
**MIDDLETON CITY COUNCIL
JUNE 19, 2019**

The Middleton City Council meeting on June 19, 2019 was called-to-order at 6:30 p.m. by Mayor Darin Taylor, who introduced City Attorney Chris Yorgason, City Deputy Clerk Dawn Dalton, and Planning and Zoning Official Bruce Bayne.

Roll Call: Council Members Carrie Huggins, Jeff Garner and Beverlee Furner, and Council President Rob Kiser, were present.

Motion: Motion by Council Member Furner to approve the amended agenda as posted on June 19, 2019 at 9:15 a.m. was seconded by Council Member Garner and carried unanimously.

Action Items

1. **Consent Agenda (items of routine administrative business)**
 - a) **Consider approving minutes for Council's June 5 and 12 2019 meetings.**
 - b) **Consider ratifying June 7, 2019 payroll amount of \$72,018.66 and ratify accounts payable thru June 12, 2019 in the amount of \$302,613.87.**

Mayor Taylor called and introduced the agenda items.

Motion: Motion by Council President Kiser to approve consent agenda items a and b was seconded by Council Member Garner and carried unanimously.

Information Items

Chris Hopper from Canyon Highway District No. 4 presented information about District steps taken toward hiring a traffic engineer to perform a transportation analysis/study of collector and arterial roads north of Boise River, east of Interstate 84, north to Gem County line, and east to Ada County line, including Middleton's area of city impact. A deliverable resulting from the study will be a capital improvement plan the District would like Canyon County, the City of Middleton and the City of Star (portion in Canyon County) to adopt as part of their comprehensive plans so the District, County and cities can establish and collect impact fees from new developments to pay for intersection improvements needed due to the developments.

City Treasurer expressed to Council that the reconciliations presented by the auditor had been made and that she would have a more detailed report at the July 3, 2019 council meeting.

8. **Consider approving the final audit report prepared by Zwygart John and Associates for the 2018 fiscal year.**

Mayor Taylor called the agenda item. Jordan Zwygart described adjustments he and the City Treasurer made to city financial records based on the Treasurer's research. Mayor asked if anyone in the audience would like to speak to this item: none.

Motion: Motion by Council Member Garner to approve Fiscal Year 2018 final audit report was seconded by Council Member Huggins and carried unanimously.

9. FY2020 Budget Workshop

Mayor Taylor called and introduced the agenda item and explained that the City Administrator asked that the item be postponed until the July 3, 2019 meeting. No action was taken on the item.

2. Consider approving an IT Services Agreement with Executech in a monthly amount of \$1,890.

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

Motion: Motion by Council President Kiser to approve the agreement was seconded by Council Member Garner and carried unanimously by roll call vote.

3. Continued Public Hearing. Consider adopting Ordinance No. 619 amending Middleton City Code Titles 1, 4, 7, 8 and 10 (second reading).

Mayor Taylor called the agenda item, declared the continued public hearing open at 7:20 p.m., introduced the agenda item, and asked if anyone in the audience would like to speak to this item: none.

Motion: Motion by Council President Kiser to read Ordinance No. 619 for the second time by title only was seconded by Council Member Huggins and carried unanimously. Mayor asked the City Attorney to read the ordinance by title only, which he did.

4. Consider approving the Stonehaven Subdivision No. 1 final plat.

Mayor Taylor called the agenda item and Planning and Zoning Official Bruce Bayne presented the Administrative Review and Report. Mayor Taylor asked of anyone in the audience would like to speak to this item: **Mike Graefe** asked when 9th Street was going to be extended to Middleton Road. Mayor Taylor responded within one-to-two years.

Motion: Motion by Council President Kiser to approve Stonehaven Subdivision No. 1 final plat was seconded by Council Member Huggins and carried unanimously.

5. Consider establishing a minimum bid price of \$45,765 at the auction when selling Davis Park.

.17 acres x 43,560 sq ft = 7405 sq ft	x \$3.00/ft = \$22,215 land
	x \$2.05/ft = \$15,180 lawn/landscaping
	= \$ 2,000 shed
	= \$ 1,000 shelter and picnic
	X \$26.85/ft=\$ 5,370 200 feet chainlink fence
	\$45,765

Mayor Taylor called and introduced the agenda item, and asked if anyone in the audience would like to speak to this item. **Brittney Trimmer** wanted Council to consider the fact that the lot cannot be built on and has no access, both facts making the lot less valuable for sale.

Motion: Motion by Council President Kiser to set the minimum bid price at public sale of Davis Park at \$22,000 was seconded by Council Member Garner and carried unanimously.

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6. **Public Hearing. Consider if Willowbrook Development Inc. (Willowbrook) breached that certain Annexation and Extension of Municipal Service Agreement dated August 17, 2005 recorded as Instrument No. 200553209 in records of Canyon County, Idaho entered into between Willowbrook and the City of Middleton regarding annexation of Willowbrook-owned land into a city other than the City of Middleton.**

Mayor Taylor called the agenda item, declared the public hearing open at 8:00 p.m., introduced the agenda item, and asked if anyone in the audience would like to speak to this item: none.

Motion: Motion by Council President Kiser to close the public comment portion of the hearing was seconded by Council Member Furner and carried unanimously.

Motion: Motion by Council President Kiser to find and conclude that Willowbrook Development Inc. is not in breach of the Annexation and Extension of Municipal Service Agreement because 1) the City of Star did not adopt an annexation ordinance of the subject property and 2) the applicant withdrew its application to annex the subject property to the City of Star, was seconded by Council Member Garner and carried unanimously by roll call vote.

7. **Public Hearing: Consider adopting Ordinance No. 620 amending Title 5 of the Middleton City Code updating the general zoning provisions, modifying and updating the uses and notes in the land use, setback and area tables, updating preliminary and final plat requirements; updating design and development standards; updating required road and utility improvements; deleting standards for mobile home parks; making other minor modifications; and providing an effective date (first reading).**

Mayor Taylor called the agenda item, declared the public hearing open at 8:00 p.m., and asked the City Attorney to present the first reading of Ordinance 620, which the City Attorney did. Mayor asked if anyone in the audience would like to speak to this item. **Holly Bayne** asked council to waive the three-reading rule and adopt Ordinance No. 620, or at least that portion that talks about rebuilding a substantially damaged or destroyed residence, because her real estate clients were trying to close on a house on main street and could not without verifying to the lender that rebuilding the house if destroyed would be allowed.

Motion: Motion by Council President Kiser to close the public comment portion of the hearing at 8:43 p.m. was seconded by Council Member Furner and carried unanimously.

Motion: Motion by Council President Kiser to separate the nonconforming residence reconstruction provisions from Ordinance No. 620 and have them be their own ordinance was seconded by Council Member Furner and carried unanimously. Mayor Taylor announced that the nonconforming residence reconstruction provisions would be Ordinance No. 621.

Motion: Motion by Council President Kiser to read Ordinance No. 621 by title only was seconded by Council Member Furner and carried unanimously. Mayor Taylor asked the City Attorney read Ordinance 621 by title only, which he did.

Motion: Motion by Council President Kiser to waive the three-reading rule and adopt Ordinance 621 was seconded by Council Member Furner and carried unanimously by roll call vote.

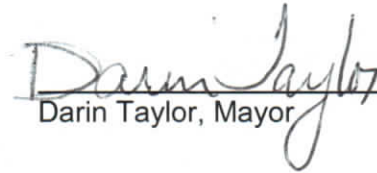
Public Comments, Mayor and Council Comments: Council Member Garner updated council about school district board actions.

Adjourn: Mayor Taylor adjourned the meeting at 9:00 p.m.

ATTEST:



Dawn M. Dalton, Deputy Clerk
Minutes Approved: July 3, 2019


Darin Taylor, Mayor