

RECORD OF PROCEEDINGS

MIDDLETON CITY COUNCIL MEETING APRIL 15, 2015

The City Council Meeting of April 15, 2015 was called to order by Mayor Taylor at 6:30 p.m.

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

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

Mayor Taylor introduced the following City officials in attendance: City Attorney Chris Yorgason of Yorgason & Associates and Deputy City Clerk Kandice Cotterell

Mayor Taylor informed Council that he had received task orders from JUB Engineering for the design of the sewer mainline extensions west and south of town and would like to add them to the agenda.

Motion: Motion by Council President Riccio to accept the amended agenda with the addition of the JUB task orders as item 4j was seconded by Council Member Kiser 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 March 18, 2015 and April 1, 2015.

Council Member Huggins inquired about some of the names on in accounts payable that were unfamiliar to her. Mayor Taylor responded that Baselite of Boise is the supplier of the keystone bricks that will be used to build the retaining wall on the west end of the Concord Street reconstruction project, Carter Comfort replaced the furnace and air conditioner for the annex and Trolley Station, and Alta Construction is the contractor for the Concord Street Reconstruction project. Council Member Huggins stated that she is confident the numbers and contracts she just did not recognize those names.

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

New Business:

4a. Introduction of 2015-2016 Mayor's Youth Advisory Executive Council.

Mayor Taylor introduced the 2015-2016 Mayor's Youth Advisory Executive Council;

- Callista Lohrengel – Chair
- Samantha Snow – Vice-Chair
- Sadie Dittenber – Secretary
- Chanelle LuMaye – Historian
- Abbie Stewart – City Liaison

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4b. Recognition of Dr. Katherine Widener for paintings of historic buildings in Middleton.

Mayor Taylor introduced Dr. Windener and thanked her for the beautiful paintings of historic houses in Middleton and said that the City is excited to display them in the museum when it opens. Dr. Winder spoke about the history of the homes she painted, and thanked Mayor and Council for all that they do and for the opportunity to present the paintings.

4c. Consider approving purchase of a 1994 Kenworth T800 dump truck from Kenworth Sales Company in the amount of \$37,100.00.

Mayor Taylor introduced the item and said Stevan Rogers, the City streets superintendent, recommended an engine diagnostic. Council Member Kiser asked if there was a timeline on the diagnostic and Mayor Taylor responded that it would be within ten days.

Council President Riccio asked if purchase of the vehicle would happen before or after the diagnostic is finished and Mayor Taylor responded that the purchase would be made after the diagnostic.

Mayor Taylor asked if anyone in the audience would like to speak on this item:

Shane Graham asked if the City owned any other dump trucks, and Mayor Taylor said the City owns a smaller one and one larger one. Mr. Graham then asked what the need then for purchasing another one was, and Mayor Taylor responded that there are multiple projects simultaneously in progress during construction season (streets, utility lines, sidewalks, parks, etc.) and there is a need to routinely upgrade or replace equipment.

Motion: Motion by Council President Riccio to approve purchase of a 1994 Kenworth T800 dump truck from Kenworth Sales Company in the amount of \$37,100 contingent upon positive diagnostic test results was seconded by Council Member Kiser and carried unanimously.

4d. Consider approving special event permit for Broke Down Bunch Memorial Day BBQ and a waiver of fees.

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

Mark Irwin, representative from the Broke Down Bunch, informed Mayor and Council of what their event entailed, thanked them for all they do and invited them to attend the event, and answered any of their questions.

Council President Riccio asked about how they intend to control the traffic that would normally be driving in the proposed closed-off area as well as those that would be going to the businesses that are in that area. Mr. Irwin replied that he has spoken with business owners on N. Dewey Ave. that would be affected by the road closure and they are all either fine with the closure or are part of the event.

Mayor Taylor asked if anyone in the audience would like to speak to this item: none.

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Motion: Motion by Council President Riccio to approve a special event permit for Broke Down Bunch Memorial Day BBQ and a waiver of fees was seconded by Council Member Furner and carried unanimously.

4f. Consider establishing a fee to rent the multi-purpose room at the Middleton Place Park restrooms and amend the fee schedule to include the fee of \$25 per hour, \$75 for four hours or \$150 per day and a \$100 refundable deposit.

Mayor Taylor let Council that notice of the City possibly establishing these fees needs to be published in the newspaper before the council considers this item, and said the notice would be published and this item would be on a future agenda. No Council action was taken on the item.

4g. Consider approving Change Order No. 3 with Excelsior Construction for several items at the annex.

Mayor Taylor introduced the item as information only because the amount was less than \$5,000 and the Mayor had already approved it. No Council action was taken on the item.

4h. Consider approving a general services agreement with Webmarkets LLC to help develop the City website.

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

Motion: Motion by Council President Riccio to approve a general services agreement with Webmarkets LLC to help develop the City website was seconded by Council Member Huggins and carried unanimously by roll call vote.

4i. Consider renewing the appointment of the following impact fee advisory committee members:

**Jennifer Barr
Nathaniel Clayville
Jennifer Mikel
Alan Mills
Paul Watson
Chris Yorgason
Tyler Ashton**

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

Mayor Taylor asked if anyone in the audience would like to speak on the item: None

City Attorney Yorgason added that Tyler Ashton was also on the committee last year and was an asset with his building background. Mayor Taylor acknowledged that he was and apologized for leaving him off of the list on the agenda but said it would be added in the meeting minutes. Mayor Taylor said he would call Mr. Ashton in the morning and invite him to be a committee member again.

Motion: Motion by Council President Riccio to renew the appointments of Tyler Ashton, Jennifer

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Barr, Nathaniel Clayville, Jennifer Mikel, Alan Mills, Paul Watson and Chris Yorgason to the Impact Fee Advisory Committee was seconded by Council Member Kiser and carried unanimously.

Old Business:

5a. Consider adopting an ordinance repealing Ordinance 516, which amends City Code to reduce the Mayor's gross income per month to \$3,333.33 effective January 1, 2016, and authorize an increase in Mayor's salary to the amount allowed in City Code (\$4,333.33 gross income per month).

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

Council President Riccio said that it is very difficult to try and compare the jobs and duties of mayors from different cities as there are different requirements, taxing districts and entities, jurisdictions and responsibilities within each individual city limits. For example the mayor of Star is considered a part-time position receiving \$35k/year and supervises fewer departments than the mayor of Middleton which is a full-time position receiving \$40k/year. Therefore he believes that approving the ordinance is fair and justified. He believes that because of Mayor Taylor's leadership the City is going in a great direction and the improvements and positive changes that have been seen by everyone are evidence of his great leadership.

Council Member Huggins wanted to add some perspective to the numbers that are being discussed, if the increase is approved to begin in May and the Mayor only worked forty hours a week the average hourly salary would only be \$15/per hour which she believes to be incredibly too low, but if the increase of \$52,000 continues that hourly wage would be \$25/per hour which she believes is more than reasonable for all that entails in being the Mayor of Middleton.

Council member Kiser added that when comparing in terms of management if you look at the Middleton School District, a building Principal here in Middleton who has four years of experience works an average of 215-230 days out of the year will have a salary that is higher than \$52,000/per year. He added that Mayor Taylor has four years of experience as Mayor and works more days and hours then those he gave the example of and he does not have any problem with the proposed increase.

Council Member Furner said she is in full support of the ordinance. She stated that she thinks it is amazing that the number is not higher for the amount of work that goes into being a full-time Mayor of a city.

Mayor Taylor asked if anyone in the audience would like to speak on the item: none.

Motion: Motion by Council President Riccio to read Ordinance 560 to by title only was seconded by Council Member Kiser and carried unanimously and Mayor Taylor read it.

Motion: Motion by Council President Riccio to waive the three reading rule and approve Ordinance 560 repealing Ordinance 516, which amends City Code to reduce the Mayor's gross income per month to \$3,333.33 effective January 1, 2016, and authorize an increase in Mayor's salary to the amount allowed in City Code (\$4,333.33 gross income per month) was seconded by Council Member Huggins and carried unanimously by roll call vote.

5b. Consider approving Ordinance 551, third reading.

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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.

Mayor Taylor presented the item and answered Council's questions. City Attorney Yorgason added that all requested changes have been made. Mayor Taylor asked if anyone in the audience would like to speak on the item: none.

Motion: Motion by Council President Riccio to read Ordinance 551 by title only was seconded by Council Member Furner and carried unanimously and Mayor Taylor read it.

Motion: Motion by Council President Riccio to approve Ordinance 551 was seconded by Council Member Kiser and carried unanimously by roll call vote.

Mayor Taylor declared a recess and then reconvened the meeting at 7:45 p.m.

Department Comments:

Deputy Clerk Cotterell informed Mayor and Council about the upcoming Mayor's Youth Advisory Committee (MYAC) fundraiser. They will be having a Battleball tournament on Saturday, June 20, 2015 at Middleton Place Park.

Public Comments:

Marty Galvin inquired on the status of the City's acquisition of additional right-of-way along the Willis Road alignment from the Luna Property Trust as discussed the last Council meeting, i.e., the City is completing a record-of-survey and property descriptions, the Luna Trust would convey additional right-of-way to the City, and the City would enter into license agreements with the Trust and Galvin regarding use of the right-of-way along the Willis Road alignment. Mayor Taylor said the City hired a surveyor to prepare a draft record-of-survey for review and, once approved, to prepare needed property descriptions. Mr. Galvin said it had been two weeks, and that he had seen a surveyor out there today. Mayor Taylor said surveyors are very busy now since it is construction season, and the City is proceeding as quickly as possible.

Jim Taylor asked if the City has a written agreement for the purchase of the right-of-way and Mayor Taylor answered that the City does not.

Mayor's Comments:

Mayor Taylor reported:

- Mayor presented the Middleton Police Department monthly report.
- City employees were trained by the Idaho Children's Trust fund to recognize and

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- respond if child sexual abuse is suspected or encountered at city parks or other facilities.
- Crossings Subdivision is reviewing its punch list and correcting those items, and should be recording the final plat in the next couple of weeks.
- Powder River Subdivision final plat was recorded, and would be re-recorded with some changes to the road names.
- The Public Works Department helped the Middleton Police Department construct a gun range near the City's wastewater treatment plant, and warning signs have been ordered and will be posted around the external boundary of the gun range.
- Middleton School District revised its concept site plan for a future elementary school at West Highlands Ranch Subdivision.
- Shany Acres subdivision homeowners came in to discuss possible improvements to the access of Wanda Way from Willis Road north of Powder River No. 2 Subdivision.
- Idaho Power wants to connect by transmission line the substations at Lansing/State Highway 44 with the substation at Willis Road/Hartley Lane. There will be a short survey in the May City newsletter regarding Idaho Power's five proposed routes to learn which residents prefer.
- The developer of Falcon Valley Subdivision said he would dedicate a park site to the City.
- The owner of a property outside of City limits would like to connect to City sewer, and the City requested dedication of road right-of-way and consent to annexation when the property becomes contiguous. The owner was agreeable and would like the City to waive the sewer connection fee.

4j. Consider approving two task orders from JUB Engineering for the west and south sewer extension projects.

City Attorney Yorgason presented the item and answered Council's questions. Mayor Taylor stated that he was not comfortable to move forward on this item until the agreements were edited for clarification. No Council action was taken on the item.

4e. Consider awarding a contract to Precision Grading in an amount not to exceed \$150,062.20 to construct the approximately 1.6 miles of trail along State Highway 44 and in Middleton Place Park.

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

Council President Ricco asked if a portion of the project was being funded by grant money, and Mayor Taylor responded that grant funds would pay for about one-half of the construction costs. Council President then inquired about the driveway access along Highway 44 that the trail will cross, and Mayor Taylor answered that Ms. Crofts and the landowner agreed to abandon the access from the highway and replace it with a City-constructed driveway to the property from Harmon Way.

Mayor Taylor asked if anyone in the audience would like to speak on the item: none.

Motion: Motion by Council President Riccio to award a contract to Precision Grading in an amount not to exceed \$150,062.20 to construct the approximately 1.6 miles of trail along State Highway 44 and in Middleton Place Park was seconded by Council Member Kiser and carried unanimously by roll call vote.

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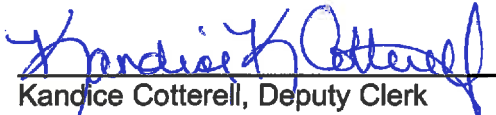
Council Comments: Council President Riccio updated the Council about library remodel to expand space and add access for Americans with Disabilities in the old granary.

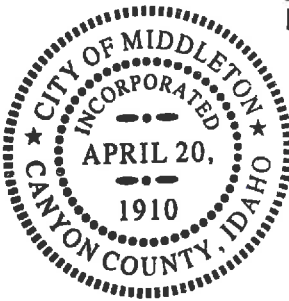
Adjourn:

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 8:44 p.m.

ATTEST:


Kandice Cotterell, Deputy Clerk
Approved: May 6, 2015





Mayor Darin Taylor