

**CITY OF GARDEN CITY
CITY COUNCIL MEETING MINUTES
September 9, 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, Page and Souza were present.

Council member Higgins was absent.

Staff members Rick Allen, Colin Schmidt, Jenah Thornborrow, Charles Wadams and Lisa Leiby 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 August 26, 2019
2. Ratification of Accounts Payable Claims
3. **SUBFY2017-4 Garden Phoenix Subdivision 1 Year Extension Request: Preliminary Planned Unit Development / Subdivision consists of 9-lots (8 buildable and 1 common). The property is 0.677 acres with frontage on Adams St. The project location is N. Adams St. (R2734500898), is zoned R-3 and in the Mixed Use Commercial and Transit Oriented Development Node buffer of the Comprehensive Plan Land Use Designation.
Current Expiration Date: September 11, 2019.**
4. **Accept temporary easement from Willowbrook Properties, LLC. for 9165 W. Chinden Blvd to conduct maintenance on Well 8 owned by Garden City.**

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

ROLL CALL VOTE:

Councilmember Beaumont	YES
Councilmember Higgins	Absent
Councilmember Page	YES
Councilmember Souza	YES

The motion passed.

F. SPECIAL BUSINESS

G. ORDINANCES, RESOLUTIONS, CONTRACTS

1. **SUBFY2019 - 4: Sherry McKibben with McKibben + Cooper Architects and Urban Design are requesting approval of a preliminary plat subdivision located on 34th, 35th, and Carr Streets. The subdivision is proposed within the 34th Street Specific Area Plan.**
2. **SUBFY2019 -5: Gary Asin is requesting approval of a two lot combined preliminary/final plat subdivision located at 3588 N. Prospect Way, Ada County Parcel Number R9242370040. The property is described as Lot 4, Block 1, Waterfront District Subdivision.**

Action: Councilmember Souza moved to continue both items G1 and G2 to a date certain of 10/14/2019 and Councilmember Beaumont seconded.

The motion passed with an audible 3-0 vote.

3. **PUBLIC HEARING: SUBFY2017-1/PUD2013-2: Todd Weltner is requesting a recommendation of approval of design changes and of landscaping and wall improvements along the Greenbelt. The project is located at E. 35th St. and N. Prospect Ln., Garden City, ID, 83714.**

Mayor Evans asked the council members if anyone had a conflict to declare. There were none.

The applicant, Todd Weltner, presented the request to the city council.

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

Mayor Evans opened the public hearing at 6:23 p.m.

The following individuals spoke or offered written testimony in support of the request:

- 1 – Gary Asin, 1714 W. Hampton Bay, Eagle, ID
- 2 – Jason Jones, 208 E. 33rd St., Garden City
- 3 – Bryant Forrester, 823 W. Braemere, Boise
- 4 – Douglas Gibson, 2566 E. Woods End Ct., Boise
- 5 – Jim Neill, 599 N. Whitewater Park Blvd., Boise
- 6 – Nathen Fox, 235 Flume St., Boise
- 7 – Molly Arm Priest, 599 N. Whitewater, Boise
- 8 – Kristin Sherman, 3537 Prospect Way, Garden City

- 9 – Chris Reiten, 812 N. 17th St., Boise
- 10 – Brook VanDam, 298 E. 36th St., Garden City
- 11 – Steven Johnson, 298 E. 36th St., Garden City
- 12 – Suzanne Michelle, 235 Flume St., Boise
- 13 – Brian Vetter, 3550 N. Prospect Way, Garden City
- 14 – Holly Little, 3001 S. Roosevelt #18, Boise
- 15 – Hannah Ball, 215 E. 34th St., Garden City

The following individuals spoke or offered written testimony opposed to the request:

- 1 – Victor Myer, 314 E. 35th St, Garden City
- 2 – Nancy Baskin, 3688 N. Willowbar Way, Garden City
- 3 – Adrie Somalinog, 924 W. Horizon Way, Nampa
- 4 – Meryl Lingard, 215 E. 33rd St., Garden City
- 5 – Patrick Little, 6200 River Pointe Dr., Garden City

The applicant, Todd Weltner, addressed questions and comments raised during the public testimony.

Mayor Evans closed the public hearing at 7:00 p.m.

The council members deliberated.

Action: Councilmember Beaumont moved to deny the request for design changes and of landscaping and wall improvements along the greenbelt for SUBFY2017-1/PUD2013-2 based on not being in compliance with the conditions of approval and Councilmember Souza seconded. The findings of fact, conclusion of law and draft decision will be presented at the 09/23/2019 council meeting.

ROLL CALL VOTE:

Councilmember Beaumont	YES
Councilmember Higgins	Absent
Councilmember Page	YES
Councilmember Souza	YES

The motion passed.

4. Authorize Mayor Evans to award the bid and enter into an agreement with the lowest responsible bidder for Phase II of Heron Park – URA funded.

Action: Councilmember Beaumont moved award the bid and authorize Mayor Evans to enter into an agreement with Barrier Building for an amount not to exceed \$259,000 and Councilmember Souza seconded.

ROLL CALL VOTE:

Councilmember Page	YES
Councilmember Beaumont	YES
Councilmember Higgins	Absent
Councilmember Souza	YES

The motion passed.

5. **PUBLIC HEARING: RESOLUTION 1071-19; A RESOLUTION TO TAKE FORGONE PROPERTY TAXES FOR THE FISCAL YEAR 2020 BUDGET; AND PROVIDING FOR AN EFFECTIVE DATE AND ORDINANCE 1010-19; AN ORDINANCE TO BE TERMED THE “ANNUAL APPROPRIATION ORDINANCE,” FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2019, APPROPRIATING THE SUM OF \$18,051,446 TO DEFRAY THE EXPENSES AND LIABILITIES OF THE CITY OF GARDEN CITY FOR SAID FISCAL YEAR, AUTHORIZING A LEVY OF A SUFFICIENT TAX UPON THE TAXABLE PROPERTY AND SPECIFYING THE OBJECTS AND PURPOSES FOR WHICH SAID APPROPRIATION IS MADE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

Mayor Evans opened the public hearing at 7:22 p.m.

The following individuals spoke or offered written testimony in support of the request:

1 – Jason Jones, 208 E. 33rd St., Garden City

Mayor Evans closed the public hearing at 7:23 p.m.

Action: Councilmember Souza moved to approve Resolution 1071-19 and Councilmember Beaumont seconded.

ROLL CALL VOTE:

Councilmember Souza	YES
Councilmember Page	YES
Councilmember Beaumont	YES
Councilmember Higgins	Absent

The motion passed.

Action: Councilmember Beaumont moved to have the city clerk read Ordinance 1010-19 by title only and Councilmember Page seconded.

ROLL CALL VOTE:

Councilmember Beaumont	YES
Councilmember Higgins	Absent
Councilmember Page	YES
Councilmember Souza	YES

The motion passed.

The city clerk read Ordinance 1010-19 by title only.

Action: Councilmember Souza moved to suspend the rules and adopt and publish Ordinance 1010-19 and Councilmember Beaumont seconded.

ROLL CALL VOTE:

Councilmember Higgins	Absent
Councilmember Page	YES
Councilmember Souza	YES
Councilmember Beaumont	YES

The motion passed.

- 6. ORDINANCE 1012-19; AN ORDINANCE OF THE CITY OF GARDEN CITY, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, AMENDING GARDEN CITY CODE TITLE 4 (“PUBLIC HEALTH AND SAFETY”), CHAPTER 12 (GENERAL CRIMINAL OFFENSES DEFINED”), SECTION 11 (“INTOXICATION BY INHALATION OF TOXICANTS OR SOLVENTS”), BY AMENDING THE TITLE AND LANGUAGE TO PROHIBIT THE CONSUMPTION, INHALATION, AND INGESTION OF, AND POSSESSION WITH THE INTENT OF CONSUMING, INHALING, AND INGESTING, CERTAIN SUBSTANCES FOR THE PURPOSE OF BECOMING OR ATTEMPTING TO BECOME INTOXICATED; PROVIDING SEVERABILITY; REPEALING CONFLICTING CITY CODE PROVISIONS; APPROVING A SUMMARY OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.**

Action: Councilmember Beaumont moved to have the city clerk read Ordinance 1012-19 by title only and Councilmember Souza seconded.

ROLL CALL VOTE:

Councilmember Souza	YES
Councilmember Beaumont	YES
Councilmember Higgins	Absent
Councilmember Page	YES

The motion passed.

The city clerk read Ordinance 1012-19 by title only.

Action: Councilmember Beaumont moved to suspend the rules and adopt and publish Ordinance 1012-19 and Councilmember Souza seconded.

ROLL CALL VOTE:

Councilmember Higgins	Absent
Councilmember Page	YES
Councilmember Souza	YES
Councilmember Beaumont	YES

The motion passed.

H. UNFINISHED BUSINESS

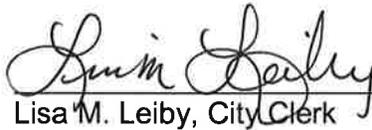
I. NEW BUSINESS

J. EXECUTIVE SESSION for the following purposes:

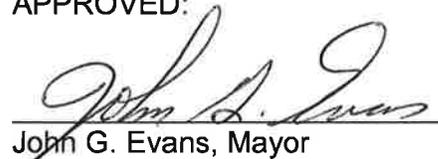
K. ADJOURNMENT

Councilmember Beaumont moved to adjourn, and councilmember Souza seconded. The meeting adjourned at 7:29 p.m.

ATTEST:


Lisa M. Leiby, City Clerk

APPROVED:


John G. Evans, Mayor

