
**MIDDLETON CITY COUNCIL
JANUARY 20, 2021**

The Middleton City Council meeting on January 20, 2021 was called-to-order at 5:31 p.m. by Mayor Rule.

The City is following the CDC/COVID-19 Social Distancing guidelines as directed by the Governor. This Meeting will be streamed live via Facebook.

Roll Call: Mayor Rule, President Kiser, Council Member Huggins, Garner and O’Meara were all present.

Pledge of Allegiance, Invocation: Zach Wagoner

Action Items

A. Approve Amended Agenda

Mayor Rule explained that there was a change from the original agenda posted and asked for a motion to approve the amended agenda.

Motion: Motion by Council President Kiser to approve the Amended Agenda. Motion seconded by Council Member Garner and approved unanimously.

Information Item

- A. Electric Vehicle plug-in—Bruce Bayne updated the council regarding the Electric Vehicle outlets and making them a requirement for new construction. He was asked by P & Z for an update regarding the cost of having Electric Vehicle outlets required. The city will not be requiring Electric Vehicle outlets in the immediately future it will be an option but not a requirement. Until such a time we all have electric vehicles this will not be a requirement. Council member Huggins thanked Bruce for his time researching this item.
- B. Chief Takeuchi nominated Idaho Chief of Police Association Region 2 Vice President—the Region 2 President retired, Nampa Chief was nominated to be the region’s president and Chief Takeuchi was nominated to be Region 2 Vice President.
- C. Middleton as a second amendment sanctuary city—the mayor and council members have been approached on a few occasions regarding becoming a second amendment sanctuary city. The mayor has requested that the individuals requesting this come make a presentation to the council, but they have not done so to date. Council Member Garner feels it may be a good idea but would like to have the decision reviewed by legal counsel before proceeding. Star has become a 2nd Amendment Sanctuary City; the city would like to review their definition and find out what is involved. The city will be reaching out to the city attorney to receive clarification on the definition and request a presentation.

Action Items

1. **Consent Agenda (items of routine administrative business)**
 - a. **Consider approving minutes for Council's January 6, 2021 regular meeting. Consider ratifying January 15, 2021 payroll in the amount of \$124,723.33 and accounts payable through January 11, 2021 in the amount of \$208,087.57**

Mayor Rule called the items.

Motion: Motion by Council President Kiser to approve consent agenda item a. Seconded by Council Member O'Meara. Approved unanimously.

2. **Swearing in of Middleton Police Officers Codi Santana and Skyler Nisen.**

Mayor Rule called the item. Officer Codi Santana came to Middleton from Oxnard Police Department in California. He was sworn in by the Mayor and pinned by his father, Alberto Santana. Officer Skyler Nisen was sworn in by the Mayor and pinned by his wife, Layken Nisen. His infant daughter, Winter Nisen was also present for the special event.

3. **Consider approving changes to Middleton Police Procedure Handbook to be compliant with Presidential Executive Order on Safe Policing for Safe Community #13929.**

Mayor Rule called the item and Chief Takeuchi presented the changes. The Department of Justice has set forth two safe policing principles that each department is required to adhere to:

- **Adherence to applicable laws.** The applying agency maintains the use of force policies that adhere to all applicable federal, state and local laws. *The City of Middleton Police Department is compliant with this in their handbook and policies.*
- **Prohibition of choke holds.** The applying agency maintains use of force policies that prohibit the use of choke holds, except in situation where the use of deadly force is allowed by law. *The City of Middleton has made the changes to their Handbook to be compliant with the state and federal requirements regarding choke holds. ** See attached copy of the amended handbook***

Motion: Motion by Council President Kiser to approve the changes to the Middleton Police Procedures Handbook to be in compliance with the Presidential Order. Motion seconded by Council Member O'Meara and approved unanimously.

4. **Consider authorizing Wendy Miles, City Treasurer to close all City accounts held at Pioneer Federal Credit Union and transfer all funds of approximately \$251,730.69 to LGIP—Wendy Miles**

Mayor Rule called the item and City Treasurer, Wendy Miles gave background on this account. She has tried since June 2019 to make updates to this account. She is requesting that the council make the decision to allow her to close the accounts held at Pioneer Federal Credit Union and transfer all funds of approximately \$251,730.69 to LGIP. The city will receive a better interest rate on the funds in the LGIP than they are currently receiving.

Motion: Motion by Council President Kiser to close all city accounts at Pioneer Federal Credit Union and transfer all funds of approximately \$251,730.69 to LGIP. Motion seconded by Council Member Huggins and approved unanimously.

5. Consider approving Middleton Road and Sawtooth Lake Roundabout Supplement No. 2 in an amount not to exceed \$39,900.00– Rachel Speer

Mayor Rule called the item. City Engineer Rachel Speer presented the preliminary design for Middleton Road and Sawtooth Lake Road Roundabout Supplement No. 2. The city learned at a recent meeting with ITD that they will be cutting off access to Highway 44 with their construction project. The mayor stated that the economic impact to Middleton if this were to happen would be severe. The proposed Roundabout would solve this issue for the city by providing a feasible access from that area. Transportation engineer, Joel Grounds has begun preliminary drafts of the proposed roundabout. City Engineer, Rachel Speer requested that the city approve spending up to \$39,900.00 for Joel Grounds to proceed.

Motion: Motion by Council President Kiser to approve proceeding with the proposed Middleton Road/Sawtooth Lake Road Roundabout and allow an expenditure of up to \$39,900.00 for design expenses. Motion seconded by Council Member O'Meara and approved unanimously by roll call vote.

6. Consider approving contract with LHTAC for S. Cemetery Road from State Hwy 44 to Willow Creek, a federally funded roadway connection and single span bridge over Willow Creek in the amount of TBD. – Rachel Speer

Mayor Rule called the item. Rachel Speer reported that LHTAC did not provide the contract paperwork. She requested that the item be tabled until the next city council meeting.
*Exhibits 1 & 2

Motion: Motion by Council President Kiser to table this until LHTAC contract is available for presentation at the next meeting. Motion seconded by Council Member O'Meara and approved unanimously by roll call vote.

7. Consider approving Mayor's reappointment of Rob Kiser and Brett Bishop to the Middleton Urban Renewal Agency Board.

Mayor Rule called the item. The mayor requested council action to reappoint Rob Kiser and Brett Bishop to the Middleton Urban Renewal Agency Board.

Motion: Motion by Council President Kiser to approve reappointment of Brett Bishop and himself to the Middleton Urban Renewal Agency Board. Motion seconded by Council Member Huggins and approved unanimously.

8. Consider approving Valhalla Country Estates Final Plat No. 2 bonding in the amount of \$37,267.50 for weather related items and fencing. –Bruce Bayne.

Mayor Rule called the item. Bruce Bayne presented the bonding request. The request is to allow for the contractor to postpone weather related items and fencing. The bonded amount is approximately 150% of the current estimated cost of the items.

Motion: Motion by Council President Kiser to approve Valhalla Country Estates Final Plat No. 2 bonding in the amount of \$37,267.50 for weather related items and fencing. Motion seconded by Council Member Garner and approved unanimously

9. Consider approving Valhalla Country Estates No. 2 Final Plat –Bruce Bayne

Mayor Rule called the item. Bruce Bayne presented the Valhalla Country Estates No. 2 Final Plat for approval by the council. Exhibit 3.

Motion: Motion by Council President Kiser to approve Valhalla Country Estates No. 2 Final Plat as presented. Motion seconded by Council Member Garner and approved unanimously by roll call vote.

10. Consider approving West Highland No. 11 Final Plat –Bruce Bayne

Mayor Rule called the item. Bruce Bayne presented the West Highland No. 11 Final Plat for approval by the council. Exhibit 4.

Motion: Motion by Council President Kiser to approve West Highland No. 11 Final Plat as presented. Motion seconded by Council Member Garner and approved unanimously by roll call vote.

Public Comments, Mayor Comments, Council Comments:

Mayor Comments:

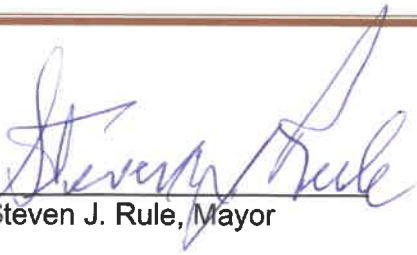
- Mayor Rule reported that progress is being made at Mill Slough they are actively working towards placement of a bridge and the weather has been cooperating so that they currently are ahead of schedule on the project.
- Construction on the new council chambers at city hall is proceeding. The city staff is working on this project as they have time. The council seating area is being constructed and awaiting countertops.
- The auction for the Meadow Park Lot was held on January 20, 2021 at 11:00 a.m. The bidding opened at \$150,000.00. The property was sold to Hubble Homes for \$310,000.00. Currently the city has approximately \$810,000 in revenues to proceed with the Hartley/Highway 44 light. The estimated cost of the light is currently \$900,000.00.
- The city is reorganizing personnel. Bruce Bayne has been carrying an extremely large workload which the city is working to divide amongst new employees. Bruce will be the Public Works Director for the City of Middleton. The city has hired Wendy Howell as a City Planner. Ms. Howell will be bringing a great deal of experience to the city from her experience in planning from other agencies including, Canyon County, City of Middleton and City of Kuna. We are fortunate to have her joining our staff.


City Administrator Comment

Becky Crofts reported that the new police officer Codi Santana was involved in a head-on collision last week while off-duty. He was hit by a drunk driver and was able to secure the scene until emergency personnel and law enforcement arrived. The city is fortunate to have Officer Santana join our Police Department.

Adjourn: Mayor Rule adjourned the meeting at 6:37 p.m.

ATTEST:


Steven J. Rule, Mayor


Rhonda Case, Deputy Clerk
Minutes Approved: February 3, 2021

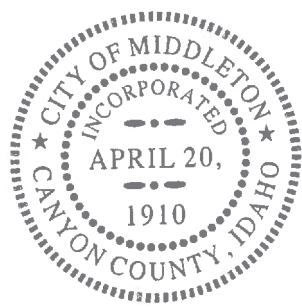


EXHIBIT 1

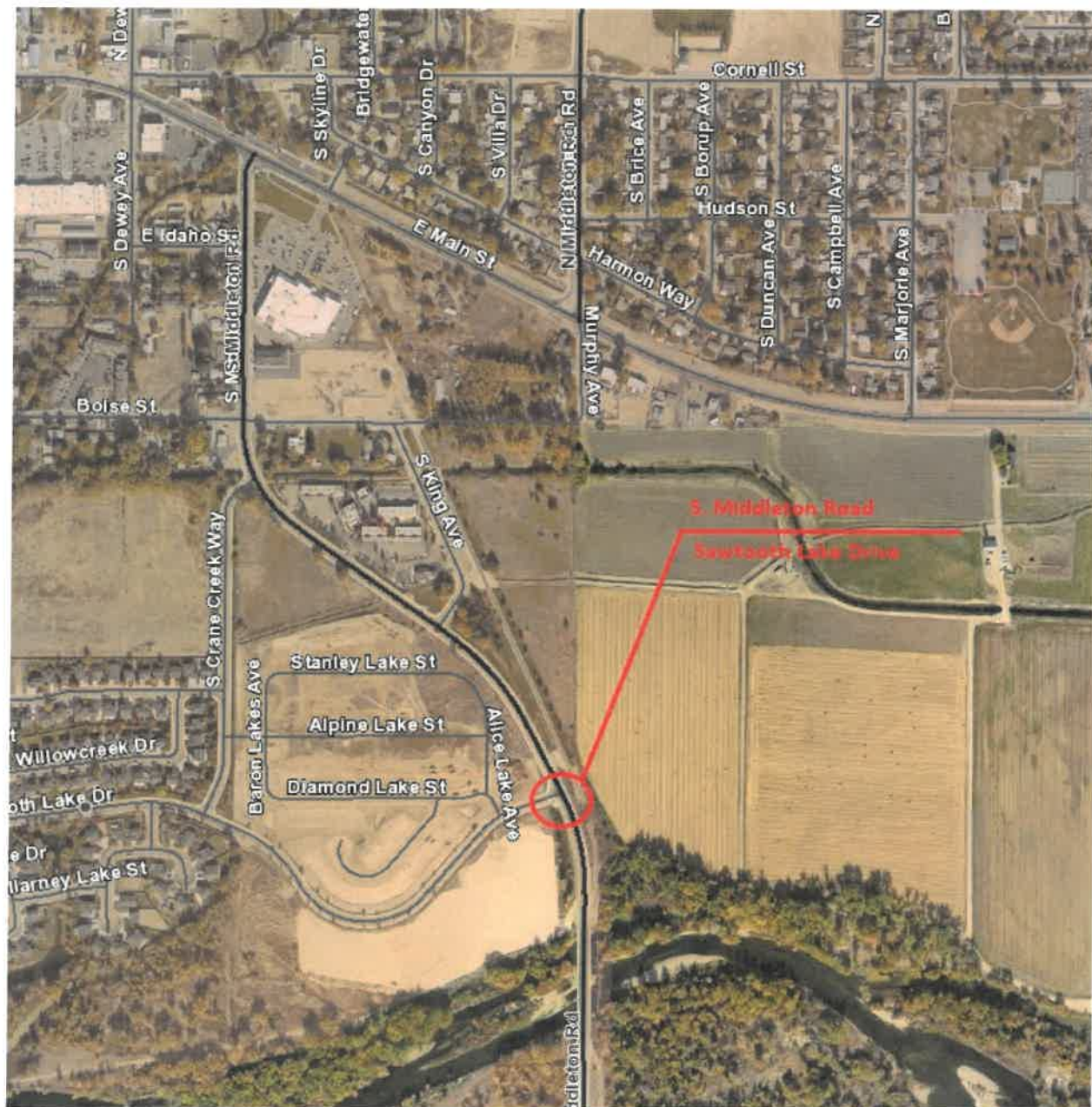


EXHIBIT 2

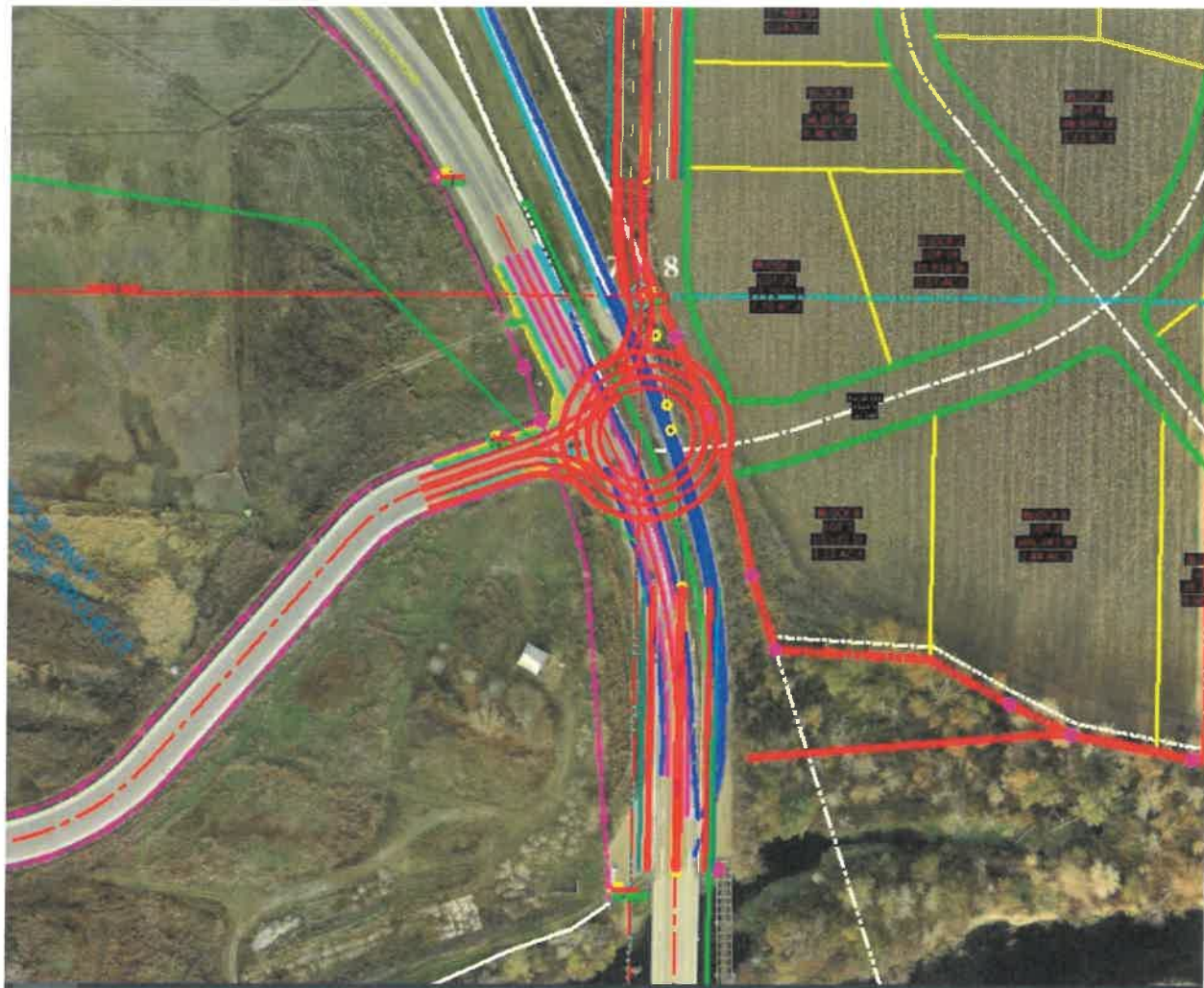


EXHIBIT 4

