

**MELBA CITY COUNCIL
AGENDA**

Monday December 9, 2019 7:00 pm

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

PUBLIC HEARING

**ACTION
ITEM**

This is a continuance of the November 11, 2019 Public Hearing regarding the rezone for 112 4th St., Melba, Idaho – Melba Valley Market. Council to set a date certain for a decision. No new testimony will be taken.

REGULAR SESSION

**ACTION
ITEM**

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. Approval of Agenda
- B. Approve draft minutes of November 11, 2019 Public Hearing/Regular Meeting
- C. Approve the November 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.
- E. Approval of the listed Alcohol Beverage Licenses for January 1, 2020 – December 31, 2020
 - Beer & Wine License No. 1 - Mi Tierra - off premises
 - Beer/Wine & Liquor License No. 2 – Cook's Two Hole Bar and Grill - on premises
 - Beer/Wine & Liquor License No. 3 – Buck's Saloon and Steakhouse - on premises
 - Beer & Wine License No. 4 – Owyhee BBQ – on premises
 - Beer & Wine License No. 5 – Melba Valley Market – off premises

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.*

**ACTION
ITEM**

4. Business

- A. Review for acceptance, Canyon County Clerk's certification of election results for the November 5, 2019 Election for 2 Council seats.

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**

B. City Attorney to present draft Memorandum of Understanding between the City and the Senior Center regarding use of the former Library building at City Park.

**ACTION
ITEM**

D. Review Melba City Code 3-1-11 Liquor Control – Days and Hours of Sales for possible amendment.

**ACTION
ITEM**

E. Review for acceptance and to set a Public Hearing date before Melba City Council. Findings of Fact and Recommendation submitted by Melba Planning & Zoning – Annexation 2019-01 Application submitted by Jon Mortensen.

5. Reports

- A.** Melba Beautification Committee - Councilman Stapleton
- B.** City Attorney – Kirk Houston
- C.** City Engineer - Mike Davis
- D.** Public Works - Darrell Romine
- E.** Building Official – Chuck Pavelka-written report

**ACTION
ITEM**

6. Executive Session

Council may convene into Executive Session under Idaho Code 74-206(1)(b) to hear complaints or charges brought against a public officer, employee, staff member or individual agent. By motion and Roll Call Vote: Forsgren, Hinderliter, Johnshoy, Stapleton

7. Adjourn

Enclosures: Agenda, Draft Minutes of November 11, 2019 Public Hearing/Regular Meeting, Monthly Financial Reports, Certification of Election – Canyon County Clerk, draft Memorandum of Understanding between the City and the Senior Center, Melba City Code 3-1-Liquor Control, Findings of Fact and Recommendation – Annexation 2019-01 Jon Mortensen, Building Official written report, and 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 December 9, 2019

Councilmembers in Attendance: Forsgren, Hinderliter, Johnshoy, Stapleton
Councilmembers Absent:

Also present were the following: City Attorney Kirk Houston, City Engineer Mike Davis, Public Works Supt. Darrell Romine, Building Official Chuck Pavelka, Gay Pavelka, Rick George and interested citizens.

PUBLIC HEARING

This was a continuance of the Public Hearing from the November 11, 2019 regarding the rezone request Melba Valley Market Rezone

Mayor Dickard offered information from a phone conversation with Chuck Pavelka, Building Official regarding the information he is requiring for inspections to be completed. Mayor suggested a meeting with Mr. George, Building Official can meet on weekends and after 6:30 pm. Mr. Pavelka agreed to contact Mr. George to set up a meeting.

Mr. Pavelka commented he needs a set of working plans to know what he is inspecting. Mr. Pavelka's request is supported by the City's adopted Building Code.

City Attorney advised Council should not be arbitrator for the interpretation of the Building Code.

Mr. Pavelka commented that if the issue cannot be resolved there is a process prescribed in Building Code for mediation of an issue; he commented he had not had to use the process in his 20 years as a Building Official.

Mr. George needs to provide a set of plans and obtain a permit for the work to be inspected.

With no other comments from Council or Building Official Council closed the Public ^{Hearing} ~~Haring~~ and accepted Melba Planning and Zoning Commission's Findings of Fact and Recommendation for approval by motion from Hinderliter; 2nd by Stapleton.

After deliberation on this issue Council directed Staff to draft Findings of Fact and Conclusion of Order allowing 120 days for Mr. George to submit plans as conditioned in the Melba Planning & Zoning Commission's Findings of Fact and Recommendation as accepted by motion from Hinderliter; 2nd by Stapleton.
Roll Call Vote: Forsgren, Yes; Hinderliter, Yes; Johnshoy, Yes; Stapleton, Yes.

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 November 11, 2019 Public Hearing/Regular Meeting
- C. Treasurer's Report

Consent Agenda was approved with correction to include Tacos El Centro Beer/Wine License No. 6 for issue inclusive of approval of and authorization for the City Treasurer to disburse funds from the City's Treasury in the amount of \$ 19,742.40 for payment of bills to include regular bills that have not been received. Motion from Hinderliter; 2nd by Forsgren. Motion Carried.

2. Presentations:

There were no presentations

3. Citizen Participation:

4. Regular Business:

A. Canyon County Clerk's certification of election results for the November 5, 2019 Election was accepted by motion from Hinderliter; 2nd by Forsgren.

Results: Melba had 222 registered voters; 23 Ballots were cast; 2 absentee ballots received; percent of voters voting 10.4%. Jeannine Johnshoy retained her seat with 21 votes; Write-In Tyler Stapleton received 6 votes.

B. City Attorney Houston presented a draft Memo of Understanding between the City of Melba and Melba Valley Senior Center for use of the former Library Building at City Park for a Thrift Store. After review, the draft was accepted, Council directed City Clerk to forward Memo of Understanding to Melba Valley Senior Center Board for review and signature. Draft a Resolution to authorize Mayor's signature for the January 13, 2020 City Council meeting by motion from Stapleton; 2nd by Forsgren. Motion Carried

C. It was the consensus of the Council not to amend Melba City Code 3-1-11 Liquor Control-Days and Hours of Sales at this time.

D. Council reviewed and accepted Melba Planning & Zoning Commission's Findings of Fact and Recommendations for Annexation 2019-01-Jon Mortensen. A Public Hearing date was set for Monday, January 13, 2020 at 7:00 pm at Melba City Hall by motion from Hinderliter; 2nd by Stapleton. Motion Carried.

5. Reports

A. Beautification Committee – No report.

B. City Attorney Kirk Houston – Did not have any additional items at this time.

C. City Engineer Mike Davis reported

- Is preparing for the 11 month meeting to conduct a walkover of the Drinking Water System Project. Requested attendees include Mike Davis, City Engineer, Mayor Dickard, USDA-RD representatives and Public Works Supt., Darrell Romine. The meeting was scheduled for Wednesday, December 18, 2019, 9:30 am to 11:00 am.
- Mr. Davis reported the Local Rural Highway Improvement Program (LRHIP) grant application for chip sealing has been submitted December 2, 2019. The funding is for project completed in the Fiscal Year 2020-2021, the City will need to expend the \$25,000 budgeted and the \$11,200 received from Warrington to chip seal the areas Warrington cut and repaired for new distribution lines this year, but it was included in the application to show the City's use of their own funds.
- The City should be receiving response comments from Local Highway Technical Assistance Council (LHTAC) regarding the Transportation Alternatives Program (TAP) application for the improvements on Carrie Rex Ave from 4th St. to 2nd St submitted November 8, 2019 for pre-screening of the application soon. The full complete application is due February 2, 2020.

Approved

City of Melba ~~Draft~~ Minutes of
Dec. 9, 2019 cont'...

- Once the property owner is in agreement with the Business Sign Mr. Davis will prepare the written legal description for the easement; a lease can then be drafted. Mayor Dickard will contact Mr. Jameson this week.

D. Public Works Supt., Darrell Romine reported equipment has been moved in on the Charlotte Dr. property for demolition, Mr. Dice will place construction fence around work area. Public Works Supt. Romine has been reviewing the camera logs from the hydro clean and video of the sewer lines.

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

Attest:

City Clerk





Mayor

12/09/19
15:44:58

CITY OF MELBA
Claim Approval List
For the Accounting Period: 12/19

Page: 1 of 5
Report ID: AP100V

For doc #s from 5726 to 5747, First Interstate Bank
* ... Over spent expenditure

Claim/	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
5731		14 ANALYTICAL LABORATORIES, INC.	16.00					
	68155	11/30/19 Monthly TC	16.00			25 43400	350	10103
		Total for Vendor:	16.00					
5742		22 BOISE-KUNA IRRIGATION	4,104.12					
	932C	12/20/19 126 Charlotte-932 C	222.05			1 41000	390	10103
	1800	12/20/19 Township1800/879-02	953.38			25 43400	400	10103
	930A	12/20/19 City Park-930 A	966.51			1 43800	400	10103
	932B	12/20/19 7420 Hove Rd-WWPonds-932 B	1,962.16			26 43500	390	10103
		Total for Vendor:	4,104.12					
5741		140 CenturyLink	349.23					
	11/25/19	Well House #1-DSL	73.98			25 43400	690	10103
	11/25/19	Col. Park Lift Station	39.99			26 43500	690	10103
	11/25/19	Sewer Screen Building	39.99			26 43500	690	10103
	11/25/19	City Hall phone lines/Broadban	195.27			1 41000	690	10103
		Total for Vendor:	349.23					
5740		35 CHUCK PAVELKA	3,112.15					
	11/30/19	BP#463-Blue Ox Lane	3,112.15			1 41900	340	10103
		Total for Vendor:	3,112.15					
5736		193 Dennis Rogers	225.00					
	023	11/30/19 Contract B/Up Operator DWC	75.00			25 43400	300	10103
	023	11/30/19 Contract B/Up Operator WW	150.00			26 43500	300	10103
		Total for Vendor:	225.00					
5743		85 IDAHO PRESS-TRIBUNE	107.93					
	121932538	12/20/19 PH Notice-Annex-2019-02,03,	107.93			1 41000	650	10103
		Total for Vendor:	107.93					
5733	E	87 IDAHO STATE TAX COMMISSION	296.00					
	12/20/19	Admin Salary	150.00			1 41000	110	10103
	12/20/19	Hwy Salary	146.00			1 43100	110	10103
		Total for Vendor:	296.00					
5744		999999 INIS FOX	92.08					
	12/03/19	Christmas Tree-Cent Park	92.08			1 41000	710	10103
		Total for Vendor:	92.08					
5730		94 J&M SANITATION	5,024.75					
	11/30/19	Trash Collections-Nov 2019	5,024.75			28 43600	320	10103
		Total for Vendor:	5,024.75					
5745		195 Noni Stapleton	83.71					
	12/08/19	Christmas supplies	83.71			1 41000	390	10103
		Total for Vendor:	83.71					

12/09/19
15:44:58

CITY OF MELBA
Claim Approval List
For the Accounting Period: 12/19

Page: 2 of 3
Report ID: AP100V

For doc #s from 5726 to 5747, First Interstate Bank
* ... Over spent expenditure

Claim/	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
5732	E	128 PERSI	1,881.97					
		12/09/19 PERSI	425.08			1 41000	110	10103
		12/09/19 PERSI	1,067.08			1 41000	210	10103
		12/09/19 PERSI	389.81			1 43100	110	10103
		Total for Vendor:	1,881.97					
5746		217 POSTMASTER	120.00					
		12/30/19 Mail Box rent-Annual	40.00			1 41000	390	10103
		12/30/19 Mail Box Rent-Annual	40.00			25 43400	390	10103
		12/30/19 Mail Box Rent-Annual	40.00			26 43500	390	10103
		Total for Vendor:	120.00					
5747		342 U-PC Boise	1,375.00					
		1166 12/04/19 Annual Website Contract	459.00			1 41000	710	10103
		1166 12/04/19 Annual Website Contract	458.00			25 43400	390	10103
		1166 12/04/19 Annual Website Contract	458.00			26 43500	390	10103
		Total for Vendor:	1,375.00					
5735	E	215 United States Treasury	2,188.48					
		12/15/19 Fed-941 report 4th qtr 2019	708.67			1 41000	110	10103
		12/15/19 Fed-941 Report 4th qtr 2019	771.74			1 41000	210	10103
		12/15/19 Fed-941 Report 4th qtr 2019	345.00			1 43800	110	10103
		12/15/19 Fed-941 Report 4th qtr 2019	363.07			1 43100	110	10103
		Total for Vendor:	2,188.48					
5727		175 VERIZON WIRELESS	97.36					
		9843063444 11/26/19 Clerk cell phone	53.68			1 41000	690	10103
		9843063444 11/26/19 Public Works cell/internet	43.68			25 43400	690	10103
		Total for Vendor:	97.36					
5738		334 WEX Bank	145.55					
		62565378 11/30/19 Pick up fuel	145.55			25 43400	390	10103
		Total for Vendor:	145.55					
5726		181 WHITE PETERSON ATTORNEYS AT LAW	523.07					
		137012 11/30/19 Nov 2019 Retainer	375.00			1 41000	650	10103
		137012 11/30/19 Nov 2019 Retainer	125.00			25 43400	650	10103
		137012 11/30/19 mileage	22.04			1 41000	650	10103
		137013 11/30/19 NON Retainer-efiling fee	1.03			1 41000	650	10103
		Total for Vendor:	523.07					
		# of Claims	17	Total:				19,742.40
		Total Electronic Claims						4,366.45
		Total Non-Electronic Claims						15375.95

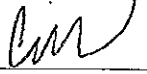
12/09/19
15:44:58

CITY OF MELBA
Fund Summary for Claims
For the Accounting Period: 12/19

Fund/Account	Amount
1 General	
10103 General Cash Account	\$10,096.90
25 Water	
10103 General Cash Account	\$1,930.59
26 Sewer	
10103 General Cash Account	\$2,690.16
28 Solid Waste	
10103 General Cash Account	\$5,024.75
Total:	\$19,742.40

Claim Approval Signature

Approved 12/9/19
Date

Signature 
Mayor