693.  
2:00:24 07:42:09 PM Public, but we have another.  
2:00:27 07:42:12 PM I have any public comments.  
2:00:31 07:42:17 PM If you.  
2:00:32 07:42:17 PM Want to let them go first.  
2:00:33 07:42:18 PM No, I want to go first.  
2:00:34 07:42:20 PM Absolutely sure.  
2:00:35 07:42:21 PM Meeting.  
2:00:38 07:42:24 PM It's been talked about for a long time. There are all kinds of good and bad. The good  
2:00:45 07:42:30 PM thing is, whatever the bad happens to be won't happen for many, many years. I want to  
2:00:50 07:42:35 PM thank Councilman Murray and Councilman Kaiser for getting the ball rolling. This is the  
2:00:57 07:42:42 PM first step on pushing the developers in our state, who hire many of us, sheetrockers,  
2:01:05 07:42:50 PM painters, electricians and plumbers, to take into consideration their bottom line and to  
2:01:12 07:42:58 PM contribute more so that this problem of school overcrowding can be addressed in a  
2:01:20 07:43:05 PM permanent way.  
2:01:21 07:43:07 PM 12 million from the state is.  
2:01:25 07:43:11 PM 20 years ago would have been a.  
2:01:27 07:43:12 PM Great number to build a school. Nowadays, it's not going to be quite there. And with the  
2:01:33 07:43:18 PM additional thousand students coming over the next couple of three or four years, ten  
2:01:39 07:43:24 PM years, and all the ones from Star county, we're going to need more than one school.  
2:01:46 07:43:32 PM We're going to need three and four schools and probably someday another high school. And

2:01:51 07:43:36 PMby the time those things happen, we're talking, you probably have a better idea, a lot

2:01:57 07:43:43 PMmore than I'll ever can even fathom. So I encourage anybody out there to, in other cities

2:02:08 07:43:54 PMthroughout the state of Idaho, to join forces with these four gentlemen and get the ball

2:02:14 07:44:00 PMrolling and push this through so that as a start, the kids in our state have the best

2:02:22 07:44:08 PMopportunity and the same opportunity that was granted myself and many of us in here.

2:02:28 07:44:14 PMThat's it.

2:02:30 07:44:15 PMThat's all I have to say.

2:02:37 07:44:23 PMGo ahead.

2:02:39 07:44:24 PMYes.

2:02:40 07:44:26 PMJim Taylor, which is the student?

2:02:55 07:44:41 PMJames Lyman Taylor, but you can call.

2:02:58 07:44:43 PMMe tank 152, trying to drive the Middleton, Idaho. Let me take you on a little.

2:03:04 07:44:50 PMTrip around our town.

2:03:06 07:44:52 PMLet's start on Boise Avenue.

2:03:08 07:44:54 PMAs you're going up and you come to the stop there where you have to stop past Middleton

2:03:15 07:45:01 PMRoad. You'll look at the lawn art, the six, seven cars that are parked there. Then

2:03:22 07:45:08 PMproceed with me. Let's go up Middleton Road.

2:03:26 07:45:12 PMAnd you'll.

2:03:27 07:45:12 PMSee a lawn art, a very nice looking lawn ark, which is a Willys jeep with no windows and a

2:03:33 07:45:18 PMflat tire. Got the seat down, 44. Three doors down, you'll see a fence that I helped

2:03:42 07:45:27 PMbuild 56 years ago that hasn't been painted or reinforced since. The only thing holding

2:03:48 07:45:34 PMgood of is the weeds.

2:03:51 07:45:36 PMWhen I've asked Billy about what we can do about this, he said what we don't have in

2:03:54 07:45:40 PMorders, that if we got nine inch weeds, we can cut them down, get them cut down. But we

2:04:02 07:45:47 PMcan't do anything about lawn orange. So I'm asking that the city council to consider and

2:04:08 07:45:53 PMI'll help if you want, I'll help write your ordinance considering beautification of our

2:04:14 07:45:59 PMcity. Because when you come in the middle of the tank park, you see a beautiful, and I

2:04:19 07:46:04 PMmean beautiful restaurant painted.

2:04:23 07:46:09 PMWell and done everything.

2:04:25 07:46:10 PMFor that, I thank you for that time. And then I'm going to ask you about another thing.

2:04:29 07:46:14 PMI asked Mayor Taylor, I've asked Mayor.

2:04:31 07:46:16 PMRule, and now I'm asking Mayor Lutchison that we have spent one quarter to one third of

2:04:39 07:46:25 PMour total budget goes to our police department. And I believe that I counted nine and it

2:04:46 07:46:31 PMmay have been ten uniform.

2:04:48 07:46:33 PMOfficers here for the swearing in that.



2:04:50 07:46:35 PM Don'T count the dog, which is also an officer. Got two people that work in the office. And

2:04:57 07:46:42 PM when we've asked, and I'm not the first one, I won't be the last, but I hope I am. Could

2:05:02 07:46:48 PM we get what we're paying for?

2:05:04 07:46:49 PM Could we get a crime report once.

2:05:06 07:46:51 PM A month telling what's going on and maybe we can justify all this. Now, I believe the

2:05:13 07:46:58 PM first step in life crimes prevention is officer presents. When you see the cop cars

2:05:18 07:47:03 PM running around, well, if you're a dooper, well, let's wait until they're not around. Or

2:05:22 07:47:07 PM let's go somewhere else.

2:05:23 07:47:08 PM And hopefully they'll go somewhere else.

2:05:28 07:47:14 PM So that's small.

2:05:29 07:47:15 PM I got that asked for you today.

2:05:32 07:47:17 PM But I'll help with anything I can.

2:05:34 07:47:19 PM I can help write the ordinance with you, attorney.

2:05:38 07:47:24 PM Lawn art.

2:05:40 07:47:26 PM Lawn art.

2:05:41 07:47:26 PM You bet.

2:05:42 07:47:28 PM See trash everywhere, don't you? When it lives right next to you. And I go across the

2:05:47 07:47:33 PM street.

2:05:48 07:47:33 PM The don't mow as long backyards, no lifting the weeds.

2:05:54 07:47:39 PM And that's, you know, I think for.

2:05:55 07:47:41 PM I.

2:05:56 07:47:41 PM Thanks for your time, but if I.

2:05:57 07:47:42 PM Can keep going and have the same opportunity, I sure appreciate it. Thank you, man.

2:06:06 07:47:51 PM Thank you.

2:06:09 07:47:55 PM Tyson Sparrow.

2:06:14 07:47:59 PM I just wanted to get up and say welcome. Monday morning I saw a beautiful restaurant.

2:06:20 07:48:06 PM Looks great. First thing that you see is you come into the city.

2:06:25 07:48:10 PM I didn't see it on Sunday when.

2:06:26 07:48:12 PM I was out walking, but it does look really good. I just wanted to get up and say it looks

2:06:33 07:48:18 PM awesome. Is there going to be any other building legs that we're gonna be doing?

2:06:36 07:48:21 PM Yes.

2:06:37 07:48:22 PM Awesome.

2:06:37 07:48:23 PM Next one's lavender.

2:06:40 07:48:26 PM No, no, I just wanted, I just wanted to comment.

2:06:44 07:48:30 PM I just think it looks good as you are listening.

2:06:46 07:48:32 PM So. Bye.

2:06:50 07:48:36 PM Don Reynolds.

2:06:56 07:48:41 PM Don Reynolds, 452 east wall. Got Lake court. I will also chime in on the building. It

2:07:01 07:48:47 PM looks good.  
2:07:02 07:48:48 PM Thanks.  
2:07:02 07:48:48 PM I hope we can pull the weeds and the beds that are out front next because those have  
2:07:06 07:48:51 PM always been an issue for a long time. I want to speak to council mayor about just Canyon  
2:07:12 07:48:57 PM county. I've heard continuing issues with Canyon county and the things that they're not  
2:07:16 07:49:01 PM doing. I know you're limited in what you can and can't do, but I hope you address some of  
2:07:19 07:49:05 PM these issues of the idea with no fire, water, roads, those kind of issues need to be  
2:07:26 07:49:11 PM addressed. The county.  
2:07:27 07:49:12 PM Hopefully that happens in that joint meeting that's been talked about. The next thing I  
2:07:32 07:49:17 PM wanted to talk about was our department mentioned in regards to getting in and out of  
2:07:37 07:49:23 PM their fire station down on Main street that they can't oftentimes because people are  
2:07:42 07:49:27 PM parking inside the box and hoping we could get some police to solve that problem with a  
2:07:46 07:49:31 PM few tickets. Educating public with some tickets and letting them know that they can't  
2:07:52 07:49:37 PM park inside the box is probably a good idea and a good way to solve that problem.  
2:08:00 07:49:45 PM Hi, young buddy.  
2:08:04 07:49:49 PM Carrie Huggins.  
2:08:11 07:49:57 PM 600 cemetery, Rowan, Milton.  
2:08:14 07:50:00 PM I also want to thank you because.  
2:08:16 07:50:01 PM I am hearing that the 1 abilities park is.  
2:08:21 07:50:06 PM On the budget and funded, and even if, for whatever reason, doesn't.  
2:08:26 07:50:12 PM Happen this summer is eminent.  
2:08:29 07:50:14 PM And I'm very excited about that.  
2:08:32 07:50:17 PM And if you're going to ask if.  
2:08:33 07:50:18 PM It's budgeted, you need to ask if it's funded.  
  
2:08:39 07:50:24 PM I'm trying here, Karen.  
2:08:43 07:50:29 PM Yes, on both.  
2:08:45 07:50:30 PM Thank you, Carrie.  
2:08:48 07:50:33 PM Well, that was a little smart.  
2:08:52 07:50:37 PM Okay, you get to talk.  
2:08:55 07:50:40 PM Yeah, I have one comment, and I normally don't speak. All the hard work of the guy sitting  
2:09:02 07:50:47 PM down on the other end. And what we did here tonight means nothing unless you reach out to  
2:09:06 07:50:51 PM the county commissioners now and you reach out to the other people. Other cities will do  
2:09:10 07:50:56 PM what other cities are going to do.  
2:09:12 07:50:57 PM But if we want to help Valley view, that's part of our. Going to be part of our community  
2:09:18 07:51:03 PM as well. It can't stop here. You have to reach out to the county commissioners.  
2:09:23 07:51:08 PM Okay.

2:09:24 07:51:10 PM Our county commissioner representative, she was here tonight.

2:09:30 07:51:16 PM It can't stop here. It can't just be us. Everyone talks about what we take that first

2:09:34 07:51:20 PM step. Great job, all that.

2:09:35 07:51:21 PM Yeah, great job.

2:09:36 07:51:21 PM But now it has to go farther. If you really want to make a good change for this community

2:09:42 07:51:28 PM and those of us that, especially you that are in the county, I mean, you have to get a

2:09:47 07:51:32 PM hold of your representative and you have to push, push, push.

2:09:50 07:51:36 PM So that's all I got to say.

2:09:58 07:51:43 PM I have a couple of things I'd like to bring forward. First of all, this ordinance is. Is

2:10:04 07:51:49 PM not going to solve our problem. It's a move in the right direction. But unless we get our

2:10:08 07:51:54 PM citizens to push forward with bond issues and develop our school system like it needs to

2:10:17 07:52:03 PM be, then quite frankly, I think we're putting poor mark guy in the situation that we

2:10:24 07:52:10 PM don't think he needs to be in.

2:10:27 07:52:13 PM The man's done a great job for us in our community, and I look forward to working with him

2:10:33 07:52:19 PM on this bond issue, and hopefully we'll get that moved forward.

2:10:44 07:52:29 PM I really think that the last five bond elections, being a failure, are not reflective to

2:10:55 07:52:41 PM anything but the growth that's come into our community. People don't realize that our

2:11:03 07:52:49 PM past residents are the ones that have brought our schools to this point. And our new

2:11:10 07:52:55 PM residents are enjoying those school benefits but not willing to contribute to improving

2:11:18 07:53:03 PM them. And so we really need to market with our school district any bond that comes up. As

2:11:27 07:53:12 PM far as the issue that our fire chief brought up, I really think that when we go to the

2:11:33 07:53:19 PM county in June, that is a discussion that we need to push forward as far as water

2:11:39 07:53:25 PM supplies.

2:11:42 07:53:28 PM We are in desperate need of being able to put out a house. We had a fire here just a

2:11:47 07:53:33 PM little while back where we drained all three tanker trucks trying to put out this large

2:11:53 07:53:39 PM home that started in the attic. It's outside of our normal service area, so getting water

2:12:02 07:53:48 PM out to that property was a real problem. And those people lost their house even though

2:12:08 07:53:54 PM the fire trucks are there. If you don't have a water supply, you're not putting anything

2:12:13 07:53:59 PM out.

2:12:13 07:53:59 PM So I really think we need to push that forward with the county. And that's all I've got

2:12:19 07:54:04 PM for tonight.  
2:12:20 07:54:06 PM I wasn't going to say anything, but I will.  
2:12:22 07:54:07 PM I want to camp onto what you.  
2:12:23 07:54:09 PM Guys both have said.  
2:12:24 07:54:10 PM And to the comments earlier, I want to reiterate how grateful I am for the amount of work  
2:12:33 07:54:18 PM that you two.  
2:12:34 07:54:19 PM Have gone to over these years of.  
2:12:37 07:54:22 PM Trying to push this through. I do want to echo what Rob said, and you too, that now isn't  
2:12:44 07:54:30 PM a stopping point. The main concern of mine is, let it not be that we don't rest here.  
2:12:50 07:54:36 PM We need to add to it and.  
2:12:52 07:54:37 PM Correct some of these things that I talked about.  
  
2:12:54 07:54:40 PM I believe that's our opportunity from here forward. But I wanted to make sure everyone.  
2:12:59 07:54:44 PM Knew how much I do appreciate those things, and I do greatly.  
2:13:05 07:54:51 PM Council member.  
2:13:09 07:54:55 PM I'm very proud of this town. Very proud of this town.  
2:13:16 07:55:01 PM You know, it could be that this is going to end up like prohibition. You know it was well  
2:13:21 07:55:07 PM intentioned, but I hope not.  
2:13:27 07:55:13 PM But it could be.  
2:13:29 07:55:14 PM But like I said, if we keep playing the game the way it's always been done, we already  
2:13:35 07:55:21 PM know what the results are going to be. And you can't let the unknown scare you into  
2:13:41 07:55:27 PM inaction.  
2:13:44 07:55:29 PM So I'm just.  
2:13:44 07:55:30 PM I'm very proud of this.  
2:13:45 07:55:31 PM This.  
2:13:46 07:55:31 PM This body up here and the people in the town, our community, and from even further afield  
2:13:51 07:55:36 PM that showed up to support. And everything that Rob said is absolutely correct.  
2:14:01 07:55:46 PM You know, I can push. Rob can push, Tim can push, but everybody here can push. The county  
2:14:05 07:55:51 PM can push star, but we're all just one person. We need the county and star and hopefully  
2:14:14 07:55:59 PM the entire state to jump on. But it's going to have to be these voices that they hear,  
2:14:21 07:56:06 PM and that might mean that you have to be late to dinner or miss your kid or grandkids  
2:14:27 07:56:13 PM football game.  
2:14:28 07:56:14 PM Sometimes it comes to that. If you believe in something. So I. Please be active.  
2:14:37 07:56:23 PM Any other comments?  
2:14:39 07:56:25 PM All right.  
2:14:42 07:56:28 PM 758 we are in errand.  
2:14:50 07:56:35 PM Stop Audio Recording