

RECORD OF PROCEEDINGS

MIDDLETON CITY COUNCIL OCTOBER 21, 2015

The meeting of the Middleton City Council on October 21, 2015 was called to order by Mayor Darin Taylor at 6:30 p.m.

Roll Call: Council Members Carrie Huggins, Beverlee Furner and Council President Lenny Riccio were all present and Council Member Kiser was absent. Mayor Taylor declared a quorum of Council Members present, and proceeded with Council business.

Motion: Motion by Council President Riccio to accept the amended agenda with the added item as posted was seconded by Council Member Furner and carried unanimously.

3) Administrative Action/Consent Agenda:

Council Member Huggins wanted to point out that the payment on the sewer bond was a principal payment, rather than a regular payment. Mayor Taylor confirmed, and explained that an additional principal payment was budgeted for. Council Member Huggins asked what the remaining balance was, and Mayor Taylor answered there is about \$600,000 owing on the 2002 bond.

Council President Riccio inquired about the minutes from the previous meeting, and Mayor Taylor answered that they were not ready and asked that they be tabled until the next meeting.

Motion: Motion by Council President Riccio to approve item 3a and to table item 3b was seconded by Council Member Furner and carried unanimously.

4a) Information: Toni Tisdale COMPASS annual presentation

Mayor Taylor introduced Toni Tisdale and Jacob Hassard of COMPASS, and they presented the annual COMPASS presentation.

Council President Riccio asked what COMPASS has done to include a couple of the highway districts in Canyon County that are not COMPASS members, and how is COMPASS trying to get them to participate as much as possible. Ms. Tisdale responded that COMPASS still plans for an entire two county area that is partially covered by Canyon County's membership. Council President Riccio then asked what is being planned for mass transit in valley, and Mr. Hassard responded that COMPASS is currently updating the long-term plan, Communities in Motion, which updates the plan 40 years into the future. This plan looks at what could be done if they were fully funded. Ms. Tisdale added that the long-range plan 2040 update includes the preservation of right-of-way and will have a lot of detail added into it. Mayor Taylor thanked Ms. Tisdale and Mr. Hassard for their time and COMPASS' good work.

4b) Consider approving AMERIGAS installation of propane tanks with dispenser capabilities north of Roadside Park in an amount not to exceed \$18,726 as part of the City's public safety program.

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Mayor Taylor introduced the item and asked if there was anyone in the audience that would like to comment on the item: none.

Council Member Huggins said that the bid is dated October 9, 2015 and asked how long ago competitor's bid was received. Mayor Taylor answered that they were both received around the same time, and that this is a busy time of year and this project is somewhat of a special request.

Council President Riccio asked in regards to security such as vandalism etc., how will that be dealt with. Mayor Taylor said that he spoke with an Amerigas representative and was told that the propane tanks do not explode, they are very safe and weather immune. He added that you can paint them to cover any graffiti, and that the dispensary can be locked so that access is controlled. Council President Riccio followed up by asking where this item puts the City with its budget, and Mayor Taylor answered that this expends the remainder of the fiscal year 2015 budget for public safety.

Motion: Motion by Council President Riccio to approve AMERIGAS installation of propane tanks with dispenser capabilities north of Roadside Park in an amount not to exceed \$18,726 as part of the City's public safety program was seconded by Council Member Huggins and carried unanimously.

4c) Consider approving scope, schedule and cost from Precision Engineering for the Middleton Road corridor plan in an amount no to exceed \$132,952.*

***Note: This is a joint project with the City of Caldwell and Canyon Highway District No. 4, and each is anticipated to pay \$30,000, so Middleton's total project cost will be approximately \$73,000.**

Mayor Taylor presented the item and asked if there was anyone in the audience that would like to comment on the item: none.

Council Member Kiser arrived at 7:15 p.m., heard this item, and will participate in the vote.

Council Member Huggins asked for clarification if the approximately \$133,000 was the total amount or if that was the City's share, and Mayor Taylor answered that is was the total amount.

Council President Riccio asked if this takes into account the future Middleton Road extension, and Mayor Taylor responded that it does take into account the realignment of Middleton Road across the bridge at the concept level, not design, construction or construction management.

Motion: Motion by Council President Riccio to approve the scope schedule and cost from Precision Engineering for the Middleton Road corridor plan in an amount not to exceed \$132,952 total, with Middleton's portion not to exceed \$72,952 was seconded by Council Member Furner and carried unanimously by roll call vote.

5a) Consider Approving findings of Fact, Conclusions of Law and Order regarding a request a by Fred and Marjorie Curry to vacate the west half of the south 820 feet of

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public road right-of-way for Elderberry Drive, and conveying the vacated right-of-way to the Currys.

Mayor Taylor reviewed the draft decision in detail with Council and asked if there was anyone in the audience that would like to comment on the item: none.

Motion: Motion by Council President Riccio to approve the Findings of Fact, Conclusions of Law, Decision and Order regarding a request a by Fred and Marjorie Curry to vacate the west half of the south 82 feet of public road right-of-way for Elderberry Drive, and conveying the vacated right-of-way to the Currys, was seconded by Council Member Huggins and carried unanimously.

5b) Consider approving findings of Fact, Conclusions of Law, Decision and Order regarding a request a by Premiere Industrial LLC, and Greg and Terri Burkhart, to annex approximately 81 acres into City limits, zone the property light-industrial, and to approve an annexation agreement.

Mayor Taylor reviewed the draft decision in detail with Council and asked if there was anyone in the audience that would like to comment on the item: none.

Mayor Taylor asked for clarification on when the agreement would be effective, and City Attorney Yorgason said that he believes the effective date is the date that decision is made but he would look double check. The item was then postponed until later in the meeting.

5c) Consider accepting the Bid Proposal from, and hiring, National Coatings Inc. to clean and repaint in April 2016 the exterior of the City's existing water storage tank for an amount not to exceed \$46,415.

Mayor Taylor presented the item stating the city had received three proposals and identified the three companies and the amounts of their bids. Mayor Taylor added that the three competitive bids were reviewed and All Colors Inc. was the lowest responsive, responsible bidder at \$36,100. Mayor Taylor asked if there was anyone in the audience that would like to comment on the item: none.

Council President Riccio asked if All Colors Inc. is the referral from Rule Steel, and Mayor Taylor answered that yes it was.

Council Member Huggins added that National Coatings has the cost of their bond under exclusions and that bids can be hard to compare because they seem to all use different terminology. Mayor Taylor replied that he discussed that with the City's lead water operator, who expressed high confidence that the bids are comparable.

Motion: Motion by Council President Riccio to accept the Bid Proposal from, and hiring, All Colors Inc. to clean and repaint in April 2016 the exterior of the City's in an amount not to exceed \$36,100 was seconded by Council Member Huggins and carried unanimously.

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5b) Continued

City Attorney Yorgason said that the order is effective when signed and that the annexation is effective when the ordinance is published.

Motion: Motion by Council President Riccio approve the findings of Fact, Conclusions of Law, Decision and Order regarding a request a by Premiere Industrial LLC, and Greg and Terri Burkhart, to annex approximately 81 acres into City limits, zone the property light-industrial, and to approve the annexation agreement with the changes identified during Mayor's review of the draft decision was seconded by Council Member Kiser and carried unanimously.

Mayor Taylor declared a recess at 7:40 p.m. and reconvened the meeting at 7:49 p.m.

Public Comments:

Marty Galvin voiced his concerns regarding right-of-way that the City had recently acquired from Phil Allaire and the fact that a fence has been placed that blocks access to the irrigation canal. Mayor Taylor said that he would be willing to meet with Mr. Galvin and his family to discuss their concerns after the meeting.

Mayor's Comments:

Mayor Darin Taylor reported:

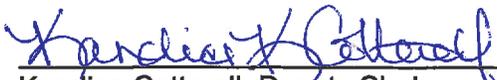
- Regarding the sale of property to the Hall's, notice has been sent to the paper and the public hearing required by Idaho Code prior to the sale at auction is scheduled for November 18, 2015 at 6:30 pm at City Hall.
- Coleman Homes etc. filed a motion to disqualify the judge in the case regarding the park dedication and impact fee agreements.
- The Mayor's Youth Advisory Committee (MYAC) is sponsoring a coat drive now through November 24, 2015. New and gently used coats of all sizes are asked to be donated, and there are drop off boxes throughout town.
- Rake-up Middleton is scheduled for Saturday, November 14, 2015 at 9:00 a.m., so please bring rakes and meet at City Hall.

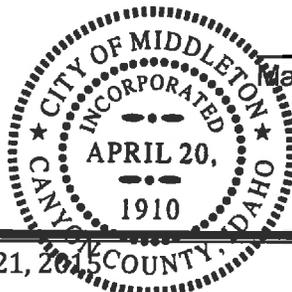
Council Comments:

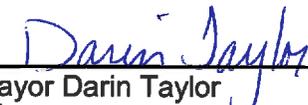
Council Member Huggins asked if the City was looking for grants for the Middleton Road sewer line extension project, and Mayor Taylor answered that there are two grants the city is pursuing to help with the Middleton Road corridor project ... one has been applied for and the City is preparing to apply for the second one. The results of the one applied for should be known soon.

Motion: Motion by Council President Riccio to adjourn was seconded by Council Member Furner and carried unanimously. Mayor Taylor declared the meeting adjourned at 8:11 p.m.

ATTEST:


Kandice Cotterell, Deputy Clerk
Approved: November 20, 2015




Mayor Darin Taylor