

January 23, 2017

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

PRESENT: Stuart Grimes, Jeff Carpenter, Ken Bishop, Reece Hrizuk, Ed Pierson.

ABSENT: None.

STAFF PRESENT: Stephanie Bonney, Tracy Ellwein, Carl Hipwell, Michelle Giokas, Danny Little, Jerry Campbell, J.D. Huff.

OTHERS PRESENT: Rob Ruth, Tamara Cates, Gregory Cates, Mike Cates.

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

Councilman Grimes moved to approve the December 12, 2016 minutes. Seconded by Councilman Carpenter. Motion carried.

Mayor Bishop made the following appointments for 2017:

MSBT Law, City Attorney. Rick Watkins, City Administrator. Rick Watkins, City Clerk. Rick Watkins, City Treasurer. J.D. Huff, Chief of Police. Jerry Campbell Fire Chief. Danny Little, Building Official. Rick Watkins, Zoning Administrator. Michelle Giokas, Ambulance Director. Jerry Campbell, Public Works Supervisor. Mason & Stanfield, Development Engineer. Pharmer Engineering, Water/Sewer Engineer. HDR Engineering, Transportation Engineer. Terry Heitz, P&Z Commission. Carrie Grant, P&Z Commission. Barry Carlman, P&Z Commission. Councilman Pierson moved to approve the appointments. Seconded by Councilman Hrizuk. Motion carried.

The Oath of Office was presented by Mayor Bishop to Jerry Campbell as the new Fire Chief.

Councilman Pierson moved that the public hearing continuance scheduled for this evening regarding a variance request by Ryan Baxter for 1225 S. Pennsylvania Avenue be continued to March 13, 2017 as snow conditions have made it difficult to review the area under discussion. Seconded by Councilman Grimes. Motion carried.

A request was reviewed by Leroy Atwood, Pelican Development LLC for permission to provide, install and store Christmas decorations to be mounted on light poles in Northview Ranch Subdivision. The decorations are to be donated to the City of Fruitland. Councilman Pierson moved to approve the request with the condition the City would not own the decorations. Seconded by Councilman Grimes. Motion carried.

Scherri Farley, District Food Service Supervisor for the Fruitland School District submitted a proposal to reserve Gazebo #1 in Fruitland Community Park for the Summer Meal Program for 2017. The program would begin June 5 and end July 31, Monday through Friday with no lunch being served on July 3, 4 or 5. They would operate from 11:15 AM to 12:30 PM. They would also be willing to provide garbage bags and haul the garbage off each day. PWS Campbell advised we have received complaints regarding having the gazebo reserved only to find out the Lunch Program is using it. Also, messy conditions when the program is completed for the day

have been a concern. It was suggested that those individuals taking part in the program be notified by the program provider when District personnel will be leaving the park each day and will not provide any supervision of the attendees. Councilman Pierson moved to approve the proposal, including the District providing trash bags and garbage hauling each day with the condition the District notify adults with children utilizing the program of the times and supervision policy. Seconded by Councilman Hrizuk. Motion carried.

An Agreement request to utilize City Hall as an election polling place was submitted by the Payette County Clerk in 2017 for the dates of March 14, May 16, August 29 and November 7. Councilman Pierson moved to approve the Agreement. Seconded by Councilman Hrizuk. Motion carried.

Ordinance No. 618 amending the comprehensive plan and rezoning 504 S. Whitley Drive to General Commercial was presented. Councilman Pierson moved to read Ordinance No. 618 by title only. Seconded by Councilman Hrizuk. Motion carried. Councilman Pierson moved to accept the first reading, suspend the rules and adopt Ordinance No. 618. Seconded by Councilman Hrizuk. Roll call vote: Grimes, aye. Carpenter, aye. Hrizuk, aye. Pierson, aye. Motion carried.

Tamara Cates, 509 S. Whitetail Avenue asked for information about City of Fruitland declaring an emergency due to the excessive snow conditions. Mayor Bishop explained the process for declaring an emergency and advised the City has not needed any additional resources and have been able to take care of all issues as they have surfaced. Tamara was concerned about senior citizens and those unable to shovel snow and meet other needs. She was advised that Payette County's Homeland Security personnel, Andy Creech with the Sheriff's Office has begun putting together a list of people and organizations willing to assist.

PWS Campbell submitted a summary and current condition of the winter weather and its effects on his department dated 1/13/2017. The biggest concerns include potential urban storm water backups and the large piles of snow choking down traffic lanes. He requested the authority to hire private contractors and to pay overtime to his personnel as needed. Funds are available in Street Fund – Capital Projects. Councilman Grimes moved to approve the 1/13/2016 Memo and to authorize payment of overtime. Seconded by Councilman Carpenter. Motion carried.

December and January City Transportation Engineer reports were submitted by Tracy Ellwein, HDR Engineers. Councilman Pierson moved to approve the reports. Seconded by Councilman Grimes. Motion carried.

The January City Water/Sewer Engineer report was submitted by Carl Hipwell. Councilman Pierson moved to approve the report. Seconded by Councilman Hrizuk. Motion carried.

JC Contractors pay applications #26 for \$295,135.28 and #27 for \$224,999.52 were presented for payment. Discussion was conducted regarding liquidated damages, incurred interest on the outstanding bond since January 2016, additional engineering expenses and staff time involved in bringing the wastewater treatment plant project to completion. Councilman Grimes moved to pay application #26 and to have Carl Hipwell assemble the final numbers as mentioned above and

present his findings to the Council at their February 13<sup>th</sup> meeting. Seconded by Councilman Pierson. Motion carried.

A Certificate of Substantial Completion for the wastewater treatment plant project was submitted for consideration. Councilman Pierson moved to sign the Certificate. Seconded by Councilman Hrizuk. Motion carried.

Chief Huff presented the December 2016 Police Activity Report. Councilman Pierson moved to approve the report. Seconded by Councilman Grimes. Motion carried.

Chief Huff submitted a salary increase proposal for Officers Juanita Toll and Ben Key. Both have been promoted from Patrol status to Detective for Officer Toll and Patrol Sergeant for Officer Key. The request would increase the monthly salary for Officer Toll from \$2872 to \$3061 and Officer Key from \$3293 to \$3543. Councilman Grimes moved to approve the request. Seconded by Councilman Carpenter. Motion carried.

Former Fire Chief Watkins presented the December 2016 and Annual Fire Activity Reports. Councilman Pierson moved to approve the reports. Seconded by Councilman Carpenter. Motion carried.

Public Works Supervisor Campbell presented the December 2016 Public Works Activity Report. Councilman Grimes moved to approve the report. Seconded by Councilman Carpenter. Motion carried.

Building Official Little presented the December 2016 and Annual Building Activity Report. Councilman Pierson moved to approve the reports. Seconded by Councilman Carpenter. Motion carried.

Ambulance Director Giokas presented the December 2016 Ambulance Activity Report. She also advised the Council that due to the snow loads severe leaks have developed in the roof of the living quarters located at 620 SW 2<sup>nd</sup> Street (Hollywood). Councilman Grimes moved to approve the report. Seconded by Councilman Hrizuk. Motion carried.

The December 2016 Parks & Trails Committees Report was reviewed.

The November and December 2016 Finance Reports were reviewed. Councilman Pierson moved to approve the reports. Seconded by Councilman Hrizuk. Motion carried.

The December 2016 bills were submitted for the Council's review. Councilman Pierson moved to pay the bills. Seconded by Councilman Carpenter. Motion carried.

The Council reviewed the Amended Order and Withdrawal of January 17, 2017 Order regarding the integration of unleased mineral interest owners and establishing a spacing unit application submitted by AM Idaho, LLC and Alta Mesa Services, LP for development of oil and gas resources in the Fruitland vicinity. The City owns several acres within the boundaries of this unit. The integration and spacing requests were granted by the Idaho Department of Lands. City

Attorney Stephanie Bonney briefly explained the process and the five options the City of Fruitland has regarding the property lease.

The first option is to participate as a working interest owner.

The second option is to participate as a nonconsenting interest owner.

The third option is to enter into a lease agreement with the operator.

The fourth option is to object to any participation or involvement.

The fifth option is to do nothing.

After discussion of the options it was determined that City Attorney Bonney will submit a draft response to the action at the February 13, 2017 Council meeting for the Council to review.

Councilman Hrizuk moved to adjourn. Seconded by Councilman Grimes. Motion carried. 8:35 P.M.

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Ken Bishop, Mayor

ATTEST:

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Rick S. Watkins, City Clerk