

RECORD OF PROCEEDINGS

MIDDLETON CITY COUNCIL MEETING MARCH 18, 2015

The City Council Meeting of March 18, 2015 was called to order by Mayor Taylor at 6:30 p.m.

Roll Call: Council Members, Carrie Huggins, Rob Kiser, and Council President Lenny Riccio and Council Member Beverlee Furner were present.

Mayor Taylor declared a quorum of Council Members present, and proceeded with Council business.

Mayor Taylor introduced and welcomed the following City officials in attendance: City Attorney Chris Yorgason of Yorgason & Associates; Canyon County Prosecuting Attorney Brian Taylor; Middleton Police Officers Steve Walker and Robert Kightlinger; and Canyon County Sherriff Kieran Donahue.

Motion: Motion by Council President Riccio to accept the agenda as posted was seconded by Council Member Furner and carried unanimously.

Administrative Action/Consent Agenda:

3. Mayor Taylor introduced the item and answered Council's questions.

- a. Payroll and miscellaneous accounts payable
- b. Consider approving Minutes of February 18, 2015.

Council Member Huggins asked for clarification regarding two \$400,000 checks and Mayor Taylor responded that the City opened accounts with Capital Educators Credit Union and is having the water and sewer utilities processed through them so those checks are just being transferred to that account.

Motion: Motion by Council President Riccio to approve the Consent Agenda item was seconded by Council Member Huggins and carried unanimously.

New Business:

Mayor's Youth Advisory Council (MYAC) report.

Mayor Taylor introduced the MYAC Executive Council and the reported on the National League of Cities, Congress of Cities Conference in Washington, DC.

Hailey Stewart MYAC Secretary thanked Mayor and Council for the opportunity to attend the conference and gave a quick overview of their trip.

Jessica Patton MYAC Vice-Chair thanked Mayor and Council for the opportunity to attend the conference and spoke about the importance of MYAC members being able to attend the conference and what they learned while they were in attendance.

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Mihaela Karst MYAC Chair spoke about the white paper they wrote regarding the rising cost of higher education and presenting it to both Senator Crapo and Senator Risch. She thanked Mayor and Council for the opportunity and hope that MYAC can continue to grow and bring back ideas and opportunities from meetings and conference to continue to help make Middleton a great place to live.

Mayor Taylor added that these three young ladies represented Middleton and MYAC very well. Caldwell and Nampa MYAC were also in attendance and all had a very good time together getting to know one another and shared many different ideas. He added that it was a fun and successful trip. The trip was funded by MYAC fund raisers such as Color Rama and the dodgeball tournament and other donations and sponsors. He asked the MYAC board how many youth delegates were in attendance and from where Ms. Karst answered that there were around 250 delegates and groups were from, Idaho, Oregon, North Carolina, Texas, Florida, Colorado, Massachusetts, Wisconsin, Michigan and Kansas.

He then asked what the most important thing each of them learned from the experience was. Ms. Stewart answered that you do not need to be scared talking with your elected officials. She said that she was very scared and they were very easy going and great to talk to. Ms. Karst answered that youth do have a voice, elected officials are listening and do want to hear from youth. Ms. Patton said that the most important thing she learned is that no matter where you come from or what you believe everyone wants what is best for America and wants to move forward positively.

Council President Riccio asked Ms. Stewart about a debate that happened during the closing session of the conference and she responded that they were two members of the media from opposing political parties discussing the issues at the time regarding Hillary Clinton and whether or not she will be running for President and the issues she is currently having with her email. It was a fun and interesting exchange.

4a. Brian Taylor, Canyon County Prosecuting Attorney's annual report.

Brian Taylor, Canyon County Prosecuting Attorney gave the annual report and answered any of Council's questions. He also added what an inspiration the MYAC members are and congratulated them on all of their success.

Canyon County Sherriff Kieran Donahue spoke briefly about the possible building of a new Canyon County jail.

Council Member Kiser thanked Sherriff Donahue for attending and sharing information with them. He feels as though he has received more information in the few minutes that the Sherriff spoke than in the last few months he has been trying to research about the item.

Attorney Taylor and Sherriff Donahue both stated what a pleasure it was to work with the City and are looking forward to continued success.

Department Report:

Middleton Police Department (MPD) Office Walker presented the monthly statistics for MPD and answered Council's questions.

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Mayor Taylor declared a recess and then reconvened the meeting.

4b. Consider approving the Declaration of Cross-Access Easement, Agreement to Construct Intersection Improvements, and final plat for the TD&D Subdivision.

Mayor Taylor introduced the item and answered Council's questions. Mayor Taylor asked if anyone in the audience would like to speak on this item: none.

Motion: Motion by Council President Riccio to approve Declaration of Cross-Access Easement, Agreement to Construct Intersection Improvements, and final plat for the TD&D Subdivision was seconded by Council member Furner and carried unanimously by roll call vote.

4c. Consider changing the posted speed limit in the school zone on Willis Road east of Emmett Road from 20 mph to 30 mph, to match the posted speed on Emmett Road in the school zone.

Mayor Taylor introduced the item and answered Council's questions. Council Member Huggins stated that she would like some feedback from the high school and/or the school district before making a decision. She also added that she understands why the limit is lower during school hours, she does not understand if the desired speed is to be higher why it would not be kept lower during school hours. Raising the overall speed limit but keeping it lower during school hours allows for the traffic to continue to flow during after school and summer hours.

Council Member Kiser added that the speed on Emmett Rd. isn't as crucial because it is a right in right out only. He thought that the speed limit on Willis was 30 MPH unless the light was flashing to bring it down to 20 MPH. He agrees with Council Member Huggins that a high concentration of traffic in a small window of time pours onto Willis Rd. from the high school so a 10 MPH difference can be a very big deal. He would also like the school district's input because he is very hesitant to raise the limit as students and young drivers tend to stretch speed limits as much as possible.

Council Member Furner asked if there have been any traffic accidents or other issues in the last few years along this stretch of road. Mayor Taylor responded that the main issue has been speeding.

Mayor Taylor said that he would gather information from the school district and the police department for the council meeting scheduled on April 1, 2015.

4d. Consider approving a task order with J-U-B Engineers for planning and design of the west gravity sewer mainline extension in an amount not to exceed \$22,954.

Mayor Taylor introduced the item and answered Council's questions.

Council Member Huggins clarified that J-U-B Engineers, Keller Associates and the City Engineer are all looking this over to make sure that it is done correctly the first time and Mayor Taylor responded that yes that was correct.

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No-one was in the audience, so Mayor Taylor did not ask if anyone would like to comment on this item.

Motion: Motion by Council President Riccio to approve a task order with J-U-B Engineers for planning and design of the west gravity sewer mainline extension in an amount not to exceed \$22,954 was seconded by Council Member Furner and carried unanimously.

4e. Consider approving a task order with J-U-B Engineers for planning and design of the south gravity sewer mainline extension in an amount not to exceed \$29,735.

Mayor Taylor introduced the item and answered Council's questions. No-one was in the audience, so Mayor Taylor did not ask if anyone would like to comment on this item.

Motion: Motion by Council President Riccio to approve a task order with J-U-B Engineers for planning and design of the south gravity sewer mainline extension in an amount not to exceed \$29,735 was seconded by Council Member Kiser and carried unanimously.

4f. Consider approving a task order with SPF Water Engineering for planning and design of the west and south potable water mainline-extension in an amount not to exceed \$33,000.

Mayor Taylor introduced the item and answered Council's questions. No-one was in the audience, so Mayor Taylor did not ask if anyone would like to comment on this item.

Motion: Motion by Council President Riccio to approve a task order with SPF Water Engineering for planning and design of the west and south potable water mainline-extension in an amount not to exceed \$33,000 was seconded by Council Member Huggins and carried unanimously.

4g. Consider approving an application by American Promotional Events Northwest dba TNT Fireworks to sell fireworks in the parking lot at Ridley's during the Fourth of July holiday.

Mayor Taylor introduced the item and answered Council's questions. No-one was in the audience, so Mayor Taylor did not ask if anyone would like to comment on this item.

Motion: Motion by Council President Riccio to approve an application by American Promotional Events Northwest dba TNT Fireworks to sell fireworks in the parking lot at Ridley's during the Fourth of July holiday was seconded by Council Member Furner and carried unanimously.

Old Business:

5b. Consider approving Ordinance 552, second reading.

AN ORDINANCE OF THE CITY OF MIDDLETON, CANYON COUNTY, IDAHO,
AMENDING TITLE 6, CHAPTER 1 OF THE MIDDLETON CITY CODE, UPDATING THE

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GENERAL SUBDIVISION AND DEVELOPMENT REGULATIONS; AMENDING TITLE 6 CHAPTER 2 MAKING MODIFICATIONS TO AND STREAMLINING THE SUBDIVISION PROCEDURES; AMENDING TITLE 6, CHAPTER 3 UPDATING DESIGN AND DEVELOPMENT STANDARDS, INCLUDING ROAD STANDARDS; AMENDING TITLE 6, CHAPTER 4 UPDATING INSPECTION REQUIREMENTS; MAKING MINOR MODIFICATIONS TO TITLE 6, CHAPTER 5 AND CHAPTER 6, AND PROVIDING AN EFFECTIVE DATE.

5c. Consider approving Ordinance 553, third reading.

AN ORDINANCE OF THE CITY OF MIDDLETON, CANYON COUNTY, IDAHO, AMENDING TITLE 7 OF THE MIDDLETON CITY CODE, AMENDING THE WATER AND SEWER REGULATIONS, UPDATING AND REORGANIZING THE PARK REGULATIONS, CREATING A NEW CHAPTER REGULATING NON-SUBDIVISION DEDICATIONS AND VACATIONS OF RIGHT-OF-WAY, UPDATING THE STANDARDS FOR RIGHT-OF-WAY EXCAVATIONS, UPDATING SIDEWALK MAINTENANCE AND REPAIR STANDARDS, RELOCATING STORMWATER REGULATIONS AND PROVIDING AN EFFECTIVE DATE.

5d. Consider approving Ordinance 554, third reading.

AN ORDINANCE OF THE CITY OF MIDDLETON, CANYON COUNTY, IDAHO, AMENDING TITLE 8 OF THE MIDDLETON CITY CODE UPDATING NUISANCE REGULATIONS, MAKING MINOR CHANGES TO THE CROSS-CONNECTION RESTRICTIONS, UPDATING THE CLEAN AIR ACT TO COMPLY WITH THE IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY AND PROVIDING AN EFFECTIVE DATE.

5e. Consider approving Ordinance 555, third reading.

AN ORDINANCE OF THE CITY OF MIDDLETON, CANYON COUNTY, IDAHO, AMENDING TITLE 9, CHAPTER 1 MAKING MINOR MODIFICATIONS TO THE FIRE CODE, AMENDING CHAPTER 2 TO REMOVE REFERENCES DUPLICATIVE OF STATE CODE AND CONSOLIDATING FIREWORKS REGULATIONS, AND PROVIDING AN EFFECTIVE DATE.

5f. Consider approving Ordinance 556, third reading.

AN ORDINANCE OF THE CITY OF MIDDLETON, CANYON COUNTY, IDAHO, AMENDING TITLE 10 OF THE MIDDLETON CITY CODE, UPDATING DISORDERLY CONDUCT REGULATIONS, CONSOLIDATING LOITERING OFFENSES, UPDATING CONTROLLED SUBSTANCES, RELOCATING DEFINITIONS, REMOVING CONCEALED WEAPONS REGULATIONS TO RELY ON STATE CODE, MAKING MINOR MODIFICATIONS TO ANIMAL CONTROL, ADDING REGULATIONS FOR BITING ANIMALS AND PROVIDING AN EFFECTIVE DATE.

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5g. Consider approving Ordinance 557, third reading.

AN ORDINANCE OF THE CITY OF MIDDLETON, CANYON COUNTY, IDAHO, AMENDING TITLE 11 OF THE MIDDLETON CITY CODE, MODIFYING SPEED RESTRICTIONS, STOPPING, STANDING AND PARKING STANDARDS, RELOCATING DEFINITIONS AND PROVIDING AN EFFECTIVE DATE.

Mayor Taylor presented items 5b, 5c, 5d, 5e, 5f and 5g and answered any of Council's questions.

Motion: Motion by Council President Riccio to read Ordinances 552, 553, 554, 555, 556 and 557 by title only was seconded by Council Member Kiser and carried unanimously.

Motion: Motion by Council President Riccio to approve Ordinances 553, 554, 555, 556 and 557 was seconded by Council Member Kiser and carried unanimously by roll call vote.

Mayor's Comments:

- April 25, 2015 has been designated by Canyon County as the day the County waives fees for disposing of items at the landfill.
- The City has two teams for the Chili cook off, one from City Hall and one from MYAC and he invited all Council Members to join.
- During the National League of Cities (NLC) Congress of Cities conference in Washington, DC the Idaho cities in attendance brought to Idaho's elected officials three important items;
 - o Protecting municipal bonds
 - o Collecting sales tax for online purchases
 - o Funding transportation

This year's NLC conference will be in Nashville, Tennessee November 4-7, 2015. Mayor invited Council Member's to attend if they would like and added that it is a great opportunity to meet and work with City officials from all over the country representing all different types of individuals.

Council Comments:

Council President Riccio

- He asked about the SPF water extension and whether or not that was already water running down S. Middleton Rd. and Mayor Taylor responded that there was but not to service the 500 acres.

Council Member Huggins

- At the last School Board meeting the it was announced that the Middleton School District will be recognized for the way they are trying to promote a healthy lifestyle through its P.E. programs and the food choices being served at breakfast and lunch. Which is parallel to what the City is trying to promote through the City's overall vision and she added it is nice to see everyone on the same page.

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Council Member Kiser

- The Greater Middleton Parks and Recreation Department (GMPRD) received a donation from the Middleton Optimist Club through their bingo nights, which partially funds their Movies in the Park night, in an amount just over \$2,000.
- Hawthorne Park is 60 years old this year and GMPRD provided a fun history lesson about the park. GMPRD is planning to have a plaque dedication at the park to recognize families and individuals who were instrumental in helping to make the park what it is today.

Council Member Furner

- Victor Islas of the Middleton Rural Fire District (MRFD) will be asking for time to address Mayor and Council at an upcoming meeting.
- MRFD will be putting on a show and tell day about what firemen do in a day would like a Council Member to attend if possible. Mayor Taylor asked when it is scheduled, Council Member Furner replied that they do not have a date yet but will inform Council when they do. Mayor Taylor added that he has not yet heard from MRFD or their attorney in regards to meeting with City representatives to review the impact fee documentation the City has provided them with. Council member Furner added that it was not brought up at all at the MRFD last meeting.

5b. Consider approving Ordinance 552, second reading.

AN ORDINANCE OF THE CITY OF MIDDLETON, CANYON COUNTY, IDAHO, AMENDING TITLE 6, CHAPTER 1 OF THE MIDDLETON CITY CODE, UPDATING THE GENERAL SUBDIVISION AND DEVELOPMENT REGULATIONS; AMENDING TITLE 6 CHAPTER 2 MAKING MODIFICATIONS TO AND STREAMLINING THE SUBDIVISION PROCEDURES; AMENDING TITLE 6, CHAPTER 3 UPDATING DESIGN AND DEVELOPMENT STANDARDS, INCLUDING ROAD STANDARDS; AMENDING TITLE 6, CHAPTER 4 UPDATING INSPECTION REQUIREMENTS; MAKING MINOR MODIFICATIONS TO TITLE 6, CHAPTER 5 AND CHAPTER 6, AND PROVIDING AN EFFECTIVE DATE.

City Attorney Yorgason presented the item and answered Council's questions.

Motion: Motion by Council President Riccio to read by title only was seconded by Council Member Kiser and carried unanimously.

Executive Session:

Motion: Motion by Council President to open Executive Session pursuant to Idaho Code 67-2345(1)(f) was seconded by Council Member Kiser and carried unanimously by roll call vote at 8:43 p.m.

Mayor Taylor closed Executive Session at 8:50 p.m.

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5a. Consider approving Ordinance 551, first reading.

AN ORDINANCE OF THE CITY OF MIDDLETON, CANYON COUNTY, IDAHO, AMENDING TITLE 5, CHAPTER 1 OF THE MIDDLETON CITY CODE MAKING MINOR MODIFICATIONS; AMENDING TITLE 5 CHAPTER 2 UPDATING THE ZONING AND LOT USE TABLES; AMENDING TITLE 5 CHAPTER 3 UPDATING AND CLARIFYING THE ADMINISTRATIVE PROCEDURES; UPDATING THE DEVELOPMENT AGREEMENT PROCEDURES IN TITLE 5, CHAPTER 4; AMENDING TITLE 5, CHAPTER 5 UPDATING THE DESIGN REVIEW REGULATIONS; MAKING MINOR MODIFICATIONS TO TITLE 5, CHAPTER 6; AND PROVIDING AN EFFECTIVE DATE.

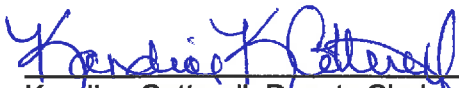
City Attorney Yorgason presented the item and answered Council's questions. No action was taken on this item.

Adjourn:

Motion: Motion by Council Member Kiser to adjourn the meeting was seconded by Council Member Furner and carried unanimously.

Mayor Taylor declared the meeting adjourned at 9:45 p.m.

ATTEST:


Kandice Cotterell, Deputy Clerk
Approved: April 1, 2015





Mayor Darin Taylor