



**AMENDED AGENDA**  
City Council Meeting  
City of Middleton, Idaho

Date: Wednesday, January 16, 2019  
Location: 6 N. Dewey Ave., Middleton, Idaho

Time: 6:30 p.m.

Call-to-order, roll call, Pledge of Allegiance, Invocation

**Action Items**

1. Consent Agenda (items of routine administrative business)
  - a) Consider approving minutes for Council's January 2, 2019 meeting.
  - b) Consider ratifying January 4, 2019 payroll in the amount of \$69,098.70, ratifying debit card payments thru January 7, 2019 in the amount of \$12,263.71, and approving accounts payable thru January 15, 2019 in the amount of \$238,982.37.
2. Consider ratifying purchase of e-citation equipment for Middleton Police Department using Idaho Transportation Department grant funds awarded to the city in an amount not to exceed \$10,013.65.
3. Consider approving a request from the Middleton Chamber of Commerce to waive the Trolley Station rental fees for the Chamber's monthly meetings in 2019.
4. Consider adopting Resolution No.420-19 declaring certain city property obsolete or surplus and authorizing its disposition for fair-market value, if any.
5. Consider adopting Resolution No. 421-19 declaring certain unclaimed property deemed abandoned and surplus, and authorizing its disposition by public auction according to state law.
6. Consider amending the condition of preliminary plat approval for Sawtooth Lake Subdivision from fencing the perimeter of the subdivision to fencing the perimeter of each phase prior to final plat approval.

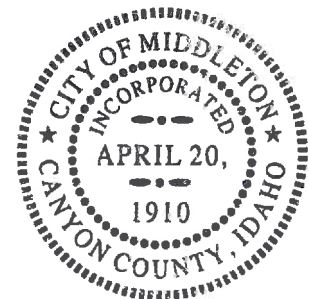
**Information Items**

Council Discussion about any subject

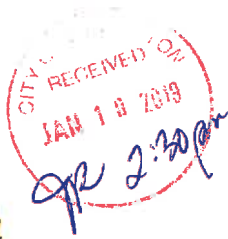
**Public Comments, Mayor and Council Comments, Adjourn**

Posted by:

  
Dawn Dalton, Deputy Clerk



Date: January 15, 2019 2:00 p.m.  
Please contact the City Clerk at (208) 585-3133 if you have special needs or require assistance.



## **Middleton Post 39**

American Legion  
2 West Main St.  
PO Box 257  
Middleton, ID 83644  
(208) 585-2408

<https://idlegion39.com> idlegion39-family@yahoo.com



January 9, 2019

City of Middleton  
PO Box 487  
Middleton, ID 83644

Sirs:

Post 39 thanks you for the City Council granting the waiver of the city water, sewer and garbage utility fees. This really helps with our limited budget and allows us to direct our funds to helping veterans and youth.

We also thank City Council Members Beverlee Furner and Carrie Huggins for their donations on our behalf. A separate letter thanking them is enclosed with this letter.

Marv West  
Commander  
(208) 286-9714

Encl: as



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**MIDDLETON CITY COUNCIL  
JANUARY 2, 2019**

The Middleton City Council meeting on January 2, 2019 was called-to-order at 6:30 p.m. by Mayor Darin Taylor, who then introduced Planning and Zoning Official Randall Falkner and City Attorney Chris Yorgason.

**Roll Call:** Council Members Carrie Huggins, Jeff Garner, Beverly Furner and Council President Rob Kiser were present.

**Action Items:**

- 1. Consent Agenda (items of routine administrative business)**
  - a) Consider approving minutes for Council's December 19, 2018 meeting.**
  - b) Consider ratifying December 21, 2018 payroll amount of \$84,082.25, and approving accounts payable thru January 1, 2019 in the amount of \$195,589.63.**

**Motion:** Motion by Council President Kiser to approve consent agenda items a and b was seconded by Council Member Furner and carried unanimously.

- 2. Elect council president for 2019**

Mayor Taylor called the agenda item and council discussed it.

**Motion:** Motion by Council Member Furner to elect Council Member Kiser as council president for 2019 was seconded Council Member Huggins and carried unanimously.

- 3. Consider designating council's liaisons to the following local-government districts:**
  - Middleton Library Board**
  - Middleton Rural Fire District**
  - Greater Middleton Parks and Recreation District**
  - School District**

Mayor Taylor called the agenda item and council discussed it.

**Motion:** Motion by Council President Kiser to designate council's liaisons: Huggins to the Library, Furner to the Fire District, Kiser to Greater Middleton Parks and Recreation, and Garner to the School District was seconded by Council Member Furner and carried unanimously.

- 4. Consider confirming Mayor's appointment of city officials:**
  - Administrator – Becky Crofts**
  - Attorney – Chris Yorgason, Yorgason & Associates**
  - Building Official – (vacant)**
  - Clerk – Becky Crofts**
  - Engineer – Amy Woodruff, Civil Dynamics**
  - Litigation Attorney – Joe Borton, Borton-Lahey Law**
  - Planning and Zoning Official – Randall Falkner**
  - Police Chief – Alan Takeuchi**
  - Treasurer – Ed Karass**

**Note: Library Director – Kate Lovan, is appointed by Library Board**

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Mayor Taylor called the agenda item, introduced it, and asked if anyone in the audience would like to speak to this item: none.

**Motion:** Motion by Council President Kiser to affirm appointed city officials was seconded by Council Member Huggins and carried unanimously.

- 5. Consider confirming Mayor's appointment of Planning and Zoning Commissioners:**
- |                      |                           |
|----------------------|---------------------------|
| <b>Janet Gregory</b> | <b>Jackie Hutchison</b>   |
| <b>Ray Waltemate</b> | <b>Whitney Springston</b> |
| <b>Kent Brough</b>   |                           |

Mayor Taylor called the agenda item, introduced it, and asked if anyone in the audience would like to speak to this item: none.

**Motion:** Motion by Council President Kiser to affirm appointed Planning and Zoning Commissioners was seconded by Council Member Garner and carried unanimously.

- 6. Consider confirming Mayor's appointment of Library Board of Directors:**
- |                     |                      |
|---------------------|----------------------|
| <b>Jeni Fried</b>   | <b>Randy Smith</b>   |
| <b>Don Watts</b>    | <b>Vicki Preston</b> |
| <b>Kassie Knapp</b> |                      |

Mayor Taylor called the agenda item, introduced it, and asked if anyone in the audience would like to speak to this item: none.

**Motion:** Motion by Council President Kiser to confirm Mayor's appointment of Vicki Preston and affirm appointed Library Board of Directors was seconded by Council Member Huggins and carried unanimously.

- 7. Consider confirming Mayor's appointment of the Urban Renewal Agency Board of Directors:**
- |                       |                       |
|-----------------------|-----------------------|
| <b>Carrie Huggins</b> | <b>Carl Lohrengel</b> |
| <b>Brett Bishop</b>   | <b>Ray Waltemate</b>  |
| <b>Rob Kiser</b>      |                       |

Mayor Taylor called the agenda item, introduced it, and asked if anyone in the audience would like to speak to this item: none

**Motion:** Motion by Council President Kiser to affirm appointed Urban Renewal Agency Board of Directors was seconded by Council Member Furner and carried unanimously.

- 8. Consider confirming Mayor's appointment of Impact Fee Committee members:**
- |                             |                                |
|-----------------------------|--------------------------------|
| <b>Chris Yorgason</b>       | <b>Paul Watson (developer)</b> |
| <b>Alan Mills (Realtor)</b> | <b>Tyler Ashton (builder)</b>  |
| <b>Jennifer Barr</b>        | <b>Pam Wagoner</b>             |
| <b>Doug Critchfield</b>     |                                |

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Mayor Taylor called the agenda item and asked if there was anyone in the audience who would like to speak to this item: none.

**Motion:** Motion by Council President Kiser to affirm appointed Impact Fee Committee members was seconded by Council Member Garner and carried unanimously.

- 9. Consider confirming Mayor's appointment of Building Code Board of Appeals members:  
Jon Yorgason (builder)  
Tyler Ashton (builder)  
Chaney Stotts (builder)**

Mayor Taylor called the agenda item and asked if there was anyone in the audience who would like to speak to this item: none

**Motion:** Motion by Council President Kiser to affirm appointed Building Code Board of Appeals members was seconded by Council Member Huggins and carried unanimously.

- 10. Consider awarding a bid to Warrington Construction Corporation of Oregon for the N. Middleton Rd. Culvert Replacement project in an amount not to exceed \$57,970.00.**

Mayor Taylor called the agenda item, introduced it, and asked if anyone in the audience would like to speak to this item: none.

**Motion:** Motion by Council President Kiser to award a bid to Warrington Construction Corporation in an amount not to exceed \$59,970.00 was seconded by Council Member Furner and carried unanimously by roll call vote.

- 11. Consider approving Resolution 418-19 that adopts and establishes the Boise River high water mark for the real property the city purchased from Barclay Associates.**

Mayor Taylor called the agenda item, introduced it, and asked if anyone in the audience would like to speak to this item: none.

**Motion:** Motion by Council President Kiser to approve Resolution 418-19 was seconded by Council Member Garner and carried unanimously.

- 12. Consider waiving city water, sewer and garbage utility fees for The American Legion Middleton Post 39 at 12 E. Main Street, Middleton Idaho.**

Mayor Taylor called the agenda item, introduced it, and asked if anyone in the audience would like to speak to this item: none.

**Motion:** Motion by Council President Kiser to waive for The American Legion Middleton Post 39 city water, sewer, and garbage utility fees, except sewer base rate fees, for twelve months and then re-evaluate was seconded by Council Member Garner and carried unanimously.

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**Information Items**

1. Council Discussion about any subject: none

**Public, Department and Council Comments:** none.

**Adjourn:** Mayor Taylor adjourned the meeting about 8:18 p.m.

ATTEST:

\_\_\_\_\_  
Mayor Darin Taylor

\_\_\_\_\_  
Dawn M. Dalton, Deputy Clerk  
Minutes Approved: January 2, 2019







**Your Safety • Your Mobility  
Your Economic Opportunity**

**IDAHO TRANSPORTATION DEPARTMENT**

P.O. Box 7129 • Boise, ID 83707-1129

(208) 334-8000 • [itd.idaho.gov](http://itd.idaho.gov)

Dec 18, 2018

**RE: OHS Highway Safety E-Ticketing Grant FFY 2019**

Dear Michael Barley,

Please consider this letter your official award notice of funding for the Statewide E-Ticketing (SWET) Application to purchase E-ticketing equipment.

This project is funded by Section 405c SKD1902/CFDA 20.610, for up to \$9,000 with a match amount of 25% of the project coming from your agency in the form of hard match, and/or mileage accrued during traffic enforcement.

Please note that all equipment must be purchased before September 30, 2019 and FY19 reimbursements must be submitted to OHS prior to October 15, 2019.

The Office of Highway Safety appreciates your request and all that you do to keep your community safe on Idaho's roads. If you have any questions you can be contact Kelly Campbell at 208-334-8105 or [Kelly.campbell@itd.idaho.gov](mailto:Kelly.campbell@itd.idaho.gov).

Sincerely,

John Tomlinson  
Office of Highway Safety Manager  
Idaho Transportation Department

Thank you for your interest in the Statewide Electronic Ticketing program (SWET). Please provide the Office of Highway Safety (OHS) with the following information.

Name of Agency: MIDDLETON POLICE DEPT.

Have you filled out a TEGPA application? ☒ Yes ☐ No

Number of Vehicles to have SWET: 9

Do you have onsite IT technical support? Yes ☐ ☒ No

Do you contract out for IT support? ☒ Yes ☐ No

Will you be applying for the OHS SWET equipment grant? ☒ Yes ☐ No

If yes, please fill out the information below, if no equipment is being purchased skip down to the second page and fill out contact information.

*Equipment Requested (Remember, warranty costs CANNOT be included for reimbursement)*

TYPE EQUIPMENT	UNITS	COST	TOTAL	OHS Approved
CR1011-C500 COBR COMP CR1000 SERIES, 6FT USB CABLE	9	\$213.00	\$1,927	
ZEBRA ZQSL20 PRINTER	9	\$588	\$5,292	
ZEBRA VEHICLE CRABLE	9	\$99.50	\$895.50	
ZEBRA VEHICLE POWER ADAPTER	9	\$30.00	\$270.00	
ZEBRA USB CABLE	9	\$14.35	\$129.15	
			\$8513.65	

State's Agent (OHS)

+ 1500.00 Warranty for 36 months  
10,013.65

By:

Date:

Amount Approved:

Project/ CFDA

Send this application to by email to

Kelly Campbell

Kelly.campbell@itd.idaho.gov

PO Box 7129

Boise, ID 83707

FAX 208-334-4430

Agency Contact Person: MICHAEL BARLEY

Agency Contact Phone Number: (208) 697-0049

Agency Contact Email mbarley @m Middleton city, com

Signature  Date 11/14/18

Printed Name MICHAEL BARLEY



# Dynamic Systems Inc

Barcode Technology Solutions

11411 NE 124TH ST STE 275 KIRKLAND, WA 98034  
PHONE: (800) 342-3999 FAX: (425) 861-3976

## QUOTE

**Number** DSIQ2286  
**Date** Nov 15, 2018  
**Expires** 12/15/2018

Sold To	Ship To	Sales Person
<b>ITD C/O Middleton Police Departme</b> Michael Barley 1103 W Main St. Middleton, ID  <b>Phone</b> <b>Email</b> mbarley@middletoncity.com	<b>ITD C/O Middleton Police Departme</b> Michael Barley 1103 W Main St. Middleton, ID	<b>Jaime Shields</b> 425-216-1204 ext 236 jaimes@dynamic-systemsinc.com

Terms	P.O. Number	Ship Via
SEE BELOW		PREPAY & ADD

Description	Qty	Unit Price	Ext. Price
ZQ52-AUE0000-00 ZQ520 Printer 4 Inch DT printer with Battery and Bluetooth MSRP \$925	9	\$588.00	\$5,292.00
P1063406-062 Zebra Accessory Vehicle Cradle with USB Lock, ZQ500 Series	9	\$99.50	\$895.50
P1063406-031 Zebra Vehide Cig Power Adapter	9	\$30.00	\$270.00
P1063406-045 Zebra, Accessory, ZQ500, USB cable with twist lock 6'	9	\$14.35	\$129.15

Signature	<b>SubTotal</b> \$6,586.65 <b>Tax</b> \$0.00 <b>Shipping</b> \$47.00 <b>Total</b> \$6,633.65
To accept this quotation, sign and date:	
When accepting this quote, the credit terms are also accepted.	

**General Terms and Conditions**  
The above referenced PO number and signature on this form signifies a purchase agreement and acceptance of the terms specified herein. The above quotation does not include prepaid shipping charges, onsite travel expenses for installation and training. Dynamic Systems collects sales tax for the States of Washington and California. All applicable sales taxes will be added to the invoice unless DSI is provided a valid Resale Tax Exemption Certificate. Defects to any product delivered must be reported within 20 days of shipment. Any unopened product returned will incur a 20% restock fee. Non-Refundable items include: Open Hardware, Custom software, custom media and installed software products or software products with executed licenses

**Payment Terms:**  
Net 20 Terms require prior credit approval; prepayment by ACH/wire, company check; credit card (Mastercard, VISA or American Express - American Express carries a 4% processing fee). Any orders outside of the US must be prepaid in full unless otherwise approved.



# Quotation


**Liberty Lake, WA office**  
1324 N. Liberty Lake Rd. #169  
Liberty Lake, WA 99019  
509-995-5250

**Officer Michael Barley**  
Middleton Police Dept  
1103 W. Main St.  
Middleton, ID 83644  
208-585-0008

**DATE: 11/29/2018**  
**Quotation # MH1118531-1**  
**Terms: Net 20 on approved Credit**

**Quotation valid until: 2/29/2019**  
**Prepared by: Matt Allen**

**Comments: Quote for 9 CR1000's**

Line	P/N	Description	Qty	Picture	Price each	Ext. Price
<b>Code Corp Products:</b>						
1	CR1011-C500	CODE, CR1000, BAR CODE READER, USB, 6FT CABLE, LIGHT GRAY	9		\$213.00	1,917.00
Tax						NA
Shipping (Approximate)						10.00
<b>TOTAL</b>						<b>1,927.00</b>

If you have any questions concerning this quote please call 509-995-5250  
or contact via email at [matta@mhtechsupply.com](mailto:matta@mhtechsupply.com). To place an order please send a digital  
copy of your PO to [matta@mhtechsupply.com](mailto:matta@mhtechsupply.com).



# Dynamic Systems Inc

Barcode Technology Solutions

11411 NE 124TH ST STE 275 KIRKLAND, WA 98034  
PHONE: (800) 342-3999 FAX: (425) 861-3976

## QUOTE

**Number** DSIQ2287  
**Date** Nov 15, 2018  
**Expires** 12/15/2018

Sold To	Ship To	Sales Person
<b>Middleton Police Department</b> Michael Barley 1103 W Main St Middleton, ID	<b>Middleton Police Department</b> Michael Barley 1103 W Main St Middleton, ID	<b>Jaime Shields</b> 425-216-1204 ext 236 jaimes@dynamic-systemsinc.com

**Phone**

**Email**

Terms	P.O. Number	Ship Via
SEE BELOW		PREPAY & ADD

Description	Qty	Unit Price	Ext. Price
Z1AE-ZQ5X-3C0 Zebra OneCare Essential Warranty ZQ500 Series 3 Years, Includes Comprehensive	9	\$145.00	\$1,305.00
10006224 ZEBRA, CONSUMABLES, Z-PERFORM 1000D 2.4 MIL RECEIPT PAPER (-40-140 degrees) , DIRECT THERMAL, 4" X 100', 0.75" CORE, 2.25" OD, 10 YEAR ARCHIVABILITY, 36 ROLLS PER CASE, PRICED PER CASE	1	\$58.00	\$58.00

**Signature**

To accept this quotation, sign and date:

When accepting this quote, the credit terms are also accepted.

<b>SubTotal</b>	\$1,363.00
<b>Tax</b>	\$0.00
<b>Shipping</b>	\$0.00
<b>Total</b>	<b>\$1,363.00</b>

### General Terms and Conditions

The above referenced PO number and signature on this form signifies a purchase agreement and acceptance of the terms specified herein. The above quotation does not include prepaid shipping charges, onsite travel expenses for installation and training. Dynamic Systems collects sales tax for the States of Washington and California. All applicable sales taxes will be added to the invoice unless DSI is provided a valid Resale Tax Exemption Certificate. Defects to any product delivered must be reported within 20 days of shipment. Any unopened product returned will incur a 20% restock fee. Non-Refundable items include: Open Hardware, Custom software, custom media and installed software products or software products with executed licenses

### Payment Terms:

Net 20 Terms require prior credit approval; prepayment by ACH/wire, company check; credit card (Mastercard, VISA or American Express - American Express carries a 4% processing fee). Any orders outside of the US must be prepaid in full unless otherwise approved.



**CITY OF MIDDLETON**PO BOX 487, MIDDLETON, ID 83644  
208-585-3133, 208-585-9601 FAX

ADMINISTRATIVE

**TROLLEY STATION RENTAL AGREEMENT**  
REV. 8/2017**TROLLEY STATION RENTAL AGREEMENT**

This agreement is made and effective on January 3, 2018 between the City of Middleton, a municipal corporation of the State of Idaho, (Facility Owner) and Middleton Chamber of Commerce (Renter). The Trolley

Station, kitchen, restrooms, and museum are owned and operated by the City of Middleton, and use of all or a portion of the facility is governed by the Middleton City Code. This fully-executed agreement, a paid or waived rental fee(s), a Property Condition Form signed by the Renter, and a City of Middleton Catering Permit Application and copy of the designated Alcohol Server license (if applicable), constitute a complete Trolley Station Rental Agreement. In consideration of the mutual covenants contained in this agreement, the Facility Owner rents the Trolley Station at 310 Cornell Street, Middleton, Idaho to the Renter under the following terms and conditions.

WE ARE ASKING THE CITY TO WAIVE THE FEE TO USE THE TROLLEY STATION FOR ALL CHAMBER RELATED MEETINGS.

**TERMS AND CONDITIONS**

**Activity/Event Description.** Monthly Chamber Luncheons

JL **Capacity.** The maximum capacity of the Trolley Station is 100. The Renter agrees to not cause or allow more than 100 individuals to be in the Trolley Station at one time.

JL **Date and Time of Use.** Jan 9, Feb 13, Mar 13, Apr 10, May 8, Jun 12, Aug 14, Sep 11, Oct 9, Nov 13, Dec 11

Time is of the essence with reference to the time of use, and any extra time for any reason must be approved in writing by the Facility Owner and must be paid for in advance.

JL **Alcohol.** Alcohol will be served ☒ Alcohol will not be served  
Alcohol served at the Trolley Station must be served by an Idaho licensed alcohol server, and a copy of the server's license shall be attached to this application. If alcohol will be served at the Trolley Station, the Renter agrees to comply with the laws of the State of Idaho when using and serving alcohol. The Renter shall complete and return to the Facility Owner the City of Middleton Catering Permit Application at least five (5) calendar days prior to the event/activity (Send copy of Catering Permit to Idaho State Police and the Middleton Police Department).

JL **Non-Smoking Facility.** Smoking, vaping and use of e-cigarettes are prohibited in the Trolley Station and city-owned parks. Designated smoking areas outside but near Trolley Station are clearly marked. The Renter agrees cause or allow smoking, vaping and use of e-cigarettes only in city-designated smoking areas.





## CITY OF MIDDLETON

PO BOX 487, MIDDLETON, ID 83644  
208-585-3133, 208-585-9601 FAX

ADMINISTRATIVE

### TROLLEY STATION RENTAL AGREEMENT REV. 8/2017

Decorations. The Renter agrees to hang decorations only using the hooks previously installed by the Facility Owner.

Prohibited. The Facility Owner and the Renter agree that the following or similar uses and items are strictly prohibited because of damage that could result: open flames, use of gasoline, fuels, oil lanterns or electrical equipment engines, motors or machinery, candles, glitter, confetti, straw, rice, birdseed, hay, drinks with red or purple dye, duct tape, fastening decorations to or hanging decorations on the projector, screen, light or fan fixtures, wood paneling, cabinets, doors, walls, or windows; denting, creating a hole, installing a hook, fastener, or inserting thumb tacks of any kind into the facility's walls, ceiling, or woodwork; or scarring or marking a window sill. The Renter agrees to pay to repair damage the Renter or Renter's representative, agent, guest, or visitor causes or allows.

Noise. Public disturbance by loud or offensive noise, especially after 10:00 p.m. is prohibited.

Fees and Refundable Deposit. The Renter agrees to pay the Facility Owner the deposit and fee due prior to using the facility and/or equipment. The deposit and fee amounts are set by resolution of the Middleton City Council, and are included on the city's fee schedule. The Renter agrees to clean the facility and equipment, and after the Renter's activity or event, return possession of the facility and equipment to the Facility Owner in the same condition as when the Renter received it, normal wear and tear excepted. Expenses incurred by the Facility Owner to clean or repair the facility and/or equipment will be deducted from the Renter's deposit. The balance of the deposit, if any, will be returned to the Renter. If the expense to repair or clean the facility and/or equipment incurred by the Facility Owner exceeds the deposit, the Renter agrees to pay the Facility Owner the additional amount.

Cleaning. The Trolley Station facility and equipment will be in a clean condition prior to the Renter's activity or event. Cleaning must be complete by the end of the contract period and cannot be delayed until the following day. If the Renter would like to clean the facility the day following the activity or event, then that day needs included in the date and time of use, and the appropriate fee paid. The Renter agrees to deliver the Trolley Station to the Facility Owner in as good condition as at the beginning of this agreement, including cleaning the facility and collecting, bagging and removing trash from the facility after the Renter's activity or event. The Renter agrees to pay the costs of cleaning or repairing any damage to fixtures, furniture or furnishings, walls, windows, ceiling, doors, flooring, kitchen, bathrooms, or electrical equipment caused by any act of the Renter or the Renter's employees, agents or anyone visiting the Trolley Station during the Renter's date and time of use.



## CITY OF MIDDLETON

PO BOX 487, MIDDLETON, ID 83644  
208-585-3133, 208-585-9601 Fax

ADMINISTRATIVE

### TROLLEY STATION RENTAL AGREEMENT REV. 8/2017

The Facility Owner and the Renter agree that the determination of whether the facility and equipment are clean or damaged is in the sole discretion of the Facility Owner.

Facility. The Facility Owner at a large expense remodeled Trolley Station in 2015-2016 into an event center for Middleton with an elegant environment, audio/video projection system and screen, warming kitchen, restrooms, a drinking fountain, and light-weight tables and chairs. The Facility Owner and the Renter will inspect the facility and review the attached Property Condition Form identifying the condition of the facility and equipment. The Renter must provide the city a complete Trolley Station Rental Agreement prior to occupying or using the facility.

The facility and equipment are available for use on a first-come, first-served basis unless previously reserved by calling 208-585-3133 or visiting City Hall. The Facility Owner may enter the Trolley Station at any time to inspect the facility and/or equipment if the Facility Owner suspects the terms and conditions of this agreement are being violated. An individual may be removed or this agreement terminated by the Facility Owner if the individual refuses to comply with the Middleton City Code or the terms and conditions of this agreement. The Facility Owner may decline to rent the facility to anyone who in the past has not complied with Middleton City Code or the terms and conditions of their agreement with the city.

Utilities, Kitchen, and Restrooms. Use of the utilities, kitchen and restrooms is included in the fee to rent the Trolley Station. The kitchen is only for keeping food warm, final food presentation, serving and bussing. The kitchen does not contain dishes, glassware, knives, utensils, pots, or pans. The Renter agrees to not prepare or cook food in the kitchen.

Access. The sidewalks, doorways, and halls providing access to the facility are only for loading/unloading items for an activity or event, and for individual ingress/egress. Obstructing sidewalks, doorways, and halls is prohibited. The Renter agrees to not cover or obstruct windows in the facility, including light fixtures, without prior written consent from the Facility Owner.

Safe and Legal Use. The Renter agrees to comply with all applicable local, state and federal laws, and use the facility and equipment in a safe manner.

Liability. The Renter acknowledges the risk of large gatherings of people at one location and hereby assumes the risk of loss associated with renting the Trolley Station. The Renter releases and agrees to hold harmless the Facility Owner and its officers, agents, employees and representatives, from



# CITY OF MIDDLETON

P.O. BOX 487, MIDDLETON, ID 83644  
208-585-3133, 208-585-9601 FAX

ADMINISTRATIVE

## TROLLEY STATION RENTAL AGREEMENT REV. 8/2017

any claim, demand, loss, cost or damage that may arise in connection with the Renter's rental of Trolley Station. The Facility Owner does not represent or warranty that the property is fit for any particular purpose, and does not assume any liability or responsibility for any personal property placed in the Trolley Station during the Renter's date and time of use.

48 **Abandoned Property.** The Renter and Facility Owner agree that the Facility Owner has the sole right to the custody of any personal property remaining at the facility after the Renter's activity/event is over, and the property is deemed abandoned and becomes property of the Facility Owner after five business days following the date of Renter's use of the facility.

48 **Assignment or Subletting Prohibited.** Neither party may assign this rental agreement or sublet all or a portion of the facility without the prior written consent of the Facility Owner.

48 **Impossibility.** The Renter releases and waives any claim against the Facility Owner for any loss or damage due to any defect of the water, sewer, drainage, heating, electrical, ventilation, or refrigeration system in, at, or connected to the facility that occurs while the in connection with Renter's activity or event. If any part of one or more of these systems fails or is damaged by natural causes, fire, strikes, failure of utilities, or Act of God which, in the sole discretion of the Facility Owner, renders the fulfillment of this rental agreement by the Facility Owner impossible, then the Renter releases Facility Owner, its officers, representatives, agents, and employees from any demand or claim for loss or damage arising from any of these causes.

48 **Applicable Law.** This agreement shall be governed according to the laws of the State of Idaho.

48 **Binding Agreement.** This agreement is binding on the parties and their respective heirs, executors, administrators, personal representatives, successors and assigns.

FACILITY OWNER:

Signature

Printed Name

Phone Number

RENTER:

Signature

Jeffrey Stoker

Printed Name

2085737224

Phone Number

Deposit Paid: \_\_\_\_\_  
Fee Paid: \_\_\_\_\_  
Receipt #: \_\_\_\_\_

Driver's License # \_\_\_\_\_ Exp: \_\_\_\_\_  
Address: \_\_\_\_\_  
Pre-Rental Inspection time: \_\_\_\_\_  
Post-Rental Inspection time: \_\_\_\_\_

Event Coordinator: \_\_\_\_\_ Phone: \_\_\_\_\_



## RESOLUTION 420-19

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIDDLETON, IDAHO, DECLARING CERTAIN BUSINESS PERSONAL PROPERTY AS OBSOLETE OR SURPLUS, AUTHORIZING AND DIRECTING SALE OR DISPOSAL OF SURPLUS PROPERTY.

### RECITALS

WHEREAS, the City of Middleton, Idaho (the "City") has acquired certain business personal property to conduct a municipality in the public interest according to state law; and

WHEREAS, items of the City's business personal property listed on the attached Exhibit A have become worn out, obsolete or are no longer needed by the City; and

WHEREAS, it is cumbersome to the City and wasteful to own and not use the items; and

WHEREAS, the items are surplus and the City desires to dispose of them.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MIDDLETON, CANYON COUNTY, IDAHO, as follows:

Section 1: The recitals are incorporated here as if restated in full.

Section 2: The items of business personal property on the attached Exhibit A are surplus with approximate fair-market values stated.

Section 3: The City Administrator is authorized and directed to sell the surplus property for approximate fair market value or, if unable to sell an item, donate it to a non-profit organization or otherwise dispose it.

Section 4: This Resolution shall be effective as of the date of its adoption.

PASSED BY COUNCIL, CITY OF MIDDLETON, IDAHO this 16th day of January, 2019.

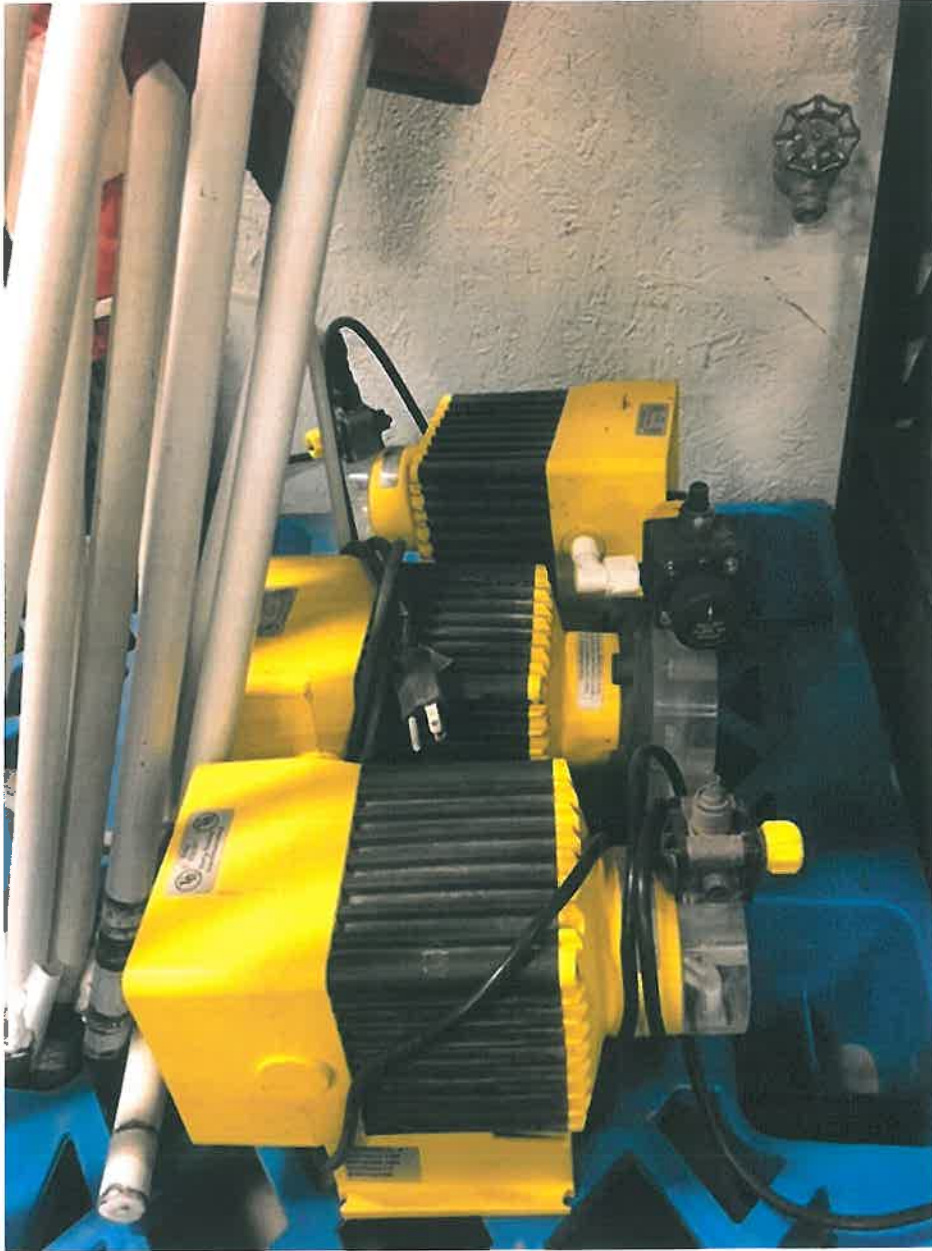
CITY OF MIDDLETON

ATTEST:

\_\_\_\_\_  
Darin Taylor, Mayor

\_\_\_\_\_  
Dawn M. Dalton, Deputy City Clerk

## Exhibit A



Broken old pumps for parts – no fair market value (FMV), discard



Obsolete used F150 Camper Shell – estimated FMV \$200





GMC Dump Truck – estimated FMV \$3000, advertise and sell

Condition poor: needs front end and transmission work, has power steering leak



Used and disassembled playground equipment - FMV unknown, advertise and sell, gift to another agency, or donate



Obsolete or damaged water meters changed out – FMV is for salvage, place in metal scrap bin





Obsolete or damaged street signs - FMV is for salvage, place in metal scrap bin



Broken water hydrants and valves – FMV is for salvage, place in metal scrap bin





Short left over culver trim pieces – FMV is for salvage, place in metal scrap bin



Scrap metal – FMV is for salvage, place in metal scrap bin





Used and disassembled awning from 1103 W. Main Street – FMV is for salvage, place in metal scrap bin





Fencing and posts – FMV unknown, advertise and sell or place in metal scrap bin



Old metal roofing - FMV is salvage, place in metal scrap bin





Old street sign and miscellaneous various-sized metal pipe – FMV is for salvage, place in metal scrap bin



Bent steel T-posts - FMV is for salvage, place in metal scrap bin

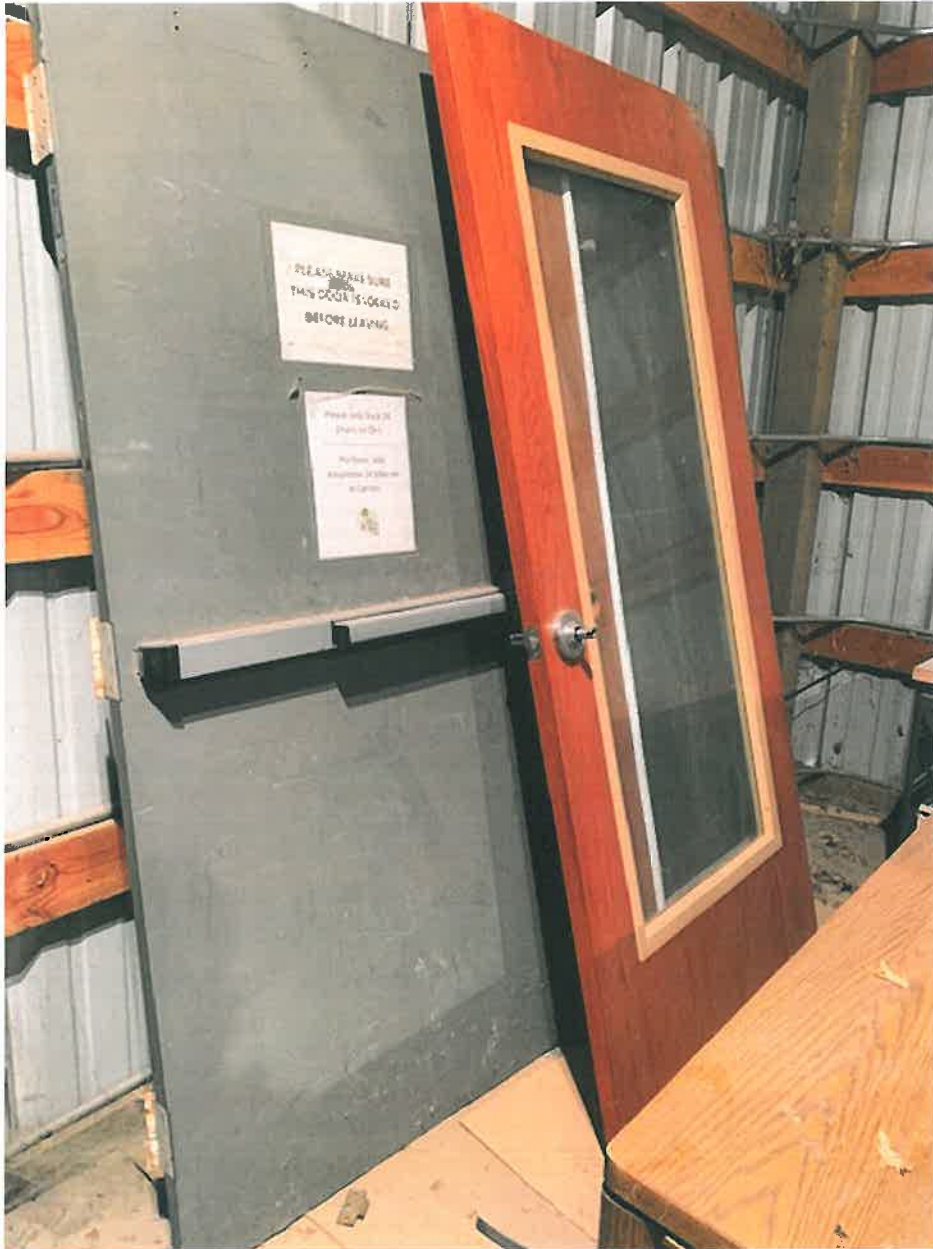




Used kitchen sink – FMV is minimal, if any, donate



15-year old phone handsets – FMV is minimal, if any, discard



Left-over doors from remodel 1103 W. Main – FMV minimal, advertise and sell or donate





Unneeded table in rough condition from 1103 W. Main purchase – FMV minimal, if any - advertise and sell or donate

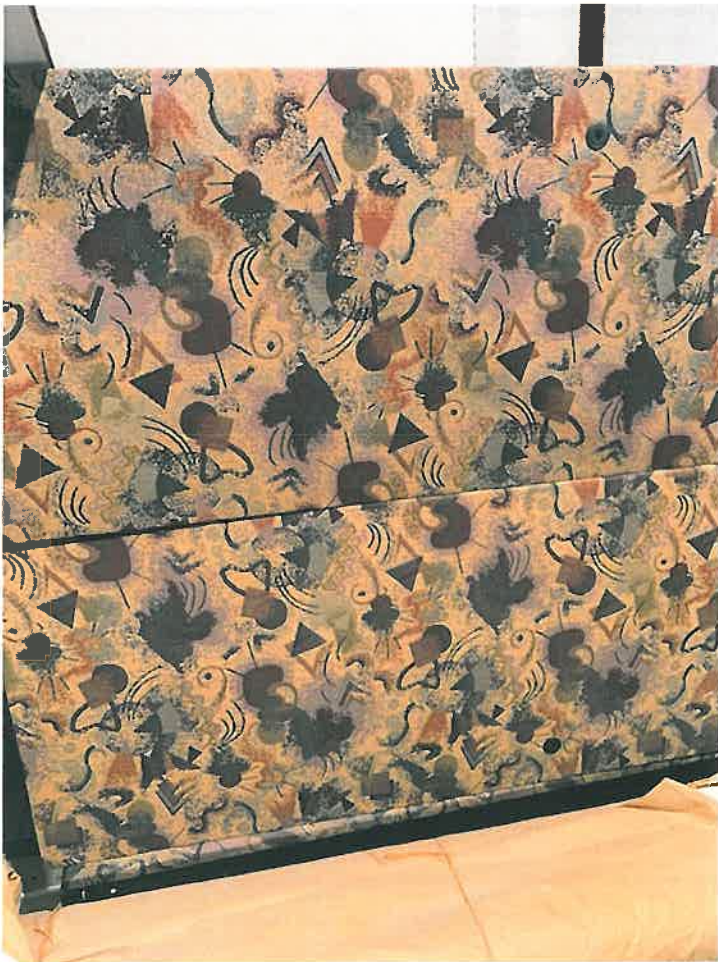




Unneeded desks in poor condition from 1103 W. Main purchase – FMV minimal, if any - advertise and sell or donate



Kitchen cabinets in fair condition – FMV is minimal, if any, donate or discard



Modular office cubicles in good condition – FMV unknown, advertise and sell or donate



## RESOLUTION 421-19

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIDDLETON, IDAHO, RELATING TO ABANDONED OR UNCLAIMED PROPERTY; DECLARING IT SURPLUS, AND AUTHORIZING AND DIRECTING ITS SALE AT AUCTION; PROVIDING FOR RELATED MATTERS; AND PROVIDING AN EFFECTIVE DATE

### RECITALS

WHEREAS, the Middleton Police Department, Middleton, Idaho ("City") possesses certain bicycles, photographs of which are attached hereto as Exhibit A and incorporated herein, as a result of performing routine patrol; and

WHEREAS, the Department does not know the name and address of the owners or ones entitled to possession of the bicycles in Exhibit A, and they have been unclaimed and unredeemed by owners or persons entitled to possession for more than ninety (90) days as required in Idaho Code 55-403; and

WHEREAS, the property in Exhibit A is not evidence in a pending investigation, prosecution or litigation; and

WHEREAS, the bicycles in Exhibit A occupy a substantial area in city facilities, and City Council deems it unnecessary to possess them and desires to surplus and divest possession of them; and

WHEREAS, Idaho Code 55-404 requires that abandoned or unclaimed bicycles to be sold at auction.

NOW THEREFORE, BE IT RESOLVED by the City Council of Middleton, Idaho, as follows:

Section 1: The above Recitals are incorporated herein as if restated in full.

Section 2: The City Council finds that the City does not have a use for the property in Exhibit A, and declares individually and separately they are surplus property, and establishes a minimum starting bid of \$20.00 each.

Section 3: The City Clerk is authorized and directed to sell or otherwise dispose of the surplus property for the highest cash price at public sale after public notice.

Section 4: The City Clerk is authorized to donate or otherwise dispose of any item of surplus property if the bids on abandoned property are not in the best interest of the City, if no bids are received, or in the event that abandoned property has no saleable value because of condition, obsolescence or if the abandoned property is inappropriate for use by the public.

Section 5: This Resolution shall take effect and be in force immediately upon its passage and approval.

PASSED BY THE COUNCIL OF THE CITY OF MIDDLETON, IDAHO, THIS 16<sup>th</sup> day of  
January, 2018.

CITY OF MIDDLETON

ATTEST:

\_\_\_\_\_  
Darin Taylor, Mayor

\_\_\_\_\_  
Dawn M. Dalton, Deputy City Clerk

Exhibit A

DRAFT











































Sawtooth Lakes Development  
11299 Bass Lane  
Caldwell, ID 83605



Council,

We sold phase 1 in Sawtooth Lake Subdivision to Hayden Homes. We designed and will provide the monument sign at Alice Lake Avenue for Hayden Homes to install; the sign will be delivered to Hayden Homes in the next few weeks and Hayden should have it installed before the end of the month. The condition of approval for the fence around the subdivision, rather than around each phase as it is final platted, is problematic because the northern and eastern portions of the subdivision will likely be improved as transit-oriented development consistent with the city's comprehensive plan that will probably need water, sewer, irrigation, and other utilities extended from the residential portion of the subdivision. We request that the condition of approval regarding the fence be amended so the condition is that a perimeter fence be constructed around each phase prior to final plat approval.

Sincerely,

A handwritten signature in black ink, appearing to read "Greg T. Burkhart", written over a horizontal line.

Greg T. Burkhart  
Member of Sawtooth Lakes Development



## **CITY OF MIDDLETON City Council**

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### **In Re:**

**Sawtooth Lake Subdivision**  
November 13, 2017 Application  
December 11, 2017 P&Z Hearing  
December 20, 2017 City Council Hearing

**Amended Findings of Fact,  
Conclusions of Law,  
Decision and Order**

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### **SUMMARY OF THE REQUEST**

**A request to approve a preliminary plat consisting of 102 residential lots on approximately 23 acres of vacant land in a mixed-use zone. The property is located west of Middleton Road, east of Crane Creek Way, and north of Sawtooth Lake Drive.**

### **FINDINGS OF FACT**

1. **APPLICANT:** The applicant is Premier Industrial, LLC and Baserri, LLC.
2. **APPLICATION:** The application was received and accepted by the City on November 13, 2017.
3. **NOTICE OF PUBLIC HEARING:** Notice of the public hearing before the Planning and Zoning Commission was published, mailed and posted as follows:

Published notice Idaho Press Tribune:	November 24, 2017
Letters mailed to property owners within 300':	November 27, 2017
Letters mailed to agencies providing services:	November 27, 2017
Property posted in four locations:	December 1, 2017
4. **APPLICABLE CODES AND STANDARDS:** The ordinances and standards used in evaluating the application are:
  - Idaho Code Title 67, Chapter 65
  - Middleton City Code, Title 6, Chapter 2, 3 and 4
  - Idaho Standards for Public Works Construction (ISPWC)
  - Middleton Supplement to the ISPWC
5. A neighborhood meeting was held on site along Sawtooth Lake Drive, halfway between Middleton Road and Crane Creek Way on November 17, 2017 at 6:00



## **CITY OF MIDDLETON City Council**

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p.m. There was no opposition to the project, according to the representative for the project.

6. The request is consistent with the following policies in the Comprehensive Plan: Transportation Goal 2: Provide a variety of safe transportation services and facilities throughout the City for vehicles, pedestrians, bicycles and transit. Objective A: Plan and develop a safe system of roads, bike lanes, sidewalks and pathways; Objective B: Reduce vehicle congestion and encourage walking and bicycling; Strategy 3: Establish sidewalks in subdivisions and provide pedestrian crossings at intersections; Parks and Recreation Goal 9: Locate and design parks, open spaces, recreational facilities and public facilities that encourage physical activity. Objective A: Improve and expand the recreational opportunities of all citizens; Housing Goal 10: Allow dwelling types that match residents' lifestyles; Objective A: Provide a variety of housing types and lot sizes for residents; Strategy 2: Encourage multifamily and higher density housing near schools, transit stations and commercial areas; Goal 21: Establish interesting gathering places that encourage walkability and promote good health and positive social interaction; Strategy 5: Locate places of residence near destinations such as parks, walking paths, trails and waterfront recreation areas to foster physical activity. The request is consistent with these policies because it provides a variety of transportation options, including roads, sidewalks, pathways, a pedestrian crossing, and connections to open spaces (shown as common lots) and waterfront recreation areas (the city plans to build a river district recreation area just north of the Boise river in the near future). The request also provides a variety of lot sizes and encourages higher density housing near commercial areas and transit stations. A future transit station and line is proposed in the area north of the subject site.
7. The applicant is requesting that side setbacks be reduced from 12 to 5 feet. Ten foot setbacks are currently what are required in the R-3 (Single Family Residential) zone. Middleton Lakes subdivision to the west is zoned R-3. In addition, the applicant is proposing all other internal side setbacks be reduced from 12 to 5 feet. The request for 5 foot side setbacks are not entirely consistent with the following policies in the Comprehensive Plan: Land Use Goal 3: Promote a quality of life based on the health, safety and general welfare of residents with minimal nuisances; Population Goal 13: Preserve a high quality of life and livability in Middleton; and Community Design Goal 19: Preserve and enhance the unique small-town character of Middleton. The request for a



## **CITY OF MIDDLETON City Council**

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reduction to 5 foot setbacks is problematic because it put homes very close together and reduces privacy. Noise, odor, light, and vibrations are more intense when homes are closer together. In addition, the lot width of the majority of the lots is only 50 feet. The recommendation to reduce internal side setbacks from 12 to 5 feet could disturb the peace, quiet, comfort and well-being of future residents in this subdivision. City staff recommends internal side setbacks be reduced from 12 to 10 feet, instead of the requested 5 feet.

8. No written comments were received from agencies or others prior to or at the city council public hearing.
9. General concerns from residents at the public hearing included the following: apartments (multi-family housing) as opposed to single-family housing, setbacks, density, traffic, safety, lack of a left-hand turn lane, appearance of tract housing, lack of parks in the proposed subdivision, Sawtooth Lake residents using Middleton Lakes subdivision's parks and lakes, and developments that would affect the "small-town feel" of Middleton.
10. Granting this application will not be detrimental to the public health, safety or welfare and is not in conflict with public interest.
11. The Planning and Zoning Commission, after notice and hearing, recommended that City Council approve the request.

### **CONCLUSIONS OF LAW**

Notice of the application and public hearing was given according to law. The City Council's public hearing was conducted according to law, and the City is maintaining an audio and written record according to law.

### **DECISION**

Based on the Findings of Fact and Conclusions of Law, the City Council approved the preliminary plat with the following conditions:



## **CITY OF MIDDLETON City Council**

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- Identify and label pedestrian pathway throughout the subdivision.
- Insert the word "micro" before the words "fiber mesh", so it reads "concrete sidewalk w/micro fiber mesh" on both the Local Roadway Typical Section – 44' ROW and City of Middleton Local Roadway Typical Section – 50' ROW.
- The portion of Barron Lakes Way that is not 44 foot right-of-way should be identified and labeled with proposed right-of-way.
- Add the word "Lake" in between the words "Sawtooth" and "Drive" for Note number 6.
- Rename the street labeled "Alturus Lake Way" since there is already a street in the city named "S. Alturas Lake Place."
- Make changes as shown in letter from City Engineer, see attached letter.
  - The boundary isn't labeled in places or doesn't match the legal description (MCC 6-2-2:A.2.i)
  - Designation of all land to be used for a common purpose and designate the purpose, including the intended beneficiary and the person or entity responsible to maintain the property (MCC 6-2-2:A.2.p).
  - Coordinate with City to correct road names (MCC 6-3-2.J.2).
  - Side lot easement of 5 feet required or confirmed with the City is not required. Please add note (MCC 6-3-5:B).
  - Pathway lots to be dedicated to the City. Please confirm with the City whether pathway connection needs to be made to Middleton Road (MCC 6-3-7:A).
  - General comments: 1. Requested centerline variance/proposed centerline radius of 50 feet: Please provide the maximum radius of vehicle path and verify the maximum size of vehicle/truck that can navigate the 90 degree/50 foot radius corner with cars parked on both sides and a car traveling in opposite lane. 2. Please revise the street structural section to be in conformance with Middleton Supplemental Standard 3/6/15. 3. Please confirm with a note on the plat or other that Sawtooth Lakes/Baserri can construct/dedicate as needed to extend Alpine Lake Drive to Crane Creek.
- Minimum local roadway centerline radius be reduced from 125 foot to 100 foot for mid-block centerline radiuses and 50 foot at near 90 degree turns.





## **CITY OF MIDDLETON City Council**

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- The houses to be built in the subdivision shall go through the design review process.
- The applicant will pay to the city a four percent proportionate share of the left hand turn lane from Middleton Road onto Sawtooth Lake Drive.
- The request for an exception to city minimum lot width standards is approved.
- Reduce back of curb to back of curb street width from 39 feet to 33 feet and reduce right-of-way from 50 feet to 44 feet as shown on the preliminary plat (for the following internal roadways: Alpine Lake Drive, Hidden Lake Court, Redfish Lake Drive, and a portion of Barron Lakes Way).
- The request for an exception to city setback standards to reduce all side setbacks to five (5) feet is approved.
- Applicant shall install a six foot fence around the entire subdivision as part of Phase 1 rather than fencing each phase of development.
- Applicant shall construct two monument entrance signs, one at the subdivision entrance from Sawtooth Lake Dr. and one at the entrance from Crane Creek Way.
- Applicant shall maintain the common landscaping area and irrigation of Middleton Lakes HOA area, east of Crane Creek Way along Sawtooth Lake Dr.

**WRITTEN DECISION APPROVED: December 20, 2017.**

  
Darin Taylor, Mayor

**Attest:**

  
Randall Falkner, Planning and Zoning Official