

**FRUITLAND CITY COUNCIL
MEETING MINUTES
March 23, 2026**

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

ABSENT: None.

STAFF PRESENT: JD Huff, Scott Crimin, Matt Brock, Danny Little, Rick Funk, Brandon Tarvin, Jesse Wetzel, Stuart Grimes.

OTHERS PRESENT: Tim Davis, Corey Evan, Riley Jorgensen, Robert Newell.

Mayor Peterson called the meeting to order at 7:00 P.M. and roll was taken.

A quorum of the Council was present.

2. Consent Agenda:

Councilor Yasuda moved to approve the consent agenda including the March 9, 2026 City Council meeting minutes and the March 2026 Fruitland Planning & Zoning Commission Report. Second, by Councilor Carpenter. **Motion carried.**

3. PUBLIC HEARING 7:00 P.M.:

There were no conflicts of interest declared by the Council.

A Public hearing was opened at 7:01P.M. for the purpose of receiving public comments regarding a request by KM Engineering LLC for a zone change and comprehensive plan 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, and development agreement and preliminary plat for the proposed Two Rivers Subdivision.

Tim Davis, representing KM Engineering, explained that in response to comments regarding impacts to Highway 95 and the City's limited water and sewer capacity, the project has been revised. The updated plan reduces the number of multifamily residential units and incorporates storage units. The project will also be developed in phases. Phase 1 will include commercial development and storage units, while Phase 2 will be deferred until water and sewer capacity issues have been addressed.

Written testimony was received from Brenda Marshall, Donna Cowgill, Anne Gross.

No further testimony was given, and the hearing was closed at 7:09 P.M.

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4. Land Use Decision:

4.2. Ordinance No.722- Zone & Comp Plan Change, Development Agreement, Preliminary Plat of Two Rivers Subdivision: Councilor Pierson moved to read Ordinance No. 722- Zone & Comp Plan Change, Development Agreement and Preliminary Plat of the Two Rivers Subdivision, by title only. Second, by Councilor Limbaugh. **Motion carried.** Councilor Pierson moved to suspend the rules and adopt Ordinance No. 722. Second, by Councilor Yasuda. **Roll call vote:** Limbaugh, aye. Carpenter, aye. Yasuda, aye. Pierson, aye. **Motion carried.**

5. Donation Request- Fruitland Chamber of Commerce Apple Jam Auction:

The Council reviewed a donation request from the Fruitland Chamber of Commerce seeking a donation for the Apple Jam fundraiser event. Councilor Limbaugh moved to donate 10 yards of gravel to be delivered within Payette County. Second, by Councilor Carpenter. **Motion carried.**

6. Citizens Request:

No comments were heard.

7. City Engineer Reports/Updates:

The Transportation and Water & Sewer Engineer Reports were reviewed by the Council. Councilor Pierson moved to approve the reports. Second, by Councilor Carpenter. **Motion carried.**

8. Utility Easement Agreement – Atlas Pallet Property (2205 NW 2nd Ave.):

City staff presented a utility easement agreement between the City of Fruitland and Armen, LLC, for property located at 2205 NW 2nd Avenue. The agreement grants the City a perpetual, non-exclusive easement across approximately 1.06 acres for the installation, operation, and maintenance of water utilities.

The easement allows the City to construct and maintain water infrastructure while preserving the property owner's ability to use the area for access and other improvements. The City also assumes responsibility for any liabilities arising from its use of the easement. The agreement runs with the land and authorizes the City to access the property as necessary for water system purposes.

Council Decision: Councilor Pierson moved to the utility easement and agreement between the City of Fruitland and Armen LLC property located at 2205 NW 2nd Avenue, Second, by Councilor Limbaugh. Roll call vote: Limbaugh, aye; Carpenter, aye; Yasuda, aye; Pierson, aye. **Motion carried.**

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9. Resolution No. 2026-04- AFFF PFAS Litigation Legal Services Agreement:

The Council reviewed proposed Resolution No. 2026-04 authorizing the City to enter into a legal services agreement related to AFFF PFAS litigation. The purpose is to pursue potential claims and recover costs associated with contamination impacts to the City's water system. The agreement retains the law firms of Stag Liuzza, LLC and Hilty, Bower, Haws & Seable, PLLC, who specialize in PFAS litigation and public water system cost recovery.

Key terms of the agreement include:

- Representation on a contingency fee basis of one-third of any recovery.
- No cost to the City unless a recovery is obtained.
- Attorneys will advance all litigation costs, which are reimbursed only if recovery occurs.
- The firms are authorized to file claims, negotiate settlements, and pursue litigation on behalf of the City.

The resolution authorizes the City Manager to execute the agreement and proceed with participation in the AFFF multidistrict litigation.

Council Decision: Councilor Pierson moved to adopt Resolution No. 2026-04 and the Contract for Legal Services for AFFF PFAS Litigation. Second, by Councilor Yasuda. **Motion carried.**

10. Ordinance No. 723- Amendment to Section 8-2-6(a)- (Water Meter Access and Obstructions):

City Clerk Suzanne Percy presented an ordinance amending Fruitland City Code Section 8-2-6(A) to address ongoing issues with obstructed water meters. The amendment clarifies requirements to ensure meters remain accessible for reading, maintenance, and repair.

The ordinance:

- Requires water meters to remain readily accessible at all times.
- Prohibits placement of vehicles, landscaping, structures, or other obstructions over or around meters.
- Makes property owners responsible for maintaining clear access.
- Authorizes the City to remove obstructions, if necessary, at the property owner's expense.
- Clarifies the City is not responsible for damage to items placed over or around meters.

Council Decision: Councilor Pierson moved to read Ordinance No. 723- Amend City Code 8-2-6(a)- Meter Access, by title only. Second, by Councilor Limbaugh. **Motion carried.** Councilor Pierson moved to suspend the rules and adopt Ordinance No. 723. Second, by Councilor Yasuda. **Roll call vote:** Limbaugh, aye. Carpenter, aye. Yasuda, aye. Pierson, aye. **Motion carried.**

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11. Fiscal Year 2026-2027 Budget Hearing Schedule:

Councilor Pierson moved to schedule the 2026-2027 Budget Workshop for July 7, 2026 at 2:00 P.M. and the 2026-2027 Budget Hearing for August 24, 2026. Second, by Councilor Carpenter. **Motion carried.**

12. Treasurer’s February 2026 Financial Report:

The February 2026 Finance Report was presented by City Treasurer, Suzanne Percy. Councilor Pierson moved to approve the February 2026 Finance Report. Second, by Councilor Yasuda. **Motion carried.**

13. Executive Session:

Councilor Pierson moved to enter into Executive Session pursuant to Idaho Code Section 74-206(1)(b) – Personnel. Second, by Councilor Carpenter. Roll call vote: Limbaugh, aye; Carpenter, aye; Yasuda, aye; Pierson, aye. **Motion was carried out at 7:32 P.M.**

Regular session resumed at 7:43 P.M.

14. Mayoral Appointment- Police Chief:

Mayor Peterson appointed JD Huff as Police Chief effective April 6, 2026. Councilor Pierson moved to approve the appointment. Second, by Councilor Carpenter. **Motion carried.**

15. Adjournment:

Councilor Pierson moved to adjourn. Second, by Councilor Carpenter. **Motion carried at 7:48 P.M.**

Prepared by: Suzanne Percy
Date Approved: April 13, 2026

City of Fruitland, ID

Kari Peterson, Mayor

ATTEST:

Suzanne Percy, City Clerk