
**MIDDLETON CITY COUNCIL
SEPTEMBER 5, 2018**

The meeting of the Middleton City Council on September 5, 2018 was called to order by Mayor Darin Taylor at 6:34 p.m.

Roll Call: Council President Lenny Riccio, Council Members Carrie Huggins, and Rob Kiser were present. Council Member Beverly Furner arrived at 6:39 p.m.

Mayor Taylor introduced City Treasure Ed Karass, Deputy Clerk Dawn Dalton, and Planning and Zoning Official Randall Falkner.

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

Information Items: City Treasure Ed Karass addressed council on updates for the Fiscal Year 2017-2018 budget that will be presented to council at a public hearing on September 19, 2018.

Mayor Taylor notified council the preliminary plat for West Highlands Subdivision expired June 6, 2018, and proposed comprehensive plan text and map amendments were scheduled on September 10, 2018 for consideration by the Planning and zoning Commission.

Action Items:

A. Consent Agenda (items of routine administrative business)

- 1) Consider approving minutes for Council's August 15, 2018 meeting.
- 2) Consider ratifying payroll from August 17, 2018 and August 31, 2018 for \$158,971.12, and approving accounts payable through September 4, 2018 in the amount of \$291,628.36.
- 3) Consider a request from the Rotary Club to waive Trolley Station Rental fees for a meeting with guest speaker Lt. Govender Brad Little on September 12, 2018 from 5:30 p.m. – 7:30 p.m.

Motion: Motion by Council President to approve consent agenda items one through three with the addition of item two reading as approve a request from the Rotary Club to waive Trolley Station rental fees for a meeting with guest speaker Lt. Govender Brad Little on a date and time to be determined, was seconded by Council Member Kiser and carried unanimously.

B. Consider approving the final plat for Western Pines Subdivision.

Mayor Taylor called the agenda item and explained the preliminary plat was approved in 2013, improvements have been constructed to the Idaho Standards for Public Works Construction (ISPWC) and Middleton Supplemental standards, and the final plat is now before Council for approval.

Motion: Motion by Council President Riccio to approve the final plat for Western Pines Subdivision was seconded by Council Member Kiser and carried unanimously.

C. Consider approving the final plat for Traditions at Powder River Subdivision.

Mayor Taylor called the agenda item and explained the preliminary plat was approved earlier this year, improvements have been constructed to the Idaho Standards for Public Works Construction (ISPWC) and Middleton Supplemental standards, and the final plat is now before Council for approval.

Motion: Motion by Council President Ricco to approve the final plat for Traditions at Powder River Subdivision was seconded by Council Member Huggins and carried unanimously.

D. Consider approving the preliminary plat for Valhalla Subdivision.

Mayor Taylor called the agenda item and Planning and Zoning Official Randall Falkner presented the Administrative Report. Council comments and discussion followed.

Motion: Motion by Council President Riccio to approve the preliminary plat for Valhalla Subdivision was seconded by Council Member Furner and carried unanimously.

Mayor Taylor recessed at 7:46 p.m. for students to be excused and resumed at 7:48 p.m.

E. Consider hiring JH Concrete to replace 10 pedestrian ramps along State Highway 44 in downtown Middleton in an amount not to exceed \$60,000.

Mayor Taylor called the agenda item explained that this will pay for the city's six ramps not the additional four being added by ITD which it will pay for. Council Member Huggins excused herself during this item and stepped out of the room.

Mayor Taylor explained that JH Concrete is Jack Huggins Concrete and that Jack Huggins is Council Member Carrie Huggins husband. Hiring his company is a technical violation of state law ... to approve a project or and expense that would provide pecuniary gain to a Council Member, member of a council member's family or business.

Mayor explained JH Concrete is the only one out of eight companies who returned the city's call or shown even the slight interest in doing work with in the state highway involving Idaho Transportation Department (ITD). [The other companies contacted which did not return the call or passed on the work this year because they were too busy include: KC Lane Construction, Star Construction, Paul Construction, Extreme Concrete, Excel Concrete Construction, ALTA Concrete, American Pride Concrete, Warrington Construction and Precision Excavation].

Mayor said if this item is not approved then the pedestrian ramp replacement project will not be completed this year or more up to five or ten years, depending on concrete company availability given the shortage of trade labor in the valley. ITD already called and personally visited the city to encourage the city's installation of ramps, since ITD granted \$50,000 to the city to complete this project five years ago and the project is still not started.

He said JH Concrete has extensive knowledge of ITD ramp replacement standards and processes, and more than 20 years of experience replacing ramps in ITD right-of-way. Jack

is the only one responsive to the city's request for a return phone call, a proposal, and

commitment to complete the project this fall, starting this month if possible.

Council Members Kiser and Furner said that they knew Council Member Huggins and her husband Jack would never do anything to put the city in a negative light. Council President Ricco agreed as well but stated that he still had reservations on approving this agenda item due to the technicality of violating state law.

Motion: Motion by Council Member Kiser approve hiring JH Concrete to replace 10 pedestrian ramps along State Highway 44 in downtown Middleton was seconded by Council Member Furner and carried by a two-to-one roll call vote.

F. Consider approving a request by Gary and Lisa Brown to extend for two years the preliminary plat for Saddle Creek Subdivision.

Mayor Taylor called the agenda item and explained the Browns' previous extension request was approved by council on October 16, 2016 and that previous Council minutes had been provided from that meeting for Council's review.

Motion: Motion by Council President Riccio to deny the request by Gary and Lisa Brown to extend for two years the preliminary plat for Saddle Creek Subdivision, was seconded by Council Member Kiser and carried unanimously.

G. Consider approving the city's purchase of a used John Dear JD 8800 from C&B in an amount not to exceed \$16,550.

Mayor Taylor called the agenda item and explained that the City Treasure negotiated the low price and was convinced the wider-swath mower would significantly reduce the time needed to mow city parks and free-up employee time to work on other projects.

Motion: Motion by Council President Ricco to approve the city's purchase of a used John Dear JD 8800 from C&B in an amount not to exceed \$16,550 was seconded by Council Member Kiser and carried unanimously.

H. Consider approving and ratifying the warranty deed conveying the north tip of Piccadilly Park real property to Don and Kay Duvall, the only and highest bidder at public auction held September 4, 2018 at 1:00 pm at Middleton City Hall.

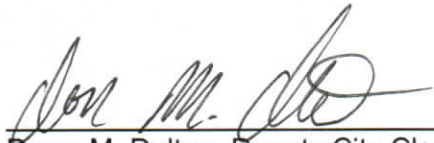
Mayor Taylor called and explained the agenda item.

Motion: Motion by Council President Ricco to approve the warranty deed conveying the north tip of Piccadilly Park real property to Don and Kay Duvall, the only and highest bidder at public auction held on September 4, 2018 at 1:00 p.m. at the Middleton City Hall, was seconded by Council Member Kiser and carried unanimously.

Public Comments, Department Comments, Council Comments: none.

Motion: Motion by Council President Riccio to adjourn was seconded by Council Member Kiser and carried unanimously. Mayor Taylor declared the meeting adjourned at 8:37 p.m.

ATTEST:



Dawn M. Dalton, Deputy City Clerk
Approved: September 19, 2018



Mayor Darin Taylor