

# City of Greenleaf

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## CITY COUNCIL MEETING MINUTES

### Regular Session – 7:00pm – 02 April 2024 – Greenleaf City Hall

*This meeting can be joined via computer, tablet, or smartphone at:*

*<https://meet.goto.com/CityofGreenleaf/council-mtg>*

*Via telephone United States: +1 (571) 317-3112 Access Code: 142-571-637*

#### Agenda:

1. Meeting called to order
2. Pledge of Allegiance
3. Roll Call
4. Comments to the Council
5. Adjustments to meeting agenda [ACTION ITEM]
- 5.1 Presentation - Canyon County Ambulance District Levy Over-Ride 2024 [ACTION ITEM]  
- Chief Michael D. Stowell
- 5.2 Presentation - Business Strategy for Establishing an Economic Development District in Southwestern Idaho  
- Jeffrey C. McCurdy, President & CEO, Region IV Development  
- Dr. Michele McFarlane, Community and Economic Development Manager, Policy Academy Co-Leader, Region IV Development
6. **POLICE AND FIRE REPORTS**
- 6.1 Police Report
- 6.2 Fire Report
7. **AGENDA ITEMS REQUIRING CONTRACT STAFF INPUT**
- 7.1 20812 Whittier Drive Variance Request Public Hearing [ACTION ITEM]
- 7.2 Consideration of the 20812 Whittier Drive Variance Request [ACTION ITEM]
- 7.3 Consideration of Draft Ordinance FY2024-003 (Idaho Power Franchise Agreement) AN ORDINANCE IN ACCORDANCE WITH IDAHO CODE 50-328, 50-329 AND 50-329A GRANTING A FRANCHISE TO IDAHO POWER COMPANY, A CORPORATION, AND TO ITS SUCCESSORS AND ASSIGNS, TO CONSTRUCT, MAINTAIN AND OPERATE IN AND UPON THE PRESENT AND FUTURE STREETS, HIGHWAYS AND OTHER PUBLIC PLACES WITHIN THE CORPORATE LIMITS OF THE CITY OF GREENLEAF, IDAHO, ELECTRIC UTILITY PROPERTY AND FACILITIES FOR SUPPLYING ELECTRICITY AND ELECTRIC SERVICE TO THE CITY, THE INHABITANTS THEREOF, AND OTHERS FOR A TERM OF 20 YEARS, INCLUDING THE NONEXCLUSIVE RIGHT TO PHYSICALLY LOCATE AND MAINTAIN TELEPHONE, CABLE, FIBER OPTICS OR OTHER COMMUNICATIONS FACILITIES; SETTING FORTH AN AGREEMENT NOT TO COMPETE, RESERVING POWER OF EMINENT DOMAIN; PROVIDING FOR THE PAYMENT OF FRANCHISE FEES; AND SPECIFYING OTHER LIMITATIONS, TERMS AND CONDITIONS GOVERNING THE EXERCISE OF SAID FRANCHISE. [ACTION ITEM] *(Clerk's Note: First Reading)*
- 7.4 Authorization of Mayor's signature on the Royal Ridge Development Agreement (DA) [ACTION ITEM]
- 7.5 Authorization of Mayor's signature on the Royal Ridge Reasoned Statement with Findings of Fact and Conclusions of Law (FFCL) [ACTION ITEM]
- 7.6 Consideration of Draft Ordinance #FY24-002 (Royal Ridge annexation) AN ORDINANCE OF THE CITY OF GREENLEAF, CANYON COUNTY, STATE OF IDAHO, FINDING THAT CERTAIN LAND LIES CONTIGUOUS OR ADJACENT TO THE CITY LIMITS OF THE CITY OF GREENLEAF; FINDING THAT THE OWNER HAS MADE A REQUEST FOR ANNEXATION; ANNEXING SAID LAND TO THE CITY OF GREENLEAF ZONED R-5 RESIDENTIAL (R-5); DECLARING THAT SAID LAND, AS DESCRIBED BY PROPER LEGAL DESCRIPTION, BE A PART OF THE CITY OF GREENLEAF; REPEALING ALL ORDINANCES, RESOLUTIONS, ORDERS OR PARTS THEREOF IN CONFLICT HERewith; DIRECTING THE CITY ENGINEER TO ADD SAID PROPERTY TO THE OFFICIAL MAPS OF THE CITY OF GREENLEAF, IDAHO; DIRECTING THE CLERK OF THE CITY OF GREENLEAF TO FILE A CERTIFIED COPY OF THE ORDINANCE AND MAP OF THE AREA TO BE ANNEXED WITH THE CANYON COUNTY RECORDER, AUDITOR, TREASURER AND ASSESSOR, AND THE STATE TAX COMMISSION OF THE STATE OF IDAHO, PURSUANT TO IDAHO CODE SECTION 50-223 AND 63-2215; DIRECTING THE CLERK OF THE CITY OF GREENLEAF TO FILE A CERTIFIED COPY OF THE ORDINANCE AND MAP OF THE AREA WITH IDAHO POWER (FRANCHISEE), INTERMOUNTAIN GAS (FRANCHISEE), SPARKLIGHT (FRANCHISEE), REPUBLIC SERVICES (CONTRACT WASTE DISPOSAL SERVICES PROVIDER), THE CITY OF WILDER (CONTRACT POLICE SERVICE PROVIDER) AND THE CALDWELL RURAL FIRE PROTECTION DISTRICT (FIRE SERVICE PROVIDER), AND PROVIDING FOR AN EFFECTIVE DATE. [ACTION ITEM]
- 7.7 Any other agenda items requiring contract staff input
8. **OTHER REPORTS AND PREVIOUS MEETING MINUTES (CONSENT AGENDA)**
- 8.1 Treasurer's Report and Disbursement List
- 8.2 Public Services Director's report
- 8.3 City Clerk's report
- 8.4 Monthly new construction valuation report
- 8.5 Consideration of consent agenda [ACTION ITEM]
9. **OTHER OLD BUSINESS**
- 9.1 Consideration of meeting minutes from 12 Mar 2024
- 9.2 Other Old Business
10. **OTHER NEW BUSINESS**
- 10.1 Other New Business
11. **ADJOURNMENT**
- 11.1 Recess to allow the clerk to finish draft minutes for this meeting, if needed
- 11.2 Consideration of minutes for this meeting [ACTION ITEM]
- 11.3 Adjournment [ACTION ITEM]

1. Meeting called to order

Council President Ryan Schnuerle called the meeting to order at approximately 7:01p.

2. Pledge of Allegiance

Ryan Schnuerle led those assembled in the Pledge of Allegiance.

3. Roll Call

The clerk was asked to take roll call with the following results:

X Seat 1: Ryan Schnuerle	X Seat 2: Rob Fisher	X Seat 3: Rachel Brobeck
X Seat 4: Dan Hyer	<input type="checkbox"/> Mayor: Brad Holton	<input type="checkbox"/> Impact Area: Liza Warner
Also Present:		
X City Clerk	X Public Services Director	<input type="checkbox"/> Police <input type="checkbox"/> Fire
X City Attorney	X City Engineer	X City Treasurer

Stephanie Bonney was in attendance as the City Attorney. Doug Amick arrived at approximately 7:20p.

No one attended by videoconference.

4. Comments to the Council - This agenda item is reserved for those wishing to address the Council regarding city-related issues. In order to ensure adequate public notice, Idaho law provides that any item requiring Council action must be placed on the agenda of an upcoming Council meeting, except for emergency circumstances. Comments related to future public hearings should be held for that public hearing, and should not be discussed by Council before the public hearing. Repeated comments regarding the same or similar topics previously addressed are out of order and will not be allowed. Persons wishing to speak will have a maximum of three (3) minutes. Comments regarding performance by city employees are inappropriate at this time and should be directed to the Mayor, either by subsequent appointment or after tonight's meeting, if time permits. Multiple persons speaking to the same concern will be acknowledged, but only one speaker will be allowed.

Linda Young of Whittier Drive addressed Council, reminding Council of her request in January or February to have minutes published on the website, Facebook, or sent with utility bills. Discussion followed. The clerk agreed to increase the priority of implementing this request.

5. Adjustments to meeting agenda [ACTION ITEM]

No adjustments were made to the meeting minutes.

5.1 Presentation - Canyon County Ambulance District Levy Over-Ride 2024 [ACTION ITEM]

– Chief Michael D. Stowell

Please see written presentation for detail. It was clarified that this will be on the ballot in May, and noted that impact fees (currently in development) are not used for salaries or operations, but should fund the next station needed. Discussion followed, with desire expressed for clear ballot language. Discussion continued, including retention of paramedics.

POLICE REPORT – Officer Gray gave a report. There was recent activity just outside Greenleaf, other than this normal activity. Discussion followed, including retention of officers.

5.2 Presentation - Business Strategy for Establishing an Economic Development District in Southwestern Idaho

– Jeffrey C. McCurdy, President & CEO, Region IV Development

– Dr. Michele McFarlane, Community and Economic Development Manager, Policy Academy Co-Leader, Region IV Development

Please see presentation and report for detail. David Lincoln, Executive Director of the Western Alliance for Economic Development provided an introduction.

6. **POLICE AND FIRE REPORTS**

6.1 Police Report

Accomplished earlier under item #5.1.

6.2 Fire Report

Please see written report and pin diagram for detail.

7. **AGENDA ITEMS REQUIRING CONTRACT STAFF INPUT**

7.1 20812 Whittier Drive Variance Request Public Hearing [ACTION ITEM]

*(Clerk's Note: Continued at the 05 Mar 2024 Meeting)*

Ryan Schnuerle opened the public hearing at approximately 8:01p. Janie Rojas spoke for the applicant. Janie provided copies of pictures, and information on the LINX simplified pergola system. Janie recapitulated for the Council that the carport was built without a building permit, and that the variance from setback is sought for relief from grade. Exhibits were briefly highlighted. Reference was made to the P&Z's recommended conditions. The Council paused to review exhibits. No one in the gallery chose to provide public comment to Council. Ryan Schnuerle closed the public hearing at approximately 8:23p.

7.2 Consideration of the 20812 Whittier Drive Variance Request [ACTION ITEM]

Discussion occurred regarding location of road right of way and setback. It was clarified that the variance is requested from a 30-foot setback. The face of the structure is 12 feet from the property line rather than 30 feet from the property line. Council reviewed the application. Discussion followed. The City Attorney recommended that the Council decide first if they wish to grant the variance, and that if the answer to this is yes, then conditions for the building might be discussed. Discussion followed, including related to the building official's evaluation dated 29 Nov 2023. Council paused to review the documentation. Discussion continued. The City Attorney recommended that, if Council decides to approve the variance, then it could be conditioned in accordance with the Building Official's evaluation. Council paused to review the applicant's written narrative, which was written to address the Greenleaf Code criteria for variance evaluation. Discussion followed, including granting the variance with conditions identified in the Building Official's evaluation. P&Z recommendation that the structure be removed upon conveyance or transference was also discussed. Concern was expressed that granting the variance could, from a political standpoint, not legal standpoint, result in the public's belief that precedence has been set. Setting a condition of timeline for compliance with conditions, perhaps a year, was also discussed.

Rob Fisher moved to approve the variance with the first condition that the carport is to be removed upon transference or conveyance of title to other than the current property owner, and that the structure be brought into compliance to the Building Inspector's satisfaction within one year. Dan Hyer seconded. The motion received unanimous approval.

7.3 Consideration of Draft Ordinance FY2024-003 (Idaho Power Franchise Agreement) AN ORDINANCE IN ACCORDANCE WITH IDAHO CODE 50-328, 50-329 AND 50-329A GRANTING A FRANCHISE TO IDAHO POWER COMPANY, A CORPORATION, AND TO ITS SUCCESSORS AND ASSIGNS, TO CONSTRUCT, MAINTAIN AND OPERATE IN AND UPON THE PRESENT AND FUTURE STREETS, HIGHWAYS AND OTHER PUBLIC PLACES WITHIN THE CORPORATE LIMITS OF THE CITY OF GREENLEAF, IDAHO, ELECTRIC UTILITY PROPERTY AND FACILITIES FOR SUPPLYING ELECTRICITY AND ELECTRIC SERVICE TO THE CITY, THE INHABITANTS THEREOF, AND OTHERS FOR A TERM OF 20 YEARS, INCLUDING THE NONEXCLUSIVE RIGHT TO PHYSICALLY LOCATE AND MAINTAIN TELEPHONE, CABLE, FIBER OPTICS OR OTHER COMMUNICATIONS FACILITIES; SETTING FORTH AN AGREEMENT NOT TO COMPETE, RESERVING POWER OF EMINENT DOMAIN; PROVIDING FOR THE PAYMENT OF FRANCHISE FEES; AND SPECIFYING OTHER LIMITATIONS, TERMS AND CONDITIONS GOVERNING THE EXERCISE OF SAID FRANCHISE. [ACTION ITEM]

*(Clerk's Note: First Reading)*

It was noted that term and rate are the two variables for consideration. Idaho Power recommends 20-year term and continuation of the current 1% rate. Ryan Schnuerle performed first reading by title. It was also noted that second and third readings cannot be waived for franchise agreements.

7.4 Authorization of Mayor's signature on the Royal Ridge Development Agreement (DA) [ACTION ITEM]

*(Clerk's Note: Per motion and approval made under item #5 at the 27 Mar 2024 Council Meeting)*

Dan Hyer moved to authorize. Rob Fisher seconded. The motion received unanimous approval.

7.5 Authorization of Mayor's signature on the Royal Ridge Reasoned Statement with Findings of Fact and Conclusions of Law (FFCL) [ACTION ITEM] (Clerk's Note: Per motion and approval made under item #5 at the 27 Mar 2024 Council Meeting)

Council paused to review the documentation. Rob Fisher moved to authorize. Ryan Schnuerle seconded. The motion received unanimous approval.

7.6 Consideration of Draft Ordinance #FY24-002 (Royal Ridge annexation) AN ORDINANCE OF THE CITY OF GREENLEAF, CANYON COUNTY, STATE OF IDAHO, FINDING THAT CERTAIN LAND LIES CONTIGUOUS OR ADJACENT TO THE CITY LIMITS OF THE CITY OF GREENLEAF; FINDING THAT

THE OWNER HAS MADE A REQUEST FOR ANNEXATION; ANNEXING SAID LAND TO THE CITY OF GREENLEAF ZONED R-5 RESIDENTIAL (R-5); DECLARING THAT SAID LAND, AS DESCRIBED BY PROPER LEGAL DESCRIPTION, BE A PART OF THE CITY OF GREENLEAF; REPEALING ALL ORDINANCES, RESOLUTIONS, ORDERS OR PARTS THEREOF IN CONFLICT HEREWITH; DIRECTING THE CITY ENGINEER TO ADD SAID PROPERTY TO THE OFFICIAL MAPS OF THE CITY OF GREENLEAF, IDAHO; DIRECTING THE CLERK OF THE CITY OF GREENLEAF TO FILE A CERTIFIED COPY OF THE ORDINANCE AND MAP OF THE AREA TO BE ANNEXED WITH THE CANYON COUNTY RECORDER, AUDITOR, TREASURER AND ASSESSOR, AND THE STATE TAX COMMISSION OF THE STATE OF IDAHO, PURSUANT TO IDAHO CODE SECTION 50-223 AND 63-2215; DIRECTING THE CLERK OF THE CITY OF GREENLEAF TO FILE A CERTIFIED COPY OF THE ORDINANCE AND MAP OF THE AREA WITH IDAHO POWER (FRANCHISEE), INTERMOUNTAIN GAS (FRANCHISEE), SPARKLIGHT (FRANCHISEE), REPUBLIC SERVICES (CONTRACT WASTE DISPOSAL SERVICES PROVIDER), THE CITY OF WILDER (CONTRACT POLICE SERVICE PROVIDER) AND THE CALDWELL RURAL FIRE PROTECTION DISTRICT (FIRE SERVICE PROVIDER), AND PROVIDING FOR AN EFFECTIVE DATE. [ACTION ITEM] (Clerk's Note: Per motion and approval made under item #5 at the 27 Mar 2024 Council Meeting; First reading)

Dan Hyer moved to waive the three readings and read by title only. Rachel Brobeck seconded. The motion received unanimous approval.

Stephanie Bonney read the ordinance by title. Rob Fisher moved to adopt. Dan Hyer seconded. A roll call vote was requested. The motion was approved with Ryan Schnuerle for the motion, Rob Fisher for the motion, Rachel Brobeck for the motion, and Dan Hyer for the motion.

7.7 Any other agenda items requiring contract staff input  
There were none.

## 8 **OTHER REPORTS AND PREVIOUS MEETING MINUTES (CONSENT AGENDA)**

### 8.1 Treasurer's Report and Disbursement List

Please see written report for detail. City Treasurer Carrie Huggins highlighted the reports for Council. On the balance sheet, the Western Alliance shows a negative balance because the check has been written for the RIVDA business plan presented earlier in this meeting, which is covered by reimbursement grants not yet received. The six-month reserves have been increased by 20% to reflect current economic reality after the past four years. On the profit and loss report, under the Western Alliance, grant admin fees show the check and grant reimbursement for the RIVDA business plan. On the budget vs actual report, the city is at 50% of the year, and budget discussion will begin next month. Expenses and revenue are as expected. Authorization to pay Region IV Development Association (RIVDA) and Fairbank Equipment were requested as new vendors. Disbursement list and VISA statements were briefly discussed. Discussion followed regarding the wastewater treatment plant (WWTP) promissory note interest rate increase which will need to be collected in 2028 for first payment at the new rate in 2029.

### 8.2 Public Services Director's report

Public Services Director Doug Amick reported that the quarter pivot project has been approved by the Idaho Department of Environmental Quality. Potholes are being filled. Peckham Road is being re-constructed. A water main extension under Peckham Road is scheduled before the re-construction hits the main extension area. The City Engineer has submitted a permit request to Union Pacific to bore under the railroad tracks to meet the main extension. 14 loads from Dry Creek were expected for this fiscal year, and 14 loads have been received, more may be received yet this fiscal year. The new lawnmower is in, old lawnmower will be taken to auction soon. Two applications have been received so far for the new Public Works Crew position. Doug and Ruben will be attending the annual Idaho Rural Water Association conference in Boise the remainder of this week. Irrigation starts 15 April, unless there is significant rainfall. The WWTP will change over to reuse by 01 May.

### 8.3 City Clerk's report

Please see written report for detail.

### 8.4 Monthly new construction valuation report

Please see written report for detail.

### 8.5 Consideration of consent agenda [ACTION ITEM]

## 9. **OTHER OLD BUSINESS**

9.1 Consideration of meeting minutes from 12 Mar 2024  
Council paused to review the minutes.

Dan Hyer moved to approve the consent agenda adding RIVDA and Fairbanks Equipment to the vendor list, and 12 March meeting minutes. Rob Fisher seconded. The motion received unanimous approval.

9.2 Other Old Business  
There was none.

10. **OTHER NEW BUSINESS**

10.1 Other New Business  
There was none.

11. **ADJOURNMENT**

11.1 Recess to allow the clerk to finish draft minutes for this meeting, if needed

11.2 Consideration of minutes for this meeting [ACTION ITEM]  
Rachel Brobeck moved to approve. Rob Fisher seconded. The motion received unanimous approval.

11.3 Adjournment [ACTION ITEM]  
Dan Hyer moved to adjourn. Rachel Brobeck seconded. The motion received unanimous approval and the meeting adjourned at approximately 9:58p.

Respectfully submitted,

Lee C. Belt  
City Clerk  
City of Greenleaf

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Materials are available in Spanish upon request.  
Los materiales están disponibles en español a pedido.