
**MIDDLETON CITY COUNCIL
JUNE 3, 2020**

The Middleton City Council meeting on June 3, 2020 was called-to-order at 6:32 p.m. by Mayor Steve Rule.

Roll Call: Council President Rob Kiser, Council Members Carrie Huggins, Jeff Garner and Tim O'Meara were all present.

Pledge of Allegiance, Invocation: Don Reynolds - Bishop Middleton Crane Creek Ward.

Information Items

1. River Park Update – Mayor Rule and Becky Crofts

Mayor Rule reported on future water feature (pond) and the permits that are being worked on. City Administrator, Becky Crofts talked about working with Kathy Muir from Idaho Department of Parks and Recreation and the possibility of funding portions of River Park and the economic opportunities for Middleton. It could be compared to the waterpark that is currently being built in Boise and will provide opportunities and an amenity to the residents of Middleton.

Discussion Item

1. Change start time of July 1, 2020 City Council Meeting – Becky Crofts

Mayor Rule called the item and introduced City Administrator, Becky Crofts who explained the July 1, 2020 Council Meeting has the possibility of being very long due to the many public hearings that may be on the agenda, she proposed a 4:00 p.m. start. After some discussion Council decided to start the July 1, 2020 City Council meeting at 4:00 p.m.

2. Subdivision Construction – Final Plat – Mayor Rule

Mayor Rule briefly discussed the changes he would like to see in regards to the Final Plat approval with the City.

Action Items

- 1. Consent Agenda (items of routine administrative business)**
 - a. Consider approving minutes for Council's May 20, 2020 meeting**
 - b. Consider ratifying May 22, 2020 payroll in the amount of \$106,881.48 and accounts payable thru May 26, 2020 in the amount of \$121,233.31.**

Mayor Rule called and introduced the item. Council President Kiser gave a brief overview of the accounts payable.

Motion: Motion by Council President Kiser to approve consent agenda items a and b. Seconded by Council Member Garner and approved unanimously.

- 2. Public Hearing: Consider an application from Jed Wyatt to rezone 1.06 acres from R-3 (Single Family Residential) to M-U (Mixed-Use) and acquire a special use from**

Middleton City Code 5-4-1, Table 1 (Land Use Schedule). The subject property is located at 1121 W Main St., South of Main Street (State Highway 44), Middleton, Idaho, commonly referred to as Canyon County Parcel No. 1760920. – Bruce Bayne

Mayor Rule opened the Public Hearing at 6:47 p.m. Planning and Zoning Official Bruce Bayne read the Administrative Review and Report called and introduced the item. He read the letter submitted by Janet and Richard Gregory in opposition. (See Attached) He then read Jed Wyatt's letter in response to the Gregory's. Bruce then mentioned again that the current location Jed's shop is working out of is in a residential part of town, he has had no instances of complaints of that business or its operations from surrounding residents since it started. Mayor thanked Bruce and asked if there were any questions from the Council for Bruce. There were none. The Mayor then discussed how the public hearing process will be conducted going forward. He asked council if there were any opposition in moving forward with the new format he proposed. There was none. He then called the Applicant forward.

Applicant Jed Wyatt: 1154 N Buffalo Way: Addressed the council and stated that his business is a local lawn care company located right here in town, kitty-corner across the street from Burger Den (not the one right behind Burger Den-he wanted to clarify that). He is running out of a shop and is looking for more space the land has a home in the front and he is hoping to build a shop in the back.

Mayor Rule opened questions up to the Council. Council President Kiser asked what is the plan with the house in the front?

Jed Wyatt: He is going to keep it. It has been gutted and the inside has been redone.

Kiser: Rental? Office?

Jed Wyatt: Right now he has rented it out to someone for residential, but that is a short term deal, He envisions more of a commercial. It is a home, so it would have to be a business, like maybe a realtor or something that could use that space. It is right off of Main Street, so that lends itself to commercial use he thinks.

Mayor Rule asked if there were additional questions for Mr. Wyatt. None

Mayor Rule he asked Council if there was any discussion before they proceed. Councilman O'Meara asked if one of the members of the public (that is familiar with that area) seated in the audience would like to offer comments? He then called on Tank Taylor, Mayor Rule asked if there was any testimony from the public?

James "Tank" Taylor: He grew up at the property just next to City Hall, so he grew up when that property was the Beeson's home. There is an irrigation drain that it serves and drains the subdivision to the north of it. The city has changed. That little house makes sense to have a business use and as long as he is following code, driveways are paved he thinks it is fine. Right now he lives in a subdivision, he knows someday the corn field that is behind his house will be houses. Things change, and he recognizes that.

Mayor Rule asked for any other testimony. None. He asked the council for discussion or action.

Council Member Carrie Huggins asked if there were more than one opposition to the request?

Bruce Bayne said there were multiple concerns brought up in just one letter. And Mr. Wyatt addressed the concerns in his letter.

Council President Kiser said he can speak to Jed's current location. He has been inside his shop and can speak to the cleanliness of Jed's shop and the grounds, there are no lawn or grass clippings piling up. He is currently across the street from people Rob's Aunt and Uncle and they have never said a word about when Jed is there or not. In terms of the outward appearance, based on the present location, this will be a well maintained property. He confirmed with Jed that the house was empty when he bought the property. Rob stated that the house was dilapidated. When he looks at this project, when you come into town it will be nice to see a clean yard and a clean house, and the location makes sense as they talk about commercial properties right down Main Street, and push the residential out.

Council Member Tim O'Meara said traffic was a concern for him, but it doesn't sound like Jed will be running that many vehicles in and out of the property, just maintenance equipment. So he isn't concerned about that.

Bruce Bayne said that his crew leaves in the morning and comes back at 5, so the traffic will be pretty minimal.

Mayor Rule invited the Applicant back to the stand to answer a question about how many crews he had.

Jed Wyatt: We have five trucks in the summer time, but we do hang Christmas lights in the winter time. In the winter time there will be a few more. But it will be easy getting in and out, right now we are crossing Main Street in the morning which is difficult.

Motion: Motion by Council President Kiser to approve an application from Jed Wyatt to rezone 1.06 acres from R-3 (Single Family Residential) to M-U (Mixed-Use) and acquire a special use from Middleton City Code 5-4-1, Table 1 (Land Use Schedule). The subject property is located at 1121 W Main St., South of Main Street (State Highway 44), Middleton, Idaho, commonly referred to as Canyon County Parcel No. 1760920. Seconded by Huggins, and unanimous by role call vote.

Mayor Rule closed the public hearing at 7:13 pm

3. Consider approving City Beer and Wine License for Casa Mexico – Becky Crofts

Mayor Rule called and introduced the item.

Motion: Motion by Council President Kiser to Consider approve a City Beer and Wine License for Casa Mexico. Seconded by Council Member Garner and approved unanimously.

4. Consider approving Final Plat for Falcon Valley No. 5. – Bruce Bayne

Mayor Rule called and introduced the item. Planning and Zoning Official gave a brief explanation of the item. Becky Crofts asked if this plat is in the Falcon Valley Booster Station pressure zone? Bruce said it was not originally supposed to but it is now.

Motion: Motion by Council President Kiser to approve the Final Plat for Falcon Valley No. 5. Seconded by Council Member Huggins and approved unanimously.

5. Consider accepting Tradition Capital Partners pressurized irrigation bond in the amount of \$51,058.78 to ensure completion of landscape and irrigation system improvements because the improvements cannot be completed during the irrigation season.

Mayor called and introduced the item and gave a brief explanation of why the item is before Council. Planning and Zoning Official Bruce Bayne explained the City Code 5-4-1a and explained that this situation could be applied to the code due to the fact that the irrigation water in the ditches makes it very difficult for the work to be completed now, prior to the Final Plat application, review and approval. This is a special circumstance, he wants to make sure it is not setting a precedence, and he said this is the last thing that is holding up moving forward with the final plat of Blue Meadows. After some discussion by council they agreed that because the bond is in place, the irrigation ditch is full, and they know Mr. Kofoed will do the work come this fall and all the work that can be done has been done there is no reason not to approve this.

Motion: Motion by Council President Kiser to approve Tradition Capital Partners pressurized irrigation bond in the amount of \$51,058.78 to ensure completion of landscape and irrigation system improvements because the improvements cannot be completed during the irrigation season. Seconded by Council Member Garner and approved unanimously.

Public Comments, Mayor Comments, Council Comments:


James "Tank" Taylor: 1052 Triumph Drive, Middleton ID. He asked that the Council be austere in their spending and when doing the budget and that they plan for the worst and hope for the best.

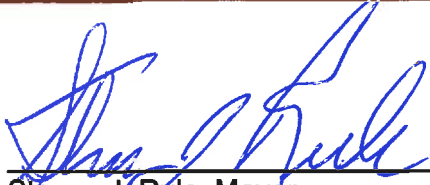
Mayor Rule said there is a lot going on as always. He gave an update on the drip project at the WWTP. We have two good applicants for the Planner position and hopefully will have good news in a couple weeks. There have been some invoices that have come through from the Library that the Mayor was a little concerned about. We are doing our best to spend wisely so keeping an eye on all spending. He is still working on the removal of the large willow tree on the Higginson property. He is working with the ditch company, Higginson's to make sure there is a document detailing what will be done. Mayor stated there is no update on expanding the campus as discussed last meeting, but they are still doing the base work on that

Council Member Garner gave a report on the Middleton School District. The Superintendent Sherwan Reberry resigned, and the levy failed.

Adjourn: Mayor Rule adjourned the meeting at 7:30 p.m.

ATTEST:


Jennica Reynolds, Deputy Clerk
Minutes Approved: June 17, 2020


Steven J. Rule, Mayor

