
**MIDDLETON CITY COUNCIL
FEBRUARY 17, 2021**

The Middleton City Council meeting on February 17, 2021 was called-to-order at 5:33 p.m. by Mayor Rule.

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

Pledge of Allegiance, Invocation: Pastor Seventh Day Adventist Church – Steve Echelmier.

Action Items

A. Approve Amended Agenda

Motion: Motion by Council President Kiser to approve the Amended Agenda as posted February 16, 2021 at 10:00 a.m. Motion seconded by Council Member Garner and approved unanimously.

Information Items

1. Retail Sale of Liquor by the Drink – Tyler Hess

Tyler was not present, so item was moved to end of meeting.

Action Items

3. Consider approving increase to Idaho Power Customer Cost Quote for power to irrigation pump at 631 Crane Creek Way in the amount of \$681.00. – Bruce Bayne

Mayor Rule called the item and President Kiser explained that City Staff was able to get this increase waived. This will change the accounts payable number to be approved, thus the reason for bringing this item up out of order.

Motion: Motion by Council President Kiser to deny approving increase to Idaho Power Customer Cost Quote for power to irrigation pump at 631 Crane Creek Way in the amount of \$681.00. Motion seconded by Council Member O'Meara and approved unanimously.

1. Consent Agenda (items of routine administrative business)

a. Consider approving minutes for Council's January 20, 2021 regular meeting.

(Clerical Note: Minutes provided for Council to review in the packet and provided to the public were from February 3, 2021 regular meeting, not January 20, 2021.)

b. Consider ratifying February 12, 2021 payroll in the amount of \$82,410.08 and accounts payable thru February 8, 2021 in the amount of \$209,066.23.

c. Consider approving FCO for Middleton Industrial Park No. 2.

Mayor Rule called the items. Council President Kiser explained the new accounts payable number is \$208,385.23 due to the denial of the increase to Idaho Power. He also explained that about \$70,000 of the total is reflective of pass through accounts such as Republic Services and Impact Fee agreements with Middleton Fire and Caldwell Urban Fire that the City is not incurring additional expenses. Therefore, the total AP number is not a true accurate statement of what money the City is spending.

Motion: Motion by Council President Kiser approve Consent Agenda Items a, b and c. Motion seconded by Council Member Huggins and approved unanimously.

2. Consider approving Stonehaven Subdivision No. 4 Final Plat – Roberta Stewart

Mayor Rule called the item and City Planner Roberta Stewart said this item is not ready for approval. Council President Kiser asked that she convey to the applicant that it will go back on the agenda for March 3, 2021 council meeting.

Motion: Motion by Council President Kiser to move consider approving Stonehaven Subdivision No. 4 Final Plat to the March 3, 2021 regular meeting. Motion seconded by Council Member Garner and approved unanimously by Roll Call Vote.

4. Consider approving a quote from Zenner for \$41,835.00 which is a part of the Zenner Meter city wide upgrade previously approved in the FY21 Budget. – Bruce Bayne

Mayor Rule called the item and Public Works Director Bruce Bayne explained that this quote is part of the amount for Zenner that was already approved in April for the FY21 Budget as part of the city-wide meter upgrade. This upgrade will allow for real time water usage of residents to be gathered, thus providing detection of leaks and other potential problems in a timelier fashion.

Motion: Motion by Council President Kiser to approve a quote from Zenner for \$41,835.00 which is a part of the Zenner Meter city wide upgrade previously approved in the FY21 Budget. Motion seconded by Council Member Huggins and approved unanimously.

5. Consider approving a quote from AME Electric for Water Meter Electrical for SCADA Upgrades in an amount not to exceed \$9,700.00. – Bruce Bayne

Mayor Rule called the item and Public Works Director Bruce Bayne explained that this provides the electrical for the AC repeaters (which is part of the Zenner upgrade) to relay the data back to the meter reading system.

Motion: Motion by Council President Kiser approve a quote from AME Electric for Water Meter Electrical for SCADA Upgrades in an amount not to exceed \$9,700.00. Motion seconded by Council Member O'Meara and approved unanimously.

6. Approve quote for new sound system for council chambers from *Committed Caseworks and Events, LLC* for an amount of \$13,639.20. – Mayor Rule

Mayor Rule called the item and explained the new council chambers at City Hall are almost complete. This quote is to install the new sound system, which includes video, speakers, mixers and better technology than what the City currently has available at the Trolley Station. Staff requested 3 bids and only got 2 back. This quote is the least expensive with the other quote coming in at about \$7,000 more. Council President Kiser said that he is very impressed with the work of staff and in particular Art Hill who has constructed so much of that room.

Motion: Motion by Council President Kiser to approve quote for new sound system for council chambers from *Committed Caseworks and Events, LLC* for an amount not to exceed \$13,639.20. Motion seconded by Council Member Huggins and approved unanimously.

Information Item:

1. Retail Sale of Liquor by the Drink – Tyler Hess

Mayor Rule introduced the item and explained there is a process to get this item on the ballot. He introduced Tyler Hess who is a business owner and developer in the area. Tyler said for the record he does not drink. He shared that typically there is a rule in economics where a city should have 80% residential development and 20% commercial. This allows the tax base to shift so that commercial pays the majority of the taxes. Right now, Middleton has about a 95% residential to 5% commercial split. In his discussions commercial businesses/restaurants interested in coming to Middleton, will not because retail sale of liquor by the drink is prohibited in the City of Middleton.

Mayor has talked with the City Attorney Chris Yorgason who has said this petition cannot be proposed by the City but needs to be brought forward from the private sector. The petition needs so many signatures, and then it can be put on a ballot and then needs a large percentage of the vote to have it pass. It is not a slam dunk by any stretch, but it is time it is tried.

Consensus from Council to approve the moving forward of a petition when it is brought by the private sector.

Public Comment:

Tootie Turner: 5 4th Street. – Asked if this is passed would it allow for the local bars to serve liquor by the drink?

Staff: Bruce Bayne: said one permit per 1500 people is allowed, which would allow about 7 businesses to get the permit based on the population of the City.

Jim “Tank” Taylor: 1052 Triumph Drive: He has no financial interest in business that sell liquor by the drink. Right now, people leave town to eat at restaurants, it would be better if they would stay in town to eat and perhaps get a drink. Right now Middleton has perhaps the nicest privately owned liquor store in the state. The big debauches’ is that you can’t get liquor by the drink, but and when State Liquor stores close at 7 p.m. Middleton’s is open until midnight. We are at the point where we need to move forward and allow these kinds of businesses or not, because Middleton is no longer Mayberry.

Public Comments, Mayor Comments, Council Comments:

Mayor Comments: There has been a lot of activity generated as the result of a yellow flyer that went out in the Middleton Lakes and Sawtooth Lakes neighborhoods. It has to do with the S. Cemetery Road extension and connection to Sawtooth Lake Ave. Some 11-12 years ago all due process was followed regarding this project. There was a plan put forth and hearings were held, plans were made, roads, bridges and crossings were engineered, and then it sat unfunded for over a decade. The City was able to get that kicked off and funded (credit to Bruce and Becky and all staff that has worked on it). He has received calls from residents. The information on the flyer represents that this road extension will become a bypass for all the traffic that goes up and down Hwy 44 and Middleton Rd. This is blatantly false and couldn’t be more misleading. There will be traffic (especially during school hours) that currently heads to Middleton Rd that will probably take this new route. Any traffic headed to Middleton or Star or Eagle will not be diverted through Sawtooth which is what is represented by this flyer. He thinks that the party

who put out the flyer got the alternative route/bypass from ITD confused with this road. The ITD bypass does divert all kinds of traffic coming east and heading west. That bypass is in proximity to these neighborhoods. The build out for that according to his best guess is 10 on the fastest track and 20-25 years in a more realistic time frame and factors in environmental studies, and the engineering, planning and funding that will also take years to complete. S. Cemetery Rd will also connect to River Park which will be a great asset.

Council President Kiser: The City in anticipation of the ITD bypass purchased the property north of Middleton Lakes (Crane Creek Park) and the property where the re-use farm is currently, understanding if the City had this property it does not need to purchase right-of-way from residents. Sawtooth Lake was designed, and dead ended with the idea that at some point in time it would connect with S. Cemetery Rd. This is also why on Sawtooth Lake Ave, there is not a driveway that comes off there. Residents turn into their subdivisions to get to their driveways, because before Middleton Lakes came in, this was in the works and was going to happen. When all this went through a long time ago, it made so much sense for the City of Middleton to have this federally funded program right here for this to happen. The ITD bypass has been talked about since the dawn of time and when it will happen, he doesn't know. Residents need to understand that even before Mayor Rule's time, the City was looking to acquire pieces of ground in anticipation of the ITD bypass coming in at some point in time.

Public Comment:

Souix Daines: 990 S Hebgon Lake Dr: She is the person who put the yellow flyer out. She went down to planning and zoning when she saw this going in. She has the map showing the ITD bypass going behind her home, but she also sees that is not going to be done for a long time. She had asked where the speed bumps will be, not if, but where. It is her belief that as soon as people figure out, they can miss the light and drive down Sawtooth and avoid downtown it will become a "bypass". Her request is if this is not a bypass, put speedbumps curb to curb and slow down people's thoughts from making this a bypass.

Mayor Rule: Speed bumps or other traffic control measures were not budgeted in this original design. They are not going to be budgeted or engineered until after this phase is done and paid for. Next year the City can take up whether to put speed bumps on an access road like that. Cemetery is an access road and he doesn't care for the speed bumps on it. But traffic controls for S. Cemetery and Sawtooth were not budgeted and paid for so it will have to be brought up during the next budget cycle.

Council Member Huggins: She lives on probably the busiest part of Cemetery Road. When she moved there, there was no traffic. The traffic now is busy 2 times during the day, Monday – Thursday while school is in session. It is a busy road, but the traffic is not as bad as she thought it would be. That is her personal experience.

Council Member O'Meara: He is personally opposed to the speed bumps and as a Commissioner for the Fire District he hates them and there is no way to move emergency equipment across the speed bumps at the required speeds to get response times that are needed. He will never vote for another speed bump within this community. However, he is not opposed to lighted crossings, stoplight type fixtures for pedestrians, or other traffic control options. But he will never vote for a speed bump unless it is to remove them.

Public Comment:

Janice Fallert: 429 S Paradise Ave: She has the MOU that was put in place by Mayor Taylor to plant trees behind her house. She would like the trees to be planted or a fence built to provide privacy to hers and her neighbor's property as identified by the MOU.

President Kiser said he remembers that Mayor Taylor promised that the trees would be planted. Mayor Rule said this is now on the City's to do list.

Tootie Turner: 5 4th Street: Would like a newsletter in the bills again. She would also like the cops to patrol her street more. She asked why doesn't Middleton have a place for Covid vaccinations? Due to how many elderly people that live here, is there a way to get a list of volunteers of people who are willing to help neighbors.

Mayor Rule said the City could probably do a newsletter again. He directed her to call the Police Chief and let him know she would like more patrol on her street. As far as Covid Vaccinations, Southwest District Health directs all of that. He will ask and get back with her on that.

Sally Negelski: 1121 Triumph Dr. The senior citizens are not looking for a free handout.

President Kiser said on Facebook sometimes there are people that offer help. Try the Boy Scouts as well.

Janice Fallert: A lot of people in her age demographic don't do Facebook or smart phone technology.

Mayor Rule said he would talk to Scott Brock of the Middleton Gazette to see if a spot for service numbers could be printed in the paper.

Mike Graefe: 1889 Ridgeway – Would like a newsletter in the water bills. He supports Liquor by the drink and thinks it would be a good thing.

Souix Danes: 990 S. Hebgon Lake Ave – In a lot of other towns the Library is the place for information for services provided.


Adjourn: Mayor Rule adjourned the city council meeting at 6:56 p.m.

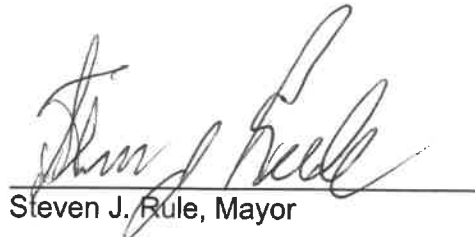
Developer's Workshop – Roberta Stewart

A developer's workshop led by City Planner Roberta Stewart was held.

The workshop ended at 7:50 p.m.

ATTEST:


Jennica Reynolds, Deputy Clerk
Minutes Approved: March 3, 2021


Steven J. Rule, Mayor

