

**CITY OF GARDEN CITY
CITY COUNCIL MEETING MINUTES
August 8, 2016
6:00 P.M.**

A. CALL TO ORDER

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

Councilmembers Beaumont, Higgins, Mitchell and Souza were present.
Staff present: Lisa Leiby, Jenah Thornborrow, Rick Allen, Colin Schmidt and Charles Wadams.

C. PLEDGE OF ALLEGIANCE

Mayor Evans led the Pledge of Allegiance.

D. CHANGES TO AGENDA

E. CONSENT AGENDA

1. **Approval of Minutes June 30, 2016; July 15, 2016; July 26, 2016.**
2. **Ratification of Accounts Payable Claims**

Action: Councilmember Beaumont moved to approve the consent agenda and Councilmember Mitchell seconded.

The motion passed with an audible 4-0 vote.

F. SPECIAL BUSINESS

1. David Moore, Idaho Emergency Communications Commission, presented Mayor Evans and Chief Rick Allen with a plaque recognizing the Garden City Police Department's successful completion of the accreditation process.
2. Mayor Evans performed the swearing in of Garden City police officer Brydon Wiggins.

G. ORDINANCES, RESOLUTIONS, CONTRACTS

- 1. PUBLIC HEARING - EASFY2016-7 AND EASFY2016-8 PEDESTRIAN ACCESS EASEMENT DISCLAIMER OF INTEREST REQUEST 4810 and 4812 Lakes Edge Place in Garden City, Idaho: A request for the City of Garden City to disclaim interest to the pedestrian portion of a 5' wide Pedestrian and Emergency Access Easement on lot 54 and of a 5' wide Pedestrian and Emergency Access Easement on lot 53 of a 10' wide easement common to lots 53 and 54, Block 2 of Riverside Subdivision No. 3. Applicants Carol A. Sandors and Holly and Glen Lorensen respectively.**

Mayor Evans disclaimed on this matter that he was the developer of the Riverside Subdivision from 09/1985 through the completion of the project.

Mayor Evans requested that the council disclose any real or perceived conflicts with this issue. There were none.

Jenah Thornborrow, Development Services Director, presented the staff report on EASFY2016-7 and EASFY2016-8.

Charles Wadams, City Attorney, presented supplemental information regarding the proceedings of the public hearing.

Mayor Evans opened the public hearing at 6:35 p.m.

The following individuals spoke on behalf of the easement requests:

- 1 – Holly Lorensen, applicant of 4812 Lakes Edge Place, Garden City
- 2 – Carol Sanders, applicant of 4810 Lakes Edge Place, Garden City
- 3 – Jim Colburne, applicant's attorney
- 4 – Tom Arkoosh, 4888 Lakeview Place, Garden City
- 5 – Jana Kemp, 4890 Lakeview Place, Garden City
- 6 – Doug Baalson, Meadow Creek HOA representative, 5349 Riffle Way
- 7 – Glen Lorensen, 4812 Lakes Edge Place, Garden City

Mayor Evans closed the public hearing at 6:51 p.m.

Action: Councilmember Beaumont made a motion for the City of Garden City to adopt the following statement: At this time, Garden City does not believe that it has a legal interest in the pedestrian easements located at 4810 and 4812 Lakes Edge Place in Garden City, however, should it be determined in the future that such a legal interest does exist, the city will not vacate or disclaim that easement nor block public access and Councilmember Mitchell seconded.

ROLL CALL VOTE:

Councilmember Beaumont	YES
Councilmember Higgins	YES
Councilmember Mitchell	YES
Councilmember Souza	NO

The motion passed.

Action: Councilmember Beaumont made a motion to direct Mayor Evans to have the City Attorney, Charles Wadams, draft a letter based on the statement approved in the previous action item and Councilmember Higgins seconded.

ROLL CALL VOTE:

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

The motion passed.

2. CONSIDER MOTION TO APPROVE FISCAL YEAR 2017 TENTATIVE BUDGET IN THE TOTAL AMOUNT FOR ALL FUNDS OF \$15,942,584.

Action: Councilmember Higgins moved to approve the Fiscal Year 2017 tentative budget in the total amount for all funds of \$15,942,584 and Councilmember Souza seconded.

ROLL CALL VOTE:

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

The motion passed.

3. RESOLUTION 1017-16; A RESOLUTION AMENDING THE BILLING POLICY OF THE CITY OF GARDEN CITY, PURSUANT TO TITLE 6, CHAPTER 3 OF THE MUNICIPAL CODE, INCREASING CERTAIN UTILITY FEES; AND PROVIDING FOR AN EFFECTIVE DATE

Action: Councilmember Mitchell moved approve Resolution 1017-16 and Councilmember Beaumont seconded.

ROLL CALL VOTE:

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

The motion passed.

- 4. Authorize Mayor Evans to accept a proposal from Knife River and to enter into an agreement with Knife River for waterline upgrades at 6961 W. State St. for an amount not to exceed \$35,090.**

Action: Councilmember Beaumont moved to authorize Mayor Evans to accept the proposal from Knife River and enter into an agreement for waterline upgrades at 6961 W. State St for an amount not to exceed \$35,090 and Councilmember Souza seconded.

ROLL CALL VOTE:

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

The motion passed.

- 5. Authorize Mayor Evans to accept a proposal from Knife River and to enter into an agreement with Knife River for greenbelt replacement for an amount not to exceed \$35,000.**

Action: Councilmember Higgins moved to authorize Mayor Evans to accept the proposal from Knife River and enter into an agreement for greenbelt replacement for an amount not to exceed \$35,000 and Councilmember Beaumont seconded.

ROLL CALL VOTE:

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

The motion passed.

H. UNFINISHED BUSINESS

I. NEW BUSINESS

J. EXECUTIVE SESSION

Action: Councilmember Beaumont moved to enter into executive session at 7:08 p.m. in accordance with Idaho Code §74-206(1)(f) to communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated and Councilmember Higgins

ROLL CALL VOTE:

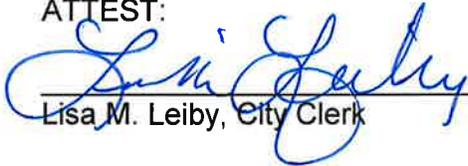
Councilmember Mitchell	YES
Councilmember Souza	YES
Councilmember Beaumont	YES
Councilmember Higgins	YES

The motion passed.

K. ADJOURNMENT

The meeting adjourned at 7:29 p.m.

ATTEST:



Lisa M. Leiby, City Clerk

APPROVED:



John G. Evans, Mayor

