

MELBA CITY COUNCIL

AGENDA

Monday March 11, 2019 7:00 pm

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

Pledge of Allegiance: Councilmember Hinderliter

PUBLIC HEARING

The purpose of the public hearing is for Melba City Council to receive comments oral or written regarding a Preliminary Plat for Melba Estates Subdivision, submitted by Jason Phillips/Keen Development, LLC. The proposed development is a vacated portion of the Original Colonial Park Subdivision No. 1 and is currently zoned R-1 Single Family Residential.

ACTION ITEM Close Public Hearing for deliberation and/or decision.

1. Consent Agenda

ACTION ITEM 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. Approval of Agenda
B. Approve draft minutes of February 11, 2019 Regular Meeting
C. Approve the February 2019 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].
D. Ordinary and necessary bills to be paid as 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.

4. Business

ACTION ITEM A. Cassie Zattiero from Bailey & Company to present Audit Report for Fiscal Year ending September 30, 2018. Council action to accept Audit F/Y 2017-2018 as presented.

ACTION ITEM B. Council to set Saturday, April 27, 2019 as Melba Clean-Up Day.

C. Chad Gordon from J&M Sanitation to offer J&M's participation in Melba Clean-Up Day.

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

D. City Engineer to present the following regarding the Drinking Water System Improvements:

- Contractor's Pay Application for Payment No. 12 – HECO in the amount of \$23,672.46 for review and approval with concurrence from USDA-RD.
- Contractor's Pay Application for Payment No. 1 – Phase 2 – Well #1 Replacement Distribution System Improvements - HECO in the amount of \$6,690.00 for review and approval with concurrence from Department of Commerce.

E. 2019 Arbor Day Proclamation proclaiming Saturday, April 27, 2019 as Arbor Day in the City of Melba.

F. Mayor's Proclamation proclaiming April 2019 as Fair Housing Month. All active Community Development Block Grant (CDBG) recipients are required to proclaim April as Fair Housing Month.

5. Reports:

- A. Melba Beautification Committee Report - Councilman Stapleton
- B. City Attorney
- C. City Engineer - Mike Davis
- D. Public Works - Darrell Romine

6. Executive Session

Council may convene into Executive Session under Idaho Code 74-206(1)(f) to communicate with legal counsel to discuss ramifications of and legal options for pending litigation. By motion and Roll Call Vote: Forsgren, Hinderliter, Johnshoy, Stapleton

ACTION
ITEM

7. Adjourn

ACTION
ITEM

Enclosures: Agenda, Draft Minutes of February 11, 2019 Regular Meeting, Monthly Financial Reports, Public Hearing Staff Report, Contractor's Pay Application No. 12-HECO Engineering-USDA-RD, Contractor's Pay Application No. 1-HECO Engineering – Department of Commerce, Fair Housing Proclamation, Arbor Day Proclamation and miscellaneous correspondence.

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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 March 11, 2019

Councilmembers in Attendance: Forsgren, Hinderliter, Johnshoy, Stapleton

Also present were the following: City Attorney Bill Nichols, City Engineer Mike Davis, Public Works Supt. Darrell Romine, and interested citizens

PUBLIC HEARING

The purpose of the public hearing was for Melba City Council to receive comments oral or written regarding a Preliminary Plat for Melba Estates Subdivision, submitted by Jason Phillips/Keen Development, LLC. The proposed development is a vacated portion of the Original Colonial Park Subdivision No. 1 and is currently zoned R-1 Single Family Residential

Mayor Dickard opened the Public Hearing at 7:00 pm. Mayor Dickard presented the Opening Statement.

City Clerk presented the Staff Report.

Testimony in Favor

- Kurt Smith, Intermountain Engineering – 2587 Southside Blvd., Melba, Idaho is the Project Engineer for the project. Is confident they have addressed concerns of the City Engineer. Mayor Dickard inquired if concerns of additional traffic expressed at the Planning and Zoning hearing have been addressed, Mr. Smith commented the developers will start the improvements where existing Rimview Dr. ends, to the City's specifications, the developers are not required to make improvements to an existing road. There is an issue of a piece of "orphaned" property that the property owners requested the developer possible incorporate it into the proposed subdivision. The developer is not interested in purchasing/incorporating the strip into the proposed subdivision. Councilman Stapleton commented the application did not indicate there will be street lights.
- Cheyne Weston – 16316 Orchard Ave., Caldwell, Idaho is the consulting agent for Mr. Phillips. Commented a walking path will be constructed in lieu of extending the stub street at Peregrine. Existing trees will be removed along Southside Blvd., an irrigation line will be installed and landscaped as part of the common space required for development. Concern for the birds of prey that nest in the trees that are to be removed; Mr. Weston commented while visiting the site they have not witnessed any birds of prey nesting, but if there are, in his experience the birds and/or other wild life will move to other sites as development occurs.

Neutral/Opposition

- Tory Vogel, 108 Rimview Dr., Melba, Idaho. Ms. Vogel reiterated her testimony from the P& Z hearing regarding the increase in traffic for Rimview Dr. Ms. Vogel would like to see a road developed accessing Southside Blvd. to help with the excess traffic.

Rebuttal by Applicant

- Kurt Smith, Project Engineer, commented the developer is in compliance with Nampa Highway District requirements for the streets, ingress/egress and the City's requirements for curb, gutter, sidewalk and stormwater drainage. In reference to the property on the east side of the development, the property is not owned by the developer; cutting a roadway through it to Southside would require purchase or easement from the property owner, the developer is not interested in the property.

- Mr. Weston commented this development is adhering to the existing requirements for road width and curb, gutter and sidewalk. Improvements to the existing Rimview Dr. could be completed through the homeowners with the formation of a Local Improvement District (LID). The developers are not required to improve the existing road. The SWPP permit will address the environmental and birds of prey concerns.

At this time Mayor Dickard called on City Engineer Mike Davis to comment.

- City Attorney Mike Davis commented if improvements are required, the developer will be responsible to ensure the Lift Station has capacity for the proposed connections. Street lights are required as part of HECO comment letter December 2017; street lights are shown on the preliminary plan. Mr. Davis agreed there will be additional traffic on the existing section of Rimview Dr; 12' travel lanes was standard at the time of construction. Mr. Davis provided Council with a plat of the "orphaned" property in question. The property is adjacent to the eastside of the proposed subdivision, it is unclear who is in ownership, the property to the east across Southside is owned by Daniel and Pat Britzius, there is also reference to a Jarod and Tiffaney Spurrier as owners of a portion. Mr. Davis continued to comment that the proposed pedestrian walk-way at the Peregrine stub street and landscaping proposed on the east boundary of the subdivision serves as the Open or Common Space required within the development. Mr. Davis reiterated that as part of his December 2017 comment letter, street lights are required; they are shown on the plans, there is future plans to access Southside Blvd. from Atwell Dr shown in the City's Transportation Master Plan. Mr. Davis clarified for the record, the City of Melba is the jurisdiction for streets within the City of Melba, not Nampa Highway District.
- Don Conklin requested to comment. Mayor Dickard recognized Don Conklin, 311 White Rock way, Melba, Idaho. Mr. Conklin commented he has held the position of President of the Homeowners Association since 2006, and has not noticed nesting birds of prey, there are other birds and animals, but no birds of prey.

If Council has enough information, Mayor Dickard entertained a motion to close the Public Hearing. The Public Hearing was closed by motion from Hinderlter; 2nd by Forsgren. No further testimony was taken.

With no other questions or comments motion to approve the Preliminary Plat for Melba Estates, directing Staff to prepare Findings of Fact, Conclusions and Order of Law; continuing the Public Hearing to April 11, 2019 for review and approval of the Findings was made by Forsgren; 2nd by Hinderliter. Roll Call Vote: Forsgren, Yes; Hinderliter, Yes; Johnshoy, Yes; Stapleton, Yes.

Mayor Dickard requested a short recess.

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 Mayor, a Councilmember or citizen so requests in which case the item will be removed from the Consent Agenda a placed on the Regular Agenda.

- A. Approve Agenda
- B. Approve draft minutes of February 11, 2019 Regular meeting.
- C. Treasurer's Report

The Consent Agenda was approved as presented inclusive of approval of and authorization for the City Treasurer to disburse funds from the City's Treasury in the amount of \$12,354.85 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. Cassie Zattiero, Bailey presented the City's Audit for the 2017-2018 Fiscal year. Ms. Zattiero reported a clean Audit for the City. The City is in good standing. With no questions or comments from the Council, the Audit for Fiscal Year 2017-18 was accepted as presented by motion from Hinderliter; 2nd by Forsgren. Mayor and Council thanked Ms. Zattiero for the report.

B. Council set Melba Clean-Up Day for Saturday, April 27, 2019 to coincide with Canyon County Resolution to waive landfill fees for the same date, by motion from Stapleton; 2nd by Forsgren. Motion Carries

C. City Engineer presented the following for review and acceptance

- Contractor's Pay Application No. 12 for HECO Engineers was approved for payment in the amount of \$23,672.46 with concurrence of USDA-RD by motion from Hinderliter; 2nd by Stapleton. Motion Carried.
- Contractor's Pay Application No.1 for HECO Engineers in the amount of \$6,690.00 was approved with concurrence from Department of Commerce by motion from Stapleton; 2nd by Hinderliter. Motion carried.

D. Mayor Dickard presented the 2019 Arbor Day Proclamation proclaiming Saturday, April 27, 2019 as Arbor Day in the City of Melba.

E. Mayor Dickard presented the 2019 April as Fair Housing Month Proclamation as required by Department of Commerce for cities with active Idaho Community Development Block Grants.

5. Reports

A. Beautification Committee – Councilman Stapleton reported the Committee discussed projects for Clean-Up Day, promotional ideas to help participation, the Committee will offer a \$100 Award for groups and/or organizations competing in the clean-up. The Committee also discussed playground cover for the area outside of the play equipment, Mayor Dickard will get proposals for the April meeting. Melba was invited to apply for Arbor Day Grant funds in the amount of \$300 through Idaho Nursery & Landscape Association (INLA) with a \$75 match amount required. The Committee will be submitting an application.

B. City Attorney Bill Nichols introduced Kirk Houston, Kirk will be the City's Attorney from White Peterson attending City Council meetings.

C. City Engineer did not have any items for Council at this time.

D. Public Works Supt., Darrell Romine reported one of the water pumps at the Colonial Park Lift Station will need to be replaced, cost estimate is at \$1,662.00. Council authorized Darrell to move forward with the replacement work.

Darrell presented the Council with information regarding Cross Connection Control Policy. It is required that the City implement a policy to protect the City's water supply from possible contamination from residential and commercial connections not having backflow devices on certain connections. No action was taken at this time.

6. Executive Session

Council Convened into Executive Session citing Idaho Code 74-206(1)(f) to communicate with legal counsel to discuss ramifications of and legal options for pending litigation. By motion from Hinderliter; 2nd by Stapleton. Roll Call Vote: Forsgren, Yes; Hinderliter, Yes; Johnshoy, Yes; Stapleton, Yes.

Out of Executive Session Council motioned back into Regular Session and declared there were no actions taken in Executive Session by motion from Forsgren; 2nd by Johnshoy.

6. Adjourn - With no other business, meeting adjourned at 9:15 pm by motion from Forsgren; 2nd by Stapleton. Motion Carried

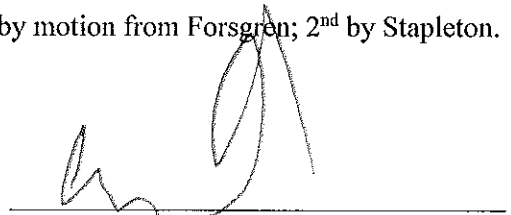
Attest:

City Clerk



Handwritten signature of Joni Stapleton in cursive script, written over a horizontal line.

Mayor



Handwritten signature of the Mayor in cursive script, written over a horizontal line.

