
MIDDLETON CITY COUNCIL
JULY 1, 2020

The Middleton City Council meeting on July 1, 2020 was called-to-order at 4:03 p.m. by Mayor Steve Rule.

Roll Call: Council President Rob Kiser and Council Member Tim O'Meara were present. Council Member Carrie Huggins was present via telephone and Councilman Jeff Garner came at 5:03 p.m.

Pledge of Allegiance, Invocation: Jami Wyatt-Middleton LDS 13th Ward

Information Items

Mayor Rule also wanted to inform the Council that there is a \$1208.00 savings on the Falcon Valley Booster Station.

1. Staff negotiated increase to 8% franchise fee for commercial trash services with Republic Services as requested by City Council. – Mayor Rule

Mayor Rule stated that the increased franchise fee negotiation on commercial accounts only was successful to a point.

Discussion Item

1. Hawthorne Ave Sidewalk-Nazarene Church. – Mayor Rule

Mayor Rule stated that the labor cost is going to be \$3400.00 and will do matching 5 ft sidewalk and adding some cement block to build up the street. The cost for is for materials, the City will do the labor. All council members present wanted to see this project completed.

Action Items

1. **Consent Agenda (items of routine administrative business)**
 - a. **Consider approving minutes for Council's June 17, 2020 meeting**
 - b. **Consider ratifying June 24, 2020 payroll in the amount of \$117,379 and accounts payable thru May 26, 2020 in the amount of \$222,250.44.**
 - c. **Consider approving Findings of Fact, Conclusions of Law and Decision for Amended Preliminary Plat of West Highlands Ranch Subdivision**

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, b and c. Seconded by Council Member O'Meara and approved unanimously by Kiser, O'Meara and Huggins.

2. Consider approving a special City Council Meeting July 8, 2020 – Becky Crofts

Mayor Rule introduced the item and Becky Crofts asked that the proposed draft budget meeting be moved to the 15th of July so that the Mayor can be there. No action is needed.

3. Consider approving Falcon Valley No. 6 Final Plat – Bruce Bayne

Mayor Rule introduced the item and Planning and Zoning Official Bruce Bayne explained the Final Plat. This is for phase 6 of the total 9 phases in this development.

Motion: Motion by Council President Kiser to approve Falcon Valley No. 6 Final Plat. Seconded by Council member O'Meara and approved unanimously by Kiser, O'Meara and Huggins.

Mayor Rule introduced the new City Planner – Tom Blanchard

4. Public Meeting: Consider approving a request by Elder LLC, Mike Homan to approve a Preliminary Plat according to Middleton City Code 5-4-4, for Carlton Meadows subdivision consisting of 66 residential and 6 common lots on approximately 19.17 acres of vacant land. The subject property is located at 0 Whiffin Lane, Middleton, Idaho, commonly referred to as Canyon County Parcel No. R17610018A0. – Bruce Bayne

Mayor Rule introduced the item and Planning and Zoning Official Bruce Bayne read the staff report. Mayor asked for a clarification on the staff report. Bruce said the staff report should read the lot sizes are shown. The amount of 3.7 homes per gross acre is allowed in the R-4 zoning.

Applicant: Mike Homan: Elder LLC.

Council Member Huggins asked for clarification on the TIS has been done and the applicants prorated share is \$82,500? That is correct. The three lots that border Whiffin Lane will have improved curb, gutter and sidewalk. Bruce clarified there are 5 intersections that have all gone into the TIS and improvements. There will be sidewalk to allow for foot traffic. There is full sidewalk up and down Hartley that will join with the school sidewalk and go up to Highway 44 and the traffic light when that is built. On Whiffin the only improvements will be done on the three lots lining Whiffin and those are the only improvements the City can require improvements to Whiffin. Mayor Rule asked if there was any limitations due to increased traffic? Bruce said no, the only thing the TIS showed is the necessity of the light at Hartley and Highway 44 that the City is putting in and hopefully the money that's being contributed from this project can go to that as well. But that light has been required before this project.

Motion: Motion by Council President Kiser to approving a request by Elder LLC, Mike Homan to approve a Preliminary Plat according to Middleton City Code 5-4-4, for Carlton Meadows subdivision consisting of 66 residential and 6 common lots on approximately 19.17 acres of vacant land. The subject property is located at 0 Whiffin Lane, Middleton, Idaho, commonly referred to as Canyon County Parcel No. R17610018A0 to include the recommendations by the Planning and Zoning Commission.

Seconded by Council Member Huggins and approved unanimously by Kiser, Huggins, and O'Meara.

5. Public Hearing: A request by Todd Campbell (TCCH Inc.)/Paul Watson (Falkirk Holdings LLC), for a special use permit to amend City Approved Construction Plans which required a local collector roadway section (60 feet wide) adjacent to

commercial zoning transitioning to a local roadways section (50 feet wide) in the residential area, to allow for a 50 foot wide Local Commercial Collector as modified by the applicant. The subject property is 12.5 acres located at the southwest corner of Willis Rd and Hartley Ln., Middleton, Idaho. – Bruce Bayne

Mayor stated the public hearing has been withdrawn.

- 6. Public Hearing: Consider approving a request by Blake Wolf to amend that certain Development Agreement filed as Instrument No. 2017-009379 in records of Canyon County, Idaho. The subject property is located at the northwest corner of Middleton Road and Cornell Street, Middleton, Idaho. – Bruce Bayne**

Mayor stated that this item needs to be tabled to the July 15, 2020 meeting at 5:30 p.m.

Motion: Motion by Council President Kiser to table the public hearing to consider approving a request by Blake Wolf to amend that certain Development Agreement filed as Instrument No. 2017-009379 in records of Canyon County, Idaho. The subject property is located at the northwest corner of Middleton Road and Cornell Street, Middleton, Idaho to a date certain of July 15, 2020.

Seconded by Council Member Huggins and approved unanimously by Kiser, Huggins, and O'Meara.

- 7. Public Hearing: Consider approving an annexation, zoning and development agreement for Richard and Amy Davis of approximately 6.06 acres from Canyon County Agriculture to City of Middleton M-U (Mixed Use). The subject property lies north of Main Street, adjacent to and north of Perfection Tire and to the eastern side of Hartley Lane. Subject property parcel number is R1788901000.**

Mayor Rule introduced the item and called the public hearing at 4:40 p.m. Planning and Zoning Official Bruce Bayne read the staff report. He also called out Article 3 of the development agreement calling out the developer is not able to build more than 67 units unless the 4 additional units are built above commercial building.

Council President Kiser asked if the TIS had been done on this project? Bruce said not yet but that will be done with the preliminary plat application and at that time the TIS will spell out what is required to match the plat. They will also do improvements on Hartley Lane.

Applicant: Adam Hegstrom 11898 W. Golden Rod Ave, Boise Idaho.
The applicant stated the plan is for townhome/condo units. The building that was mentioned above the commercial was not part of the original plan, but the City mentioned that is an option. They are bound by City Code and will do the TIS and do however many units the traffic study says. There will be CC&R's and bylaws and an HOA that is governing that. We want it to be a good product for the city.

Mayor Rule asked what percentage of the project is commercial verses residential. Adam said 1 acre is commercial and 5.6 is for residential, roads or common area. The picture will come at the preliminary plat.

Mayor opened public comment at 4:53 p.m

Sign in sheet: See attached

In Favor: 0,

Mike Graeffe: Opposed – 1889 Ridgeway, Middleton Idaho. His main concern is we are stuffing a lot of things in 5 acres and the access is very limited on Hartley. The infrastructure and roads have to be done before the people move here.

Jim Taylor: Opposed – 1052 Triumph Drive, Middleton, Idaho. This is where the Council and Mayor can make a difference. He does not believe adding 71 apartments is in the best interest of the residents of Middleton.

Council President Kiser asked what happens when they go to the County and build the apartments or houses instead in the County and the City gets nothing and they still get built. The cars are still on the road. Jim said he understands that, but the County will not allow apartments to go in.

Mayor Rule asked Jim if the applicant was asking for 1 acre commercial out front they were asking for R-4 zoning with 4 houses per acre for residential would he still be opposed. Jim said no.

Applicant Rebuttal: No rebuttal from applicant.

Motion: Council President Kiser moved to close the public comment portion of the public hearing at 5:00 p.m. Seconded by O'Meara, approved unanimously.

Discussion by Council: Council President Garner entered at 5:03 pm Bruce said the owners of the property tried to negotiate with the neighbors to the north of the road that connects to Highway 44. The negotiations did not work for them to have access to that road. The prorated share of the TIS improvements for 5 intersections will come in with the plat. It is important to know this application is for annexation. Bruce said he is assuming the plat will be submitted as soon as possible. The reason this has taken so long is because of Covid-19.

Motion: Motion by Council President Kiser to approve with condition, of condos or townhouses and 1 acre of commercial minimum, an annexation, zoning and development agreement for Richard and Amy Davis of approximately 6.06 acres from Canyon County Agriculture to City of Middleton M-U (Mixed Use). The subject property lies north of Main Street, adjacent to and north of Perfection Tire and to the eastern side of Hartley Lane. Subject property parcel number is R1788901000.

Motion seconded by Council Member Huggins.

Aye: Kiser, Huggins

Nay: O'Meara

Council Member Garner recused himself from the item since he missed the majority of the discussion.

Motion passes. Mayor closed the public hearing at 5:10 p.m.

- 8. Public Hearing: Consider a request by Dennis and Deborah Hundoble to rezone 1.77 acres from R-3 (Single Family Residential) to M-F (Multi-Family) from Middleton City Code 5-4-1, Table 1 (Land Use Schedule). The subject property is**

located at TBD Cemetery Road, Middleton, Idaho, commonly referred to as Canyon County Parcel No. R1791101.

Mayor Rule called the public hearing at 5:11 p.m. Council President Kiser recused himself due to the fact that he spoke against this in the Planning and Zoning Meeting. Council President Kiser removed himself from the room.

Planning and Zoning Official Bruce Bayne read the staff report. Council Member O'Meara asked if the developer has any intentions of improving the small pocket park site. The answer is no, the Plumtree Subdivision said they wouldn't allow access to the park so residents if this is approved will go over to Piccadilly Park. Bruce also stated that at one time the city was approached by Plumtree to take over maintenance, and Becky Crofts clarified that the city was approached, but because the City was developing Piccadilly Park, and there is no pedestrian bridge and so the City and HOA did not enter into an agreement at that time.

Applicant: Jessica Skinner (representing applicant Dennis and Debbie Hundoble) – 12689 South Five Mile Road, Kuna Idaho. Jessica gave an explanation of the project. She addressed concerns regarding the 30 ft easement and said they plan on putting 2 lanes, a sidewalk and a fence to protect the adjacent property owner and their children. There also is talk of an electric gate for the safety. There will be 6 ft fencing around park so that it will be quicker to go to Picadilly Park. The townhomes will be not higher than 20 ft. The price range will be comparable to the surrounding area. The drainage will all be engineered. Townhomes typically have 1/3 fewer cars than regular homes. There will be an HOA. The applicant has met the all the requirements for the re-zone. This will provide a larger tax base for the City of Middleton. She then read a letter in favor from Alan Mills see attached.

Mayor opened the public comment portion at 5:27 p.m.

Sign in sheet: See attached

In Favor: 4, Neutral: 0, Opposed: 4

Debbie Hundoble: In Favor: 10043 Riverbend Place – 2 weeks ago she was in front of the Planning and Zoning Commission. She have found out with the help of Bruce that a typical road going in one direction is 9-12 feet in either direction and her community has 30 feet so there is plenty of room for the maximum street plus sidewalks. One of her passions is helping first time homeowners be able to get into homes. On the south side of her property is a non-compliant trailer park, this will help to clean up that area with all new fencing. On the northside there are trees existing and they will be providing more landscaping as well as an electric gate for neighbors that live right in front. They want to do this the right way and be good neighbors.

Mayor asked about the canal at the bottom of the property. Debbie said the canal will be addressed at later date. She has already met with the irrigation district and has plans to pipe the canal in the future.

Rebecca Pelagio: Opposed-625 W Halverson Street-Representing the Plumtree Subdivision, which is a group of 56 homes, one vacant, she has spoken with 35 homeowners, 25 are against, 9 undecided and 1 in favor of the project.

The concerns are as follows: Increase traffic and the proximity of Huckleberry Street, If the property has to be built up will that cause problems of flooding for Homeowners? She gave the history of the park and said they are not interested in offering it as part of this project. The trees that are blocking the view on the northside are actually on the project side, not in the homeowner's back yards. Originally, they were told originally these were apartments and now it keeps changing.

Council Member O'Meara asked if the developer proposed installing a bridge would that change the recommendation to oppose? Rebecca said she would have to ask the homeowners.

Shari Mills: Opposed: 590 Huckleberry Street, Middleton Idaho – She is concerned that what is being proposed keeps changing, first apartments now townhomes. How does changing the zoning from the current R-3 to M-F comply with the Future Land Use Map? She wants to know what commercial areas are located close to the property? She was asked if she is related to Alan Mills, No.

Carley Garduno: Opposed – 100 Cemetery Road, Middleton Rd which is the house directly in front of the property which is the house that has the easement going back through it. She stated that she is opposed to the project for many reasons but the main one is the safety of her children as many people will access the property through a shared driveway that her children access regularly. She is also concerned for 40 more cars added to Cemetery Road and the intersection at Highway 44.

Council Member Garner said there is already a fence around the Garduno house so if her kids are staying in the yard they are already in the yard. Mayor asked if the developer started building 3 houses per acre as it is currently zoned R-3 would she be standing in support or opposition of development behind you. She said she would stand in support of.

Jaime Garduno: Opposed – 100 Cemetery Road. He showed a picture of the easement as it currently stands. He has never heard of the electric gate until today. If there is a gate there it will cause a backup on Cemetery Road. He currently owns the easement, there will be no changes or improvement on the easement. It will remain a gravel road and there will be no sidewalks, and there are no lights on the easement either. He is concerned about the need to lift it up out of the floodplain and the drainage.

Mayor Rule asked what is the distance from the curb on Cemetery how far is it to their property when it starts to widen to the Hundoble property? Jaime doesn't know the distance.

Applicant Rebuttal: Jessica Skinner – She wants to point out that there are only 5 houses that are directly affected by this development. There are trees already existing. The park in Plumtree is a non-issue. This was always going to be high density, not apartments. It will be townhouses, individually owned. Single family units can be used as rentals just like townhomes can be. Bruce will have to address the Future Use and Zoning. The drainage will be engineered and as it is every lot owners responsibility to take care of their own drainage. The easement is the same square footage as the street in the Plumtree subdivision width. It will be completely fenced and the easement can be

improved. The traffic is always a concern, the growth is happening, there will always be traffic. 20 units is a much larger tax base than 5 or 6 single family homes.

Mayor Rule closed the public testimony at 6:00 p.m.

Discussion by Council: They discussed that changing the zoning on this parcel is not in the best interest of the residents. The main concern is for traffic. If it is left R-3 it fits the surrounding area.

Motion: Motion by Council Member O'Meara to deny a request by Dennis and Deborah Hundoble to rezone 1.77 acres from R-3 (Single Family Residential) to M-F (Multi-Family) from Middleton City Code 5-4-1, Table 1 (Land Use Schedule). The subject property is located at TBD Cemetery Road, Middleton, Idaho, commonly referred to as Canyon County Parcel No. R1791101.

Motion seconded by Council Member Garner approved unanimously by O'Meara, Garner and Huggins.

The public hearing ended at 6:04 p.m.

Mayor called a 5 minute recess at 6:04 p.m. Mayor reconvened meeting at 6:11 p.m.

For the record Council Member Huggins and Council President Kiser were back in the meeting.

- 9. Public Hearing: Consider a request by Providence Properties, LLC to annex into Middleton City limits approximately 99 acres, rezone from Canyon County Rural Residential (RR) to City of Middleton Single-Family Residential (R-3) according to Middleton City Code 5-1-5, and to approve a Preliminary Plat for Waterford Subdivision according to Middleton City Code 5-4-4. The property is addressed as 0 Duff Lane, Middleton, Idaho and commonly referred to as Canyon County Parcel R33861.**

Mayor Rule called the public hearing open at 6:12 p.m. Planning and Zoning Official Bruce Bayne read the staff report. Council President Kiser asked some clarifying questions regarding the existing waterline running east to west of this property and also have the sanitary sewer line that is going to it as well. Bruce mentioned that the City purposely upsized the water line to 12-inch line to service some of these parcel that are between this two mile stretch going over to Blue Meadows and there is a latecomer's fees attached to it. Becky Crofts asked if the property owner paid it's proportionate share to the Falcon Valley Booster Station. Bruce said yes that payment has already been made. The primary access is on 9th Street. The access on Foothill is emergency access only with a gate with a knoxbox on it and only available to Fire and Police. The common area is 21.8 acres of the 99 acres. Phase 3 and 5 will have a walking path with amenities on it. The City has asked for the walking path instead of a park.

Mayor Rule opened the public comment at 6:24 p.m.

Applicant: Patrick Connor 726 North Peirce Street, Boise, Idaho and Stephanie Leonard 9233 West State Boise, ID 83714.

Patrick (Providence Properties or Hubble Homes) and Stephanie (KM Engineering) tag teamed a power point presentation of the project. And the three objectives, first annexation into city limits, second R-3 zoning and third approval of the preliminary plat. If this is approved we will be entering into a development agreement to determine the prorated share for the TIS and impact fees.

Stephanie: This project is consistent with the Comprehensive Plan to locate residential here, and the current owner has also decided to participate in the late-comers' fees for the Booster Station that is located nearby. They have coordinated the design with the development potentially going in to the south so that the access points line up. Their pathway will connect to the Middleton Connects walking path. They also have central open space as well as pocket parks in the development. They are proposing 262 buildable single-family residential lots, 16 common lots and 1 private driveway which will accommodate an emergency access roadway to the north foothill road. Not proposing any access onto Duff Street. Access points will be on 9th Street and Albright Ave. They have been working with the irrigation districts to maintain the ditches. They have made changes to the original plat to address the comments previously given by the City. They are not asking for any variances from City Code

Patrick: There is 22 acres of greenspace with 10 acres of that being the walking path/greenbelt that is meant to be more passive space with workout stations. The 10 acres that will be the greenbelt will be deeded to the City in the first phase it will be built in segments, but it will be owned by the City. All other parks and greenspace will be owned and maintained by the HOA. They will continue the water line that exits that terminates right below the circle drain. That will be continued north to Foothill and then east Foothill and down for redundancy, so it helps with the public utility. Water and sewer already exist, and we have agreed to participate in the Late comer Fee and the current owner already agreed to participate in the water booster station. We have done at TIS, the City has reviewed, and it is currently at ITD. The developer will fully comply with what the City requires for the proportionate share of the traffic impact and the development agreement. They will be improving their side of 9th Street and Albright Street. There are 7 phases to the project and within the 3 phases all of the traffic improvement on Duff Lane will be completed which will allow for 2 access points to 9th Street in the first phase. The last phase is 7 which is directly next to the neighbors to the north which will give them time to prepare for the development. They have visited with one neighbor to discuss fencing and the water crossing. He discussed the product they intend to build, and they are looking to develop a new line specifically for this area with 3 car garages and larger lots. They are excited to start this community here.

Council President Kiser asked Stephanie about how they will provide the access onto Foothill Road for the neighbors. She said there is an existing access easement that is on their property, but they will be improving and maintaining it so that the neighbors who currently use the easement will still have access. Bruce said that the pathway that is deeded to the City will be maintained by the City once it is built by the developer. That was a City request.

Sign in Sheet: See attached

In Favor: 2, Neutral: 1, Opposed: 0

Glenn Charolanza – 1828 Placerville Street, Middleton, Idaho. He is concerned that the Duff will be widened but then get narrow again approaching Hwy 44 and the traffic concern at the intersection. He is also concerned the park that is 1 ½ mile away from the community is not close enough and he wants to know how large the center greenspace of the development will be.

Applicant Rebuttal: Stephanie Leonard: The linear space is 10 acres and is encumbered by an irrigation easement. There will be a considerable amount of land in that area that will be usable for active amenities. They were directed to do that by the City and so that is what they are viewing as a usable park. The central space is about 1.5 acres with a picnic area and shelter. They will be contributing to improvements to intersections and roadways according to the TIS.

Mayor closed the public testimony at 6:45 p.m.

Discussion by Council: Bruce added that in the subdivision to the south of this development there will be a 7 acre park coming in so there will be adequate park space. He also reiterated the City requested that the developer do the walking path, and to improve that area and make it wider, rather than a park and they worked with the City on that in lieu of a larger park.

Motion: Motion by Council President Kiser to approve a request by Providence Properties, LLC to annex into Middleton City limits approximately 99 acres, rezone from Canyon County Rural Residential (RR) to City of Middleton Single-Family Residential (R-3) according to Middleton City Code 5-1-5, and to approve a Preliminary Plat for Waterford Subdivision according to Middleton City Code 5-4-4. And that the applicant complies with all Planning and Zoning recommendations. The property is addressed as 0 Duff Lane, Middleton, Idaho and commonly referred to as Canyon County Parcel R33861,

Motion seconded by Council Member O'Meara and approved unanimously.

The public hearing was closed at 6:49 p.m.

10. **Public Hearing: A request by Newberry Development, LLC to approve an Amended Preliminary Plat according to Middleton City Code 5-4-4 for Crescent Lake Subdivision consisting of 105 residential lots and 5 common lots on 35.134 acres of vacant land, Canyon County Parcel No. R33833010, located West of Kingsbury Rd, North of Highway 44, Middleton, Idaho. The applicant is requesting amendments to City Code 5-4-1, Table 2, Height, Setback and Coverage Schedule.**

Mayor Rule called the public hearing open at 6:49 p.m. Planning and Zoning Official Bruce Bayne gave read the staff report. Jennica helped Carrie find the sheet that Bruce referred to detailing the City code setbacks and the requested changes.

Applicant: Ben Semple 1014 S. La Point Street, Suite 3, Boise, Idaho 83706. Gave summary of the application and the request to amend the preliminary plat. There are 103 buildable lots as not 105 as they lost 2 lots to common area. He stated that the distance between houses for the side set backs would be 15 feet instead of 20 and they are requesting the front to 20 feet and the rear to 10 feet. Along the interior of phase 3 which

all backs up to common area. Along the northern boundary there will be a berm and fence. And on the southern boundary there will always be a road right of way. He stated that the original preliminary plat was approved. However, once the current owner purchased the original preliminary plat the developer and builder received multiple contacts from neighbors that had asked about the size of the homes. Neighbors were concerned that with the smaller lots in the new plat and specifically that there would be 2 story homes in the new development to the south of Lakes of Telaga and The Lakes subdivisions. It is in response to that the developer is requesting a change in the setbacks. The developer is not willing to replat and will use the current code requirements if this request is not approved. In response to the Fire Chief letter, they will not be using vinyl siding on the homes.

Mayor asked him to clarify if he is representing the current residents that requested this, Ben said he saw the letter from the HOA that stated that. He would rather the HOA representative speak to that. Council President Kiser asked for clarification on the side set backs. Ben said all homes on one side would have a 10 ft side set back and on an adjoining lot there would be 5 ft. So there would always be at least 15 ft between homes. Becky asked the applicant if the Council were to approve this do they have current CC&R's for this subdivision, and would the CC&R's reflect a larger home size. Ben said he thought they would be amended to provide for the minimum home size. That would be a necessity Becky said.

Sign In Sheet: See attached
In Favor: 6, Neutral: 0, Opposed: 4

Mike Graefe: Opposed: 1889 Ridgeway Middleton, Idaho. Opposed to 5 ft setback. Code is code. He does not believe this good time or place for this waiver.

Ed Kayser: Opposed: 8629 Legacy Ct, Middleton Idaho 83644. He is opposed and has worked in 3 different fire departments and stated that building materials are more combustible these days and a fire will take the path of least resistance. He recommends that 10 ft be the minimum setbacks and that the City Code be followed. Firefighter safety should not be compromised so the request should be denied.

Chief Victor Islas stands opposed to reduction of Setback as he wrote in his letter. He was not present at the meeting but had contacted the Planning and Zoning Official Bruce Bayne to request that his letter be noted.

Applicant: Ben Semple: We are not requesting something that the City Code and structure doesn't allow us to do. This is process that we can request this, it is part of code. The reason for this request, is the developer/builder was contacted personally by immediate adjacent neighbors asking if there was a way that single story homes could be built instead of 2 story homes. He appreciates the fire protection concerns. They are willing to look at a modification of the request if council is willing to consider this.

Mayor Rule closed the public hearing comment at 7:19 p.m.

City Council discussed the reason for the setbacks and Code being code. Council Member O'Meara made a point to announce that his affiliation with the Middleton Rural Fire District will not compromise his decision.

Motion: Motion by Council President Kiser to deny the request by Newberry Development, LLC to approve an Amended Preliminary Plat according to Middleton City Code 5-4-4 for Crescent Lake Subdivision consisting of 105 residential lots and 5 common lots on 35.134 acres of vacant land, Canyon County Parcel No. R33833010, located West of Kingsbury Rd, North of Highway 44, Middleton, Idaho.

Motion seconded by Council Member Garner. Approved unanimously.

Public hearing closed at 7:22 p.m.

11. Utility Hearing: The utility hearing will be held with guidance from Section 445.00 of the Idaho Transportation Department Guide for Utility Management and Idaho Code Section 40-312(3). The hearing is an opportunity for a utility to present objections to possible relocation or adjustments to utility facilities to accommodate the Intersection of Middleton Road and Cornell Street in Middleton (Key Number 20430). Idaho Power, Intermountain Gas, CenturyLink and Sparklight have been notified. – Becky Crofts

Mayor called the item and Becky Crofts gave an explanation of the item that there is no action required by Council. This item is on the agenda to provide an opportunity for the utilities to protest.

The record reflects that no utilities were present and there were no protests recorded today.

Public Comments, Mayor Comments, Council Comments:

James "Tank" Taylor: 1052 Triumph Drive, Middleton ID. He stressed that City Council needs to conserve money. He was concerned that at the last meeting the City Treasurer stated that there would be an automatic increase to City employees of 3%. He asked that Council be very austere given the recession.

Mike Graefe: 1889 Ridge Way, Middleton ID. He asked about the roundabout on Hartley and Willis and if that will be completed. He is concerned that the powerpoles will need to be removed. Do we have an ETA on when the light at Highway 44 and Hartley.

Mayor said the roundabout at Willis and Hartley will cost about 1 million dollars. There haven't been conversations about that. ITD wants a light at Highway 44 and Hartley. The City doesn't have 1.2 Million dollars for a light right now. The City is trying to

Becky stated that with intersection at Highway 44 and Hartley originally was designed as a roundabout to expensive 2.3 Million dollars and was changed to a stop light still over 1 million dollars. Growth should pay for itself so the City has collected or will collect monies that will go toward that light. Prior to being able to put the light in, the City needs to put in a 30 inch sewer trunkline that is 1+ million dollars. What may seem like a delay is really planning for things that need to be put in place. Mayor Rule has the transportation at the top of his priority. The improvements are critical and top of mind and we are doing everything to find money. We are working as fast as our dollars will allow.

Bruce stated that the roundabout at Willis and Hartley the powerpole will need to be relocated, the roundabout will go in, in order with other projects.

Becky also added that the City is working with Canyon 4 Highway District and City of Star. They have identified a planning area that is larger than city limits that will encompass all of the area of impact for the City of Middleton. The area will be traffic studied. This will allow for impact fees to be increased and will address the critical intersections. We are doing our best to make sure that growth pays for itself.


Matt Bradshaw: 8554 Silverwood Way – Thank you for standing by Code. We have rules for a reason. Thank you for standing by them.

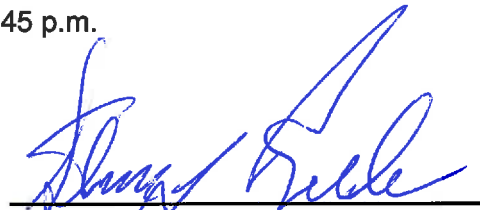
Mayor Comments: We have 3 acres that was donated to Middleton for a park. He would like to sell the property and will bring it before council. We are working right now to develop a new urban renewal district. He is working with the mayor of Star to work out an area of impact agreement. We are working to get a gravel extraction project going so that we can provide more of our own road base to get roads built.

O'Meara thanked the mayor for the sidewalk on Hawthorne and wanted to welcome Tom.

Adjourn: Mayor Rule adjourned the meeting at 7:45 p.m.

ATTEST:


Jennica Reynolds, Deputy Clerk
Minutes Approved: July 15, 2020


Steven J. Rule, Mayor

[illegible]

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Please check one

[illegible]

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