
**MIDDLETON CITY COUNCIL
MARCH 3, 2021**

The Middleton City Council meeting on March 3, 2021 was called-to-order at 5:35 p.m. by Mayor Rule.

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

Pledge of Allegiance, Invocation: Jennica Reynolds.

Action Items

A. Approve Amended Agenda

Motion: Motion by Council President Kiser to approve the Amended Agenda as posted March 2, 2021 at 11:00 a.m. Motion seconded by Council Member Garner and approved unanimously.

Information Items

1. Presentation by Don Miller—Don Miller was not present. No presentation was given regarding the Mason Creek water project.

Discussion Items:

1. Proposed K9 Police Program—Chief Takeuchi/Jacob Fowler

- a. K9 Policy—a draft of a K9 Policy was presented. According to Chief Takeuchi the draft would need to be reviewed and revised by legal counsel before being finalized.
- b. Officer Training—a presentation was given by Jacob Fowler from Blue Line K9 Training, regarding how an officer would be trained with the dog and estimates were given on the cost of the dog and training of the officer. The estimate was between \$10,000-13,000 for the purchase of the dog and initial training.
- c. Equipment—the city would need to have a vehicle adapted with equipment to transport and care for the dog. Seageant Hilkey estimated the cost of adapting the vehicle would be \$5000.
- d. Dog Donation—there are grants available through the National Police Dog Foundation that the city may be able to take advantage of to cover the cost of the dog.
- e. Dog Training—initial training of the handler (officer) and the dog would be included in the \$10,000-13,000. After that the handler/dog would be required to document 16 hours of training per month. This training could be done in-house or paid training with Jacob Fowler's company.

Council Input: Council members requested that the department bring them a bottom-line amount and full cost analysis of having a K9: including training, vet bills, extra pay for handler, all equipment for vehicle, training and maintaining K9.

2. Proper workshop Process—City Attorney, Chris Yorgason

City Attorney, Chris Yorgason, educated the council and public regarding the proper procedures for having workshops. First, he emphasized that the workshops need to be open to the public. This doesn't mean that the public must be allowed to speak or participate but they must be allowed to observe. The mayor has the authority to stop a workshop at any time if he feels it is necessary. Future workshops will strive to have a third party present the information.

3. Greater Middleton Parks & Recreation District/Viper Park—Tim O'Meara

Tim O'Meara in his role as, Executive Director of the Greater Middleton Parks and Recreation (GMPRD) District presented the council with a draft proposal for the city to convey Viper Park to the GMPRD. The agreement would be that the park be made usable within three years.

Council/Mayor Input: Council Member Kiser pointed out that GMPRD has had other parks that have not been completed in a timely manner—he mentioned Foote Park as an example. O'Meara explained that the GMPRD didn't own the entire area, so it took longer to develop it. Several council members and the mayor felt that entertaining a long-term lease agreement with GMPRD would be an option that they would prefer over giving or selling the property. The city's legal counsel recommended a long-term lease with yearly reviews by both parties. Executive Director, O'Meara is going to take this recommendation to his board and get back to the city with their response.

Action Items

1. Consent Agenda (items of routine administrative business)

a. Consider approving minutes for Council's February 3, 2021 regular meeting and February 17, 2021 regular Meeting.

b. Consider ratifying February 26, 2021 payroll in the amount of \$114,910.51 and accounts payable thru February 24, 2021 in the amount of \$218,220.43.

Mayor Rule called the items.

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

2. Consider approving closing west half of N Piccadilly Ave for Middleton Market Thursdays from 2:30 p.m. to 8:30 p.m. during the market season. — Jennica Reynolds

Mayor Rule called the item and Jennica Reynolds presented a proposed new map for the Middleton Market for 2021. The map represented closing off a portion of Piccadilly Avenue in order to park food trucks along one side of the road (see attached diagram). The owner of Kravz and the law firm, Dave Miller, spoke and voiced his concerns regarding safety and the impact on his businesses. The council discussed options for a temporary solution for this year and public works will meet with Jennica to find a more permanent solution. One suggestion that will be explored is having the food trucks park on the sidewalk/grass adjacent to Piccadilly Avenue. The portion on the grass will be covered with pieces of plywood to protect the grass and provide a more solid surface for the food trucks to park on.

Action: Motion by Council President Kiser to table this item until next meeting. Requesting that a definitive idea of the best solution with to scale depictions be brought to the council for review and a decision. The motion was seconded by Council Member Garner and approved unanimously.

3. Consider approving bond for Crescent Lakes in the amount of \$3000.00 for asphalt striping at intersection of Hwy 44 and Kingsbury Road. —Roberta Stewart

Mayor Rule called the item and Roberta Stewart informed the council that the bond for \$3000 was for asphalt striping and was sufficient to cover the expense. The contractor was unable to do this previously due to the weather.

Motion: Motion by Council President Kiser to approve the Crescent Lakes bond of \$3000.00 for asphalt striping at intersection of Hwy 44 and Kingsbury Road. Motion seconded by Council Member Huggins and approved unanimously.

4. Consider approving Crescent Lakes Final Plat. – Roberta Stewart

Mayor Rule called the item and Roberta Stewart presented a diagram of the plat for approval. She stated that all of the requirements have been met for approval.

Motion: Motion by Council President Kiser approve the Final Plat for Crescent Lakes. Motion seconded by Council Member Huggins and approved unanimously.

5. Consider approving bond for Valhalla Country Estates No. 4 in the amount of \$7,425.00 for asphalt and curb repair. – Roberta Stewart

6. Consider approving Valhalla Country Estates No. 4 non-refundable payment in the amount of \$5,000.00 to cover thrust blocks for water lines. – Rachel Speer

7. Consider approving Valhalla Country Estates No. 4 Final Plat. – Roberta Stewart

Items 5-7 were discussed together because they all related to Valhalla Country Estates No. 4. Mayor Rule called the item and Roberta Stewart informed the council of the need for the bond for Valhalla Country Estates No. 4 to repair the asphalt and curbs. The work was not completed previously due to weather restrictions.

Mayor Rule called City Engineer—Rachel Speer; she updated the council on the need for the non-refundable payment for thrust blocks. The developer was required to install thrust blocks on the waterlines and verify with the city public works or by photos that this task had been completed. This was not done by the developer. The \$5000 was to cover the cost of repairs if the line were to fail due to improper installation of the thrust blocks.

Council/Mayor Input: The council discussed that it may be much more expensive than the bond amount of \$5000 if the thrust blocks were not installed or if they were installed incorrectly. They felt that the developers must meet all the standards required by the City of Middleton.

Motion: Motion by Council President Kiser to table items 5, 6 & 7 with regards to Valhalla Country Estates No. 4 non-refundable bond for \$5000 and the approval of the final plat to a date to be determined. The developer must prove and verify that the thrust blocks are in place prior to the council's consideration of approval of the final plat. Motion seconded by Council Member Garner and approved unanimously.

This agenda item was discussed with items 5 and 6. The city tabled approval of the final plat per motion under item 5.

8. Consider approving Scope of Work from Precision Engineering, Project No. 21005 for 30% design of the Middleton Road and SH44 Intersection in an amount not to exceed \$15,660.00. – Becky Crofts

Mayor Rule called the item and Becky Crofts presented a summary of the budget for transportation expenses and revenues (actual and projected) to date. The city will be amending the budget to reflect additional revenue into the city from various projects and to also allocate the distribution of these revenues. There are potential grant and matching funds available from funding agencies for “shovel ready” projects. City of Middleton projects addressed in items 8, 9, 10 & 11 are in the design stages the completion of these designs would help them to move up the priority agency’s funding list.

Motion: Motion by Council President Kiser to Scope of Work from Precision Engineering, Project No. 21005 for 30% design of the Middleton Road and SH44 Intersection in an amount not to exceed \$15,660.00. Motion seconded by Council Member O’Meara and approved unanimously.

9. Consider approving Scope of Work from Precision Engineering, Project No. 16008 Supplemental No. 3 for Middleton Road and Sawtooth Lake Roundabout in an amount not to exceed \$161,830 for 100% design. – Becky Crofts

Motion: Motion by Council President Kiser to approve Scope of Work from Precision Engineering, Project No. 16008 Supplemental No. 3 for Middleton Road and Sawtooth Lake Roundabout in an amount not to exceed \$161,830 for 100% design. Motion seconded by Council Member O’Meara and approved unanimously.

10. Consider approving Supplemental to 100% design Scope and Cost from T-O Engineers of straightening Middleton Road project in an amount of \$35,000.00. – Becky Crofts

Motion: Motion by Council President Kiser to approve Supplemental to 100% design Scope and Cost from T-O Engineers of straightening Middleton Road project in an amount not to exceed \$35,000.00. Motion seconded by Council Member O’Meara and approved unanimously

11. Consider approving Supplemental to October 20, 2020 Scope and Cost from T-O Engineers of Cemetery Road Phase 2 in an additional amount of \$5,000. – Becky Crofts

Motion: Motion by Council President Kiser to approve Supplemental to October 20, 2020 Scope and Cost from T-O Engineers of Cemetery Road Phase 2 in an additional amount of \$5,000. Motion seconded by Council Member O’Meara and approved unanimously.

Public Comment:

Jim Taylor 1052 Triumph—he would like to compliment the council for holding developers accountable for meeting the standards set forth by the city. Jim also offered a couple of comments regarding the hiring of a police K9. 1. A dog would be a very useful tool in detecting drugs which is becoming more and more of an issue. 2. He recommends that the city consider using a career officer (5 or more years’ experience) so that they prove to be more vested in the community if this is their “home”.

Mike Graefe 1889 Ridgeway—he had a question for the council regarding Stonehaven. The previous minutes indicated that the item would be moved to the March 3, 2021 meeting and it wasn't on this agenda. Response: The item was not ready per the developer. The developer was required to meet certain criteria set forth by the City of Middleton prior to being placed on an agenda.

Public Comments, Mayor Comments, Council Comments:

Mayor Comments:

- The Knife River contract for gravel is with them. The city made a few changes with regards to allowing Knife River to have 24 hour access to the site. The city proposed that Knife River access the site via Cemetery Road.
- The city is still receiving a few complaints from Sawtooth Lake Drive. The contractors are working diligently to limit pollution/noise, etc.
- Liquor by the drink petitions are circulating.
- ITD Highway 44 plans are showing a roundabout. The city is still discussing but holding firm.
- The Mill Creek Slough crossing is going very well
- Next city council meeting on March 17, 2021 will be in the new council chambers at City Hall.

Council President Kiser:


- Highly encourage all council members to go look at the new council chambers. Kudos to the staff who have worked on the project.
- Sawtooth Lake project is moving along nicely. It is an unbelievable project and we are blessed with great employees.

Council Member O'Meara:

- He would like to reiterate the comments made regarding how nice the new council chambers looks.
- S. Cemetery Road projects looks as if it is coming along beautifully. The staff is doing a "bang up" job.
- Kudos to the council on their decision regarding the Valhalla project it is best to do it correctly.

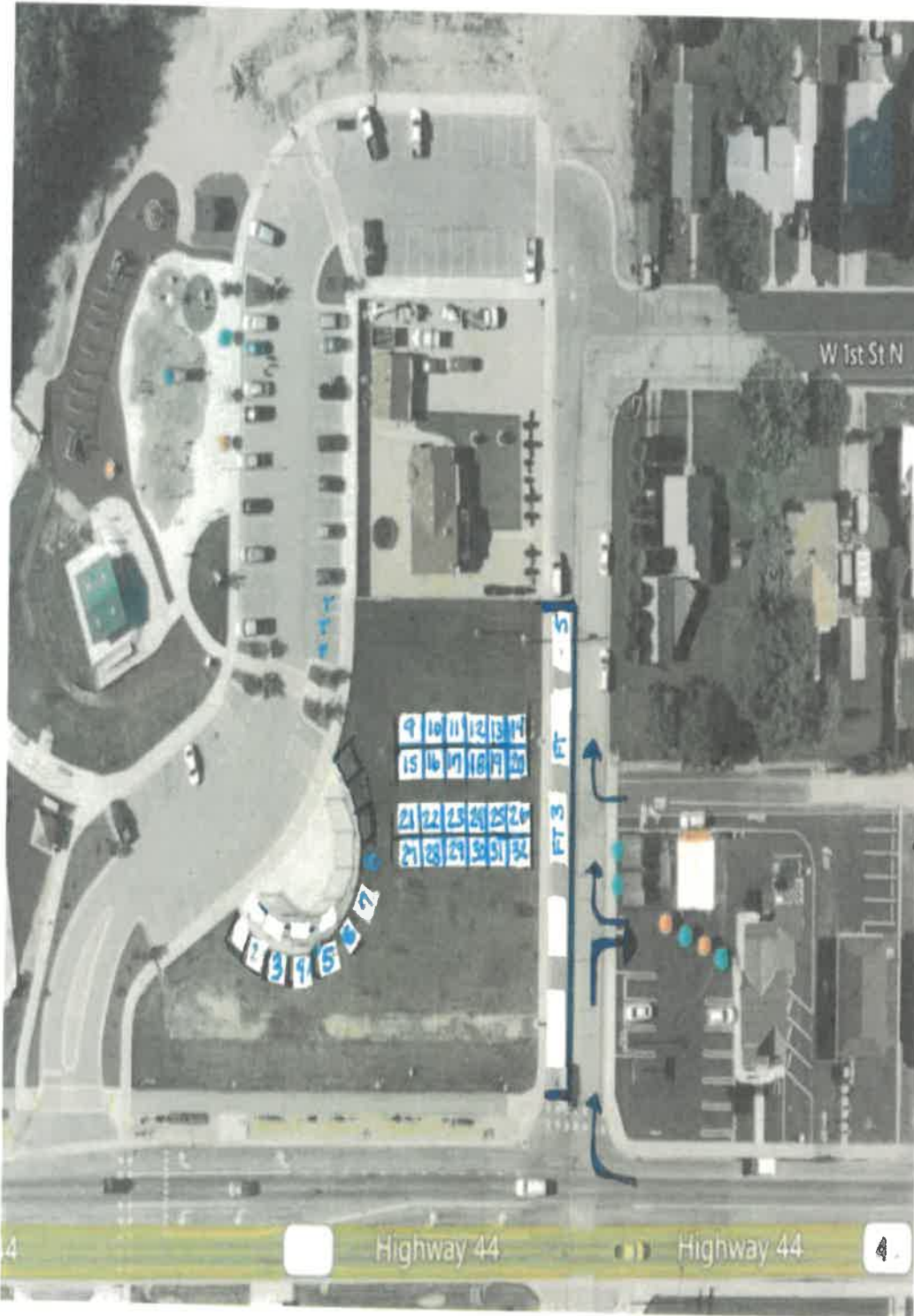
Adjourn: Mayor Rule adjourned the city council meeting at 8:24 p.m.

ATTEST:


Rhonda Case, Deputy Clerk
Minutes Approved: March 17, 2021


Steven J. Rule, Mayor





PROPOSED
MIDDLETON
MARKET
2021
May 27 -
Sept 9
Thurs
2:30 -
8:30 PM



Public Comment Sign In

March 3 2021 - City Council Meeting

	Name	Address	Phone or Email	Topic/Agenda Item #
1	Elwyn Butler	PO Box 683 Middleton	208-739-8668	Crescent Lake
2	MIKE GRUENE	1889 RIDGE WAY MIDDLETON	208-529-6557	Public comment
3	Jim Taylor	1052 Tivoli	2086028894	Public
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