

# RECORD OF PROCEEDINGS

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## MIDDLETON CITY COUNCIL MAY 4, 2016

The regular meeting of the Middleton City Council on May 4, 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 Engineer Amy Woodruff of Civil Engineers and Deputy City Clerk Kandice Cotterell.

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

**Motion:** Motion by Council President Riccio to accept the agenda 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 Kiser and carried unanimously by roll call vote.

### **New Business:**

#### **4(A) Information: Mayor's Youth Advisory Council (MYAC)**

Autumn Hutchison reported MYAC activities and answered Council's questions.

#### **4(B) Introduce Mayor's Youth Advisory Executive Council for 2016-2017**

Mayor Taylor introduced the MYAC Executive Council for 2016-2017 and asked them to introduce themselves.

Chair – Sadie Dittenber  
Vice-Chair – Lindsay Turner  
Secretary – Analeise Reynolds  
City Liaison – Steele Sommer

### **7) Department Comments**

City Engineer Woodruff updated City Council about pending City projects and answered Council's questions, including the location of the sidewalk on the west side of Cemetery Road that must be attached due to an environmental determination that three properties are "historic" and cannot be disturbed, even though fencing material on one is vinyl.

Colton, a Middleton High School, student asked what constitutes a specific property to be deemed historic, and Mayor Taylor directed the question to City Engineer Woodruff, who answered that it is based on the date of origin of the entire property.

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**4(C) Consider ratifying the Vacant Land Real Estate Purchase and Sale Agreement ID# 98616528 for approximately 22 acres in the amount of \$242,000.**

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

**Motion:** Motion by Council President Riccio to ratify a Vacant Land Real Estate Purchase and Sale Agreement ID# 98616528 for approximately 22 acres in the amount of \$242,000 was seconded by Council Member Huggins and carried unanimously by roll call vote.

**4(D) Consider adopting Ordinance No, 579 AN ORDINANCE OF THE CITY OF MIDDLETON, CANYON COUNTY, IDAHO, AMENDING TITLE 4, CHAPTER 5, SECTION 11(B) ADDING TO THE TABLE ONE (1) PARKING SPACE FOR EACH 1.5 EMPLOYEES AND ONE (1) PARKING SPACE FOR THREE (3) VISITORS FOR INDUSTRIAL USES, 1 parking space for Americans with Disabilities (ADA); AND PROVIDING AN EFFECTIVE DATE.**

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

**Motion:** Motion by Council President Riccio to read Ordinance No. 579 by title only was seconded by Council Member Kiser and carried unanimously. Mayor Taylor read the ordinance by title only.

**Motion:** Motion by Council President Riccio to waive the three reading rule and adopt Ordinance No. 579 AN ORDINANCE OF THE CITY OF MIDDLETON, CANYON COUNTY, IDAHO, AMENDING TITLE 4, CHAPTER 5, SECTION 11(B) ADDING TO THE TABLE ONE (1) PARKING SPACE FOR EACH 1.5 EMPLOYEES AND ONE (1) PARKING SPACE FOR THREE (3) VISITORS FOR INDUSTRIAL USES, 1 parking space for Americans with Disabilities (ADA); AND PROVIDING AN EFFECTIVE DATE was seconded by Council Member Furner and carried unanimously by roll call vote.

**4(E) Consider adopting Ordinance No. 580 AN ORDINANCE OF THE CITY OF MIDDLETON, CANYON COUNTY, IDAHO, AMENDING TITLE 3, CHAPTER 3, SECTION 4 UPDATING SIGN LOCATION REGULATIONS; AND PROVIDING AN EFFECTIVE DATE.**

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

**Motion:** Motion by Council President Riccio to read Ordinance No. 580 by title only was seconded by Council Member Kiser and carried unanimously. Mayor Taylor read the ordinance by title only.

**Motion:** Motion by Council President Riccio to waive the three reading rule and adopt Ordinance No. 580 AN ORDINANCE OF THE CITY OF MIDDLETON, CANYON COUNTY, IDAHO, AMENDING TITLE 3, CHAPTER 3, SECTION 4 UPDATING SIGN LOCATION

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REGULATIONS; AND PROVIDING AN EFFECTIVE DATE was seconded by Council Member Huggins.

**Discussion:** Council President Riccio apologized for the unclear motion at the previous meeting regarding this item.

Council Member Huggins appreciates the clarification as she wants to protect small business owners.

Council Member Kiser added that he would like to see something address temporary signs when all of the bandit signs, sprinkler blowout signs for example, go up all over town.

The motion passed unanimously by roll call vote.

### **4(F) Consider approving Resolution No. 374-16 adopting "Life is Better Here" as Middleton's slogan.**

Mayor Taylor introduced the item and answered Council's questions. Mayor Taylor asked if there was anyone in the audience that would like to speak to this item. Colton, a Middleton High School student suggested, "Middleton, practically perfect in every way." Mayor Taylor thanked him for the suggestion and agreed with the sentiment, but said it is too long for signs, logos and other City marketing materials.

**Motion:** Motion by Council President Riccio to approve Resolution 374-16 adopting "Life is Better Here" as Middleton's slogan, second by Council Member Kiser and carried unanimously.

Mayor Taylor declared a recess at 7:25 p.m. and reconvened the meeting at 7:30 p.m.

### **Old Business**

### **5(A) Consider adopting Ordinance No. 577 AN ORDINANCE OF THE CITY OF MIDDLETON, CANYON COUNTY, IDAHO, AMENDING TITLE 6, CHAPTER 4, OF THE MIDDLETON CITY CODE ADDING REQUIREMENTS FOR APPROACH PERMITS; AND PROVIDING AN EFFECTIVE DATE.**

Mayor Taylor introduced the item and answered Council's questions.

Council Member Huggins stated that she is concerned about the process that would be required and wants to be clear that this ordinance only affects access onto a public road.

Council Member Kiser is happy to address this issue because he is concerned about those filling their swales in different neighborhoods.

**Motion:** Motion by Council President Riccio to read Ordinance No. 577 by title only was seconded by Council Member Kiser and carried unanimously. Mayor Taylor read the ordinance by title only.

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**Motion:** Motion by Council President to waive the three reading rule and adopt Ordinance No. 577 AN ORDINANCE OF THE CITY OF MIDDLETON, CANYON COUNTY, IDAHO, AMENDING TITLE 6, CHAPTER 4, OF THE MIDDLETON CITY CODE ADDING REQUIREMENTS FOR APPROACH PERMITS; AND PROVIDING AN EFFECTIVE DATE was seconded by Council Member Furner.

**Discussion:** Council Member Huggins asked that information be communicated clearly to residents so that there is not any confusion.

Mayor Taylor asked if there was anyone in the audience that would like to speak to this item. Tammy Dittenber asked what the applicant gets for paying the permit fee. She believes that if it is communicated clearly what the process is and what comes with the permit, a fee is fair.

The motion was then passed unanimously by roll call vote.

**5(B) Consider adopting Ordinance No. 578 AN ORDINANCE OF THE CITY OF MIDDLETON, CANYON COUNTY, IDAHO, AMENDING TITLE 11, CHAPTER 2, SECTION 3 OF THE MIDDLETON CITY CODE TO CLARIFY PARKING RESTRICTIONS FOR TRUCKS AND TRUCK TRACTORS, AMENDING TITLE 1, CHAPTER 3 UPDATING THE DEFINITIONS OF TRUCK AND TRUCK TRACTOR; AND PROVIDING AN EFFECTIVE DATE.**

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

Tammy Dittenber noted to make sure that Council clarifies what a truck and what a tractor is because farmers are very particular about which is which.

**Motion:** Motion by Council President to read Ordinance No. 578 by title only was seconded by Council Member Kiser and carried unanimously. Mayor Taylor read the ordinance by title only.

**Motion:** Motion by Council president Riccio to waive the three reading rule and adopt Ordinance No. 578 AN ORDINANCE OF THE CITY OF MIDDLETON, CANYON COUNTY, IDAHO, AMENDING TITLE 11, CHAPTER 2, SECTION 3 OF THE MIDDLETON CITY CODE TO CLARIFY PARKING RESTRICTIONS FOR TRUCKS AND TRUCK TRACTORS, AMENDING TITLE 1, CHAPTER 3 UPDATING THE DEFINITIONS OF TRUCK AND TRUCK TRACTOR; AND PROVIDING AN EFFECTIVE DATE was seconded by Council Member Kiser and carried unanimously by roll call vote.

**5(C) Consider approving purchase of electronic equipment from A-Gem Supply for the skatepark at Piccadilly Park in an amount not to exceed \$5,000.**

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

**Motion:** Motion by Council President Riccio to approve the purchase of electronic equipment from A-Gem Supply for the skatepark at Piccadilly Park in an amount not to exceed \$5,000 was seconded by Council Member Furner and carried unanimously.

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### 6) Public Comments:

Tammy Dittenber said she believes Mayor and City Council are doing a great job and wants them to know that there are many that appreciate and support all that they do. She appreciates the stewardship that they exercise and it bothers her that more people do not engage themselves in what is going on around them. Mayor and Council thanked her for sharing accurate information to promote the City of Middleton on social media.

### 8) Mayor Comments:

- May 14, 2016 2 p.m. Skatepark ribbon-cutting ceremony in Piccadilly Park
- June 11, 2016 5 p.m. Battleball at Middleton Place Park
- June 25, 2016 Grand Opening of skatepark
- June 29, 2016 State of the City Address scheduled at Trolley Station
- July 29, 2016 Color Rama
- High consumption water report
- Probable 4<sup>th</sup> of July parade route
- FEMA floodplain study draft map

### 9) Council Comments:

Council President Riccio reminded Mayor and Council of the free firearms safety class being taught on Saturday May 7, 2016.

Council Member Huggins reported that there will be a retirement open house for Dr. Bauscher on June 3, 2016.

Council Member Kiser reported that the Greater Middleton Parks and Recreation District changed the look of the water boxes at Hawthorne Park allowing the leadership classes at Middleton High School to paint the boxes, and reminded everyone to be careful driving around parks as little league and soccer are in full-swing.

Council Member Furner reported that the Middleton Rural Fire District has a permanent fire levy on the May 17, 2016 election ballot.

### 10) 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)(c) Land Acquisition and 74-206(1)(f) Pending Litigation – Idaho Tax Commission and Coleman Homes - was seconded by Council Member Furner and carried unanimously by roll call vote at 8:35 p.m.

Executive session was closed at 8:46 p.m. and no action was taken.


### 11) Adjourn:

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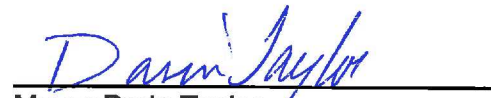
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**Motion:** Motion by Council president Riccio to adjourn was seconded by Council Member Kiser and carried unanimously. Mayor Taylor declared the meeting adjourned at 8:47 p.m.

ATTEST:

  
Kandice Cotterell, Deputy City Clerk  
Approved: May 18, 2016



  
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Mayor Darin Taylor