

**CITY OF GARDEN CITY
CITY COUNCIL MEETING MINUTES
November 25, 2019
5:45 P.M.**

WORK SESSION CALL TO ORDER

1. Mayor Evans called the work session to order at 5:45 p.m.

2. **ROLL CALL**

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

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

3. **MAYOR/COUNCIL REPORTS**

4. **OTHER**

a. Rachele Klein, Republic Services representative, presented a proposal to the city council to consider adding curbside composting to the sanitation service offered in Garden City.

The meeting adjourned at 5:47 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, Page 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 November 12, 2019**
2. **Ratification of Accounts Payable Claims**
3. **Permanent Easement – ACHD and Garden City for Heron Park Phase 2**
4. **Resolution 1075-19: Vacation of EASFY2018-36, originally executed**

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

ROLL CALL VOTE:

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

The motion passed.

F. SPECIAL BUSINESS

1. Mayor Evans read the Small Business Saturday Proclamation into record.

2. Todd Weltner, Bridge Townhomes Subdivision II representative, requested a 365-day extension for SUBFY2017-5.

Action: Councilmembers voted on each of the following aspects of the request for an extension:

1) Good cause for the request

Councilmember Souza moved to accept this finding and councilmember Beaumont seconded. The motion passed with a 4-0 audible vote.

2) The application and/or applicable city regulations have not changed

Councilmember Higgins moved to accept this finding and councilmember Souza seconded. The motion passed with a 4-0 audible vote.

3) There has been no major change in the neighborhood, plans, or policies that would affect the compatibility of the project

Councilmember Beaumont moved to accept this finding and councilmember Higgins seconded. The motion passed with a 4-0 audible vote.

4) No action needed on this item

5) It is determined by the City Council that it is in Garden City's best interest to grant the extension

Councilmember Beaumont moved to accept this finding and councilmember Higgins seconded. The motion passed with a 4-0 audible vote and a 365-day extension was granted.

3. Approval of a restricted build agreement with Surfer's Paradise Two, LLC for the Bridge Townhomes II project.

Action: Councilmember Beaumont moved to approve restricted build agreement and Councilmember Higgins seconded.

The motion passed with a 4-0 audible vote.

4. Monthly staff reports were submitted in writing.

G. ORDINANCES, RESOLUTIONS, CONTRACTS

1. PUBLIC HEARING: Reconsideration of City Council's 09/23/2019 decision to deny an amendment to SUBFY2017-1/PUD2013-2 originally heard at the 09/09/2019 city council meeting.

Mayor Evans asked the council if there had been any ex parte communication with on this item. There was none reported.

Kim Trout, applicant representative, presented the request for reconsideration to the council.

Charles Wadams, City Attorney, presented the staff report on the request for reconsideration.

Mayor Evans opened the public hearing at 6:34 p.m.

The following individuals provided comment regarding the request for reconsideration:
Opposed

- 1 – Nancy Baskin – 3688 N. Willowbar Way, Garden City
 - 2 – Megan Griffin – 3784 N. Willowbar Way, Garden City
 - 3 – Kurt Fransen – 3844 N. Willowbar Way, Garden City
 - 4 – Tom Basking – 3688 N. Willowbar Way, Garden City
 - 5 – Dennis Moore – 3667 N. Willowbar Way, Garden City
- No one from the audience came forward to speak.

Kim Trout provided rebuttal to items raised during the public testimony.

Mayor Evans closed the public hearing at 7:32 p.m. reserving the right to re-open the hearing if needed during council deliberation to recall Mr. Trout.

Action: Councilmember Souza moved to deny the request for reconsideration and Councilmember Page seconded.

ROLL CALL VOTE:

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

The motion passed.

2. PUBLIC HEARING: DSRFY2019-4; Derek Hurd with Gravitas Inc. is requesting a Design Review approval for a mixed-use project that will be housed in 35 repurposed shipping containers at 208 E. 33rd Street; Ada County Parcel R2734541364. The properties are within the Mixed Use (M) zoning district and the Work/Live/Create Land Use designation of the Comprehensive Plan.

Derek Hurd, applicant representative, presented the application to the council.

Jenah Thornborrow, Development Services Director, presented the staff report on DSRFY2019-4.

Mayor Evans opened the public hearing at 8:19 p.m.

The following individual provided comment regarding the application:

In Favor

- 1 – Joe Jaszewski – 492 E. Thurman Mill, Garden City
- 2 – Maria Brown – 5608 S. Astoria Ave., Meridian
- 3 – Doug Brown – 5608 S. Astoria Ave., Meridian

Opposed

- 1 – Louis Landry – 211 E. 33rd St., Garden City
- No one from the audience came forward to speak.

Derek Hurd provided rebuttal to items raised during the public testimony.

Mayor Evans closed the public hearing at 8:56 p.m.

The council deliberated on the application.

Mayor Evans called for a short recess at 9:07 p.m. The meeting reconvened at 9:12 p.m.

The council voted on each of the following required finding for the decision by the Design Review Committee:

- 1) Councilmember Page moved that the application was not compliant and Councilmember Souza seconded. The motion passed with 4-0 audible vote.
- 2) Councilmember Beaumont moved that the application was not compliant and Councilmember Souza seconded. The motion passed with 4-0 audible vote.
- 3) Councilmember Souza moved that the application was compliant and Councilmember Higgins seconded. The motion passed with 4-0 audible vote.
- 4) Councilmember Higgins moved that the application was not compliant and Councilmember Beaumont seconded. The motion passed with 4-0 audible vote.

- 5) Determined to be not applicable.
- 6) Councilmember Page moved that the application was compliant and Councilmember Souza seconded. The motion passed with 4-0 audible vote.
- 7) Councilmember Page moved that the application was compliant and Councilmember Souza seconded. The motion passed with 4-0 audible vote.

Action: Councilmember Higgins moved to deny the application for DSRFY2019-4 and Councilmember Beaumont seconded.

ROLL CALL VOTE:

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

The motion passed.

- 3. PUBLIC HEARING: DSRFY2019-10; Thomas Schofield with Dave Evans Construction is requesting Design Review approval of new multi-family housing called Sleepy Hollow Apartments. The 3.03-acre site is located at 9555 W. State St.; Ada County Parcel S0514438580. The property is within the General Commercial (C-2) zoning district.**

Mayor Evans declared a conflict with this application and turned the meeting over to Charles Wadams, City Attorney, to act as the hearing officer.

Councilmember Souza declared a conflict with the application and recused himself from the meeting.

Councilmember Page declared a conflict and disclosed ex parte communication regarding this application and recused himself from the meeting.

The remaining councilmembers Beaumont and Higgins declared they have had no ex parte communication regarding this application.

Rob Powell, application representative, presented the application to the council.

Jenah Thornborrow, Development Services Director, presented the staff report on DSRFY2019-10.

Charles Wadams opened the public hearing at 9:44 p.m.

The following individuals provided testimony regarding the application:
In Favor

1 – David Cotner – 10687 W. Dason Ct. Boise

Opposed

1 – Lori Lindsey – 9444 W. Wakefield Ct., Garden City

2 – Teresa Jorgensen – 6084 Harbor Town Pl., Garden City

No one from the audience came forward to speak.

Rob Powell provided rebuttal to items raised during the public testimony.

Charles Wadams closed the public hearing at 10:12 p.m.

Action: Councilmember Higgins moved to approve the Findings of Fact, Conclusions of Law and Decision for DSRFY2019-10 and Councilmember Beaumont seconded.

ROLL CALL VOTE:

Councilmember Beaumont	YES
Councilmember Higgins	YES
Councilmember Page	Recuse
Councilmember Souza	Recuse

The motion passed.

H. UNFINISHED BUSINESS

I. NEW BUSINESS

J. EXECUTIVE SESSION for the following purposes:

K. ADJOURNMENT

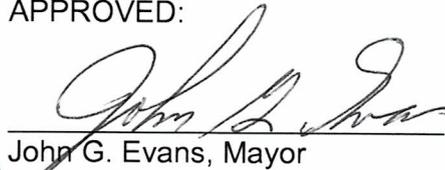
Councilmember Beaumont moved to adjourn and Councilmember Higgins seconded. The meeting adjourned at 10:15 p.m.

ATTEST:



Lisa M. Leiby, City Clerk

APPROVED:



John G. Evans, Mayor

