

---

**MIDDLETON CITY COUNCIL  
AUGUST 5, 2020**

The Middleton City Council meeting on August 5, 2020 was called-to-order at 5:36 p.m. by Mayor Steve Rule.

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

Pledge of Allegiance, Invocation: Isaac Christiansen

**Information Items**

**1. Promotion of Officer (Corporal) Nathan Hilkey to Sergeant – Chief Takeuchi**

Chief Alan Takeuchi promoted Corporal Nathan Hilkey to position of Sergeant. Nathan's wife was present and helped pin him.

**2. Southwest District Health Director Nikki Zogg, and Lifeways Staff to present a budget request for the Western Idaho Community Crisis Center**

Nikki gave a presentation of the Western Idaho Community Crisis Center and said she would be asking the City to consider donating funds for the Center in the future.

**Discussion Items**

**1. Presentation to Council regarding Greater Middleton Parks and Recreation District acquiring an unimproved park in Falcon Valley. – Tim O'Meara**

Greater Middleton Parks and Recreation District Executive Director Tim O'Meara proposed a transfer of ownership of Viper Park (an undeveloped City park site in Falcon Valley) to GMPRD. GMPRD would like to improve the land and then use it as recreational soccer fields. City Council discussed possible conflicts because the taxing districts do not align, and they would like to know the value of the land. They requested staff do more research on the value of the gift, the plan for the park, and how much bigger is the GMPRD. Becky said the reason the park has not been developed is because there is no access currently to the park due to the phasing of the subdivision. Bruce said we also need to look at the Development Agreement before a decision be made. As this was a discussion item, there was no action taken.

**Action Items**

- 1. Consent Agenda (items of routine administrative business)**
  - a. Consider approving minutes for Council's July 15, 2020 regular meeting and July 21, 2020 special meeting.**
  - b. Consider ratifying July 31, 2020 payroll in the amount of \$ 88,079.85 and accounts payable thru July 27, 2020 in the amount of \$157,351.65**

Mayor Rule called and introduced the items Council President Kiser and gave a brief overview of the accounts payable. Council Member Huggins asked about a payment to Zenner, Becky clarified they are the new manufacturer that will be developing the new radio water meter reading system.

---

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

2. **Public Meeting: Consider approving a request by Landmark Pacific Investors to approve a Preliminary Plat according to Middleton City Code 5-4-4, for Estates at West Highlands Subdivision consisting of 81 residential and 10 common lots on approximately 37.83 acres of vacant land. The subject property is located on the east side of Cemetery Road, north of Willis Road and immediately to the north of the existing Estates at Meadow Park Subdivision in Middleton, Idaho, commonly referred to as Canyon County Parcel No. R3757700000.Preliminary Plat for Estates at West Highlands – Bruce Bayne**

Mayor Rule called the item. Planning and Zoning Official Bruce Bayne read the Staff Report. He said the Traffic Impact Study (TIS) has been completed with the Applicant prorata share determined to be \$101,750.00, The City is not allowing any new subdivisions to be built with swales but will require curb and gutter or rolled curb.

Applicant: Wendy Scheriff of JUB Engineers – 250 S Beachwood, Boise, ID 83709 This will be a nice addition to the City. Proposing 81 homes, 12 Common Lots and 3.72 acres of common area. The density is 2.14 dwelling units per acre. The average size of the lots is larger than the minimum of 8,000 sq. ft. as they are 9,600 sq. ft. The property was annexed into the City in 2005. The proposed development meets all standards in the City Code. They have changed the phasing at the recommendation of City Staff. She said that some of the neighbors have expressed concern that the plat is different than the original proposed plat. That is true, because that original plat expired, they are submitting for a new plat. She would like to ask that the TIS agreed percentage on the intersection improvements be based on the current cost of such improvements at the time the Final Plat is submitted.

Mayor stated that a petition by residents may be considered at a future date and time, but not tonight.

Council Member Huggins asked Bruce to confirm that all the City Codes were met. Bruce said that yes, all codes and standards have been met and the applicant is not asking for any exceptions.

**Motion:** Motion by Council President Kiser to approve a request by Landmark Pacific Investors to approve a Preliminary Plat according to Middleton City Code 5-4-4, for Estates at West Highlands Subdivision, providing the applicant meet the remaining conditions by the Planning and Zoning Commission. Motion seconded by Council Member Huggins. Approved Unanimously by Roll Call Vote.

3. **Public Hearing: Consider approving the proposed budget Fiscal Year 2021 (from October 1, 2020 to September 30, 2021) Pursuant to Idaho Code 50-1002 to consider adopting an annual appropriations ordinance. – Becky Crofts and Wendy Miles**

---

Mayor Rule called the Public Hearing open at 6:45 p.m. City Treasurer Wendy Miles reviewed the budget. She said after the July 21, 2020 Budget meeting she discovered that she had overstated the expenses in the General Fund. To fix that the following changes were made to the budget. Changed the capital line under the General Fund for paving the parking lot, lowered capital items in Parks. Because we do have an SRO contract with Middleton School District, the vacancy following a Police officer quitting will not be filled. We are increasing the amount of projected building permits by 20. We are removing a new hire in the Building department. The published budget was \$12,910,905. The current budget with the changes is \$12,906,757. She would like Council to consider adopting the Fiscal 2021-year budget as presented.

Mayor Rule opened for public comment at 6:50 p.m.

James Taylor: Neutral: 1052 Triumph Dr.

Asked if the Council and Mayor considered a cutback due to the current economic conditions? Was there a percentage across the board that was taken off?

Mayor Rule stated that there was not a percentage decrease, however they did pull some items out of the budget. Becky Crofts stated that it is standard practice for the City to take all revenues and reduce them by 5% and budget at 95% of anticipated revenue. Wendy also took the sales tax line and anticipated revenues forecasted from sales tax down considerably due to low sales, anticipated income due to Covid-19.

James Taylor asked if salaries were increased to the city employees and if so, what percentage was that increase?

Mayor Rule stated that some salaries were increased, some were not. There is a 1% increase budgeted, not given yet.

James asked if the City is considering laying off an officer if the City does not get a contract from the School District?

Mayor Rule said the City is not considering laying off an officer. One of the 9 officers have left the department, and that salary was removed from the budget. The Mayor said they are meeting with the School District. He thinks in the next month they will have some form of an agreement with the School District for some form of an SRO service to Middleton City, we don't know what that is at this time.

James said his big concern is that he doesn't like the City of Middleton supporting the other taxing districts when it is not benefiting directly the citizens of Middleton to 100%.

Council Member Huggins said that in answer to James question, did the City cut expenses, the answer is no. What we do is cut the revenue that is going to come in and then try to allocate where to spend it. So, it is phrasing it differently, and in a way, we do cut expenses because we are only going to spend less revenue than we think is coming in. Also, some of the funds that we get from the state were reduced, with transportation being 15%, due to the state saying we couldn't count on those funds. So yes, we did cut,

---

but it was done on the revenue side and then figuring out what we have to spend money on, and if there is anything left, what we might be able to spend money on.

James stated that the publication in the paper was not detailed at all so he couldn't understand the detail.

Becky Crofts stated that the City follows the state statute for posting requirements in the newspaper. If they were to publish the entire budget it could get very expensive. That being said the City budget is always available at City Hall as was published for anyone to come in and look at or receive a full copy of the budget.

Mayor Rule asked if it is easy to navigate to the budget on the City Website? Wendy stated that it is under public hearings is listed right there. He asked that it be easily found on the City website.

Rod Wickstrum: Neutral: 9630 W Golden View Dr. Star, ID 83616. He is a property owner in Middleton. He stated he was able to get the budget online from the website. According to his calculations it looks like the budget has gone up from last year with the new number approximately 11%. He said usually there is a state law that says the budget can only be increased by 3%, but that can be worked around with forgone revenue and new construction. How much of the new budget comes from foregone revenue and new construction?

Becky Crofts said the budget was increased by the 3% allowed by state statute for it to go up. The total budget increase could be due to some capital expenses in the water and sewer funds and not necessarily in the property tax revenues.

Rod asked on the Capital outlay 2021 budget of \$1.6 million, last year it was \$1.13 million. Of that the use was only \$230,000, is there a reason why that budget item has increased so much, since very little of that was used this past year?

Becky Crofts said he was looking at the Capital Outlay in the streets department. The 2.32 million also has a lot built into that line. The city had anticipated that construction on S. Cemetery Road would begin this year. That state and local agreement has not come to the City yet. That agreement is about \$286,000. So, you will see that line carried forward in this budget coming up next year. Another reason for that line being so high is there is a contribution to a stoplight, \$350,000. If you take that number down by \$297,000 you will see that \$350,000 in the revenue line that has not been received yet, and therefore cannot be spent. That is a proportionate share amount that will come to the City for the Hartley stoplights that will come in with West Highlands. That money will be saved this year and will be moved forward into about 2023, when that stoplight will actually be constructed. The other part is about \$154,000 that was carried forward from the prior year into this year, also for the Hartley stoplight that is part of the \$1.5 million. Part of the \$154,000 is before City Council tonight to be allocated for a span-wire stoplight that ITD has requested the City put in the meantime while it is waiting for the permanent stoplight to be funded. As we project those funds to be received in revenue, we have to make sure city revenue funds balance. So, we have to put them in a capital

---

expense even if we are planning on saving them or carrying them forward for two to three years.

Rod asked how much of the budget came from foregone revenue and how much came from new construction?

Becky said there is \$0 foregone, the City took its forgone last year, new construction role was about \$250,000.

Mayor Rule closed the public comment portion at 7:03 p.m.

**Motion:** Motion by Council President Kiser to approve the proposed budget for Fiscal year 2021 Pursuant to Idaho Code 50-1002 in the amount of \$12,906,757. Seconded by Council Member Garner. Approved unanimously by Roll Call Vote.

Mayor closed the public hearing at 7:04 p.m.

**4. Public Hearing: Consider Adopting Resolution 443-20 to amend Middleton City comprehensive plan to include the capital improvement plan for Caldwell Fire Department and Caldwell Rural Fire Protection District for the purpose of collecting impact fees. – Becky Crofts**

Mayor Rule called the item and opened the public hearing at 7:05 p.m.

Becky Crofts said the public hearing before Council is for the resolution which adopts the Caldwell Fire Department and Caldwell Rural Fire Protection District capital improvement plan into the City as was reviewed by Planning and Zoning who approved it, and now it is before Council for adoption so that we can move forward in proposing to collect an impact fee. It is one of the steps that is necessary in creating an ordinance and adopting fees for impact fees. Before Council tonight is to adopt the Capital Improvement plan into the City of Middleton's Comprehensive Plan. This is one step that was missed back in December 2019 when Council was considering Middleton Rural Fire capital improvement plan. Council adopted the capital improvement plan for Middleton Rural Fire and the capital improvement plan for Greater Middleton Parks and Recreation District. This capital improvement plan was overlooked and needs to be corrected if we are going to move forward considering adoption of impact fees for that jurisdiction.

City Attorney Chris Yorgason stated that last fall when Council was going through the various public hearings, what happened was when the impact fee committee met at the end of October we had the capital improvement plans (CIP) for the Middleton Fire District, the Greater Middleton Parks and Recreation District and the City Transportation and Parks fees and reviewed those and those went to Planning and Zoning in November and it was shortly after that we realized we had missed the Caldwell CIP. By the time that was submitted to the impact fee advisory committee and circulated via email and had comments added by mid-November we had missed the Planning and Zoning Meeting for all the other capital improvement plans so when it came to the Council in November, even though the impact advisory committee had reviewed the Caldwell CIP,

---

it hadn't gone through Planning and Zoning, which is why it wasn't able to be adopted when the others were. It has now been reviewed by the Impact Committee, it was reviewed at the end of October, beginning of November. The comments look to be appropriate and reflect that they have met all the statutory requirements and would be appropriate to adopt if the City chooses to.

Council Member Huggins asked for clarification of the location/area covered by Caldwell Fire that is in the City limits. Becky Crofts stated it is the area south of the Boise River. Middleton Fire goes to the River, Caldwell Fire is south of the river. We have the Rule Steel area that is south. When building permits come in for that area the City works with Caldwell Fire for approval of those permits. Bruce Bayne said that the area goes all the way down to Lincoln south of the river and one mile each side of Middleton Road. That is the area in the current Middleton City impact area.

Chris Yorgason added that this capital improvement plan is for both City of Caldwell Fire and the Caldwell Fire District. The reason for that is those two entities work together and they share resources. The impact fees will go to the Caldwell District, but administratively and with shared resources it is combined and that is why it looks a little different than it would otherwise.

Mayor Rule opened the public comment portion at 7:10 p.m.

Bill Gigray: In Favor: 5700 E. Franklin Rd, Nampa Idaho. He is an attorney representing Caldwell Rural Fire Protection District. He agrees with the staff explanation of why this is before Council. Fire districts cross jurisdictional boundaries in this area. With all the growth, it is all intermixed. Cities that don't have fire departments, the fire service is provided by the Fire District not by the City. In order for the District to get Impact fees it has to work with all the jurisdictions that can do impact fees in order to obtain them.

Mayor Rule closed the public comment portion at 7:14 p.m.

**Motion:** Motion by Council President Kiser to adopt Adopting Resolution 443-20 to amend Middleton City comprehensive plan to include the capital improvement plan for Caldwell Fire Department and Caldwell Rural Fire Protection District for the purpose of collecting impact fees. Motion seconded by Council Member O'Meara. Approved unanimously by Roll Call Vote.

Mayor Rule closed the public hearing at 7:15 p.m.

5. **Consider approving Amended Resolution 2019-436 City of Middleton/Middleton Rural Fire District Intergovernmental Agreement and Joint Powers Agreement for the Collection and Expenditure of Development Impact Fees for Fire District Systems Improvements. – Becky Crofts**
6. **Consider adopting Ordinance No. 634: AN ORDINANCE AMENDING THE CITY OF MIDDLETON CITY CODE BY THE ADDITION OF A NEW CHAPTER 18 TO TITLE 1 PROVIDING FOR MIDDLETON RURAL FIRE DISTRICT DEVELOPMENT IMPACT FEES, PROVIDING FOR: SHORT TITLE, APPLICABILITY, FINDINGS AND PURPOSE; DEFINITIONS; IMPOSITION OF FIRE DISTRICT IMPACT FEE; COLLECTION OF FIRE DISTRICT IMPACT FEES; EXEMPTIONS; PROCESS FOR**

---

**INDIVIDUAL ASSESSMENT; DEVELOPER CREDITS AND REIMBURSEMENTS; METHODOLOGY FOR CALCULATION OF FIRE DISTRICT IMPACT FEES; EXTRAORDINARY IMPACTS; FEE PAYER REFUNDS; ESTABLISHMENT BY THE FIRE DISTRICT OF AN IMPACT FEE TRUST FUND AND TRUST ACCOUNTS; USE AND EXPENDITURE OF FIRE DISTRICT IMPACT FEES; APPEALS, PROTEST AND MEDIATION; PERIODIC REVIEWS OF THE CAPITAL IMPROVEMENTS PLAN; ANNUAL AUDIT; THE JOINT DEVELOPMENT IMPACT FEE ADVISORY STANDING COMMITTEE; ENFORCEMENT AND COLLECTION; THE CITY AND FIRE DISTRICT INTERGOVERNMENTAL AGREEMENT; MISCELLANEOUS PROVISIONS; PUNISHMENT FOR VIOLATIONS OF THE ORDINANCE; CONSTRUCTION OF ORDINANCE INTENT; and PROVIDING AN EFFECTIVE DATE AND PUBLICATION.**

**– Becky Crofts**

- 7. Consider approving Amended Resolution 2019-438 City of Middleton/Caldwell Rural Fire Protection District/City of Caldwell/Canyon County Intergovernmental Agreement and Joint Powers Agreement for the Collection and Expenditure of Development Impact Fees for Fire District Systems Improvements. – Becky Crofts**
  
- 8. Consider adopting Ordinance No. 635: AN ORDINANCE AMENDING THE CITY OF MIDDLETON CITY CODE BY THE ADDITION OF A NEW CHAPTER 19 TO TITLE 1 PROVIDING FOR CALDWELL RURAL FIRE PROTECTION DISTRICT DEVELOPMENT IMPACT FEES, PROVIDING FOR: SHORT TITLE, APPLICABILITY, FINDINGS AND PURPOSE; DEFINITIONS; IMPOSITION OF FIRE DISTRICT IMPACT FEE; COLLECTION OF FIRE DISTRICT IMPACT FEES; EXEMPTIONS; PROCESS FOR INDIVIDUAL ASSESSMENT; DEVELOPER CREDITS AND REIMBURSEMENTS; METHODOLOGY FOR CALCULATION OF FIRE DISTRICT IMPACT FEES; EXTRAORDINARY IMPACTS; FEE PAYER REFUNDS; ESTABLISHMENT BY THE FIRE DISTRICT OF AN IMPACT FEE TRUST FUND AND TRUST ACCOUNTS; USE AND EXPENDITURE OF FIRE DISTRICT IMPACT FEES; APPEALS, PROTEST AND MEDIATION; PERIODIC REVIEWS OF THE CAPITAL IMPROVEMENTS PLAN; ANNUAL AUDIT; THE JOINT DEVELOPMENT IMPACT FEE ADVISORY STANDING COMMITTEE; ENFORCEMENT AND COLLECTION; THE CITY AND FIRE DISTRICT INTERGOVERNMENTAL AGREEMENT; MISCELLANEOUS PROVISIONS; PUNISHMENT FOR VIOLATIONS OF THE ORDINANCE; CONSTRUCTION OF ORDINANCE INTENT; and PROVIDING AN EFFECTIVE DATE AND PUBLICATION. – Becky Crofts**
  
- 9. Consider approving Resolution 445-20 City of Middleton/Canyon County/Greater Middleton Area Recreation District Interagency Contract for Parks and Recreational Facilities Impact Fees Administrative Services [An Interagency Contract and Joint Powers Agreement] – Becky Crofts**
  
- 10. Consider adopting Ordinance No. 636: AN ORDINANCE AMENDING THE CITY OF MIDDLETON CITY CODE BY THE ADDITION OF A NEW CHAPTER 20 TO TITLE 1 PROVIDING FOR GREATER MIDDLETON AREA RECREATION DISTRICT PARKS AND RECREATIONAL FACILITIES DEVELOPMENT IMPACT FEES, PROVIDING FOR: SHORT TITLE, APPLICABILITY, FINDINGS AND PURPOSE; DEFINITIONS;**

---

**IMPOSITION OF GREATER MIDDLETON AREA RECREATION DISTRICT PARKS AND RECREATIONAL FACILITIES DEVELOPMENT IMPACT FEES; COLLECTION OF GREATER MIDDLETON AREA RECREATION DISTRICT PARKS AND RECREATIONAL FACILITIES DEVELOPMENT IMPACT FEES; EXEMPTIONS; PROCESS FOR INDIVIDUAL ASSESSMENT; DEVELOPER CREDITS AND REIMBURSEMENTS; METHODOLOGY FOR CALCULATION OF PARKS AND RECREATIONAL FACILITIES DEVELOPMENT IMPACT FEES; EXTRAORDINARY IMPACTS; FEE PAYER REFUNDS; ESTABLISHMENT OF GREATER MIDDLETON AREA RECREATION DISTRICT PARKS AND RECREATIONAL FACILITIES JOINT DEVELOPMENT IMPACT FEE CAPITAL PROJECTS TRUST FUND - TRUST B and TRUST ACCOUNTS; USE AND EXPENDITURE OF GREATER MIDDLETON AREA RECREATION DISTRICT PARKS AND RECREATIONAL FACILITIES DEVELOPMENT IMPACT FEES; APPEALS, PROTEST AND MEDIATION; PERIODIC REVIEWS OF THE CAPITAL IMPROVEMENTS PLAN; ANNUAL AUDIT; THE JOINT DEVELOPMENT IMPACT FEE ADVISORY STANDING COMMITTEE; ENFORCEMENT AND COLLECTION; THE CITY AND COUNTY INTERGOVERNMENTAL AGREEMENT; MISCELLANEOUS PROVISIONS; PUNISHMENT FOR VIOLATIONS OF THE ORDINANCE; CONSTRUCTION OF ORDINANCE INTENT; and PROVIDING AN EFFECTIVE DATE AND PUBLICATION.**  
– Becky Crofts

- 11. Consider approving Resolution 444-20 City of Middleton/Canyon County Intergovernmental Agreement with and Joint Powers Agreement for the Development of Joint Plans for Capital Improvements and to Collect and Expend Development Impact Fees for Parks and Recreational Facilities System Improvements. – Becky Crofts**

Mayor Rule stated that items 5 -11 will need to be tabled to a future date.

City Administrator Becky Crofts explained that Bill Gigray ask the items to be tabled because when the City noticed the public hearing tonight for Ordinance 626, Ordinance 626 was before the Council back in December 2019. That was one ordinance that adopted all three impact fees for Greater Middleton Parks, Middleton Fire and Caldwell Fire. That ordinance was not published. We were waiting on additional information from Canyon County who still has not decided. As the City Attorney, Bill and Becky were discussing we want to bring those ordinances back to Council individually and separately, rather than in one ordinance together. We have worked to split those ordinances apart. Those items were not noticed appropriately for a public hearing. We want to make sure it is noticed 100% correctly and all the documents are correct. So that if the Council decided to move forward with these impact fees, everything was done consistent to state law.

**Motion:** Motion by Council President Kiser to table agenda Items 5,6,7,8,9,10 and 11 to the regularly scheduled 1<sup>st</sup> meeting in September, Sept 2<sup>nd</sup>. Seconded by Council Member Huggins. Approved unanimously.

---

**12. Consider approving a quote from Oldcastle Infrastructure for concrete junction boxes located on drip tape line manifold at re-use farm in an amount not to exceed \$8,484.00. – Bruce Bayne**

Mayor Rule called the item. Public Works Superintendent Bruce Bayne explained the need for the concrete junction boxes (which will be a city install) to connect the reuse line up.

**Motion:** Motion by Council President Kiser to approve a quote from Oldcastle Infrastructure for concrete junction boxes located on drip tape line manifold at re-use farm in an amount not to exceed \$8,484.00. Seconded by Council Member O'Meara. Approved unanimously.

**13. Consider approving a quote for sign permit from Lytle Signs for the Police Building in an amount not to exceed \$2,877.00. – Becky Crofts**

Mayor Rule called the item. City Administrator Becky Crofts explained the City received two quotes, Lytle Signs was the lower quote. This will replace the letters LAB with POLICE. The old letters will be returned to the library as they are property of the library.

The police have moved into building.

**Motion:** Motion by Council President Kiser to approve a quote for sign permit from Lytle Signs for the Police Building in an amount not to exceed \$2,877.00. Seconded by Council Member Garner. Approved unanimously.

**14. Consider awarding contract to Irminger Construction, Inc for the Pilot Study Project in the amount not to exceed \$366,546.00. – Bruce Bayne**

Mayor called the item. Public Works Superintendent Bruce Bayne explained that this project will supply the water to the pumps, filter and 18-inch pipeline which will feed the re-use water. It does both pumping, sand filter has the main line and there is also supplemental water that we can get from Mill Slough to bring in water as well as the reuse water we plan on using. The City received 3 bids, Irminger was the lowest bidder. This will be the second to last project needed to be done to actually get the water re-use working. There will be a small project for the pumps. Seeding will start in approximately a weeks' time, the farmer just took off the first crop of wheat on the City farm. As soon as that is done, we will be seeding it to alfalfa to be ready for when the lines are in. Becky added that as soon as the City had a contractor selected with the low bid one of the first meetings scheduled was with her, Bruce, the Mayor, the Engineer who designed the project – Mike with Civil Dynamics and Contractor – Travis. The purpose of that meeting was to value engineer the project and explore any ways to cost reduce the project. We identified one small change going from a 5 ft depth to a 4 ft depth as far as trenching and a few electrical changes, so due to the meeting the first change order that will come in should reduce the project by about \$20,000. She wanted to make Council aware that City Staff does take absolutely every opportunity to save tax-payer dollars and to get the best possible product for the project going forward and keep the cost as low as possible.

---

**Motion:** Motion by Council President Kiser to award the contract to Irminger Construction, Inc for the Pilot Study Project in the amount not to exceed \$366,546.00. Motion seconded by Council Member O'Meara. Approved unanimously.

**15. Consider approving Request for Supplemental Engineering Services No. 3 Hartley Lane and SH44 Intersection – Project No. 18015 in and amount not to exceed \$20,000.00 – Becky Crofts**

Mayor Rule called the item. City Administrator Becky Crofts explained that the Mayor and City Staff have been meeting with ITD on the intersection control at SH44 and Hartley. What is proposed is a stoplight that will cost 1 million dollars. The City does not have the money to fund that stoplight. ITD would like the City to move forward in some capacity as soon as is possible. Caleb Lakey from ITD has agreed to allow the City to put up a span-wire signal which is a very cost reduced signal not typically used for long term intersection control. This requires some engineering, some positioning and specs to be drawn up. We are thinking we can do that for \$154,000 including this amount to get that light up and functional as soon as possible. ITD is willing to donate some materials to the project because they would really like to see this moved forward. We anticipate this will be less than \$100,000 project and therefore not require a public bid opening. Through Joel Grounds of Precision Engineering we have contacted both agencies in the valley that do this work, Power Plus and Quality Electric, City will likely go with Power Plus as Quality Electric is currently doing the Amazon building. We are looking at October as an installation time frame. The request is for the amount not to exceed \$20,000 for Joel Grounds of Precision Engineering to get the plans and specifications ready to go.

Mayor Rule mentioned that this is a temporary solution for SH44 of Hartley and likely the permanent solution won't be for 2-3 years. He appreciates ITD working with the City to allow something to go in there. But there are turn lane problems which will require some expansion and possible change in the future. This temporary solution will take care of ITD's requirements now.

**Motion:** Motion by Council President Kiser to approve the Request for Supplemental Engineering Services No. 3 Hartley Lane and SH44 Intersection – Project No. 18015 in and amount not to exceed \$20,000.00. Motion seconded by O'Meara. Approved unanimously.

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

Angela Priest: 222 W Meadow Creek Way. She is disappointed in City Council tonight. She is concerned because on Cemetery Road there are 3 new subdivisions going in. She wonders how accurate traffic studies done during Covid-19 can be. She said Wendy Schrief from JUB Engineers misrepresented in her verbal comments and probably documents submitted to the Council the feedback that was actually share by the existing residents at the Estates at Meadow Park. We know that land will be developed, the concern is that there is a two-lane road coming into the existing neighborhood that originally was planned to be extended. However, the new developer is changing the traffic pattern so that the street she lives on will now be a main thoroughfare with traffic

---

into the new neighborhood. She said that wasn't ever adequately represented as a huge concern of the existing residents. She said the main concerns from the neighbors is the changed traffic pattern and that the residents don't feel they have been able to voice their concerns directly to the Council.

Mike Graefe: 1889 Ridge Way. Please be careful and scrutinize what is happening on the Estates at West Highlands to make sure the irrigation system is addressed and doesn't cause problems with the West Highlands Subdivision and the Estates at Meadow Park. He asked questions about public hearing process on Final Plat. Bruce said there is no public hearing on final plats. At the final plat procedure, the construction is fully complete other than the homes. All the infrastructure, road systems, and utilities are in. He asked for clarification on the road going into Stonehaven with access off of Willis. Bruce explained there is a 60 ft Right of Way collector road from the entrance through the commercial property and then goes down to a 50 ft road once it gets to the residences. The Right of Way includes the roads, the sidewalks and usually at least one or two feet outside of that, in some cases a lot more.

Greg Priest: 222 W Meadow Creek Way. He asked when the public comment was made available for the plat for the Estates at West Highlands, and did Council know that the developer doubled the lots in that area and the lots are half the size of the original lots?

Bruce said he was not at the City when the public hearings were done. But they would have had to have been done when the initial project was annexed into the City from the County. Becky Crofts was not at the City either because it happened before 2012. The annexation happened in 2005. Mayor Rule said a lot of new people have shown up since those public hearings were held. Bruce said the zoning is R-3 and the developer could have put in a lot more homes than what he has. The density is 2.14 homes per gross acre the way it was approved. That is a lot less than 3. They have a lot larger lots, and a lot fewer homes than what the developer could have done per right. He also said their common space is 9.8%. They are only required to do 5%. They could have reduced that common space and built more lots. In this case this developer has done a lot to leave the lot sizes large. He understands they are smaller than the lots to the south, but the lot size is all within the rights of R-3 zoning. The minimum lot size of R-3 zoning is 8,000 square feet. The smallest lot in this development is about 9,000 square feet and there is a lot in there that is 21,000 square feet. There was no development agreement that was done with the original project. If there would have been then the developer would have had to stay with those requirements that were done in a development agreement. The City has done everything correctly and the developer has not built up to the maximum amount of lots allowed.

Mayor Rule said if he goes back in his memory, he had left City Council and he thinks the public hearings happened sometime in 2008-2009, he wants the Priest's to know the Mayor and Council have heard the disappointment expressed. He just wants them to know current City Staff and Council were not a part of those hearings.

Council Member Garner gave an update on the School District. They have gone to a pay to play program. Middle School \$100 and High School \$200.

---

Council Member O'Meara asked if the Mayor has a timeline for the restriping of the intersection of SH44 and Middleton Rd. Mayor said he was in contact with ITD late last week. It is planned and approved, and it is on an agenda. We do not have an ETA.

Mayor Comments: Mayor, Becky and Bruce had a meeting which prompted them to readdress the Transportation Map. We brought in Joel Grounds, the Middleton traffic engineer to take a functional, common sense approach to what Middleton's Map should look like. The map is being redrawn now, will go to P&Z to let them approve it and then it will come before City Council so that there will be a record and a true Transportation Map that is adopted and approved by P&Z.

**Adjourn:** Mayor Rule adjourned the meeting at 7:51 p.m.



---

Steven J. Rule, Mayor

ATTEST:



---

Jennica Reynolds, Deputy Clerk  
Minutes Approved: August 19, 2020



