

# RECORD OF PROCEEDINGS

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## MIDDLETON CITY COUNCIL MEETING JUNE 3, 2015

The City Council Meeting of June 3, 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 Engineer Amy Woodruff of Civil Dynamics, City Attorney Chris Yorgason of Yorgason & Associates, City Clerk-Treasurer Pauline Newman, and Victor Islas of the Middleton Rural Fire Department (MRFD).

**Motion:** Motion by Council President Riccio to accept the amended 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

**Motion:** Motion by Council President Riccio to approve the consent agenda was seconded by Council Member Kiser and carried unanimously.

### **New Business:**

#### **4a Consider approving donation to Middleton Fireworks Fund for July 4, 2015 fireworks display.**

Don Sprattley presented 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 donation \$3,000 to the Middleton Fireworks Fund was seconded by Council Member Kiser and carried unanimously.

### **Old Business:**

Mayor Taylor announced that West Highlands Development LLC and Coleman Homes withdrew the applications to amend the preliminary plat and development agreement for West Highlands and The Estates subdivisions.

## RECORD OF PROCEEDINGS

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### **5b. Consider closing Skyline Drive to vehicular access at the State Highway 44 edge of right-of-way.**

Mayor Taylor introduced the item and answered Council's questions. Bryan Foote of Horrocks Engineers presented its findings and final memorandum regarding the intersection analysis and answered Council's questions.

Council Member Furner asked about input from residents regarding closing Skyline Drive and Mayor Taylor responded that input came during the Canyon Villa reconstruction project and the overwhelming majority was in favor of or not opposed to the road closure, including Southwest Idaho Housing Authority (SICHA).

Mayor Taylor asked if anyone in the audience would like to speak on this item: Victor Islas of the Middleton Rural Fire District confirmed that response times will stay the same and possibly even quicker because the cars will not be so backed up blocking them from driving through the lighted intersection.

**Motion:** Motion by Council President Riccio to close Skyline Drive to vehicular access at the State Highway 44 edge of right-of-way was seconded by Council Member Kiser and carried unanimously by roll call vote.

### **5a. Consider closing Murphy Street to vehicular access south of the driveway entrance into Hometown Family Eyecare.**

Mayor Taylor introduced the item and answered Council's questions. Bryan Foote of Horrocks Engineering presented its findings and final memorandum regarding the intersection analysis and answered Council's questions.

Council President Riccio asked about the left turn lane off of State Highway 44, and the buildup the turning traffic into Ridley's brings. Mr. Foote responded that the peak build-up in the morning hours was 155 ft. and the max is 255 ft. so there might be a little bit of time where that may stack-up but overall he is not too concerned about it.

Council Member Furner asked about the accident reports and whether they were on the Middleton Rd. side or the Murphy St. side. Mr. Foote said it is really hard to designate from the information provided because what they are provided with is just a street location and a small amount of data like describing whether the accident is a fender bender, or someone being rear ended.

Council Member Kiser added that he has witnessed four accidents at the Highway 44 and Murphy St. intersection and most of them are due to people crossing Highway 44 from either Murphy St. or N. Middleton Rd. and trying to get through a small window of traffic (gap transportation planning associated with stop lights).

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

**Motion:** Motion by Council President Riccio to approve closing Murphy Street to vehicular access south of the driveway entrance into Hometown Family Eyecare was seconded by Council Member Huggins and carried unanimously by roll call vote.

## RECORD OF PROCEEDINGS

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### **New Business Continued:**

#### **4b. Consider approving contract with Zwygart & Associates PC for FY 2016 audit in an amount not to exceed \$14,000.**

Mayor Taylor presented 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 a contract with Zwygart & Associates PC for FY 2016 audit in an amount not to exceed \$14,000 was seconded by Council Member Furner and carried unanimously by roll call vote.

#### **4c. Consider ratifying a contract with Integra Flex for COBRA administration for \$40 a month.**

Mayor Taylor presented 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 ratify a contract with Integra Flex for COBRA administration for \$40 a month was seconded by Council Member Huggins and carried unanimously by roll call vote.

#### **4d. Consider approving Business Associate Agreement with Integrated Disability Management, Inc. dba IntegraFlex.**

Mayor Taylor presented 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 a Business Associate Agreement with Integrated Disability Management, Inc. dba IntegraFlex was seconded by Council Member Furner and carried unanimously by roll call vote.

#### **4e. Consider approving an agreement with Idaho Transportation Department to design and construct sidewalks along Cemetery Road near Heights Elementary School. Project No. A018(954); Key No. 18954.**

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

Council Member Kiser asked if the estimate is expected to be close in hopes of not having to come back as the project goes on and need to pay more. Mayor Taylor responded that in the initial application engineering work was not included because the City used the Idaho Transportation Department (ITD) form and did not realize what some of the one word line items

## RECORD OF PROCEEDINGS

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meant. Therefore the \$339,000 amount is a very recent number and has been reviewed with the design and City engineers.

Council President Riccio asked about the expected design and build timeline, and Mayor Taylor responded that the design is scheduled for 2015 and built in 2016.

**Motion:** Motion by Council President Riccio to approve an agreement with Idaho Transportation Department to design and construct sidewalks along Cemetery Road near Heights Elementary School. Project No. A018(954); Key No. 18954 was seconded by Council Member Kiser and carried unanimously by roll call vote.

Mayor Taylor added that \$47,000 for this project was a transfer of grant funds from the N. Middleton Road sidewalk project to the Cemetery Road sidewalk project.

**4g. Consider approving a \$5,800 payment to Jeanette Farrell to replace abandoned driveway approach from State Highway 44.**

Mayor Taylor presented 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 a \$5,800 payment to Jeanette Farrell to replace abandoned driveway approach from State Highway 44 was seconded by Council Member Huggins and carried unanimously by roll call vote.

**4h. Consider approving Addendum No. 1 to Task Order No. 2 with Keller Associates for added area to the west Middleton utility extension study in an amount not exceed \$8,000.**

Mayor Taylor presented 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 approve Addendum No. 1 to Task Order No. 2 with Keller Associates for added area to the west Middleton utility extension study in an amount not exceed \$8,000 was seconded by Council Member Furner and carried unanimously by roll call vote.

Mayor Taylor declared a recess and reconvened the meeting.

**Old Business Continued:**

**5c. Consider approving Ordinance No. 562**

**AN ORDINANCE OF THE CITY OF MIDDLETON, CANYON COUNTY, IDAHO,  
AMENDING TITLE 1, CHAPTER 3 ADDING, DELETING AND UPDATING  
DEFINITIONS; AND PROVIDING AN EFFECTIVE DATE.**

Mayor Taylor introduced the item. City Attorney Chris Yorgason presented reviewed the definitions and proposed changes in detail, and answered Council's questions.

# RECORD OF PROCEEDINGS

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

**Motion:** Motion by Council President Riccio to read Ordinance No. 562 by title only was seconded by Council Member Kiser and carried unanimously (first reading).

## **New Business Continued:**

### **4f. Consider approving updates to the Employee Personnel Policy and Procedures Handbook.**

Mayor Taylor presented 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 updates to the Employee Personnel Policy and Procedures Handbook was seconded by Council Member Kiser and carried unanimously.

**Department Comments:** none.

## **Mayor Comments:**

Mayor Taylor reported that Council Member Furner will be attending the Fire Ops 101 course Saturday, June 6, 2015 with the Middleton Rural Fire District.

**Council Comments:** none.

## **Executive Session:**

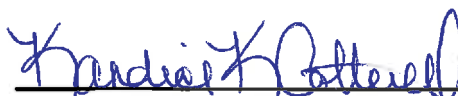
**Motion:** Motion by Council President Riccio to open executive session pursuant to Idaho Code and possible decision(s) to follow: 67-2345(1)(c) land acquisition and 67-2345(1)(f) potential litigation was seconded by Council Furner and carried unanimously by roll call vote at 10:20 p.m.

Mayor Taylor closed executive session at 10:54 p.m. no decisions were made regarding items discussed.

## **Adjourn:**

**Motion:** Motion by Council President Riccio to adjourn the meeting was seconded by Council Member Kiser and carried unanimously. Mayor Taylor declared the meeting adjourned at 10:55 p.m.

ATTEST:



Kandice Cotterell, Deputy Clerk  
Approved: July 15, 2015



  
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Mayor Darin Taylor