



Middleton City Council Meeting Minutes 11-6-2024

Middleton City Council Meeting Minutes Summary

Date: Wednesday, November 6, 2024

Time: 5:30 p.m.

Location: City Hall, Council Chambers - 1103 W Main Street

CALL TO ORDER, ROLL CALL, PLEDGE OF ALLEGIANCE, AND INVOCATION

Time: 5:30 p.m.

Mayor Jackie Hutchinson called the meeting to order at 5:30 p.m. Roll call was taken and all Council members (Kiser, O'Meara, Christiansen and Murray) were present.

Also present: City Attorney Douglas Waterman, City Administrator Monica Hobbs, City Treasurer Wendy Miles, Public Works Director Jason Van Gilder, Planning and Zoning Official Roberta Stewart, and Deputy Clerk Jennica Reynolds

The Pledge of Allegiance was recited. Don Reynolds (Resident) gave the invocation.

ACTION ITEM

A. APPROVAL OF AGENDA

Motion: President Kiser moved to approve the agenda for the November 6, 2024 meeting that was posted on November 1, 2024 at 12:10 p.m.

Second: Councilmember Christiansen

Vote: Motion carried unanimously.

PUBLIC COMMENT ON NON-PUBLIC HEARING ITEMS OF CITY BUSINESS (3 MIN EACH)

None

INFORMATION ITEMS:

1. Special Spotlight of City Employee Veterans – Ms. Hobbs

Ms. Hobbs shared a presentation highlighting each of the veterans associated with the City of Middleton.



2. Overall update on the City of Middleton’s Library Program – Library Director Ms. Clark

Ms. Clark gave an update on the Library Program.

3. Financial update fiscal year 2024 un-audited budget – Treasurer Ms. Miles

Ms. Miles provided and update on the FY24 un-audited budget.

DISCUSSION ITEM:

1. Discussion about joining a coalition of other domestic water purveyors, to advocate for an Area of Groundwater Concern - Mr. Van Gilder

This request is coming from Idaho Department of Water Resources and City of Meridian is leading the effort.

ACTION ITEMS

1. Consent Agenda (items of routine administrative business)
 - a. Consider approving minutes for City Council October 16, 2024, Regular meeting.
 - b. Consider approving minutes for City Council October 16, 2024, Special meeting.
 - c. Consider ratifying payroll for October 18,2024 in the amount of \$174,250.29.
 - d. Consider ratifying payroll for November 1, 2024 in the amount of \$124,607.45.
 - e. Consider approving accounts payable through October 25, 2024, in the amount of \$61,034.55.
 - f. Consider approving Summary of Ordinance 703 – regarding sewer fees for publication.
 - g. Consider approving 5 (five) contracts from Sparklight Business for internet at city buildings (city hall, maintenances shop, police building, trolley station, WWTP) all for a term of 36 months.

Motion: President Kiser moved to approve Consent Agenda items 1a through g.

Second: Councilmember O’Meara

Vote: Motion carried unanimously.

2. Regarding: Expansion of the City’s Shop
Consider authorizing the Mayor to execute a contract with ALC Architecture for the architectural design of the crew space within the City’s shops building in an amount not to exceed \$12,000. – Mr. Van Gilder



Mr. Van Gilder presented the contract with ALC Architecture. The cost of the project will be split between all funds (water, wastewater, parks and streets). He anticipates the crew being able to complete most of the construction themselves, which will reduce the cost of the overall project.

Motion: President Kiser moved to authorize the Mayor to execute a contract with ALC Architecture for the architectural design of the crew space within the City's shops building in an amount not to exceed \$12,000.

Second: Councilmember Christiansen

Vote: Motion carried unanimously.

- Public Hearing:** Application by Nancy Edwards for the rezone of 0 N. Dewey Avenue (Tax Parcel NO. 17795010B3), which parcel is approximately 1.02 acres of vacant land currently zoned R-3 (single family residential). Applicant is requesting a rezone to C-1 (neighborhood commercial). - Ms. Stewart

Mayor Hutchison opened the Public Hearing at 6:10 p.m.

Ms. Stewart presented the application (Exhibit 1)

Mayor Hutchison opened public testimony at 6:16 p.m.

Nancy Edwards (Applicant) addressed the Council. She had nothing new to add.

Mayor Hutchison closed public testimony at 6:17 p.m.

Councilmember O'Meara stated that Nancy is his neighbor, but that he has no financial interest with the property.

Mayor Hutchison closed the public hearing at 6:19 p.m.

Motion: President Kiser moved approve the Application by Nancy Edwards for the rezone of 0 N. Dewey Avenue (Tax Parcel NO. 17795010B3), which parcel is approximately 1.02 acres of vacant land currently zoned R-3 (single family residential). Applicant is requesting a rezone to C-1 (neighborhood commercial).

Second: Councilmember O'Meara

Vote: Motion carried unanimously.

Roll Call Vote: Kiser – Yes, O'Meara – Yes, Christiansen – Yes, Murray – Yes.



4. Consider approving Ordinance 705, which is AN ORDINANCE OF THE CITY OF MIDDLETON, CANYON COUNTY, IDAHO, TO REZONE CERTAIN REAL PROPERTY SITUATED WITHIN MIDDLETON CITY LIMITS TO C-1 (NEIGHBORHOOD COMMERCIAL); DIRECTING THAT COPIES OF THIS

ORDINANCE BE FILED AS PROVIDED BY LAW; AND PROVIDING AN EFFECTIVE DATE. - Ms. Stewart

Motion: President Kiser moved to read Ordinance No. 705 by title only.

Second: Councilmember O'Meara

Vote: Motion carried unanimously.

Roll Call Vote: Kiser – Yes, O'Meara – Yes, Christiansen – Yes, Murray – Yes.

President Kiser read Ordinance No. 705 by title only.

Motion: President Kiser moved to waive the 3-reading rule and adopt and approve for publication Ordinance No. 705.

Second: Councilmember O'Meara

Vote: Motion carried unanimously.

Roll Call Vote: Kiser – Yes, O'Meara – Yes, Christiansen – Yes, Murray – Yes.

Public Comment on Non-Public Hearing items of City Business (3 min each): Patrons will be called to the speak at the podium based on the sign-in sheet.

Tyson Sparrow: Concerned about a comment he heard about the Hwy and not being on the Comp Plan?

Kiser and Ms. Stewart indicated that ITD is leaning towards Alternative #2

Mayor: Indicated the alternative routes were noted in the October publication of the Middleton Gazette.

MAYOR, STAFF AND COUNCIL COMMENTS:


Murray: Concerned about the lack of lighting at the little roundabout at Cornell and Middleton Rd. (Mr. Van Gilder will make note.)

O'Meara: GMPRD would like to enter into discussions with the City regarding improvements at Hillside Park for the use of Impact fees to improve the parking. (Mr. Van Gilder will make note.)




ADJOURN

Mayor Hutchison adjourned the meeting at 6:26 p.m.



Jackie Hutchison, Mayor



Jennica Reynolds, Deputy Clerk ²⁰
Minutes Approved: November 6, 2024






**Nancy Edwards
Rezone Application**

Parcel R17795010B3

**Vicinity:
First Street & Dewey**




1



Application Request & Project Description:
Application by Nancy Edwards for rezone of Parcel No. R17795010B3 from R-3 (single family residential) to C-1 (Neighborhood Commercial).

The parcel in issue was recently the subject of an administrative lot split application submitted by Ms. Edwards. City approved the lot split. Prior to the split, the parcel was a single two-acre parcel with Ms. Edward's residence on the northern tip. (See combined green and yellow lots). The split resulted in two parcels that are each approximately one acre. The southern parcel (yellow lot that is the subject of this rezoning) is vacant and borders 1st Street. The northern parcel (green lot) contains Ms. Edward's residence, and she intends that northern parcel to remain a residential lot.

Ms. Edwards is requesting to rezone the southern (yellow) parcel from R-3 to Neighborhood Commercial C-1 because a commercial zone is appropriate in light of the surrounding commercial businesses and close proximity to Hwy 44 and 1st Street. She is requesting the lightest commercial use (Neighborhood Commercial (C-1)) because there are still residential lots located to the north and east of the property.



2

Zoning & Utilities

Currently the project parcel is zoned R-3 (single family residential). The parcel is surrounded by C-3 (heavy commercial) to the south, C-2 (Medium Commercial) to the west, and R-3 (single family residential) to the north and east.



Sewer & Water are adjacent to the property in 1st Street



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Rezoning and Comprehensive Plan:

Applicant is requesting that the one acre parcel that is currently zoned R-3 be rezoned to C-1 (Neighborhood Commercial). Neighborhood Commercial is the lightest commercial zone in the City, and it accommodates uses that are appropriate for nearby residential neighborhoods. Such uses are coffee shop, restaurant, fitness center, small retail, general office, personal service like hair salon... etc.

An application for rezoning requires two findings before the governing boards can approve the rezoning: (1) a finding that the rezoning will not adversely affect the City's delivery of services and (2) a finding that the rezoning would not be in conflict with the Comprehensive Plan. (Idaho Code 67-6511)



Area

- Commercial
- Industrial
- Mixed Use
- Public
- Residential

FINDINGS:

Planning Staff finds that the rezoning will not adversely affect the City's ability to deliver services because the vacant lot is an in-fill project that is already surrounded by City roads, infrastructure, and utilities, including sewer and water.

Planning Staff also finds that the rezoning request is in harmony with the Comprehensive Plan. The Future Land Use Map shows the subject parcel in the commercial and mixed use portions of the FLUM. The FLUM is the City's vision for future uses. So the requested use of "commercial" fits in with the City's vision. Additionally, a significant amount of commercial activity already exists around Dewey and 1st Street, including restaurants/bars, office, retail and services.

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Comments Received from Surrounding Landowners, City Engineer & Planner: None

Applicable Codes: Middleton City Code 1-14 and 5-2 and Idaho State Statute 67-6511

Notices & Neighborhood Meeting:

Notices & Neighborhood Meeting:	Dates:
Newspaper Notification	10/20/2024
Radius notice to adjacent landowners	10/21/2024
Circulation to Agencies	10/17/2024
Sign Posting property	10/17/2024
Neighborhood Meeting	8/20/2024

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P&Z Recommendation: The Planning & Zoning Commission considered this rezoning application at a public hearing held on October 21, 2024. The Commission recommended that the City Council approve the application. No conditions of approval were recommended.


Per State law and the Middleton City Code, the Council's decisions on a land use application must be based upon findings of facts and conclusions of law. It must be a "reasoned decision."

As to Findings of Facts, Planning Staff has set forth findings of facts above in italics.

As to Conclusions of Law, Planning Staff finds that the City Council has the authority to hear this application and to either deny or approve the application, with or without conditions of approval. Additionally, Planning Staff notes that all public notice requirements were met. Planning Staff further set forth the portions of the Idaho State Code and Middleton City Code to be considered in making a decision on the application.

If the Council is inclined to approve the rezoning application, Planning Staff does not recommend any conditions of approval.

If the Council denies the application, then the Council should state what the applicant can do, if anything, to obtain approval. (Middleton City Code 1-14(E)(8)).



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Application by Nancy Edwards for the rezone of 0 N. Dewey Avenue (Tax Parcel NO. 17795010B3), which parcel is approximately 1.02 acres of vacant land currently zoned R-3 (single family residential)

Handwritten initials/signature

November 6, 2024 - City Council - Public Hearing

Please check

	Name	Address	Phone or Email	Please check			
				In Favor	Neutral	Opposed	Testify
1	Nancy Edwards	246 N Dewey Ave	208-761-9067	X			X
2							
3							
4							
5							
6							
7							
8							
9							



City Council Public Comment

[Handwritten signature]

November 6, 2024

	Name	Address	Phone or Email	Topic/Agenda Item #
1	TYSON SPARROW	211 CAMPBELL	on file	Hwy?
2				
3				
4				
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10				