

September 23, 2019

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, Brian Howell, Kari Peterson, Ed Pierson.

ABSENT: None.

STAFF PRESENT: J.D. Huff, Jerry Campbell, Carl Hipwell, Stephanie Bonney, Suzanne Percy, Samantha Herrera.

OTHERS PRESENT: Michael Dolton, Konnie Baines, Ken Bishop, Amber Miller, Tami DeCroo, Reece Hrizuk, Steve Lambert, LeRoy Atwood, Paula Smith, Griffin Hewitt.

The meeting was opened by Mayor Howell and the roll was taken.

Councilor Grimes moved to approve the September 9, 2019 City Council meeting minutes. Seconded by Councilor Carpenter. Motion carried.

A public hearing that was opened at the September 9, 2019 meeting was continued at 7:01 P.M. The continued hearing is to receive testimony regarding Alma Mater, Inc.'s application for a Variance of Off-Street Parking requirements from seven to zero for their property located at 402 SW 3<sup>rd</sup> Street. Michael Dolton, representing Alma Mater Inc. explained to the Council he had received approval from the Fruitland Planning & Zoning Commission for a Conditional Use Permit allowing a museum on the property. Mr. Dolton explained the purpose of the structure, besides memorabilia of Fruitland's history, is to hold fund raising dinners, Treasure Valley Classical Academy events, and other events that might be interested in utilizing the facilities. There is approximately 4,500 square feet of open area behind the building. To construct the required parking lot would cost over \$40,000. They only have enough funding to construct the parking lot or complete the inside improvements. He submitted an outline of approximately seventy parking spaces throughout the downtown area that could be available for use.

Letters committing to sharing their parking with Alma Mater were received from Doug Moscrip and Bob Barowsky. No formal shared parking agreements were submitted. Letters of support were received from Daniel Greig-Farmers Mutual Telephone Company, Kevin Shoemaker-Basicsafe, James Opdahl-Shaffer Jensen Memory Chapel, Robert Frye, Dennis Campo-Campo Oil Company, Tanya Lopez-A.T. Your Service Salon, Jason Geary-Fruitland Family Dental, Lucinda Harp Day-Big Sky Sportswear, and Tim Davis-Rywest Homes.

Verbal testimony was presented by:

Reece Hrizuk, owner of downtown properties 215, 220, 222, & 224 SW 3<sup>rd</sup> Street, and co-owner of 404 SW 3<sup>rd</sup> Street, next door to the museum property. As executor of the Robert Milovich Trust, the Trust purchased the 402 SW 3<sup>rd</sup> Street property and donated the property to Alma Mater, Inc. as a place to continue their historical efforts after their sale of the Olde School to Treasure Valley Classical Academy. There are no more funds available in the Trust. The only option the new owners have is to complete the parking lot or complete the building interior

improvements. There is no funding for both. This entire project has been an attempt to continue to improve the Downtown area. He strongly encouraged the Council to consider land use code amendments specifically for the Downtown Commercial zoned properties that were developed several decades ago.

Ken Bishop, 315 N. Pennsylvania Avenue - As the former Mayor of Fruitland, Mr. Bishop reminded the Council of the efforts the City took in constructing the public parking lot at SW 2<sup>nd</sup> Street/S. Nebraska Avenue as part of the storm drainage retention structure. The purpose of the parking lot was to relieve future parking congestion in the limited parking areas in the downtown area of Fruitland. He supports the waiver of off-street parking requirements for this property.

Steve Lambert, 1205 Cottonwood Drive - As Principal of the Treasure Valley Classical Academy, the vision of the rear area of the museum property is as a gathering place, an opportunity for mini-field trips from students to witness gardening operations, and many other collaborative uses of the facility.

The hearing was closed at 7:21 P.M.

Councilor Grimes moved to approve the off-street parking waiver Variance for 402 SW 3<sup>rd</sup> Street with the provision the City receive a copy of recorded shared parking agreements from Doug Moscrip and Bob Barowsky. Seconded by Councilor Peterson. Motion carried.

Mike Dolton, representing Alma Mater, Inc. referred to the July 29, 2019 City Council meeting, when the Council advised they would re-visit his fee waiver requests after the land use issues were completed for the 402 SW 3<sup>rd</sup> Street project. Mr. Dolton had requested waiver of water/sewer bills, land use fees, and other fees involved with the development of their property into a public museum. The Council advised they would not waive water and sewer fees. The land use fees total \$450.00. Building permit and mechanical permit fees already paid are asked to be reimbursed and future fees waived. Councilor Pierson moved to waive land use fees, building permit fees, and mechanical permit fees for the Milovich Heritage Center located at 402 SW 3<sup>rd</sup> Street, as the facility and the activities provided at the facility provide or benefit a public service. Seconded by Councilor Grimes. Motion carried.

LeRoy Atwood, Pelican Development, LLC submitted a request to waive permit fees and utility hookups for a home they will be constructing in Northview Ranch Subdivision to fund the Fruitland Chapter of Dollars for Scholars Endowment Program. The net proceeds from sale of the home provides funding of scholarships strictly for Fruitland graduating seniors. These scholarships would also be available for graduating seniors from Treasure Valley Classical Academy once they provide high school classes. Councilor Grimes moved to waive building and mechanical permit fees for one building lot as specified by Pelican Development, LLC in Northview Ranch Subdivision to benefit the Dollars for Scholars Endowment Program as those proceeds benefit public service. Further, the Water Hookup fee, Water Capacity fee, and Sewer Capacity fee will be waived and subsidized by State Revenue Sharing - Community Grant Program. Seconded by Councilor Carpenter. Motion carried.

Robert Goodwin, RCG R2B LLC - Developers of White Pine Country Acres Subdivision explained the subdivision is mostly finished and they are in the process of completing the punch list of items needing attention prior to the City taking over the infrastructure and beginning the warranty period. He anticipates satisfactorily completing all of the punch list items well before the next City Council meeting date of October 15, 2019. He has requested authorization be given to the Public Works Supervisor to allow building permits to be issued once everything has been completed, with formal approval to be granted at the 10/15/2019 Council meeting. PWS Campbell advised all of the remaining items are small enough they could realistically be completed in a short amount of time. Councilor Pierson moved to approve the request. Seconded by Councilor Grimes. Motion carried.

The August 2019 Fruitland Planning & Zoning Commission report was presented by Zoning Administrator Watkins. Councilor Pierson moved to approve the report. Seconded by Councilor Grimes. Motion carried.

Payette County requested a recommendation regarding an application submitted by Russell & Holli Watson for a Transfer of Development Right from The Cornell 1994 Revocable Trust property located at SW 2<sup>nd</sup> Avenue & Elmore Road to property located at Brooks Drive & Elmore Road. Councilor Peterson moved to send a favorable recommendation of the request. Seconded by Councilor Grimes. Motion carried.

Payette County requested a recommendation regarding an appeal filed by George & Carol McClelland and Hamanishi Farms regarding a Conditional Use Permit approved by Payette County for a concrete batch plant and improvements on Agri-Service Way by Knife River. Councilor Pierson moved to send an unfavorable recommendation of the appeal. Seconded by Councilor Carpenter. Motion carried.

The City Transportation Engineer Report submitted by Bill Russel was reviewed. Councilor Carpenter moved to approve the report. Seconded by Councilor Peterson. Motion carried.

The City Water/Sewer Engineer Report was presented by Carl Hipwell. Councilor Pierson moved to approve the report. Seconded by Councilor Peterson. Motion carried.

A letter was presented by Public Works Supervisor Campbell advising he had performed a warranty inspection on Phase 3 of Crimson Maple Glen Subdivision and recommends release of the warranty. Councilor Pierson moved to release the warranty on Phase 3 of Crimson Maple Glen Subdivision. Seconded by Councilor Grimes. Motion carried.

PWS Campbell submitted an update of the East 1<sup>st</sup> Street Sewer Lift Station project written by Project Engineer Charlie Smith. He explained that one invoice has been presented for payment and that nothing was budgeted in the 2019-20 budget for this project. He informed the Council he would be having checks prepared for the two project submittals, one for completion of the odor control system, and one for release of the 5% retainage. These checks will all be written with the September bills and released as the different phases are completed.

Chief Huff requested permission to dispose of, by public auction, five patrol vehicles no longer needed. They are identified as:

2003 Ford Crown Victoria	VIN - 2FAHP71W33X169970
2007 Ford Crown Victoria	VIN - 2FAHP71W88X132421
2008 Dodge Charger	VIN - 2B3KA43H48H134789
2008 Dodge Charger	VIN - 2B3KA43H28H134788
2009 Dodge Charger	VIN - 2B3KA43T19H519295

Councilor Pierson moved to dispose of the vehicles by public auction. Seconded by Councilor Grimes. Motion carried.

Proposals were requested for replacement of the air conditioning unit to serve the vault/computer server room as the existing unit has failed and needs replaced. Quotes were received from:

Bears Climate Control	\$3,180.00
McCrea Heating & Plumbing	\$3,042.86
Stan's Heating	\$2,987.00

As there are not sufficient funds remaining in R&M Building in Administration, Councilor Pierson moved to purchase and install a new unit by Stan's Heating to be paid from State Revenue Sharing - Capital Projects. Seconded by Councilor Peterson. Roll call vote: Grimes, aye. Carpenter, aye. Peterson, aye. Pierson, aye. Motion carried.

The August 2019 Finance Report was reviewed. Councilor Pierson moved to approve the report. Seconded by Councilor Grimes. Motion carried.

Councilor Pierson moved to go into executive session pursuant to Idaho Code section 74-206(1)(b) - Personnel. Seconded by Councilor Grimes. Roll call vote: Grimes, aye. Carpenter, aye. Peterson, aye. Pierson, aye. Motion carried at 8:37 P.M.

Regular session was resumed at 10:07 P.M.

City Administrator Watkins will meet with each department head to discuss salary vs. hourly pay options.

Councilor Grimes moved to adjourn. Seconded by Councilor Carpenter. Motion carried. 10:48 P.M.

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Brian Howell, Mayor

ATTEST:

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Rick S. Watkins, City Clerk