

CITY OF GARDEN CITY
CITY COUNCIL MEETING
NOVEMBER 12, 1986

CALL TO ORDER

Mayor Davis called the meeting to order at 8 P.M.

INVOCATION

Steve from the Community Christian Center rendered the invocation.

ROLL CALL

Mac called roll. Councilmembers present were Cooke, Kull, Loibl & Claiborne.

Mayor Davis stated before they got into item #4, he wanted to make an announcement. He was invited to go to Washington, D.C. for the Ada County Civil Defense regarding natural inland disasters.

APPROVAL OF MINUTES - OCTOBER 14, 1986

The Councilmembers disapproved the Minutes of October 14, 1986.

BID OPENING FOR POLICE CARS

First sealed bid from Bob Allen Chevrolet, bid price \$13,690.59. Second sealed bid from Dennis Dillon Leasing, bid price \$13,357.00. Third sealed bid from Bob Rice Ford, bid price \$12,528.91. Chuck Shaddock, City Clerk, stated that Bob Allen Chevrolet was null & void, no bid bond. Dennis Dillon Leasing was null & void, no bid bond. Bob Rice Ford bid with bid bond, which is state code. Chuck stated he recommend that Council approve the bid from Bob Rice Ford, Inc. on one car pending final approval by City Attorney & Chief of Police. Councilmember Loibl made a motion to approve Bob Rice Ford bid with the bid bond included & with the approval by the City Attorney & Chief of Police. Councilmember Claiborne seconded the motion. Roll Call Vote Councilmember Cooke - yes, Councilmember Kull - yes, Councilmember Loibl - yes, Councilmember Claiborne - yes.

PUBLIC HEARING FOR TRUSTY AUTO PARTS

At 8:14 P.M. the Mayor called for a Public Hearing. Councilmember Kull made a motion, Councilmember Cooke seconded the motion, it passed un-animously.

Bob White spoke representing Trusty Auto Parts, re-zone lot 4, residential not commercial.

There was a lengthy discussion.

Councilmember Cooke made a motion to go back into regular session. Councilmember Claiborne seconded the motion, it passed unanimously. 8:40 P.M. went back into regular session.



Councilmember Loibl made a motion that Lot 4, Fairview Acres Sub-division #3, Blk. 22 be re-zoned from R-3 to commercial zoning. Councilmember Kull seconded the motion. Roll Call Vote Councilmember Cooke yes, Councilmember Kull - yes, Councilmember Loibl - yes, Councilmember Claiborne - yes.

Councilmember Loibl made a motion to approve the Conditional Use Permit for Lot 4 & 5, Fairview Acres Subdivision, Blk. 22 under the condition that Trusty Auto Parts comply with Article 11, Section 16 of Ord. 443. Councilmember Claiborne seconded the motion. Roll Call Vote Councilmember Cooke - yes, Councilmember Kull - yes, Councilmember Loibl - yes, Councilmember Claiborne - yes.

AUTHORIZE FINAL PAYMENT OF SEWER CONSTRUCTION REPAYMENT TO NOLAND BARNETT FROM PUBLIC FACILITIES FUND. (CARLYLE BRIGGS)

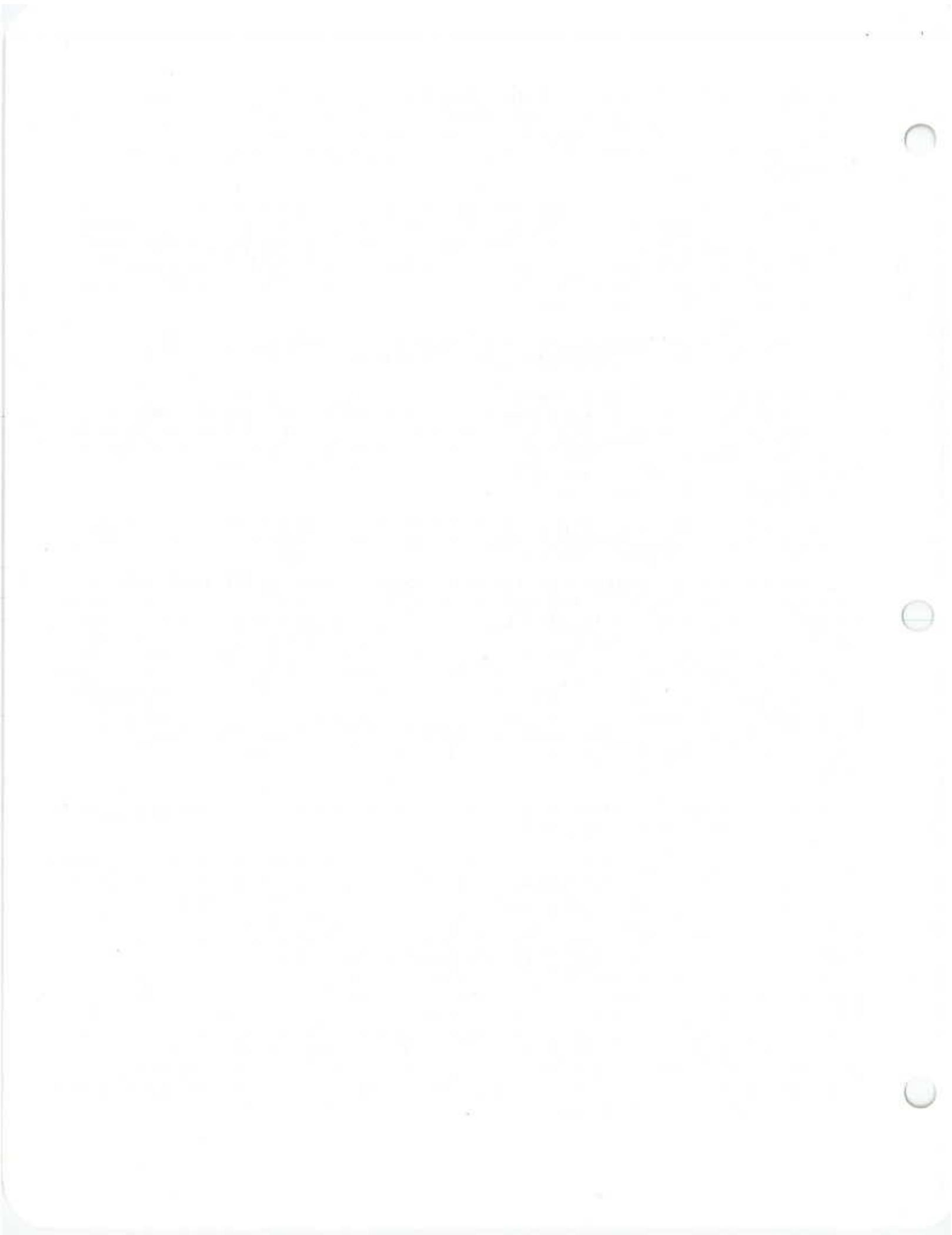
Carlyle Briggs recommends final payment to Noland Barnett for \$3,786.70 for off-sight sewer construction in the Riverglen Subdivision from 7-20-78. Councilmember Claiborne made a motion to pay Mr. Noland Barnett \$3,786.70. Councilmember Cooke seconded the motion. Roll Call Vote Councilmember Cooke - yes, Councilmember Kull - yes, Councilmember Loibl - yes, Councilmember Claiborne - yes.

GARDEN CITY - WILLOWBROOK ESTATE SUBDIVISION & WILLOWBROOK INDUSTRIAL PARK AREA SEWER SERVICE AGREEMENT. (CARLYLE BRIGGS)

This name has been changed to the West Chinden Industrial Park Sub-division. This contract for sewer service is one that Garden City is not involved other than collecting hook-on fees & transferring them to Boise. But it does indicate the amount of those hook-on fees \$505.00 for each home built in the area. For that reason, we are asking that this agreement for their information. Councilmember Kull made a motion to approve the service agreement for Willowbrook Estate Subdivision & Willowbrook Industrial Park Area for the sewer hook-on fees of \$505.00. Councilmember Cooke seconded the motion. Roll Call Vote Councilmember Cooke yes, Councilmember Kull - yes, Councilmember Loibl - yes, Councilmember Claiborne - yes.

WILLOWBROOK ESTATES & WILLOWBROOK INDUSTRIAL PARK WATER & SEWER CREDIT & CHARGES. (CARLYLE BRIGGS)

A letter of agreement dated 10-22-86 for the Willowbrook Estates & Willowbrook Industrial Park Water/Sewer Credit & Charges. This deals with the off-sight water construction costs for the 10" pipe line along Chinden Blvd. to serve the area & discuss the cost of well site for our well #8 is ready for installation. Also includes oversizing the pipe line for Willowbrook Estates residential subdivision in order to get water from Coffey St. over to where it enters Chinden Blvd. & goes on down to the industrial site & well #8. Councilmember Kull asked whether this was a letter of agreement or a contract? Carlyle Briggs said he would title it a letter of agreement. Councilmember Cooke made a motion to accept the letter of agreement, subject to deed & title insurance furnished by Mr. Phillips. Councilmember Kull seconded the motion. Roll Call Vote Councilmember Cooke - yes, Councilmember Kull - yes, Councilmember Loibl yes, Councilmember Claiborne - yes.



PAY MURRAY BURNS \$1,628.30 FROM WATER HOOK-UP. PUBLIC FACILITIES FUND.

Letter in packet dated 7-18-78 from Carlyle Briggs regarding Water Service to Fairgrounds and Murray W. Burns Development Area. Councilmember Cooke said, Mr. Briggs, I see down at the bottom of this letter \$17,871.73. At the time this is received, will the contract be complete? Carlyle Briggs said, it would be completed when the \$17,871.73 is paid. Councilmember Kull made a motion to make the payment to Murray W. Burns for \$1,628.30. Councilmember Cooke seconded the motion. Roll Call Vote Councilmember Cooke - yes, Councilmember Kull - yes, Councilmember Loibl yes, Councilmember Claiborne - yes.

CITY MAINTENANCE AGREEMENT FOR THE PROPOSED ORCHARD STREET EXTENSION PROJECT OF THE CHINDEN - BROADWAY CONNECTOR. THIS SHOULD READ LANDSCAPING MAINTENANCE.

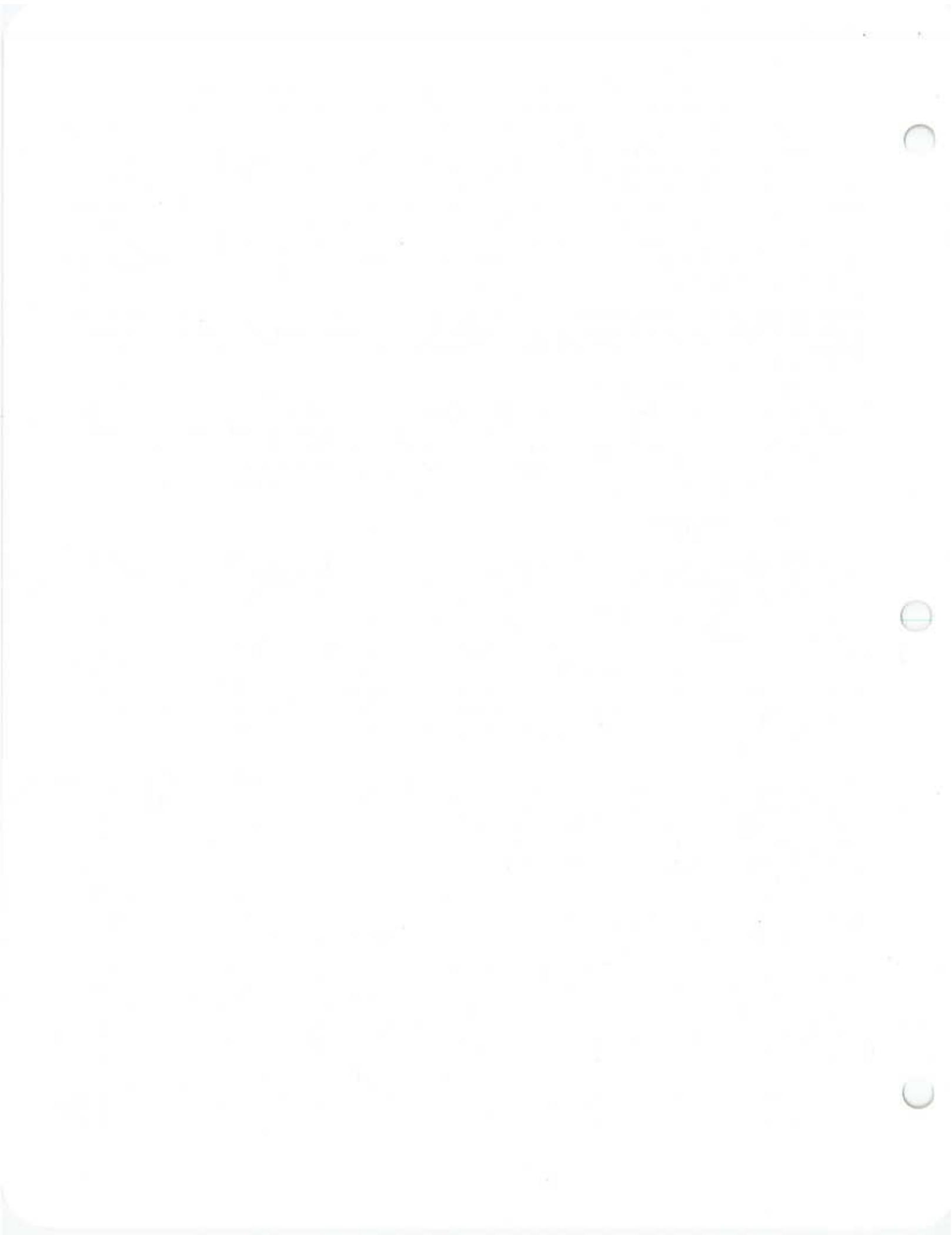
Councilmember Kull asked if there was anyone in the audience from Beck & Baird Landscape Architecture Planning Urban Design to speak regarding this estimate? There was no one in the audience to speak on this subject. Councilmember Cooke made a motion to Table this until we can have some further input. It died for lack of a second. Mayor Davis said, it would be put back on the agenda when someone could come & speak to the Council.

GREENBELT COMMITTEE

Councilmember Kull said she would like to amend Resolution #543, to read, that the Greenbelt Committee shall consist of not less than 3, nor more than 12 voting members. Upon the Greenbelt Committee being formed, deciding which numbers, that can be in the Ordinance. Also, the Greenbelt Committee shall be residents of the City of Garden City, except for one, who need not be a resident, but shall be a taxpayer, which is understood to mean the owner of real property located in Garden City. Councilmember Loibl made a motion to amend Resolution #543 in its entirety, & make it Resolution #550. Councilmember Kull seconded the motion. Roll Call Vote Councilmember Cooke - yes, Councilmember Kull - yes, Councilmember Loibl yes, Councilmember Claiborne - yes.

Mayor Davis wanted to make appointments to the Greenbelt Committee. Firstly, I would like to appoint David Bills, he is out of Garden City, he lives at 2114 S. Pond. He's an engineer, he's very involved with the river frontage over here, he is working with the Corp of Engineers & other government agencies on our river frontage. Councilmember Kull asked Mayor Davis if Mr. Bills owns real property in Garden City? Mayor Davis said he thought so, but he was not sure. He would reserve Mr. Bills until a later date. Councilmember Kull said she would appreciate that, & if he owned real property in Garden City, he would be an asset to the committee.

Mayor Davis said, secondly, I would like to appoint Jim Vandanacker, 6109 Riverglen Place, Garden City. Jim works for the I.S.P. Councilmember Kull made a motion to approve Jim Vandanacker to the Greenbelt Committee. Councilmember Loibl seconded the motion, it passed unanimously. Mayor Davis would like to appoint Terry Hewitt, he is a resident over in Plantation Subdivision, he owns the Goodyear Tire Ctr., he is a very educated person. Councilmember Loibl made a motion to approve Terry Hewitt to the Greenbelt Committee. Councilmember Claiborne seconded the motion, it passed unanimously. Mayor Davis made appointment of Christine



Simon, resident of Plantation Subdivision. Councilmember Kull made a motion to approve Christine Simon to the Greenbelt Committee. Councilmember Claiborne seconded the motion, it passed unanimously. Mayor Davis made appointment for Joanne Gray. Councilmember Loibl made a motion to approve Joanne Gray to the Greenbelt Committee. Councilmember Claiborne seconded the motion, it passed unanimously. Mayor Davis made appointment of Lynn Nokes. Councilmember Kull made a motion to approve Lynn Nokes to the Greenbelt Committee. Councilmember Loibl seconded the motion, it passed unanimously. Mayor Davis made appointment for Lee Mifflin. Councilmember Loibl made a motion to approve Lee Mifflin to the Greenbelt Committee. Councilmember Claiborne seconded the motion, it passed unanimously.

APPOINT MEMBER TO PLANNING & ZONING COMMISSION

Mayor Davis made appointment of Dick Phillips to the Planning & Zoning Commission. He owns property in Garden City. Councilmember Kull made a motion to approve the appointment of Dick Phillips to the Planning & Zoning Commission. Councilmember Claiborne seconded the motion, it passed unanimously. Mayor Davis wanted to appoint Roy Wickham to Planning & Zoning. Councilmember Cooke made a motion to approve the appointment of Roy Wickham to Planning & Zoning. Councilmember Kull seconded the motion. Councilmember Cooke-aye, Councilmember Kull-no, Councilmember Loibl-no, Councilmember Claiborne-no.

RESOLUTION #549 - FEE FOR OFF PREMISE CONSUMPTION OF BEER & WINE

Chuck Shadduck read Resolution #549. Councilmember Loibl made a motion to pass Resolution #549. Councilmember Cooke seconded the motion. Roll Call Vote, Councilmember Cooke - yes, Councilmember Kull - yes, Councilmember Loibl - yes, Councilmember Claiborne - yes.

ORDINANCE #509 - UNIFORM PLUMBING CODE 1985

Councilmember Loibl made a motion to take this from the Table. Councilmember Kull seconded the motion. Councilmember Kull made a motion to read Ordinance #509 by title only. Councilmember Claiborne seconded the motion, it passed unanimously. Chuck Shadduck read Ordinance #509. Councilmember Cooke made a motion to adopt Ordinance #509. Councilmember Kull seconded the motion. Roll Call Vote, Councilmember Cooke-yes, Councilmember Kull-yes, Councilmember Loibl-yes, Councilmember Claiborne-yes.

RE-CODIFICATION OF ORDINANCES

Councilmember Kull asked the Mayor if he had a chance to review the two possible contracts with Sterling Codifiers? Mayor Davis stated he had not, but City Clerk, Chuck Shadduck had, & Fred Shoemaker, the City Attorney has, & they both recommend it very highly. Councilmember Kull made a motion to accept agreement with Sterling Codifiers of Weiser, Id. for agreement #1) for re-codification of Garden City codes, cost being \$4,920. That will give us 25 copies of code, & each additional volume can be purchased for \$35.00. Councilmember Claiborne seconded the motion. Roll Call Vote, Councilmember Cooke-yes, Councilmember Kull-yes, Councilmember Loibl-yes, Councilmember Claiborne-yes.

CONSIDER BOISE ORDINANCE #4944, FOR SOLID FUEL HEATING APPLIANCE REGU-



LATIONS & ORDINANCE #4946, FOR SOLID FUEL HEATING APPLIANCE PERMITS

Mayor Davis said he would like to see this go to Planning & Zoning for review. Councilmember Loibl made a motion to give these Ordinances to Planning & Zoning for complete review, then go back to the City Council & Mayor with some type of recommendation as soon as they see fit. Councilmember Kull seconded the motion, it passed unanimously.

LAMPERT HALL FEES - \$15.00 PER HOUR, \$7.50 PER HOUR FOR ANY NON-PROFIT ORGANIZATIONS

Councilmember Kull made a motion for \$15.00 per hour, \$7.50 per hour for any non-profit organizations, plus \$5.00 flat fee for kitchen use by profit making organization or recreational use, & N/C to non-profit organizations. Councilmember Loibl seconded the motion, it passed unanimously.

ADA PLANNING ASSOCIATION MEMBERS

Councilmember Kull made a motion to take from Table. Councilmember Loibl seconded the motion, it passed unanimously. Mayor Davis wanted to appoint Carlyle Briggs to the Ada Planning Association. Councilmember Kull made the motion to appoint Carlyle Briggs to APA. Councilmember Cooke seconded the motion. Councilmember Cooke-aye, Councilmember Kull-no, Councilmember Loibl-no, Councilmember Claiborne-no.

IMPACT AREA

Attorney Fred Shoemaker, the City Attorney will check into this impact area. Councilmember Loibl made a Minute entry to have the City Attorney, Fred Shoemaker come back in December at the regularly scheduled City Council Meeting with a review. Councilmember Kull seconded the motion.

ORDINANCE #510 - PERSONAL POLICY

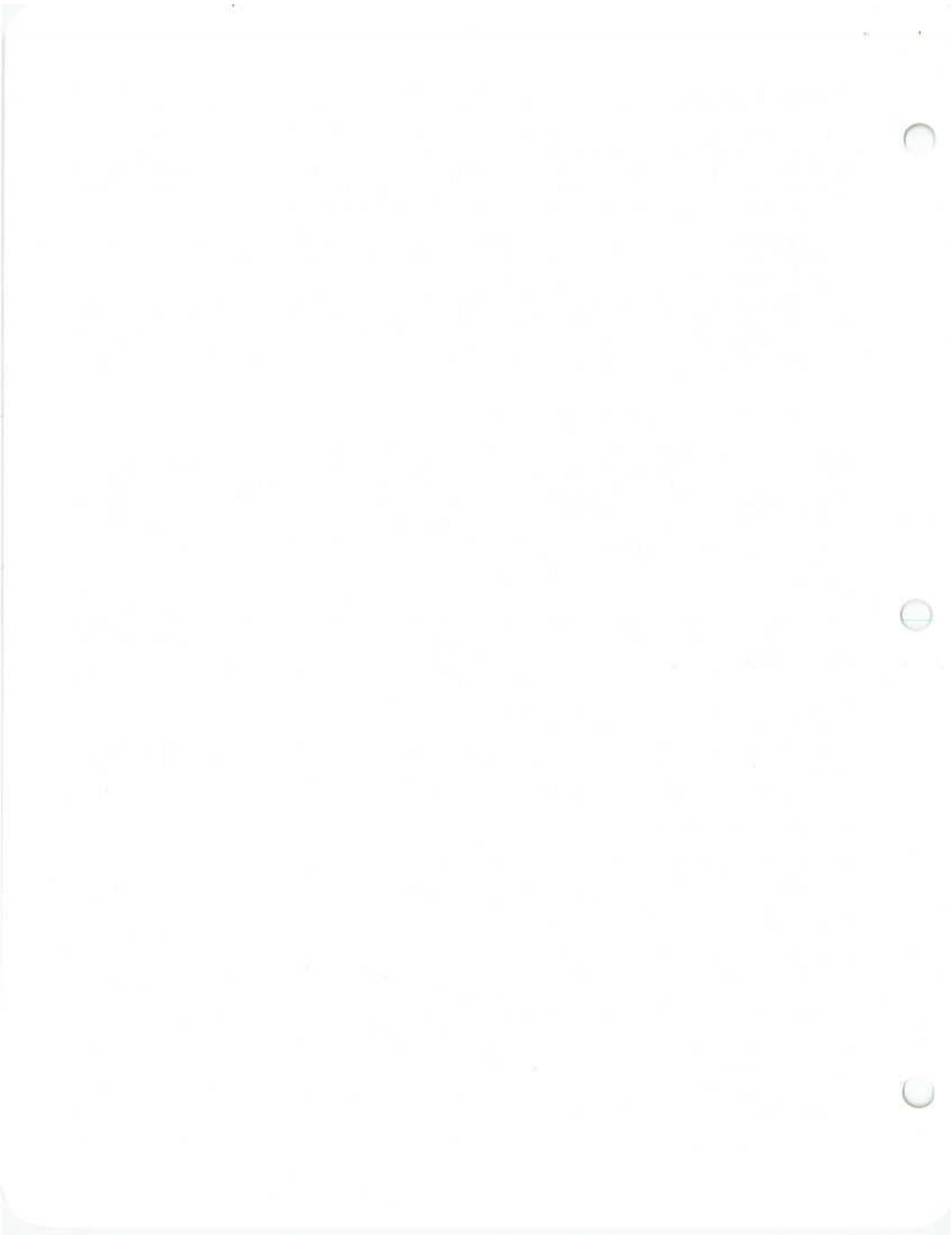
Councilmember Kull made a motion that Mr. Shadduck read for the first time Ordinance #510. Councilmember Claiborne seconded the motion, it passed unanimously. Chuck read the Ordinance #510.

UNFINISHED BUSINESS

Chuck Shadduck said there was some question about the deed to property of the Senior Citizens Center. He came up with the deed to that property. It was a gift to the City of Garden City from Lawrence E. & Edna P. Hettinger, on the 7th day of May, 1968.

Councilmember Kull said, she had requested that Mr. Unger meet with Mr. Amidon at the Senior Citizens Center to decide on a time frame & just exactly what could be done to clear that area. Mr. Unger met with Mr. Amidon, he was more than willing to go in there & grade the land & have it prepared to be sodded. We are somewhat in the middle of negotiations with the Corp of Engineers to make arrangements to do something with the river erosion of the river bank on the property. I'm hoping to coordinate all of these points together along with Mr. Amidon so we can accomplish all of this at one time.

City Clerk, Chuck Shadduck said he had written a letter to the school



district & school bus company to make a study about crossing the Veteran's Memorial Parkway. They are going to get back to him.

Councilmember Kull stated she wanted to commend the City Clerk & Mayor on working with the City Council on the pre-council work sessions. Councilmember Kull made a motion that the Council & the Mayor meet for pre-council work sessions on the Tuesday at 7 P.M. preceding the regularly scheduled meeting with discussion of business, but no action taken. Councilmember Loibl seconded the motion. Mayor Davis wanted discussion, he said, our meeting time is designated by Ordinance. Councilmember Kull said, this isn't an Ordinance, it is a motion. Mayor Davis said, our meeting time is the second Tuesday of every month, it is set forth in an Ordinance that requires us to meet at this time, our regular meeting. If we are going to have a regular meeting on this Tuesday, which I'm not opposed to, we need to amend this Ordinance, to include a regular scheduled meeting. We can have special meetings any time you'd like too. Attorney Shoemaker stated they could make a motion, or draw up a resolution to have work sessions any time they would like too. There were three ayes, & Councilmember Cooke - no.

Councilmember Kull said, in conjunction with the above workshop, you had requested that we have agenda items into you early, which we will try to comply with, in fact, we will. However, since the meeting will be held that Tuesday, I move that the agenda items to be in the Clerk's office by 5 P.M. the Wednesday following the pre-council work session. Councilmember Loibl seconded the motion, it passed unanimously.

Councilmember Loibl stated she would like to see on the next agenda ACHD, someone from their office to be at the meeting to discuss the effect of out of county license plates. Chuck Shadduck will check into this item.

City Attorney Fredric V. Shoemaker said, Mr. Mayor, also under unfinished business, you might want to consider the matter of outstanding attorney's fees claimed by the previous City Attorney Mr. Ellis. I was asked to report on that subject. I suggest you go into executive session to discuss this matter. Councilmember Claiborne made a motion to go into executive session at 10:07 P.M. Councilmember Loibl seconded the motion. Roll Call Vote Councilmember Cooke - yes, Councilmember Kull yes, Councilmember Loibl - yes, Councilmember Claiborne - yes.

Meeting was back in regular session at 10:35 P.M.

Councilmember Loibl made a motion that the Mayor designate one or more councilmembers to go before the Fee Arbitration Panel concerning previous attorney's salary. Councilmember Kull seconded the motion, it passed unanimously.

City Clerk, Chuck Shadduck said there were some license renewals for beer, wine & liquor. Some came in after the agenda was made up. Albertson's/Maxx Warehouse Food & Drug for the balance of this year & a renewal for 1987. Councilmember Kull made a motion to approve Albertson's request for licensing. Councilmember Claiborne seconded the motion, it passed unanimously.



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