

February 13, 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, Kari Peterson, Ed Pierson.

ABSENT: None.

STAFF PRESENT: Stephanie Bonney, Samantha Herrera, Rick Funk, JD Huff, Danny Little, Jerry Campbell, Jesse Wetzel, Stuart Grimes.

OTHERS PRESENT: Mike Smith, Jacob Catmull, Craig Smith, Michael Opper.

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

Councilor Carpenter moved to approve the January 23, 2023 (2) and February 7, 2023 minutes. Seconded by Councilor Limbaugh. Motion carried.

A public hearing was opened at 7:01 P.M. for the purpose of receiving testimony regarding a request by Apex Land Group, LLC for annexation and zone designation of Single Family Residential, for three parcels in the north 2110 Block of E. 1st Street, development agreement and preliminary plat of Aspen Meadows Subdivision.

Mike Smith representing Apex Land Group, LLC., explained they are requesting annexation and zoning designation of Single Family Residential for three parcels in the north 2100 Block of E. 1st Street, development agreement and preliminary plat of Aspen Meadows Subdivision. The three parcels are located kitty corner of Zellers Crossing Subdivision on W. 1st Street. The parcels consist of 14.9 acres with 51 buildable lots and five common lots including a 100' x 100' pocket park. Perimeter fencing will be constructed with each phase. Mr. Smith explained that they have met all the engineer requirements and have worked with the city to create a development agreement.

Mike Opper, 223 Grizzly Drive expressed concerns regarding construction of the development having a negative impact on his neighborhood. The Home Owners Association of White Pine Country Acres wants a "No construction access" sign to be placed on E. 1st Street to keep construction vehicles from turning around in the neighborhood.

Written testimony was received from Midge Kline of Marathon Pipeline, William Mason of Mason & Associates, Mike Smith of Apex Land Group, William Russell of T-O Engineers, Jerry Campbell, Fruitland Public Works Director, Niki Benyakhlef of Idaho Transportation Department.

No other testimony was given and the hearing was closed at 7:22 P.M.

Councilor Peterson moved to approve the request for annexation, zone designation of Single Family Residential, for three parcels in the north 2110 Block of E. 1st Street. Seconded by Councilor Pierson. Motion carried.

Councilor Pierson moved to approve the Development Agreement between the City of Fruitland and Apex Land group, LLC for three parcels in the north 2110 Block of E. 1st Street. Seconded by Councilor Peterson. Motion carried.

Councilor Pierson moved to approve the Preliminary plat of Aspen Meadows Subdivision. Seconded by Councilor Carpenter. Motion carried.

Jacob Catmull of Evans-Poulson-Catmull, CPA's presented the 2021-2022 Audit. Councilor Pierson moved to accept the 2021-2022 Financial Audit Report. Seconded by Councilor Peterson. Motion carried.

The Council reviewed a water services agreement between the City of Fruitland, Western Trailers and Atlas Pallet Company. Councilor Pierson moved to approve the water services agreement. Seconded by Councilor Limbaugh. Motion carried.

The Transportation Engineer Report was reviewed. Councilor Peterson moved to approve the report. Seconded by Councilor Pierson. Motion carried.

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

The January 2023 Police Department Activity Report was presented by Chief Huff. Councilor Pierson moved to approve the report. Seconded by Councilor Peterson. Motion carried.

The January 2023 Fire Department Activity Report was presented by Chief Campbell. Councilor Pierson moved to approve the report. Seconded by Councilor Carpenter. Motion carried.

The January 2023 Public Works Department Activity Report was presented by Public Works Director, Jerry Campbell. Councilor Peterson moved to approve the report. Seconded by Councilor Limbaugh. Motion carried.

The January 2023 Building Department Activity Report was presented by Building Official, Danny Little. Councilor Pierson moved to approve the report. Seconded by Councilor Peterson. Motion carried.

The January 2023 Technology Department Activity Report was presented by IT Manager, Jesse Wetzell. Councilor Limbaugh moved to approve the report. Seconded by Councilor Carpenter. Motion carried.

The January 2023 Ambulance Department Activity Report was presented by Ambulance Director, Rick Funk. Councilor Carpenter moved to approve the report. Seconded by Councilor Limbaugh. Motion carried.

The Council reviewed a property disposal request submitted by Ambulance Director, Rick Funk requesting permission to sale the number five, 2012 Chevy ambulance. Rick explained the ambulance has over 200,000 miles and has recuing mechanical issues. Councilor Pierson moved to approve the disposal request. Seconded by Councilor Peterson. Motion carried.

Councilor Pierson moved to suspend the rules and read Ordinance No. 696- Annexation, zone designation of single family residential for three parcels in the North 2110 block of E. 1st Street of the Aspen Meadows Subdivision, by title only. Seconded by Councilor Peterson. Motion carried. Councilor Pierson moved to adopt Ordinance No. 696. Seconded by Councilor Limbaugh. Roll call vote: Limbaugh, aye. Carpenter, aye. Peterson, aye. Pierson, aye. Motion carried.

The Council reviewed proposed City Code amendments of City Code Title 3, Chapter 4-Open Air Markets and Chapter 6-Peddlers and Solicitors. Councilor Pierson moved to have City Attorney, Stephanie Bonney draft an Ordinance for review at the February 27, 2023 City Council meeting. Seconded by Councilor Carpenter. Motion carried.

The Council reviewed proposed fee schedule for Door to Door Peddlers/Solicitors, Mobile Food Units, Street Stand Merchants and Special Events. Councilor Pierson moved to proceed with a public hearing. Seconded by Councilor Peterson. Motion carried.

The Council reviewed a Positive Pay agreement between the City of Fruitland and First Interstate Bank. Councilor Limbaugh moved to approve the agreement. Seconded by Councilor Carpenter. Roll call vote: Limbaugh, aye. Carpenter, aye. Peterson, aye. Pierson, aye. Motion carried.

The revised September 2022 Finance Report and Cash Forward Statement was reviewed by the Council. Councilor Peterson moved to approve the revised September 2022 Finance Report and Cash Forward Statement. Seconded by Councilor Pierson. Motion carried.

The January 2023 bills were reviewed by the Council. Councilor Pierson moved to approve the bills. Seconded by Councilor Pierson. Motion carried.

Councilor Peterson moved to enter into Executive Session pursuant to Idaho Code section 74-206(1)(f)-Potential Litigation. Seconded by Councilor Pierson. Roll call vote: Limbaugh, aye. Carpenter, aye. Peterson, aye. Pierson, aye. Motion carried at 8:20 P.M.

Regular session was resumed at 9:11 P.M.

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

Brian Howell, Mayor

ATTEST:

Suzanne Percy, City Clerk