

**CITY OF GARDEN CITY
CITY COUNCIL MEETING MINUTES
November 14, 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

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

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

City Engineer Joe Canning was present.

Outside Legal Counsel Frank Walker was present.

C. PLEDGE OF ALLEGIANCE

Mayor Evans led the Pledge of Allegiance.

D. CHANGES TO AGENDA

E. CONSENT AGENDA

1. **Approval of Minutes October 24, 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. Appoint Chuck Kennedy to the Planning and Zoning Commission

Mayor Evans presented Chuck Kennedy for appointment to the Planning and Zoning Commission.

Action: Councilmember Higgins moved to approve the appointment of Chuck Kennedy to the Planning and Zoning Commission and Councilmember Beaumont seconded.

ROLL CALL VOTE:

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

The motion passed.

2. Wayfinding Signage

Jenah Thornborrow, Development Services Director, presented information on the Wayfinding Signage project.

Councilmember Beaumont commented to follow up from the Urban Renewal Agency's perspective.

G. ORDINANCES, RESOLUTIONS, CONTRACTS

- 1. PUBLIC HEARING – RESOLUTION 1022-16; EASFY2017-2, A VACATION OF THE PORTION OF THE OMEGA PLAZA SUBDIVISION RELATED TO A 10' UTILITY, DRAINAGE, AND IRRIGATION EASEMENT ADJACENT TO LOT 9 OF OMEGA PLAZA SUBDIVISION GENERALLY LOCATED AT 191 E. 50TH STREET IN GARDEN CITY, IDAHO. INTERMOUNTAIN GAS, IDAHO POWER, AND CABLE ONE HAVE AGREED IN WRITING TO RELINQUISH THEIR INTERESTS.**

Mayor Evans asked the council if there were any perceived or known conflicts.
There were none.

Mayor Evans asked the council if they had received any contact from the public.
There was none.

Mayor Evans opened the public hearing at 6:21 p.m.

- No one signed up to speak.
- From the audience, Pat Tealy, 12594 Explorer, represented the applicant.
- No one else came forward from the audience.

Mayor Evans closed the public hearing at 6:25 p.m.

Action: Councilmember Beaumont moved to adopt Resolution 1022-16 and Councilmember Higgins seconded.

ROLL CALL VOTE:

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

The motion passed.

2. PUBLIC HEARING – EASFY2017-1; VALIDATION/VACATION PROCEEDINGS TO EITHER VALIDATE SEWER LINES AS AN EASEMENT, AND/OR TO ABANDON, VACATE, OR RECLASSIFY SEWER LINES LOCATED UNDER 2900 W. CHINDEN BOULEVARD, PARCEL #1983 OF BLOCKS 36-38-41 OF FAIRVIEW ACRES SUBDIVISION 5, ADA COUNTY PARCEL R2734541990, GARDEN CITY, ADA COUNTY, IDAHO.

Mayor Evans asked the council if there were any perceived or known conflicts.

There were none.

Mayor Evans asked the council if they had received any contact from the public.

There was none.

- a. Colin Schmidt, Public Works Director, presented a staff report on EASFY2017-1.
- b. Jenah Thornborrow, Development Services Director, presented a staff report on EASFY2017-1.
- c. Joe Canning, City Engineer, presented a staff report on EASFY2017-1.
- d. Charles Wadams, City Prosecutor, presented a staff report on EASFY2017-1.

Mayor Evans opened the public hearing at 6:43p.m.

No one signed up to speak and no one from the audience came forward to speak.

Mayor Evans closed the public hearing at 6:43p.m.

Action: Councilmember Mitchell moved to continue EASFY2017-1 at the November 28, 2016 Garden City council meeting and Councilmember Higgins seconded.

ROLL CALL VOTE:

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

The motion passed.

3. ~~Public Hearing DSRFY2016-17 New Construction Advance Auto Parts at 4379 Chinden:~~ Ryan Drew of Larson Architects is requesting Design Review approval for new commercial construction of a retail store on vacant land at 4379 Chinden Blvd. The project is zoned C-1 and in the Mixed Use Commercial and Green Boulevard Corridor Comprehensive Plan land use designation. Retail Store is an allowed use in C-1 zoning. The property is 1.18 acres with frontage on Chinden, West 44th and Stockton. **CANCELED:** The application was noticed per Garden City Code 8-6A-5 Administrative Process with Notice which specifies that if no objections are received within ten days of a notice intent to approve the scheduled hearing will be canceled and the application will be automatically approved. No objections were received by the City.

4. **Approve Contract with M. Jerome Mapp for grant administration for the Idaho Department of Commerce grant award under the Idaho Community Development Block Grant Program for an amount not to exceed \$25,000.**

Action: Councilmember Beaumont moved to approve the contract with M. Jerome Mapp for grant administration for the Idaho Department of Commerce grant award under the Idaho Community Development Block Grant Program for an amount not to exceed \$25,000 and Councilmember Higgins seconded.

ROLL CALL VOTE:

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

The motion passed.

H. UNFINISHED BUSINESS

I. NEW BUSINESS

1. Authorize or not authorize legal council to agree to binding arbitration in Ada County Case CV-OT-14-06552.

Mayor Evans requested the council to table item I1, go into executive session and reconvene from executive session to take action on item I1 on the record.

Action: Councilmember Beaumont moved to table item I1 and Councilmember Souza seconded.

ROLL CALL VOTE:

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

The motion passed.

Action: Councilmember Mitchell moved to pull item I1 from the table after the executive session and Councilmember Higgins seconded.

The motion passed with an audible 4-0 vote.

Action: Councilmember Mitchell moved to not authorize council to agree to council to agree to binding arbitration in Ada County Case CV-OT-14-06552 and Councilmember Beaumont seconded.

ROLL CALL VOTE:

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

Action: Councilmember Mitchell moved to, through the council president in collaboration with the Mayor's office, consolidate the discussion the council had in order to craft formal correspondence as a response to the paneled overture to the city and deliver the letter into record as the city's legal counsel sees fit and Councilmember Higgins seconded.

ROLL CALL VOTE:

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

The motion passed.

J. EXECUTIVE SESSION for the following purposes:

1. 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.

Action: Councilmember Higgins moved to enter into executive session at 6:46 p.m. under Idaho Code §74-206(1) (f) after which the regular council meeting will reconvene and Councilmember Souza seconded.

ROLL CALL VOTE:

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

The motion passed.

Action: Councilmember Beaumont moved to reconvene the regular council meeting at 7:14 p.m. and Councilmember Souza seconded.

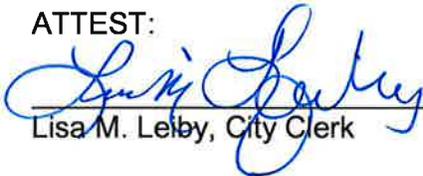
The motion passed with an audible 4-0 vote.

K. ADJOURNMENT

Councilmember Souza moved to adjourn and Councilmember Beaumont seconded.

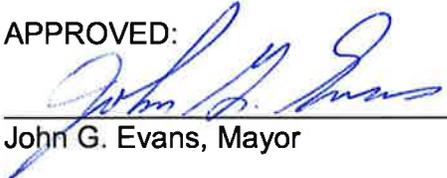
The meeting adjourned at 7:22 p.m.

ATTEST:



Lisa M. Leiby, City Clerk

APPROVED:



John G. Evans, Mayor

