

RECORD OF PROCEEDINGS

MIDDLETON CITY COUNCIL JANUARY 6, 2016

The regular meeting of the Middleton City Council on January 6, 2016 was called to order by Mayor Taylor at 6:30 p.m.

Mayor Taylor introduced the following City officials in attendance: City Engineer Amy Woodruff of Civil Dynamics, City Attorney Chris Yorgason of Yorgason & Associates, City Clerk/Treasurer Pauline Newman, and Tim O'Meara of the Greater Middleton Parks and Recreation Department (GMPRD).

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

Motion: Motion by Council President Riccio to amend the agenda by adding the selection of a City Council President, and the Mayor's Youth Advisory Council (MYAC) liaison report, was seconded by Council Member Furner and carried unanimously.

3) Administrative Action/Consent Agenda:

Motion: Motion by Council President Riccio to approve the consent agenda was seconded by Council Member Huggins and carried unanimously.

City Clerk Pauline Newman administered the oath of offices to Mayor Taylor, and Council Members Huggins and Furner, since this is the first meeting of the calendar year following the November 3, 2015 election.

Motion: Motion by Council Member Kiser to appoint Council Member Riccio as Council President was seconded by Council Member Furner and carried unanimously.

Autumn Hutchison reported about MYAC activities, spoke about upcoming events, and answered Council's questions.

4a) Consider renewing appointments of the following:

City Officials. Mayor Taylor stated all currently appointed City officials are meeting or exceeding expectations in their job performance, and that they have residents' best interest when performing their jobs. Mayor Taylor renewed the appointments of current appointed City officials and requested that City Council confirm his appointments.

City Attorney:

Yorgason Law Office, Chris Yorgason

City Building Official:

David Wardell

City Clerk/City Treasurer:

Pauline Newman

City Engineer:

Civil Dynamics, Amy Woodruff

Parks Director/Grant Administrator/

Technology and Communications Coordinator:

Becky Crofts

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Librarian: Kate Lovan
Planning and Zoning Official: Randall Falkner
Chief of Police: Brian Zimmerman

Motion: Motion by Council President Riccio to confirm the appointments of current City officials was seconded by Council Member Kiser and carried unanimously.

Qualification Based Selected - Professional Service Providers. Mayor Taylor stated all firms and companies providing professional services to the City are meeting or exceeding expectations, and are in compliance with the general service agreements and pending task orders. Mayor Taylor requested City Council renew the selection of the firms and companies for the following rosters.

FEMA/Floodplain:	T-O Engineers
	Bowen-Collins & Assoc.
Landscape Architecture:	Baer Design Group
	CSHQA
Sewer	Keller Associates
	J-U-B Engineering
Surveying	ALS Land Surveying
	Compass Land Surveying
	Eagle Land Surveying
Transportation	T-O Engineers
	Horrocks Engineers
	Precision Engineering
	T-O Engineers
Water	SPF Water Engineering LLC

Motion: Motion by Council President Riccio to renew the selection of the firms and companies for the professional service rosters was seconded by Council Member Furner and carried unanimously.

4b) Acknowledge Appointments to Boards and Commissions

Mayor Taylor expressed appreciation for those who make time to serve the community in volunteer leadership positions. He stated all currently appointed directors and commissioners are fulfilling their duties identified in state and city codes, and requested City Council acknowledge the appointments to the positions, and for the terms, to which they were appointed.

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Library Board of Directors/Trustees: Donald Watt
Penny Ellsworth
Brady Fuller
Jenni Fried
Kassie Knapp

Planning and Zoning Commission: Janet Gregory
Lary Sisson
Clint Minor

Mayor Taylor informed Council that Commission Chairman Jeremy Fielding moved to a house out of Middleton's area of city impact, and Commissioner Smith submitted her letter of resignation since she is unable to attend meetings since her Master's Degree Program classes are at the same time as Planning and Zoning Commission meetings.

Motion: Motion by Council President Riccio to acknowledge the appointments of currently serving directors and commissioners on the Library Board and the Planning and Zoning Commission was seconded by Council Member Huggins and carried unanimously.

4c) Consider approving the scope and cost from Hughes Engineering to inspect nine local bridges during 2016 in an amount not to exceed \$3,790.

Mayor Taylor presented the item and answered the Council's questions. Mayor Taylor asked if there was anyone in the audience that would like to comment on this item.

Tim O'Meara as a Commissioner of the Middleton Rural Fire District asked Mayor Taylor on behalf of the Fire District to provide a list of the bridges to be inspected. Mayor Taylor said that he would provide that information for Fire District information and use only.

Motion: Motion by Council President Riccio to approve the scope and cost from Hughes Engineering to inspect nine local bridges during 2016 in an amount not to exceed \$3,790 was seconded by Council Member Kiser and carried unanimously.

4d) Consider approving the scope and cost from SPF Water Engineering to design, permit, and manage construction of City Well 10 in an amount not to exceed \$156,350.

Mayor Taylor presented the item and answered the Council's questions. Mayor Taylor informed Council that this new well relates to the annexation of Rule Steel and is needed for water to provide adequate fire flows for industrial area south of the Boise River so that the requirements of the fire district can be met. The site for Well 10 was donated by Premier Industrial (Premier is the landowner and Rule Steel the lessee), and Rule Steel is cooperating with the City for a grant to pay \$225,000 of the design and construction costs. Mayor Taylor asked if there was anyone in the audience that would like to comment on this item: none.

Motion: Motion by Council President Riccio to approve the scope and cost from SPF Water Engineering to design, permit, and manage construction of City Well 10 in an amount not to exceed \$156,350 was seconded by Council Member Kiser and carried unanimously.

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4e) Consider approving to the Idaho Department of Water Resources for an Application for Transfer of Water Right – Point of Diversion for City Well 10.

Mayor Taylor presented the item and answered the Council's questions. Mayor Taylor informed Council that the application will be prepared by SPF Water Engineering and that SPF will pay the \$1,800 filing fee and invoice the City to reimburse the cost. Mayor Taylor asked if there was anyone in the audience that would like to comment on this item: none.

Motion: Motion by Council President Riccio to approve an Application for Transfer of Water Right – Point of Diversion to the Idaho Department of Water Resources for City Well 10 was seconded by Council Member Kiser and carried unanimously.

4f) Consider approving the Authorization for Additional Services with J-U-B Engineers Inc. for additional work on the sewer trunk-line extension south of the Boise River (re-design on west side of Middleton Rd., and inspections during construction) according to Attachment 1, Task 4, in a time and materials amount not to exceed \$10,580.

Mayor Taylor presented the item and answered the Council's questions. Mayor Taylor informed Council that modifying the design to cross Middleton Road by boring underneath rather than trenching across allows work to be done with no lane closures, and no detours. It would have been a 14-mile detour, and at least one lane would have been closed for an estimated six weeks. Mayor Taylor asked if there was anyone in the audience that would like to comment on this item: none.

Motion: Motion by Council President Riccio to approve the Authorization for Additional Services with J-U-B Engineers Inc. for additional work on the sewer trunk-line extension south of the Boise River (re-design on west side of Middleton Rd., and inspections during construction) according to Attachment 1, Task 4, in a time and materials amount not to exceed \$10,580 was seconded by Council Member Huggins and carried unanimously.

4g) Consider approving Task No. 4 with J-U-B Engineers Inc. to design approximately 7,000 linear feet of gravity sewer trunk-line extension west along the north side of State Highway 44 to a regional lift station near the intersection with Canyon Lane in an amount not to exceed \$103,200.

Mayor Taylor presented the item and answered the Council's questions. Mayor Taylor asked if there was anyone in the audience that would like to comment on this item: none.

Motion: Motion by Council President Riccio to approve Task No. 4 with J-U-B Engineers Inc. to design approximately 7,000 linear feet of gravity sewer trunk-line extension west along the north side of State Highway 44 to a regional lift station near the intersection with Canyon Lane in an amount not to exceed \$103,200 was seconded by Council Member Furner

Discussion: Council Member Huggins asked which budget items agenda 4d through 4g would be paid from. Mayor Taylor answered that 4d and 4e would be paid from the water fund, and 4f and 4g would be paid from the sewer fund.

Decision: The motion carried unanimously.

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4h) Consider accepting a deed from Premier Industrial LLC that conveys to the City a portion of the real property on the north side of Bass Lane across the street from Rule Steel for a new municipal well site.

Mayor Taylor presented the item and answered the Council's questions. Mayor Taylor informed Council that the 125' x 125' square lot site for City Well 10 will be on north side of Bass Lane across the street from Rule Steel and that the City needed to take possession of the well site prior to the meeting due to the deadline for the grant application. And that the biggest challenge in finding the right site was proximity to water; certain setbacks from surface water had to be maintained. Mayor Taylor asked if there was anyone in the audience that would like to comment on this item: none.

Motion: Motion by Council President Riccio to accept a deed from Premier Industrial LLC that conveys to the City a portion of the real property on the north side of Bass Lane across the street from Rule Steel for a new municipal well site was seconded by Council Member Kiser and carried unanimously by roll call vote.

4i) Consider ratifying the Managed Services Agreement with Idaho IT for technological support services, effective December 22, 2015, for a Monthly Fee of \$1,458.00 for services performed for Normal Working Hours, and Additional Hourly Project Fees in Appendix C for services performed on holidays and other than Normal Working Hours.

Mayor Taylor presented the item and answered the Council's questions. Mayor Taylor informed Council that this amount is lower than the previous contract and that the Library has entered into its own contract with Idaho IT. Mayor Taylor asked if there was anyone in the audience that would like to comment on this item: none.

Motion: Motion by Council President Riccio to ratify the Managed Services Agreement with Idaho IT for technological support services, effective December 22, 2015, for a Monthly Fee of \$1,458.00 for services performed for Normal Working Hours, and Additional Hourly Project Fees in Appendix C for services performed on holidays and other than Normal Working Hours Lower fee than last year because the library entered into their own contract with Idaho IT was seconded by Council Member Furner and carried unanimously by roll call vote.

4j) Consider approving a contract to install an electrical system in Trolley Station in an amount not to exceed the lowest responsive, responsible proposal.

Mayor Taylor presented the item and answered the Council's questions. The City received proposals from AME and Centerline Electric which have both done business with the City. The City recommends accepting proposal from AME Electric which excludes fire alarms, security cameras, projector, and screen for wiring lights, fans, exit lights, outlets along walls and some outside outlets for use of lights in window wells. Wiring will be installed for fire alarms, security cameras, and projector. Mayor Taylor asked if there was anyone in the audience that would like to comment on this item: none.

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Motion: Motion by Council President Riccio to approve a contract with AME Electric to install an electrical system in Trolley Station in an amount not to exceed \$10,000 was seconded by Council Member Huggins and carried unanimously.

4k) Consider approving a contract with Straight-Line Building Solutions, LLC in an amount not to exceed \$11,760 for interior insulation, metal studs, drywall, and tape/texture.

Mayor Taylor presented the item and answered the Council's questions. The City attempted to receive three bids for the project but only received one. Council President Riccio asked for clarification that the City will provide some work (demo & dumpster) totaling \$11,320. Mayor Taylor responded that Alternate #2 was not included in the proposal total but Alternate #1 was, and that the total being presented tonight includes Alternates #1 and #2. Mayor Taylor asked if there was anyone in the audience that would like to comment on this item: none.

Motion: Motion by Council President to approve a contract with Straight-Line Building Solutions, LLC in an amount not to exceed \$11,760 for interior insulation, metal studs, drywall, and tape/texture was seconded by Council Member Huggins.

Discussion: Council Member Huggins stated that she is not usually comfortable with only having one bid on a project. She believes that construction has picked up in valley, and this may be considered a small job which may account for the lack of interest in the project.

Mayor Taylor agreed that this is a smaller job and since all areas in the Treasure Valley are currently experiencing a lot of commercial growth it will be more difficult to receive bids from larger companies.

Decision: The motion carried unanimously.

Old Business

5a) Consider approving a request by the Greater Middleton Parks and Recreation District (GMPRD) to waive the District's building permit and plan review fees for the Hawthorne Park bathroom remodel and addition of a concession stand, and reimburse the district for fees paid.

Mayor Taylor presented the item and answered the Council's questions. Mayor Taylor asked if there was anyone in the audience that would like to comment on this item: none.

Tim O'Meara of GMPRD spoke and answered Council's questions. He stated that GMPRD is installing restrooms compliant with Americans with Disabilities Act, and a concession stand, at the back of the building to aid with sport events and are hoping to have the building ready to go by baseball season.

Council Member Huggins asked about the bathroom remodel, and Mr. O'Meara answered that the bathrooms will receive new partitions, and some of the toilets in the women's restroom will have to be removed to meet the ADA requirements.

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Motion: Motion by Council President Riccio to approve a request by the Greater Middleton Parks and Recreation District to waive the building permit and plan review fees for the Hawthorne Park bathroom remodel and addition of a concession stand, and reimburse the District for fees paid, was seconded by Council Member Furner.

Discussion: Council President Riccio stated that the City has routinely waived fees in the past for local government agencies because it is in the best interest of residents, and helps keep real property taxes low by not having one government entity paying fees to another government entity. The City has waived one or more of the following fees for the Greater Middleton Parks and Recreation District, and for Middleton School District #134: plan review fees, building permit fees, and that water and sewer connection fees totaling over \$40,000 were waived for Foote Park. President Riccio added his appreciation for all that GMPRD does.

Decision: The motion carried unanimously.

New Business Continued:

4l) Consider approving a contract with Straight-Line Building Solutions, LLC in an amount not to exceed \$29,784 to complete remodel of restrooms at Roadside Park.

Mayor Taylor presented the item and answered the Council's questions. Council Member Kiser asked if this amount included the add alternative for anti-graffiti paint, and Mayor Taylor answered that he did not believe that it did so it will need to be added as an add-alternate. Council Member Kiser then asked about the final number of \$25,299 with the add-alternate, and Mayor Taylor answered that the City will be doing some of the work. Mayor Taylor added that funds for the project will be coming from the general building improvement line item.

Motion: Motion by Council President Riccio to approve a contract with Straight-Line Building Solutions LLC in an amount not to exceed \$24,869 to complete remodel of restrooms at Roadside Park. Remodel is replacement and expansion of roof which will include painting over the building. The upper portion will be metal and the roof will be asphalt was seconded by Council Member Kiser and carried unanimously.

4m) Consider ratifying the purchase of two, 4wd, 2013 Ford F-150 pick-up trucks having 18,467 and 22,163 miles respectively, including delivery, from Jess Ford of Pullman in a total amount of \$41,740.

Mayor Taylor presented the item and answered the Council's questions. Mayor Taylor informed Council that the Public Works Foreman looked at state-wide bid for vehicles and that these trucks were from Jess Ford in Pullman and included delivery which will be by December 21, 2015. Council Member Kiser asked if the trucks were part of a fleet return and Mayor Taylor answered that they believe so due to their good condition and low mileage. Mayor Taylor asked if there was anyone in the audience that would like to comment on this item: none.

Motion: Motion by Council President Riccio to ratify the purchase of two, 4wd, 2013 Ford F-150 pick-up trucks having 18,467 and 22,163 miles respectively, including delivery, from Jess Ford of Pullman in a total amount of \$41,740 was seconded by Council Member Kiser and carried unanimously by roll call vote.

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Department Comments:

City Engineer Woodruff gave the Engineer report and answered Council's questions

4n) Consider amending the Employee Policies and Procedures.

Mayor Taylor and City Clerk Newman presented the item and answered the Council's questions. Mayor Taylor asked if there was anyone in the audience that would like to comment on this item: none.

Motion: Motion by Council President Riccio to adopt Resolution No. 365-16 amending the Employee Policies and Procedures with proposed changes and modifications was seconded by Council Member Kiser and carried unanimously.

Old Business Continued:

5b) Consider accepting a deed from Kelly and Michele Hall that conveys to the City a portion the real property at 315 Murphy Ave.

Mayor Taylor presented the item and answered the Council's questions. Mayor Taylor asked if there was anyone in the audience that would like to comment on this item: none.

Motion: Motion by Council President Riccio to accept a deed from Kelly and Michele Hall that conveys to the City a portion the real property at 315 Murphy Ave was seconded by Council Member Kiser and carried unanimously by roll call vote.

Mayor Comments:

- City received a bill from Southwest Idaho Resource Conservation and Development Inc. -- dues for City's membership to that council. Meetings are 3rd Tuesday of each month at Meridian City Hall. Mayor is not sure how applicable membership would be, and is not planning to pay a membership fee unless Council would like.
- Department of Idaho Order of Military Purple Heart letter. Requesting proclamation of Middleton as a Purple Heart City. Cost neutral activity for the City. Council requested to move forward with this.
- Moving forward with paving pads for propane tanks in Middleton Place and Roadside parks.
- NPDES (National Pollutant Discharge Elimination System) permit deadline for submitting annual and monitoring reports is coming up on January 15, 2016, and the reports are ready to file.
- Updates about status and next steps of City suit against Coleman Homes et al to determine if Park Dedication Agreement and Impact Fee Agreement are valid.

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- Randall Falkner is doing superb at his job, both in code enforcement and planning.

Council Comments:

Council President Riccio commented that he really enjoyed the City Christmas lights this year and appreciated all of the hard work that went into displaying them.

Council Member Kiser asked about the light pole by Ridley's that was hit by a car in 2015, and Mayor Taylor answered that the replacement parts have been ordered.

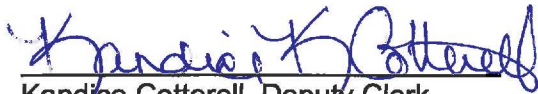
Motion: Motion by Council President Riccio to open Executive Session pursuant to Idaho Code and possible decision(s) to follow 74-206(1)(f) Potential litigation was seconded by Council Member Furner and carried unanimously by roll call vote at 9:08 p.m.

Executive session was closed at 9:30 p.m. and no action on Executive Session items was taken.

Adjourn:

Motion: Motion by Council president Riccio to adjourn was seconded by Council Member Furner and carried unanimously. Mayor Taylor declared the meeting adjourned at 9:35 p.m.

ATTEST:


Kandice Cotterell, Deputy Clerk
Approved: February 3, 2016





Mayor Darin Taylor