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**MIDDLETON CITY COUNCIL  
JULY 17, 2019**

The Middleton City Council meeting on July 17, 2019 was called-to-order at 6:30 p.m. by Mayor Darin Taylor, who introduced City Attorney Chris Yorgason, Deputy Clerk Dawn Dalton, and Planning and Zoning Official Bruce Bayne.

**Roll Call:** Council Members Carrie Huggins, Jeff Garner and Beverlee Furner were present. Council President Rob Kiser was present via phone call.

**Action Items**

1. **Consent Agenda (items of routine administrative business)**
  - a) **Consider approving minutes for Council's July 3, 2019 meeting.**
  - b) **Consider ratifying July 5, 2019 payroll in an amount of \$70,827.92 and approving accounts payable thru July 16, 2019 in the amount of \$232,196.61.**

Mayor Darin Taylor called and introduced the agenda items.

**Motion:** Motion by Council Member Huggins to approve consent agenda items a and b was seconded by Council Member Garner and carried unanimously.

2. **Continued Public Hearing. Consider adopting Ordinance No. 619 amending Middleton City Code Titles 1, 4, 7, 8 and 10 (third reading).**

Mayor Taylor called the agenda item, opened the public hearing at 6:36 p.m., introduced the item, and asked if anyone in the audience would like to speak to this item: none.

**Motion:** Motion by Council Member Furner to close the public comment portion of the public hearing was seconded by Council Member Garner and carried unanimously.

**Motion:** Motion by Council Member Garner to waive the third reading and adopt Ordinance No. 619 was seconded by Council Member Furner and carried unanimously by roll call vote because it is an ordinance. Mayor Taylor closed the public hearing at 6:42 p.m.

3. **Continued Public Hearing: Consider adopting Ordinance No. 620 amending Title 5 of the Middleton City Code (third reading).**

Mayor Taylor called the agenda item, opened the public hearing at 6:43 p.m., introduced the item, and asked if anyone in the audience would like to speak to this item: none.

**Motion:** Motion by Council Member Furner to close the public comment portion of the public hearing was seconded by Council Member Garner and carried unanimously.

**Motion:** Motion by Council Member Garner to table Ordinance No. 620 to the next regularly scheduled meeting, so Council Member Kiser could be in the room and maybe have some ideas about whether or not to require sidewalks in an R-2 zone, was seconded by Council Member Furner carried unanimously.

4. **Consider entering into a Cooperative Agreement with Canyon Highway District No. 4 for an area-wide traffic impact study for the purpose of accurately stating**

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**the cumulative effects and prorate share of development impacts at collector and arterial road intersections in the Middleton area of city impact.**

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

**Motion:** Motion by Council Member Huggins to approve the agreement was seconded by Council Member Furner and carried unanimously by roll call vote because it is a contract.

**5. Consider entering into a State and Local Agreement to accept approximately \$278,760 grant funds under certain terms to design and construct a roundabout at the intersection of Cornell St. and N. Middleton Rd. in during Fiscal Year 2020.**

Mayor Taylor called and introduced the agenda item and asked if anyone in the audience would like to speak to this item: **James Taylor** voiced that this roundabout was poorly conceived and is poorly received by the residents of Middleton.

**Motion:** Motion by Council Member Garner to approve the agreement was seconded by Council Member Huggins and carried three-to-one by roll call vote because it is a contract, Council Member Furner voted nay.

**6. Public Hearing: A \$22,000 minimum bid price at public auction to sell Davis Park, consisting of 7,504 square feet with pressure irrigation, lawn, small shed with roll-up door on concrete pad, small shelter on concrete pad, and chain-link fence along the west boundary. The land does not have vehicle access because it is located at the southwest corner of State Highway 44 and S. Middleton Road. Building and floodplain setbacks prohibit permanent structures on-site.**

Mayor Taylor called the agenda item, opened that public hearing at 7:23 p.m., introduced the item, and asked if anyone in the audience would like to speak to this item: **Tim O'Meara** voiced that selling the park was a poor decision.

**Motion:** Motion by Council Member Garner to close the public comment portion of the agenda item was seconded by Council Member Furner and carried unanimously.

**Motion:** Motion by Council Member Garner to sell Davis Park with a minimum bid price of \$22,000 was seconded by Council Member Huggins and three-to-one by roll call vote, Council Member Furner voted nay. Mayor Taylor closed the public hearing at 7:30 p.m.

**7. Consider approving a preliminary plat for Crescent Lake Subdivision.**

Mayor Taylor called and introduced the agenda item, and Planning and Zoning Official Bruce Bayne presented the Administrative Review and Report. Mayor Taylor asked the applicant's representative to share with council anything the applicant would like council to know.

**Sabrina Durtschi** from KM Engineering gave an overview of the project explaining it is on 35.13 acres and will consist of 105 single-family homes along with five common lots and 12.5% open space with ponds, walking paths and covered picnic areas. Mrs. Durtschi also stated that the plan is to hook up to the city water and sewer systems.

Mayor Taylor asked the applicant if there was anything he would like to add.



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**James Roberts** from Mineral Rights Leasing ID LLC stated that they wanted to move forward with the plat including meeting all conditions stated in the Administrative Review and Report and without requesting exceptions to city code or standards.

**Motion:** Motion by Council Member Huggins to approve the preliminary plat of Crescent Lake Subdivision subject to the conditions listed in the Administrative Review and Report was seconded by Council Member Garner and carried unanimously.

- 8. Consider approving Supplemental Engineering Services No. 1 with Precision Engineering for intersection design at Hartley Ln. and State Highway 44 in an amount not to exceed \$146,000.**

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

**Motion:** Motion by Council Member Furner to approve the supplement was seconded by Council Member Garner and carried unanimously.

- 9. Consider approving a tentative Fiscal Year 2020 budget to publish according to law prior to the City Council's August 7, 2019 public hearing to consider adopting an annual appropriations ordinance.**

Mayor Taylor called and introduced the agenda item, and City Administrator Becky Crofts presented the proposed Fiscal Year 2020 budget revised based on council discussion from its July 15, 2019 special meeting budget workshop.

Mayor Taylor asked if anyone in the audience would like to speak to this item: Library Board Finance Director **Don Watts** and Library Director **Kate Lovan** asked the Council to not cut the library budget and to at least keep it where it was last fiscal year.

**Motion:** Motion by Council Member Huggins to approve the tentative Fiscal Year 2020 budget in the amount of \$11,068,712.52 to publish according to law prior to the City Council's August 7, 2019 public hearing to consider adopting an annual appropriations ordinance was seconded by Council Member Furner and carried unanimously.

- 10. Consider approving capital improvements plans for the purpose of entering into intergovernmental agreements with the Middleton Rural Fire District, and separately with Greater Middleton Parks and Recreation District, collect development impact fees from new residential and nonresidential construction in Middleton city limits and distribute those funds to the respective districts to spend on improvements identified in the respective capital improvements plans.**

Mayor Taylor called and introduced the agenda item, and asked the districts' representative to share with council anything he would like council to know. **William Gigray** from White Peterson Attorneys at Law, representing Greater Middleton Parks and Recreation District and Middleton Rural Fire District gave an update on the progress for the intergovernmental agreements with Canyon County and the next step the city could take would be to establish an impact fee advisory committee, using the one already existing for the Fire District if desired.

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**Motion:** Motion by Council Member Furner to take no action on agenda items 10 and 11 was seconded by Council Member Garner and carried unanimously.

**11. Consider approving Resolution No. 425-19 to collect impact fees for Middleton Rural Fire District and for Greater Middleton Parks and Recreation District.**

**Public Comments:** James Taylor said that as a resident he doesn't want to be subsidizing other entities and that the city is not charging enough for new developments coming into the city and thought the impact fees should be doubled or tripled. Corporal Nathan Hilkey asked council to implement a city police impact fee like other cities such as Kuna is doing.


**Mayor and Council Comments:** none.

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

ATTEST:



Dawn M. Dalton, Deputy Clerk  
Minutes Approved: August 7, 2019

  
Darin Taylor, Mayor