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**MIDDLETON CITY COUNCIL  
JUNE 17, 2020**

The Middleton City Council meeting on June 17, 2020 was called-to-order at 6:31 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: Wendy Miles – City Treasurer.

**Information Items**

**Discussion Item**

**1. Gregory Family – Fence Concerns**

Mayor Rule called the item and introduced Janet and Rich Gregory of 94 Whiffin Lane who live next door to City Hall and share the back fence with the City. Their concern is the routing of traffic for the payment drop box. They asked that a sound barrier be placed between their property and the City Hall driveway, or that a new traffic routing pattern be established. After some discussion among Mayor and Council it was decided City staff will handle the change administratively.

**Action Items**

- 1. Consent Agenda (items of routine administrative business)**
- a. Consider approving minutes for Council's June 3, 2020 meeting**
  - b. Consider ratifying June 5, 2020 payroll in the amount of \$81,634.16 and accounts payable thru May 26, 2020 in the amount of \$222,250.44.**

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. Consider approving Fireworks Vendor Permit for Outlet Fireworks and Phantom Fireworks – Becky Crofts**

Mayor Rule called and introduced the item. Becky Crofts gave a brief summary of these permits for nonaerial fireworks.

**Motion:** Motion by Council President Kiser to approve Fireworks Vendor Permit for Outlet Fireworks and Phantom Fireworks. Seconded by Huggins, approved unanimously.

**3. Consider approving quote from Rain-for-Rent to supply irrigation mainline and solid sets for the City's farm reuse pilot project area, alfalfa plant root establishment in an amount not to exceed \$14,733.50 – Bruce Bayne**

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Mayor Rule called and introduced the item. Public Works Superintendent Bruce Bayne gave a brief explanation for the irrigation system needed to get the alfalfa plant root established at the City's farm reuse pilot project area. Originally the plan was to rent the solid sets from the farmer, but he ran out of them so the City has the opportunity to do it through Rain-for-Rent. Councilman O'Meara asked for some clarification on how this will be used to which Bruce gave a short summary. Councilman Garner asked if the City had obtained another quote and if the time used will be prorated. Bruce said there is only one quote because this is only firm that has available solid sets in this area. The farmer had looked for other options and there were none, and yes, if the equipment is needed for a shorter time frame the City will re-turn it and the amount will be prorated. The farmer has said that the alfalfa will last for about 7-8 years. Once the roots are down to the drip tape level, then the City will begin applying the reuse water with the drip tape. That cannot happen now because the drip tape is 9 inches deep and the roots of the plant must grow to that depth. Mayor Rule reminded Council why this is a good project and Councilwoman Huggins asked that Council could be given an update on the project at meeting in the near future.

**Motion:** Motion by Council President Kiser to approve quote from Rain-for-Rent to supply irrigation mainline and solid sets for the City's farm reuse pilot project area, alfalfa plant root establishment in an amount not to exceed \$14,733. Motion seconded by Councilman O'Meara, approved unanimously.

**4. Consider approving quote from Aqua Irrigation in the amount not to exceed \$47,802.80 for drip-tape submain and manifold supply and installation at the City's farm reuse pilot project area. - Bruce Bayne**

Mayor Rule called and introduced the item. Public Works Superintendent Bruce Bayne gave a brief explanation of the item. He explained that the City has already installed the drip tape. This quote is to install the header that feeds the water into the drip tape and the manifold that receives the water that doesn't go to the crop which then is routed through a sewer line to the effluent plant. The installation is very labor intensive and the City wants to go with the same firm that installed the drip tape to avoid any issues with warranty and to keep continuity with the project. Bruce said in response to Councilman Kiser's question about repairs that the farmer is very familiar with this system and any small or minor repairs he would be able to handle. The larger repairs would go to the firm. Mayor Rule responded to Councilman O'Meara's questions regarding the depth of the trench by explaining that if this program is successful they will be trying to inject the water during frost-freezing weather in the winter so the depth of the drip tape needs to be a little deeper to take that into consideration.

**Motion:** Motion by Council President Kiser to approve quote from Aqua Irrigation in the amount not to exceed \$47,802.80 for drip-tape submain and manifold supply and installation at the City's farm reuse pilot project area. Seconded by Council Member Garner and approved unanimously.

**5. Consider approving Final Plat for Blue Meadows No. 1. - Bruce Bayne**

Mayor called and introduced the item. Planning and Zoning Official Bruce Bayne gave a brief explanation the item.

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**Motion:** Motion by Council President Kiser to approve Final Plat for Blue Meadows No. 1. Motion was seconded by Council Member Garner and approved unanimously.

**6. Public Meeting: Consider an application by Toll Southwest LLC to Amend the Approved Preliminary Plat on 335 acres (which includes the already built out Phases 1 through 8). The amendments are included in the property North of Willis Rd., East of Emmett Rd. and West of Cemetery Rd., Middleton, Idaho. The amendments include allowing the developer to change sequencing of the phasing plan for phases 9 to 20. Additional residential lots above the originally approved 967 are not requested. Additional changes include revising the sanitary sewer system in the phase 9 to 20 to take advantage of a sewer stub which was installed East of the high school. Reconfiguration of the lots at the Northwest corner of Willis Rd. and Hartley Rd. to accommodate the proposed roundabout at that intersection. Revise several of the internal streets within the subdivision to facilitate roadway and utility changes. – Bruce Bayne**

Mayor Rule called and introduced the item. Planning and Zoning Official Bruce Bayne read the City Administrative Review and Report to the Council. Councilman O'Meara asked Bruce to elaborate on the green space for the project. Bruce showed on the plan where the green space is located in the five additional parks. There are 12.91 acres of park spaces that are open to the public with one major amenity and three minor amenities with the exceptions of the pools and pool houses closed to the public. Due to the original development agreement the irrigation pond will also be used as a water area can be used as a park. Council President Kiser asked when the original development agreement went into effect. Bruce said he thinks it was done originally in 2006, amended 2007 and the actual agreement is 2009. Councilwoman Huggins asked for clarification of the proportionate share via the Traffic Impact Study (TIS). The agreed amount is 350,000. As well as road improvements will be done on Emmett Road, Willis Road, Hartley Lane and Cemetery Road. The applicant has chosen to do the phases this way so that the soccer fields will be developed towards the end of the project so Greater Middleton Parks and Recreation District will be able to get whatever they need to in place before the soccer fields are developed.

Mayor Rule called the representative for the applicant forward. Sabrina Durtschi – Toll Southwest LLC, 3103 W Sheryl Dr. Meridian, ID 83642. She gave a presentation regarding the project and stated they were excited to be working with the City on this project.

**Motion:** Motion by Council President Kiser to approve an application by Toll Southwest LLC to Amend the Approved Preliminary Plat on 335 acres provided they meet the conditions set forth by the Planning and Zoning Commission as mentioned earlier. Seconded by Councilman O'Meara and approved unanimously through roll call vote.

**7. Consider approving: Fourth Amendment to Waste Collection Services Contract effective June 1, 2020 to allow Republic Services to maintain all commercial and industrial service data and billing for the City of Middleton. – Becky Crofts**

Mayor Rule called and introduced the item. City Administrator Becky Crofts explained that due to the increased commercial business in Middleton, it has become very complex for the City to manage the commercial billing piece of Republic Services and per Rachelle Klein

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from Republic Services suggestion the agreement with Republic Services has been amended to allow them to take over the commercial billing for the City. With that they would provide a franchise fee back to the City of 5%. This is different in that currently the City receives an administrative fee per account of \$1.50 that fee is being increased to \$1.75. The administrative fee will be discontinued for commercial accounts. The City will maintain and manage the residential billing for trash and will continue to maintain the billing for water and sewer of commercial accounts. After some discussion, the Council asked that City Staff go back and ask for a higher percentage in the franchise fee.

**Motion:** Motion by Council President Kiser to approve the Fourth Amendment to Waste Collection Services Contract effective June 1, 2020 to allow Republic Services to maintain all commercial and industrial service data and billing for the City of Middleton but asked that City staff ask for an increase in the franchise fee percentage. Seconded by Councilwoman Huggins and approved unanimously.

#### **9. Budget Workshop – Wendy Miles**

Mayor Rule called the item and Wendy Miles and Becky Crofts directed the budget workshop regarding City revenue. Building Official Chris Grooms introduced the City adopting the 2018 IRC/IBC code.

#### **8. Executive Session – Pursuant to Middleton City Code 74-2061(c) To discuss acquiring an interest in real property.**

**Motion:** Motion by Council President Kiser to move into Executive Session – Pursuant to Middleton City Code 74-2061(c) To discuss acquiring an interest in real property. Seconded by Councilman Garner approval unanimous by roll call vote.

Mayor Rule called the Executive Session to order at 8:37 p.m. The recording was stopped, and the Executive Session ended at 8:57 p.m. at which time the recording resumed. Mayor said issues were discussed pertaining to possible real estate transactions with the City, no action or decisions were made, information was exchanged.

#### **Public Comments, Mayor Comments, Council Comments:**

James “Tank” Taylor: 1052 Triumph Drive, Middleton ID. He asked that the council look at impact fees for the water and sewer. This is this time to let the new people pay for the increase.

Councilman Garner gave an update on the School District: Two school district board members have resigned; Maryann Blackwell and Briggs Miller.

Councilman O’Meara gave an update on Greater Middleton Parks and Recreation District: The issues with the school district have pushed negotiations with both districts back regarding the Community Center. Impact Fees at the county level are moving forward and should be implemented at the July 22<sup>nd</sup> county meeting so that by August the Fire district and Parks District could be collecting those fees at the county level. He asked the ability for the City to extend the sidewalk (200 ft) along side the Nazarene Church on Hawthorne Ave? He asked if the amendment to change the Conex storage facilities could be finalized.

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Mayor said we will have the Conex Ordinance as an agenda item next City Council. He said with the sidewalk on Hawthorne he will do some research and get back to council as well.

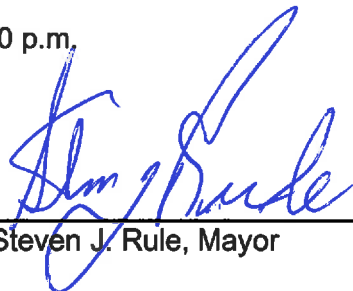
Mayor Comments: Plan on addressing employee handbook in future council meetings. Recent rains have identified some pools that caused some errors in engineering design. We have had a couple meetings and maintenance staff has done a great job working on relief. Mayor received a call from a landowner to the south of Middleton discussing the possibility of industrial improvements out there. With the franchise fee with Republic Services he is confident if the City asks for a higher percentage the rates will go up. We have hired an additional planner coming to work at the City, this provides an opportunity to look into shifting some of Bruce's responsibilities to more of engineering specialties.

Becky Crofts asked Council if they would like to post the new meeting time to a 5:30 p.m. start time going forward. The decision to start with the new meeting time July 15, 2020 council meeting and then reevaluate as needed.

**Adjourn:** Mayor Rule adjourned the meeting at 9:10 p.m.

ATTEST:

  
Jennica Reynolds, Deputy Clerk  
Minutes Approved: July 1, 2020

  
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Steven J. Rule, Mayor