

**TENTATIVE AGENDA
REGULAR MEETING OF MELBA CITY COUNCIL
Melba City Hall 401 Carrie Rex Ave
Melba, Idaho 83641**

Please Note: To meet the requirements of social distancing Melba City Council will meet at the American Legion Hall, 304 4th St., Melba, Idaho 83641

Monday June 21, 2021 7:00 pm

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

PUBLIC HEARING

ACTION ITEM The purpose of the Public Hearing is to allow Melba City Council to receive comments written or oral for consideration regarding a proposed ordinance to enact an Emergency Moratorium prohibiting the acceptance or processing of any land division applications for up to one hundred eighty-two (182) days.

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 May 10, 2021 Regular Meeting
- C. Approve the May 2021 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, to include bills not yet received 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

- A. Review for approval Ordinance No. 275 – An Emergency Ordinance for Moratorium on Land Division Permits using suspension of the three (3) readings rule. Roll Call Vote: Forsgren, Hinderliter, Johnshoy, Stapleton.

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

**ACTION
ITEM**

B. Review for approval Notice and Published Summary City of Melba Ordinance No. 275 – Moratorium on Land Division Permits. Roll Call Vote: Forsgren, Hinderliter, Johnshoy, Stapleton.

**ACTION
ITEM**

C. Mayor Dickard recommendation of Tori Vogel and Megan Brown for appointment to Melba Planning and Zoning Commission to fill two (2) vacant seats with concurrence of City Council.

D. House Bill 389 – Relating to Property Taxes. Attorney Marc Bybee to present information regarding new legislation that limits how much government entities can collect in property taxes for new construction.

E. Public Works Supt. request authorization to replace the gas sensor at the Waste Water Treatment Plant, the original sensor has stopped working, creating a safety issue.

**ACTION
ITEM**

5. Reports

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

6. Workshop session for Council regarding Fiscal Year 2021-2022 Budget. This is an open meeting. Council will not be taking input from audience at this time.

7. Adjourn

Enclosures: Agenda, Draft Minutes of May 10, 2021 Regular Meeting, Monthly Financial Reports, List of Bills paid, Draft Ordinance 275-Moratorium on Land Division and Notice and Published Summary, HB 389-Limitation on Property Tax for New Construction, Building Official Report, and any 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 June 21, 2021

Note: Change in location: To meet the requirements of social distancing Council met at the Friends Tower Theater, 321 Carrie Rex Ave., Melba, Idaho.

Attendance: Forsgren, Hinderliter, Stapleton, Johnshoy

Also in Attendance: City Engineer Mike Davis, City Attorney Marc Bybee, Public Works Supt. Darrell Romine, and other interested citizens.

Mayor Dickard opened the meeting with Roll Call and requested an amendment to the Agenda. Move Business item A – Draft Ordinance No. 275 – Emergency Ordinance for Moratorium on Land Division Permits into the Public Hearing portion of the meeting.

Councilman Forsgren motioned to amend the Agenda moving Business Item A to the Public Hearing portion; 2nd by Stapleton. Motion Carried.

PUBLIC HEARING

The purpose of the Public Hearing was to allow Melba City Council to receive comments written or oral for consideration regarding a proposed ordinance to enact an Emergency Moratorium prohibiting the acceptance or processing of any land division applications for up to one hundred eighty-two (182) days.

Mayor Dickard read an Opening Statement explaining the purpose of the hearing and the procedure that will be followed.

Testimony was taken in order of sign-in.

Jake Plaine, 6247 Melba Rd., Melba, Idaho. Mr. Plaine understands development is going to happen and agrees with moratorium to allow development to be done in a positive way. Feels the larger lots in the subdivision proposed off of Randolph Ave is a good idea, but the proposed project to the north is too high of density. Mr. Plaine appreciates the opportunity to offer an opinion on development. Mr. Plaine commented he hopes this meeting will help curb all the misinformation that is being placed on social media.

Jon Stosich, 6579 Blue Ox Lane, Melba, Idaho. Mr. Stosich is the developer for Freedom Park Subdivision, just north of the Royalmaid. Mr. Stosich commented on the history of project, annexing his property in 2006, submitting an application in 2019 under the policy and purpose in the Planned Unit Development section of Melba City Code. His project proposed is thirty-two (32) homes on thirteen (13) acres. He feels both of the subdivisions proposed on Randolph are good plans, following the City's requests. The water and sewer facilities have capacity for the proposed projects. The roads are wider than streets required in surrounding area. Mr. Stosich commented active projects should be allowed to move forward.

Marc Bybee, City Attorney, White Peterson, 5700 E Franklin Rd., Nampa, Idaho. Attorney Bybee reminded Council that Planned Unit Developments (PUD) are different than Subdivisions; PUD projects are submitted as "plans"; Subdivisions are "plats". All of the applications Attorney Bybee has seen are plats and should not continue under the PUD process.

Kathleen Mallory, 1091 Can-Ada Rd., Melba, Idaho. Agrees with the moratorium. Growth can be positive when it is done with vision and directed by policy.

Kathy Hill chose not to speak at this time.

James Daly, 12740 La Miranda Lane, Melba, Idaho. Supports the City's choice to delay the projects. Melba needs growth, as long as it is done wisely. Mr. Daly feels the subdivisions will impact the schools in a positive way. Mr. Daly commented time and effort has been put into the existing projects and should not be subject of the moratorium.

Marc Bybee, City Attorney, White Peterson, 5700 E Franklin Blvd., Nampa, Idaho 83687. Although Attorney Bybee planned to address HB389 later in the agenda, Attorney asked the Mayor if he wanted to move the discussion up into the Public Hearing, Mayor Dickard has another person signed in to speak, once all of the testimony is taken Attorney Bybee may speak on the bill. Jenny Daley passed on her opportunity to speak. Mayor Dickard called on Attorney Bybee to speak to the effects HB389 will have on City budgets.

Before closing the Public Hearing Mayor Dickard allowed one more person to comment.

Alicia Peterson, 4433 Southside Blvd., Melba, Idaho. Ms. Peterson supports property rights and feels people should be allowed to do what they want with their property, Ms. Peterson read the Mission Statement from Melba City website, commenting she does not see anyone benefitting from the developments except the developers. The growth will bring more houses and people, but it will not create business. It is going to bring big city and all the issues that come with it. When they do away with farmland, they do away with food sources.

Mayor Dickard thanked Ms. Peterson for her comments.

The public hearing was closed by motion from Hinderliter; 2nd by Forsgren. Motion Carried.

After discussion and questions from Council to Staff members Mayor Dickard entertained a motion to suspend the three (3) readings rule for Ordinance No. 275 – An Emergency Ordinance for Moratorium on Land Division Permits. Councilman Forsgren motioned to suspend the three (3) readings rule; 2nd by Stapleton. Motion Carries.

Mayor Dickard read Ordinance No. 275 – Emergency Ordinance for Moratorium on Land Division Permits by title. Councilman Hinderliter motioned to approve Ordinance No. 275 - Emergency Ordinance for Moratorium on Land Division Permits using suspension of the three (3) readings rule; 2nd by Forsgren. Roll Call Vote: Forsgren, Yes; Hinderliter, Yes; Stapleton, Yes; Johnshoy, 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 May 10, 2021 Regular Meeting
- C. Treasurer's Report

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 \$23, 974.46 for payment of bills to include bills that have not been received. Motion from Hinderliter; 2nd by Forsgren. Motion Carried.

2. Presentations:

There were no presentations.

3. Citizen Participation:

There was no citizen participation.

4. Business

A. Agenda was amended to move Ordinance No. 275 – Emergency Ordinance for Moratorium on Land Division Permits into the Public Hearing portion of the meeting.

B. Council reviewed Notice and Published Summary for City of Melba Ordinance No. 275 for publication. The Notice and Published Summary was accepted for publication by motion from Forsgren; 2nd by Hinderliter. Roll Call Vote: Forsgren, Yes; Hinderliter, Yes; Stapleton, Yes; Johnshoy, Yes.

C. Mayor Dickard recommended Tori Vogel for appointment to Melba Planning and Zoning as City Limits Representative. Council approved the appointment by motion from Stapleton; 2nd by Forsgren. Motion Carried

Mayor Dickard recommended Megan Brown for appointment to Melba Planning and Zoning as City Limits Representative. Council approved the appointment by motion from Johnshoy; 2nd by Hinderliter. Motion Carried

D. Attorney Bybee offered further information regarding HB389 not discussed during the Public Hearing.

E. Public Works Supt., Darrell Romine requested authorization to replace the gas sensor at the Wastewater Treatment Plant for a proposed cost of \$3,000. The original sensor has stopped working, this creates a safety issue. Council approved the expenditure by motion from Stapleton; 2nd by Forsgren. Motion Carried.

5. Reports

A. Beautification Committee – Mayor Dickard reported met Monday, June 14, 2021. The new playground equipment project being managed by Laura Forsgren was discussed. Laura surveyed the kindergarten and 1st graders for ideas for the Tri-Rider. The theme for the riders will be First Responder. The equipment to be ordered, an ambulance, helicopter, and police car. Laura will manage the installation of the equipment once it is received. Mayor Dickard will contact the Berry Connection, LLC regarding the engineered wood chips for the playground.

Mayor Dickard asked City Engineer Davis about the proposed business sign to be installed, the cement workers need to get the project scheduled. Mike has the stamped plans with him. The city will need to apply to Canyon County for a building permit.

B. City Attorney Bybee reported his main focus was the Moratorium he completed that and then was out for the week the other attorneys in the office were able to answer questions that came in regarding the moratorium as well as HB389. Feels the subdivision ordinance can be finalized and put into draft ordinance format for review by Staff; Mayor Dickard requested the draft be available to Council members to review on their own prior to the July Council meeting. Attorney Bybee advised the Councilmembers should not engage in discussion via email, it would be an open meeting violation. Questions should be directed to the Mayor, Staff or himself.

C. City Engineer Mike Davis reported on the following:

- Well #3-Replacement of Well #1 project – Is working the City of Kuna Public Works Director for driller contacts they have used. Darrell came across a contact in Eastern Idaho, American Falls.
- Mike reported the Seepage test for pond 8 came in last week, results should be coming in soon.

- Mike reported Melba Estates is under construction, Darrell has been watching the construction, Mike has had limited conversations, main issue still seems to be the irrigation system. Meter parts are also limited and taking longer to get delivered.
- City Hall project – Needs clarification on City Hall project, last time there were several scenarios and locations, so he had not worked on the project. Mayor Dickard agreed, there are items we need to get addressed before we work on that project.
- Mike had no further items for Council.

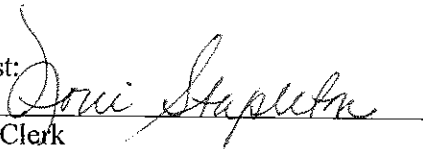
D. Public Works Supt., Darrell Romine just waiting on results for Pond 8 Seepage test; Melba Estates project going well.

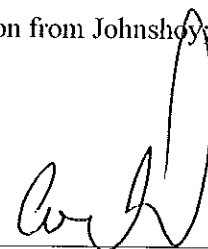
E. Mayor Dickard read the Building Official's written report.

Due to scheduling conflicts, a quorum is not available for scheduled July 12, 2021 Council meeting. The meeting has been re-scheduled to Wednesday, July 14, 2021, 7:00 pm.

6. **Adjourn** - With no further business, meeting adjourned at 9:10 pm by motion from Johnshoy; 2nd by Stapleton. Motion Carried.

Attest:
City Clerk





Mayor

06/16/21
14:39:51

CITY OF MELBA
Claim Approval List
For the Accounting Period: 6/21

Page: 2 of 3
Report ID: AP100V

For doc #s from 6670 to 6702, 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
6685		94 J&M SANITATION 05/31/21 Trash Collections-May 2021	4,796.70 4,796.70			28 43600	320	10103
		Total for Vendor:	4,796.70					
6698		999999 JOSH AXTELL	78.34					
Acct #158		Title Company paid assessments after Axtells paid bill.						
		06/16/21 Refund Overpayment-Closing	78.34			25 22900		10103
		Total for Vendor:	78.34					
6702		126 OX ARC, INC. SPOKANE	428.33					
		31277517 05/27/21 Sodium Chlorite x 2	353.33			25 43400	390	10103
		31277517 05/27/21 Deposit on container	50.00			25 43400	390	10103
		31277517 05/27/21 Shipping	25.00			25 43400	390	10103
		Total for Vendor:	428.33					
6694	E	128 PERSI	1,986.62					
		06/16/21 Admin Salary	471.27			1 41000	110	10103
		06/16/21 FICA/Retirement	1,116.87			1 41000	210	10103
		06/16/21 Hwy Salary	398.48			1 43100	110	10103
		Total for Vendor:	1,986.62					
6700		246 Snake River Pest LLC	20.00					
		06/12/21 Maintenance contract	20.00			1 41000	710	10103
		Total for Vendor:	20.00					
6701		349 Sterling Codifiers/American	162.00					
		8738 05/31/21 Codify Ordin 267 & 271	162.00*			1 41000	650	10103
		Total for Vendor:	162.00					
6692	E	215 United States Treasury	2,987.00					
		06/16/21 Admin Salary	758.03			1 41000	110	10103
		06/16/21 FICA/Retirement	991.00			1 41000	210	10103
		06/16/21 Park Salary	642.97			1 43800	110	10103
		06/16/21 Hwy Salary	595.00			1 43100	110	10103
		Total for Vendor:	2,987.00					
6691		175 VERIZON WIRELESS	134.49					
		9880716299 05/26/21 City Clerk cell phone	52.52			1 41000	690	10103
		9880716299 05/26/21 Public Works cell phone	52.52			25 43400	690	10103
		9880716299 05/26/21 City Hall Land line	29.45			1 41000	690	10103
		Total for Vendor:	134.49					

06/16/21
14:39:51

CITY OF MELBA
Claim Approval List
For the Accounting Period: 6/21

Page: 1 of 3
Report ID: AP100V

For doc #s from 6670 to 6702, 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
6688		346 Amanda Freeland	100.00					
	06/16/21	Contract Labor	100.00			1 41000	710	10103
		Total for Vendor:	100.00					
6674		14 ANALYTICAL LABORATORIES, INC.	87.00					
	81640 05/31/21	Monthly TC	17.00			25 43400	350	10103
	81640 05/31/21	Gross Alpha	70.00			25 43400	350	10103
		Total for Vendor:	87.00					
6680		140 CenturyLink	330.00					
	05/25/21	Well House #1-DSL	83.98			25 43400	690	10103
	05/25/21	Col. Park Lift Station	43.51			26 43500	690	10103
	05/25/21	Sewer Screen Building	43.51			26 43500	690	10103
	05/25/21	City Hall phone lines/Broadban	159.00			1 41000	690	10103
		Total for Vendor:	330.00					
6675		193 Dennis Rogers	225.00					
	05/31/21	Contract B/Up Operator DWC	75.00			25 43400	300	10103
	05/31/21	Contract B/Up Operator WW	150.00			26 43500	300	10103
		Total for Vendor:	225.00					
6673		73 HECO ENGINEERS	1,758.45					
	06/14/21	General Eng Services	41.25*			1 41000	650	10103
	06/14/21	Freedom Park	352.40*			1 41000	650	10103
	06/14/21	Melba Estates	371.25*			1 41000	650	10103
	06/14/21	Royalmaid Estates	352.40*			1 41000	650	10103
	06/14/21	Rock Pointe	641.15*			1 41000	650	10103
		Total for Vendor:	1,758.45					
6699		999999 IDAHO NURSERY & LANDSCAPE	75.00					
	05/01/21	INLA Memebership dues	75.00			1 41000	390	10103
		Total for Vendor:	75.00					
6695		82 IDAHO POWER	2,524.90					
	05/27/21	2204093385-Street Lights	311.04			1 43100	410	10103
	06/09/21	2201490311-City Hall	116.29			1 41000	690	10103
	06/09/21	2203120536-Park Irrigation Pum	238.51			1 43800	690	10103
	06/09/21	2220539718-105 4th St.	5.32			1 41000	690	10103
	06/09/21	2202173221-Well #1	461.71			25 43400	690	10103
	06/09/21	2204528757-Well #2	454.78			25 43400	690	10103
	06/09/21	2200294896-7420 Hove Rd	12.77			26 43500	690	10103
	06/09/21	2203342536-Sewer Aerator	794.03			26 43500	690	10103
	06/09/21	2201932288-Lift Station	81.58			26 43500	690	10103
	06/09/21	2223894011-Pwks Shop	48.87			1 43100	690	10103
		Total for Vendor:	2,524.90					
6693	E	87 IDAHO STATE TAX COMMISSION	530.77					
	06/16/21	Admin Salary	212.77			1 41000	110	10103
	06/16/21	Hwy Salary	266.00			1 43100	110	10103
	06/16/21	Park Misc-Seasonal	52.00			1 43800	390	10103
		Total for Vendor:	530.77					

06/16/21
14:39:51

CITY OF MELBA
Claim Approval List
For the Accounting Period: 6/21

Page: 3 of 3
Report ID: AP100V

For doc #s from 6670 to 6702, 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
6697		181 WHITE PETERSON ATTORNEYS AT LAW	5,629.02					
	145470	05/31/21 May 2021 Retainer	450.00*			1 41000	650	10103
	145470	05/31/21 May 2021 Retainer	150.00			25 43400	650	10103
	145471	05/31/21 P&Z- Subdivisions & P/H	1,802.50*			1 41000	650	10103
	145471	05/31/21 Courtesy Discount	-180.25*			1 41000	650	10103
	145472	05/31/21 Subdivision Ordinance	1,870.00*			1 41000	650	10103
	145472	05/31/21 Courtesy Discount	-187.00*			1 41000	650	10103
	145473	05/31/21 Moritorium	1,840.00*			1 41000	650	10103
	145473	05/31/21 Westlaw Research Chrgs	67.77*			1 41000	650	10103
	145473	05/31/21 Courtesy Discount	-184.00*			1 41000	650	10103
		Total for Vendor:	5,629.02					
		# of Claims	17	Total:				21,853.62
		Total Electronic Claims						5,504.39
		Total Non-Electronic Claims						16349.23

Fund Summary for Claims

Fund/Account	Amount
1 General	
10103 General Cash Account	\$14,059.86
25 Water	
10103 General Cash Account	\$1,871.66
26 Sewer	
10103 General Cash Account	\$1,125.40
28 Solid Waste	
10103 General Cash Account	\$4,796.70
Total:	\$21,853.62

Claim Approval Signature Page

Approved 6/17/21
Date

Signature [Signature]
Mayor

06/21/21
14:25:03

CITY OF MELBA
Claim Approval List
For the Accounting Period: 6/21

Page: 1 of 1
Report ID: AP100V

For doc #s from 6676 to 6705, 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
6705		31 CARDMEMBER SERVICES	1,936.12					
	06/03/21	Zoom Subscription/Web Hosting	66.73			1 41000	710	10103
	06/03/21	Office Supplies	232.04			1 41000	310	10103
	06/03/21	Misc Supplies	40.30			1 43800	390	10103
	06/03/21	Lawnmower fuel	112.44			1 43800	390	10103
	06/03/21	Park RR hand sanitizers	219.38			1 43800	390	10103
	06/03/21	Irrigation Sprinkler repairs	113.31			1 43800	400	10103
	06/03/21	Ranger Fuel	183.34			25 43400	390	10103
	06/03/21	Ranger Maintenance	49.42			25 43400	390	10103
	06/03/21	IRWA Conference-Boise	178.00			25 43400	150	10103
	06/03/21	IRWA Concerence-Boise	178.00			26 43500	150	10103
	06/03/21	Seepage Test-fuel for pump	120.81			26 43500	390	10103
	06/03/21	Seepage test supplies	133.75			26 43500	390	10103
	06/03/21	Shop Supplies	256.86*			1 43100	390	10103
	06/03/21	Chevy maintenance	19.88*			1 43100	390	10103
	06/03/21	Tractor fuel	31.86*			1 43100	390	10103
		Total for Vendor:	1,936.12					
6676		337 U.S. Bank Equipment Finance	154.38					
	445451172	06/06/21 Copier/Printer Lease	154.38			1 41000	710	10103
		Total for Vendor:	154.38					
6704		172 USABLUBOOK	30.34					
	626004	06/07/21 Marking Paint	17.37			25 43400	390	10103
	626004	06/07/21 Freight	12.97			25 43400	390	10103
		Total for Vendor:	30.34					
		# of Claims	3	Total:				2,120.84

Fund Summary for

Fund/Account	Amount
1 General	
10103 General Cash Account	\$1,247.18
25 Water	
10103 General Cash Account	\$441.10
26 Sewer	
10103 General Cash Account	\$432.56

Total: \$2,120.84

21,853.62 6-16-21 Claims list
23,974.46

Claim Approval Signature Page

Approved 6/21/21
Date

Signature [Signature]
Mayor

Approved
Stapleton/Johnskey
Motion Carried