

MELBA CITY COUNCIL
AGENDA

Monday August 13, 2018 7:00 pm

Roll Call: Council Members: Forsgren, Hinderliter, Johnshoy, Stapleton
Pledge of Allegiance: Councilmember Stapleton

ACTION
ITEM

Adopt Tentative Budget for Fiscal Year 2018-2019 as presented at the July 9, 2018 meeting.
Note: due to Stapleton's absence and Hinderliter attending via telephone forwarded to August 13 for formal adoption.

PUBLIC HEARING

Budget Hearing for Fiscal Year 2018 – 2019: Pursuant to the provisions of Section 50-1002, Idaho Code Melba City Council will receive comments regarding the proposed budget for the fiscal period October 1, 2018 - September 30, 2019. Interested persons may appear and show cause, if any, they have why said proposed budget should not be adopted.

Proposed Amendment to Budget for Fiscal Year 2017-2018: Pursuant to provisions of Section 50-1002, Idaho Code, Melba City Council will receive comments regarding the proposed amendment to Fiscal Year 2017-2018 Budget.

REGULAR MEETING

1. Consent Agenda

All matters listed within the Consent Agenda are considered routine Action Items 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 July 9, 2018 Regular Meeting
- C. Approve draft minutes of July 23, 2018 Special Meeting-Public Hearing
- D. Approve the July 2018 Treasurer's report. Inclusive of Treasurer Certification of the investment of certified funds on deposit as authorized by Idaho Code § 67-1210, which are not needed for the payment of City operational expenditures during the certified period as permitted by [Idaho Code § 57-1210].
- E. Ordinary and necessary bills to be paid presented by the Treasurer. Reviewed, by the Mayor and City Council, of the bills together with the assignment of a budget line item appropriation, for each expenditure, for Council approval as recommended by the Treasurer.

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 Dickard and/or City Council members.*

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 Dickard and/or City Council members.*

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

ACTION
ITEM

4. Business

ACTION
ITEM

A. Draft Ordinance No. 260-Appropriations Ordinance for Fiscal Year beginning October 1, 2018 and ending September 30, 2019 for review and adoption using suspension of the three (3) readings rule. Roll Call Vote: Forsgren, Hinderliter, Johnshoy, Stapleton.

ACTION
ITEM

B. Draft Ordinance No. 261 – Amending Fiscal Year 2017-2018 for review and adoption using suspension of the three (3) readings rule. Roll Call Vote: Forsgren, Hinderliter, Johnshoy, Stapleton.

ACTION
ITEM

C. Continue discussion with possible action regarding Website Administrator contract tabled from the June 25, 2018 Special meeting.

ACTION
ITEM

D. Mayor Dickard to present results of Real Property Auction held Friday, August 10, 2018 for review and or acceptance.

ACTION
ITEM

E. Draft Resolution No. 114- Resolution Designating Records Custodian and Alternate for the City of Melba for review and/or adoption.

ACTION
ITEM

F. City Engineer to present the following:

- Contractor’s Application for Payment No. 5 for HECO Engineering in the amount of \$44,964.77 for review and approval with concurrence from USDA-RD.
- Contractor’s Application for Payment No. 2 for Warrington Construction in the amount of \$548,044.41 for review and approval with concurrence from USDA-RD.
- Change Order No. 4 for Warrington Construction presented for review and approval with concurrence from USDA-RD.

ACTION
ITEM

G. Proposal submitted by Heads Up Tree Service-Dennis Geving for removal of the large elm tree at City Hall. The tree is compromising the City Hall structure and needs to be removed.

ACTION
ITEM

H. Review letters requesting waiver from Idaho State Code 23-1011B – Bars or Taverns Not Allowed Near Churches or Schools-Exceptions. Tacos El Centro and Owyhee BBQ have petitioned for State Beer and Wine Licenses. A letter from the City waiving the 300 foot restriction is required to allow the businesses to move forward for the licenses to be issued.

Melba City Code 3-1-9 - Number of Licenses restricts the number of licenses to three (3) “on premises” and three (3) “off premises”. At present the City has one (1) on premises and one (1) off premises licenses available for issue. Discussion for amendment to City Code to allow both businesses to apply for licensing.

I. Discussion regarding non-compliant properties and nuisance properties.

5. Reports

- A. Beautification Committee Report - Councilman Stapleton
- B. City Attorney – Update report for 126 Charlotte Dr
- C. City Engineer – Mike Davis
- D. Public Works – Darrell Romine

ACTION
ITEM

6. Adjourn

Enclosures: Agenda, Draft Minutes of July 9, 2018 Regular meeting, Draft minutes of July 23, 2018 Special meeting, Monthly Financial Reports, and Tentative Budget F/Y 2018-2019, Public Hearing Notices, Website Proposal, Draft Resolution No. 114, Contractor's Application for Payment No. 5 – HECO Engineering, Contractor's Pay application No. 2 for Warrington, Change Order No. 4 – Warrington, Heads Up Tree Service Proposal, Tacos El Centro and Owyhee BBQ letters, Melba City Code 3-1-9 Number of Licenses, HECO Engineering response letter - CAS-Pond 3 and any miscellaneous correspondence.

City Clerk's Approved Minutes of the City Council Meeting

These Draft Minutes have been approved by the City Council and are the official record relating to the conduct or administration of the City's business, as reflected therein.

City of Melba
Minutes

Monday August 13, 2018

Councilmembers in Attendance: Forsgren, Hinderliter, Johnshoy, Stapleton

Also present were the following: City Attorney Matthew Johnson, City Engineer Mike Davis, Public Works Darrell Romine, and other interested citizens.

Due to illness Councilman Stapleton was unable to attend and Councilman Hinderliter attending via telephone Council tabled a formal vote on the Tentative Budget for F/Y 2018-2019. At this time the Tentative Budget for F/Y 2018-2019 was adopted with correction by motion from Hinderliter; 2nd by Forsgren. Motion Carried

PUBLIC HEARING

Budget Hearing for Fiscal Year 2018 – 2019: Purpose of the public hearing is for Melba City Council to receive comments regarding the proposed budget for the fiscal period October 1, 2018 - September 30, 2019.

There was no one in attendance to offer comments regarding the proposed budget.

There was no written correspondence received.

Council did not have any further discussion.

Proposed Amendment to Budget for Fiscal Year 2017-2018: Purpose of the Public Hearing is for Melba City Council to receive comment regarding an amendment to Ordinance 254-Appropriations for Budget Year 2017- 2018. The purpose of the proposed amendment is to allow expenditures not included in the General Administration for repairs at the Park, Sewer Fund for repairs at Sewer Lagoon 3 and Water Fund budget for motor repairs at Well #2 and irrigation line repairs. An additional sum of \$53,920 will be added to the Budget F/Y 2017-2019.

There was no one in attendance to offer comments regarding to the proposed amendments to Budget F/Y 2017-2018.

There was no written correspondence received.

Council did not have any further discussion.

With no further discussion the Public Hearing was closed by motion from Hinderliter; 2nd by Forsgren. Motion Carried.

Council moved into regular business

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 July 9, 2018 Regular Meeting
- C. Approve draft minutes of July 23, 2018 Special Meeting
- D. Treasurer's Report

The Consent Agenda was approved as presented inclusive of approval and authorization for the City Treasurer to disburse funds from the City's Treasury in the amount of \$15,006.01 for payment of bills. Motion from Stapleton; 2nd by Hinderliter. Motion Carried.

2. Presentations – There were no presentations

3. Citizen Participation – There was no citizen participation.

4. Regular Business

A. Draft Ordinance No. 260 – Appropriation Ordinance for Fiscal Year beginning October 1, 2018 and ending September 30, 2019 was adopted with suspension of the three (3) readings rule by motion from Hinderliter 2nd by Forsgren. Roll Call Vote: Forsgren, Yes; Hinderliter, Yes; Johnshoy, Yes; Stapleton, Yes.

B. Draft Ordinance No. 261- Amending Appropriation Ordinance No. 254 – Appropriation for Fiscal Year 2017-18 was adopted using suspension of the three (3) readings rule by motion from Forsgren; 2nd by Hinderliter. Roll Call Vote: Forsgren, Yes; Hinderliter, Yes; Johnshoy, Yes; Stapleton, Yes.

C. Council continued discussion regarding a proposal from UP-C of Star, Idaho for Website Hosting and Administration. Mayor Dickard reached out to Mark Thayer, owner, by phone to answer a few of the questions Council had regarding the proposal and how the transfer will be handled, who would be responsible for what, and to explain the break down in costs on the proposal. After short discussion Council accepted the proposal from UP-C by motion from Hinderliter; 2nd by Stapleton. Motion Carried

D. Mayor Dickard presented the results from the August 10, 2018 Property Auction at 201 2nd St. There were two in attendance interested in the property. The winning bid from Jon Stosich for \$19,000. After short discussion Council accepted the \$19,000 winning bid amount by motion from Forsgren; 2nd by Johnshoy. Motion Carried

City Attorney advised Mr. Stosich the Preliminary Purchase Agreement was in effect for thirty (30) days and his office will contact Mr. Stosich regarding closing date and process.

E. Draft Resolution No. 114-Designating the City Clerk Records Custodian and Utility Billings Clerk the Alternate for the City of Melba was adopted by motion from Stapleton; 2nd by Johnshoy. Motion Carried.

F. City Engineer, Mike Davis presented the following for review and acceptance:

- Contractor's Application for Payment No. 5 for HECO Engineering in the amount of \$44,964.77 was reviewed and approved with concurrence from USDA-RD by motion from Stapleton; 2nd by Hinderliter. Motion Carried
- Contractor's Application for Payment No. 2 for Warrington Construction in the amount of \$545,044.41 was reviewed and approved with concurrence from USDA-RD by motion from Hinderliter; 2nd by Forsgren. Motion Carried
- Change Order No. 4 to clean existing meter boxes for accessibility and replacement of meter lids for Warrington Construction was reviewed and approved with concurrence from USDA-RD by motion from Hinderliter; 2nd by Stapleton. Motion Carried.

G. A proposal from Heads Up Tree Service for removal of the large elm on the northside of the City Hall building in the amount of \$1,400 was reviewed and discussed. The proposal includes removing the debris to the City's burn pit and grinding the stump. The purpose for removing the tree is that the roots have created a large crack in the City Hall north exterior wall, compromising the structure. The proposal was accepted by motion from Forsgren; 2nd by Stapleton. Motion Carries. City Clerk was directed to contact Heads Up for removal date.

H. Council reviewed letters submitted by Tacos El Centro, 309 Carrie Ave and Owyhee BBQ, 207 4th St requesting waiver of Idaho Code 23-1011B-Bars and Taverns Not Allowed Near Churches or Schools-Exception. Tacos El Centro and Owyhee BBQ are both within the 300 ft restriction to a Church (Melba Friends Tower Theater). Both businesses have petitioned to the State for Beer and Wine licensing. The State requires that if the City provides a letter waiving the 300 ft restriction the State will move forward with the process to issue the licenses. State requires that a business obtain a State license and County license prior to applying for the City license. Council accepted the letters; directed City Clerk to draft letters to the State allowing Tacos El Centro and Owyhee BBQ to apply for the State license by motion from Stapleton; 2nd by Forsgren. Councilman Hinderliter abstained from the vote due to conflict of

interest as owner of the Melba Friends Tower Theater. Motion Carried with Forsgren, Johnshoy and Stapleton in agreement.

Council reviewed Melba City Code 3-1-9 - Number of Licenses, restricts the number of licenses to three (3) "on premises" and three (3) "off premises". At present the City has one (1) on premises and one (1) off premises license available for issue. After discussion Council will amend City Code 3-1-9, transferring one (1) available license from "off premises" to the "on premises" allowing four (4) licenses for "on premises" and two (2) "off premises" by motion from Hinderliter; 2nd by Forsgren. Motion Carried. Council directed staff to prepare a draft amendment to Melba City Code 3-1-9.

I. Mayor Dickard commenced discussion regarding several properties out of compliance with the city's zoning and nuisance codes. Mayor Dickard has been approached by the Melba Rural Fire Commissioners regarding certain activities that are out of compliance with the location's zoning classification, as well as other structures out of compliance with zoning and nuisance. Council discussed options to move forward; City Clerk was directed to contact the Building Official to investigate and for enforcement process.

5. Reports

A. Beautification Committee Report – No report

B. Attorney Matt Johnson reported White Peterson is moving forward on ejection and quiet title plan regarding 126 Charlotte Dr. The legal description is still in question; working with Canyon County to correct or if City is able to accept the legal description with a slight variation. Attorney Johnson did not have any other items at this time.

C. City Engineer Mike Davis reported Pond 3 has been isolated and is being filled for the required seepage test scheduled for September 10, 2018.

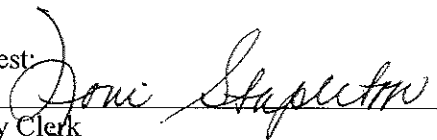
HECO is working with Pipeline regarding the invoice for the cleaning of Pond 3. Pipeline's original proposal for \$17,750; additional time when Pond 4 was discovered to be leaking, was estimated for another \$7,500. Pipeline submitted an invoice for \$40,000. \$15,000 over the submitted amount.

D. Public Works Supt. Darrell Romine reported he hired a Rebecca Wood for the remainder of the season. They have been able to keep up with the work.

7. Adjourn: With no other business, meeting adjourned at 8:45 pm by motion from Stapleton; 2nd by Forsgren. Motion Carried.

Attest:

City Clerk



City Clerk



Mayor

