
**MIDDLETON CITY COUNCIL
NOVEMBER 2, 2022**

The Middleton City Council Meeting was called to order on November 2, 2022, at 5:43 p.m. by Mayor Steve Rule.

Roll Call:

City Council: Council Members O'Meara, Council Member Huggins and Murray were present. Council President Kiser was not present.

Mayor Steve Rule, City Attorney Douglas Waterman, City Administrator Becky Crofts, Planning Official Roberta Stewart, Public Works Director Jason Van Gilder and Deputy Clerks Jennica Reynolds and Amber Day were present.

Pledge of Allegiance, Invocation: Jed Wyatt

Action Items

A. Approve Amended Agenda

Motion: Motion by Council Member Huggins to approve the amended agenda as posted on October 31, 2022, at 3:30 p.m. Motion seconded by Council Member O'Meara and approved unanimously by all the board members present.

Information Item

1. Jim Taylor-Signs

Mayor Rule invited Jim Taylor to the stand to discuss his information item. Jim requested that the Dead-End signs that he privately purchased be allowed to be posted on the city posts. The city took it down, so he requested a variance to post it back up.

No action was taken by the Council; however, they did authorize City Staff to handle this request administratively.

Action Items:

1. Consent Agenda (items of routine administrative business) (**Action Items**)
 - a. Consider approving minutes for City Council October 19, 2022, Regular meeting.
 - b. Consider ratifying payroll for October 21, 2022, in the amount of \$ 146,556.62.
 - c. Consider approving accounts payable through October 31, 2022, in the amount of \$38,212.19.
 - d. Consider approving the Findings of Facts, Conclusions of Law & Order for the Pheasant Heights Subdivision.

Mayor Rule called the items and Council Member Huggins stated she had reviewed the accounts payable. No questions by Council.

Motion: Motion by Council Member Huggins to approve Consent Agenda Items 1 a-d. Motion seconded by Council Member O'Meara.

2. Swearing in of new police Officer Casey Camp and Alexander Owen. – Mayor Rule

Mayor Rule called and Swore in Officers Casey Camp and Alexander Owen.

Mayor Rule called for a brief break at 5:57 p.m. and the meeting resumed at 6:02 p.m.

3. ~~Consider approving the Final Plat for West Highlands Ranch #17 and request for waiver of fence and berm configuration. — Roberta Stewart (removed from the agenda)~~
4. **Public Hearing:** Application by Patrick Connor/Hubble Homes for preliminary plat and development agreement modification/termination with respect to the Waterford East Subdivision located at 0 Foothills Road (Tax Parcel Nos. R338540 & R33854011). The proposed preliminary plat consists of 164 single family home lots, 14 common lots, and 6 private lane lots on approximately 61 acres of vacant land zoned City R-3 (Single-Family Residential). – Roberta Stewart

Mayor Rule opened public hearing at 6:02 p.m.

Mayor Rule called the item and Planning Official Roberta Stewart spoke and asked that Patrick Conner from Hubble Homes approach for comment.

Patrick Conner requested to continue the public hearing to the next City Council meeting on 11/16/2022 at which time all Council Members could be present.

Motion: Motioned by Council Member Huggins to continue public hearing to November 16, 2022, for Application by Patrick Connor/Hubble Homes for preliminary plat and development agreement modification/termination with respect to the Waterford East Subdivision located at 0 Foothills Road (Tax Parcel Nos. R338540 & R33854011). Motion seconded by Council Member O’Meara.

Roll Call: Council Member Huggins – yes, Council Member Murray -yes, and Council Member O’Meara-yes. Motion approved unanimously.

5. **Consider the Request of IAG Hidden Mill, LLC for Reconsideration of City Council’s denial of the preliminary plat application for Hidden Mill Subdivision. – Attorney Louis Spiker**

Mayor Rule called item and Attorney Louis Spiker gave his presentation to request reconsideration of City Council’s denial of the preliminary plat application for Hidden Mill Subdivision.

City Council members discussed presentation.

Motion: Motioned by Council Member Huggins to Approve the Request of IAG Hidden Mill, LLC for Reconsideration of City Council denial of the preliminary plat application for Hidden Mill Subdivision. Motion seconded by Council Member O’Meara.

Roll Call Vote: Council Member Huggins – yes, Council Member Murray - yes, and Council Member O’Meara - yes. Motion approved unanimously.

6. Consider a request from 208 Burger Q to reconsider a beer and wine license. – Representative from 208 Burger Q tabled from City Council Meeting 10-19-2022.

Mayor Rule called item and Rebecca Martin presented.

Mayor asked about measurements from business to LDS Church.

City Council members discussed length between church and business, if serving outside, and annual approval of the license.

Becky Crofts informed council that license applications are due in May and effective June 1st and application will be pro-rated until June.

Motion: Motioned by Council Member Huggins to Approve the request from 208 Burger Q to reconsider a beer and wine license. Motion seconded by Council Member Murray

Roll Call Vote: Council Member Huggins - Yes, Council Member Murray -Yes, and Council Member O'Meara - No. Motion approved two to one.

7. Consider adding CMWM Plumbing; WSP USA, Inc.; and Parr Excellence to the City's on-call services roster. – Jason VanGilder

Mayor Rule called item and Jason VanGilder asked City Council to consider adding CMWM Plumbing, WSP USA, Inc, and Parr Excellence to the on-call service roster.

Motion: Motioned by Council Member Huggins to approve adding CMWM Plumbing; WSP USA, Inc.; and Parr Excellence to the City's on-call services roster. Motion Seconded by Council Member O'Meara and approved unanimously.

8. Consider Approving Settlement and Mutual Release Agreement with H5 Landholdings 6, LLC, Canyon County Case No. CV14-21-1056, and authorize Mayor to execute the same. – Mayor Rule

Mayor Rule called item and asked council to approve settlement and Mutual Release agreement with H5 Landholding 6, LLC and authorize Mayor to execute the same.

Motion: Council Member Huggins motioned to approve Settlement and Mutual Release Agreement with H5 Landholdings 6, LLC, Canyon County Case No. CV14-21-1056, and authorize Mayor to execute the same. Motion Seconded by Council Member O'Meara

Roll Call: Council Member Huggins – yes, Council Member Murray -yes, and Council Member O'Meara-yes. Motion approved unanimously

Mayor called for a brief break at 6:41 p.m. and the meeting resumed at 6:46 p.m.

9. Consider approving Resolution 477-22: A RESOLUTION OF THE MIDDLETON CITY COUNCIL, MIDDLETON, CANYON COUNTY, IDAHO, ADDING NEW ADDITIONAL CONSTRUCTION WALK THROUGH REINSPECTION FEE TO THE CITY'S FEE SCHEDULE; AND PROVIDING AN EFFECTIVE DATE. - Becky Crofts

Mayor Rule called item and Becky Crofts requested council to approve Resolution 477-22 official document to add a new additional construction walk through reinspection fee to the city's fee schedule and ask to be approved effective date as 11/02/2022.

Motion: Council Member Huggins motioned to approve Resolution 477-22 A RESOLUTION OF THE MIDDLETON CITY COUNCIL, MIDDLETON, CANYON COUNTY, IDAHO, ADDING NEW ADDITIONAL CONSTRUCTION WALK THROUGH REINSPECTION FEE TO THE CITY'S FEE SCHEDULE; AND PROVIDING AN EFFECTIVE DATE. Motion Seconded by Council Member O'Meara and approved unanimously.

Public Comments

David Richard and Jerry Enos attempted to speak regarding the Public Hearing that was continued to 11-16-2022. Mayor and Legal Counsel advised that no comment regarding the hearing could be made at this time.

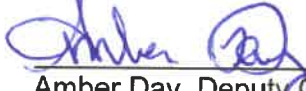
Mayor and Council Comments

Council Member Huggins asked if there is a deadline for the agenda information to be met when submitting something for the agenda.

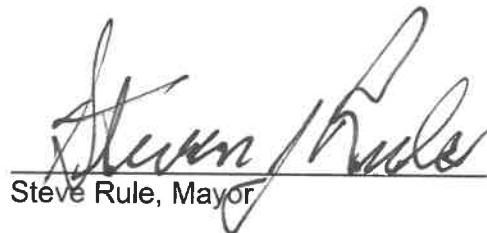
Mayor answered that everything is do Friday before city council meetings.

Adjourn: Mayor Rule adjourned the city council meeting at 7:00 p.m.

ATTEST:



Amber Day, Deputy Clerk
Minutes Approved: November 16, 2022


Steve Rule, Mayor



4) Application by Patric Connor/Hubble Homes preliminary plat and development agreement modification/termination with respect to the Waterford East

November 02, 2022 - City Council - Public Hearing

Please check

	Name	Address	Phone or Email	Please check			
				In Favor	Neutral	Opposed	Testify
1	Theresa Denham	mailing 16487 N Midland Blvd Middleton ID	208 50576 75	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2	Mary Batches	9381 Foshell Rd Middleton ID	740504 6550	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3	Patric Connor (Applicant)	701 S. Allen St. Meridian ID		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4	Kristi Cox	23162 Bradley Ashley Dr Middleton, Id	208-250-2712	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
5	Shawn Cox	23162 Bady Ashley Dr Middleton, Id	208-921-2081	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6	DAVID RICHARD	23161 BUSKIRK RD MIDDLETON ID	208 249 8020	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7	BRIAN BAYNE	9499 FOSHELL RD	208 509 7668	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8	Jerry ENOS	23024 BUSKIRK MIDDLETON, ID	208-866-1948	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
9		Added 11/16/22		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



Public Comment Sign In

City Council - November 02, 2022

	Name	Address	Phone or Email	Topic/Agenda Item #
1	DAVID RICHARD	23161 BUSKIRK		
2	JERRY BOLDS	23004 BUSKIRK		
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