

**CITY OF GARDEN CITY  
CITY COUNCIL MEETING MINUTES  
August 12, 2019  
6:00 P.M.**

**REGULAR COUNCIL MEETING CALL TO ORDER**

A. Mayor Evans called the meeting to order at 6:00 p.m.

**CLERK CERTIFIED MEETING NOTICE**

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

**B. ROLL CALL**

Council members Beaumont, Higgins and Souza were present.

Councilmember Mitchell was present by phone.

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

**C. PLEDGE OF ALLEGIANCE**

Mayor Evans led the Pledge of Allegiance.

**D. CHANGES TO AGENDA**

**E. CONSENT AGENDA**

1. **Approval of Work Session Minutes from July 22, 2019**
2. **Approval of Minutes from July 22, 2019**
3. **Ratification of Accounts Payable Claims**
4. **Landscape Surety for Conn Subdivision SUBFY2018-0003.**
5. **JAG Grant Expenditure Report**

**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**

**G. ORDINANCES, RESOLUTIONS, CONTRACTS**

Mayor Evans asked the council members if they had any conflicts to declare with the following items under Section G – Ordinances, Resolutions, Contracts. There were none.

1. **PUBLIC HEARING: ORDINANCE 1009-19; ZONFY2019-1: Victor Ferral with BRS Architects is requesting approval of a rezone application for 5320 N. Sawyer Ave; Ada County Parcel R1055420071. The 1.978 acre site is proposed to be rezoned from General Commercial (C-2) to Light Industrial (LI).**

Victor Ferral, BRS Architects, presented the request on behalf of the applicant.

Jenah Thornborrow, Development Services Director, presented the staff report.

Mayor Evans opened the public hearing at 6:09 p.m. No one signed up to speak and no one from the audience came forward to speak. Mayor Evans closed the public hearing at 6:10 p.m.

**Action:** Councilmember Higgins moved to approve the findings of fact, conclusions of law and draft decision for ZONFY2019-1 and approve the first reading of Ordinance 1009-19 by title only, and Councilmember Beaumont seconded.

ROLL CALL VOTE:

|                        |     |
|------------------------|-----|
| Councilmember Beaumont | YES |
| Councilmember Higgins  | YES |
| Councilmember Mitchell | YES |
| Councilmember Souza    | YES |

The motion passed.

The city clerk read Ordinance 1009-19 by title only.

**Action:** Councilmember Higgins moved to suspend the rules and adopt and publish Ordinance 1009-19, and Councilmember Souza seconded.

ROLL CALL VOTE:

|                        |     |
|------------------------|-----|
| Councilmember Higgins  | YES |
| Councilmember Mitchell | YES |
| Councilmember Souza    | YES |
| Councilmember Beaumont | YES |

The motion passed.

**2. PUBLIC HEARING: RECONSIDERATION OF RESOLUTION 1064-19/ EASFY2019-5; A RESOLUTION AUTHORIZING THE ABANDONMENT AND VACATION OF A PART OF A PLAT REFERENCES A FIFTEEN FOOT (15') ACCESS EASEMENT ON LOT 1 BLOCK 1 OF THE AMENDED PLAT OF A PORTION OF THE PLANTATION NO. 02 SUBDIVISION, GARDEN CITY, ADA COUNTY, IDAHO; AND PROVIDING FOR AN EFFECTIVE DATE.**

Bob Taunton, Glass Creek LLC, presented the request as the applicant.

Charles Wadams, City Attorney, presented the staff report.

Mayor Evans opened the public hearing at 6:24 p.m.

The following individuals testified or provided written responses regarding the request:

Opposed

- 1 – Eric and Andrea Fogleman, 6420 W. Plantation, Garden City
- 2 – Sharon Grisham, 6286 N. Charleston Pl., Garden City
- 3 – Pierce Roan, 3740 Gramarcy Ln., Plantation HOA President, and Plantation Master Association, Garden City

JoAnn Butler, applicant attorney, responded to questions raised during the public hearing and provided closing remarks.

Mayor Evans closed the public hearing at 6:38 p.m. and the council deliberated.

**Action:** Councilmember Higgins moved to adopt Resolution 1064-19 and Councilmember Mitchell seconded.

ROLL CALL VOTE:

|                        |         |
|------------------------|---------|
| Councilmember Mitchell | YES     |
| Councilmember Souza    | Abstain |
| Councilmember Beaumont | YES     |
| Councilmember Higgins  | YES     |

The motion passed.

**3. PUBLIC HEARING: SAPFY2019-1/PUDFY2019-1: Sherry McKibben with McKibben + Cooper Architects and Urban Design are requesting approval of Specific Area Plan and Planned Unit Development Applications for the 34th Street Area. The scope of the plan includes 34th Street, Carr Street, Clay Street, Chinden Boulevard, Osage Street, and 33rd Street.**

Hannah Ball, 215 E. 34<sup>th</sup> St., Garden City, presented the request as the applicant.

Sherry McKibben, applicant architect, spoke on behalf of the applicant.

Jenah Thornborrow, Development Services Director, presented the staff report.

Mayor Evans opened the public hearing at 7:27 p.m.

The following individuals testified or provided written responses regarding the request:

Support

- 1 – Lea Rainey, 3308 W. Chinden Blvd., Garden City
- 2 – Carrie Daniel, 6179 N. Bandon Pl., Garden City
- 3 – Kristen Jones, 210 E. 33<sup>rd</sup> St., Garden City
- 4 – Jason Jones, 210 E. 33<sup>rd</sup> St., Garden City
- 5 – Julie Guffery, no address given
- 6 – Steven Johnson, 298 E. 36<sup>th</sup> St., Garden City
- 7 – Molly Armpriest, 599 N. Whitewater Blvd., Boise
- 8 – Will Howard, 404 S. 8<sup>th</sup> St., Boise – read a comment into record on behalf of Michael Slavin.
- 9 – Louis Landry, 211 E. 33<sup>rd</sup> St. and Fairview Acres, Garden City
- 10 – Jim Neill, 599 N. Whitewater Blvd., Boise

Neutral

- 1 – Aaron Parsons, 1010 N. Sherman St., Boise
- 2 – Deanna Smith, 910 Main St., Boise

Opposed

Meryl Lingard, 215 E. 33<sup>rd</sup> St., Garden City

Hannah Ball and Sherry McKibben responded to questions raised during the public hearing and provided closing remarks.

Frank Walker, applicant attorney, addressed the concerns over the condition for the development to accommodate a 60' setback for potential future flood protection improvements.

**Action:** Councilmember Beaumont moved to approve SAPFY2019-1/ PUDFY2019-1 with the findings of fact, conclusions of law and draft decisions and the reconciled recommendations of the Planning & Zoning Commission and Design Review Committee with the added condition of approval that the applicant develop a plan with language to address flood mitigation and Councilmember Souza seconded.

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

The motion passed.

- 4. RESOLUTION 1062-19; A RESOLUTION ADOPTING STREET DESIGN FOR CLAY STREET FROM 32<sup>ND</sup> STREET TO 37<sup>TH</sup> STREET; ADOPTING STREET DESIGN FOR EAST 35<sup>TH</sup> STREET FROM CHINDEN BOULEVARD TO THE BOISE RIVER; ADOPTING STREET DESIGN FOR EAST 33<sup>RD</sup> STREET FROM CHINDEN BOULEVARD TO THE BOISE RIVER; AND PROVIDING FOR AN EFFECTIVE DATE.**

**Action:** Councilmember Beaumont moved to adopt Resolution 1062-19 and Councilmember Higgins seconded.

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

The motion passed.

- 5. RESOLUTION 1063-19; A RESOLUTION ADOPTING STREET DESIGN FOR EAST 34<sup>TH</sup> STREET FROM CHINDEN BOULEVARD TO THE BOISE RIVER; AND CARR STREET FROM 33<sup>RD</sup> STREET TO 35<sup>TH</sup> STREET; AND PROVIDING FOR AN EFFECTIVE DATE.**

**Action:** Councilmember Higgins moved to adopt Resolution 1063-19 and Councilmember Souza seconded.

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

The motion passed.

**6. CONSIDER A MOTION TO APPROVE THE FISCAL YEAR 2020 TENTATIVE BUDGET IN THE TOTAL AMOUNT FOR ALL FUNDS OF \$18,051,446.**

**Action:** Councilmember Higgins moved approve the tentative FY2020 budget in the amount of \$18,051,446 and Councilmember Mitchell seconded.

**ROLL CALL VOTE:**

|                        |     |
|------------------------|-----|
| Councilmember Mitchell | YES |
| Councilmember Souza    | NO  |
| Councilmember Beaumont | NO  |
| Councilmember Higgins  | YES |

Mayor Evans broke the tie with a YES vote.

The motion passed.

**H. UNFINISHED BUSINESS**

**I. NEW BUSINESS**

**J. EXECUTIVE SESSION for the following purposes:**

**K. ADJOURNMENT**

Councilmember Souza moved to adjourn, and Councilmember Beaumont seconded. The motion passed with a 4-0 audible vote. The meeting adjourned at 8:24 p.m.

ATTEST:

  
\_\_\_\_\_  
Lisa M. Leiby, City Clerk

APPROVED:

  
\_\_\_\_\_  
John G. Evans, Mayor

