

RECORD OF PROCEEDINGS

MIDDLETON CITY COUNCIL APRIL 5, 2017

The regular meeting of the Middleton City Council on April 5, 2017 was called to order by Mayor Darin Taylor at 6:30 p.m.

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

Motion to Approve Agenda: Motion by Council President Riccio to approve the posted agenda was seconded by Council Member Furner and carried unanimously.

3) **Administrative Action/Consent Agenda:**

Mayor Taylor introduced the item for council questions and discussion. Council President Riccio asked if the truck purchased was budgeted for, and Mayor Taylor answered that it was ... in the capital outlay budget line.

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

4)A. **Mayor's Youth Advisory Council (MYAC) Report**

Steele Sommer the MYAC City Liaison gave the MYAC report and answered questions.

4)B. **Consider ratifying an agreement with Leo Mittag settling a property boundary dispute, and authorizing the mayor to sign a quitclaim deed to Leo Mittag.**

Mayor Taylor introduced the item for council questions and discussion: none; and asked if anyone in the audience would like to speak about the item: none.

Motion: Motion by Council President Riccio to ratifying an agreement with Leo Mittag settling a property boundary dispute, and authorizing the mayor to sign a quitclaim deed to Leo Mittag, was seconded by Council Member Huggins and carried unanimously by roll call vote.

4)C. **Consider approving a contract with Splash Zone LLC and a 20% initial payment in the amount of \$57,976.**

City Clerk Becky Crofts presented the item for council questions and discussion.

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Council Member Huggins asked if there is a risk that the funds could be lost. Clerk Crofts answered that she is very comfortable that the extension will be granted and that the risk to the City is that it would have to pay \$150,000 now covered by the grant.

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 contract with Splash Zone LLC and a 20% initial payment in the amount of \$52,482 was seconded by Council Member Furner and carried unanimously by roll call vote.

4)D, G, and H **Motion:** Motion by Council President Riccio to table items 4d, 4g and 4h to the next regularly scheduled meeting was seconded by Council Member Furner and carried unanimously.

4)E Consider approving a contract with Express Bill pay for electronic utility bill processing.

City Clerk Becky Crofts presented the item for council questions and discussion. 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 contract with Express Bill Pay for electronic utility bill processing was seconded by Council Member Huggins.

Discussion: Council Member Huggins asked about the projected monthly savings, Clerk Crofts answered that the projected savings are calculated to be approximately \$20 to \$30 an hour.

Council President Riccio stated that he supports the idea of saving time of City staff, but that absorbing the credit card fees concerns him and wondered if having a set fee when the transaction is made will need to be implemented instead.

City Attorney Chris Yorgason said that if a fee change is made it will need to be changed by resolution on the fee schedule. Council President Riccio then stated that he would like to start with a 3% fee and then amend it if needed.

The motion was then passed unanimously by roll call vote.

Mayor Taylor declared the meeting recessed at 7:35 p.m. and reconvened the meeting at 7:37 p.m.

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4)F Consider approving a contractor to install exterior lighting at 1103 W. Main Street.

Mayor Taylor introduced the item for council questions and discussion, and asked if anyone in the audience would like to speak about the item: none. Council discussed the three quotes.

Motion: Motion by Council President Riccio to approve a contract with ASAP Electric to install exterior lighting at 1103 W. Main Street in an amount not to exceed \$7,325 with the understanding that 12 lights will be installed first and if the lighting is not adequate 19 total will be installed was seconded by Council Member Huggins.

Discussion: Council Member Huggins stated that her decision was based on the proposal with the best lower per unit rate.

The motion was then carried unanimously by roll call vote.

8) Department Comments:

City Engineer Amy Woodruff reviewed the submitted engineer report and answered any questions.

City Attorney Chris Yorgason informed Mayor and Council about a water litigation case that has been ongoing for 12-15 years regarding an IMAP preceding and United Water is ready to continue. He added that the City is currently reanalyzing its position as it is currently a protestant. There is nothing happening immediately but may be soon.

9) Mayor's Comments:

- City ranked #1 in Statewide FY2018 Wastewater Planning Grant Priority List for \$65,000 toward a \$200,000 project.
- Emergency Fair April 10, 2017, 6:00 – 9:00 pm at Middle School Gym
- Schedule for considering to adopt a road impact fee charged at the time of new construction
- Review YTD City Finances

New Business Continued:

4)I Consider adopting Ordinance No. 590-17 amending City Code to add definitions for "Off-site sign" and "Mobile sign;" amending 4-1-1 Side-street setbacks for a six-foot fence from 15 feet to 10 feet.

Mayor Taylor introduced the item for council questions and discussion; none; and asked if anyone in the audience would like to speak about the item: none.

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Motion: Motion by Council President Riccio to read Ordinance No. 590-17 by title only was seconded by Council Member Furner and carried unanimously.

Motion: motion by Council President Riccio to waive the three reading rule and approve Ordinance No. 590-17 with the changes discussed was seconded by Council Member Furner and carried unanimously by roll call vote.

4)J Information: Dan Richardson interest in repairing the tank in Roadside Park.

Mayor Taylor introduced the item for council questions and discussion, and initiated a conference call with Mr. Richardson, who explained what he would like to do and what he can do to repair the tank at Roadside Park, and answered Council's questions.

Council President Riccio said that he is very excited to see what can be done.

Mr. Richardson said that he needs authorization from the City to proceed and that he will keep them informed of his progress. Mayor Taylor stated that he will provide written authorization and told Mr. Richardson to please move forward.

7) **Public Comments:** none.

10) **Council Comments:** none.

11) **Executive Session pursuant to Idaho Code and possible decision(s) to follow:**

74-206(1)(f) Potential and pending litigation


12) **Adjourn:**

Motion: Motion by Council President Riccio to adjourn was seconded by Council Member Furner and carried unanimously. Mayor Taylor declared the meeting adjourned at 8:54 p.m.

ATTEST:



Mayor Darin Taylor



Kandice Cotterell, Deputy City Clerk
Approved: April 19, 2017

