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**MIDDLETON CITY COUNCIL  
JULY 18, 2018**

The meeting of the Middleton City Council on July 18, 2018 was called to order by Mayor Darin Taylor at 6:36 p.m.

**Roll Call:** Council President Lenny Riccio and Council Members Beverlee Furner and Carrie Huggins were present. Council Member Rob Kiser participated by phone conference call.

Mayor Taylor introduced the following City officials in attendance: City Treasure Ed Karass, Deputy Clerk Dawn Dalton, Police Chief Alan Takeuchi, Officer H. Barley, Officer Robbins, Officer Hutton, Officer Langley and Library Director Kate Lovan.

Deputy Clerk Dawn Dalton administered the Oath of Office to Officer Luke Hutton.

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

**Action Items:**

**A. Consent Agenda**

- 1) **Consider approving minutes for Council's July 3, 2018 meeting.**
- 2) **Consider ratifying payroll from June 29, 2018 for \$64,091.95 and approving accounts payable through July 2, 2018 in the amount of \$116,194.35.**

**Motion:** Motion by Council President Riccio to approve consent agenda items 1 and 2 with accounts payable in a corrected amount of \$117,194.15 was seconded by Council Member Furner and carried unanimously.

- B. Third reading of Ordinance 609 amending Titles 1, 3, 4, 5, 6, 7, 8, and 9 of the Middleton City Code, combining and amending zoning and subdivision provisions, relocating administrative procedures to title 1, chapter 14 and adopting hearing procedures, defining applications that require public hearings, designating public records custodian, requiring posting of agendas on city website, combining permits and licenses into title 1, chapter 15, adding a Middleton Market permit, subdivision plat and construction permits, deleting title 4, chapter 2 mobile home regulations and references to mobile homes throughout city code, relocating impact fees to title 1, chapter 16, adding broadband fee and relocating late comer fees to title 1, chapter 17 and adding transportation and broadband infrastructure late comer fee provisions, amending timing of design review applications, amending subdivision phasing requirements, amending open space definition and requirements, adding requirements for construction and as-built drawings, amending waiver provisions, reconfiguring and updating title 7 public facilities, reconfiguring title 8 nuisances, amending nuisance definitions, relocating fire code to title 4, and providing an effective date.**

Mayor Taylor called the agenda item and asked if Council had any questions before the third reading. Council Member Huggins asked to review in detail the proposed changes to the

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preliminary plat process, which Mayor Taylor did, and Council discussed the subject. Mayor asked if anyone in the audience would like to speak to this item: none.

**Shawn Maybon** stated that he felt that a public hearing was a good thing because the city might not see an issue that a resident or the public might see. He also asked for clarification regarding other proposed changes, which Mayor Taylor responded to.

**Mike Graefe** wanted the Council to know that he was totally against the M-U zoning in Middleton, that he was not against progress and growth but that it needs to happen in a smart way before Middleton residents won't be able to get out of town due to already stressed traffic issues.

**Motion:** Motion by Council President Riccio for the third reading of Ordinance 609 by title only, was seconded by Council Member Huggins and carried unanimously. Mayor Taylor read the third reading of Ordinance 609 by title only.

**Motion:** Motion by Council President Riccio to approve Ordinance 609 with the deminimis changes discussed and notification to landowners of plats that meet code shall be sent 15 days prior to Planning and Zoning Commission meeting, removal of public right-of-way in 8-1-8 C pertaining to trees being planted within 15 feet of the sidewalk unless approved in writing by the City was seconded by Council Member Huggins and carried unanimously by roll call vote.

**C. Consider approving an updated utility rate study prepared by JUB Engineers Inc.**

**Motion:** Motion by Council President Ricco to table this item to the next regularly-scheduled meeting was seconded by Council Member Furner and carried unanimously. Mayor Taylor called a recess at 8:08 p.m. and resumed the meeting at 8:14 p.m.

**D. Consider adopting Resolution 411-18 to add, remove or modify fees, and directing the City Clerk to update the fee schedule.**

Mayor Taylor called the agenda item and explained proposed changes to the fees. Mayor asked if anyone in the audience would like to speak to this item: none.

**Motion:** Motion by Council President Riccio to adopt Resolution 411-18 with the change to start charging Middleton Market permit and space rental fees January 1, 2019 was seconded by Council Member Kiser and carried unanimously by roll call vote.

**E. Consider approving a proposed tentative Fiscal Year 2019 Budget to publish prior to a public hearing on August 1, 2018.**

Mayor Taylor called the agenda item and asked City Treasure Ed Karass to review the draft proposed budget with Council, which he did.

**Motion:** Motion by Council President Riccio to approve for publication a proposed Fiscal Year 2019 Budget in the amount of \$12,281,940 was seconded by Council Member Huggins and carried unanimously.

**F. Consider ratifying the Purchase and Sale Agreement to acquire real property for a west regional lift station.**

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

**Motion:** Motion by Council President Ricco to ratify the Agreement was seconded by Council Member Furner and carried unanimously by roll call vote.

**G. Consider ratifying a contract with Star Construction LLC in an amount not to exceed \$12,365.32 to remove the Hawk Light and pedestrian crossing at the intersection of Highway 44 and Highland Drive.**

Mayor Taylor called the agenda item and explained the City Administrator and Mayor would like to surplus and sell the Hawk Light. Mayor asked if anyone in the audience would like to speak to this item: none.

**Motion:** Motion by Council President Riccio to ratify the contract was seconded by Council Member Furner and carried unanimously by roll call vote.

**H. Consider authorizing payment to Barclay Associates in an amount not to exceed \$1,060,000 pursuant to the Real Estate Purchase and Option Agreement entered into on 2016.**

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

**Motion:** Motion by Council President Riccio to authorize payment according to the Agreement was seconded by Council Member Huggins and carried unanimously by roll call vote.

**I. Consider approving an addendum to the city's contract with OMCS LLS for wastewater treatment operations professional services based on time and materials at an hourly rate of \$50.00.**

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

**Motion:** Motion by Council President Riccio to approve the addendum was seconded by Council Member Furner and carried unanimously by roll call vote.

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

**Motion:** Motion by Council President Riccio to adjourn was seconded by Council Member Huggins and carried unanimously. Mayor Taylor declared the meeting adjourned at 9:15 p.m.

ATTEST:



Dawn M. Dalton, Deputy City Clerk  
Approved: August 1, 2018

  
Mayor Darin Taylor