

July 13, 2015

The Fruitland City Council met at 5:30 P.M. to conduct the 2015-16 Budget Workshop.

A regular meeting of the Fruitland City Council was held at Fruitland City Hall on the above date at 7:00 P.M.

PRESENT: Ken Bishop, Bud Reifsnnyder, Stuart Grimes, Reece Hrizuk, Ed Pierson.

ABSENT: None.

OTHERS PRESENT: Jeff Carpenter, Paul Butler, Gail Tam, Carolyn Dittli, April Ehrlich, Richard Contreras, Candy Hardisty, Mark Hardisty, Jason Densmer, Leroy Atwood, Paula Smith, Bruce Schlaich, Jonny Cochran, Jerry Campbell, Cy Armstrong, Danny Little, Steve Mazingo, and Suzanne Percy.

Mayor Bishop called the meeting to order and roll was taken.

Councilman Grimes moved to approve the June 22, 2015 minutes. Seconded by Councilman Hrizuk. Motion carried.

Councilman Pierson moved to approve the July 2015 Fruitland Planning & Zoning Commission report. Seconded by Councilman Grimes. Motion carried.

Public Hearings-

A public hearing was opened at 7:01 P.M. for the purpose of receiving testimony regarding a request by Mark & Candy Hardisty for variances consisting of a side yard setback and distance from intersection curb radius to a driveway curb cut, for the property located at 812 SW 8<sup>th</sup> Street.

Mark Hardisty, 812 SW 8<sup>th</sup> Street stated he would like to construct a garage on the west side of his home and needs a variance to reduce the side yard setback from 10 feet to 5 feet. Mr. Hardisty stated he would like to remove the driveway he currently has on SW 8<sup>th</sup> Street and construct a driveway approach on S. Washington Avenue for safety reasons. Mr. Hardisty explained when they are turning into their driveway other driver's think they are turning at the corner, resulting in several close calls. In order to match to the garage entrance, the curb cut on S. Washington Avenue would need to be 33 feet from the intersection curb radius instead of the 50 feet as set out in City Code.

No further testimony was given and the hearing was closed at 7:05 P.M.

A public hearing was opened at 7:05 P.M. for the purpose of receiving testimony regarding a proposed Medical Heliport Zoning ordinance to be made a part of Title 10 of Fruitland City Code. The proposed ordinance regulates and restricts the height of structures and objects of

natural growth in the approach and departure paths of the medical heliport in the vicinity of the medical heliport located at 1057 NW 13<sup>th</sup> Street in Fruitland.

Watkins read a letter from Carolyn Dittli, 1419 NW 15<sup>th</sup> Street into testimony. Mrs. Dittli stated she is opposed to the ordinance. She feels the ordinance regulates and restricts what she can do on her personal property.

Paul Butler, 1503 Allen Avenue stated the ordinance regulates structures and objects as they relate to height. He feels the ordinance sounds like communism. He stated the heliport in Ontario works fine next to a large power line. He doesn't feel the helicopter needs to fly over the homes and it could take a different path. Mr. Butler is opposed to the restrictions. He currently has a sycamore tree that is 35' tall and has concerns as to what will happen when his tree gets taller. Would he be required to install a light? When his wife was young she had a good friend experience a plane crashing into the home and killing her mother. Paul has lived in his home for 42 years and he feels this ordinance restricts homeowners and it isn't right. He feels this ordinance needs to be looked at closer.

Richard Contreras, 1411 NW 15<sup>th</sup> Street stated his trees are 50' high right now. He feels the helicopter pad is necessary. He is in favor of everything right now. Mr. Contreras stated the hospital is in the line of his television resulting in poor reception. He would like the Council to find a solution for the height restriction for the trees. Councilman Grimes pointed out his property would have a 150' height restriction. His trees would not be an issue.

Gail Tam, 1427 NW 15<sup>th</sup> Street asked how tall would his tree have to be before it has to be cut down and will the city pay to replace it? It was explained it is based on the elevation from his property. The height restriction would be 250' for his property. His trees will not be affected.

Jason Densmer of The Land Group, project engineer for St. Luke's, stated they appreciate the city doing this ordinance. During the Conditional Use Permit process a lot of these questions were answered. The flight path is chosen largely based on prevailing winds. Exemption of use under 35' feet and 150' in height at the Allen Avenue area is to show the helicopter would not be an inconvenience to the residences in the area.

No further testimony was given and the hearing was closed at 7:23 P.M.

Jonny Cochran, Hardin Sanitation, Inc. requested a 2.0% cost of living increase to be implemented for garbage collection services beginning September 1, 2015. Councilman Pierson moved to approve the rate increase. Seconded by Councilman Grimes. Motion carried.

#### Citizen Request-

The Council reviewed a request from Pastor Doug Roberts of the West Valley Church, 100 E. 1<sup>st</sup> Street, represented by Bruce Schlaich. He requested S. Pennsylvania Avenue be blocked off from SW 3<sup>rd</sup> Street to West 1<sup>st</sup> Street from 10:00 AM to 3:00 PM with the southbound lane remaining open for residents to access their driveways for the annual Steaks & Street Rods Car

Show & Family Party on Sunday September 13, 2015. Councilman Grimes moved to approve the request for street closure. Seconded by Councilman Pierson. Motion carried.

#### Land Use Decision-

The Council reviewed the final plat of the Northview Ranch Subdivision #3 as presented by Leroy Atwood representing Pelican Development, LLC. Councilman Grimes moved to approve the final plat. Seconded by Councilman Pierson. Motion carried.

Councilman Pierson moved to approve a variance request for a side yard setback reduction from 10' to 5' and a variance request for a curb cut/distance to curb radius reduction from 50' to 33'. Seconded by Councilman Hrizuk. Motion carried.

Councilman Pierson moved to approve the proposed Medical Heliport Ordinance and directed the ordinance be put in final form. Seconded by Councilman Grimes. Motion carried.

#### City Engineer Reports –

Zach Piepmeyer, Transportation Engineer – Written report.

Councilman Pierson moved to approve the Transportation Engineer report. Seconded by Councilman Grimes. Motion carried.

Carl Hipwell, Water/Sewer Engineer - Written report.

Councilman Grimes moved to approve the Water/ Sewer Engineer report. Seconded by Councilman Hrizuk. Motion carried.

Councilman Grimes moved to approve Change Order #5, adding \$34,381.76 in expenses to the Wastewater Treatment Plant project. Seconded by Councilman Pierson. Motion carried.

#### June 2015 Department Activity Reports –

Councilman Grimes moved to approve the June 2015 Police Department Activity report. Seconded by Councilman Hrizuk. Motion carried.

Councilman Pierson moved to approve the June 2015 Fire Department Activity report. Seconded by Councilman Hrizuk. Motion carried.

Councilman Pierson moved to approve the June 2015 Public Works Department Activity report. Seconded by Councilman Hrizuk. Motion carried.

Public Works Supervisor, Jerry Campbell explained a cost overrun for mapping services for this budget year. He had not been invoiced for work that was pending from last budget year, but the work was recently completed, resulting in a larger bill than he was expecting.

Councilman Hrizuk moved to approve the June 2015 Building Department Activity report. Seconded by Councilman Pierson. Motion carried.

Councilman Pierson moved to approve the June 2015 Ambulance Department Activity report. Seconded by Councilman Hrizuk. Motion carried.

Councilman Pierson moved to table discussions on Peddler/Solicitor Fee Schedule review until the next City Council meeting. Seconded by Councilman Hrizuk. Motion carried.

Councilman Pierson moved to table discussions on the review of the Personnel Policy Discipline section until the next City Council meeting. Seconded by Councilman Hrizuk. Motion carried.

The Council agreed to schedule a general meeting with the Parks & Trails Committees for August 10, 2015 at 6:30 P.M.

The June 2015 bills were reviewed by the Council. Councilman Pierson moved to approve the bills. Seconded by Councilman Hrizuk. Motion carried.

Councilman Pierson moved to pay the 2013 & 2014 audits in full. Seconded by Councilman Hrizuk. Motion carried.

Councilman Hrizuk moved to adjourn. Seconded by Councilman Pierson. Motion carried at 8:34 P.M.

The budget workshop continued and was completed at 11:35 P.M.

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Ken Bishop, Mayor

ATTEST:

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Rick S. Watkins, City Clerk