
**MIDDLETON CITY COUNCIL
FEBRUARY 5, 2020**

The Middleton City Council meeting on February 5, 2020 was called-to-order at 6:30 p.m. by Mayor Steve Rule.

Roll Call: Council President Rob Kiser, Council Members Carrie Huggins, Jeff Garner, and Tim O'Meara were present.

Information Items

1. **Discussion - Newsletter posting to the City website and social media.**
2. **Discussion - Possible new position of another City/Community Planner and the hiring of a contracted Building Inspector.**
3. **Update - City Hall Remodel.**
4. **Consider a request from Tradition Capital Partners on Blue Meadows No. 1 to allow pathway paving (infrastructure) work, not yet completed, to be bonded as asphalt plants are currently closed for the weather related reasons.**

Action Items

1. **Consent Agenda (items of routine administrative business)**
 - a) **Consider approving minutes for Council's January 15, 2020 meeting.**
 - b) **Consider ratifying January 17, 2020 payroll in the amount of \$82,406.91, January 31, 2020 payroll in the amount of \$81,729.03, and accounts payable thru February 5, 2020 in the amount of \$299,847.88.**

Mayor Rule called and introduced the action items. Council Member Huggins and City Attorney Chris Yorgason confirmed accounts payable was under by approximately \$5.00, and advised the correct amount is \$299,852.88.

Motion: Motion by Council President Kiser to approve consent agenda items a and b, with the understanding that it includes the payment to Idaho Power, and that we re-adjust the final number to be \$299,852.88 per the numbers given to them with the current check registers. It was seconded by Council Member Huggins and carried unanimously.

2. **Consider consenting to the Mayor's appointment of Becky Crofts as the City Administrator and City Clerk.**

Mayor Rule called and introduced the agenda item, and requested that Action Item 3 (Administer Oath of Office to Becky Crofts) be struck from the agenda as it is not mandatory for her position to take the oath.

Motion: Motion by Council President Kiser to approve the Mayor's appointment of Becky Crofts as the City Administrator and the City Clerk was seconded by Council Member Garner and carried unanimously.

3. **Consider approving a one year contract with RM Mechanical for HVAC maintenance with the City for all City buildings in the amount of \$4,640.00. Three bids were received in total.**

Mayor Rule called and introduced the agenda item.

Motion: Motion by Council President Kiser to approve the contract with RM Mechanical in the amount of \$4,640.00 was seconded by Council Member Garner and carried unanimously by roll call vote.

4. **Consider approving a request from the Middleton Library to use the Trolley Station for their weekly Tuesday meetings from 8:00 a.m. to 3:00 p.m., and to waive the rental fees for each meeting.**

Mayor Rule called and introduced the agenda item. Council President Kiser stated he is trying to understand why they are such long meeting times, as it is a seven-hour time frame that they are requesting. Mayor Rule advised they are trying to use all the time that it would be unavailable including the set up and take down time, and it is relatively unused that day.

Motion: Motion by Council President Kiser to approve the request from the Middleton Library to use the Trolley Station for their weekly Tuesday meetings from 8:00 a.m. to 3:00 p.m. and waive the rental fees for each meeting was seconded by Council Member Garner and carried unanimously.

5. **Consider approving an Idaho Power service request located at Duff Lane and East 9th Street to serve the new Falcon Valley water booster station in an amount not to exceed \$48,467.00.**

Mayor Rule called and introduced the agenda item and Planning and Zoning Official Bruce Bayne gave a brief review of the service request. Council Member O'Meara asked if the City had looked at doing solar power for the generators for the booster station, and Planning and Zoning Official Bruce Bayne advised this is an essential facility for the City, and the City has not looked at that and we don't believe solar power would generate enough power for this. He also advised that the pumps are running basically all of the time, and the power is three phase power not normal house power.

Motion: Motion by Council President Kiser to approve the Idaho Power service request located at Duff Lane and East 9th Street to serve the new water booster station in an amount not to exceed \$48,467.00 was seconded by Council Member Huggins and carried unanimously.

Mayor Rule called for a brief recess at 7:11 p.m., and reconvened at 7:12 p.m.

6. **Public Hearing: Consider adopting Ordinance No. 629 annexing approximately 6.06 acres of real property to the City of Middleton and zoning the property from Canyon County Agriculture Zone to City of Middleton M-U (Mixed Use) Zone. The property is located to the North side of Main Street (State Highway 44), contiguous to the North side of real property where Perfection Tire is located, in the SW1/4 of the SE1/4, Section 1, T4N, R3W, Boise Meridian, Middleton, Canyon County, Idaho.**

Mayor Rule called and introduced the agenda item, Planning and Zoning Official Bruce Bayne provided a brief review. Representative Adam Hegstrom with the address 520 W Waltman Lane Meridian, Idaho 83642. He advised the Council that they are looking into doing four-plexes or townhomes at the property, however they are wanting to complete the annexing and rezone process first, so they are ready when they submit a proposal to the City. Council Member O'Meara asked how many units they were planning on building, Adam advised that depends on the frontage on Hartley Lane. One entrance would allow for fifty doors, however if they were to get an allowance for two entrances it would be seventy-four or seventy-eight doors. Council Member O'Meara asked if there were plans to improve the intersection that would be on to Hartley Lane from the property as it would obviously affect the traffic at Hartley Lane and State Highway 44. Planning and Zoning Official Bruce Bayne advised any project over twenty-five residential units must do a traffic impact study, and they will have to pay a prorated share towards the intersection.

Mayor Rule briefly advised the Council and public that the biggest thing would be the parking for the proposed development.

Mayor Rule asked the public if there was anyone would like to speak to the item:

Jim Taylor with the address of 1052 Triumph Drive, Middleton, Idaho 83644 advised we already have a school district that can't pass a bond to expand, and if you have seventy-five doors that's two hundred and twenty-five people, we are adding based on three person occupancy. And with adding an apartment complex you add difficulty for law enforcement, if this was a regular subdivision it would be about twenty-five homes or fifty. This development would add about one hundred and fifty cars to Hartley Lane based on seventy-five doors, without any improvement to Hartley. At one time or another we will have seventy-five cars entering onto State Highway 44 without anything but perhaps a stop sign.

Jim also advised that anytime you look at these developments there is always trouble that comes with them as renters are not as responsible as homeowners. These developments bring parking problems, impatient drivers, pressure to the police, and drug problems as drug dealers like to rent not buy. He then urged City Council not to pass it as a Mixed-Use Zone but Single Family or something.

Sean Maybon with the address of 1382 La Reata Middleton, Idaho 83644 stated that just because it would be zoned Mixed-Use doesn't mean we would have to allow Multi-Family. He also stated he did not know what kind of traffic Hartley Lane can handle but he agreed that we already have the issue with the school district and Forge can't expand at least until something is done with that intersection. But we need to take into consideration the traffic and the roundabouts that are going to be built and the one that is to be built there. He stated he doesn't know if Jim Taylor's numbers are correct, but it would equal about half of one officer where with Middleton City standards it is one officer for about one thousand people. And even if you do Mixed-Use you don't have to do the high-density living area; it could be addressed when they come in with the plans. But he would consider the fact that it only has one exit, and it would affect the traffic there.

Mike Raefe with the address of 1889 Ridgeway Drive Middleton, Idaho 83644 stated he never gave parking a consideration but it's big. He advised there are semi-trucks parked next to the Dairy Queen in Star, and they all live in the subdivision next to it. He stated he isn't knocking truck drivers in any way, but the type of space they are parking in is a

real problem. Apartment complexes just North of the Village in Meridian have underground parking to save space, but he was at the Planning and Zoning meeting when this item was brought up and he was not opposed to Mixed-Use. But the concentrated traffic congestion that will be with this development won't be good. And the Coleman Brothers development going up on the North side of Willis Road, along with Stonehaven alongside Hartley Lane comes out to about seven hundred homes out there. And he stated he doesn't know the math on it but with at least one vehicle per home that totals to seven hundred vehicles either coming down Emmett Road, Hartley Lane, or Cemetery Road. And out of that seven hundred at least five hundred will be on Willis Road, and from Emmett Road to Hartley Lane it needs help.

He stated five years ago there was a problem at Hartley Lane and State Highway 44, and there is still a problem. He said to think of the vehicles when looking at Mixed-Use zoning.

Planning and Zoning Official Bruce Bayne stated under Mixed-Use you are allowed three uses: residential, light commercial, or a mixture of both of those. It won't come up for discussion afterwards as those uses are allowed per City Code. And Middleton City Code says for any unit if you have designated parking it is three spaces per unit. If it's non-designated it is two and a half spaces per unit.

Representative Adam Hegstrom spoke to item again and stated whether it is town homes or four-plexes they will have an HOA that will include parking, and obviously they want to do some ethical development here. Middleton is a great town and they want to keep it that way, so they do not want to overload it with parked cars all over the street on Hartley or anywhere else that will not be allowed. And in terms of traffic they will have to do a traffic study to do a Multi-Family, and if that is the case, they will not do that many doors. There will be a standard on whatever kind of development they do, and they have been playing around with the idea of doing a couple of commercial offices there in front of this like medical offices to help with the community. They are willing to work with all here to make it a good project.

Mayor Rule stated he has never lived in an HOA but how would they control the cars and overcrowded parking? Adam stated the enforcing starts with letters and towing from the HOA. Mayor Rule asked if there was no commitment to the commercial offices being there? Adam advised it all would come down to numbers and if they are able to do it they will, but he cannot say anything towards it as he does not have anything official yet, but to let everyone know that is what they are pushing towards.

Mayor Rule called for anymore comments from the public: none.

Council President Kiser said that we are still looking at development agreements and traffic impact studies to ensure that the developments are acceptable to our standards. And so, as we move forward it will be closing a small gap over there, and we are starting to square off the lines a little bit which makes sense to him. And we do want to pull it in to the City so we do have that development agreement because if they go to the County then we're out, so at least we have a better say in terms of what's happening within City limits. He stated he doesn't mind the Mixed-Use he is curious to see where they'll go, and once they get to that point and they know what they want to do we will start looking at those development agreements.

City Attorney Chris Yorgason stated if the Council is interested, they can request a development agreement be done to define the uses, densities, and parking requirements stating they have to pay a proportion after a traffic study, but now would be the time to request that. Development agreements are a part of the public hearing process but if the applicant is willing to enter into a development agreement they would probably table your decision tonight and instruct staff to work with the applicant, then have it brought back to you in another public hearing format where you can have that agreement put in place and recorded on the property. And again that development agreement would state all the requirements as discussed earlier, and he would recommend that if that is what Council would like to do that they table it tonight to date that is certain so that the public would have a chance to see what that looks like and comment, then Council could make a decision at that time.

Council Member Garner commented that there are plans to update the traffic situations at both Hartley Lane and Cemetery Road to accommodate this growth, and he also agreed with Kiser that if they have the property annexed into town it is property taxes that are coming to us, and that is where he stands.

Council Member O'Meara stated his biggest concern is of course the traffic, and quite frankly he would prefer we enter into some kind of agreement before they develop anything and see the intersection improved, he doesn't want to wait until they've got seventy doors open to oh well we need to fix this road. Let's get the road fixed before we start any construction on the buildings. He cannot see waiting for transportation improvements until the project is well under way, and it should be a first priority not a last.

Mayor Rule asked Planning and Zoning Official Bruce Bayne to give a review of the scheduling for when the improvements are to be started on that intersection. Bruce advised that we currently have a design in with Idaho Transportation Department to signalize that intersection, and that must be done before the school opens next fall. So, the intersection will be completed whether this development goes in or no development goes in. ITD is almost done with the design review and as soon as it is done, we will be going over it and we will get it completed before August just so Council knows. Mayor Rule advised that this is being propelled by all the development North of this intersection. Council Member O'Meara advised that he remembered conversations in the past that we were waiting for the funding from phases of projects to be done, and he just can't see waiting for funding. If you are doing that development, you should have that funding upfront to make those street improvements.

Council Member Huggins asked if this project would go before design review, Planning and Zoning Official Bruce Bayne advised that it would and any residential project with more than three units goes to design review and all commercial projects go to design review as well. Council Member Huggins says the City then has a voice in that process as to what it's going to look like and those kinds of things. Council President Kiser stated he is more in line to go the direction of tabling the item with City Attorney Chris Yorgason's advice to set up a development agreement and then come back and sit down to make sure everyone has their ducks on the table so to speak and we are not trying to catch up. That way we will know exactly what is going to be there, they know exactly what we expect from them for doing said project and how it impacts our community, and that way we can make a more informed decision.

City Attorney Chris Yorgason advised if we table it to a specific date then we do not have to re notice the public hearing. Council President Kiser advised we would be looking at possibly March 18th or April 1st, but he did want to know what would work best for Planning and Zoning Official Bruce Bayne as he would be doing most of the workload. Planning and Zoning Official Bruce Bayne advised March 18th would work best.

Motion: Motion by Council President Kiser to table Item 6 consider adopting Ordinance No. 629 until the March 18th, 2020 meeting was seconded by Council Member Garner and carried unanimously by roll call vote.

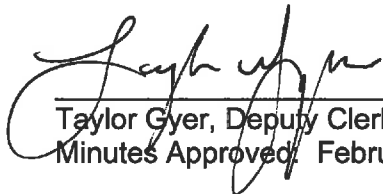
Mayor Rule advised if there was anyone who would like to speak to how HOA's operate then the March 18th public hearing meeting would be a good time to present the information.

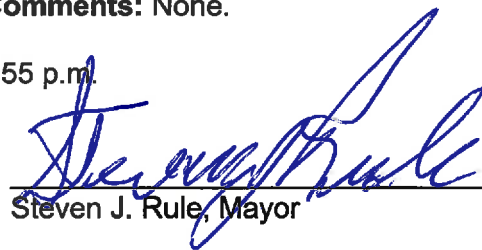
Public Hearing Closed: Mayor Rule closed the public hearing at 7:55 p.m.

Public Comments, Mayor Comments, Council Comments: None.

Adjourn: Mayor Rule adjourned the meeting at 7:55 p.m.

ATTEST:


Taylor Gyer, Deputy Clerk
Minutes Approved February 19, 2020


Steven J. Rule, Mayor

