

The Fruitland Planning Commission met at City Hall on Tuesday evening, May 3, 2011 at 7:00 p.m. with the following members present:

Chairman Leland Bonneville, Richard Lee Outen, Jr., Derek Bland, Paul Bradshaw, and Annette Noble

Also present at the table were:

City Manager Rick D. Konrad, Assistant City Manager / City Clerk Diane C. Nelson, Public Works Director Joseph P. Derbyshire, Administrative Assistant Linda J. Powell, and City Solicitor Andrew C. Mitchell Jr.

Our guests included:

Bob Marvel and Rodney Long

Chairman Bonneville called the meeting to order at 7:00 p.m. and thanked Ms. Noble for chairing the April 2011 meeting which he was unable to attend; he then acknowledged receipt of the minutes of the April 5, 2011 Planning Commission Meeting, calling for additions or corrections. As there were none, **Mr. Bland moved to adopt the minutes as presented; Mr. Bradshaw seconded and the motion passed on a unanimous vote in favor.**

As there was no Old Business to discuss, Chairman Bonneville proceeded to New Business.

NEW BUSINESS

1. Proposed Fiscal Year 2011-2012 Capital Improvements Budget

City Manager Konrad presented the Proposed Capital Improvements Budget for Fiscal Year 2011-2012 and reviewed portions which had been revised since Commission Members had received copies in their meeting packets.

Public Works Director Derbyshire summarized Capital Projects planned for Storm Drainage, Highways, and Sewer; City Manager Konrad summarized Capital Projects planned for Public Buildings, and Capital Equipment.

Discussion was generated by questions regarding planned capital equipment purchases, the condition of the existing elevated water tank and the status of any plans for a new elevated water tank, the existence of a long term master plan for priority scheduling of road paving projects, the status of plans to rehabilitate the Main Street Railroad Crossing, the status of outside funding sources, and the terminology used to describe the Enhanced Nutrient Removal (ENR) Upgrade at the Waste Water Treatment Plant (WWTP).

After discussion, **on a motion by Mr. Bland that was seconded by Ms. Noble and approved by a unanimous vote in favor, the Planning Commission recommended to the City Council the approval of the Proposed Fiscal Year 2011-2012 Capital Improvements Budget, subject to the inclusion of an asterisk (*) in the *Total Outside Funding* Column to denote *Funding Pending* where applicable and the deletion of “*Expansion*” in the *Sewer ENR WWTP Upgrade* Project Line, so the *Upgrade* would not be construed as an actual expansion of processing capacity at the Plant.**

2. Re-subdivision Request – 217 Hayward Avenue (Rodney Long)

Rodney Long presented his request to subdivide his 217 Hayward Avenue property, creating a new deeded lot with a frontage on Crockett Avenue, for the purpose of constructing a Three (3) bedroom single family

residence after the purchase of Five (5) feet of the rear side yard from neighboring property owners Robert and Peggy Mason at 215 Hayward Avenue; he acknowledged that the current R-2 Multi-Family Zoning of his 217 Hayward Avenue property would allow the existing dwelling to be converted to a duplex, but said that is not his first choice for the neighborhood.

Discussion included the status of the agreement with the Masons, Zoning of the surrounding area, and Equivalent Dwelling Unit (EDU) availability in conjunction with the Subdivision Ordinance, the existence of a precedent for this circumstance, and other City lots which are deemed *unbuildable* but have attached EDUs.

Public Works Director Derbyshire will research unbuildable lots to determine if there are any with attached EDUs.

City Solicitor Mitchell acknowledged that the Planning Commission may want to consider revision of the Subdivision Ordinance since it presently assigns EDUs upon Final Subdivision approval and in many cases EDUs may not be available at the time the Subdivision is approved, thus requiring the "unbuildable" notation on the approved plat.

The Planning Commission determined by consensus, but without vote, that Mr. Long should plan to return before the Commission with a Final Subdivision Plat, accompanied by a contract to survey 215 and 217 Hayward Avenue and a contract with the Masons to purchase the designated footage from their lot. Both contracts would be contingent upon Final Subdivision approvals from the Planning Commission and the City Council designating on the plat that the lot is unbuildable until such time as an EDU becomes available.

3. Proposed Fiscal Year 2011-2012 Five-Year Capital Improvements Plan

City Manager Konrad acknowledged that although Commission Members had reviewed and discussed the Proposed Five-Year Capital Improvements Budget for Fiscal Year 2011-2016 earlier in the meeting, they had never voted on it; thereafter, **on a motion by Mr. Bland which was seconded by Mr. Bradshaw and approved by a unanimous vote in favor, the Planning Commission recommended to the City Council the approval of the Proposed Fiscal Year 2012-2016 Five-Year Capital Improvements Plan as presented.**

GENERAL DISCUSSION

Final comments generated discussion on a North Division Street property located just beyond City limits which had recently been the site of a house fire, a Camden Avenue property holding daily yard sales, and another Camden Avenue property with people purportedly living in campers on the property because of livability issues with the dwelling.

[Research following the meeting indicated that a potential Yard Sale Ordinance had been considered in 1988 but never approved]

With no further business to discuss, **Mr. Bland moved to adjourn and Mr. Outen seconded. The motion was approved by a unanimous vote in favor and the meeting adjourned at 8:05 p.m.**

Diane C. Nelson
Diane C. Nelson, Asst. City Mgr. /City Clerk
Approved, June 7, 2011 dcn