

December 14, 2020

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

PRESENT: Brian Howell, Stuart Grimes, Jeff Carpenter, Kari Peterson, Ed Pierson.

ABSENT: None.

STAFF PRESENT: Bill Russell, Stephanie Bonney, JD Huff, Jerry Campbell, Rick Funk, Danny Little, Samantha Herrera, Rick Watkins.

OTHERS PRESENT: Jim Griffith, Wanda Shaw, Robert Shaw, Josh Knott, Rebecca Knott, Ed Needles, Rex Hardy, Ken Bishop, Tim Waite, Diane Anderson.

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

Councilor Grimes moved to approve the November 23, 2020 minutes. Seconded by Councilor Carpenter. Motion carried.

A public hearing was opened at 7:01 P.M. for the purpose of receiving testimony regarding a proposal to increase construction or bulk meter manifold invoices delinquency fees in excess of 5%. The purpose of the fee increase is to help defray the costs of repeat invoicing on past due accounts.

Zoning Administrator, Rick Watkins explained the delinquency fee for past due construction or bulk meter manifold fees will increase from \$5.00 to \$10.00.

No further testimony was given and the hearing was closed at 7:03 P.M.

A public hearing was opened at 7:03 P.M. for the purpose of receiving testimony regarding a request by Casey Jones for a comprehensive plan amendment and rezone from General Commercial to Light Industrial of property located at 400 NW 9th Street.

Written testimony was received from William Mason of Mason & Associates, William Russell of T-O Engineers, and Midge Kline of Marathon Pipeline.

No further testimony was given and the hearing was closed at 7:04 P.M.

A public hearing was opened at 7:04 P.M. for the purpose of receiving testimony regarding a request by JRK Company LLC for a comprehensive plan amendment and rezone from Single Family Residential to Multi-Family Residential of the properties located at 111 N. Pennsylvania Avenue and 215 Johnson Road.

Josh and Rebecca Knott, 715 NW 3rd Street are asking to rezone the properties located at 111 N. Pennsylvania Avenue and 215 Johnson Road from Single Family Residential to Multi-Family Residential to accommodate three duplexes on each ½ acre property for a total of six 1200 sq. ft. duplexes. Access to the properties would be located on Johnson Road. The properties have been

cleaned up and the home at 111 N. Pennsylvania Avenue has been painted. Other multi-family units exist on Johnson Road and Pennsylvania Avenue and they feel the proposed improvements would bring value to the neighborhood.

Written testimony was submitted by Bryan Searcy and was read aloud. Mr. Searcy is in opposition of the request as he feels Johnson Road is too narrow.

Ed Needles, 217 Johnson Road, testified he is in opposition of this request and feels the neighborhood should remain single family.

Wanda & Robert Shaw, 111 Johnson Road, testified they are in opposition of the request as they feel Johnson Road is too narrow to accommodate multi-family developments and would like to see single family homes in the neighborhood.

Jim Griffith, owner of 202 Johnson Road and 203 N. Pennsylvania Avenue testified he is in opposition of the request. He feels Johnson Road is too narrow.

Diane Anderson, 211 N. Pennsylvania Avenue, testified she is in opposition of the request as she does not want a multi-family complex in her back yard.

Ken Bishop, 315 N. Pennsylvania Avenue, stated he wanted to clarify that he owns one of the two duplexes located on Johnson Road. His duplex was built in the early 1980's.

Written testimony was received from William Russell of T-O Engineers and William Mason of Mason & Associates.

No further testimony was given and the hearing was closed at 7:21 P.M.

A public hearing was opened at 7:21 P.M. for the purpose of receiving testimony regarding a request by Terrell Smith for a comprehensive plan amendment and rezone from General Commercial to Multi-Family Residential of the property located at 2320 N. Whitley Drive.

Tim Wait, 918 W. Crater Lake Court, Meridian, Idaho, manager of the properties, testified there are seven units on the property including a single family home, a duplex, and four manufactured home lots. He is requesting a zone change from General Commercial to Multi-Family Residential to reflect the original use and ongoing use of the property. The zone change is needed to be able to replace any structures for residential use.

Written testimony was received from William Russell of T-O Engineers, William Mason of Mason & Associates and from Kathy and Jack Jones in opposition of adding housing.

No further testimony was given and the hearing was closed at 7:24 P.M.

A public hearing was opened at 7:24 P.M. for the purpose of receiving testimony regarding a request by O'Dell and Kitamura Development, LLC for annexation and zone designation of

Single Family Residential of property located at 910 N. Pennsylvania Avenue; and preliminary plat of Brookwood Estates Subdivision No. 2.

Rex Harding of TD & H Engineering, Inc. explained the property is surrounded by City limits and it only makes sense to annex the property. They would like to develop Brookwood Subdivision #2 on this property, explaining the lots facing NE 8th Street will have access to NE 8th Street and the rest of the subdivision will access Pennsylvania Avenue using only one street access that will line up with NW 9th Street. All engineer comments have been addressed and the development will include three common lots located over the Marathon Pipeline.

Written testimony was received from Public Works Supervisor, Jerry Campbell, William Russell of T-O Engineers, and William Mason of Mason & Associates.

No further testimony was given and the hearing was closed at 7:32 P.M.

Ken Bishop, 315 N. Pennsylvania Avenue, addressed the Council and expressed his disapproval of the implementation regarding amendments made to Title 8 of City Code, requiring property owners to be responsible for water/sewer billings.

Councilor Peterson moved to approve the request by Casey Jones for a comprehensive plan amendment and rezone from General Commercial to Light Industrial of property located at 400 NW 9th Street. Seconded by Councilor Pierson. Motion carried.

Councilor Pierson moved to deny the request by JRK Company LLC for a comprehensive plan amendment and rezone from Single Family Residential to Multi-Family Residential of the property located at 111 N. Pennsylvania Avenue. Seconded by Councilor Peterson. Motion carried.

Councilor Carpenter moved to deny the request by JRK Company LLC for a comprehensive plan amendment and rezone from Single Family Residential to Multi-Family Residential of the property located at 215 Johnson Road. Seconded by Councilor Peterson. Motion carried.

Councilor Pierson moved to approve the request by Terrell Smith for a comprehensive plan amendment and rezone from General Commercial to Multi-Family Residential of the property located at 2320 N. Whitley Drive. Seconded by Councilor Peterson. Motion carried.

Councilor Grimes moved to approve the request by O'Dell and Kitamura Development, LLC for annexation and zone designation of Single Family Residential of property located at 910 N. Pennsylvania Avenue; and preliminary plat of Brookwood Estates Subdivision No. 2. Seconded by Councilor Carpenter. Motion carried.

Councilor Pierson moved to amend the agenda to allow for a discussion item to be added to the agenda. Seconded by Councilor Peterson. Motion carried. The Council discussed implementation procedures in regards to recent amendments to Title 8 of City Code.

The December 2020 Fruitland Planning & Zoning Commission Report was presented by Zoning Administrator, Rick Watkins. Councilor Pierson moved to approve the report. Seconded by Councilor Peterson. Motion carried.

The Council discussed the Impact Area Agreement between The City of Fruitland and Payette County. Councilor Pierson moved to have City Attorney, Stephanie Bonney send a letter to Payette County requesting to begin negotiation procedures as outlined in Idaho Statutes 67-6526. Seconded by Councilor Peterson. Motion carried.

The Transportation Engineer Report was presented by Transportation Engineer, Bill Russell. Councilor Peterson moved to approve the Transportation Report. Seconded by Councilor Grimes. Motion carried.

Councilor Pierson moved to request Transportation Engineer, William Russell to develop a scope of work with project estimates to update the Master Transportation Plan and to hold off on a scope of work regarding the east leg of the Gayway Junction Intersection as this issue will be addressed in the Master Transportation Plan update. Seconded by Councilor Carpenter. Motion carried.

The November 2020 Police Department Activity Report was presented by Chief Huff. Councilor Grimes moved to approve the report. Seconded by Councilor Carpenter. Motion carried.

The November 2020 Fire Department Activity Report was presented by Chief Campbell. Councilor Pierson moved to approve the report. Seconded by Councilor Peterson. Motion carried.

The November 2020 Public Works Department Activity Report was presented by Public Works Supervisor, Jerry Campbell. Councilor Pierson moved to approve the report. Seconded by Councilor Grimes. Motion carried.

The November 2020 Building Department Activity Report was presented by Building Official, Danny Little. Councilor Grimes moved to approve the report. Seconded by Councilor Pierson. Motion carried.

The November 2020 Ambulance Department Activity Report was presented by Ambulance Director, Rick Funk. Councilor Pierson moved to approve the report. Seconded by Councilor Grimes. Motion carried.

Councilor Grimes moved to read Ordinance No. 677- Amending Title 5, Chapter 3, Section 2- Firearms, by title only. Seconded by Councilor Carpenter. Motion carried. Councilor Grimes moved to suspend the rules and adopt Ordinance No. 677. Seconded by Councilor Carpenter. Roll call vote: Grimes, aye. Carpenter, aye. Peterson, aye. Pierson, aye. Motion carried.

Councilor Peterson moved to adopt Resolution No. 2020-11-Title 8- Public Utilities- Fees. Seconded by Councilor Pierson. Motion carried.

The November 2020 bills were reviewed by the Council. Councilor Pierson moved to approve the bills. Seconded by Councilor Grimes. Motion carried.

Councilor Carpenter moved to adjourn. Seconded by Councilor Peterson. Motion carried at 9:11 P.M.

Brian Howell, Mayor

ATTEST:

Suzanne Percy, City Clerk