

**FRUITLAND CITY COUNCIL
MEETING MINUTES
March 10, 2025**

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

1. MEETING OPENING:

PRESENT: Kari Peterson (Mayor), Tom Limbaugh, Jeff Carpenter, Cathy Yasuda, Ed Pierson.

ABSENT: None.

STAFF PRESENT: Stephanie Bonney, Bill Russell, JD Huff, Matt Brock, Brandon Tarvin, Danny Little, Rick Funk, Jesse Wetzel, Stuart Grimes.

OTHERS PRESENT: David Johnson, Connor Lindstrom, Robert Roundy, Jasmine Acor, Roger McEwen, Billy Pimentail, Michael Opper, Kelli Hickerson, Gary Hickerson, Reese Garcia, Bridger Stephens, Ryan Pena, Colin Reitz, Tim Davis, Emma Contreras, John Spinney, Dwight Hooley, Kelli Black.

Mayor Peterson called the meeting to order at 7:00 P.M. and roll was taken. A quorum of the Council was present.

2. Approval of Minutes: Councilor Yasuda moved to approve the February 24, 2025 minutes. Second, by Councilor Pierson. **Motion carried.**

3. COUNCIL DISCUSSION: FUTURE GROWTH UNDER CURRENT CONDITIONS:

The Council held an in-depth discussion with city staff on the annexation of vacant properties into city limits without immediate access to water and sewer services. They debated whether annexing large areas for subdivisions benefits the city and its residents, as well as the challenges of expansion without the necessary infrastructure. Concerns included the strain on emergency services and street maintenance without a supporting tax base.

Potential benefits of annexation include securing land for regulated development and streamlining future growth once water and sewer capacity become available.

City Attorney Stephanie Bonney advised that the city could prioritize annexing commercial properties over large subdivisions and recommends that the Council develop a plan to determine which projects will receive water and sewer first when capacity is available.

4. PUBLIC HEARINGS- 7:00 P.M.

There were no conflicts of interest declared by the Council.

*Due to Publication Errors, the below listed hearings were opened, testimony was taken, and the hearings were continued until **April 14, 2025** to allow for proper publications.*

4.1. KM Engineering LLP- 1711, 1715, 1805, 1815 N Whitley Drive Zone, and Comprehensive Plan Change:

A public hearing was opened at 7:29 P.M. for the purpose of receiving public comments regarding a request by KM Engineering LLP for a zone change & comprehensive plan

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change from General Commercial to Multi Family Residential for a west portion of 1805 and 1815 N Whitley Drive, from General Commercial to Light Industrial for the west portions of 1711 and 1715 N Whitley Drive.

The Council reviewed all applications, comments, testimony, minutes, and the findings of fact and conclusions from the Fruitland Planning & Zoning Commission Hearing held on February 11, 2025. The Fruitland Planning & Zoning Commission forwarded an favorable recommendation to the City Council regarding the application for a zone change & comprehensive plan change for the aforementioned properties.

Testimony Received:

Applicant: Connor Lindstrom of KM Engineering, representing Sky Investments and Dwight Hooley, presented plans for the proposed Two Rivers District development on N Whitley Drive. The project spans three existing parcels, totaling 6.58 acres, and is envisioned as a mixed-use development.

The plan includes:

- Four commercial lots
- A 40-unit multi-family residential complex (to be developed in Phase 2)
- A light industrial open and enclosed storage facility

Designated open space will run along the Williams Pipeline easement, featuring a pickleball court.

The development will be phased:

- Phase 1: Construction of commercial lots and gated storage unit facilities
- Phase 2: Multi-family residential units, pending water and sewer capacity availability

Access to the development will be via ingress and egress off of Whitley Drive, designed for ease of entry and access to the proposed development. Pressurized irrigation will be provided by Farmers Coop, and power infrastructure is already in place.

Lindstrom noted that the proposed zoning aligns with the surrounding area, which includes existing multi-family residential, commercial, and industrial developments. Mitigation efforts need to take place regarding improvements to Highway 95.

Tim Davis, 7872 Richey Road (Sky Investments), explained that developments like this typically take a minimum of two to three years from start to construction. He expressed appreciation for the Council's discussion on annexations and current capacity issues. Davis noted that by the time proposed developments complete the necessary processes,

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capacity will likely be available. He cautioned that not annexing properties could discourage developers. He also expressed gratitude to the Council for considering his application for a zoning and comprehensive plan change.

Public Testimony Received:

Robert Roundy, representing Wilcox Lateral is requesting transparency from the developer in regard to construction as there is an old pipeline running thru the property.

Mike Oppen 223 Grizzly Drive expressed concerns regarding light industrial zones, water & sewer capacity issue, and traffic.

No further testimony was given, and the hearing was continued to the April 14, 2025 City Council Meeting.

4.2. Trilogy Development- Annexation, Zone Designation of Single Family Residential:

A public hearing was opened at 7:54 P.M. for the purpose of receiving public comments regarding a request by Trilogy Development for annexation and zone designation of Single Family Residential for the property location of South 2100 Block of E 1st Street referred to as Orchard Heights North.

The Council reviewed all applications, comments, testimony, minutes, and the findings of fact and conclusions from the Fruitland Planning & Zoning Commission Hearing held on December 10, 2024. The Fruitland Planning & Zoning Commission forwarded a favorable recommendation to the City Council regarding the application for annexation and zone designation of Single Family Residential upon a signed Development Agreement that includes a no will serve letter, to be provided until such time water and sewer capacity is adequate to serve the development.

Testimony Received:

Applicant: Kelli Black of Bailey Engineering, representing Trilogy Development, testified regarding their request to annex 18 acres south of the 2100 block of E 1st Street and east of Zeller Avenue. They are seeking a zoning designation of Single Family Residential. Black stated that the property is intended for future development as the Orchard Heights North Subdivision. She testified that the request aligns with surrounding land use, as the future land use map designates the property as Single Family Residential, and neighboring areas share the same zoning. Additionally, Black acknowledged the current water and sewer capacity issues, noting that the developer will submit a preliminary plat once those issues are resolved.

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Members of the public testified to express concerns regarding traffic, inadequate roads, property maintenance.

No further testimony was given, and the hearing was continued to the April 14, 2025 City Council Meeting.

5. Citizens Requests- No Comments were heard.

6. APPEAL OF CITY CODE DETERMINATION:

City Council Meeting – February 24, 2025:

At the meeting, Paul Knudson, Manager of Austin Homes, addressed the Council regarding the Building Official's directive to relocate a 6' fence and gate constructed in the front yard at 2120 Justine Court. Knudson argued that the fence aligns with the front of the house and complies with city code. The Council directed City Attorney Stephanie Bonney to provide a legal interpretation of the code at the March 10, 2025, meeting.

Code Determination:

The Council reviewed code interpretation from City Attorney Stephanie Bonney clarifying that per Section 10-3-2, a front yard extends across the front of a lot between side lot lines. The fence in question is located in the front yard and is subject to Code Section 10-9-7(A), which prohibits sight-obscuring fences over 36 inches in height in front yards. Since the fence is six feet tall, it is in clear violation of city code.

Council Decision: Councilor Pierson moved to uphold the Building Official's directive, requiring the fence and gate to be relocated or reduced to a maximum height of 36 inches in the front yard. Second, by Councilor Limbaugh. **Motion carried.**

7. CITY ENGINEER REPORTS/UPDATES:

7.1. **Transportation Engineer Report** was presented by Transportation Engineer, Bill Russell. Bill updated the Council on the SW 7th Street Sidewalk: Bid opening to be held on March 31, 2025; W 1st Street Railroad Crossing: the CE&I Scope and estimate were completed and sent to the City and ITD on February 24, 2025; Pennsylvania Avenue, NE 11th Street to NW 16th Street Phase 1: waiting on LHTAC to complete their labor hour estimates and then consultant negotiations can proceed. Councilor Carpenter moved to approve the report. Second, by Councilor Limbaugh. **Motion carried.**

7.2. **Water & Sewer Engineer Report** was presented by Transportation Engineer, Bill Russell. Wastewater treatment plant: costs and descriptions have been submitted to the city for review. These are being utilized for the bond. Modeling and data analysis

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continue for being incorporated in the wastewater master plan; Water Treatment: It's been determined to utilize solids contract clarifier for pretreatment, Water treatment plant improvement costs and descriptions were submitted to the city for review. These are being utilized for the bond. Councilor Yasuda moved to approve the report. Second, by Councilor Pierson. **Motion carried.**

7.3. **Water and Wastewater Project Descriptions and Cost Estimates** were discussed with the Council. It was determined to include the below listed improvements in the May 20, 2025 Special Revenue Bond Election:

Wastewater Improvement Projects:

Item	Cost (2027)*
1. Equalization Basin	\$5,755,000
2. Generator	\$1,325,000
3. UV	<u>\$819,000</u>
Overall Total	\$7,899,000

**cost account for inflation at 3% over two years.*

Water Improvement Projects:

Item	Cost (2027)*
1. River Intake Expansion	\$1,799,000
2. Pretreatment Contract clarifier (55-ft in PEMB)	\$7,758,000
3. Pre-Membrane Process	\$768,000
4. Membrane Train Expansion	\$4,895,000
5. Chlorine Contract Tank Expansion	\$1,138,000
6. Backwash Pond	<u>\$1,063,000</u>
Overall Total	\$17,421,000

**cost account for inflation at 3% over two years.*

City Attorney Stephane Bonney will draft Special Revenue Bond Ordinances for review and adoption at the March 24, 2025 Council meeting.

8. FEBRUARY 2025 DEPARTMENT ACTIVITY REPORTS:

8.1 **Police Department:** The February 2025 Police Department Activity Report was presented by Chief Huff. Councilor Pierson moved to approve the report. Second, by Councilor Carpenter. **Motion carried.**

8.2 **Police Department:** The February 2025 Police Reserve Fund Bank Statement was reviewed by the Council. Councilor Pierson moved to approve the February 2025 Police Reserve Fund Bank Statement. Second, by Councilor Carpenter. **Motion carried.**

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8.3 Fire Department: The February 2025 Fire Department Activity Report was presented by Chief Tarvin. Councilor Pierson moved to approve the report. Second, by Councilor Limbaugh. **Motion carried.**

8.4 Public Works Department: The February 2025 Public Works Department Activity Report was presented by Public Works Director, Matt Brock. Councilor Carpenter moved to approve the report. Second, by Councilor Limbaugh. **Motion carried.**

8.5 Building Department: The February 2025 Building Department Activity Report was presented by Building Official, Danny Little. Councilor Carpenter moved to approve the report. Second, by Councilor Yasuda. **Motion carried.**

8.6 Technology Department: The February 2025 Technology Department Activity Report was presented by IT Manager, Jesse Wetzel. Councilor Pierson moved to approve the report. Second, by Councilor Carpenter. **Motion carried.**

8.7 Ambulance Department: The February 2025 Ambulance Department Activity Report was presented by Ambulance Director, Rick Funk. Councilor Pierson moved to approve the report. Second, by Councilor Yasuda. **Motion carried.**

8.9 Treasurer's Report: The February 2025 Bills were presented by City Treasurer, Suzanne Percy. Councilor Limbaugh moved to approve the February 2025 Bills. Second, by Councilor Pierson. **Motion carried.**

9. SPECIAL REQUESTS:

9.1. Ambulance Department- Grant Participation: The Council reviewed a memo from Ambulance Director, Rick Funk explaining they have been awarded \$14,595.00 to purchase an infant life cast manikin for training through a Western Idaho Healthcare Coalition 2 Grant. Councilor Pierson moved to approve the grant participation request. Second, by Councilor Carpenter. **Motion carried.**

9.2. Fire Department- Facility Use Request: Fire Chief Brandon Tarvin ask for the Councils permission to use the City Hall, City Council Chambers to host the Snake River Valley Fire Chiefs Meetings. Councilor Yasuda moved to approve the facility use request and gave City Administrator Stuart Grimes directive to manage future facility use requests. Second, by Councilor Carpenter. **Motion Carried.**

9.3. Schedule First Responders Appreciation Banquet: The 1st Annual First Responders Appreciation Banquet was scheduled for Wednesday, May 28, 2025 at 5:30 P.M. at Fruitland City Hall-Fire Bays to honor all city staff and first responders.

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10. ADJOURNMENT:

Councilor Pierson moved to adjourn. Second, by Councilor Carpenter. **Motion carried at 9:07 P.M.**

Prepared by: Suzanne Percy
Date Approved: March 24, 2025

City of Fruitland, ID

Kari Peterson, Mayor

ATTEST:

Suzanne Percy, City Clerk