

August 28, 2023

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, Tom Limbaugh, Jeff Carpenter, Ed Pierson.

ABSENT: Kari Peterson.

STAFF PRESENT: JD Huff, Levi Howell, Matt Brock, Rick Funk, Danny Little, Stuart Grimes, Jesse Wetzel, Samantha Herrera.

OTHERS PRESENT: Corey Evan, Kenn Schappert, Barbara Paterson, Laurie Hays, John Palomarez.

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

Councilor Carpenter moved to approve the August 14, 2023 minutes. Seconded by Councilor Pierson. Motion carried.

A public hearing was opened at 7:00 P.M. for the purpose of receiving testimony regarding the consideration of the proposed budget for the fiscal year from October 1, 2023 to September 30, 2024. The proposed expenditure totals per department and fund were read aloud.

No testimony was given and the hearing was closed at 7:06 P.M.

A public hearing was opened at 7:06 P.M. for the purpose to receive public comment on amending Title 8, of Fruitland City Code to add a new Chapter 6 to be title "Industrial Sewage Disposal".

Water/Sewer Engineer, Levi Howell, explained that the City is required by the U.S. Environmental Quality to adopt regulations for industrial sewer users of the City of Fruitland's wastewater system. Ardurra has reached out to the industries and explained the new regulations and will continue correspondence as needed including a workshop between the industries and the City.

Kenn Schappert, representing Swire Coca Cola stated that he appreciated the communication with the City in regards to the new regulations and looks forward to the workshop with the City.

No further testimony was given and the hearing was closed at 7:13P.M.

A public hearing from the August 14, 2023 City Council meeting was continued at 7:13 P.M. for the purpose of receiving testimony regarding a request by Paloma Holdings LLC., for a

comprehensive plan amendment and zone change from Neighborhood Commercial to General Commercial for 425 S. Whitley Drive.

John Palomarez, of Paloma Holdings LLC., testified he is requesting a comprehensive plan amendment and zone change from Neighborhood Commercial to General Commercial for his property located at 425 S. Whitley Drive. Mr. Palomarez explained that the Neighborhood Commercial zone is negatively effecting some of his tenants when applying for state licensing and needs the zoning changed to General Commercial. Mr. Palomarez explained that the General Commercial zoning would be comparable to other businesses on HWY 95.

The Mayor and Council discussed the benefits and process of entering into a development agreement in efforts to protect the nearby residential area if the zone change was granted.

No further testimony was given and the hearing was closed at 7:26 P.M.

Councilor Pierson moved to suspend the rules and read Ordinance No. 703- 2023-2024 Appropriations, by title only. Seconded by Councilor Limbaugh. Motion carried. Councilor Limbaugh moved to adopt Ordinance No. 703. Seconded by Councilor Pierson. Roll call vote: Limbaugh, aye. Carpenter, aye. Pierson, aye. Motion carried.

Councilor Limbaugh moved to suspend the rules and read Ordinance No. 704- Amending Title 8, Chapter 6- Industrial Sewage Disposal, by title only. Seconded by Councilor Carpenter. Motion carried. Councilor Pierson moved to adopt Ordinance No. 704. Seconded by Councilor Limbaugh. Roll call vote: Limbaugh, aye. Carpenter, aye. Pierson, aye. Motion carried.

Councilor Carpenter moved to approve the request from Paloma Holdings LLC., for a comprehensive plan amendment and zone change from Neighborhood Commercial to General Commercial for 425 S. Whitley Drive upon approval of a development agreement. Seconded by Councilor Limbaugh. Motion carried.

The Transportation Engineer Report was reviewed. City Administrator, Stuart Grimes explained Ardurra is currently preparing the grant application for funding Phase 2 of the Pennsylvania Avenue Project. The grant is limited to \$2,000,000, potential leaving the City to fund approximately \$150,000.00. Councilor Limbaugh moved to approve the report and move forward with grant application. Seconded by Councilor Pierson. Motion carried.

The Water/Sewer Engineer Report was reviewed. Councilor Limbaugh moved to approve the report. Seconded by Councilor Carpenter. Motion carried.

The July 2023 Finance Report was reviewed by the Council. Councilor Pierson moved to approve the July 2023 Finance Report. Seconded by Councilor Carpenter. Motion carried.

Councilor Pierson moved to adjourn. Seconded by Councilor Carpenter. Motion carried at 7:49 P.M.

Brian Howell, Mayor

ATTEST:

Suzanne Percy, City Clerk