



**AGENDA**  
**City Council Meeting**  
**City of Middleton, Idaho**

Date: Wednesday October 21, 2020

Time: 5:30 p.m.

Location: **Trolley Station** 310 Cornell Street, Middleton, Idaho

Call-to-order, roll call, Pledge of Allegiance, Invocation: Jennifer Barr

**Information Items**

1.

**Action Items**

1. Consent Agenda (items of routine administrative business)
  - a. Consider approving minutes for Council's September 16, 2020 regular meeting. Consider ratifying October 9, 2020 payroll in the amount of \$ \$ 72,962.84 and accounts payable thru October 16, 2020 in the amount of \$ 179,548.41.
  - b. Consider approving FCO - Endicott Rezone and Development Agreement
2. Zoom Presentation for Waste Water Natural Treatment – update and status – Jack Harrison.
3. Consider approving Proposed HyQual Scope of Work for FY2021 Water Quality Permitting and Natural Treatment Planning in an amount not to \$62,000. – Becky Crofts
4. Consider approving the SRO contract between Middleton Police and Middleton School District. – Chief Takeuchi
5. Consider adopting Ordinance 642 of the City of Middleton, Canyon County, Idaho, amending Title 1 and Title 4. - Bruce Bayne

**Public Comments, Mayor and Council Comments, Adjourn**

Posted by:

  
Jennica Reynolds, Deputy Clerk

Date: October 19, 2020, 5:00 p.m.

Please contact the City Clerk at (208) 585-3133 if you have special needs or require assistance.



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**MIDDLETON CITY COUNCIL SPECIAL MEETING  
SEPTEMBER 16, 2020**

The Middleton City Council Special meeting on September 16, 2020 was called-to-order at 5:31 p.m. by Mayor Steve Rule.

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

**Information Item**

1. Jeni Fried member of Library Board expired term.

Mayor discussed the expiration of Jeni's term in January 2020. He is interviewing candidates for the Library Board. He will report to Council when a decision is made.

**Action Items**

1. **Consent Agenda (items of routine administrative business)**
  - a. **Consider ratifying September 11, 2020 payroll in the amount of \$ \$73,635.59 and accounts payable thru September 11, 2020 in the amount of \$304,237.63**
  - b. **Consider approving FCO – Coburn Annexation**

Mayor called the items and asked President Kiser to discuss Accounts Payable. The bill for Canyon County Highway District is the cities 25% for the traffic impact fee study between Middleton, Star and Canyon Highway District 4, Kittelson is doing the analysis of that Impact Fee Study.

President Kiser said Council approved the Coburn Annexation last time, this is the approval of the FCO's of the Coburn Annexation.

**Motion:** Motion by Council President Kiser to approve Consent agenda items a and b. Seconded by Council Member Garner. Approved Unanimously.

2. **Consider approving Proclamation of Recognition for Domestic Violence Awareness Month October 2020. – Mayor Rule**

Mayor Rule called the item. He gave a brief explanation of the history of this proclamation. Then read the proclamation to the Council. His request is that Council authorize him to sign it, and that Middleton be included therein.

**Motion:** Motion by Council President Kiser issue Mayor Rule the authority to sign the Proclamation of Recognition for Domestic Violence Awareness Month October 2020. Seconded by Council Member O'Meara and approved unanimously.

3. **Consider approving the early payoff of the sewer bond dated July 23, 2020, Loan number 92-01, in the amount of \$191,899.81. Saving the City, a substantial amount of interest. – Wendy Miles**

Mayor Rule called the item. City Treasurer gave a explanation of the item. There is a note correction the sewer bond is dated July 23, 2002, not 2020. An early payoff would save the City approximately \$25,000 in interest. Bond would be paid 12 years early. City paid some additional payments early. She is asking for permission from Council to pay the bond

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off early.

**Motion:** Motion by Council President Kiser to approve the early payoff of the sewer bond dated July 23, 2002, Loan number 92-01, in the amount of \$191,899.81. Motion seconded by Council Member O'Meara and approved unanimously.

**4. Consider approving purchasing new Konica Minolta BizHub C360I A3 copier in an amount not to exceed \$6,982.00.**

Mayor Rule called the item. City Administrator Becky Crofts said the last time the City purchased a copier was 2013. The current copier is having more and more maintenance problems and so recommending the purchase of the new copier and the copy price does go down so it will provide a savings to the City.

**Motion:** Motion by Council President Kiser to approve the purchase of a new Konica Minolta BizHub C360I A3 copier in an amount not to exceed \$6,982.00. Motion seconded by Council Member Huggins and approved unanimously.

**5. 3rd Reading: Consider adopting Ordinance No. 633: An Ordinance of the City of Middleton, Canyon County, Idaho, amending Title 5 of the Middleton city code updating general provisions, modifying and updating land use, setback table, subdivision of land, road standards and recreational vehicle park requirements, making other minor modifications and providing an effective date.**

Mayor Rule called the item. He read the ordinance by title. These changes will not apply to any current applications. It will go into effect once it is published and going forward.

**Motion:** Motion by Council President Kiser to read Ordinance No. 633 by title only. Seconded by Council Member Huggins, approved Unanimously.

The Mayor read Ordinance No. 633 by title only.

**Motion:** Motion by Council President Kiser to approve Ordinance No. 633. Seconded by Council Member Huggins. Approved unanimously by Roll Call Vote.

**6. Middleton Rural Fire District: 3rd Reading**

Mayor Rule called the items. This is the 3<sup>rd</sup> reading.

- a. Consider approving adoption of Resolution No.451-20 : Adoption of the Middleton Rural Fire District Impact Fee Study and Capital Improvement Plan for the purpose of entering into an intergovernmental agreement with the Middleton Rural Fire District for the collection and expending of development impact fees for the Fire District's systems improvements as identified in the Capital Improvements Plan.

**Motion:** Motion by Council President Kiser to approve Resolution No.451-20: Adoption of the Middleton Rural Fire District Impact Fee Study and Capital Improvement Plan. Motion seconded by Council Member Garner. Approved unanimously.

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- b. Consider adopting Ordinance No. 634: AN ORDINANCE AMENDING THE CITY OF MIDDLETON CITY CODE BY THE ADDITION OF A NEW CHAPTER 18 TO TITLE 1 PROVIDING FOR MIDDLETON RURAL FIRE DISTRICT DEVELOPMENT IMPACT FEES

**Motion:** Motion by Council President Kiser to Motion by Council President Kiser to read Ordinance No. 634 by title only for its 3<sup>rd</sup> Reading. Seconded by Council Member Garner, approved Unanimously.

Council President Kiser read Ordinance No. 634 by title only.

**Motion:** Motion by Council President Kiser to adopt Ordinance No. 634. Seconded by Council Member Huggins. Approved unanimously by Roll Call Vote.

- c. Consider adopting development impact fees for Middleton Rural Fire District:  
New Residential (per unit) \$849/per unit  
New Non-Residential (per square foot) \$0.42/per square foot

**Motion:** Motion by Council President Kiser to adopt the development impact fees for Middleton Rural Fire District:  
New Residential (per unit) \$849/per unit  
New Non-Residential (per square foot) \$0.42/per square foot

Motion seconded by Council Member Huggins, approved unanimously.

- d. Consider approving Resolution No. 449-20: Intergovernmental agreement with the Middleton Rural Fire District for the collection and expending of development impact fees for the Fire District's systems improvements as identified in the Capital Improvements Plan.

**Motion:** Motion by Council President Kiser to approve Resolution No. 449-20: Intergovernmental agreement with the Middleton Rural Fire District for the collection and expending of development impact fees for the Fire District's systems improvements as identified in the Capital Improvements Plan.

Motion seconded by Council Member O'Meara. Approved unanimously.

## **7. The City of Caldwell Fire Department & Caldwell Rural Fire District Impact Fee: 3rd Reading**

Mayor called the items and read each by title. This is the 3<sup>rd</sup> reading.

- a. Consider approving Resolution No. 443-20: Adoption of the *City of Caldwell Fire Department & Caldwell Rural Fire District Impact Fee Study and Capital Improvement Plans* for the purpose of entering into an intergovernmental agreement with the Caldwell Rural Fire Protection District, City of Caldwell and Canyon County for the collection and expending of development impact fees for the Fire District's systems improvements as identified in the Capital Improvements Plan.

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**Motion:** Motion by Council President Kiser to approve Resolution No.443-20. Motion seconded by Council Member Huggins. Approved unanimously.

- b. Consider adopting Ordinance No. 635: AN ORDINANCE AMENDING THE CITY OF MIDDLETON CITY CODE BY THE ADDITION OF A NEW CHAPTER 19 TO TITLE 1 PROVIDING FOR CALDWELL RURAL FIRE PROTECTION DISTRICT DEVELOPMENT IMPACT FEES

**Motion:** Motion by Council President Kiser to read Ordinance No.635 by title for its 3<sup>rd</sup> reading. Motion seconded by Council Member Garner, approved unanimously by roll call vote.

Mayor read Ordinance 635 by title only.

**Motion:** Motion by Council President Kiser to adopt Ordinance No. 635. Motion seconded by Council Member Huggins. Approved unanimously by roll call vote.

- c. Consider adopting development impact fees *for City of Caldwell Fire Department & Caldwell Rural Fire District.*  
New Residential (per unit) \$665/per unit  
New Non-Residential (per square foot) \$0.33/per square foot

**Motion:** Motion by Council President Kiser to adopt development impact fees for City of Caldwell Fire Department & Caldwell Rural Fire District:

- New Residential (per unit) \$665/per unit
- New Non-Residential (per square foot) \$0.33/per square foot

Motion seconded by Council Member O'Meara. Approved Unanimously.

- d. Consider approving Resolution No.450-20: Intergovernmental Agreement with the *Caldwell Rural Fire Protection District, City of Caldwell and Canyon County* for the collection and expending of development impact fees for the Fire District's systems improvements as identified in the Capital Improvements Plan.

**Motion:** Motion by Council President Kiser to approve Resolution No.450-20. Motion seconded by Council Member Garner. Approved unanimously.

- 8. Consider approving Resolution No. 452-20: A RESOLUTION OF THE MIDDLETON CITY COUNCIL, MIDDLETON, CANYON COUNTY, IDAHO, ADDING FEES, FOR MIDDLETON RURAL FIRE DISTRICT IMPACT FEE, CITY OF CALDWELL FIRE/CALDWELL RURAL FIRE DISTRICT IMPACT FEE; AND PROVIDING AN EFFECTIVE DATE

Mayor called the item and read the title, he asked about the effective date. Chris Yorgason said the impact fees will go into effect 30 days from the time they are adopted. This resolution is to update the City's fee schedule. Oct 16, 2020 is the 30<sup>th</sup> day so the City can start collecting fees on Oct 19, 2020.

**Motion:** Motion by Council President Kiser to approve Resolution No.452-20. Motion seconded by Council Member Huggins. Approved unanimously by roll call vote.

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**9. Consider approving Change Order No. 1 from Irminger for the Natural Treatment Pilot Study project. It deducts \$18,314.00 based on a value engineering meeting. – Becky Crofts**

Mayor called the item. He likes change orders that are deduction.

**Motion:** Motion by Council President Kiser to approve Change Order No. 1 from Irminger for the Natural Treatment Pilot Study project to deducts \$18,314.00 based on a value engineering meeting. Motion seconded by Council Member O'Meara and approved unanimously.

**Public Comments:** None

**Mayor Comments:** He got back from Alaska and his group caught 191 silver salmon. He thinks it is worth notation.

**Council Comments:**

Council President Kiser: Middleton High School is playing football. They are still battling Covid restrictions and now air quality. But it is almost normal. Some fans in the stands (4 guests per player/coach on the field) The opposing team was allowed a similar number. Each school is basing the number of people allowed to be in the bleachers based on the bleacher size. We are excited the kids have an opportunity to be on the field. Hoping to let a quota of students in

**Staff Comments:**

Becky Crofts said DEQ has approved the 5-year pilot study as presented in the QUAP, which is a quality assurance and policy and procedure process. We have about 3 years to prove our theory with the reuse through the farm and drip tape. If this is successful in the next 3 years and we can show some solid data, it could save the City millions of dollars in phosphorus removal.

**Adjourn:** Mayor Rule adjourned the meeting at 6:12 p.m.

ATTEST:

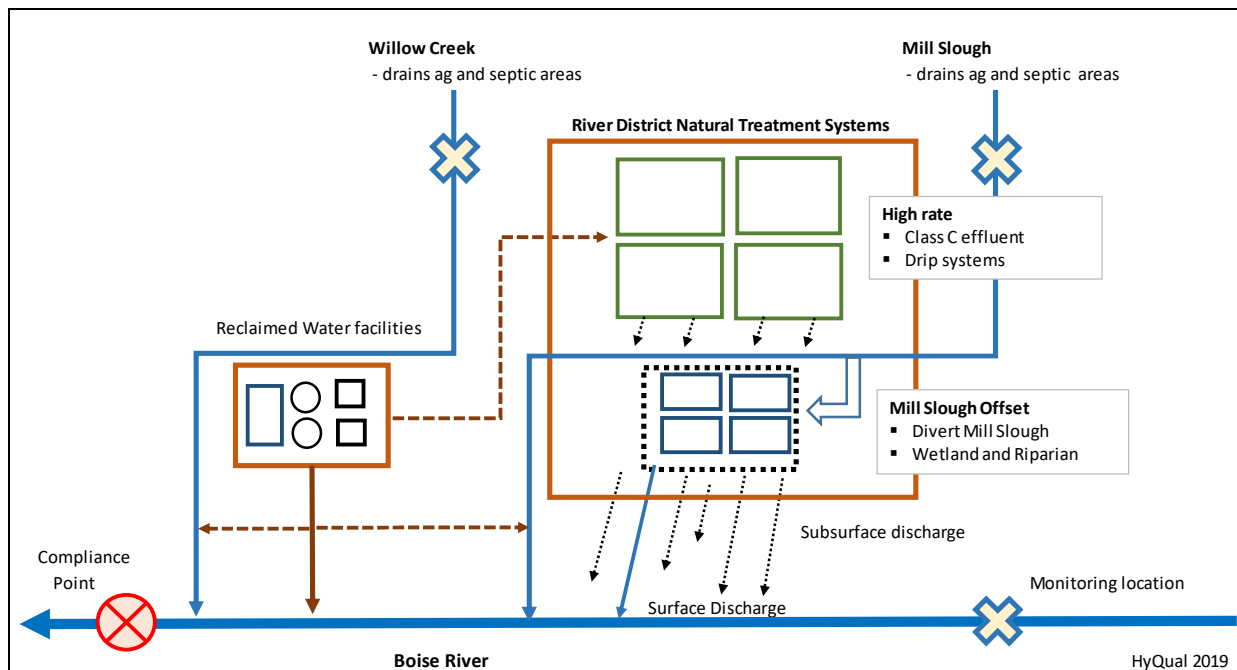
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Steven J. Rule, Mayor

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Jennica Reynolds, Deputy Clerk  
Minutes Approved: October 21, 2020





# Update and HyQual Proposal for Water Quality Permitting and Natural Treatment Planning



Other Discharge	
Permit Unknowns	
Mercury	??
Ammonia	??
Emerging Contaminants	??
Inorganic Toxics	??
???	??

Middleton City

October 20, 2020 revised

Dr. Jack Harrison, P.E.

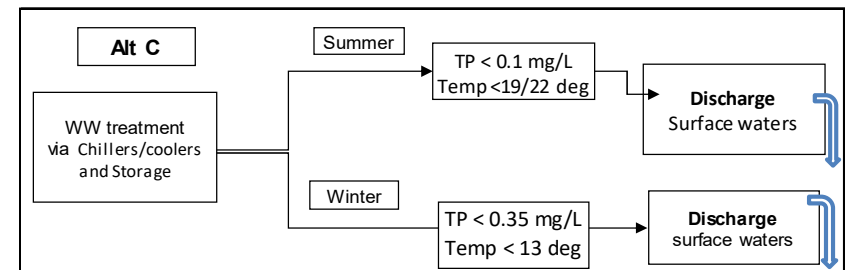
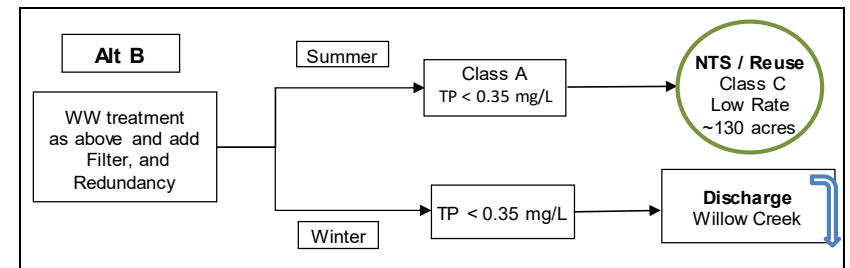
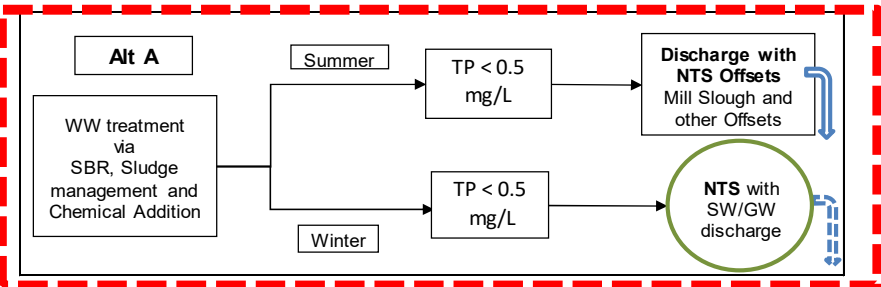
HyQual, P.A.

# Expect a new IPDES Permit with ...much lower Discharge Limits:

“DEQ still drafting ... or waiting on EPA approval ?”

## Master Plan provided alternatives:

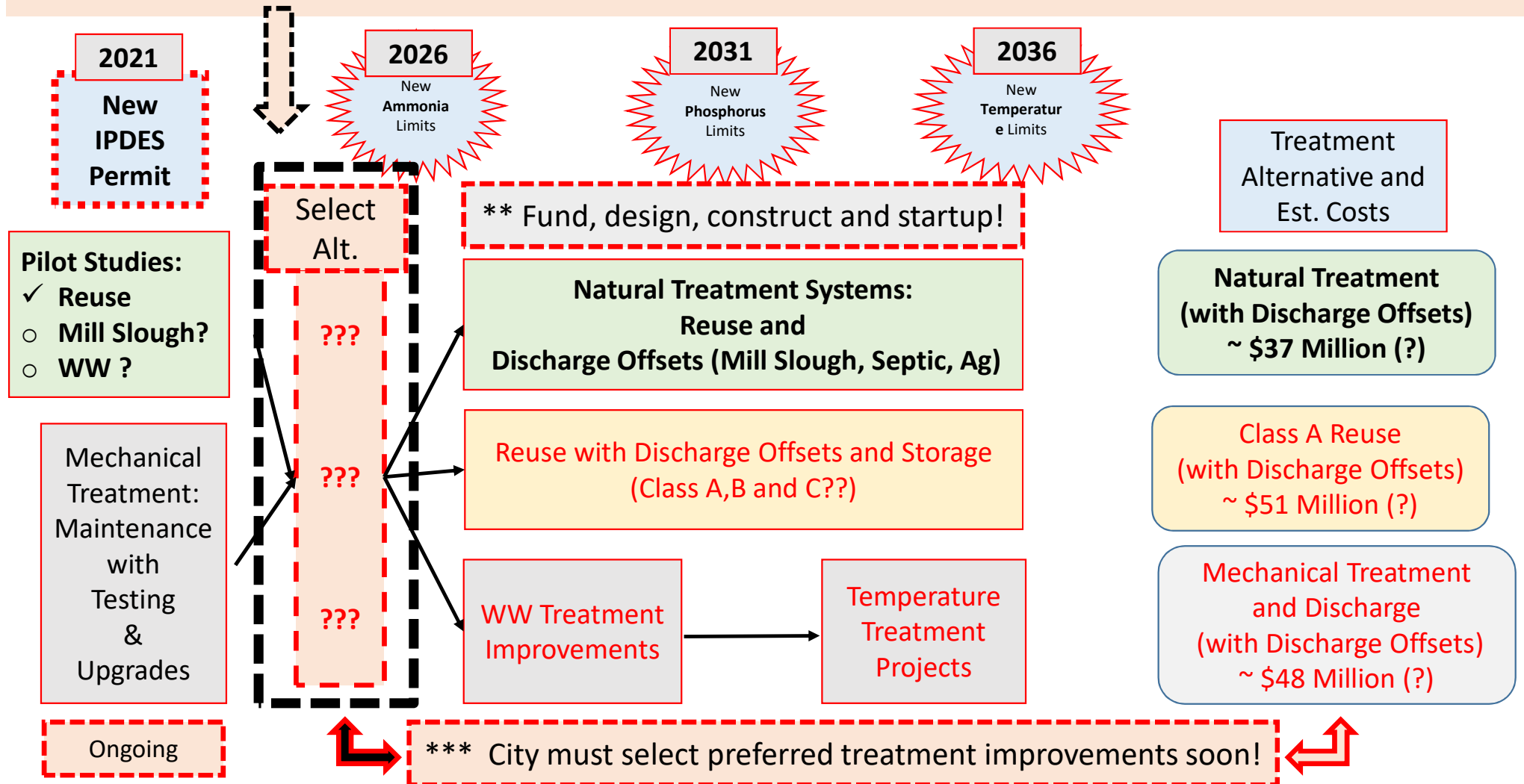
New IPDES Discharge Limits	Proposed Treatment	Compliance Timeframe? (years)
Ammonia	Mechanical systems	5
Phosphorus	Natural	10?
Temperature???	Natural???	15?



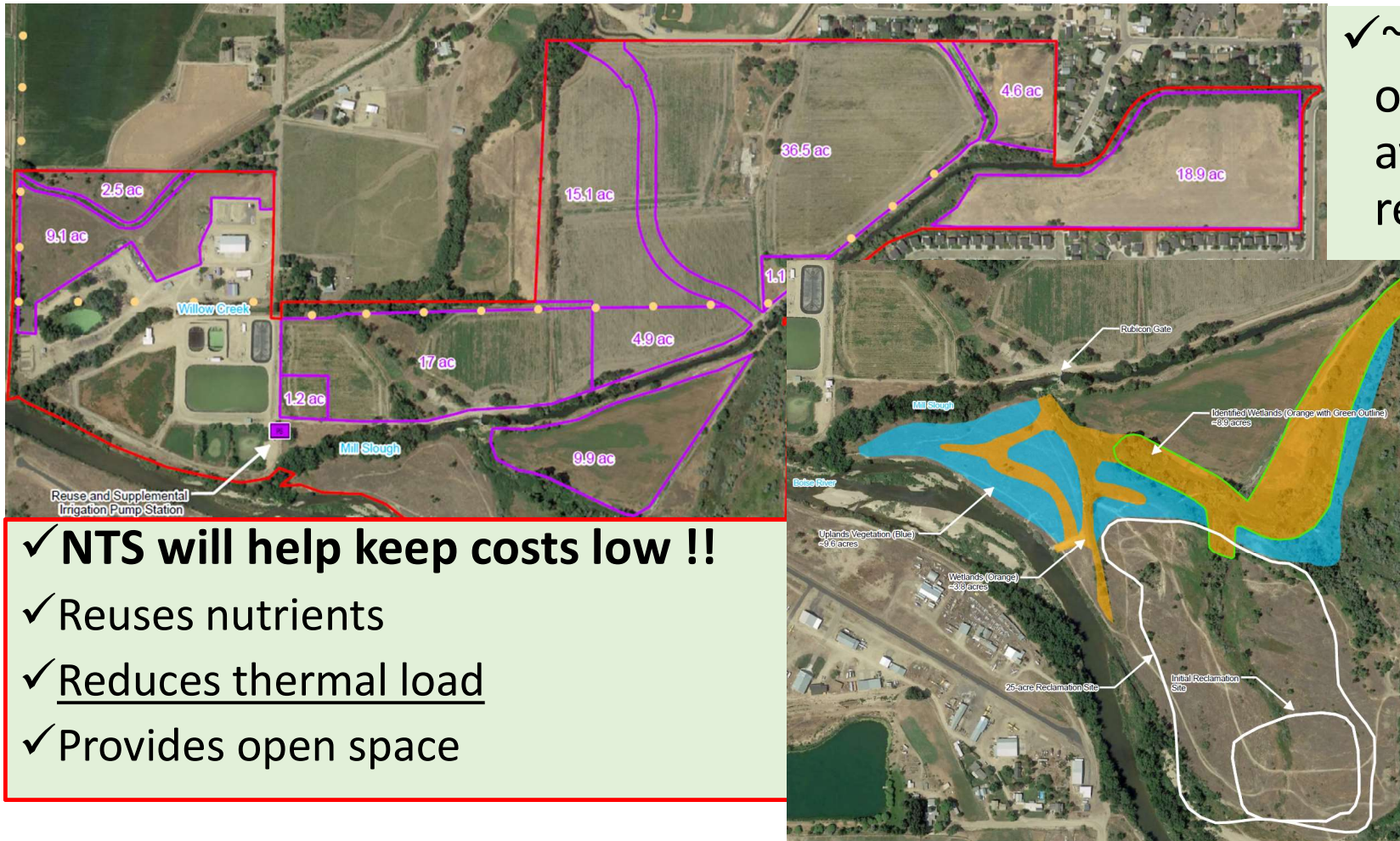
HyQual 2019

**Treatment Alternative A:** Potential cost savings of about **\$10,000,000** over 20 years

**\*\* Must select a WW Master Plan “Alternative” in a few years!**



# River District land available for Natural Treatment



✓ ~100 acres of ag land available for reuse

✓ ~14 acres for other natural treatment

✓ **NTS will help keep costs low !!**

✓ Reuses nutrients

✓ Reduces thermal load

✓ Provides open space

# Reuse Pilot Study on 17 acres of agricultural land



## Agricultural Reuse on Alfalfa ... via Drip Irrigation:

- Year-around reuse application!!
- Treats Phosphorus and Temperature!!!

DEQ approved for 5-years with the following conditions:

- Approval of:
  - Changes to Work Plan and Quality Assurance Procedures Plan (QAPP)
  - Pre-Engineering report (on any modifications to WW treatment facilities)
- Monitor: water, soils and crops (per QAPP)
- Submit for review and approval
  - Operations Plan (OP)
  - Annual Reports

Year	2020		2021				2022				2023			
Quarter	3	4	1	2	3	4	1	2	3	4	1	2	3	4
Crop Planted	★													
Baseline Monitoring														
Baseline Report				★										
Reuse Initiated				★										
Year 1 Monitoring														
Year 1 Annual Report								★						
Year 2 Monitoring														
Year 2 Annual Report													★	
***continue as needed														

\*\*\* City needs to know study results within 2-3 years!



# Mill Slough Water Quality Improvement Project

**Natural treatment** ...on about 14 acres of land ?

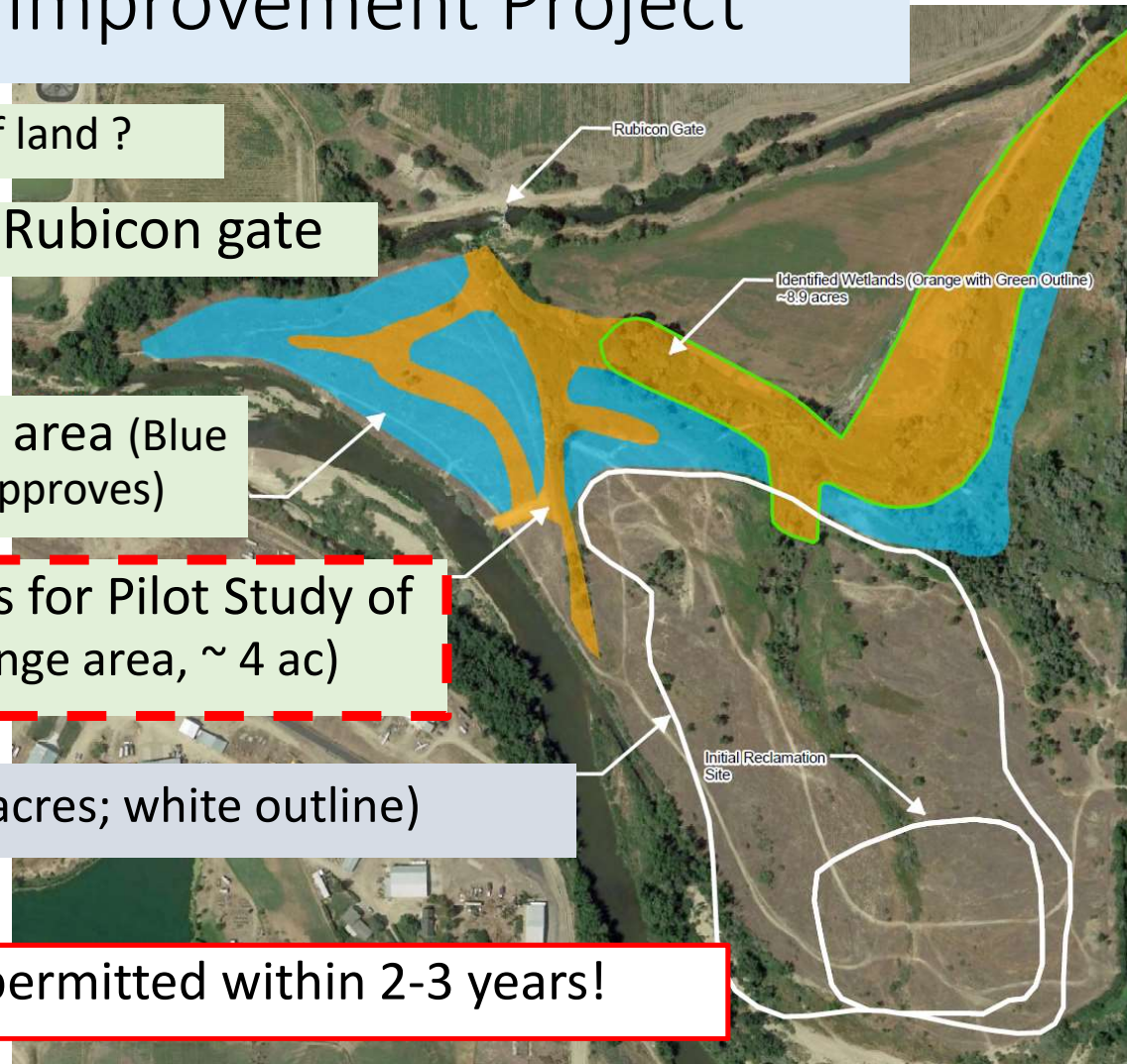
Phase 1 – constructed Rubicon gate

- Phase 3 – develop riparian area (Blue area, ~ 10 acres) ( only if DEQ approves)

- Phase 2 – use existing channels for Pilot Study of infiltration and treatment (Orange area, ~ 4 ac)

- Reclamation Area (~25 acres; white outline)

\*\*\* City needs to know if this can be permitted within 2-3 years!



# \*\*Future WW Treatment costs depend on Study Results!

## ➤ Allowable Reuse NGS TP Loading?

- Reuse Pilot Study and Reuse permit negotiations

## ➤ Allowable Discharge Offset?

- Mill Slough, Ag and Septic study and IPDES permit negotiations

## ➤ Mechanical Phosphorus Treatment?

- BIO P testing and treatment operations

## ➤ Available Land?

- Reuse and Mill Slough WQIP

\*And future discharge permit “unknowns”

Other Discharge Permit Unknowns	
Mercury	??
Ammonia	??
Emerging Contaminants	??
Inorganic Toxics	??
???	??

Year	2030		
Wastewater flow (Mgd)	1.45		
Season	Summer	Winter	Total
Period (days)	153	212	365
<b>Acres Needed... per IDEQ Guidance Loading Rates *</b>			
<b>Current with WW TP (@ 3 mg/L)</b>			
"Ag" and Nongrowing Season ("NGS") rates	139	1887	<b>2026</b>
<b>Acres Needed... per with positive study results **</b>			
<b>Planned WW TP @1 mg/L</b>			
Reuse only (Ag and High rates)	46	256	<b>256</b>
Reuse, Offsets and River Discharge	41	144	<b>144</b>
<b>Planned WW TP @ 0.5 mg/L</b>			
Reuse only (Ag and High rates)	23	128	<b>128</b>
Reuse, Offsets and River Discharge	17	16	<b>17</b>
Note: ** no additional temperature treatment costs			

# Proposed FY2021 HyQual Tasks and Budget

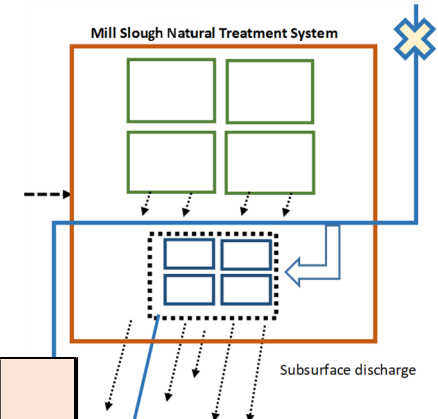
## HyQual Tasks

- ❖ IPDES Permitting
  - Review draft permit, prepare comments, and meet with DEQ
- ❖ Middleton Reuse/Pilot Study and Permitting
  - Environmental monitoring, technical analyses and reporting
- ❖ Mill Slough NTS and Offset Planning and Permitting
  - Preliminary analyses, modeling and meetings with DEQ

Proposed Budget      \$62,000

Tasks	Engineering Level		Totals
	Senior/PM	WQ	
1. IPDES Permitting	40	10	\$9,020
2. Middleton Farm Planning and Pilot	120	20	\$25,960
3. Mill Slough Planning and Pilot	120	20	\$25,960
Total labor budget	280	50	\$60,940
Expenses			\$1,060
<b>Total Budget Estimate</b>			<b>\$62,000</b>
labor rate (\$/hr)	\$198	\$110	

Other Discharge Permit Unknowns	
Mercury	??
Ammonia	??
Emerging Contaminants	??
Inorganic Toxics	??
???	??



We should know more ...  
... in a few years!

Any Questions??





## **Proposed HyQual Scope of Work**

### **FY 2021 Water Quality Permitting and Natural Treatment Planning**

Submitted by: Dr. Jack Harrison, P.E., HyQual. P. A.

Submitted on: October 12, 2020

#### **Introduction**

The City of Middleton is expecting a new IPDES permit that will include lower limits on ammonia and phosphorus, and temperature management requirements. In 2019, Middleton completed a Master Plan focused on near and long-term wastewater management to:

- Maximize use of City-owned facilities and land to control overall costs while meeting permit conditions
  - Transition away from surface water discharge of all treated effluent
- Diversify your water quality management strategy toward natural treatment systems and recycled water use

The most cost effective alternative identified in the Master Plan is a natural treatment approach that would meet future treatment requirements through a combination of improved mechanical wastewater treatment, surface water and subsurface discharges, natural treatment, and discharge offsets. This approach would also meet the City's objectives for reducing reliance on surface water discharge and thereby limit future unknown costs for treating mercury, "emerging contaminants" and other toxics.

In the next few years, Middleton will need to decide if the proposed natural treatment alternative can be fully implemented. This proposed FY2021 scope of work by HyQual is intended to continue the regulatory process to develop the natural treatment and provide the information needed to select a treatment alternative. The tasks to support the City are:

- IPDES permit negotiations
- Middleton Reuse Pilot Study monitoring and reporting
- Mill Slough natural treatment planning and study design, and offset permitting

An engineering budget of \$62,000 is proposed, though it is subject to revision as permitting and planning proceeds. If approved, the work would begin October 15, 2020 and extended for approximately 12 months.

## Scope of Work

This project would continue support with IPDES permit negotiations, monitoring and reporting on the reuse pilot study, and planning and pre-design for implementation of Phase 2 of the Mill Slough water quality improvement project. Also proposed is an increase in the level of effort directed toward assessment of temperature treatment.

### *IPDES Permit Negotiations*

Idaho Department of Environmental Quality (DEQ) is drafting a new Idaho Pollution Discharge Elimination System (IPDES) permit for the City of Middleton that would include lower discharge limits for ammonia and phosphorus. DEQ also is considering limits for temperature that would be based on criteria. But, due to limited data, these limits may be deferred until the next permit cycle.

Under this scope of work (SOW), HyQual would continue supporting the City in negotiations with DEQ. This could include reviewing the pre-draft permit, developing formal comments on the public review draft and meeting with DEQ if there is a need for more in-depth discussions.

### *Reuse Pilot Study Monitoring and Reporting*

High rate, non-growing season reuse (i.e., rapid infiltration of reclaimed water in late fall and early spring) on City-owned agricultural land located along Mill Slough could substantially reduce overall wastewater treatment costs. A pilot study designed to assess this reuse approach on alfalfa cropland using subsurface drip irrigation is almost ready to begin. During pilot study development, DEQ indicated support of the proposed approach for treatment of phosphorus and management of temperature.

Over the next few years data will be collected and DEQ reports prepared. The study duration has not been fully established but at least 2 years of data will be needed before seeking concept approval and moving toward a formal reuse permit.

In this task HyQual would support pilot study operations and monitoring, lead the efforts to prepare the first annual report, and coordinate with DEQ if adjustments to the study plan are needed.

### *Mill Slough Discharge Offset*

Discharge offsets can be used to help meet phosphorus and temperature limits, and thereby reduce wastewater treatment costs. There are three types of offsets that Middleton could request:

1. Mill Slough non-point source treatment via wetlands and riparian uptake
2. Conversion of agricultural land to a “no runoff” irrigation system
3. Connection of old septic systems to the City sewer system in high groundwater areas that discharge into the Boise River

The Mill Slough Water Quality Improvement Project (WQIP) would remove phosphorus and lower temperature of the Mill Slough water, which is heavily impacted by agriculture and other land uses. Currently, Phase 1 of the Mill Slough WQIP is operational and removes sediment and phosphorus from the Mill Slough. Phase 2 of the project would divert water into existing channels to increase removal, and would initially be operated as a demonstrate project or pilot study. Phase 3 would expand the wetland and riparian areas to increase treatment, and would provide the increased level of treatment needed to maximize the use of a designated treatment area.

If approved by DEQ and EPA, the project would improve water quality in the Boise River and generate pollution reduction offset (similar to “trading credits”) that could be used to reduce wastewater treatment requirements. During their review of the Master Plan, DEQ has indicated that this approach could be permitted. However, the processes for permitting has not been established. Similar to the reuse project, a demonstration project (or pilot study) would likely be needed to permit the credit procedures.

In this task HyQual would work with DEQ to establish the process for permitting the proposed discharge offsets. HyQual would also direct the ongoing development of Phase 2 of the Mill Slough WQIP. This phase of the project would be used to demonstrate phosphorus and temperatures treatment, and provide supporting formation for permitting.

#### *Proposed Budget*

Consistent with previous HyQual budgets, all work would be performed on a time and materials basis. The total budget estimate, shown in Table 1, would not be exceeded without your prior approval. This budget assumes Civil Dynamics will be authorized to provide engineering support including for mapping, attending meetings, review of draft documents and other general engineering support as needed to support these services.

Table 1 Fy2021 Planning level budget estimate

Tasks	Engineering Level		Totals
	Senior/PM	WQ	
1. IPDES Permitting	40	10	\$9,020
2. Middleton Farm Planning and Pilot	120	20	\$25,960
3. Mill Slough Planning and Pilot	120	20	\$25,960
Total labor budget	280	50	\$60,940
Expenses			\$1,060
<b>Total Budget Estimate</b>			<b>\$62,000</b>
labor rate (\$/hr)	\$198	\$110	

#### *Budget Timeframe*

The SOW is intended to cover the next 12 months. However, in dealing with a regulatory agency there is some uncertainty regarding the level of effort needed for permitting and to successfully complete pilot studies. With this in mind, a mid-course correction will be prepared in the early spring. The work completed will be summarized and if needed a revised budget for the remainder of the year will be prepared for your review and approval.

#### **Agreement**

If this proposal meets your approval, it may serve as the basis for agreement by signing in the space provided below. This signature will be considered as the project authorization for the estimated budget shown above. Please return one signed copy via email or mail.

I look forward to working with you on this project. Please call me if you have any questions.

Respectfully submitted,

Accepted By:

**HyQual, P. A.**

**CITY OF MIDDLETON**

By Jack R Harrison  
Dr. Jack Harrison, P.E.  
President

By \_\_\_\_\_

Title \_\_\_\_\_

Date \_\_\_\_\_



## **2020-2021 SCHOOL RESOURCE OFFICER SERVICES AGREEMENT**

THIS AGREEMENT (Agreement) is made and entered by and between the MIDDLETON SCHOOL DISTRICT No. 134 (District) and the CITY OF MIDDLETON (City).

### **RECITALS**

WHEREAS, the District and the City are political subdivision of the State of Idaho and conduct their responsibilities as authorized and described in Idaho Code, including entering into contracts for professional and skilled services;

WHEREAS, the District and the City recognize the outstanding benefits of the School Resource Officer (SRO) program to the citizens of Middleton, Canyon County, Idaho, and particularly to the students of the District by providing and maintaining a safe and health student environment; and

WHEREAS, the District and the City agree that it is in the best interest of the District, and the City, and the citizens of Middleton, Canyon County, Idaho to establish this program;

WHEREAS, the District requests School Resource Officer (SRO) services as described in Appendix I;

WHEREAS, the City provided services to the District during 2019-2020 school year and the District and City would like to contract again for one and a half (1.5) School Resource Officers for school year 2020-2021, with an option to add an additional officer(s) as needed and District funding allows.

**NOW THEREFORE**, the parties hereto agree as follows:

1. This agreement is effective October 1, 2020 thru May 31, 2021;
2. The City agrees to provide the District with SRO services described in Appendix I: Scope of Services, during the 2020-2021 school year using one (1) full-time and one half time (.5) SRO, with an option to add an additional SRO(s) as needed and District funding allows;
3. The District agrees to pay the City, a daily rate of \$556.92 per SRO for 8.5 hr/day. SRO services are needed for student "in-school" days, and SRO is NOT required for teacher in-service days and scheduled holidays. If SRO is requested to attend in-service meetings the hourly rate of \$65.00 will apply and billed monthly.

The annual amount of **\$98,017.92** based on 117 student days for one (1) SRO and 59 student days for and a half (.5) SRO, for a total of 176 days, is due and payable within ten (10) days of execution of this agreement. (Attachment A: MSD134 School District Calendar 2020-21).

4. In addition, the District agrees to pay the City of Middleton, \$65.00 per hour per Officer for District-requested services exceeding the scope-of-services, for example, home football games, home coming dances, state track or other tournaments, driver's education, etc. to be billed and paid monthly.
5. The City agrees to credit the District in the following contract year, or refund if services are not continued, for school closure that exceeds ten (10) consecutive school days, and for days of which the officer is out of the District for City mandated training or other non-emergency reasons.
6. The SRO will be assigned by the Chief of Police and report to their supervisors according to the City's organization chart. The Chief or SRO Supervisor may temporarily reassign the SRO during school holidays and vacations, or during a period of City police emergency.
7. Time is of the essence in performance of each provision of this Agreement.
9. Any notice to be given shall be given be sent by U.S. Certified Mail, Return Receipt Requested, to the addresses below.

Middleton School District  
5 S. Viking Ave.  
Middleton, Idaho 83644

City of Middleton  
1103 W. Main Street  
Middleton, Idaho 83644

10. This Agreement, including Appendix I: Scope of Services, encompasses the entire agreement of the parties and may not be modified or changed in any way except by written document signed by all the parties hereto.
11. Any provision of this Agreement which is found by a court of competent jurisdiction to be invalid or illegal shall in no way affect or invalidate any other provision of this Agreement, and the remaining provisions of this Agreement shall remain in full force and effect.
12. This Contract is executed in two (2) originals with each party retaining an original.

**IN WITNESS WHEREOF** the parties have approved this Agreement by their governing bodies and it has been signed and attested by authorized officials of each party.



**MIDDLETON SCHOOL DIST. No. 134**

**CITY OF MIDDLETON**



\_\_\_\_\_  
BOARD CHAIRMAN

\_\_\_\_\_  
MAYOR

ATTEST:



\_\_\_\_\_  
District Clerk

ATTEST:

\_\_\_\_\_  
Deputy Clerk

## APPENDIX I

### Scope of Services

The School Resource Officer (SRO) will be a sworn police officer of the Middleton Police Department. In addition to the regular duties of a sworn police officer, the additional duties of the SRO are to be available to school staff, as well as act as the key liaison between the Middleton Police Department and the Middleton School District. The SROs should not be depended on by the School District to perform daily school duties but at the officer's discretion, may assist.

The SRO(s) will spread his/her time between the schools of the District with the primary focus to be at the Middleton High School, Middleton Academy and Middleton Middle School, with occasional presence and participation at the elementary schools or as requested by the District superintendent or a school principal.

This mission will be carried out in the following ways:

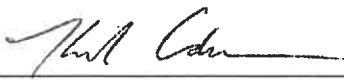
1. The SRO shall, whenever possible act as an instructor for specialized, short-term programs in the District, when invited to do so by the principal or Superintendent.
2. The SRO shall coordinate all of his/her activities with the principals and staff members concerned and will seek permission, advice and guidance prior to enacting any program within a school.
3. The SRO shall encourage individual and small group discussions with students to establish rapport with students.
4. When requested by the principal, superintendent or District social worker, the SRO shall perform welfare checks at a student's home or other location as requested.
5. When requested by the principal, the SRO shall, whenever possible attend parent/faculty meetings to solicit support and understanding of the program.
6. The SRO shall not participate in School District administrative disciplinary action of students.
7. The SRO shall, whenever possible make him/herself available for conferences with students, parents, and faculty members in order to assist them with problems of a law enforcement or crime prevention nature.
8. The SRO shall assist the principal in developing plans and strategies to prevent and/or minimize dangerous situations which may result from student unrest.
9. The SRO shall, whenever possible, participate in and/or attend school functions.
10. The SRO may be asked to work with students who are at risk regarding attendance concerns.

11. When it becomes necessary to conduct formal police interviews with a student, the SRO shall adhere to City of Middleton Employee Handbook, Police Procedures Handbook, and legal requirements in regard to such interviews. The SRO shall take law enforcement action at their discretion within reasonable expectations. As soon as practicable, the SRO shall make the principal and/or superintendent aware of such action.
12. Whenever practicable, the SRO will notify the administrative staff additional police officers will be responding to campus.
13. School District employees are not allowed to review, edit, proofread or approve police reports. District employees are required to follow Middleton Police Department's public records request procedures before documents are released.
14. If a request by a School District employee has direct conflict with the Middleton Employee Handbook or Police Procedures Handbook, the SRO will immediately notify the employee and the SRO supervisor or Chief.
15. The District may, from time to time, request that the SRO(s) attend a specific conference or training event and the District agrees to pay all costs associated with the SRO(s)' attendance.

The District and the City agree to establish and maintain a regular and consistent method of communication to allow for modifications to the scope of services as needed.

**MIDDLETON SCHOOL DIST. No. 134**

**CITY OF MIDDLETON**



\_\_\_\_\_  
BOARD CHAIRMAN

\_\_\_\_\_  
MAYOR



Ordinance No. 642

AN ORDINANCE OF THE CITY OF MIDDLETON, CANYON COUNTY, IDAHO, AMENDING THE MIDDLETON CITY CODE TITLE 1, CHAPTER 3, SECTION 1 ADDING DEFINITIONS FOR APARTMENT AND DWELLING, SINGLE-FAMILY ATTACHED AND UPDATING DEFINITIONS FOR DWELLING, MULTI-FAMILY, DWELLING, SINGLE-FAMILY AND SUBDIVISION; AMENDING TITLE 4, CHAPTER 1, SECTION 1 ADDING REGULATIONS FOR PRIVATE LANES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Middleton, Idaho, is a municipal corporation organized and operating under the laws of the State of Idaho, and

WHEREAS, the City of Middleton, Idaho, seeks to update the provisions of its city code to modify definitions and regulations; and

WHEREAS, the City held a public hearing, noticed and conducted in accordance with Idaho law, before the city council on October 21, 2020; and

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MIDDLETON, IDAHO, AS FOLLOWS:

Section 1: Middleton City Code Title 1, Chapter 3, Section 1 DEFINITIONS is hereby amended to read in relevant part as follows:

APARTMENT: A room or suite of rooms in a multi-family structure which is used as a single housekeeping unit (EDU) and has complete kitchen facilities permanently installed.

DWELLING, MULTI-FAMILY: A building, or portion thereof, containing three (3) or more dwelling units, commonly referred to as apartments and may include public housing.

DWELLING, SINGLE-FAMILY: A building designed for use and occupancy by one family, is an equivalent dwelling unit (EDU) and has waste water flow of 250 gallons per day per unit.

This definition excludes any group residence whose occupants are under the supervision of the state board of correction pursuant to section 20-219, Idaho Code, or who are required to register pursuant to chapter 83 or 84, title 18, Idaho Code, or whose tenancy would otherwise constitute a direct threat to the health or safety of other individuals or whose tenancy would result in substantial physical damage to the property of others.

DWELLING, SINGLE-FAMILY, ATTACHED: A dwelling consisting of two or more dwelling units attached to one another by a common wall(s) with each dwelling unit being on a separate lot, commonly referred to as townhouses and/or townhomes.

SUBDIVISION: The division of any site, lot, tract or parcel of land, as it ~~existed at the effective date of the adoption of the subdivision ordinance, August 10, 1976~~ exists, into more than one part for the purpose of transfer of ownership or development, whether immediate or future, and as more fully described in section 5-3-1 of this Code.

Section 2: Middleton City Code Title 4, Chapter 1, Section 1, is hereby amended to read as follows:

A. Building Permit Required; Exceptions: No structure or accessory structure over two hundred (200) square feet shall be constructed, remodeled, renovated, or added-to within the City of Middleton without first obtaining a building permit and paying the established fees.

1. Exceptions:

- a. Replacing or upgrading exterior glass, without changing the frame.
- b. Removal of asphalt shingles and replacing with same roofing type without altering or repairing of existing sheeting.
- c. Adding a second layer of asphalt shingles over an original layer of asphalt shingles.
- d. Repairing and replacing individual shingles and/or roofing tiles.
- e. Residential fencing that complies with this Code.
- f. Replacing cabinets without changing plumbing or electrical.
- g. Repairing, but not replacing, existing plumbing fixtures.
- h. Contact City building official for other exemptions.

B. Certificate Of Occupancy: The building official shall not issue a certificate of occupancy for a building until all necessary subdivision infrastructure improvements have been constructed and accepted by the City, and debris has been removed from subdivision vacant lots. A certificate of occupancy will not be issued until any damage to public improvements by a homebuilder is repaired at the home builder's expense. (Ord. 609, 7-3-2018)

C. Stamped Plans: All plans for public, commercial, industrial and multi-family buildings exceeding four (4) dwelling units must be stamped by a licensed architect and/or a licensed engineer.

D. Subdivided Lot: No residence or commercial building shall be erected or moved onto any lot unless said lot has been legally subdivided and has thirty feet (30') of frontage on a public right-of-way and meets all the requirements of title 5 of this Code.

E. Traffic Impact Analysis: The City may require an applicant, at the applicant's expense, to conduct a traffic impact analysis for any commercial or industrial use requiring a building permit.

F. Address Numbering: All residential, commercial and industrial buildings within the City shall be numbered with an address assigned by the City. Numbers on residential buildings shall be a minimum of four inches (4") in height. Numbers on commercial and industrial buildings shall be a minimum of twelve inches (12") in height. Number colors should contrast with the building color so that they are plainly visible.

G. Sewer Connection: When a new connection is made to the sewer main, a cast iron hub shall be used unless an alternate connector is approved by the City.

H. Driveways: All lots shall front upon a public road unless otherwise approved by the City. Residences having a garage shall have a hard surface of concrete or asphalt driveway and approach with a width at least equal to the garage width that extends from the garage to the abutting public road. Driveways from garages not facing the street shall be a minimum twelve feet (12') wide between the garage and publicly maintained roads.

I. Private Lanes: Private lanes may be constructed to access single family, single family attached, and/or apartment residences. Private lanes will be reviewed on a case-by-case basis and must be specifically approved by the city.

J. Agricultural Buildings: Agricultural buildings are exempt from the Building Codes adopted herein but shall remain subject to zoning regulations.

K. Tiny Houses: A building permit is required, and either certification by the RV or mobile home manufacturer associations or on a foundation following the International Residential Code.

L. Minimum Room Count: A dwelling unit shall contain at least three (3) rooms, which shall include a kitchen (with appliances for cooking food, a sink and storage) and bathroom (with a sink, toilet and tub or shower), separate from each other and all other rooms.

M. Mobile Units: No recreational vehicle, camper, camp trailer, tent or other portable or mobile structure or unit may be used as a residence.

N. Demolition Permit: A demolition permit is required from the City if a portion of a non-agricultural structure is to be demolished. No permit is required if an entire structure is to be demolished.

Section 3: This ordinance, or a summary thereof as provided by Idaho Code §50-901A, shall be published in one (1) issue of the official newspaper of the City of Middleton, Idaho, and shall take effect immediately upon its passage, approval and publication.

Dated this \_\_\_\_\_ day of October, 2020.

CITY OF MIDDLETON  
Canyon County, Idaho

\_\_\_\_\_  
Steven J Rule, Mayor

ATTEST:

\_\_\_\_\_  
Jennica Reynolds, Deputy City Clerk

*APARTMENT: A ROOM OR SUITE OF ROOMS IN A*

*MULTI-FAMILY  
STRUCTURE WHICH  
IS USED AS A SINGLE  
(edu) HOUSEKEEPING  
UNIT AND HAS  
COMPLETE KITCHEN  
FACILITIES  
PERMANENTLY*

**ASSISTED LIVING  
FACILITY:**

*INSTALLED.*

was sustained, was committing a wilful trespass or other tort upon the premises occupied by the owner of the animal, or was teasing, tormenting, abusing or assaulting the animal or was committing or attempting to commit a crime. No animal may be declared vicious if the animal was protecting or defending a human being within the immediate vicinity of the animal from an unjustified attack or assault.

A facility for the mildly physically or mentally impaired that provide rooms, meals, personal care, supervision of self-administered medication, and other related services such as recreational activities, financial services, and transportation.

**AUCTION  
ESTABLISHMENT:**

A facility where goods are offered for sale to persons who bid on an object in competition with others. The use of a site for the public sale of goods, wares, merchandise, or equipment to the highest bidder.

**BACKFLOW:**

The flow, other than the intended direction of flow, of any foreign liquids, gases or substances into the distribution system of a public water supply.

**BACKFLOW  
PREVENTION DEVICE:**

A device to counteract back pressure or prevent siphonage.

**BICYCLE/  
PEDESTRIAN  
PATHWAY:**

Land used as a bicycle or pedestrian pathway entirely through a block from road to road and/or providing access to a school, park, recreation area or shopping center.

**BOARDING HOUSE:**

A building other than a hotel or restaurant where meals are provided for compensation to three (3) or more persons, but not more than twelve (12) persons who are not members of the householder's family.

**CARETAKER  
RESIDENCE:**

A single-family residence placed in conjunction with and/or attached to a land use that requires



homes. An approved state license shall be provided to the city.

**DAYCARE CENTER:** A facility providing daycare where thirteen (13) or more children, regardless of relationship to the daycare owner, daycare operator or staff, are in attendance.

**DAYCARE FACILITY:** A place or facility providing daycare services for compensation to seven (7) or more children not related to the provider.

**DAYCARE, FAMILY:** A home, place or facility providing daycare for six (6) or fewer children.

**DAYCARE, GROUP:** A home, place or facility providing daycare for seven (7) to twelve (12) children.

**DEDICATION:** The setting apart of land or interest in land for use by the public. Land becomes dedicated when accepted by the city as a public dedication, either by ordinance, resolution or entry in the official minutes, or by the recording of a plat showing such dedication.

**DWELLING, MULTI-FAMILY:** A building, or portion thereof, containing three (3) or more dwelling units, *COMMONLY REFERRED TO AS APARTMENTS AND MAY INCLUDE PUBLIC HOUSING.*

**DWELLING, SINGLE-FAMILY:** A building designed for use and occupancy by one family. This definition excludes any group residence whose occupants are under the supervision of the state board of correction pursuant to section 20-219, Idaho Code, or who are required to register pursuant to chapter 83 or 84, title 18, Idaho Code, or whose tenancy would otherwise constitute a direct threat to the health or safety of other individuals or whose tenancy would result in substantial physical damage to the property of others.

*IS AN EQUIVALENT DWELLING UNIT (ed4) AND HAS WASTE WATER FLOW OF 250 GALLONS PER DAY PER UNIT*

**DWELLING, TWO-FAMILY:**

A building designed for use and occupancy by two (2) families living independently of each other.

*DWELLING, SINGLE-FAMILY ATTACHED: A DWELLING CONSISTING OF 2 OR MORE DWELLING UNITS ATTACHED TO ONE ANOTHER BY COMMON WALL(S) WITH EACH DWELLING UNIT BEING ON A SEPARATE LOT, COMMONLY REFERRED TO AS TOWNHOUSES AND/OR TOWNHOMES.*

March 2016

City of Middleton

STRUCTURE:	Anything constructed or erected, except fences, which requires permanent location on the ground or is attached to something having location on the ground.
SUBDIVISION:	The division of any site, lot, tract or parcel of land, as it existed <del>at the effective date of the adoption of the subdivision ordinance, August 10, 1976,</del> <i>exists</i> into more than one part for the purpose of transfer of ownership or development, whether immediate or future, and as more fully described in section 5-3-1 of this Code.
TATTOO PARLOR:	Any location where tattooing is engaged in or where the business of tattooing is conducted. This does not include day spas, beauty parlors and other similar businesses.
TEMPORARY MERCHANT:	Any person whether owner or otherwise, whether a resident of the City of Middleton or not, who engages in a temporary business of selling and delivering goods, wares, merchandise and services within the City of Middleton, and who, in furtherance of such purpose, hires, leases, uses or occupies any building, structure or motor vehicle within the City of Middleton for the exhibition and sale of food, beverages, goods, merchandise or services.
TERMINAL YARD, TRUCKING:	An area or building where commercial vehicles load and unload cargo and freight and where the cargo and freight may be stored, broken down or aggregated into smaller or larger loads for transfer to other vehicles or modes of transportation.
TINY HOUSE:	A home of four hundred (400) square feet or less, either on wheels or a foundation. A home between four hundred (400) and one thousand (1,000) square feet is considered a "small" house.
TRAILER:	A vehicle without motor power designed for carrying persons or property on its own struc-

- B. **Certificate Of Occupancy:** The building official shall not issue a certificate of occupancy for a building until all necessary subdivision infrastructure improvements have been constructed and accepted by the City, and debris has been removed from subdivision vacant lots. A certificate of occupancy will not be issued until any damage to public improvements by a homebuilder is repaired at the home builder's expense. (Ord. 609, 7-3-2018)
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*I. PRIVATE LANE: PRIVATE LANES MAY BE CONSTRUCTED TO ACCESS SINGLE FAMILY, SINGLE FAMILY ATTACHED AND/OR APARTMENT RESIDENCES. PRIVATE LANES WILL BE REVIEWED ON A CASE-BY-CASE BASIS AND MUST BE SPECIFICALLY*

October 2018 *APPROVED BY THE CITY*

*City of Middleton*

- J* ~~J.~~ Agricultural Buildings: Agricultural buildings are exempt from the Building Codes adopted herein but shall remain subject to zoning regulations.
- K* ~~J.~~ Tiny Houses: A building permit is required, and either certification by the RV or mobile home manufacturer associations or on a foundation following the International Residential Code.
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- N* ~~M.~~ Demolition Permit: A demolition permit is required from the City if a portion of a non-agricultural structure is to be demolished. No permit is required if an entire structure is to be demolished. (Ord. 594, 8-16-2017; amd. Ord. 609, 7-3-2018)

#### 4-1-2: **BUILDING CODES ADOPTED:**

- A. Codes Adopted: The following nationally recognized codes, including successive versions, as adopted by the State of Idaho or the Idaho Building Code Board, are adopted as the official Building Codes of the City of Middleton:
1. International Building Code, including all rules promulgated by the board to provide equivalency with the provisions of the Americans With Disabilities Act accessibility guidelines and the Federal Fair Housing Act accessibility guidelines.
  2. International Residential Code, parts I - IV and IX.
  3. International Energy Conservation Code.
  4. National Electrical Code.
  5. Uniform Plumbing Code.
  6. International Mechanical Code.







(no subject)

1 message

Dave Buich <davebuich@gmail.com>  
To: davebuich@gmail.com

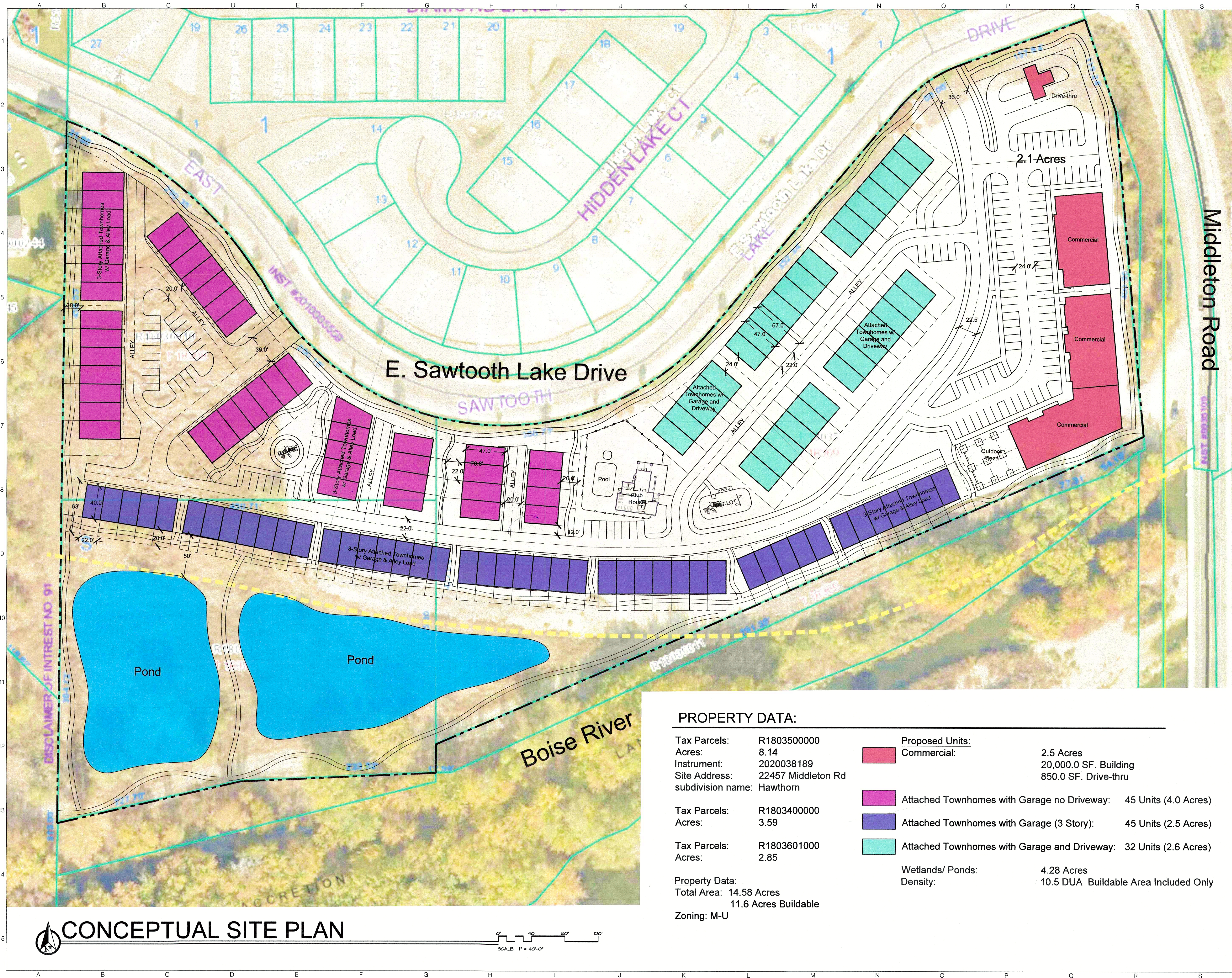
Mon, Oct 19, 2020 at 10:35 AM



 trulia.com







# CONCEPTUAL SITE PLAN

0' 40' 80' 120'  
SCALE: 1" = 40'-0"

## PROPERTY DATA:

Tax Parcels: R1803500000  
Acres: 8.14  
Instrument: 2020038189  
Site Address: 22457 Middleton Rd  
subdivision name: Hawthorn

Tax Parcels: R1803400000  
Acres: 3.59  
  
Tax Parcels: R1803601000  
Acres: 2.85

Property Data:  
Total Area: 14.58 Acres  
11.6 Acres Buildable  
Zoning: M-U

Proposed Units:	
Commercial:	2.5 Acres 20,000.0 SF. Building 850.0 SF. Drive-thru
Attached Townhomes with Garage no Driveway:	45 Units (4.0 Acres)
Attached Townhomes with Garage (3 Story):	45 Units (2.5 Acres)
Attached Townhomes with Garage and Driveway:	32 Units (2.6 Acres)
Wetlands/ Ponds:	4.28 Acres
Density:	10.5 DUA Buildable Area Included Only

STAMP:

DATE:  
10-05-20

**SOUTH  
BECK &  
BAIRD**

CONSULTANT:

REVISIONS:

**Conceptual Site Plan  
Sawtooth Lake Mixed-Use**

IDAHO

MIDDLETON

DRAWN BY:  
J.D.R.

CHECKED BY:  
JSR

PROPERTY NUMBER:

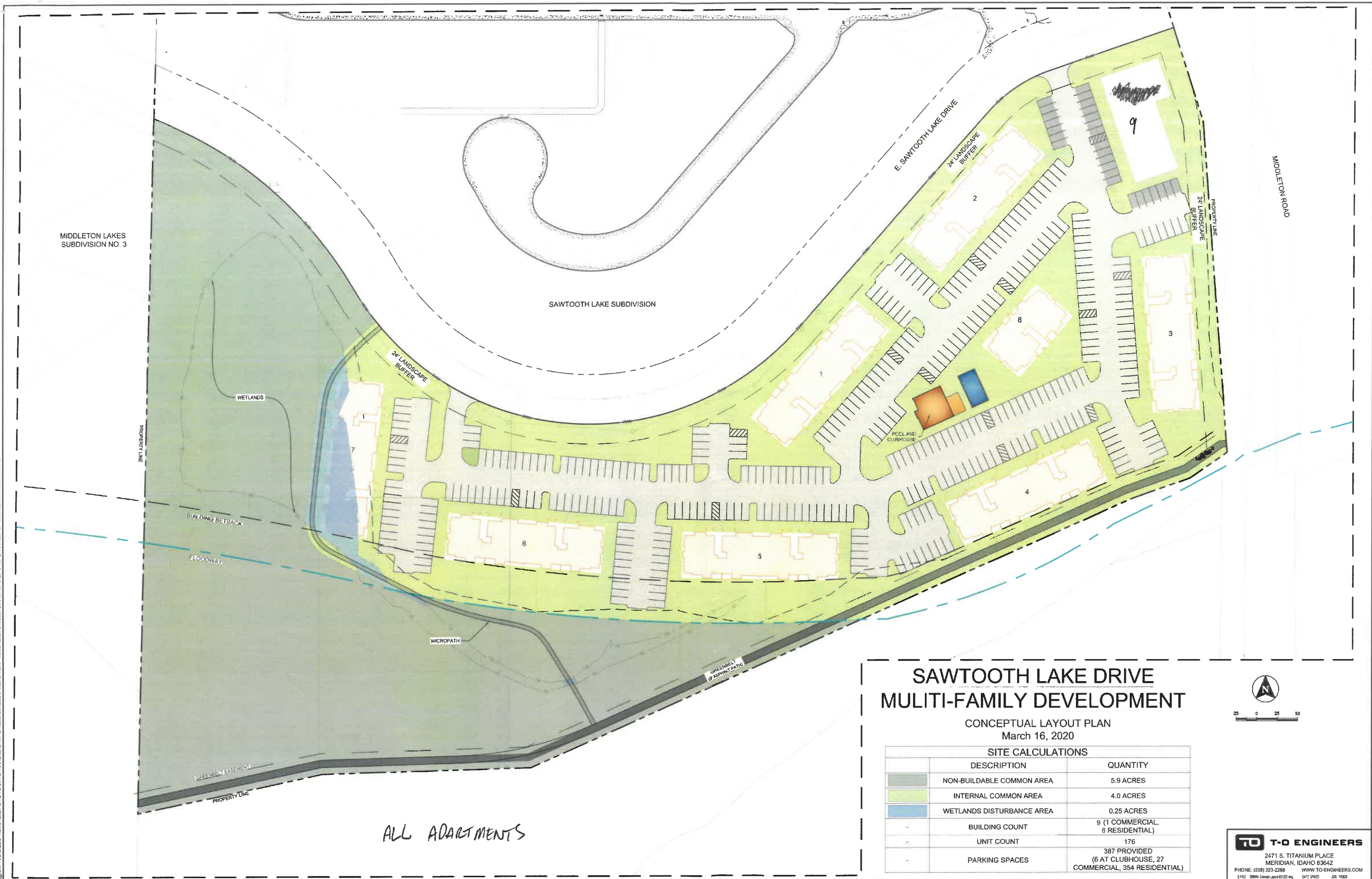
DEVEL. NUMBER:

SHEET:

**1.0**



11/23/2019 10:00 AM C:\Users\james\OneDrive\Documents\SAWTOOTH LAKE DRIVE\SAWTOOTH LAKE DRIVE.dwg DWG TO PDF.plt  
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## SAWTOOTH LAKE DRIVE MULTI-FAMILY DEVELOPMENT

CONCEPTUAL LAYOUT PLAN  
March 16, 2020

SITE CALCULATIONS		
	DESCRIPTION	QUANTITY
	NON-BUILDABLE COMMON AREA	5.9 ACRES
	INTERNAL COMMON AREA	4.0 ACRES
	WETLANDS DISTURBANCE AREA	0.25 ACRES
-	BUILDING COUNT	9 (1 COMMERCIAL, 8 RESIDENTIAL)
-	UNIT COUNT	176
-	PARKING SPACES	387 PROVIDED (6 AT CLUBHOUSE, 27 COMMERCIAL, 354 RESIDENTIAL)

