

**CITY OF GARDEN CITY
CITY COUNCIL MEETING MINUTES
May 13, 2019
5:30 P.M.**

WORK SESSION CALL TO ORDER

1. Mayor Evans called the work session to order at 5:30 p.m.

2. **ROLL CALL**

Council members Beaumont, Higgins, Mitchell and Souza were present.

Staff Present: Rick Allen, Colin Schmidt, Lisa Leiby, Charles Wadams and Jenah Thornborrow.

3. **MAYOR/COUNCIL REPORTS**

4. **OTHER**

- a. Judy Snow updated the council on activities with the Bee City designation. Brad Stokes, University of Idaho Elmore County Extension, presented an overview of an integrated pest management program.
- b. Jenah Thornborrow, Development Services Director, updated the council on the workload for the newly hired code compliance specialist.
- c. Councilmember Beaumont updated the council on the establishment of the Garden City Visitors Bureau.

The meeting adjourned at 5:54 p.m.

REGULAR COUNCIL MEETING CALL TO ORDER

A. Mayor Evans called the meeting to order at 6:01 p.m.

CLERK CERTIFIED MEETING NOTICE

The meeting was noticed in accordance with Idaho Code 74-204.

B. **ROLL CALL**

Council members Beaumont, Higgins, Mitchell and Souza were present.

C. **PLEDGE OF ALLEGIANCE**

Mayor Evans led the Pledge of Allegiance.

D. **CHANGES TO AGENDA**

E. **CONSENT AGENDA**

1. Approval of Minutes from April 22, 2019
2. Ratification of Accounts Payable Claims

Action: Councilmember Higgins moved to approve the consent agenda as presented and Councilmember Beaumont seconded.

The motion passed with an audible 4-0 vote.

F. SPECIAL BUSINESS

1. Appointment of Kent Rasmussen to the Planning and Zoning Commission.

Action: Councilmember Higgins moved to approve the appointment of Kent Rasmussen to the Planning and Zoning Commission and Councilmember Mitchell seconded.

ROLL CALL VOTE:

Councilmember Beaumont	YES
Councilmember Higgins	YES
Councilmember Mitchell	YES
Councilmember Souza	YES

The motion passed.

2. Re-schedule the May 27, 2019 Garden City council meeting to Tuesday, May 28, 2019 due to the Memorial Day Holiday.

Action: Councilmember Beaumont moved to re-schedule the 05/27/2019 council meeting to 05/28/2019 and Councilmember Souza seconded.

The motion passed with an audible 4-0 vote.

G. ORDINANCES, RESOLUTIONS, CONTRACTS

1. PUBLIC HEARING: DSRFY2019-7: Joshua Hersel with CTA Architects Engineers is requesting master plan approval for an indoor pool facility and relocation of existing fitness center and guest laundry at the Riverside Hotel. The 13.52 acre site is located at 2900 W. Chinden Blvd., Garden City, ID 83714; Ada County Parcel R2734541990.

Brian Hollowell, applicant representative, presented the request for approval of DSRFY2019-7.

Jenah Thornborrow, Development Services Director, presented the staff report on DSRFY2019-7.

Mayor Evans opened the public hearing at 6:11 p.m. No one signed up to speak. One individual came forward from the audience to speak in favor of the project:
1 – Jason Jones, 210 E. 33rd St., Garden City
Mayor Evans closed the public hearing at 6:13 p.m.

Action: Councilmember Beaumont moved to sustain the decision of approval by the Design Review Committee and Councilmember Mitchell seconded.

ROLL CALL VOTE:
Councilmember Higgins YES
Councilmember Mitchell YES
Councilmember Souza YES
Councilmember Beaumont YES

The motion passed.

H. UNFINISHED BUSINESS

1. ***Continued discussion from 04/08/2019 council meeting: Request by Terry Jokipii to relinquish a Sanitary Sewer and Water Main Easement executed 08/13/2018 between the City of Garden City and Plantation View Condos.***

Mayor Evans asked the council members if they had any conflicts to declare with this request. There were none.

Terry Jokipii, Plantation View Condos representative, and Terri Pickens-Manweiler, representative's attorney, addressed the council regarding the request for the City of Garden City to relinquish a sanitary sewer and water main easement executed 08/13/2018.

Action: Councilmember Souza moved to defer a decision on this item to a date certain to the council meeting on Monday, June 24, 2019 at 6:00 p.m. Prior to that council meeting, the following individuals representing the City of Garden City are authorized to discuss this issue with the Plantation View Condos representatives: Mayor John Evans, City Attorney Charles Wadams and Public Works Director Colin Schmidt. Councilmember Beaumont seconded the motion.

ROLL CALL VOTE:
Councilmember Mitchell YES
Councilmember Souza YES
Councilmember Beaumont YES
Councilmember Higgins YES

The motion passed.

2. Council Review:

CUPFY2019-4: Hannah Ball with Urban Land Development is requesting Conditional Use Permit approval of a seasonal outdoor farmer's market at several addresses including 303 E. 34th St., 3342 Carr St., 215 E. 34th St., among others. The properties are located in the general commercial (C-2) zoning district, the Boise River Greenbelt Overlay District, and the Work-Live-Create designation of the Comprehensive Plan.

Mayor Evans asked the council members if they had any conflicts to declare with this application. There were none.

Jenah Thornborrow, Development Services Director, presented the staff report on CUPFY2019-4.

Jeff Bower, attorney with Givens Pursley, spoke on behalf of the applicant. Hannah Ball, applicant, also addressed the council.

Action: Councilmember Beaumont made a motion to approve CUPFY2019-4 as conditioned by the Planning and Zoning Commission with additional conditions of approval and Councilmember Higgins seconded.

There was significant discussion between the council and the applicant regarding the additional conditions.

The original motion was replaced with a substitute motion by Councilmember Beaumont and Councilmember Higgins seconded.

There was additional discussion between the council and the applicant regarding the substitute motion.

After much deliberation, the first two motions were withdrawn by Councilmember Beaumont and the following motion was made:

Action: Councilmember Beaumont moved to approve CUPFY2019-4 as conditioned by the Planning and Zoning Commission with the following added conditions of approval based on Garden City Code 8-6B-2 item #3 in the findings of fact, conclusions of law and decision of the Planning and Zoning Commission:

- 1 – This conditional use permit will be in effect only from June 1, 2019 to October 31, 2020. Requests for extensions must be made after October 31, 2020, reviewed and approved by the City Council;
- 2 – This conditional use permit is for the Wednesday Farmers Market that will be managed by the Capital City Farmers Market during this period. A maximum of 40 other events per year will be allowed between the June 1 and October 31 time periods;

- 3 – This conditional use permit may be revoked at any time, if it is determined by the Garden City Chief of Police that parking and/or traffic are having a significant detrimental effect on public safety;
- 4 – All advertising, publicity and promotion, including social media, for this event must state the following: “Parking for the Farmers Market is not available at the Riverside Hotel or Telaya Wine Co. These private lots are reserved for their guests.”;
- 5 – The sale and consumption of beer and wine is limited to a maximum of two servings per patron. Currently licensed Capital City Market vendors may offer taste samples and bottle purchases of their products at their booths. Product purchased at the booth may not be opened or consumed on site.

Councilmember Souza seconded the motion.

ROLL CALL VOTE:	
Councilmember Souza	YES
Councilmember Beaumont	YES
Councilmember Higgins	YES
Councilmember Mitchell	YES

The motion passed.

I. NEW BUSINESS

J. EXECUTIVE SESSION for the following purposes:

K. ADJOURNMENT

Councilmember Higgins moved to adjourn, and Councilmember Mitchell seconded. The motion passed with a 4-0 audible vote. The meeting adjourned at 8:40 p.m.

ATTEST:



 Lisa M. Leiby, City Clerk

APPROVED:



 John G. Evans, Mayor

