

RECORD OF PROCEEDINGS

MIDDLETON CITY COUNCIL FEBRUARY 17, 2016

The regular meeting of the Middleton City Council on February 17, 2016 was called to order by Mayor Darin Taylor at 6:30 p.m.

Mayor Taylor introduced the following City officials in attendance: City Attorney Chris Yorgason of Yorgason & Associates, Kirby Cook of City Engineer Civil Dynamics, and City Clerk/Treasurer Pauline Newman.

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

Mayor Taylor informed Council that the agenda was amended this morning upon the City's receipt of scope and cost from Bionomics Environmental Inc.

Motion: Motion by Council President Riccio to accept the Amended Agenda was seconded by Council Member Furner and carried unanimously.

3) Administrative Action/Consent Agenda:

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

Mayor Taylor asked if anyone in the audience came to speak about the recently adopted Ordinance No. 573 regarding truancy and no-one indicated so. Mayor Taylor briefly explained the ordinance and said that more information would be in the next City newsletter.

New Business:

4a) Consider accepting the 2015 Audit Report

Jordan Zwygart of Zwygart & Associates presented the City's FY2015 audit report and answered the Council's questions.

Motion: Motion by Council President Riccio to accept the Fy2015 audit report was seconded by Council member Furner and carried unanimously.

Old Business:

6b) Consider approving Resolution No. 369-16 In God We Trust Resolution

Council President Riccio presented the item, noting "In God We Trust" is the national motto adopted by the United States Congress decades ago, and answered the Council's questions.

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City Attorney Yorgason read the resolution and answered the Council's questions.

Mayor Taylor asked if there was anyone in the audience that would like to comment on this item.

Hannah, a Middleton High School student, said she was not in favor of adopting the resolution and placing signs because some people do not believe in God and citing separation of church and state. Mayor Taylor spoke about the origins of the American government and purpose of the movement to remind people of those origins.

Raul lives outside of City limits and stated that he comes from a country where people who believe in God were persecuted, and he thinks we need to not forget that people who believe in God were persecuted and incarcerated.

Danielle Wiley from the Idaho Press Tribune asked if the company who requested the addition of the words would provide the sign. Mayor Taylor said the City would provide the sign.

Motion: Motion by Council President Riccio moved to approve Resolution No. 369-16 In God We Trust was seconded by Council Member Furner and carried unanimously.

New Business Continued:

4g) Consider appointing Amy Watson, Justin Rahn, and Sean Billett to the Planning and Zoning Commission.

Mayor Taylor presented Amy Watson, Justin Rahn and Sean Billett to be appointed and confirmed as members of the Middleton Planning and Zoning Commission.

Each appointee introduced themselves and answered the Council's questions.

Mayor Taylor appointed Amy Watson, Justin Rahn and Sean Billett to the Planning and Zoning Commission with Amy Watson filling the remainder of Jeremy Fielding's term, Justin Rahn completes Diane Smith's term, and Sean Billett starts a new term effective immediately, and asked for Council's confirmation.

Motion: Motion by Council President Riccio to confirm Amy Watson, Justin Rahn and Sean Billett to the Middleton Planning and Zoning Commission was seconded by Council Member Furner and carried unanimously.

4f) Consider unappointing Beverly Furner from the Urban Renewal Agency Board, and appointing Carl Lohrengel to the Urban Renewal Agency Board.

Mayor Taylor presented Carl Lohrengel, who introduced himself and answered Council's questions.

Mayor Taylor un-appointed Council Member Beverlee Furner and appointed Carl Lohrengel to the Middleton Urban Renewal Agency Board to fill the remainder of Beverlee Furner's term.

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Motion: Motion by Council President Riccio to confirm the un-appointment of Beverlee Furner and confirm appointment of Carl Lohrengel to the Middleton Urban Renewal Agency Board was seconded by Council Member Huggins and carried unanimously.

4c) Consider approving a Local Professional Services Agreement for Heights Elementary School SR2S Key No. 18954.

Mayor Taylor presented the contract to receive grant funds to help pay to install missing segments of sidewalk on the west side of Cemetery Road to Heights Elementary School, 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.

City Grants Administrator Becky Crofts described the nature of the grant award, City's match responsibility, and summarized the agreement.

Motion: Motion by Council President Riccio to approve Local Professional Services Agreement for the Heights Elementary School SR2S Key No. 18954 was seconded by Council Member Huggins.

Discussion: Council Member Huggins wanted to know when the process started, and Mrs. Crofts answered that it started several years ago and that the project had been delayed due to Idaho Transportation Department (ITD) changes, funding, standards manual, and program administration on ITD's side.

The motion then carried unanimously by roll call vote.

4j) Consider approving a scope a cost with Bionomics Environmental Inc. in an amount not to exceed \$9,554.04.

Mayor Taylor presented the item stating this firm would complete the environmental assessment required as part of the grant that is helping to pay to install sidewalks along Cemetery Road, 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 a scope a cost with Bionomics Environmental Inc. to complete the environmental assessment of the west side of Cemetery Road required for the grant to install sidewalks in an amount not to exceed \$9,554.04 was seconded by Council Member Furner.

Discussion:

Council President Riccio referenced an earlier email and not being able to accept proposals for this project

Mayor Taylor noted that Bionomics is a very reputable firm with experts very good at what they do. He added that the City is pleased with the contract amount and is very confident in the company and the amount agreed upon.

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Mrs. Crofts informed Council that an environmental assessment was required because federal funds are the source of the grant funds.

The motion was then carried unanimously by roll call vote.

Mayor Taylor declared a short recess and reconvened the meeting at 7:35 p.m.

4b) Consider approving the application and policy of group term life insurance, and volunteer employee-funded short-term disability coverage, through Mutual of Omaha.

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 the application and policy of group term life insurance, and volunteer employee-funded short-term disability coverage, through Mutual of Omaha was seconded by Council Member Huggins.

Discussion: Council President Riccio stated that this item supports the City's desire to try to lower costs for this and health insurance.

The motion was then carried unanimously by roll call vote.

4d) Consider approving Lurre Construction Change Order #1 through Premier Industrial LLC in an amount not to exceed \$39,976.

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 a Lurre Construction Change Order #1 through Premier Industrial LLC in an amount not to exceed \$39,976 was seconded by Council Member Furner and carried unanimously.

4e) Consider approving the Public Transportation Workgroup Assistance Scope of Work and Fees with Precision Engineering in an amount not to exceed \$5,200.

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 the Public Transportation Workgroup Assistance Scope of Work and Fees with Precision Engineering in an amount not to exceed \$5,200 was seconded by Council Member Huggins and carried unanimously.

4h) Consider accepting the lowest responsive, responsible bidder to install cabinets and wainscot in the Trolley Station. The selected bidder is _____ in an amount not to exceed _____.

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This item was tabled until next meeting because no proposals, quotes, estimates or bids had been received despite the several companies the City had contacted and solicited quotes from.

4i) Consider approving the purchase of water meters from HD Supply in an amount not to exceed \$10,516.53.

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 the purchase of water meters from HD Supply in an amount not to exceed \$10,516.53 was seconded by Council Member Huggins and carried unanimously.

Old Business Continued:

6a) Consider approving the proposal from Absolute Fire Protection LLC for a fire alarm system in the Trolley Station in an amount not to exceed \$5,900.

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 the proposal from Absolute Fire Protection LLC for a fire alarm system in the Trolley Station in an amount not to exceed \$5,900 was seconded by Council Member Furner and carried unanimously by roll call vote.

Public Hearing:

Consider selling at public auction the house, shop and outbuildings on the real property at 24009 Cemetery Road, and setting the minimum bid price(s).

Mayor Taylor declared the Public Hearing open at 8:18 p.m., 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.

Larry Downs Auctions would like to have the auction at 10 a.m. on March 3, 2016 for the house, shop and out-buildings on the property, and recommended not setting a minimum bid price for any of the buildings. The appraisal previously done when the city purchased the property did not identify a value for the shop or other individual structures. Mayor Taylor contacted the appraiser, who explained the difficulty of valuing old buildings in rough or fair condition. Mayor Taylor contacted Larry Downs auctioneer who suggested setting a minimum bid for buildings that must be disassembled and removed would likely deter potential buyers. Mr. Downs suggested the City will get a better net return if there is not a minimum bid price is set.

Motion: Motion by Council President to approve selling at public auction the house, shop and outbuildings on the real property at 24009 Cemetery Road with no minimum bid was seconded by Council Member Furner and carried unanimously by roll call vote.

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Mayor Taylor closed the Public Hearing at 8:26 p.m.

Department Comments:

Mayor Taylor reviewed the memo provided by the City Engineer. Council Member Huggins asked when the construction for the sidewalks on Cemetery Road would begin and Mayor Taylor answered that it would be in 2017.

Council Member Kiser arrived at 8:27 p.m.

Mayor Comments:

- Application fee for Marie Anderson's conditional use permit was paid
- Caldwell's State of the City is scheduled on February 25, 2016 at Jewitt Auditorium and Albertson College of Idaho
- Annual FFA banquet at Middleton High School is scheduled for February 22, 2016
- The second Disaster Response Plan meeting at the LDS Church downtown is scheduled for February 18, 2016
- The third Disaster Response Plan meeting at Canyon Springs Church is scheduled for March 8, 2016
- The fourth and final Disaster Response Plan meeting at Seventh Day Adventist Church is scheduled for April 14, 2016.
- Governor's interim committee reviewing Idaho's urban renewal agency law is scheduled to meet February 18, 2016 and draft legislation should be released after that. It appears that no changes harmful to cities are being proposed.
- Well 10 design is underway. Survey of site is being arranged. The City received permission from the landowner to discharge clean well water into the adjacent pond during testing required by Idaho Department of Environmental Quality
- Middleton School District is accepting statements of qualifications from law-enforcement agencies to provide School Resource Officer services up to three years. Submissions must be received by the district by March 16, 2016
- Owners of River Run Subdivision - 171 acres - are talking with city about use of that property, and financial obligations described in the development agreement
- Park-and-Ride lot in Piccadilly Park is moving forward following meeting with the design engineer
- Idaho Power desires to connect substation at Lansing Lane with Willis/Hartley, likely applying for conditional use permit for taller poles and higher voltage line along Main Street and Hartley

Council Comments:

Council President Riccio stated that he is excited to start working with the Planning and Zoning Commissioners and enjoys the merits of having impact area participants on the Commission.

Executive Session and Possible Decision(s) to Follow

Motion: Motion by Council President Riccio to open executive session pursuant to Idaho Code 74-206(1)(f) Potential Litigation was seconded by Council Member Furner and carried unanimously by roll call vote at 8:55 p.m.

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Executive session was closed at 9:25 p.m. and no action 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 9:26 p.m.

ATTEST:

Pauline Newman
Pauline Newman, City Clerk
Approved: March 2, 2016



Darin Taylor
Mayor Darin Taylor