
**MIDDLETON CITY COUNCIL
SEPTEMBER 20, 2023**

The Middleton City Council Meeting was called to order on September 20, 2023, at 5:30 p.m. by Mayor Steve Rule.

Roll Call:

City Council: Council President Kiser and Council Members Huggins, Murray and O'Meara were all present.

Mayor Rule, City Attorney Ms. Yett, City Administrator Ms. Crofts, Public Works Director Mr. Van Gilder, City Planning & Zoning Official Ms. Stewart, and Deputy Clerk Ms. Reynolds were present.

Pledge of Allegiance, Invocation: Mark Christiansen

Mayor Rule asked that item 1d from the consent agenda be moved to an action item.

Action Items

A. Approve Amended Agenda

Motion: Motion by President Kiser to approve the Amended Agenda posted September 18, 2023, 2:00 p.m. moving Consent Agenda item 1d to the Action items. Motion seconded by Council Member O'Meara and approved unanimously.

Information Item:

a. School student crossing options at Mill Creek and Heights Elementary Schools; 9th Street barrier. – Mr. Van Gilder

Mr. Van Gilder explained the school student crossing options as described in a memo to council (Exhibit 1)

b. Sidewalks at Hartley and Willis. – Ms. Crofts

Ms. Crofts gave a brief history of the sidewalk improvements in that area. She said she has reached out to Idaho Power about building sidewalks along the substation. She also reported that the 9th Street barrier is in the process of being removed.

c. Proposed City Council Comprehensive Plan Workshop October 18, 2023, 4:00-5:15 p.m. – Ms. Crofts

Ms. Crofts explained the purpose of the proposed workshop and wanted to make the public and Council aware of the date and time. Council Member Huggins asked that those running for office should receive an invitation as well.

Action Item:

1. Consent Agenda (items of routine administrative business)

- a. Consider approving minutes for City Council September 6, 2023, Regular meeting.**
- b. Consider ratifying payroll for September 8, 2023, in the amount of \$99,687.95.**
- c. Consider approving accounts payable through September 8, 2023, in the**

amount of \$625,082.60.

Mayor Rule called the item and President Kiser briefly reviewed the accounts payable with the Council.

Motion: Motion by President Kiser to approve Consent Agenda Items 1 a, b & c. Motion seconded by Council Member O'Meara and approved unanimously.

Action Items:

1d. Consider authorizing the Mayor to approve the purchase of meter replacement components from Zenner as described in their quote dated 9/13/2023 in the amount not to exceed \$25,942.51. – Mr. Van Gilder

Mayor Rule called the item and Mr. Van Gilder explained the request. The purchase has been appropriated in this year's budget, but because it is over \$5,000 it is brought before Council for approval.

Motion: Motion by President Kiser to authorize the Mayor to approve the purchase of meter replacement components from Zenner as described in their quote dated 9/13/2023 in the amount not to exceed \$25,942.51. Motion seconded by Council Member O'Meara and approved unanimously.

2. Consider authorizing the Mayor to amend the City's On-Call Professional Service Roster to include the following firm: Contract Land Services, LLC. – Mr. Van Gilder

Mayor Rule called the item and Mr. Van Gilder explained the request.

Motion: Motion by President Kiser to authorize the Mayor to amend the City's On-Call Professional Service Roster to include the following firm: Contract Land Services, LLC. Motion seconded by Council Member O'Meara and approved unanimously.

3. Consider authorizing the Mayor to execute a Task Order with Ardurra Group, Inc. (formerly T-O Engineering) to conduct seepage testing of the City's UV Lagoon in a lump sum not to exceed \$13,500. – Mr. Van Gilder

Mayor Rule called the item and Mr. Van Gilder explained this item needed to be tabled to the next meeting.

Motion: Motion by President Kiser table Action Item 3 to the October 4, 2023, regular meeting. Motion seconded by Council Member Huggins and approved unanimously.

4. Consider authorizing the purchase of two new police vehicles in the amount not to exceed \$122,170. – Chief Smith

Mayor Rule called the item and Chief Smith of the Middleton Police Department explained the request. The police department has not been fully staffed except for 8 days this fiscal year. As a result, the department has a surplus from budgeted salaries. He is asking that the Council approve those monies be used to purchase police vehicles. The Mayor has also asked that as backup, aging cars be repaired and kept with equipment to be used as a

“spare fleet” in the event of accidents or existing vehicles need repair.

Motion: Motion by Council President Kiser to authorize the purchase of two new police vehicles in the amount not to exceed \$122,170. Motion seconded by Council Member O'Meara and approved unanimously.

- 5. Consider authorizing the Mayor to purchase equipment necessary to install flashing beacons at the crosswalk adjacent to Mill Creek Elementary in the amount not to exceed \$11,001.28 as described in TrafficCalm's quote #13705TC dated September 11, 2023; and to purchase equipment necessary to install flashing beacons at the crosswalk adjacent to Middleton Heights Elementary in the amount not to exceed \$8,219.72 as described in TrafficCalm's quote #13709TC dated September 11, 2023. – Mr. Van Gilder**

Mayor Rule called the item and Mr. Van Gilder stated this is a follow-up to the information item. The City would like to go with this option for school crossings. The total amount would not exceed \$19,221.00.

Motion: Motion by President Kiser to authorize the Mayor to purchase equipment necessary to install flashing beacons at the crosswalk adjacent to Mill Creek Elementary in the amount not to exceed \$11,001.28 as described in TrafficCalm's quote #13705TC dated September 11, 2023; and to purchase equipment necessary to install flashing beacons at the crosswalk adjacent to Middleton Heights Elementary in the amount not to exceed \$8,219.72 as described in TrafficCalm's quote #13709TC dated September 11, 2023. Motion seconded by Council Member O'Meara and approved unanimously.

- 6. Public Hearing. Consider approving the applications by Patrick Connor/Hubble Homes for preliminary plat and Comprehensive Plan map amendment with respect to the Crossing South Subdivision located at 0 Purple Sage (Tax Parcel No. R37581012B0). - Ms. Stewart**

Mayor Rule opened the public hearing at 6:16 p.m.

Planning & Zoning Official Ms. Stewart presented a PowerPoint presentation of the staff report. (Exhibit 2)

Mayor Rule opened the public comment at 6:24 p.m.

Applicant: Patrick Connor gave a brief presentation of the project. (Exhibit 3)

No additional public comments.

Mayor Rule closed the public comment at 6:29 p.m.

Council Member Huggins said this type of project is what was expected when the property was put up for sale.

Motion: Motion by President Kiser to approve based on the findings of facts and conclusions of law as presented in the public hearing and staff report the applications by Patrick Connor/Hubble Homes for preliminary plat and Comprehensive Plan map amendment with respect to the Crossing South Subdivision. Motion seconded by Council Member Huggins and approved unanimously by Roll Call Vote.

Kiser – Yes, Huggins – Yes, Murray – Yes, O'Meara – Yes.

Mayor Rule closed the public hearing at 6:30 p.m. and called a brief recess.

Mayor rule resumed the meeting at 6:39 p.m.

7. Public Hearing: Consider approving an application by Joe Austin and Mark Butler for amended preliminary plat and development agreement modification with respect to the Willow Wood Estates Subdivision located at 0 Cemetery Road (Tax Parcel Nos. R37579001, R37579011A1 and R37579011). – Ms. Stewart

Mayor Rule opened the public hearing at 6:39 p.m.

Planning & Zoning Official Ms. Stewart presented a PowerPoint presentation of the staff report. (Exhibit 4) During the presentation she entered late exhibits into the record: Exhibit I and J.

Mayor Rule asked how a payment in lieu is tracked or held as opposed to a bond?

Ms. Stewart – The money is set aside in perpetuity, there is no future cost calculated like with a bond. Payment in lieu is accepted as the cost of construction today when the construction is not able to be completed through no fault of the developers own doing.

Murray asked what is the cost of the land, or the options of the Sweeny's selling the land? And what is problem between developer and Sweeny's?

Ms. Stewart – stated that would be a question for the applicant.

Mayor Rule opened the public comment at 6:57 p.m.

Applicant Representative: Mark Butler gave a brief presentation of the project. (Exhibit 5). He stated in answer to question about what broke down the conversation between the Austin's and Sweeny's. He said the land is not worth \$160K the Sweeny's are insisting. And Sweeny's will not allow anything to be done on their property, and as a result the Austins cannot build the road.

Huggins confirmed there is still a stub onto Meadow Park St in the event that the road develops in the future.

Mayor Rule opened public comment at 7:10 p.m.

Jonathan Hues: He has known the Austins and hopes the fact Joe is a local developer carries weight in Councils decision, especially when someone is not willing to negotiate.

No Rebuttal

Mayor Rule closed public comment at 7:16 p.m.

Discussion by Council regarding the timeframe of payment in lieu and prior approved annexation. There was a Development Agreement, however it was never signed because Ms. Stewart as a new planner didn't get the agreement signed and when she noticed her mistake and asked the Austin's to sign they would not.

The Preliminary Plat expires December 1, 2023. If the development agreement modification is not approved Ms. Stewart will bring a De-Annexation application before council in the next 6 or so weeks.

Mayor requested an executive session to discuss with legal counsel. However, there was no executive session noticed on the agenda. No motion was made to go into executive session. Therefore, no executive session occurred, no one left the room and the meeting continued.

City Attorney Ms. Yett advised Mayor Rule to reopen public comment to allow the Applicant Representative rebuttal because new information regarding the Development Agreement was added.

Mayor Rule reopened public comment for applicant rebuttal at 7:32 p.m.

Mr. Butler stated the applicant refused to sign the development agreement/contract that would require him to do something he physically could not do because of the breakdown of the contract with the Sweeny's. That is why he did not sign the Development Agreement.

Mayor Rule closed public comment at 7:33 p.m.

Discussion by Council regarding payment in lieu, development agreement and future planning of Meadow Park Street.

Motion: Motion by President Kiser to approve the application by Joe Austin and Mark Butler for amended preliminary plat and development agreement modification with respect to the Willow Wood Estates Subdivision subject to all conditions of approval in the staff report. Motion seconded by Council Member Murray and approved unanimously by Roll Call Vote.

Kiser – Yes, Huggins – Yes, Murray – Yes, O'Meara – Yes.

Mayor Rule closed the public hearing at 7:38 p.m.

8. Tabled from 9-6-2023 meeting - Consider approving Resolution No. 486-23: A RESOLUTION OF THE MIDDLETON CITY COUNCIL, PURSUANT TO IDAHO CODE § 50-2015(a) AND (b), AUTHORIZING EXECUTION AND DELIVERY OF A WARRANTY DEED FOR THE TRANSFER OF REAL PROPERTY HEREINAFTER DESCRIBED FROM THE CITY OF MIDDLETON, IDAHO, AN IDAHO MUNICIPAL CORPORATION, TO THE MIDDLETON URBAN RENEWAL AGENCY, A PUBLIC BODY CORPORATE AND POLITIC, ORGANIZED AND EXISTING PURSUANT TO THE IDAHO URBAN RENEWAL LAW, CHAPTER 20, TITLE 50, IDAHO CODE. – City Attorney

Mayor Rule called the item and City Attorney Ms. Yett presented the possible changes to the resolution regarding the fair and reasonable interest rate. City Administrator Ms. Crofts presented a table with correlating interest rates of 6%. She also outlined the RFP process if Council approves the resolution. The resolution will be brought back before Council on October 18, 2023. Staff is looking for recommendations from Council to know how the resolution terms should be drafted.

Discussion by Council. Council would like to have public comment at the October 18, 2023 meeting.

No motion was made therefore no action was taken and this item will be brought back before Council on October 18, 2023.

9. Public Hearing: Public testimony to consider the potential transfer of real property by exchange. The real property is commonly known as: A portion of Legal

Description Tract #3, as described in Quitclaim Deed Instrument no. 200146892, records of Canyon County, Idaho, located in the SE ¼ of the NE ¼ of Section 7, Township 4 North, Range 2 West, Boise, Meridian, City of Middleton, Canyon County, Idaho. – Mayor Rule

Mayor Rule called the item and explained the City has to hold a public hearing in order to exchange the land. He opened the public hearing at 8:18 p.m.

Mayor Rule explained this public hearing is one of the final steps for the City to exchange the property.

Mayor Rule opened public comment at 8:21 p.m.

No public comment.

Mayor Rule closed public comment at 8:21 p.m.

Discussion by Council regarding RV dump station, timing of straightening Middleton Rd and working in coordination with ITD in preparation for a traffic signal at Middleton Rd and SH44.

Mayor Rule closed the public hearing at 8:33 p.m.

10. Consider approving Resolution No. 487-23: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF MIDDLETON, IDAHO AUTHORIZING THE MAYOR TO ENTER INTO THAT CERTAIN PROPERTY EXCHANGE AGREEMENT FOR THE EXCHANGE OF CERTAIN REAL PROPERTY IN THE CITY OF MIDDLETON. – Mayor Rule

Mayor Rule called the item. This resolution is the last piece to exchanging property with the Higginson's.

Motion: Motion by President Kiser to approve Resolution No. 487-23: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF MIDDLETON, IDAHO AUTHORIZING THE MAYOR TO ENTER INTO THAT CERTAIN PROPERTY EXCHANGE AGREEMENT FOR THE EXCHANGE OF CERTAIN REAL PROPERTY IN THE CITY OF MIDDLETON. Motion seconded by Council Member O'Meara. Roll Call Vote

Kiser – Yes, Huggins – Yes, Murray – No, O'Meara – Yes.

Motion passes 3-1.

11. Consider authorizing the Mayor to approve FY2024 ANIMAL SHELTERING AGREEMENT BY AND BETWEEN CITY OF MIDDLETON AND IDAHO HUMANE SOCIETY – Chief Smith

Mayor Rule called the item and Chief Smith explained it. West Valley Humane Society will not accept dogs from people inside the city. This authorization will allow the City to enter into an agreement with Idaho Humane Society. It is possible that the City will need to construct a couple holding pens with heat and water to hold a dog up to 5 days.

Discussion by Council about the nuisance code regarding dogs at large.

Motion: Motion by President Kiser to authorize the Mayor to approve FY2024 ANIMAL

SHELTERING AGREEMENT BY AND BETWEEN CITY OF MIDDLETON AND IDAHO HUMANE SOCIETY. Motion seconded by Council Member O'Meara and approved unanimously.

12. Consider approving Resolution No. 488-23: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF MIDDLETON, IDAHO AUTHORIZING THAT CERTAIN REAL PROPERTY, COMMONLY KNOWN AS PARCEL #R33898010A0, MIDDLETON, IDAHO, BE DECLARED AS SURPLUS PROPERTY, DECLARING AN INTENT TO CONVEY, EXCHANGE OR OFFER FOR SALE SAID PROPERTY, AND TO DECLARE THE VALUE OR MINIMUM PRICE THE CITY INTENDS TO RECEIVE AS A RESULT OF SUCH CONVEYANCE. – Ms. Crofts

Mayor Rule called the item. Ms. Crofts explained this is the parcel the City owns that is part of Ridley's parking lot. Ridley's is currently in year 13 of a 25-year lease, with the city for \$1,200 annually. This was brought to the City's attention when a building permit for a bank kiosk was applied for, and staff realized the parcel did not belong to Ridley's. This resolution is to declare the portion of the property as surplus property. There will be a notice of a public hearing at which a minimum price will be set and then a notice of public auction. If there is no bid at the auction, the property will come back to the Council where they will determine next steps.

Motion: Motion by President Kiser to approve Resolution No. 488-23: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF MIDDLETON, IDAHO AUTHORIZING THAT CERTAIN REAL PROPERTY, COMMONLY KNOWN AS PARCEL #R33898010A0, MIDDLETON, IDAHO, BE DECLARED AS SURPLUS PROPERTY, DECLARING AN INTENT TO CONVEY, EXCHANGE OR OFFER FOR SALE SAID PROPERTY, AND TO DECLARE THE VALUE OR MINIMUM PRICE THE CITY INTENDS TO RECEIVE AS A RESULT OF SUCH CONVEYANCE. Motion seconded by Council Member O'Meara and approved unanimously.

Public Comments:

No Comment

Mayor, Staff and Council Comments:


Council Member Murray: Met the owner of Blue Line K-9 who would like to give the police a \$10,000 high end dog. Murray wants to have on the agenda as an action item to enter into an agreement with Blue Like K-9 if it will work for the police department.


Council Member O'Meara: Would like to have a discussion/workshop on Local Improvement Districts (LID) specifically for the purpose of rehabilitation and improvement of old downtown corridors.

Mayor Rule: There was theft of diesel at the Hillside park well and generator. About 150 gallons were stolen. Mayor Rule asked Rule Steel (a company he is not affiliated with) to fabricate a steel mesh folding lid to stop the theft. It was done the next day. They did a great job.

Adjourn: Mayor Rule adjourned the meeting at 8:58 p.m.

ATTEST:


Jennica Reynolds, Deputy Clerk
Minutes Approved: October 4, 2023


Steve Rife, Mayor



September 18, 2023

Steve Rule
Mayor
City of Middleton (COM)
1103 West Main Street
Middleton Idaho, ID 83644

Subject: MIDDLETON ELEMENTARY SCHOOLS PEDESTRIAN CROSSING IMPROVEMENTS

Dear Mayor Rule:

On Monday September 11, 2023 Precision Engineering (Precision), and the City of Middleton (COM) met regarding potential crosswalk safety improvements for Mill Creek Elementary and Middleton Heights Elementary Schools. The following memo is a summary of the safety requests and potential options discussed during the meeting.

Mill Creek Elementary School

The team met on-site with the Mill Creek Elementary School Principal and primary crossing guard. The improvements discussed for Mill Creek Elementary School as well as an estimated cost (including design, construction management, and contingency) are as follows:

1. New crosswalk markings - **\$12,500**
2. Improved crosswalk lighting only - **\$20,000**
3. Rectangular Rapid Flashing Beacon, solar post mounted only- **\$25,000**
4. Overhead signal indication enhanced crossing (would include street lighting).
The following cost are based on the request for an overhead signal from the School Principal and Crossing Guard, due to drivers not being able to see the crossing guard in the crosswalk.
 - a. Rectangular Rapid Flashing Beacon (RRFB) - **\$302,000**
 - b. Pedestrian Hybrid Beacon (PHB) - **\$415,500**

Description of Enhanced Pedestrian Crossings

The goal of an enhanced pedestrian crossing is to improve safety and driver yielding behavior at a crosswalk. Driver yielding behaviors vary based on road type, volume, speeds, and region, but one study out of Atlanta, GA indicated that markings only crosswalks had a yield rate of **17% to 36%**. The following are descriptions and benefits of enhanced pedestrian crossings:



Rectangular Rapid Flashing Beacons (RRFB)

RRFBs accompany a pedestrian warning sign to enhance pedestrian conspicuity and increase driver awareness of a marked crosswalk. Research performed in Atlanta, GA suggests RRFBs increased motorist yield rate to **33% to 63%** at crosswalks and reduced pedestrian crashes by 47%.



Pedestrian Hybrid Beacon (PHB)

PHBs are an intermediate safety improvement between a RRFB and a full pedestrian signal. The PHB includes red indications requiring motorists to come to a full stop but allows them to proceed once the crosswalk is clear. PHB yield rates in Atlanta, GA increased to **78% to 82%** and reduced pedestrian crashes by 55%.

Middleton Heights Elementary School

The improvements discussed for Middleton Heights Elementary School as well as an estimated cost (including design, construction management, and contingency) are as follows:

1. New crosswalk markings - **\$12,500**
2. Rectangular Rapid Flashing Beacon, solar post mounted only - **\$25,000**

In summary, enhanced pedestrian crossings with pedestrian signals near elementary schools not only provide safety benefits but also address the specific safety needs and considerations associated with young children. These crossings play a vital role in ensuring that students can access their schools safely and reduce the risk of accidents in and around school zones.

Sincerely,



Joel Grounds, P.E., PTOE
Principal Engineer



TRAFFICAlm

5676 E. Seltice Way
Post Falls, Idaho 83854
1-855-738-2722

Prepared By: Adam Goyen / Angelica Goyen
angelica.goyen@trafficalm.com

QUOTE

Quote #: 13705TC

Date Issued Sep 11, 2023

Valid Until: Oct 31, 2023

Date Modified: Sep 11, 2023 06:15 PM

Customer: 1403

Customer Number: 1403

Created For:

Company:	City of Middleton
Contact:	Jason Van Gilder
Email:	jvangilder@middletoncity.com
Phone:	208-585-3133
Street:	786 Whissen Lane
City, State:	Middleton, Idaho
Zip Code:	83644

Ship To:

Company:	City of Middleton
Contact:	Jason Van Gilder
Email:	jvangilder@middletoncity.com
Phone:	208-585-3133
Street:	786 Whissen Lane
City, State:	Middleton, Idaho
Zip Code:	83644

SKU	Item & Description	QTY	Cost Ea.	Ext. Cost	Discount	Amount
M75-SA30M-CTL3	Duplex -30 Watt Solar, 24 Ah Battery - Intelligent Sign Controller - Communicates & Commands TC Collaborators, Wi-Fi & Mesh Net Communication	1	\$ 2,076.00	\$ 2,076.00	\$ 913.44	\$ 1,162.56
M75-SA30M-CLB3	Duplex - 30 Watt Solar, 24 Ah Battery- Collaborator - Communicates & Commanded by TC Controller, Mesh Net Communications, No Wi-Fi	1	\$ 1,964.00	\$ 1,964.00	\$ 864.16	\$ 1,099.84
M75-SA328-0000	Rectangular Rapid Flashing Beacon, Amber, W/ Black Aluminum Housing	4	\$ 884.00	\$ 3,536.00	\$ 1,555.84	\$ 1,980.16
M75-R3030-BA45	30" 4GRP Flasher Ring, Pentagon, Amber	4	\$ 848.00	\$ 3,392.00	\$ 1,492.48	\$ 1,899.52
K05-30302-0011	30" School Pentagon Sign, S1-1, FYG	4	\$ 116.00	\$ 464.00	\$ 204.16	\$ 259.84
K25-24122-0011	24 X 12 Arrow (Left), W16-7pL, FYG Arrow sign used for P2C	2	\$ 84.00	\$ 168.00	\$ 73.92	\$ 94.08
K24-24122-0011	24 x 12, Arrow (Right), W16-7pR, FYG Arrow sign used for P2C	2	\$ 80.00	\$ 160.00	\$ 70.40	\$ 89.60
M75-INX9W-N0Y0	Audible INX Polara Push Button, 9 x 12 (includes arrow button, cable and jumper)	2	\$ 1,176.00	\$ 2,352.00	\$ 1,034.88	\$ 1,317.12
M75-SA300-CLB2	20 Watt Collaborator - Communicates & Commanded by TC Controller, Mesh Net Communications, No Wi-Fi Optional for Crosswalk ahead warning rings	2	\$ 1,528.00	\$ 3,056.00	\$ 1,344.64	\$ 1,711.36
M75-R3030-BA47	30" 4GRP Flasher Ring, Warning, Amber Crosswalk ahead warning LEDs Optional	2	\$ 860.00	\$ 1,720.00	\$ 756.80	\$ 963.20
SHP-00000-0000	Shipping and Handling Cost. Note that this cost is good for the quote date and may be subject to change at time of shipment.	1	\$ 424.00	\$ 424.00	\$ 0.00	\$ 424.00
8,138.36						

Sub Total

\$ 11,001.28

Grand Total

\$ 11,001.28

Terms & Conditions

1. Payment Terms: Net 30
2. Shipping Terms:
3. Lead Time: Shipment Within 60 Business Days After Receipt of Order
4. Sales tax, if applicable, will be calculated at time of invoicing and based upon current tax rates, may be higher than originally quoted
5. All sales are considered final. In rare cases, a return may be requested within 90 days of receipt of the order. If approved and authorized by TrafficCalm, it will incur a 30% restocking fee of the original sale cost. Returned material must be in original packaging and have never been installed or electrically powered. Credit will only be given once this has been verified by the TrafficCalm Quality Department. The cost of return shipping in an undamaged manner is the responsibility of the customer.
6. The line items referenced in the quote above represent the items that TrafficCalm intends to supply. Anything not included is assumed to be provided by others.

Notes:

Customer Acceptance (sign below):

It is hereby certified that the amount required to meet the contract, agreement, obligation, payment or expenditure above, has been lawfully appropriated or authorized or directed for such purpose and is in the Treasury. (Municipalities and Government Agencies) I am authorized to financially bind this entity to the terms of this agreement.

X _____

Print Name: _____ DATE: ____/____/____

Mill Creek Elementary Pedestrian Crossing Alternative 1

OVERHEAD RECTANGULAR RAPID FLASHING BEACON (RRFB)

September 18, 2023

CONCEPT COST ESTIMATE

ITEM NO.	ITEM DESCRIPTION	ESTIMATED QUANTITY	UNIT	UNIT PRICE	ITEM TOTAL
0201.4.1.C.1	REMOVAL OF OBSTRUCTIONS	1	LS	\$10,000.00	\$10,000.00
0202.4.1.A.1	EXCAVATION (PLAN QUANTITY)	100	CY	\$60.00	\$6,000.00
0706.4.1.A.5	STANDARD 6" VERTICAL CURB AND GUTTER	100	LF	\$55.00	\$5,500.00
0706.4.1.E.1.5	CONCRETE SIDEWALK, 5" THICKNESS	60	SY	\$90.00	\$5,400.00
0706.4.1.H.1.A	PEDESTRIAN RAMP W/DETECTABLE WARNING DOMES, WITH NO LANDING	2	EA	\$2,200.00	\$4,400.00
0802.4.1.A.1	CRUSHED AGGREGATE FOR BASE TYPE I	50	CY	\$100.00	\$5,000.00
1003.4.1.B.1	BIOFILTER BAGS	200	LF	\$5.00	\$1,000.00
1103 ITEMS	TEMPORARY TRAFFIC CONTROL ITEMS	1	LS	\$17,000.00	\$17,000.00
1131.01.01	TRAFFIC SIGNAL AND ILLUMINATION SYSTEM COMPLETE (OVERHEAD RRFB)	1	LS	\$125,000.00	\$125,000.00
1134.05.21	PAVEMENT MARKINGS (THERMOPLASTIC)	200	SF	\$17.00	\$3,400.00
1135.01.01	ROADSIDE TRAFFIC SIGN INSTALLATION (ONE METAL POST)	2	EA	\$200.00	\$400.00
1135.01.05	FURNISH ROADSIDE SIGN FACE	18	SF	\$25.00	\$450.00
2010.4.1.A.1	MOBILIZATION	1	LS	\$29,745.00	\$29,745.00
SP 11551	MISC ITEMS	1	LS	\$5,000.00	\$5,000.00
SSP 08120	ASPHALT REPAIR	50	SY	\$95.00	\$4,750.00
SSP 25050	LANDSCAPE ITEMS	1	LS	\$5,000.00	\$5,000.00

CONCEPT CONSTRUCTION COST ESTIMATE \$228,045.00

Design (12%) \$27,365.40

Construction Oversight (10%) \$22,804.50

Contingency (10%) \$22,804.50

\$301,019.40

The information in this cost estimate is based on a Concept Design and the best available information for the anticipated scope of the project; and costs per item at current market prices. Changes to the cost estimate are likely to occur as the design progresses and individual line items are refined.

Note:

Mill Creek Elementary Pedestrian Crossing Alternative 2

PEDESTRIAN HYBRID BEACON (PHB)

September 18, 2023

CONCEPT COST ESTIMATE

ITEM NO.	ITEM DESCRIPTION	ESTIMATED QUANTITY	UNIT	UNIT PRICE	ITEM TOTAL
0201.4.1.C.1	REMOVAL OF OBSTRUCTIONS	1	LS	\$10,000.00	\$10,000.00
0202.4.1.A.1	EXCAVATION (PLAN QUANTITY)	100	CY	\$55.00	\$5,500.00
0706.4.1.A.5	STANDARD 6" VERTICAL CURB AND GUTTER	100	LF	\$55.00	\$5,500.00
0706.4.1.E.1.5	CONCRETE SIDEWALK, 5" THICKNESS	60	SY	\$90.00	\$5,400.00
0706.4.1.H.1.A	PEDESTRIAN RAMP W/DETECTABLE WARNING DOMES, WITH NO LANDING	2	EA	\$2,200.00	\$4,400.00
0802.4.1.A.1	CRUSHED AGGREGATE FOR BASE TYPE I	50	CY	\$100.00	\$5,000.00
1003.4.1.B.1	BIOFILTER BAGS	200	LF	\$3.00	\$600.00
1103 ITEMS	TEMPORARY TRAFFIC CONTROL ITEMS	1	LS	\$17,000.00	\$17,000.00
1131.01.01	TRAFFIC SIGNAL AND ILLUMINATION SYSTEM COMPLETE (PEDESTRIAN HYBRID BEACON)	1	LS	\$200,000.00	\$200,000.00
1134.05.21	PAVEMENT MARKINGS (THERMOPLASTIC)	200	SF	\$25.00	\$5,000.00
1135.01.01	ROADSIDE TRAFFIC SIGN INSTALLATION (ONE METAL POST)	2	EA	\$150.00	\$300.00
1135.01.05	FURNISH ROADSIDE SIGN FACE	18	SF	\$25.00	\$450.00
2010.4.1.A.1	MOBILIZATION	1	LS	\$41,047.50	\$41,047.50
SP 11551	MISC ITEMS	1	LS	\$5,000.00	\$5,000.00
SSP 08120	ASPHALT REPAIR	50	SY	\$90.00	\$4,500.00
SSP 25050	LANDSCAPE ITEMS	1	LS	\$5,000.00	\$5,000.00

CONCEPT CONSTRUCTION COST ESTIMATE	\$314,697.50
Design (12%)	\$37,763.70
Construction Oversight (10%)	\$31,469.75
Contingency (10%)	\$31,469.75
	\$415,400.70

The information in this cost estimate is based on a Concept Design and the best available information for the anticipated scope of the project; and costs per item at current market prices. Changes to the cost estimate are likely to occur as the design progresses and individual line items are refined.

Note:



(<https://www.nationalacademies.org/event/11-13-2023/trbs-transportation-resilience-2023>)

Analysis of the Effectiveness of RRFB and PHB to Encourage Driver Stopping Behavior

Georgia crash data highlights the challenges faced by pedestrians, as they represent over 10% of all motor-vehicle related fatalities, despite accounting for less than 1% of all crashes from 2000- 2009 (1). The purpose of this study was to explore the effectiveness of various types of crosswalk control in increasing driver stopping or yielding rates for pedestrians at mid-block or otherwise unsignalized crosswalks, where stopping requires a driver to stop and remained stopped for as long as required, while yielding is merely slowing down without stopping to allow a pedestrian to cross. This was undertaken by measuring drivers' yielding behavior at various locations throughout Midtown and Downtown Atlanta, Georgia, at three crosswalk treatment types: markings only, Rectangular Rapid Flashing Beacons (RRFBs), and Pedestrian Hybrid Beacons (PHBs). At least three locations of significant pedestrian activity were studied to find vehicle stopping and yielding rates for each crosswalk treatment type. **It was seen that markings only crosswalks had the lowest rates at 17% and 36% for Stop and Stop+Yield rates, respectively. The rates at crosswalks with RRFBs increased to 33% and 63% for Stop and Stop+Yield, respectively. Finally, the PHBs had the highest overall rates at 78% and 82% for Stop and Stop+Yield, respectively.** Overall, as crosswalk treatments advance from markings only crosswalk, to RRFB, to a PHB the traffic control device commands more respect and attention from the drivers.

Supplemental Notes:

This paper was sponsored by TRB committee AHB50 Standing Committee on Traffic Control Devices. Alternate title: Analysis of the Effectiveness of RRFB and HAWK Signals to Encourage Driver Stop Compliance

Authors:

Bolen, John
Roberts, Sage
Hunter, Michael

Conference:

[Transportation Research Board 97th Annual Meeting \(/Results?q=&serial="Transportation%20Research%20Board%2097th%20Annual%20Meeting"\)](#)
Location: Washington DC, United States
Date: 2018-1-7 to 2018-1-11

Date: 2018

Language

English

Media Info

Media Type: Digital/other

Features: Figures; Photos; References; Tables;

Pagination: 16p

Subject/Index Terms

TRT Terms: Behavior ([/Results?q=&datein=all&index="Behavior"](#)); Drivers ([/Results?q=&datein=all&index="Drivers"](#)); Pedestrian movement ([/Results?q=&datein=all&index="Pedestrian%20movement"](#)); Pedestrian safety ([/Results?q=&datein=all&index="Pedestrian%20safety"](#)); Pedestrian vehicle crashes ([/Results?q=&datein=all&index="Pedestrian%20vehicle%20crashes"](#)); Stopping ([/Results?q=&datein=all&index="Stopping"](#))

Geographic Terms: Atlanta (Georgia) ([/Results?q=&datein=all&index="Atlanta%20\(Georgia\)"](#))

Subject Areas: Highways; Pedestrians and Bicyclists; Safety and Human Factors;

Filing Info

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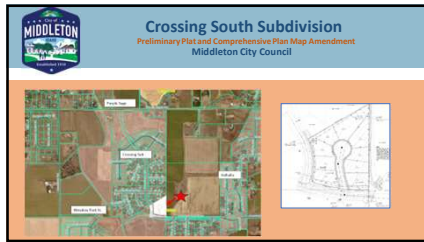
The National Academies of Sciences, Engineering, and Medicine

500 Fifth Street, NW | Washington, DC 20001 | T: [202.334.2000](tel:202.334.2000) (tel://2023342000)

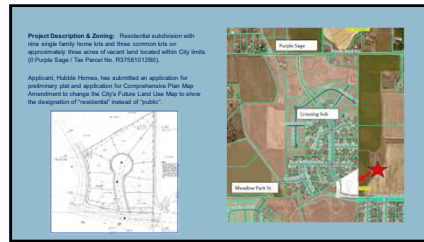
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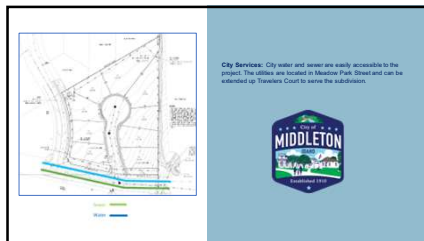
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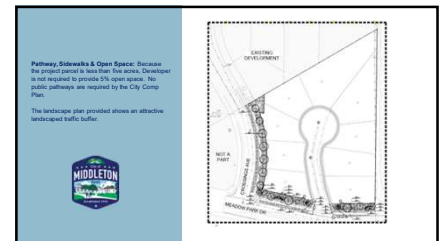
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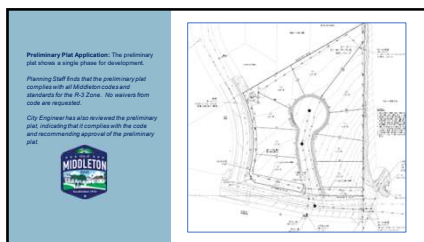
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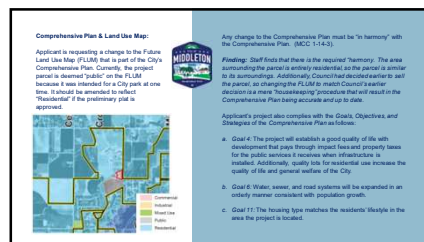
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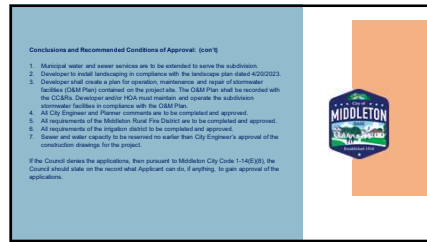
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11

Crossing South Subdivision

City of Middleton
City Council
September 20, 2023

Crossing South Subdivision

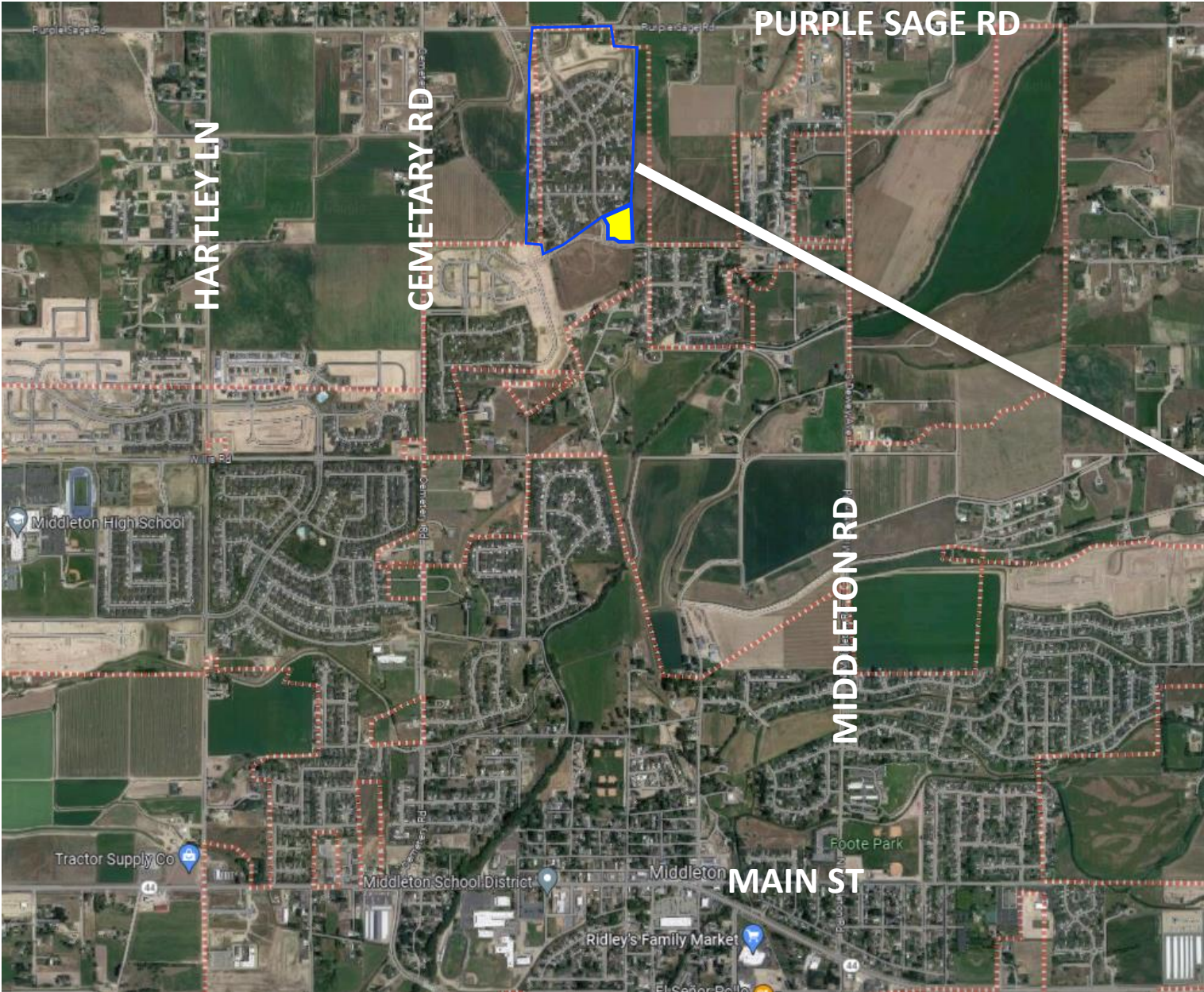
We are requesting Preliminary Plat approval of:

- 12 total lots
- 9 Buildable Lots
- 3 Common Lots
- No variances

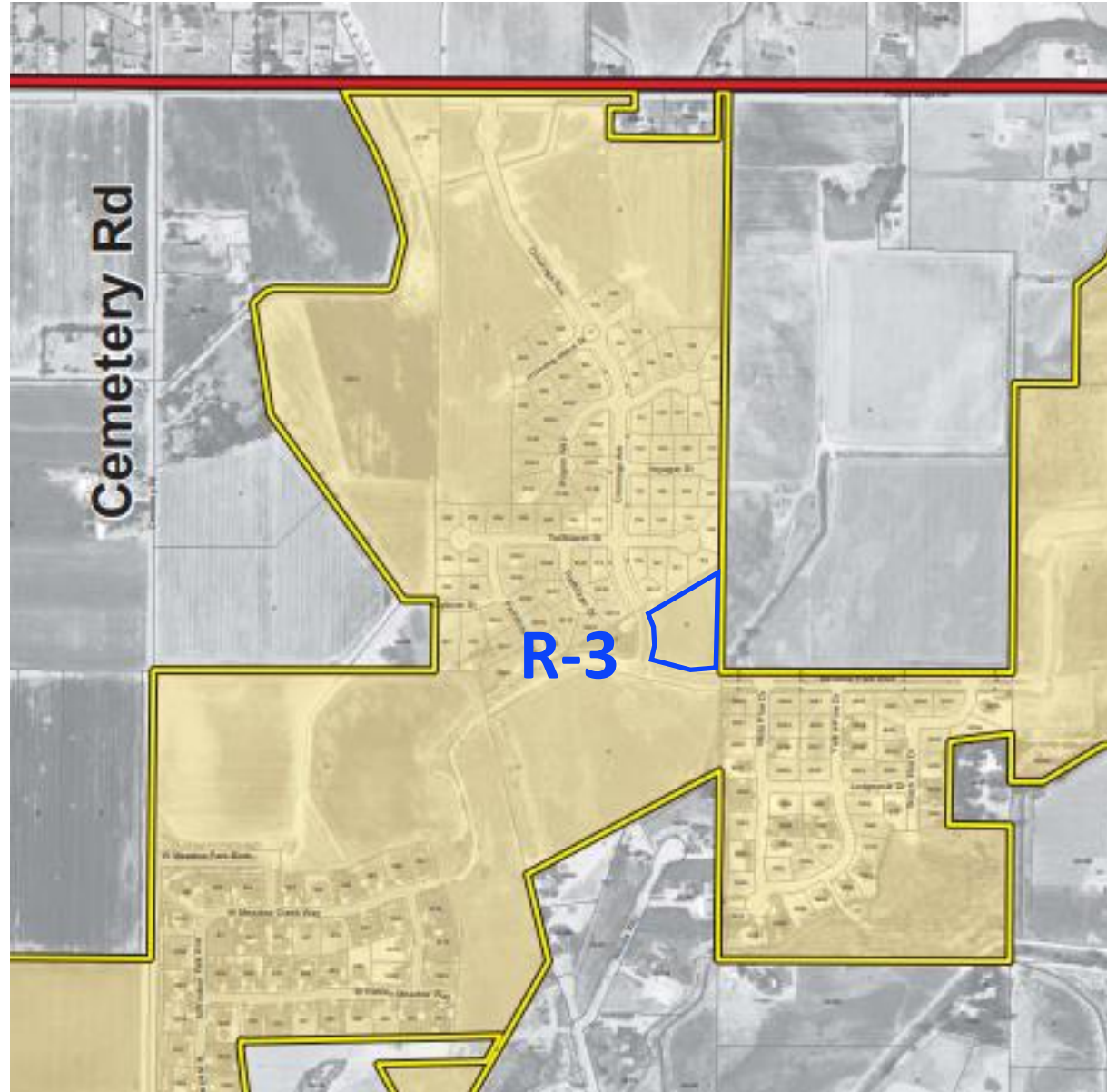
Also, requesting an update to the FLUM to ***residential*** to match the current zoning.



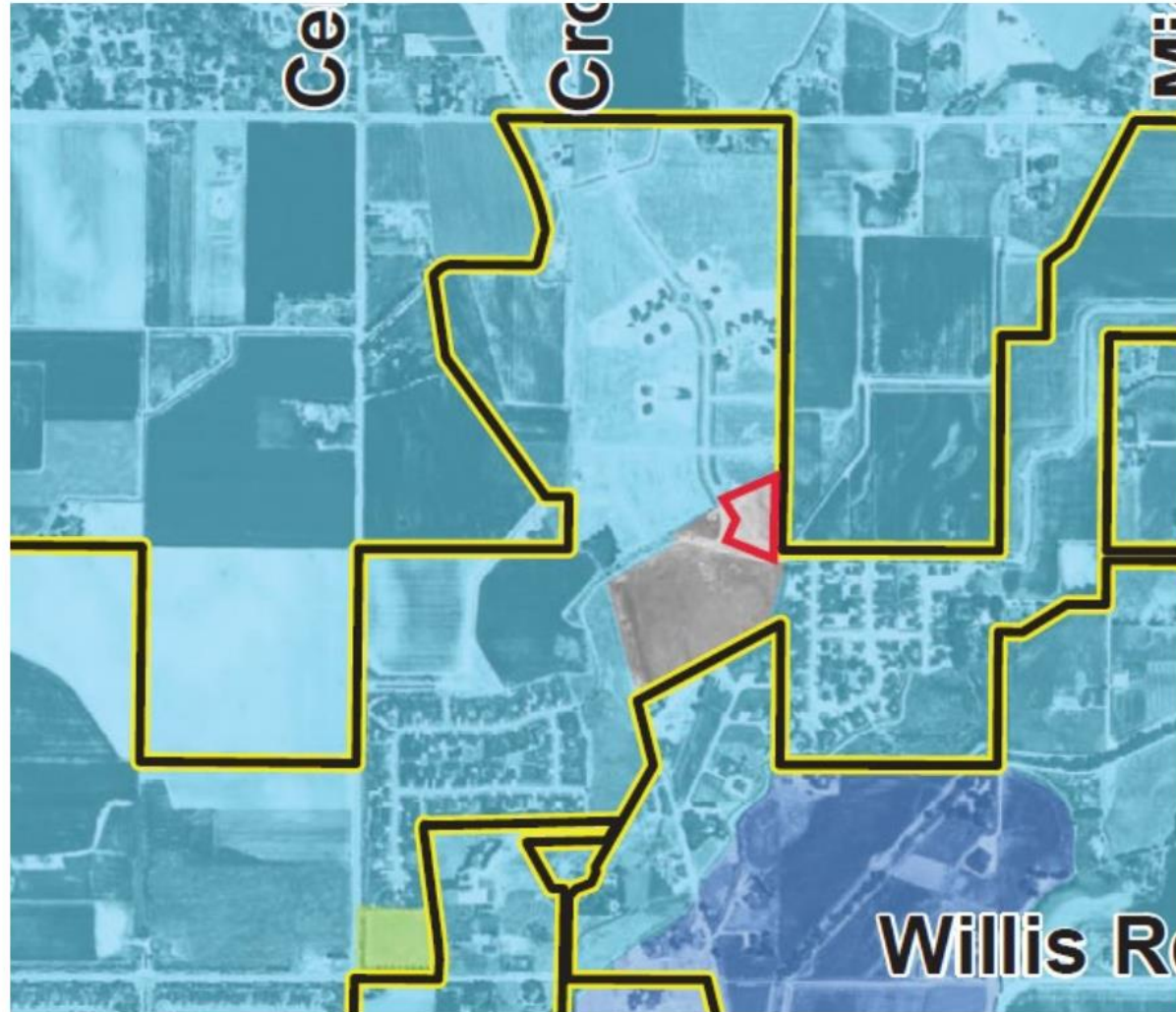
Vicinity Map



Zoning Map



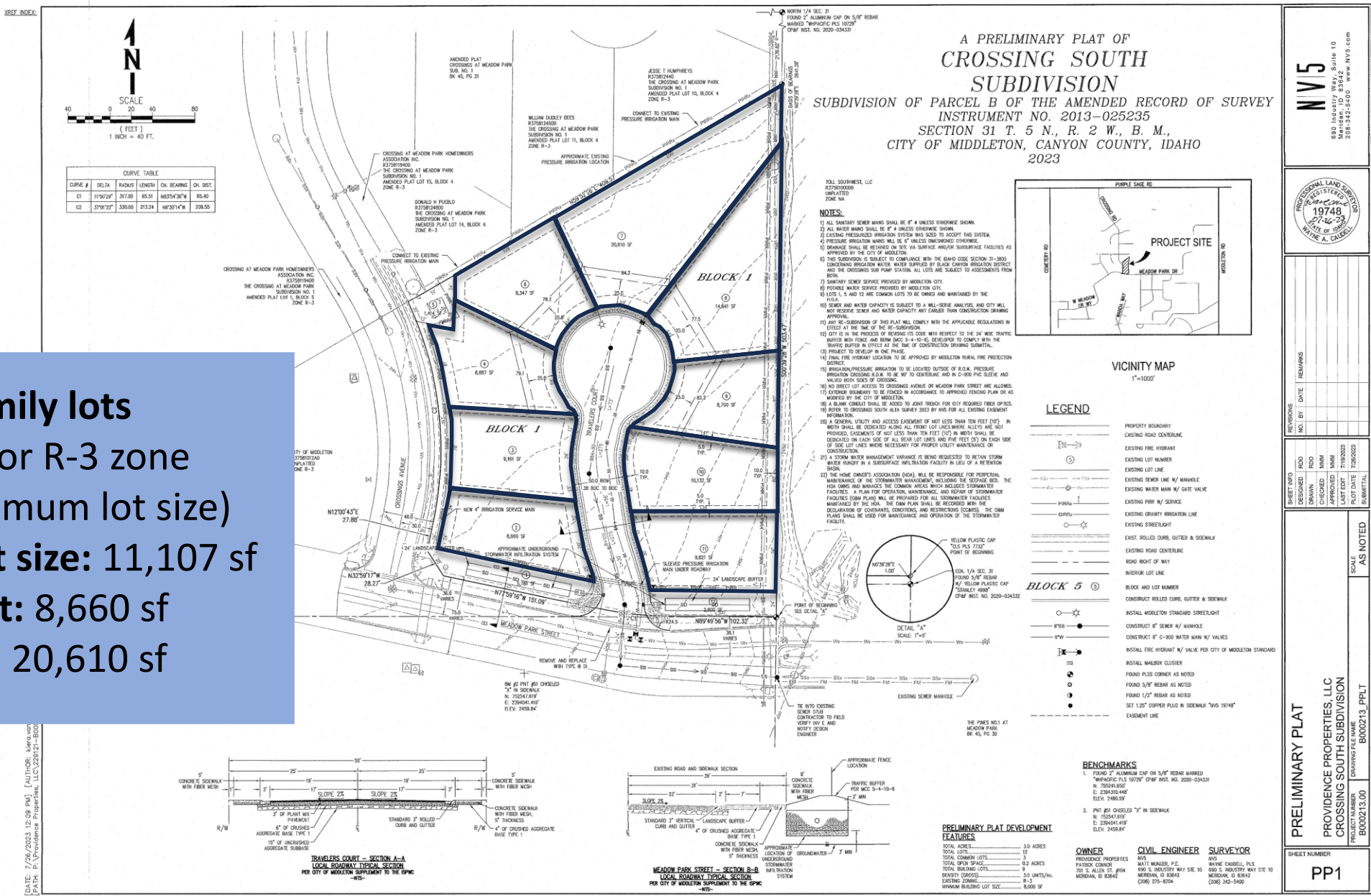
Future Land Use Map



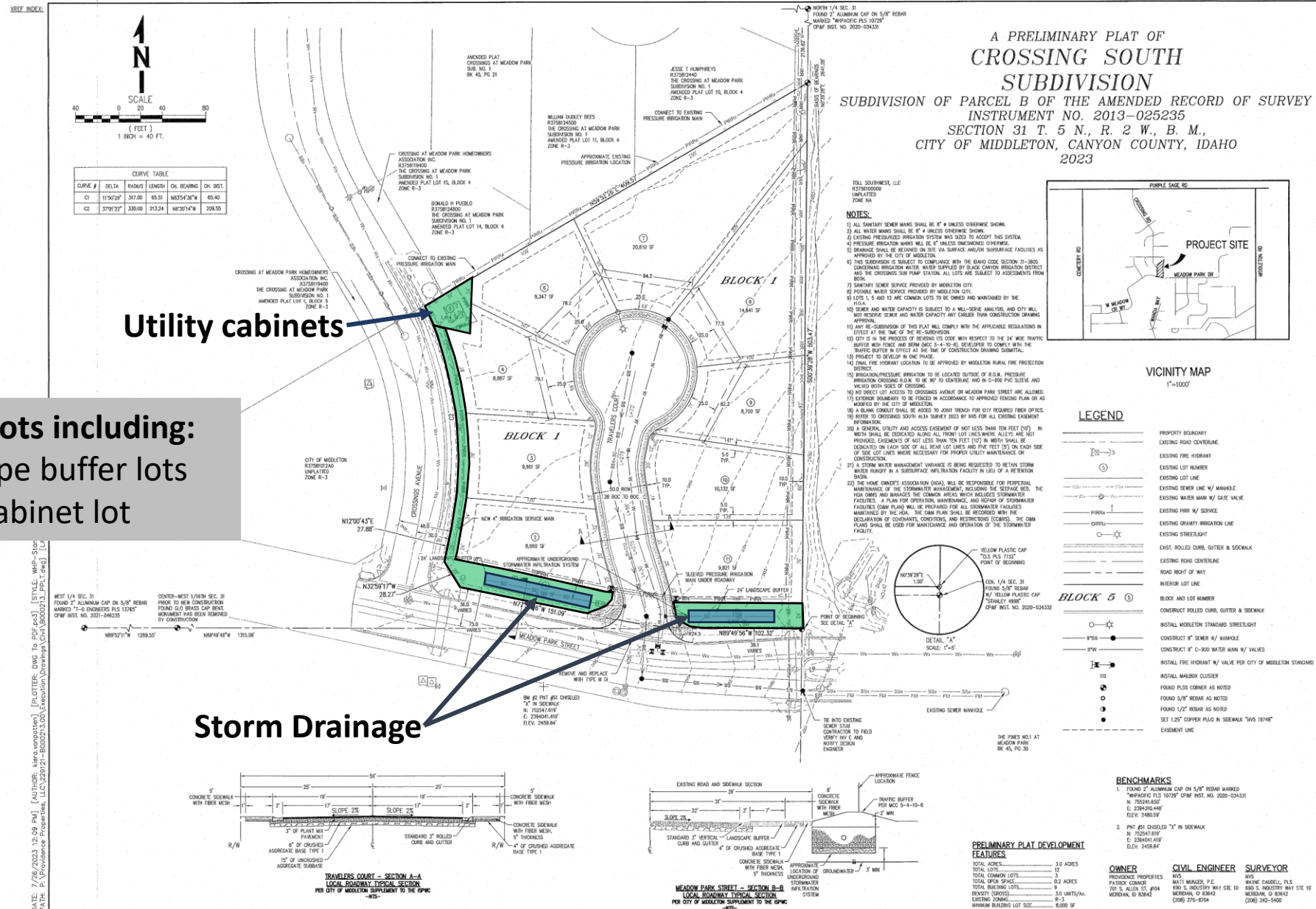
We are requesting the FLUM to be changed to “Residential” to match the current zoning and intended land use.


Preliminary Plat

9 single family lots
Oversized for R-3 zone
(8,000 minimum lot size)
Average lot size: 11,107 sf
Smallest lot: 8,660 sf
Largest lot: 20,610 sf



Preliminary Plat



SHEET NUMBER		PP1	
PRELIMINARY PLAT		PROVIDENCE PROPERTIES, LLC CROSSING SOUTH SUBDIVISION	
PROJECT NUMBER	DRAWING FILE NAME	SCALE	AS NOTED
B000213.00	B000213_PPLT		
SHEET INFO		SHEET NO.	
DESIGNED	BCO	REVISIONS	
DRAWN	MMI	NO.	BY
CHECKED	MMI	DATE	REMARKS
APPROVED	MMI		
LAST EDIT	7/18/2023		
PLAT DATE	7/26/2023		
SUBMITTAL			
			
NV5 680 Industry Way, Suite 10 Meriden, ID 83842 208-342-6400 www.NV5.com			

Home Elevations



Community Integration

- Crossing South lots will be integrated into the Crossings At Meadow Park HOA
- The 9 new lots will be connected to the community pressurized irrigation
- Continuance of landscaping along Crossings Ave to Meadow Park St.
- Community signage is planned for Purple Sage & Crossings Ave on the north side of the project (this final phase is currently under engineering and irrigation district review)

Crossing South

We are requesting Preliminary Plat approval of:

- 12 Total lots
- 9 Buildable Lots
- 3 Common Lots
- No variances

Also, requesting an update to the FLUM to ***residential*** to match the current zoning.

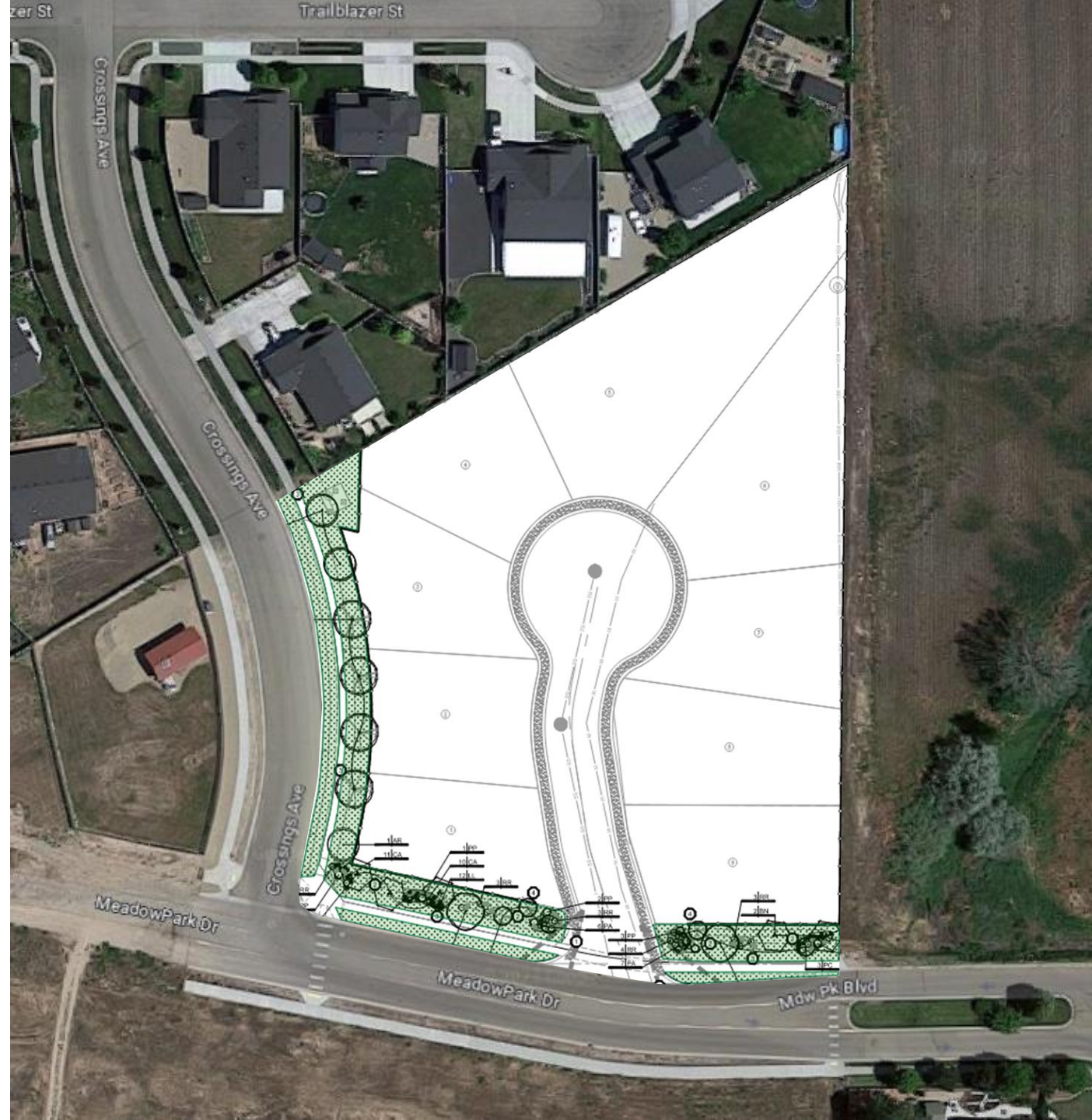
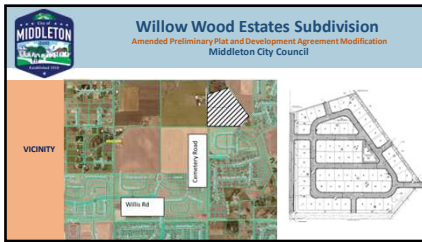
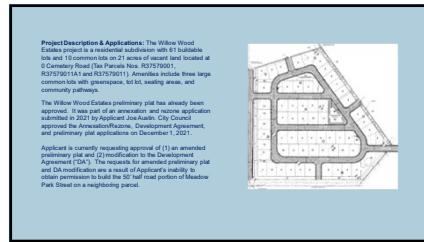


Exhibit 4



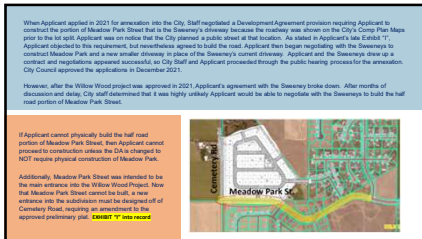
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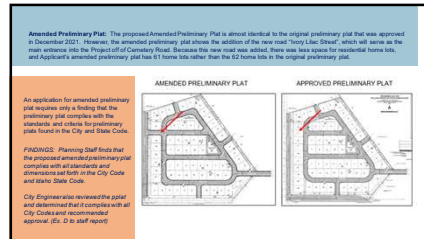
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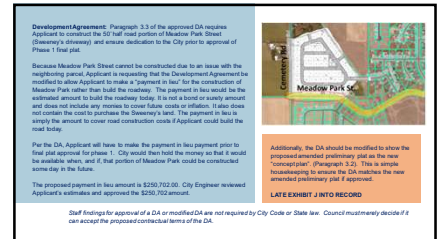
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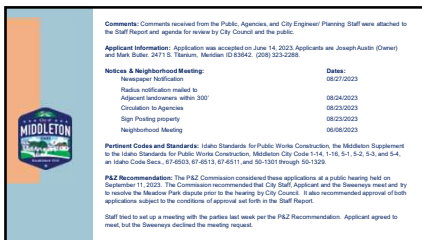
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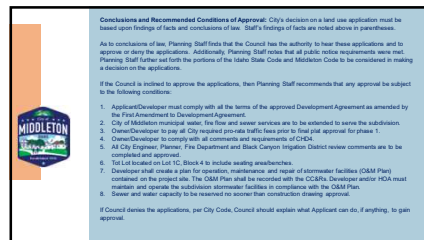
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8

Land Consultants Inc.

P.O. Box 314 --- Eagle, Idaho 83616 --- Phone 208-939-7444 --- email: markleebutler@gmail.com

September 18, 2023

Via Email Transmission: rstewart@middletoncity.com

City of Middleton
Attention: Mayor Rule and City Council Members
1103 West Main Street
Middleton, ID 83644

RE: Willow Wood

Dear Mayor Rule and City Council members:

From the start of this process on Feb 1, 2021, the Austins have worked diligently toward the city's goal of obligating them to build Meadow Park Street on the adjacent property owners' property. All along, and to this date, they have had serious objections to being required to purchase a portion of a neighbor's property for the construction of a section of a city-wide roadway network. Regardless, they worked in good faith with the adjacent property owner (Sweeney) for 11 months but were not able to acquire their property for the road.

The Austins still, however, want to work with the city to obtain approval and an agreed upon "in-lieu fee" to be placed toward Meadow Park Street improvements would be acceptable.

APPROVAL IS SUPPORTED BY THE FOLLOWING:

1. Staff and Planning and Zoning Commission Findings of Fact and Conclusions of Law:

FINDINGS: Planning Staff finds that the proposed amended preliminary plat complies with all standards and dimensions set forth in the City Code and Idaho State Code. City Engineer also reviewed the amended preliminary plat and noted that it is in compliance with all standards and dimensions of the City Code. (See letter from Amy Woodruff attached as Exhibit "D".)

2. The attached letter from the City Engineer, Amy Woodruff, referenced above states:

The plat meets Middleton City Code and common platting processes. We recommend Mayor and City Council approve the preliminary plat presented.

3. The Planning and Zoning Commission voted unanimously in favor of recommending approval of Willow Wood. Prior to his motion for approval, and after a lengthy deliberation, Commission Chairman Christiansen stated:

"I have a rough time finding a way to say no, in that all of the comments from those affiliated with the road could not find anything statute wise to deny it."

Commissioner Watkins responded, *"Exactly"*.

4. Regarding the Planning Staff, Engineering Staff, Commission and CHD4 support, with the proposed public road, Ivory Lilac Street, now planned to provide access to and from Willow Wood intersecting Cemetery Road, the following is a brief code analysis showing compliance:

Middleton City section 5-4-10-1-A: GENERAL states:

- A. *Specifications Adopted: The City of Middleton hereby adopts specifications and details of the most current edition of the "Idaho Standards for Public Works Construction" as standards for construction within the impact area and City limits. These standards are augmented by general addenda, approved by resolution of the Council as necessary, to ensure uniform material selection and construction practice for those items specific to the City of Middleton.*

The Middleton City Council adopted the "Supplement to the Idaho Standards for Public Works Construction" on November 3, 2021. Attached is the page which provides regulations for, "B. Urban Roadway Spacing". NOTE – The attached City of Middleton Functional Classification Map shows Cemetery Road classified as a Major Collector.

The minimum distance between local roads that branch off a Major Collector is 500-feet on the same side of the road. When Meadow Park Street is constructed, there will be 660-feet between it and Ivory Lilac Street. The minimum distance between local roads that branch off of a Major Collector on opposite sides of the street is 250-feet. The closest road on the opposite side of the street is Torchlight Way, about 1300 feet north of the proposed Ivory Lilac Street.

Thank you for your consideration,



Mark L. Butler, LCI



5605 South 10th Ave. • Caldwell, Idaho 83607 • 208.453.2028

August 25, 2023

TO: Roberta Stewart, Planner

FROM: Civil Dynamics PC, City Engineer
Amy Woodruff, PE

A handwritten signature in blue ink, appearing to read "Amy Woodruff", is written over the printed name.

RE: Willow Wood Subdivision Preliminary Plat – Recommendation of Approval

Thank you for the opportunity to review the above referenced preliminary plat submittal. The plat meets Middleton City Code and common platting practices.

We recommend Mayor and City Council approve the preliminary plat as presented.

B. Urban Roadway Spacing (see spacing diagram above):

Through Roadway (see diagram)	Branch Roadway (see diagram)	Minimum Spacing (in feet) Branch on same side of Through Roadway	Minimum Spacing (in feet) Branch on opposite side of Through Roadway
Principal Arterial	Arterial	5,000	5,000
	Collector	2,000	2,000
	Local Road	No Direct Access	No Direct Access
	Private Road	No Direct Access	No Direct Access
Minor Arterial	Arterial	2,500	2,500
	Collector	1,300	1,300
	Local Road	No Direct Access	No Direct Access
	Private Road	No Direct Access	No Direct Access
Major Collector	Collector	1,300	1,300
	Local Road	500	250
	Private Road	500	250
Minor Collector	Collector	1,300	500
	Local Road	500	250
	Private Road	500	250
Local Roads	Local Road	250	125
	Private Road *	250	125

* Notes for 3061.010.A Table also apply to this Table.

3061.020. Driveway Spacing Policy:

A. Rural Roadway Driveway Spacing:

Roadway Classification	Minimum Driveway Spacing (in feet) ¹		
	Minimum Use ²	Minor Generator ³	Major Generator ⁴
Expressway	See Note 5	See Note 5	See Note 5
Principal Arterial	No New Direct Access	No New Direct Access	No New Direct Access
Minor Arterial	No New Direct Access	No New Direct Access	No New Direct Access
Major Collector	330	660	1,320
Minor Collector	180	315	405
Local Road	140	270	360
Low Volume Local Road ⁶	75	125	150

¹ Applies to spacing of driveways on same side of road only.

² Less than 50 vehicle trips per day or 5 trips in the peak hour (two-way total).

³ 51 to 2,500 vehicle trips per day or less than 250 maximum trips in the peak hour (two-way total).
(Greater than 250 trips per hour is when intersection control starts to become required)

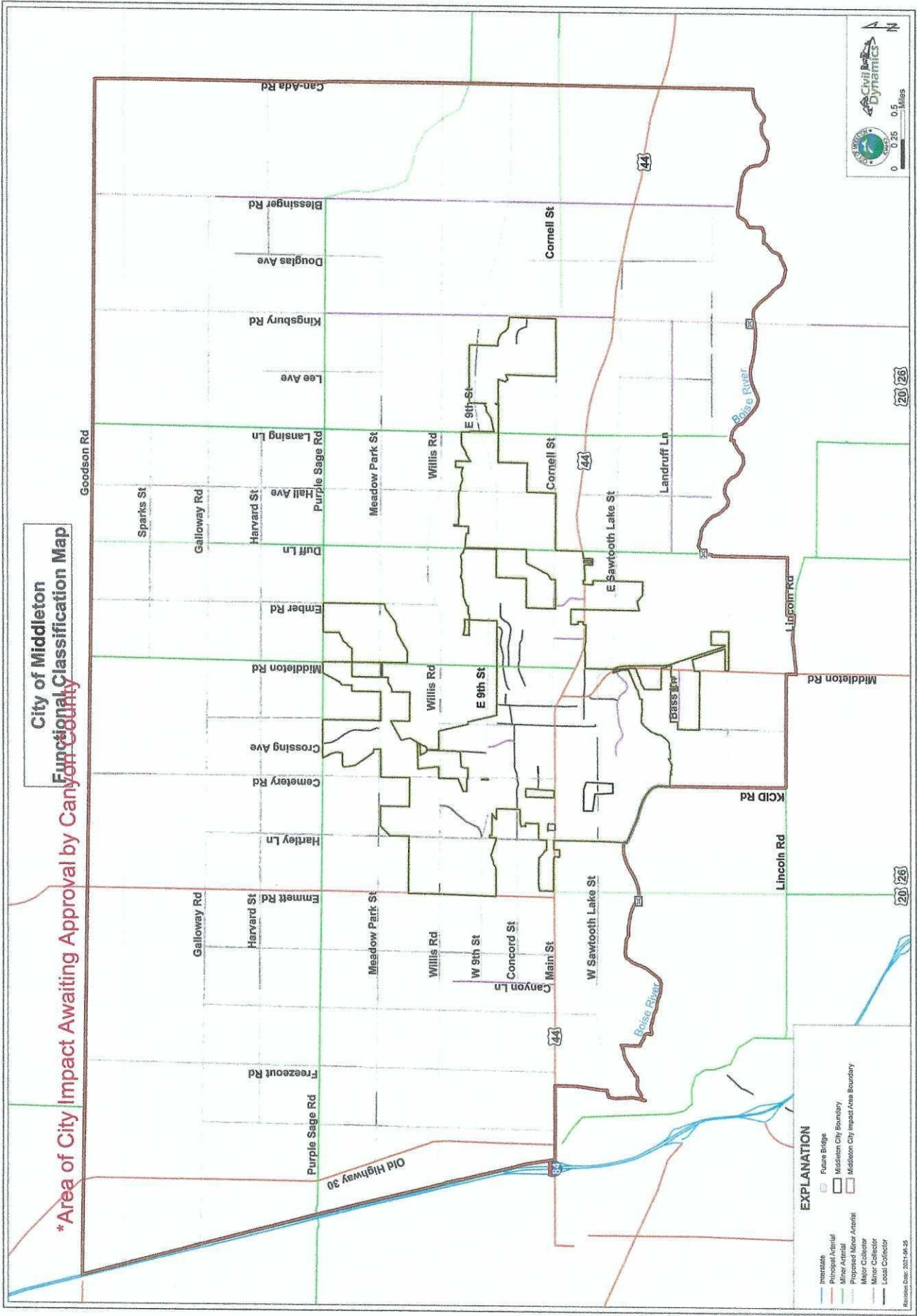
⁴ Over 2,500 vehicle trips per day or over 250 trips in the peak hour (two-way total).

⁵ Determined by interchange or roadway spacing; no direct access allowed.

⁶ Low volume is defined as AADT < 400 vpd.

**City of Middleton
Functional Classification Map**

***Area of City Impact Awaiting Approval by Canyon County**



After Recording, mail to
 Middleton City Administrator
 1103 W. Main St.
 Middleton, ID 83644

**FIRST AMENDMENT TO DEVELOPMENT AGREEMENT
 (Willow Wood Estates Subdivision)**

This First Amendment to Development Agreement ("First Amendment") is made and entered into this ___ day of _____, 20__ by and between the CITY OF MIDDLETON, a municipal corporation in the State of Idaho (**City**); and JOSEPH L. AUSTIN and DEBORAH R. AUSTIN, husband and wife, referred to collectively hereafter as Developer (**Developer**).

RECITALS

WHEREAS, Developer owns approximately 21 acres of real property located at 0 Cemetery Road (Tax Parcel Nos. R3757901, R37579011 and R37579011A1), Middleton, Canyon County, Idaho, legally described in Exhibit A attached hereto and incorporated herein by this reference (**Property**); and

WHEREAS, Developer submitted applications for Annexation/Rezone, Development Agreement, and Preliminary Plat for the Willow Wood Estates Subdivision (**Project**) on March 6, 2021, which applications were approved by the Middleton City Council following a public hearing on December 1, 2021.

WHEREAS, the Development Agreement was fully-executed and recorded in the records of Canyon County Recorder's Office as Instrument # _____.

WHEREAS, Developer has submitted applications for Amended Preliminary Plat and Development Agreement Modification, thereby seeking approval of this First Amendment to Development Agreement.

**ARTICLE I
 LEGAL AUTHORITY**

This Agreement is made pursuant to and in accordance with the provisions of Idaho Code §67-6511A and Middleton City Code, Title 5, Chapter 2.

ARTICLE II AGREEMENT

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and in consideration of the recitals above, which are incorporated below, and the mutual covenants, representations, and performances herein bargained for, relied on, and expected, the parties hereby agree that the Development Agreement shall be amended as follows:

1. Exhibit "B" in Paragraph 3.2 representing the Concept Plan for the Project shall be deleted and Exhibit "B.1" shall be inserted in its stead and incorporated into this Agreement by this reference as though fully set forth herein. All references to Exhibit "B" in the Development Agreement shall refer to Exhibit "B.1."
2. Paragraph 3.3 regarding Frontage Improvements shall be stricken entirely and replaced with the following provisions:

"Frontage Improvements. *Developer shall, at its own cost, improve the fifty foot (50') half-road portions of Cemetery Road per City standards and codes and ensure that the same is dedicated to the City prior to approval of final plat. The frontage improvements may be completed by phase pursuant to the recent revision of MCC 5-4-10-2.*

Due to the inability of Developer to negotiate the right to complete the required fifty foot (50') half road portion of Meadow Park Street with the owner(s) of Tax Parcel No. R37579011A0 (commonly referred to as 24556 Cemetery Road), Developer shall make a payment in lieu in the amount of \$250,702.27 to the City for the fifty foot (50') half road improvements to future Meadow Park Street.

City shall maintain the payment in lieu funds until the right of way for the Meadow Park Street frontage improvements can be constructed, and the funds will be applied to said construction.

In the event that the owner(s) of Tax Parcel No. R37579011A0 agrees to allow the development and dedication, at no cost to the City, of the half-road portion of Meadow Park Street on said owner's property prior to the completion of the Project, and if Developer agrees, then Developer shall construct the half-road portion of Meadow Park Street spanning the length of the Property pursuant to the City code and standards in effect at the time of construction. The completion of the half-road portion of Meadow Park Street will be a condition of final plat approval for the Phase in which the

construction occurs. Once constructed, the payment in lieu will no longer be required.

Additionally, if the Developer is able to construct the half-road portion of Meadow Park Street, the Developer will not be required to construct the access on to Cemetery Road via Ivory Lilac Street and Developer may increase Developer's lot count by one lot in light of the fact that the land for the Cemetery Road access is no longer required.

- 3. **City Council Adoption.** The Middleton City Council hereby adopts this First Amendment to Development Agreement pursuant to Middleton City Code 5-2-5.
- 4. **Effect of Amendment.** In the event of a conflict between the Development Agreement and this First Amendment thereto, the terms of this First Amendment shall govern. The terms of the Development Agreement, as modified by this First Amendment, shall continue in full force and effect.

IN WITNESS WHEREOF, the parties have hereunto caused this Agreement to be executed on the day and year first above written.

CITY OF MIDDLETON

ATTEST

By: _____
Steven J. Rule, Mayor

By: _____
Becky Crofts, City Clerk

State of IDAHO)
 ss.
County of Canyon)

I, a notary public, do hereby certify that on this _____ day of _____, 2023, personally appeared before me Steven J. Rule, who declared that he is the Mayor of the City of Middleton, Idaho and signed this Development Agreement as Mayor of the City of Middleton.

Notary Public
My Commission Expires: _____

JOSEPH L. AUSTIN

State of Idaho)
 ss.
County of _____)

I, a notary public, do hereby certify that on this ___ day of _____, 2023, personally appeared before me Joseph L. Austin, who declared that he signed this Development Agreement in the capacity of Developer and Owner of the Willow Wood Estates Subdivision.

Notary Public
My Commission Expires: _____

DEBORAH R. AUSTIN

State of Idaho)
 ss.
County of _____)

I, a notary public, do hereby certify that on this ___ day of _____, 2023, personally appeared before me Deborah R. Austin, who declared that she signed this Development Agreement in the capacity of Developer and Owner of the Willow Wood Estates Subdivision.

Notary Public
My Commission Expires: _____

EXHIBIT "A"

Legal Description

March 4, 2021

Project No.: 210036

EXHIBIT "A"
WILLOW WOOD SUBDIVISION

A Parcel of land located in a portion of Government Lot 2 of Section 31, Township 5 North, Range 2 West, Boise Meridian, Canyon County, Idaho, being more particularly described as follows:

COMMENCING at the West Corner of said Sections 31, from which the Northwest corner of said Government Lot 2 bears N.00°21'18"E., 1321.85 feet; thence along the west line of said Government Lot 2,

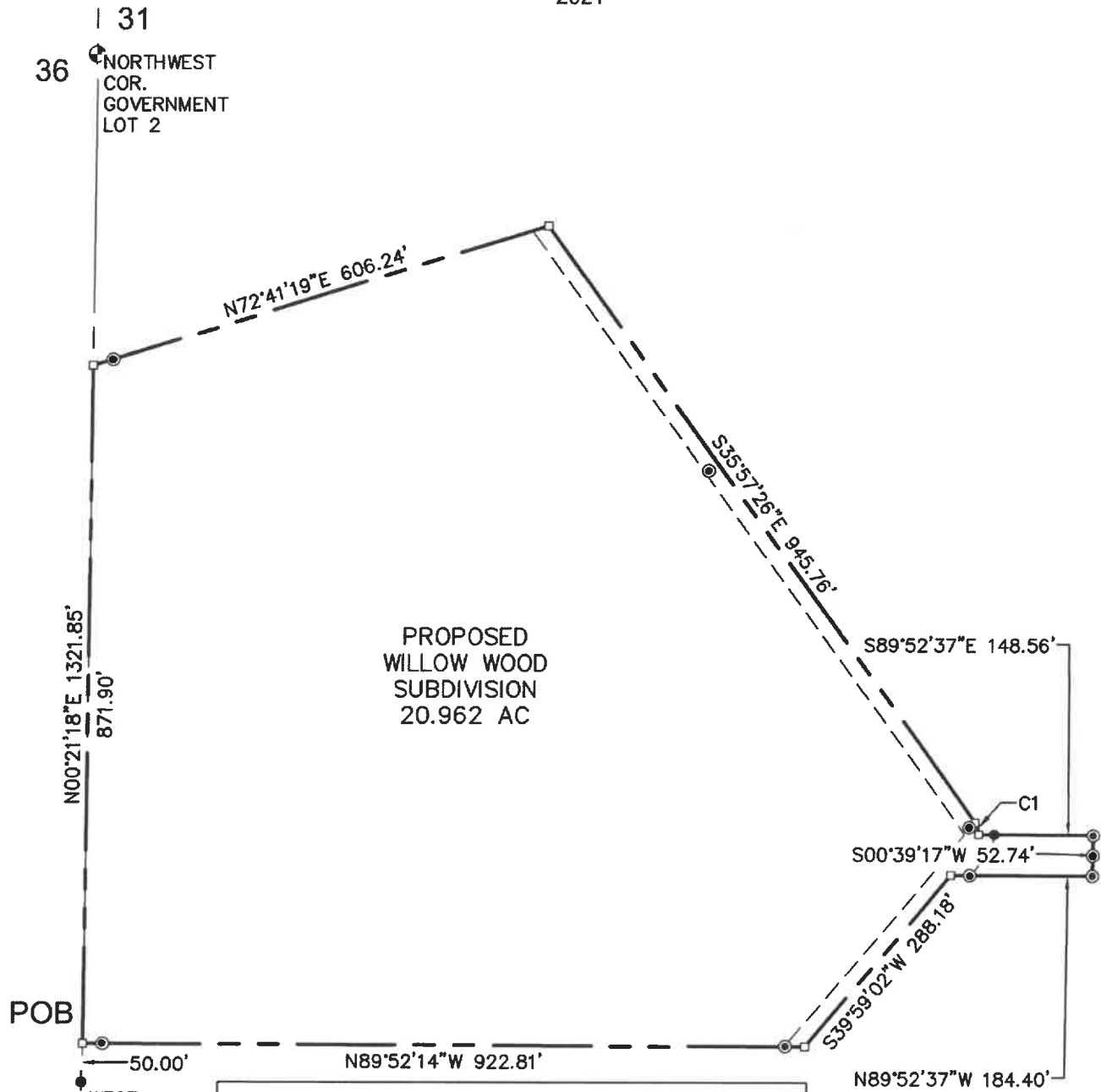
- 1) N.00°21'18"E., 50.00 feet to the **POINT OF BEGINNING**; thence, continuing along said west line,
- 2) N.00°21'18"E., 871.90 feet; thence, leaving said west line,
- 3) N.72°41'19"E., 606.24 feet; thence,
- 4) S.35°57'26"E., 945.76 feet; to the beginning of a tangent curve; thence,
- 5) Southeasterly along said curve to the right, having a radius of 25.65 feet, an arc length of 16.38 feet, through a central angle of 36°35'56", of which the long chord bears S.17°45'14"E, 16.11 feet; thence,
- 6) S.89°52'37"E., 148.56 feet; thence,
- 7) S.00°39'17"W., 52.74 feet; thence,
- 8) N.89°52'37"W., 184.40 feet; thence,
- 9) S.39°59'02"W., 288.18 feet; thence,
- 10) N.89°52'14"W., 922.81 feet to the **POINT OF BEGINNING**.

The above-described parcel **CONTAINS** 20.962 acres, more or less.



EXHIBIT SKETCH "B"

LOCATED IN A PORTION OF GOVERNMENT LOT 2 OF SECTION 31,
TOWNSHIP 5 NORTH, RANGE 2 WEST, BOISE MERIDIAN, CANYON COUNTY, IDAHO
2021



CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C1	25.65'	16.38'	36°35'56"	S17°45'14"E	16.11'



T-O ENGINEERS

2471 S. TITANIUM PLACE
MERIDIAN, IDAHO 83642-6703

PHONE: (208) 323-2288

WWW.TO-ENGINEERS.COM

E-FILE: 210036-V-PREPLAT BOUNDARY EXHIBIT.dwg DATE: 3/11/21

JOB: 210036

EXHIBIT "B.1"

Concept Plan

Willow Wood Middleton, Idaho

City Council – Sep 20, 2023



Previously Approved Plat (Dec 2021)



Current Plat (City Staff, Engineer, P&Z Commission and CHD4 recommends approval)

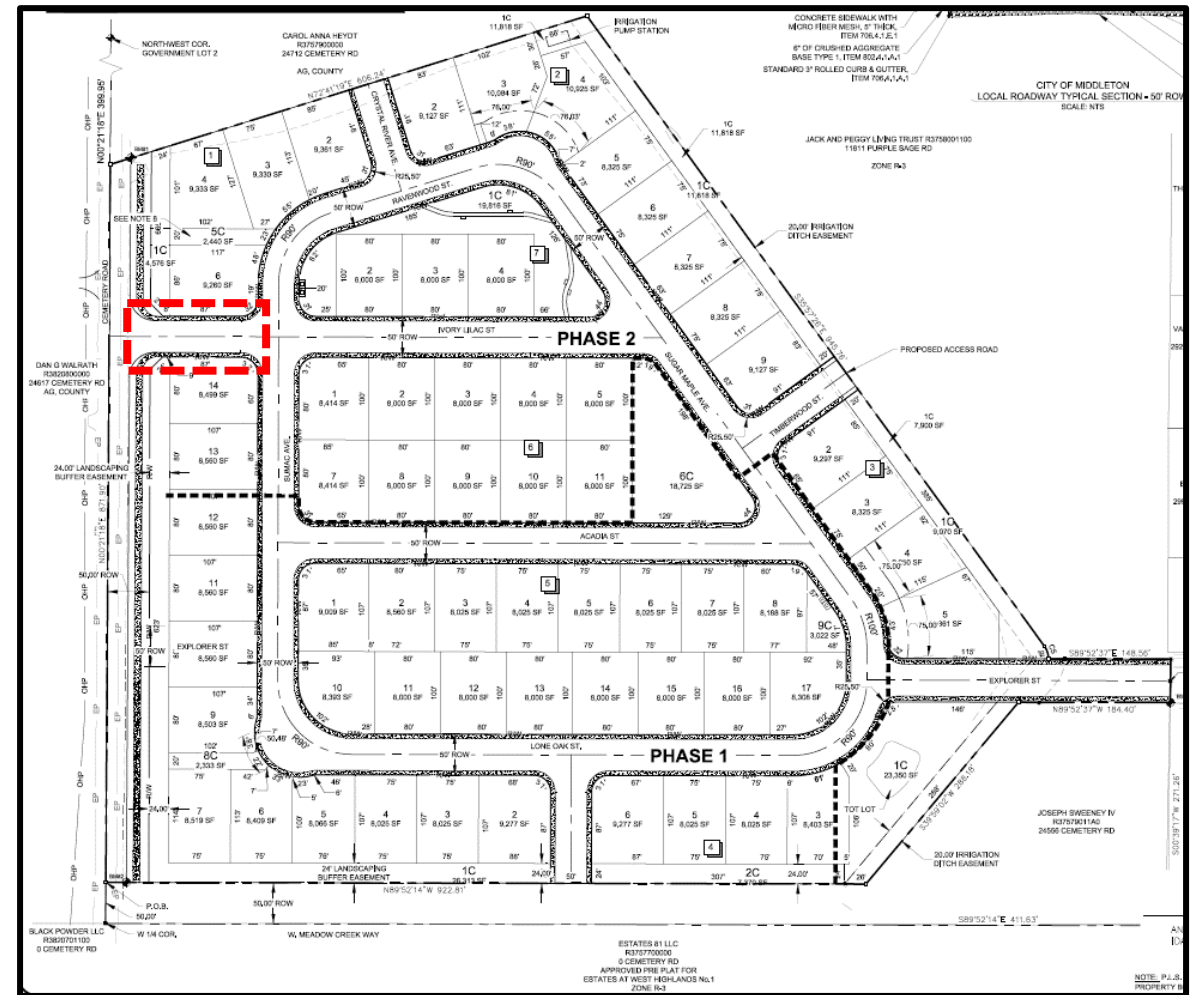


Differences

Previously Approved Plat



Current Plat



Cemetery Rd Access

- Canyon Highway District No. 4 has confirmed the access from Cemetery Rd meets CHD4 standards for road spacing and that there is adequate sight distance.

From: Chris Hopper <CHopper@canyonhd4.org>
 Sent: Tuesday, September 5, 2023 11:38 AM
 To: Roberta Stewart <rstewart@middletonciv.com>
 Subject: RE: Agency Notice - Amended Preliminary Plat & DA Modification (Willow Wood Estates)

Roberta-

CHD4 does not have any additional comment on the revised prelim plat for Willow Wood Estates on Cemetery Rd. The only significant revision affecting Cemetery (which is under CHD4 jurisdiction for maintenance) appears to be the local road connection approximately 660-ft north of Meadow Park, which meets CHD4 standards for local road spacing for a collector. There appears to be adequate intersection sight distance from the north for the proposed local road "Ivory Lilac Street", but CHD4 recommends the city confirm the minimum 500-feet of intersection sight distance is available for the posted 45 mph speed.

Comments on the previous prelim plat submittal dated Nov 8, 2021 are attached and are still valid for this plat.

Please let me know if you have questions.

Respectfully,

Chris Hopper, P.E.

District Engineer

Canyon Highway District No. 4

15435 Hwy 44

Caldwell, Idaho 83607

208-454-8135



Requiring the Applicant to Buy Property and Develop Meadow Park Street is not Reasonable

5-4-10-2: ROADS:

A. Road Design Requirements: Roads, including collectors as designated by the City of Middleton, shall be designed incorporating the principles of balanced blocks, curvilinear layout, City approved access points, minimization of cul-de-sacs, and connectivity throughout the development and to adjacent properties.

B. Frontage Roads: Where a subdivision/development abuts or contains an existing or proposed arterial road, railroad or limited access highway, the City may require frontage roads, or such other treatment for the appropriate use of the lot.

C. Adjacent Streets:

1. The developer is responsible for improving all street frontages adjacent to the development site or internal to the development as required below, regardless of whether access is taken to all of the adjacent streets.



having a common **endpoint** or border

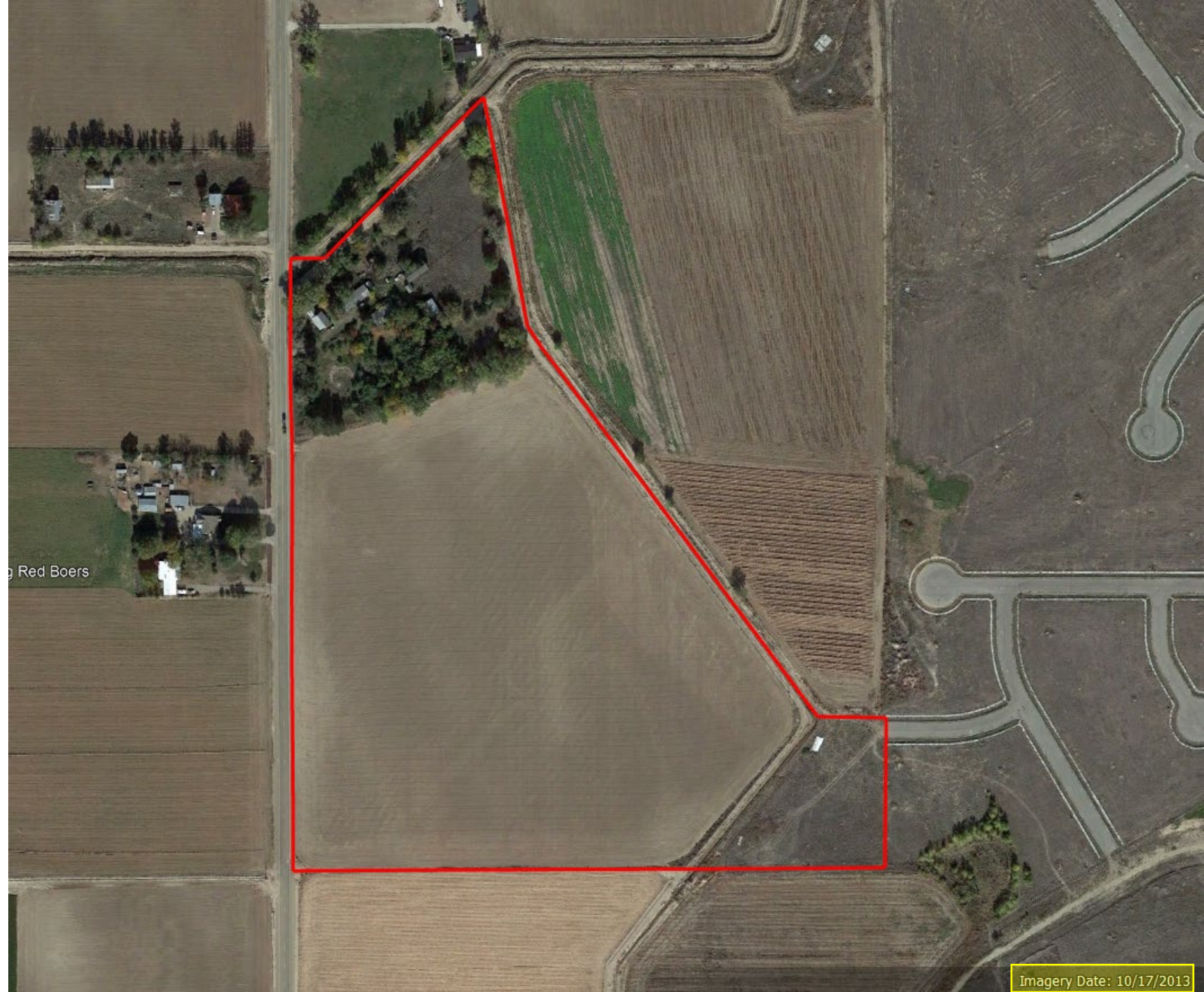
adjacent lots

adjacent sides of a triangle

1. The developer is responsible for improving all street frontages **adjacent** to the development site or internal to the development as required below, regardless of whether access is taken to all of the adjacent streets.

Canyon County Property Division History

- 2013 - All one property



Late 2013

- Parcel Split by Others
- Applicant (Austin's) bought property NOT shaded in green



2013 Transportation Plan

MIDDLETON CONNECTS



ART
HISTORY
PARKS
PATHWAYS &
TECHNOLOGY

Middleton's population is estimated to double over the next ten years. Maintaining the small town feel, remembering history and developing for the future requires planning and commitment from the City and community as Middleton grows.

This map displays the proposed long-range City vision for existing and proposed pathways, parks, and streets based on the Middleton Connects vision and goals.

Everyone is invited to share their ideas and concerns on the comment cards below, comment cards at City Hall, via email at citymid@middletonidaho.us, or visit with City staff, Mayor Taylor or Council members directly.

MIDDLETON CONNECTS is a community vision to enhance walkability, health, and livability in Middleton.

VISION STATEMENT: Create places and experiences that will educate, entertain and connect the community of Middleton with art and history while utilizing parks, playgrounds, schools, pathways and technology.

GOALS

1. **ENRICH** Middleton's sense of community with a pathway system that connects neighborhoods to schools, parks and downtown, and invites walking and biking to promote a healthy lifestyle.
2. **HONOR** Middleton's history by engaging the community through historical interpretive signs in parks and along pathways.
3. **CAPTURE** preserve and present Middleton's history in pictures, stories and artifacts at the History Center, which will be a legacy for generations to come.
4. **ENCOURAGE** public art that creates social, cultural or historical statements consistent with Middleton Connects' vision.

ART Public art helps define and reveal insights about Middleton's history, natural surroundings and cultural connections. Public artwork is encouraged in parks, residential and commercial areas. The City is designing entrance monuments to be situated along Highway 44 entering town from the east, west, and south welcoming people to town. Banners attached to street signs downtown are changed seasonally and for special holidays to help keep Middleton's small-town feel. Future parks may include sculpted art featuring historical events or memorials. Artists are encouraged to submit ideas for public art to City Hall.

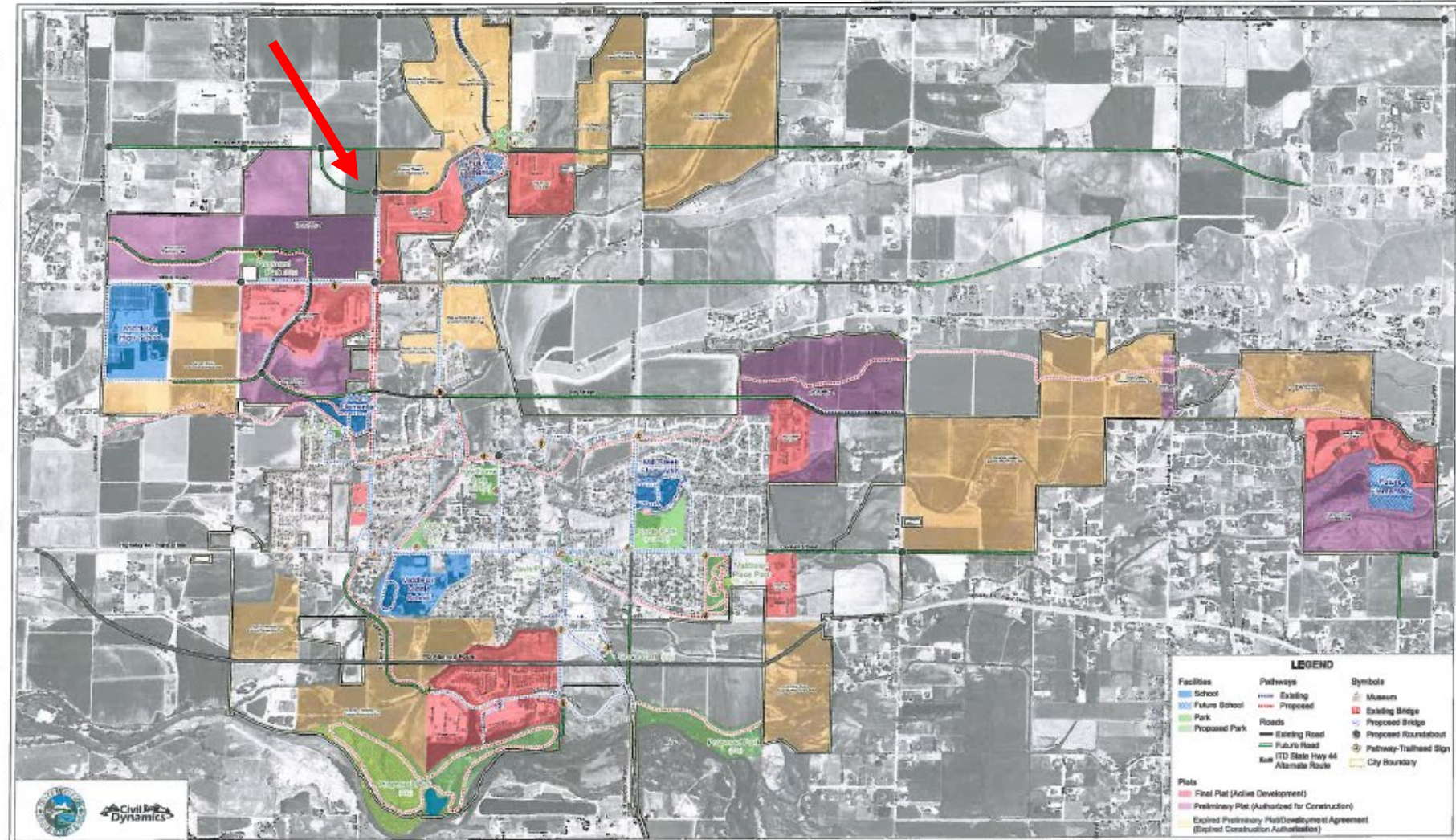
HISTORY A Historic Preservation Society was formed to establish a History Center with grant funds from Canyon County and the City of Middleton. The History Center will be located along the pathway allowing walking tours for student field trips and easy access for residents and visitors. Historical markers in parks and along the pathways will mark Middleton's historic past and provide insight into inspiring moments from Middleton's history.

PARKS The City's park system includes improved leisure, natural, and recreational parks. Existing and future parks will be connected to the pathway system. A location for a skate park is being pursued. Natural parks are designed to recreate close to the Boise River with unpaved but improved pathways. Parks are gathering places identified in the City's emergency preparedness plan. The Greater Middleton Parks and Recreation District provides parks for soccer and baseball programs.

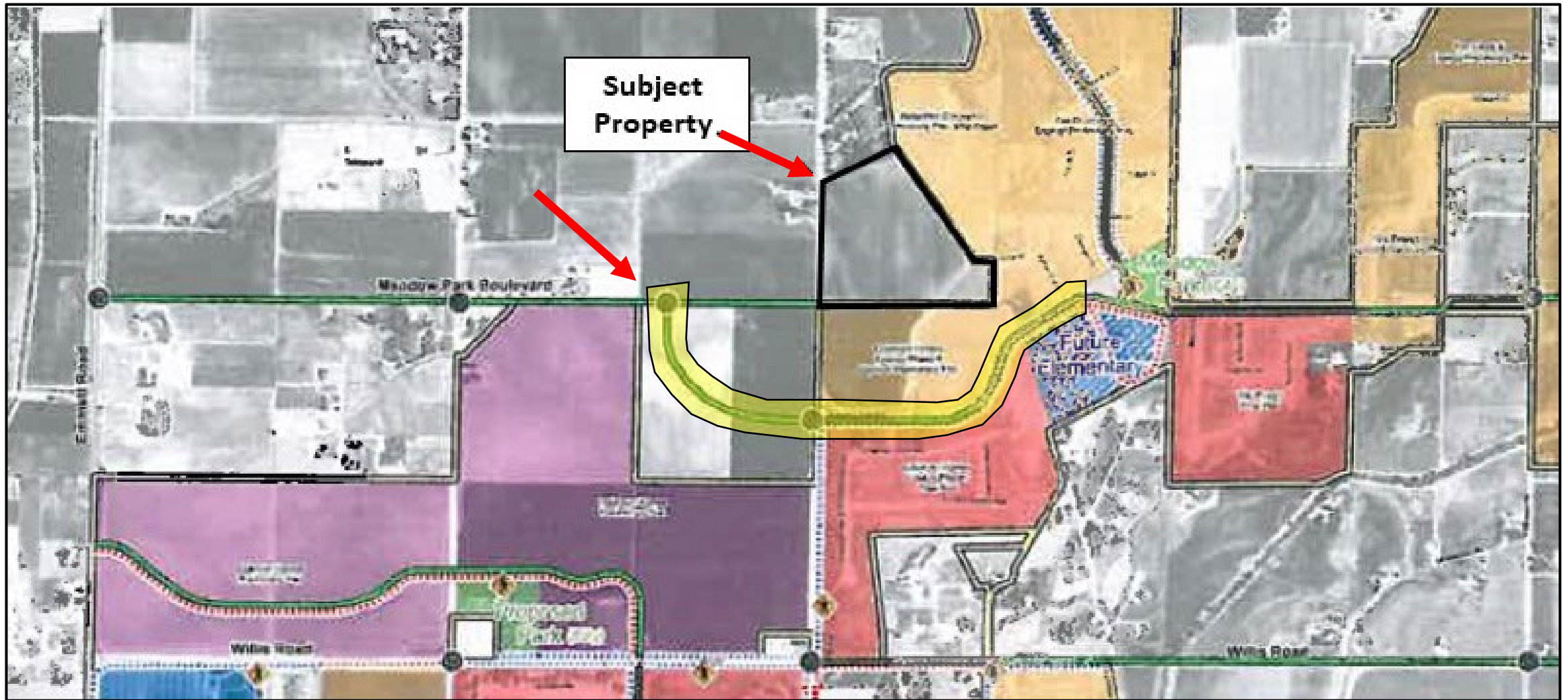
PATHWAYS To the extent possible, pathways utilize existing sidewalks, shoulders of streets, and an occasional disjunct canal bank where appropriate. Pathways are designed to connect neighborhoods, parks and downtown to schools etc. Trailheads around town show the entire pathway system, with a "you are here" identification, and show the distance to each route. Hydration and health stations are being considered in parks and along pathways. The pathway system invites walking and biking to promote a healthy lifestyle.

TECHNOLOGY The City is exploring different technology options including solar lighting, WiFi connectivity and safety cameras in parks. Historic interpretive signage and trailhead signs will include QR code technology allowing additional information to be obtained via mobile devices.

STREETS Expanding the east-west traffic routes is critical for traffic movement now and with future residential growth. Roundabouts are the preferred intersection configuration as they slow traffic, but do not stop traffic. Public bus-stop pullouts are being incorporated in convenient areas, and pathways are being added along certain future roads that add routes, connections, and longer-distance walking options.



2013 Transportation Plan



Previous Meadow Park Blvd



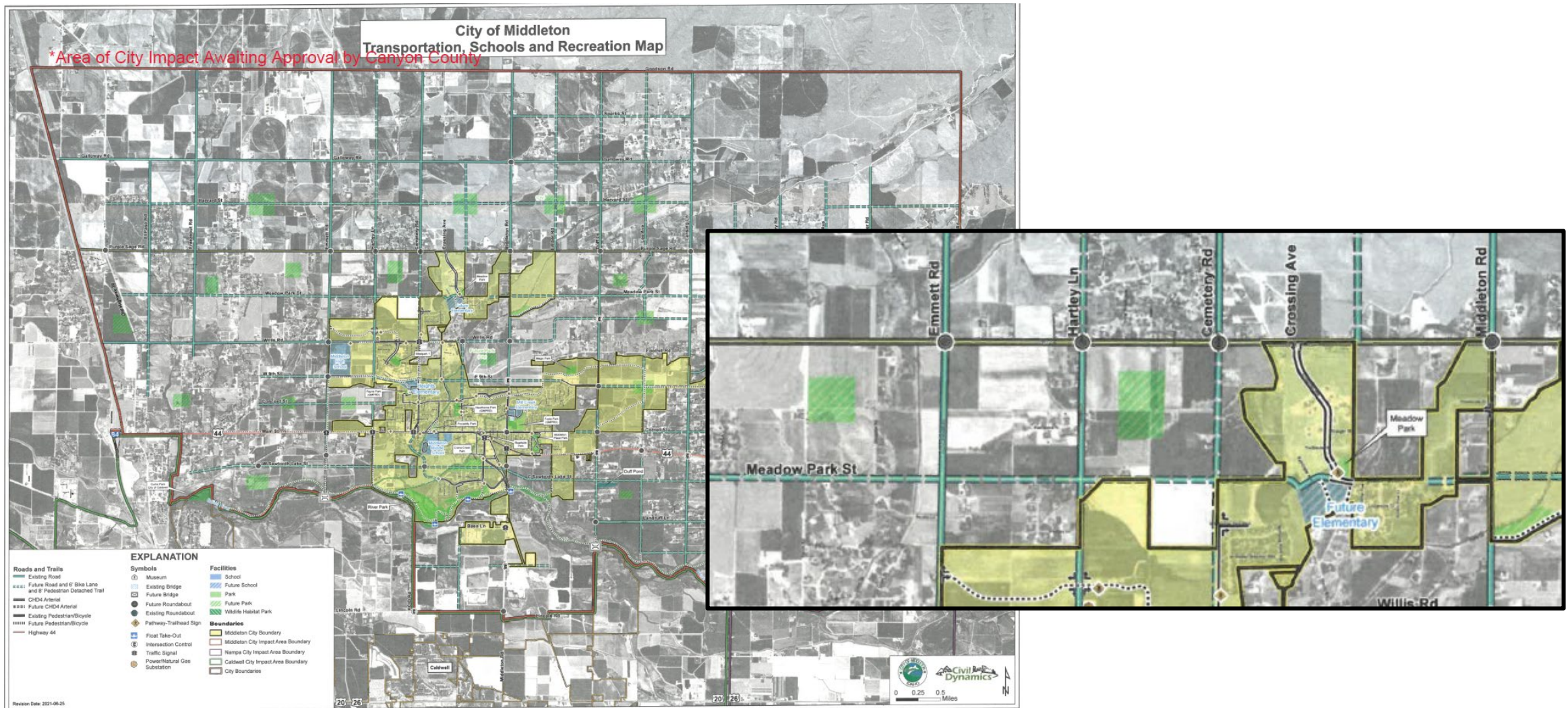
2014

- Applicant built their home on the site



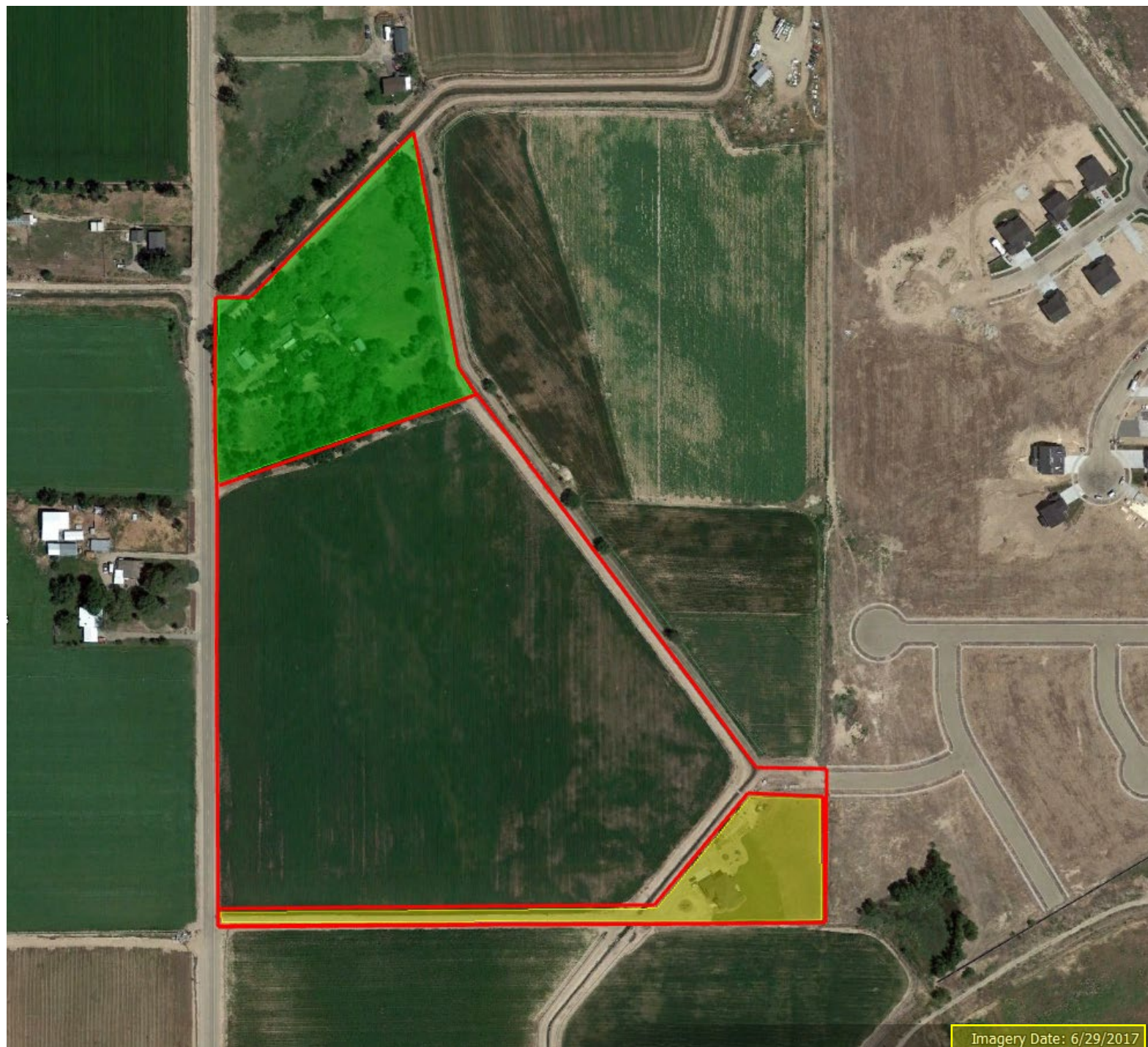
Current Transportation Plan

- Sometime between 2013 and 2017 the transportation plan changed.
- The Applicant doesn't know when it changed.



2017

- Applicant moved out of state and sold the home (to Lima's).
- Prior to selling the home they completed a lot line adjustment to provide deeded access to Cemetery Rd. For deeded access, Canyon County required 50 feet.
- The Applicant also put the rest of the property on the market (it never sold).



2017 Canyon County Lot Line Adjustment Approval


The amendment to AD2012-1016 is consistent with §07-18-01 of the Canyon County Zoning Ordinance.

The adjustment does not result in the relocation of a building permit. The affected parcels are not platted. The adjustment does not create non-conforming parcels. The adjustment will not cause injury, damage or a safety

hazard to surrounding parcels and property owners. The decision includes reduction of frontage to 50 feet. Consistent with §07-10-03(1)D, the reduction provides adequate access and does not impact the surrounding character. This application with supporting documents is in substantial compliance with the requirements of the effective zoning ordinance 16-007, §07-10-17.


perpetual easement(s) for ingress/egress complies with CCZO 16-007 §07-10-17. Therefore, the administrative property boundary adjustment is hereby **APPROVED**.

- The lot line adjustment was completed legally
- It was completed according to statute and code
- It was completed over 6 years ago



Director Decision
Property Boundary Adjustment
(Amendment to AD2012-1016)
Development Services Department
Canyon County Code of Ordinances 16-007 - §07-10-17

Recorder's Tag:
2017-033343
RECORDED
08/08/2017 01:36 PM



0031630120170033430180187
CHRIS YAMAMOTO
CANYON COUNTY RECORDER
Pgs=18 MBROWN \$61.00
MISC
AUSTIN, JOSEPH

Case Number: AD2017-62
Parcel #(s): R37579011 & R37579011A
Property Owner: Joseph Austin

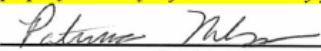
Request: Joseph Austin, property owner, is requesting to complete a property boundary adjustment, amending a previously approved Land Division (AD2012-1016), affecting two contiguous parcels: R37579011 and R37579011A. Parcel R37579011 was created through an approved Land Division (AD2012-1016). However, the parcel was divided in 2012 creating Parcel R37579011A without amending the approved Land Division. The result of the adjustment provides dedicated access for both parcels and corrects the subsequent division.

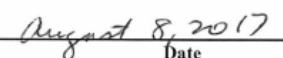
Finding: The amendment to AD2012-1016 is consistent with §07-18-01 of the Canyon County Zoning Ordinance. The adjustment does not result in the relocation of a building permit. The affected parcels are not platted. The adjustment does not create non-conforming parcels. The adjustment will not cause injury, damage or a safety hazard to surrounding parcels and property owners. The decision includes reduction of frontage to 50 feet. Consistent with §07-10-03(1)D, the reduction provides adequate access and does not impact the surrounding character. This application with supporting documents is in substantial compliance with the requirements of the effective zoning ordinance 16-007, §07-10-17.

The subject parcels will be modified in accordance with Instrument No. 2017-032748, as follows:

Parcel #:	Approx. Existing Acreage	Approx. New Acreage
R37579011	14.56 ac	13.78 ac (Ag. only, no building permit available)
R37579011A	2.04 ac	2.88 ac

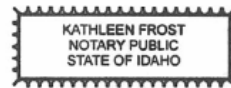
Decision: The application documents, including the metes and bounds description(s), the record of survey and/or perpetual easement(s) for ingress/egress complies with CCZO 16-007 §07-10-17. Therefore, the administrative property boundary adjustment is hereby **APPROVED**.


Patricia Nilsson, Director

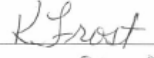

August 8, 2017
Date

State of Idaho)
County of Canyon County) SS

On this 8th day of August, in the year of 2017, before me Kathleen Frost, a notary public, personally appeared Patricia Nilsson, personally known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he (she)(they) executed the same.

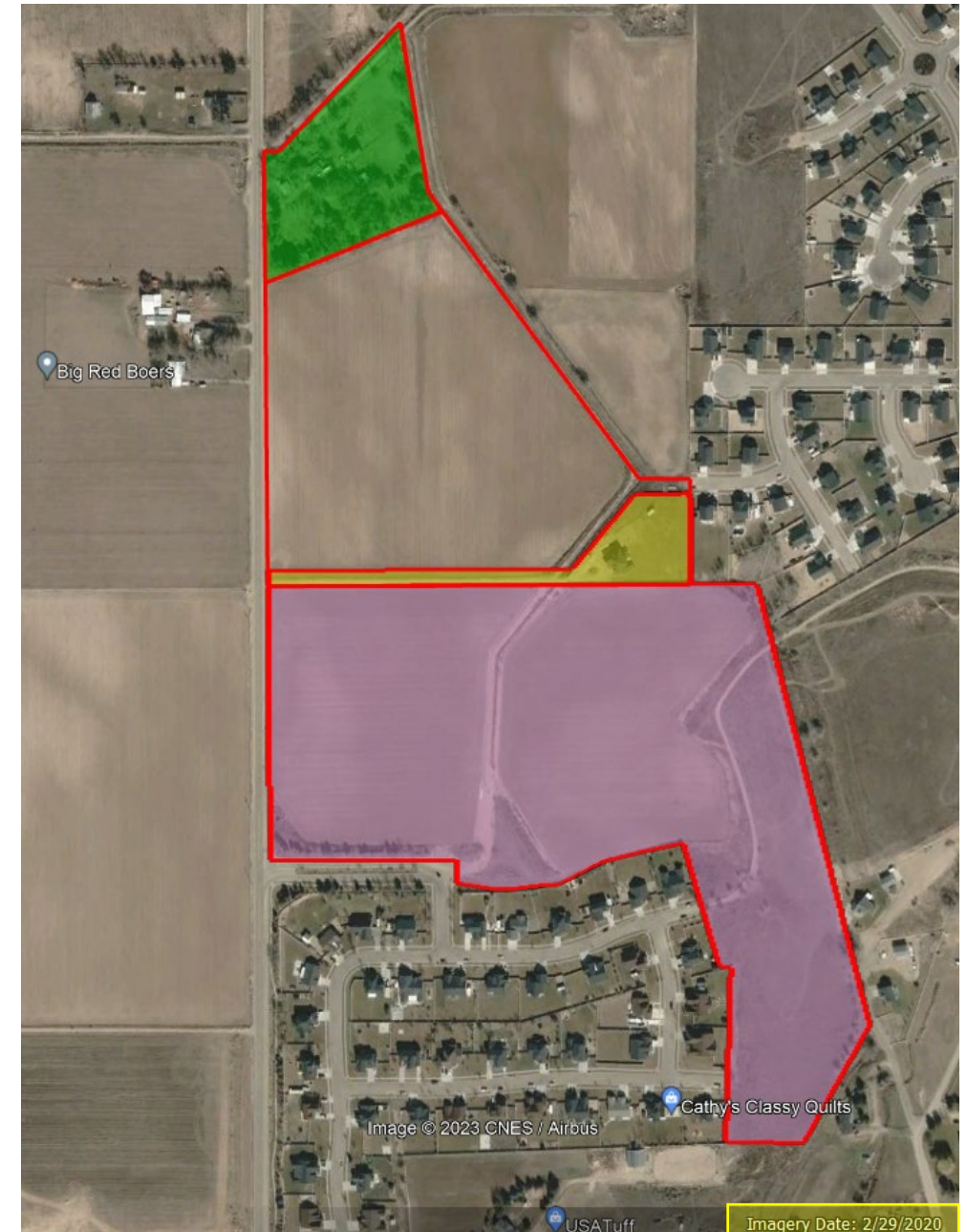


KATHLEEN FROST
NOTARY PUBLIC
STATE OF IDAHO

Notary: 
My Commission Expires: 06-03-2022

2020

- Applicant moved back to Idaho (2018).
- Remaining 21 acres never sold.
- Applicant finalizing house plans to construct a single home on the remaining 21 acres and keep the property in the county.
- Applicant received notice of “Estates at West Highlands” (May 2020) and noticed this half section of road that would become “Meadow Park Street”.
- Applicant contacted city staff (Bruce Bane) about the half street and the unlikelihood that the neighboring property owner would ever develop so the city could have made adjustments at this time.
- Bruce’s response: “then it will just sit as a half width road for forever”.
- Lima’s sell home to the current owners, the Sweeney’s (Oct 2020).



W1/4 36 31 828

W. MEADOW PARK STREET

S89°52'18"E 1289.56'

S89°49'34"E 107.12'

W. MEADOW PARK BLVD

N00°35'21"E 814.03'

Cemetery Road

W. MEADOW PARK STREET

W. MEADOW PARK BLVD

N. THREE AVENUE

N. FIVE DRIVE

N. SIX DRIVE

N. MEADOW WOOD AVENUE

W. ONE WAY

W. TWO WAY

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Block 2

Block 3

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Meadow Park Blvd Entrance Today



Late 2020 / Early 2021

- With new developments coming around applicant's property, applicant turned focus from home construction to development.
- Pre-application meeting (2/1/21):
 - Applicant
 - Dave Sterling (T-O Engineers)
 - Mayor Rule
 - Becky Crofts
 - Roberta Stewart
 - 2 other new planners
- Pre-application meeting road discussion:
 - Applicant made city aware they didn't own property adjacent to Meadow Park.
 - Applicant and applicant's engineer recall the mayor saying: "meet with the property owner again and see if you can acquire the road, **but if you can't, don't let that hold you up in moving forward with your project.**"

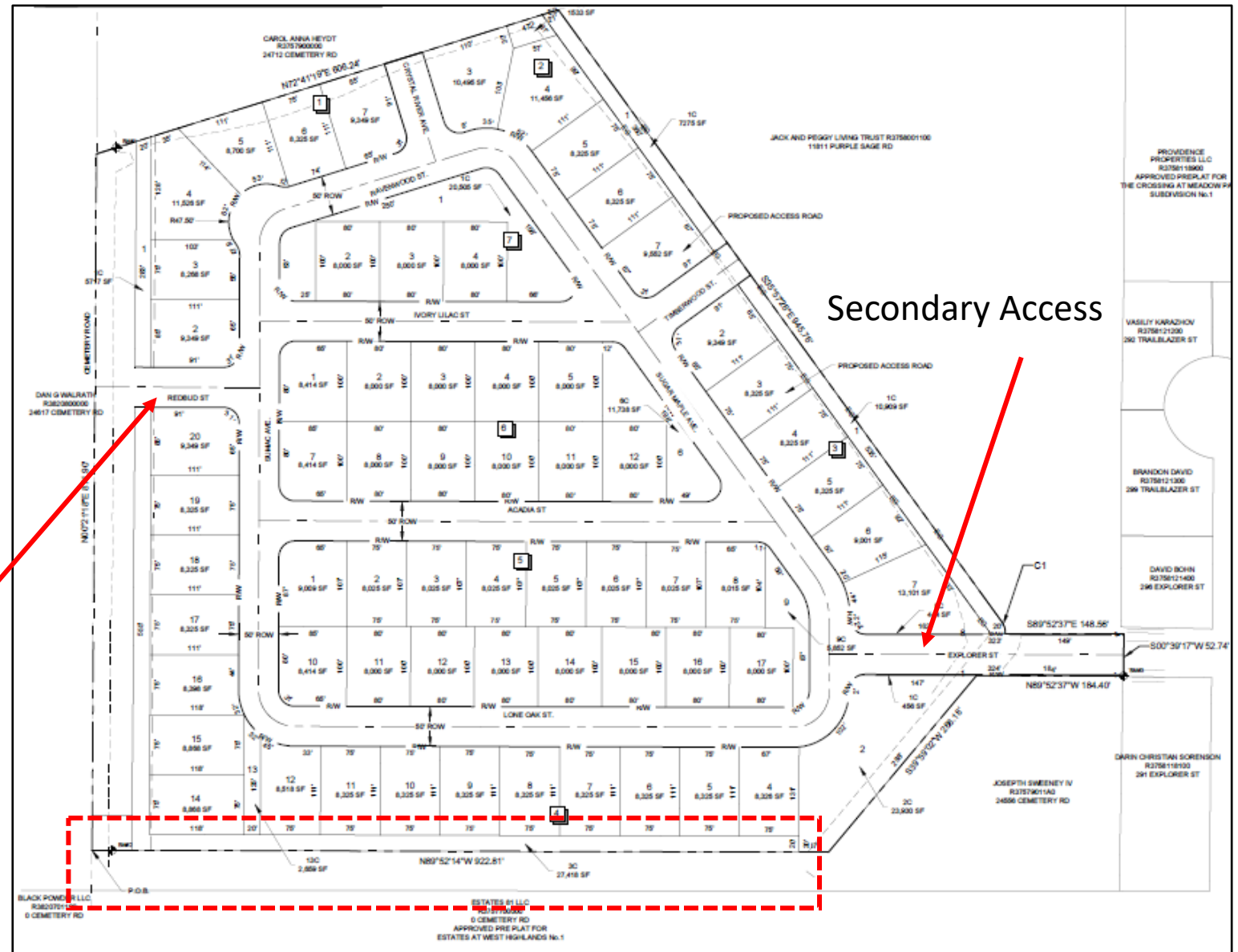


Initial Application

- Feb 2021 applicant met with the neighbor (applicant had talked with them previous to pre-application meeting), neighbor informed applicant they again had no interest in their driveway being turned into a road.
- 2/17/21: neighborhood meeting (neighbor not present)
- 3/15/21: application made for annexation, re-zone, development agreement and preliminary plat.
- Applicant believed the application met all city code requirements.

Primary Access

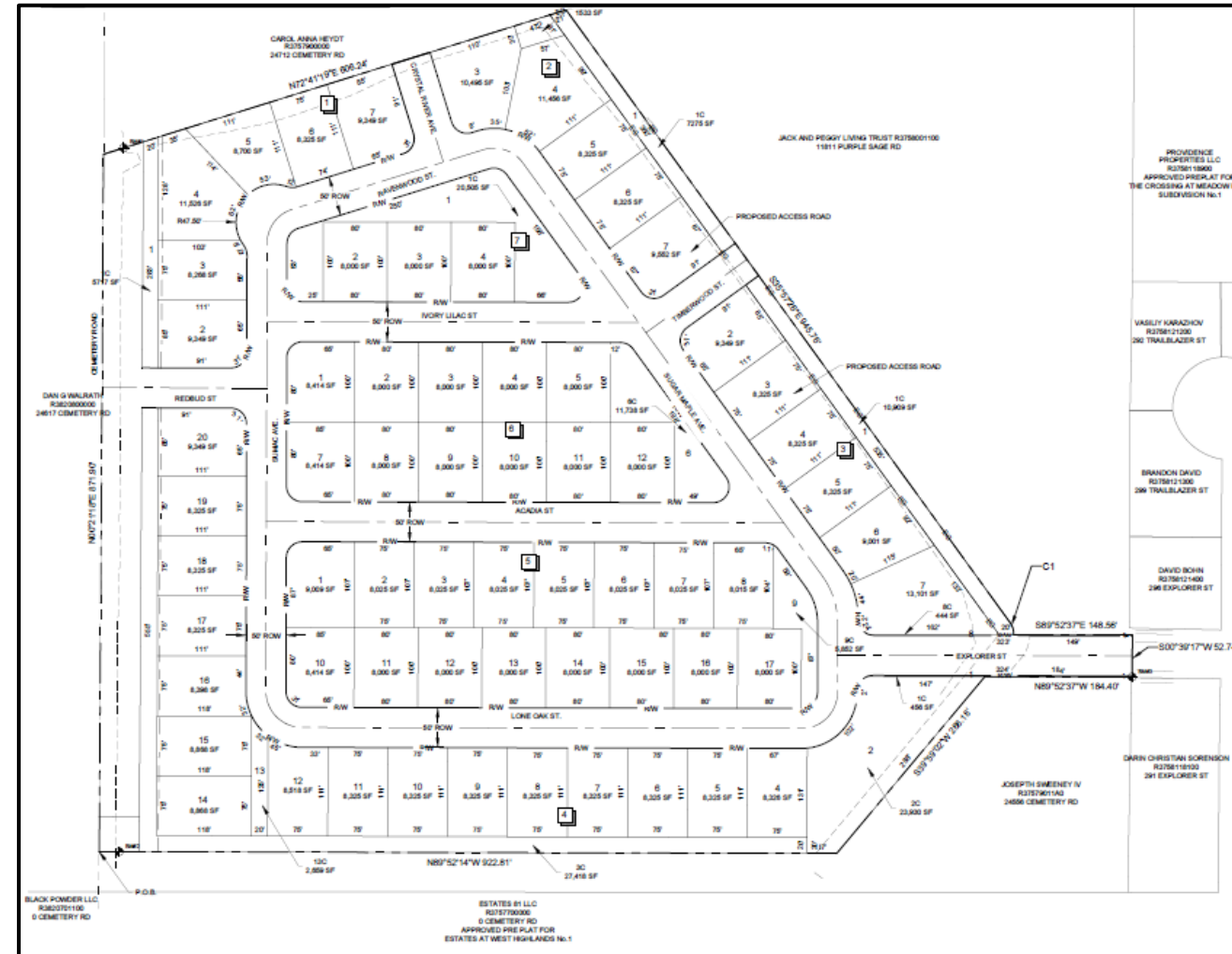
Secondary Access



Comparison Between Initial & Current Application

Initial Application

Current Application



City Response

From: Roberta Stewart <rstewart@middletoncity.com>

Sent: Friday, April 23, 2021 3:46 PM

s://mail.google.com/mail/u/0/?ik=169dbc4cec&view=pt&search=all&permthid=thread-f%3A1744714540157097833%7Cmsg-f%3A1744724318466...

7/22, 9:01 PM

Gmail - FW: Willow Wood Estates - few issues

To: Austin, Joseph <Joseph.Austin@mdch.com>; Dave Sterling <dsterling@to-engineers.com>

Cc: Becky Crofts <bcrofts@middletoncity.com>; Amy Woodruff <amy@civildynamics.net>; Rachel Speer <rspeer@middletoncity.com>

Subject: Willow Wood Estates - few issues

Hi Joe and Dave: Before we can start getting you ready for Public Hearing, we have to deal with a few issues:

1. We will not allow the Engineer to review the pre-plat until we have assurance that you have obtained the right of way for the new Meadow Park Street from your neighbor with the long driveway. Please let us know when you work out the issue with the neighbor. The city will not move ahead without that being settled.
2. Please submit a Traffic Impact Study.
3. We may need you to delete the "Redbud St" access on to Cemetery Road. It is a major collector. Although we do not want our engineer Amy Woodruff to review the pre-plat until the neighboring driveway issue is resolved, I am asking her to take a quick look at your concept plan and pre-plat and let us know if access on to Cemetery Road is allowed. It will be good to get that determined right up front. I suspect you will need to get access off of Meadow Park Street.

Thanks,

Before we can start getting you ready for Public Hearing,

Roberta L. Stewart

1. We will not allow the Engineer to review the pre-plat until we have assurance that you have obtained the right of way for the new Meadow Park Street from your neighbor with the long driveway. Please let us know when you work out the issue with the neighbor. The city will not move ahead without that being settled.

PLANNER

City of Middleton, Planning & Zoning

Negotiations with Neighbor

- Forced with no other choice, applicant began negotiations again with neighbor, but from the position they basically had to accept whatever the neighbor asked for.

On Fri, May 28, 2021 at 9:34 AM Joseph Austin <jdaustin15@gmail.com> wrote:

Hi Joe and Jen,

We appreciate you getting back with us.

Deborah and I have talked extensively about your offer and have looked into the loan that would be required to purchase. While we don't agree that the numbers are anywhere close to the market value for the driveway, as we've previously stated, we want to work with you and we want you to be happy with the outcome so we are willing to accept your offer.

Would you like to provide us a draft of the purchase agreement for review or would you like us to send you a draft for review?

Thanks,

Joe and Deb

Negotiations with Neighbor

We have a separate slideshow we could show; for the sake of time we aren't including it in this presentation, but we have it available if there are further questions about it. It contains 26 emails over the course of a year between applicant and neighbor, three of which are highlighted below.

On Tue, Apr 12, 2022 at 8:56 AM Joe Sweeney <joe@apex-rents.com> wrote:

Hi Joe,

Yes, it has been almost a year of going back and forth and us learning as we go. We found out that a large portion of the money would go to our principal as well as short term capital gains we would have to pay taxes on. We've been threatened by the City of Middleton if we don't sell. We know we'll be annexed into the City should this go through and this isn't something we want. We've spent over \$6k in legal fees. Each time we requested for clarification or an original item to be added to the PA, we found out something else was added in on your side. We don't want to spend more on legal fees to continue to go in circles. It has gotten to the point where it does not seem financially smart for us to continue to do this. Selling 1/3 of our property was not why we purchased this property at the end of 2020. The property between our house and Cemetery Road being a dirt road never bothered us. That acre has value to us and a huge reason why we purchased this property.

A few weeks ago, we inquired about selling but have since learned there is little to no inventory and we won't be selling at this time.

On Thu, May 26, 2022 at 2:50 PM Joe Sweeney <joe@apex-rents.com> wrote:

Hi Joe,

We heard from our attorney that your attorney had reached out. Respectfully, we do not want to sit down to talk about the property you want to purchase from us. In our last email, we asked what the acre of land is worth to you.

Thank you,

Joe

→ Joe Sweeney

to Roberta, me ▼

Tue, Sep 19, 4:51 PM

Hi Roberta and Joe,

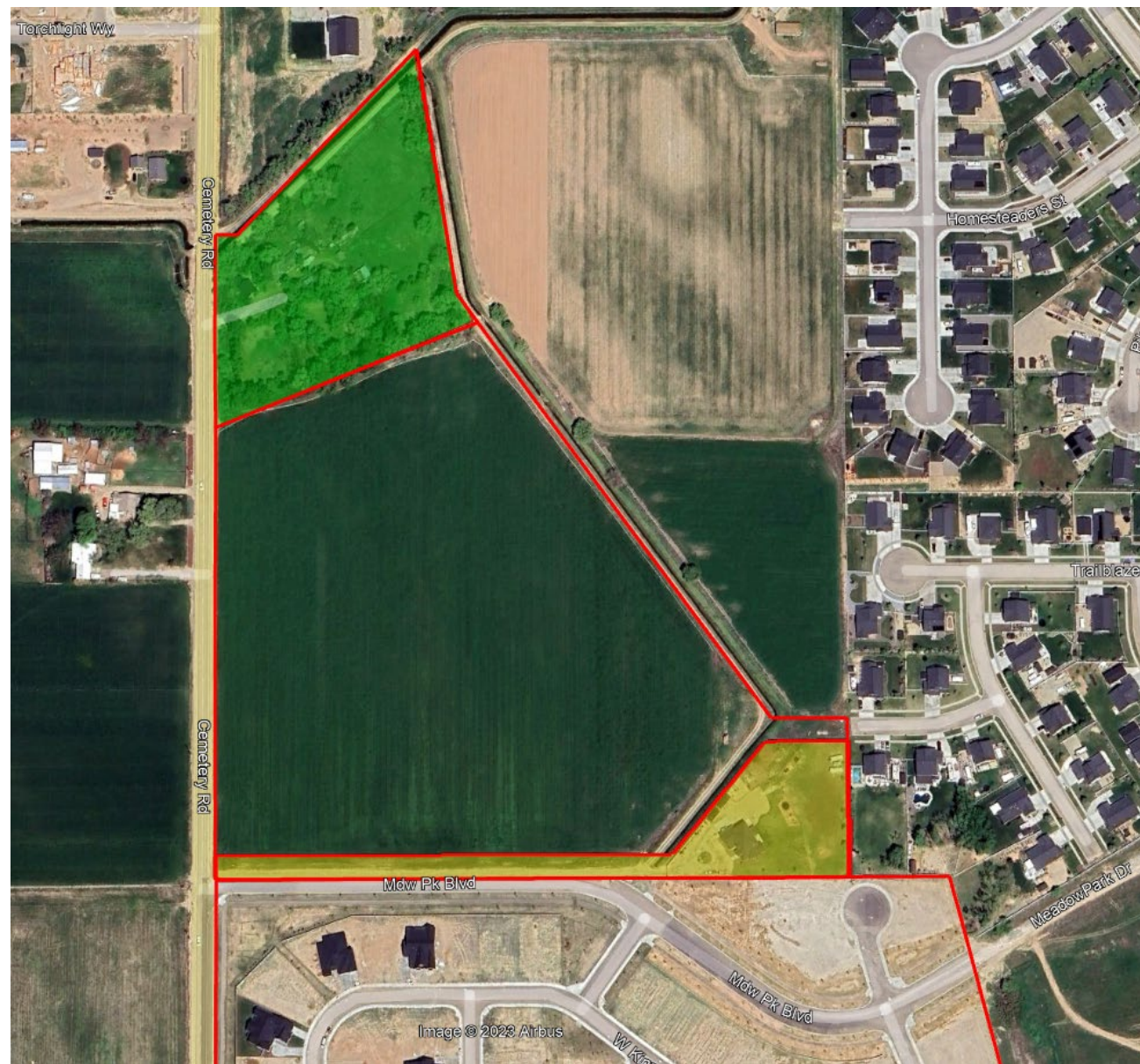
My apologies for the delayed response. We were out of town.

Respectfully, we are not interested in getting together to talk. This comes down to what is Joe Austin and/or the City willing to give for Meadow Park Blvd/St/Dr?

Thanks,

Joe

Property Today



We Ask for Your Approval

- When the applicant divided the property in Canyon County, the Meadow Park Street entrance was already constructed about 600-feet south of its current planned location.
- The applicant is willing TODAY to make a “payment in lieu” in the amount of \$250,702.27 for the construction of the northern half of Meadow Park Street (amount approved by city staff and city engineer).
- The property is annexed into the city and zoned R-3 with no development agreement currently executed.
- The applicant objects to any requirement of the city to acquire property next door and to build Meadow Park Street.
- The proposed amended preliminary plat is nearly identical to the previously approved plat except: 1) it takes primary access from Cemetery Rd and 2) that extra access point reduced the lot count from 62 to 61 lots.
- The proposal, along with the access off Cemetery Rd meets the separation requirements and is acceptable by the highway district, city staff, city engineer and the Middleton Planning and Zoning Commission.
- In addition to the “payment in lieu”, the applicant is also paying traffic impact fees in the amount of \$85,482.

Thank You!

Current Plat (City Staff, Engineer, P&Z Commission and CHD4 recommends approval)





preliminary plat and Comprehensive Plan map amendment with respect to the Crossing South Subdivision

September 20, 2023 - City Council - Public Hearing

Please check

	Name	Address	Phone or Email	In Favor	Neutral	Opposed	Testify
1	Brian Gannon	2032A WANDA WAY MIDDLETON, IL	288 670 0103	<input checked="" type="checkbox"/>			
2	Patrick Connor	701 S. Allen St	pconnor@hubblerhomes.com				X Applicant
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amended preliminary plat and development agreement modification with respect to the Willow Wood Estates Subdivision

September 20, 2023 - City Council - Public Hearing

Please check

	Name	Address	Phone or Email	In Favor	Neutral	Opposed	Testify
1	Melanie Gunnell BRIAN GUNNEL	24032 WANDA WAY	208-696-9103 brgunnell@gmail.com	X			
2	Travis & Jami Kraupp	73818 WAGNER Rd	208 866 7195	X			
3	Jonathan Hughes	24425 Cowboy Lane	208-968-7023	X			
4	Bart Anderson	1128 Marian ST	208 800 8438	X			
5	Becca Helling	1872 Iron Stallion Dr	208-351-1446	X			
6	Kara Steik	14344 Velvet Falk Way	208-440-4760	X			
7	Melanie Gunnell	24032 Wanda Way	208 696 9104	X			
8							
9							



Public testimony to consider the potential transfer of real property by exchange. The real property is commonly known as: A portion of Legal Description Tract #3, as described in Quitclaim Deed Instrument no. 200146892
September 20, 2023 - City Council - Public Hearing

Please check

	Name	Address	Phone or Email	In Favor	Neutral	Opposed	Testify
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Public Comment Sign In

City Council - September 20, 2023

	Name	Address	Phone or Email	Topic/Agenda Item #
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