

November 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: Mark Little, Bill Russell, Levi Howell, Stephanie Bonney, JD Huff, Matt Brock, Rick Funk, Danny Little, Jesse Wetzel, Stuart Grimes.

OTHERS PRESENT: Robert Roundy, Russ Roberts, James Trumble, Jaren Trumble, Barbara Martien, Katie Miller, Dan Ardie, Krista King, Annie Knudson.

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

Councilor Limbaugh moved to approve the October 23, 2023 minutes. Seconded by Councilor Carpenter. Motion carried.

Water/Sewer Engineer Levi Howell updated the Council on the current status of remaining capacity in regards to the water and wastewater treatment plants. Levi explained that the water treatment facility currently has the capacity to treat approximately 895 Equivalent Residential Units (ERUs) the City has approved several developments that have not yet started construction, lowering the number available to 555 ERUs. If the Council approves the proposed Waters Edge Subdivision, consisting of 80 buildable lots and Phase 1 and Phase 2 of the proposed Orchard Heights Subdivision, consisting of 77 buildable lots, then the number of available ERUs would lower to 341 ERUs, equaling approximately 125,000 gallons per day of remaining capacity. The wastewater treatment plant currently can treat approximately 813 ERUs and after the approved developments, the proposed Waters Edge Subdivision, Phase 1 and Phase 2 of the proposed Orchard Heights Subdivision, the number would lower to approximately 260 ERUs, equaling approximately 50,000 gallons per day of available capacity. Levi summarized some projects that could be done to help produce more capacity and the Council agreed to schedule a workshop in January to discuss options.

A public hearing was opened at 7:15 P.M. for the purpose of receiving testimony regarding a request by Summertime Residential Properties, LLC., for annexation, zone designation of Single Family Residential, development agreement and preliminary plat of Waters Edge Subdivision for the property located west of N. Vista Avenue and Washoe Road extending to the bank of the Snake River.

Dan Lardie, of Leavitt & Associates Engineers representing Summertime Residential Properties explained they are requesting annexation and zoning for parcel 08N05W167230 consisting of approximately 26.903 acres. This parcel is currently zoned county Agricultural Range Land and they are requesting annexation with a zoning designation of Single Family Residential. The

project abuts the City along its east and south borders. The project will contain 80 buildable lots with 8 common lots. Access to the development will be from Allen Avenue and Vista Avenue. A traffic impact study has been completed with no issues. Water & sewer will be accessed off of Allen Avenue and Vista Avenue. The project consists of 28.65% open space with pathways, and large grassy play area. A walking path with community access to the Snake River will also be provided. Mr. Lardie explained that all previous concerns presented by the Engineers and City staff have been addressed. Mr. Lardie reviewed “Exhibit B” of the proposed development agreement with the Council and answered questions.

Robert Roundy and Russ Roberts, representing Wilcox Irrigation Lateral testified that they are not opposed to the development as long as Wilcox Lateral is preserved. They stated that after hearing testimony from the developer they feel the needs and concerns of Wilcox Irrigation Lateral have been met.

Written testimony was received from Mason & Associates, Ardurra, Idaho Power, Jerry Campbell, Idaho Transportation Department.

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

A public hearing was opened at 7:32 P.M. for the purpose of receiving testimony regarding a request by Trilogy Development for annexation, Comprehensive Plan amendment from Neighborhood Commercial to Single Family Residential, and zone designation of Single Family Residential, development agreement and preliminary plat of Orchard Heights Subdivision for property located in the North and South 2100 Blocks of SE 6th Street to the North 2250 Block of NW 2nd Avenue.

David Bailey of Bailey Engineering representing Trilogy Development, using a power point presentation, reviewed the proposed development with the Council. Mr. Bailey explained they are requesting annexation, comprehensive plan amendment from Neighborhood Commercial to Single Family Residential zone designation of Single Family Residential, preliminary plat, and approval of the development agreement. The proposed Orchard Heights Subdivision will be a Single Family Residential development on 128 acres, consisting of 368 buildable lots and 45 common lots. Minimum lot size of 7,500sf, maximum lot size of 20,533sf for an average lot size of 8,260sf. The development will have several amenities consisting of 28 acres of common area, .20 miles of walkable paths, 104 miles of street sidewalks, 1.3 miles of connected pedestrian routes, multiple pocket parks for play throughout the community, larger parks in both the north and south with play structures, covered sitting areas and open play areas. Mr. Bailey explained that all previous concerns presented by the Engineers, Highway District, and City staff have been addressed. They are currently working with Williams Pipeline to address their needs and any concerns they may have. Mr. Bailey reviewed “Exhibit B” of the proposed development agreement with the Council and answered questions.

Barbara Martien, 342 Grizzly Drive, expressed concerns of allowing continued growth in Fruitland and the impact on schools and City services.

James Trumble, 247 Stagecoach Avenue, stated his concerns regarding public safety with continued growth of Fruitland and the strain new developments have on police, fire, ambulance, and other City services.

Written testimony was received from Idaho Power, Phyllis Swanson, James Sharp, Dave Faulkner, Adurra, Jerry Campbell, Idaho Transportation Department, and Bailey Engineering.

No other testimony was given and the hearing was closed at 8:04 P.M.

Councilor Limbaugh moved to table the land use decisions for Summertime Residential Properties in regards to the Water Edge Subdivision and to table the land use decisions for Trilogy Development in regards to Orchard Heights Subdivision to allow additional time to review documentation. Seconded by Councilor Pierson. Motion carried. This item will be revisited at the November 27, 2023 City Council meeting.

The Council reviewed a special event permit application from the Fruitland Chamber of Commerce for “Christmas on Main Street” to be held on November 30, 2023 from 4:00 P.M. to 9:00 P.M at the Fruitland Community Park and SW 3rd Street. Krista King stood to answer questions and explained that the purpose of the event is to bring the community together with a Peace Candle lighting, tree lighting, Passport Business walk for citizens to win prizes by getting passports stamped by local businesses, Santa will be available to meet with children, fire truck and hay rides will also be available. Councilor Pierson moved to approve the request from the Fruitland Chamber of Commerce for a special event permit for “Christmas on Main Street” and to waive the fee requirements. Seconded by Councilor Peterson. Motion carried.

The Transportation Engineer Report was presented by Transportation Engineer, William Russell. Councilor Pierson moved to approve the report. Seconded by Councilor Carpenter. Motion carried.

The Council reviewed a memo from Transportation Engineer, William Russell summarizing the anticipated cost for Ardurra Group to prepare a Local Highway Technical Advisory Committee (LHTAC) Federal-Aid Urban grant application. The grant application will be the first step in obtaining LHTAC funds for the construction of sidewalk improvements to SW 7th Street. The City desires to add a sidewalk along the southern side of SW 7th Street from Iowa Avenue to Pennsylvania Avenue. The LHTAC Children Pedestrian Safety Program, if awarded, will provide up to \$250,000 for construction of the sidewalk. The LHTAC funds cannot be used for design engineering costs. The design engineering cost is estimated to be \$33,000 and would need to be funded by the City. Ardurra estimates the effort to complete the LHTAC application to be approximately \$5,000. Councilor Peterson moved to proceed with the application process. Seconded by Councilor Carpenter. Motion carried.

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

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

The October 2023 Fire Department Activity Report was presented by Chief Little. Councilor Pierson moved to approve the report. Seconded by Councilor Peterson. Motion carried.

The Council reviewed a property disposal request from Fire Chief, Mark Little asking permission to dispose of unusable bunker gear and SCBA equipment. Councilor Pierson moved to approve the property disposal request. Seconded by Councilor Peterson. Motion carried.

The October 2023 Public Works Department Activity Report was presented by Public Works Director, Matt Brock. Councilor Carpenter moved to approve the report. Seconded by Councilor Limbaugh. Motion carried.

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

The Council reviewed a Fruitland/Payette County Building Inspection Agreement between the City of Fruitland and the County of Payette for Fruitland to provide building and mechanical inspections in Payette County. Danny explained the agreement increases the revenue split from 50/50 to 65/35 split for the next six months while the County reevaluates their fee schedule. Councilor Pierson moved to approve the agreement. Seconded by Councilor Peterson. Roll call vote: Limbaugh, aye. Carpenter, aye. Peterson, aye. Pierson, aye. Motion carried.

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

The October 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.

Councilor Peterson moved to table the reading of Ordinance No. 705 and Ordinance No. 706 until the next City Council meeting to allow more time for the Council to review public hearing documentation. Seconded by Councilor Limbaugh. Motion carried.

Councilor Pierson moved to cancel the December 25, 2023 City Council meeting in observance of Christmas Day. Seconded by Councilor Carpenter. Motion carried.

Councilor Pierson moved to give \$100.00 gift cards to all full time employees, along with the Mayor, City Council, and City Attorney as Christmas gifts. Seconded by Councilor Peterson. Motion carried.

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

Councilor Pierson moved to enter into Executive Session pursuant to Idaho Code section 74-206(1)(b)- Personnel. Seconded by Councilor Peterson. Roll call vote: Limbaugh, aye. Carpenter, aye. Peterson, aye. Pierson, aye. Motion carried at 9:00 P.M.
Regular session was resumed at 9:10 P.M.

Fire Chief, Mark Little explained he is requesting the Council consider a one-time waiver of Chapter 1, Section D.2 of the Personnel Policy, to allow him to employ his nephew Gregory Pollock on the Fruitland Fire Department. Chief Little explained the Fire Department is comprised of part-time volunteer positions and the department has a need for willing and able bodied persons to fill the roster. Councilor Limbaugh move to approve the waiver request. Seconded by Councilor Carpenter. Motion carried.

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

Brian Howell, Mayor

ATTEST:

Suzanne Percy, City Clerk