

**MELBA CITY COUNCIL
REVISED AGENDA**

Revised to include request new agenda item C

Monday March 13, 2017 7:00 pm

Roll Call: Council Members: Dickard, Forsgren, Hinderliter, Stapleton

Pledge of Allegiance: Councilmember Forsgren

PUBLIC HEARING

The purpose of the Public Hearing is to receive comments regarding the Council's intent to make a decision at the request of J. & M. Sanitation, Inc. to increase the residential and commercial fees for collection of solid waste as per the "Franchise Agreement To Perform Solid Waste Collection and Disposal Services". In summary, the City Council will consider an increase for Residential Services, Senior Rates, Commercial Rate/Can Service, 3-Yard Dumpster Service and Temporary 3-Yard Dumpster Rates.

REGULAR MEETING

1. Consent Agenda

All matters listed within the Consent Agenda are considered to be routine by the Council and will be enacted by one motion. There will be no separate discussion on the items unless the Mayor, a Councilmember or citizen so requests in which case the item will be removed from the Consent Agenda and placed on the Regular Agenda.

- A. Approve/Amend Agenda
- B. Approve draft minutes of February 13, 2017 Public Hearing and Regular Meeting
- C. Approve outstanding bills for payment.
- D. Fair Housing Proclamation proclaiming April 2017 as Fair Housing Month
- E. Arbor Day Proclamation proclaiming Saturday, April 22, 2017 as Arbor Day in the City of Melba

2. Presentations:

Items under this category do not require any action from the Council at this time and are for information purposes only. Please Note: *Presentations are subject to a three (3) minute time limit unless extension of time is deemed necessary by Mayor Luttrell and/or City Council members.*

- A. Canyon County Sheriff's Deputy – Activity report for Melba area

3. Citizen Participation:

Items under this category do not require any action from the Council at this time and are for information purposes only. Please Note: *Citizens are subject to a three (3) minute time limit unless extension of time is deemed necessary by Mayor Luttrell and/or City Council members.*

4. Business

- A. Fr. Caleb Vogle-St. Joseph's Catholic Church representative – building expansion project, may require relocation of water service.
- B. Tax Deed Properties at 126 Charlotte Dr. and 2012nd St. Melba, Idaho
- C. Kody Aldrich – to request Council allow a domestic well and septic for a 5 acre parcel within Melba City limits the property is located on War Eagle.
- D. Continue discussion regarding Melba Gun Club request for use of 20 acres of City property on Can-Ada Rd.
- E. Set Saturday, April 22, 2017 as Melba Clean-Up Day to coincide with Canyon County Resolution No. 17-027 -Waiving Landfill fees for one day only – Saturday, April 22, 2017.
- F. Request authorization for Mayor's signature on Arbor Day grant application.
- G. Discussion regarding Water Master/Public Works Superintendent position.

5. Reports:

- A. Beautification Committee Report- Councilman Stapleton
- B. City Attorney –William F Gigray
- C. City Engineer – Mike Davis – Request for approval Contractor's Application for Payment #1- Engineering invoices. Council action – approve payment in the amount of \$118,352.76 subject to USDA-RD approval
- D. Public Works – Dennis Rogers

6. Adjourn

Enclosures: Agenda, Public Hearing information, Draft Minutes of February 13, 2017 Public Hearing and Regular meeting, Monthly financial reports, Contractor's Application for Payment No. 1, Fair Housing Proclamation, Canyon County Resolution No. 17-027, Arbor Day Proclamation and miscellaneous correspondence.

If requested this agenda can be made available in appropriate alternative formats to persons with disabilities. Persons seeking an alternative format should contact Melba City Hall at 208-495-2722 for further information. City of Melba is an Equal Opportunity Employer.

City Clerk's Draft Minutes of the City Council Meeting

Caution: These Draft Minutes have not been approved by the City Council and are not therefore an official record relating to the conduct or administration of the City's business and will not be retained. At such time as Minutes of the meeting reflected herein are approved by the City Council said Minutes will become the official record of the conduct or administration of its business, as reflected therein and retained by the City Clerk's office

**City of Melba
Minutes**

Monday March 13, 2017

Councilmembers in Attendance: Dickard, Hinderliter, Stapleton

Absent: Councilman Forsgren

Also present were the following: City Engineer Mike Davis, Public Works Supt. Dennis Rogers, Randy Noble, Ada Harvey, Ginger Childers, Chad Gordon, Tory and Ben Vogel and other interested citizens

PUBLIC HEARING

Mayor Luttrell opened the Public Hearing at 7:00 pm

The purpose of the public hearing was to receive public comment regarding the Council's consideration to an to increase for Residential Services, Senior Rates, Commercial Rate/Can Service, 3-yard Dumpster Service and Temporary 3-Yard Dumpster Rates.

Mayor Luttrell presented an Opening Statement for procedures of the Public Hearing

The Staff Report included that a Notice of Fee Increase was published in the newspaper February 28, 2017 and again on March 6, 2017. There was no written comment received. The current rates are the original rates implemented in the Franchise Agreement with J&M Sanitation dated March 12, 2007.

Public Comment: Ada Harvey, 100 Matthew Ct, Melba. Mrs. Harvey concerned why the rates would need to be increase; she has lived here for 15 years, has had the same tip cart and takes good care of it.

Ginger Childers, 226 Quail Dr., Melba. Has lived in Melba about a year; Curious at why a monthly rate plus the tipcart fee is charged and how often the tips carts are replaced.

Chad Gordon, 566 Swan Falls Rd., Kuna, J&M representative. J&M has not requested rate increase during the last 10 years of the contract with Melba to help the citizens of Melba during the slow economy. In the past 10 years J&M has seen an increase in fuel, labor and insurance. New equipment costs have increased as well as an increase in maintenance of the equipment. The cost of the carts has also increased, but not significantly. Mr. Gordon commented that the carts are replaced when requested. Customers can request carts be replaced annually, or as needed free of charge. The service rate is increasing approximately \$2.00 per service, the rate for the cart will not be effected. Mr. Gordon commented that the service rate increase is compatible to other Solid Waste Collection Companies that service the area.

Councilman Hinderliter commented J&M Sanitation provides a reliable and important service to our community.

Councilman Dickard commented that because of our location, there are not many options for the service. Dickard questioned as to why a 10 year contract and could that be shorter, in case another service provider would come in with a lower rate. Mr. Gordon referred to the contract, that if there are issues that cannot be resolved a 60 day written notice from either party is required to terminate the contract, otherwise the contract is automatically extends for successive periods of 10 years.

Council closed the Public Hearing. Motion by Dickard; 2nd by Stapleton Motion Carried.

Council adopted Resolution No.102- Adopt the First Amended and Reformed Exhibit A to the J&M Franchise Agreement to Perform Solid Waste Collection Service by motion from

Council moved into regular session.

1. Consent Agenda

All matters listed within the Consent Agenda are considered to be routine by the Council and will be enacted by one motion. There will be no separate discussion on the items unless the Mayor, a Councilmember or citizen so requests in which case the item will be removed from the Consent Agenda and placed on the Regular Agenda.

- A. Approve/Amend Agenda
- B. Approve draft minutes of January 9, 2017 Public Hearing and Regular Meeting
- C. Approve outstanding bills for payment

Consent Agenda was approved as presented by motion from Dickard; 2nd by Hinderliter. Motion Carried

2. Presentations: There were no presentations.

3. Citizen Participation: Tory Vogel appeared before Council to request information regarding the City's Utility Billing policy. Ms. Vogel commented that in July 2016 they experienced a house fire. The Vogels are charged and receiving utility bills for services to an unoccupied home. When Ms. Vogel contacted the City office, information was forwarded to her regarding the Utility Billing Policies, but needed further explanation. Mayor Luttrell explained that the policies were in place to make sure the City is able to pay the City debt incurred for the maintenance and improvements required for the municipal services. Mayor Luttrell commented there are state and federal guidelines to follow which requires occasional improvements to the facilities; because there is a sewer and water connection to your property, the zero base is required to allow the city to pay the debt service. Councilman Hinderliter commented that City Council members pay the same rates and understands the frustration and burden; but as advised by our City Attorney, if the City starts making exceptions, the City could be put in a situation where they would not be able to pay the bills. Councilman Hinderliter called on City Engineer Mike Davis to offer information on how those rates were calculated. Mr. Davis explained that the base rate covers the fixed costs the City has regardless of customer usage (debt service/Bond payment); variable costs (the volume usage) is based on other costs associated with operation and maintenance of the system.

4. Business

- A.** Fr. Caleb Vogel, representing St. Joseph's Catholic Church appeared to present information regarding a plan for future expansion of the Church. The expansion would be on the east side of the Church and may require some modification of placement for the water lines. The Church will work with the City to ensure the project is completed to the requirements of the City and other agencies. Mayor and Council thanked Fr. Vogel for the information. There was no action taken or required on this item.
- B.** City Clerk reported the City has received Quit Claim Deeds on the Tax Deed properties at 126 Charlotte Dr., Melba and 201 2nd St., Melba from Canyon County. The Clerk has not received the County Resolution Transferring the property; will contact the County. At this time Clerk requested Council authorize Mayor Luttrell's signature to enter into a Property Transfer Agreement when the County's Resolution is received. Mayor's signature was authorized by motion from Hinderliter; 2nd by Stapleton. Council directed City Clerk to contact City Attorney regarding resident at 126 Charlotte Dr.
- C.** Kody Aldrich appeared before Council regarding a 5-acre parcel at the end of 4th St., on War Eagle Ct. After a few months of working with City Engineer and Staff, due the lack of utility easements and the distance to the nearest utility connection for the property it would not be feasible for a single family residence. Mr. Aldrich is requesting Council allow and approve a single well and septic for the property.

City Engineer Mike Davis commented this is a unique situation; he would not oppose a single building permit, well for domestic use and septic on the 5-acre parcel. Mr. Davis advised an Agreement to include specific requirements; abandonment of the well and septic when City services become available or if the parcel is split development improvements would be required; which ever happens first. The request was approved; Council directed City Engineer Davis to contact City Attorney Gigray to draft the Agreement by motion from Hinderliter; 2nd by Dickard. Motion Carried

- D.** Discussion regarding the Melba Gun Club use of City property adjacent to the Gun Club was tabled to a future meeting by motion from Stapleton; 2nd by Dickard. Motion Carried
- E.** Council set Melba Clean Up Day for Saturday, April 22, 2017 to coincide with Canyon County Resolution No. 17-027 – Waiving Landfill fees for one day only - Saturday, April 22, 2017 by motion from Hinderliter; 2nd by Dickard. Motion Carried.

Mayor Luttrell recognized Chad Gordon. Mr. Gordon commented J&M Sanitation will have a full crew working Melba Clean Up Day as in the past, roll offs will be set up in the Park, tires and non-working appliances will be accepted. If there is special projects the City needs help with let J&M Sanitation know. Mayor and Council thanked Mr. Gordon and J&M Sanitation for their help during clean up every year.

- F. City Clerk presented information regarding the 2017 Arbor Day Grant and Proclamation. The grant awards \$300 and is chosen by lottery every year to eligible Cities. The project chosen for this year's grant if awarded will be to re-habilitate the landscaping at City Hall. At this time City Clerk requested authorization for Mayor's signature, the Grant application is due to Idaho Nursery and Landscape March 24, 2017. Council authorized Mayor's signature by motion from Dickard; 2nd by Hinderliter. Motion Carried
- G. Councilman Dickard initiated conversation regarding replacement for Dennis Rogers. Mayor Luttrell commented he met with Mr. Rogers prior to the meeting. Mr. Rogers would like to stay with the City as Water and Sewer Operator. Hire a person to work with Dennis until certification is reached. City Clerk has advertised a seasonal position; Mayor Luttrell suggested revising the advertisement to include, may evolve to a full time year around if interested. Mayor Luttrell will meet with Clerk to create an advertisement for new City employee. No action was taken.

5. Reports

- A. Beautification Committee Report – Councilman Stapleton reported this was the Committee's first meeting this year. Main discussion included projects for Melba Clean Up Day. The Committee discussed commencing with cleaning up of properties at 201 2nd and 126 Charlotte, start removal of old playground, excavate; prepare for new playground foundation and equipment; a coat of paint on the bleachers at the tractor pull area. As in the past there will be a Continental Breakfast for volunteers at the Senior Center, City Hall will be open all day for crews to take snack and water breaks.
- B. Attorney Gigray was out of town and unable to attend.
- C. City Engineer Mike Davis presented the Request for Approval of Contractor's Application for Payment #1-Holladay Engineering invoices in the amount of \$118,352.76 regarding the Drinking Water System Improvement project.

Council approved Contractor's Application for Payment #1-Holladay Engineering invoices for payment subject to USDA-RD concurrence by motion from Hinderliter; 2nd by Dickard. Motion Carried.

Mr. Davis does not have new information regarding the drop off/pick up issues at the New Melba Elementary at this time. A meeting with Mayor Luttrell, Supt. Grover, Melba Fire Chief John Engel and Mike to walk the site and discuss options will be scheduled prior to April 10, 2017 Council meeting.

- D. Public Works Dennis Rogers reported water tank inspection and video was completed; no significant issues; seal on top of the tank needs replaced. Repaired the aerator, it is back on line. Mr. Rogers reported he has been busy with the start of Spring work; burning weeds, spraying ground sterilant around the sewer lagoons and ponds. Councilman Stapleton requested the parking lot at Centennial Park be sprayed for weeds; Beautification Committee will purchase the spray. Mr. Rogers has been storing the lawnmower, sprayer and 4-wheeler in the cinderblock building at the Park, has received quotes to install electricity and overhead door, waiting on roof and power quotes. He commented it will possibly end up over the \$7,500 appropriated to re-habilitate the building. Mr. Rogers has received information on a 24'x24' metal building to be placed on the site of the burned shed, power is already available. The shop uninsulated, no floor runs at \$13,000 to \$14,000. No action was taken.

- 6. **Adjourn** - With no other business, meeting adjourned at 8:30 pm by motion from Dickard; 2nd by Hinderliter. Motion Carried

Mayor

Attest:

City Clerk