

**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 Melba Friends Tower Theater, 321 Carrie Rex Ave., Melba, Idaho 83641*

**Monday      October 11, 2021      7:00 pm**

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

**Pledge of Allegiance:** Councilmember Stapleton

**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 September 13, 2021 Regular Meeting
- C. Approve the September 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. Public Hearing(s)**

The Purpose of the Public Hearing is to allow Council to receive comments written or oral regarding the proposed New and Increase of certain Land Division and Land Use Fees.

Draft Resolution No. 127-Establishing New Fees for Certain Land Division/Land Use Applications and an Increase in Fees for Certain Land Division/Land Use Applications for review and/or adoption. Roll Call Vote: Forsgren, Hinderliter, Johnshoy, Stapleton.

**ACTION  
ITEM**

**5. Business**

A. Draft Ordinance No. 276-Subdivision continued from the September meeting to allow edits and drafting of Resolutions for Land Division Applications and Application Fee Schedule. Review for adoption with possible motion to suspend the three (3) readings rule. Roll Call Vote: Forsgren, Hinderliter, Johnshoy, Stapleton

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- ACTION ITEM**      **B.** Draft Resolution No. 129 – Setting Forth Certain Findings and Adopting Land Use/Land Division Applications, Variance Application and Application for Vacating Plats, Rights-of-Way and Easements for review and/or adoption. Roll Call Vote: Forsgren, Hinderliter, Johnshoy, Stapleton
- ACTION ITEM**      **C.** Draft Resolution No. 126-Contract for Audit Services with Zwuygart John & Associates, LLC for review and/or adoption. Roll Call Vote: Forsgren, Hinderliter, Johnshoy, Stapleton
- ACTION ITEM**      **D.** Draft Resolution No. 128-Memo of Understanding between Canyon Count and City of Melba for Planning and Zoning Services for review and/or adoption. Roll Call Vote: Forsgren, Hinderliter, Johnshoy, Stapleton
- ACTION ITEM**      **E.** Review for discussion and possible action a letter of request under Melba City Code 10-6-7C- Emergency Use of Recreation Vehicle. for Judith Shiftlet.
- ACTION ITEM**      **F.** Review for discussion and possible action Termination of Lease for City Park Rental. The home is in disrepair; current tenants are not maintaining the property as required in Lease Agreement.
- ACTION ITEM**      **G.** Authorize signature for Amendment No. 1-No-cost Extension regarding DEQ Source Water Protection Grant Funds.
- ACTION ITEM**      **H.** Review for acceptance Valley Regional Transit (VRT) FY2022 Funding Request for \$309.
- ACTION ITEM**      **I.** Draft Resolution for review and possible acceptance Repealing Ordinance No. 275 Moratorium on Land Division Permits. Roll Call Vote: Forsgren, Hinderliter, Johnshoy, Stapleton.

## 6. Reports

- A. Melba Beautification Committee
- B. City Attorney – Marc Bybee
- C. City Engineer - Mike Davis
- D. Public Works - Darrell Romine
- E. Building Official – no report.

**ACTION ITEM**      **7. Adjourn**

**Enclosures:** Agenda, Draft minutes of September 13, 2021 Regular Meeting, Monthly Financial Report, Resolution No. 126-Contract for Audit Services, Draft Resolution No. 128-Memo of Understanding between Canyon Count and City of Melba, Judith Shiftlet letter of request, Lease Agreement-111 Charlotte Dr-City Rental, Public Hearing Notice, Draft Resolution No. 127-Establishing New Fees for certain Land Division/Land Use Applications, DEQ Amendment No. 1-No-cost Extension – S678-01, VRT Correspondence, Draft Resolution Repealing Ordinance No. 275 Moratorium 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 October 11, 2021

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

**Council members in Attendance:** Forsgren, Hinderliter, Johnshoy, Stapleton,  
**Also in Attendance:** City Engineer Mike Davis, City Attorney Marc Bybee, Public Works Supt. Darrell Romine, Brent Zeyer, Judith Shiflet, and other interested citizens.

**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 September 13, 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 \$12,074.81 for payment of bills to include bills listed that have not been received and \$25,000 for Nampa Highway District – Chip seal project; Motion from Hinderliter; 2<sup>nd</sup> by Forsgren. Motion Carried.

**2. Presentations:**

There were no presentations

**3. Citizen Participation:**

There was no citizen participation.

**4. Public Hearing** – Purpose of the Public Hearing was for Council to receive comments regarding the New and Increase of Certain Land Division and Land Use Fees. Public Hearing was opened by motion from Stapleton; 2<sup>nd</sup> by Johnshoy. Motion Carried

Staff Report presented by City Clerk Stapleton. Fess are based on research of other cities as well as based on calculated costs for mailings and publication when a public hearing is required. The hourly costs for contracted positions and Staff reviews is also calculated at a minimum of 2 hours each review. Any costs above the initial filing fee will be billed directly to the applicant based on contract rate for contracted positions and hourly rate for employed positions.

There was no one in attendance to offer comments on the proposed new and/or increase in the Land Division/Land Use fees. There was no other discussion from Council.

Public Hearing was closed by motion from Hinderliter; 2<sup>nd</sup> by Forsgren. Motion Carried

Resolution No. 127-Establishing New Fees for Certain Land Division/Land Use Applications and an Increase in Fees for Certain Land Division/Land Use Applications was accepted for adoption by motion from Hinderliter; 2<sup>nd</sup> by Forsgren. Roll Call Vote: Forsgren, Yes; Hinderliter, Yes; Johnshoy, Yes; Stapleton, Yes.

## **5. Business**

A. City Attorney Bybee presented a clean draft Subdivision Ordinance for Council review tabled from the September meeting to allow for editing. Draft Ordinance 276-Subdivision Ordinance was read by title; Councilman Forsgren motioned to suspend the three (3) readings rule; second by Hinderliter. Roll Call Vote: Forsgren, Yes; Hinderliter, Yes; Johnshoy, Yes; Stapleton, Yes.

Ordinance 276-Subdivision Ordinance was adopted with suspension of the three (3) readings rule by motion from Stapleton; 2<sup>nd</sup> by Forsgren. Roll Call Vote: Forsgren, Yes; Hinderliter, Yes; Johnshoy, Yes; Stapleton, Yes.

B. Draft Resolution No. 129 – Setting Forth Certain Findings and Adopting Land Use/Land Division Applications, Variance Application, and Application for Vacating Plats, Rights-of-Way and Easements was tabled to the November meeting; draft applications were not completed in time for this meeting.

C. Draft Resolution No. 126-Authorizing a Contract for Audit Services with Zwiygart John & Associates, LLC was adopted by motion from Hinderliter; 2<sup>nd</sup> by Forsgren. Roll Call Vote: Forsgren, Yes; Hinderliter, Yes; Johnshoy, Yes; Stapleton, Yes.

D. Draft Resolution No. 128 – Authorizing a Memo of Understanding (MOU) Between Canyon County and The City of Melba for Planning and Zoning Services was adopted by motion from Hinderliter; 2<sup>nd</sup> by Johnshoy. Roll Call Vote: Forsgren, Yes; Hinderliter, Yes; Johnshoy, Yes; Stapleton, Yes.

E. Brent Zeyer appeared before Council representing Judith Shiflet. Ms. Shiflet is requesting Emergency use of a Recreational Vehicle (RV) to be placed at 108 Potato Rd., the property belongs to Melba School District and has existing water and sewer connections. After lengthy discussion Council denied the request referencing the portion of Melba City Code 10-6-7-B that states “Under no circumstances shall Recreational Vehicles be connected to City services (i.e., water and sewer).” Mr. Zeyer and Ms. Shiflet thanked the Council for their time and consideration of her request and left at this time.

F. Council reviewed information received regarding the state of the City’s rental house at 111 Charlotte Dr. The tenants are not maintaining the property, the home is in disrepair and tenants have vandalized the structure by smearing paint on the outside and have pets on the premises all of which are against the Lease Agreement. After short discussion Council authorized City Attorney Bybee to move forward with preparing documents to terminate the Lease Agreement, by motion from Hinderliter; 2<sup>nd</sup> by Forsgren. Motion Carried

G. Council reviewed DEQ Source Water Protection Grant Amendment No. 1-No Cost Extension. Due to Well #1 project delay an extension was requested to allow funding to stay in place. Council authorized signature for the Amendment by motion from Hinderliter; 2<sup>nd</sup> by Stapleton. Motion Carried.

H. Council authorized payment for Valley Regional Transit FY 2022 Funding Request in the amount of \$309. Motion by Forsgren; 2<sup>nd</sup> by Stapleton. Motion Carried.

I. Draft Resolution repealing Ordinance No. 278-Moratorium on Land Divisions was tabled to the November meeting.

## **6. Reports**

A. Beautification Committee – Did not meet this evening; Mayor Dickard reported the certified bark chips approved at the September meeting was delivered. Public Works spread half of the bark on the playground, the other is being stored at the Waste Water Plant.

B. City Attorney Bybee reported on the following items:

- Worked on edits for Subdivision Ordinance

- Drafted Resolution for this evening's meeting
- Reviewed Canyon County MOU and Audit Contract
- Was contacted by attorney for Clete Miller regarding status of Subdivision Ordinance; clarification of Clete Miller's application and information needed for submittal.

C. City Engineer Mike Davis reported on the following items:

- Well #3-Replacement of Well #1 project –contacted Noe Ramirez at USDA-RD, about funding, suggested contact with DEQ.
- Inquired status of Business Sign building permit.
- Melba Estates - requested Project Engineer look into community mailboxes instead of individual boxes to each property; Project Engineer is working to resolve an issue with a culvert on Southside Blvd; should be close to curb, gutter and sidewalk construction.
- Working on Design Standards once complete will need to be adopted by Resolution.

D. Public Works Supt., Darrell Romine reported on the following items:

- Working through a few issues with the SCADA System.
- Maguire Iron is about two (2) weeks out for painting the Water Tower at Well #1.

E. Building Official – No Report

6. **Adjourn** - With no further business, meeting adjourned at 9:00 pm by motion from Stapleton, 2<sup>nd</sup> by Johnshoy.  
Motion Carried.

  
\_\_\_\_\_  
Mayor

Attest:

  
\_\_\_\_\_  
City Clerk