

# **NAMPA CITY COUNCIL REGULAR MEETING MINUTES**

## **May 1, 2023**

### **Call to Order/Roll Call**

Present: Mayor Debbie Kling, Councilmember Victor Rodriguez, Councilmember Darl Bruner, Councilmember Natalie Jangula, Councilmember Dale Reynolds, Councilmember Randy Haverfield, and Councilmember Jacob Bower

Absent: None

Staff Present: City Attorney Joe Borton, City Clerk Char Tim, and Finance Director Doug Racine

Mayor Kling called the meeting to order at 5:33 p.m.

### **Invocation**

Pastor Ryan Stoops – Deer Flat Church

### **Pledge of Allegiance**

### **Proposed Amendments to Agenda**

Mayor announced that Item 7-8 needed to be amended to include the words "Action Item" which was omitted by a scrivener's error. She also announced that Item 8-1 was being requested for a continuance to a date certain of May 15, 2023 and that request would be considered by Council during the Public Hearing section of the agenda.

### **Adoption of Agenda (Action Item)**

**MOVED** by Bower and **SECONDED** by Reynolds to Adopt the Agenda as amended.

**RESULT: Passed [6 TO 0]**

**AYES:** Bower, Bruner, Haverfield, Jangula, Reynolds, Rodriguez

**NOES:** None

**ABSTAIN:** None

### **(1) Consent Agenda (Action Items)**

**MOVED** by Reynolds and **SECONDED** by Haverfield to Approve the Consent Agenda.

**RESULT: Passed [6 TO 0]**

**AYES:** Bower, Bruner, Haverfield, Jangula, Reynolds, Rodriguez

**NOES:** None

**ABSTAIN:** None

1-1. Minutes

- a. Council Regular Meeting – April 17, 2023

**MOVED** by Reynolds and **SECONDED** by Haverfield to Approve the item.

**RESULT: Passed [6 TO 0]**

**AYES:** Bower, Bruner, Haverfield, Jangula, Reynolds, Rodriguez

**NOES:** None

**ABSTAIN:** None

- b. Council and Planning & Zoning Commission Joint – Special Meeting – April 20, 2023

**MOVED** by Reynolds and **SECONDED** by Haverfield to Approve the item.

**RESULT: Passed [6 TO 0]**

**AYES:** Bower, Bruner, Haverfield, Jangula, Reynolds, Rodriguez

**NOES:** None

**ABSTAIN:** None

- c. Nampa Development Corporation - Regular Meeting - March 21, 2023

**MOVED** by Reynolds and **SECONDED** by Haverfield to Approve the item.

**RESULT: Passed [6 TO 0]**

**AYES:** Bower, Bruner, Haverfield, Jangula, Reynolds, Rodriguez

**NOES:** None

**ABSTAIN:** None

- d. Nampa Development Corporation – Special Meeting - April 6, 2023

**MOVED** by Reynolds and **SECONDED** by Haverfield to Approve the item.

**RESULT: Passed [6 TO 0]**

**AYES:** Bower, Bruner, Haverfield, Jangula, Reynolds, Rodriguez

**NOES:** None

**ABSTAIN:** None

- e. Arts & Historic Preservation Commission - Regular Meeting - March 13, 2023

**MOVED** by Reynolds and **SECONDED** by Haverfield to Approve the item.

**RESULT: Passed [6 TO 0]**

**AYES:** Bower, Bruner, Haverfield, Jangula, Reynolds, Rodriguez

**NOES:** None

**ABSTAIN:** None

- f. Nampa Housing Authority – Regular Meeting – March 8, 2023

**MOVED** by Reynolds and **SECONDED** by Haverfield to Approve the item.

**RESULT: Passed [6 TO 0]**

**AYES:** Bower, Bruner, Haverfield, Jangula, Reynolds, Rodriguez

**NOES:** None

**ABSTAIN:** None

- g. Golf Commission - Regular Meeting - March 21, 2023

**MOVED** by Reynolds and **SECONDED** by Haverfield to Approve the item.

**RESULT: Passed [6 TO 0]**

**AYES:** Bower, Bruner, Haverfield, Jangula, Reynolds, Rodriguez

**NOES:** None

**ABSTAIN:** None

- 1-2. The City Council dispenses with the three (3) reading rule of Idaho Code 50-902 for all ordinances

- 1-3. Plat Approvals

- a. Subdivision Final Plat Approval for Cherry Grove No 2 Subdivision in a RS 8.5 (Single-Family Residential) zoning district - a 7.96 acre parcel #R3422900000 at 0 Elm St. (located in the N 1/2 of the SW 1/4 of Section 26, T4N, R2W, BM) for KB Homes, LLC (SPF-00231-2023). Original Concept: 31 Single-family detached lots and 6 common lots.

**MOVED** by Reynolds and **SECONDED** by Haverfield to Approve the item.

**RESULT: Passed [6 TO 0]**

**AYES:** Bower, Bruner, Haverfield, Jangula, Reynolds, Rodriguez

**NOES:** None

**ABSTAIN:** None

- b. Subdivision Final Plat Approval for Fenway No 1 Subdivision in a RS 7 (Single-Family Residential) zoning district - a 10.06 acre parcel #R2952901200 at 0 Alma Ln. (located in the NE 1/4 of the SW 1/4 of Section 12, T2N, R2W, BM) for Kent Brown, representing Endurance Holdings, LLC (SPF-00234-2023). Original Concept: 34 single-family detached lots and 6 common lots.

**MOVED** by Reynolds and **SECONDED** by Haverfield to Approve the item.

**RESULT: Passed [6 TO 0]**

**AYES:** Bower, Bruner, Haverfield, Jangula, Reynolds, Rodriguez

**NOES:** None

**ABSTAIN:** None

- c. Subdivision Final Plat for Sweetwater Glen No 6 Subdivision in a RS 7 (Single-Family Residential) zoning district - 10.01 acre parcel #R3437101000 at 8620 Ustick Rd. (located in the NE 1/4 of the SW 1/4 of Section 34, T4N, R2W, BM) for Adam Capell with Toll Brothers (SPF-00230-2023). Original Concept: 30 single-family detached lots and 4 common lots.

**MOVED** by Reynolds and **SECONDED** by Haverfield to Approve the item.

**RESULT: Passed [6 TO 0]**

**AYES:** Bower, Bruner, Haverfield, Jangula, Reynolds, Rodriguez

**NOES:** None

**ABSTAIN:** None

1-4. Authorize Public Hearings

- a. Annexation and Zoning to RS6 (Single-Family Residential) zoning district and potential development agreement at 0 & 4101 Alma Ln (parcel #'s R2952100000 & R2951800000 totaling 100.36 acres); Subdivision Preliminary Plat for Brookhaven Subdivision at 4101 Alma Ln (a 24.72 acre portion of parcel #R2952100000); all land located in the SE ¼ of Section 12, T2N, R2W, BM), for Patrick Connor - Providence Properties, representing James Smith (ANN-00258-2022 & SPP-00116-2022). Original Concept: 99 single-family detached dwelling units and 19 common lots. To be considered by City Council on May 15, 2023.

**MOVED** by Reynolds and **SECONDED** by Haverfield to Approve the item.

**RESULT: Passed [6 TO 0]**

**AYES:** Bower, Bruner, Haverfield, Jangula, Reynolds, Rodriguez

**NOES:** None

**ABSTAIN:** None

- b. Annexation and Zoning to the U (University) zoning district on a 2.35 acre parcel and a 5.33 acre parcel at 0 & 5887 Cherry Ln (R3040900000 & R3040901000, in the NW 1/4, Section 7, T3N, R1W, BM), Rezone from RS 8.5 (Single-Family Residential) to U (University) zoning district and Development Agreement Modification, on a 13.5 acre parcel and a 19.09 acre parcel at 0 & 5747 Cherry Ln (R3041801100 & R3041800000, in the W 1/4, Section 7, T3N, R1W, BM) for the College of Western Idaho Expansion (ANN-00270-2023, ZMA-00173-2023 & DAMO-0059-2023). To be considered by City Council on May 15, 2023.

**MOVED** by Reynolds and **SECONDED** by Haverfield to Approve the item.

**RESULT: Passed [6 TO 0]**

**AYES:** Bower, Bruner, Haverfield, Jangula, Reynolds, Rodriguez

**NOES:** None

**ABSTAIN:** None

- c. Annexation and Zoning to the RS 22 (Single-Family Residential) zoning district, to make connection to city sewer and water services on a .85 acre parcel at 1724 Southside Blvd (R3242300000, in the SW 1/4 of Section 36, T3N, R2W, BM), for Salvador Rodriguez (ANN-00273-2023). To be considered by City Council on May 15, 2023.

**MOVED** by Reynolds and **SECONDED** by Haverfield to Approve the item.

**RESULT: Passed [6 TO 0]**

**AYES:** Bower, Bruner, Haverfield, Jangula, Reynolds, Rodriguez

**NOES:** None

**ABSTAIN:** None

- d. Rezone from BC (Community Business) to RS 8.5 (Single-Family Residential) on a .6 acre parcel at 0 Southside Blvd (R3230301000, in the NE 1/4 of Section 35, T3N, R2W, BM), for Joseph Profitt (ZMA-00174-2023). Original Concept: Create two residential lots from one existing lot. To be considered by City Council on May 15, 2023.

**MOVED** by Reynolds and **SECONDED** by Haverfield to Approve the item.

**RESULT: Passed [6 TO 0]**

**AYES:** Bower, Bruner, Haverfield, Jangula, Reynolds, Rodriguez

**NOES:** None

**ABSTAIN:** None

- e. To consider ordinance amendments to:
- Revision of implementation date for annual fee increase from January 1 to July 1
  - Revision to date range of cost indexes used for annual fee increase
  - Move the Development Impact Fee Advisory Committee membership and appointment requirements from Title 3 Chapter 7 – Development Impact Fees to Title 2 – Chapter 17 – Development Impact Fee Advisory Committee
  - Review and approve recommended annual increases to development impact fees.

To be considered by City Council on June 5, 2023.

**MOVED** by Reynolds and **SECONDED** by Haverfield to Approve the item.

**RESULT: Passed [6 TO 0]**

**AYES:** Bower, Bruner, Haverfield, Jangula, Reynolds, Rodriguez

**NOES:** None

**ABSTAIN:** None

1-5. Authorize to Proceed with Bidding Process

- a. Action Item: Authorize Engineering Division to proceed with formal bidding process for the Midland Boulevard and Iowa Avenue Intersection Improvement project. (Approved in FY23 Budget)

**MOVED** by Reynolds and **SECONDED** by Haverfield to Approve the item.

**RESULT: Passed [6 TO 0]**

**AYES:** Bower, Bruner, Haverfield, Jangula, Reynolds, Rodriguez

**NOES:** None

**ABSTAIN:** None

1-6. Authorization for Execution of Contracts and Agreements

- a. Authorize the expenditure of \$53,131.18 on Phase II Group F Alternate #5 for the installation of a stairway and door at Facility 750 at the Wastewater Treatment Plant. (Approved in FY23 Budget)

**MOVED** by Reynolds and **SECONDED** by Haverfield to Approve the item.

**RESULT: Passed [6 TO 0]**

**AYES:** Bower, Bruner, Haverfield, Jangula, Reynolds, Rodriguez

**NOES:** None

**ABSTAIN:** None

1-7. Licenses

- a. 2023-2024 Alcohol License Renewals

**MOVED** by Reynolds and **SECONDED** by Haverfield to Approve the item.

**RESULT: Passed [6 TO 0]**

**AYES:** Bower, Bruner, Haverfield, Jangula, Reynolds, Rodriguez

**NOES:** None

**ABSTAIN:** None

1-8. Miscellaneous Items

- a. Six month extension request for: Variance to NCC 10-16-4.C and 10-16-6.A requiring a minimum 20' structure and parking setback from the primary/front property line; and to NCC 10-33-4.C requiring a 15' landscape buffer; for an expansion of the Karcher Auto Body building and widening of State Highway 55 right-of-way in a BC (Community Business) zoning district at 2302 W Karcher Rd (a .90 acre parcel #R24456007A0, located in the SW 1/4 of Section 8, T3N, R2W, BM) for Jeff Henderson representing Henderson Holdings LLC (VAR-00135-2022).

**MOVED** by Reynolds and **SECONDED** by Haverfield to Approve the item.

**RESULT: Passed [6 TO 0]**

**AYES:** Bower, Bruner, Haverfield, Jangula, Reynolds, Rodriguez

**NOES:** None

**ABSTAIN:** None

**(2) Items Moved From Consent Agenda (Action Items)**

None

**(3) Proclamations**

3-1. Building Safety Month

Patrick Sullivan, Building Safety & Facilities accepted the Proclamation and spoke on the need to raise awareness on building safety.

**(4) Public Forum**

• Non-Agenda

Mayor introduced Kari Seely and Kathryn Olson from the Mayor's Office and stated that Kari was transitioning out of the Mayor's Executive Assistant role and this was Kathryn's first day as her new Executive Assistant. Council commended Kari for her outstanding work in that role and congratulated her on her new position in the Nampa Police Department and welcomed Kathryn to the City.

*Clerk's Note: Victor Rodriguez left his seat on the dais to provide public comment as a member of the public and immediately returned to the dais once done.*

Victor Rodriguez, 1854 W Creek Ct, Nampa suggested that Planning & Zoning Commission be created by districts to ensure members are residents of the areas that they are making land use decisions.

• Agenda

None

**(5) Agency & Commission Reports**

- 5-1. None

**(6) Staff Communications**

- 6-1. Public Works Staff Communications

Tom Points, Public Works provided updates on the annual Chip Seal Campaign and the result of a recent speed limit review on Greenhurst Rd, between S Middleton Rd and S Midland Blvd. Crystal Craig, Transportation responded to Council's questions on the Hwy 16 project update.

**(7) New Business**

- 7-1. Action Item: Authorize Mayor to sign Resolution and Cooperative Agreement with the Idaho Transportation Department for intersection improvements at SH-45 and Locust Lane (Project Development) Project No. A022(717); Key No. 22717. (Approved by Legal)

Crystal Craig, Transportation presented the item to Council.

**MOVED** by Haverfield and **SECONDED** by Reynolds to Approve the item.

**RESULT: [6 TO 0]**

**AYES:** Bower, Bruner, Haverfield, Jangula, Reynolds, Rodriguez

**NOES:** None

**ABSTAIN:** None

- 7-2. Action Item: Consideration of an Alcohol License Application from American Legion Post 18 located at 1504 2nd St S. which requires a Waiver to allow on premise Beer, Wine & Liquor sales within 300 feet of four churches.

Char Tim, Clerk's Office presented the item to Council. Shawn Langenning, Applicant, responded to Council's questions on the application and why they were requesting a fee waiver. Mayor explained that currently there are no procedures in place to obtain a fee waiver for this application and that Council would have to make an amendment to City Code if they chose to create one.

Councilmembers Bruner and Haverfield were not in support of the full alcohol license as it included a request for liquor by drink.

**MOVED** by Rodriguez and **SECONDED** by Jangula to Approve the item.

**RESULT: Passed [4 TO 2]**

**AYES:** Bower, Jangula, Reynolds, Rodriguez

**NOES:** Bruner, Haverfield

**ABSTAIN:** None



- 7-3. Action Item: The Family Justice Center is requesting approval to spend Idaho State Police STOP awards for statewide IRAD Training (\$92,936) and SAFE Expansion (\$21,267), to be expended between 4/1/23 and 3/31/24. Application request for IRAD Training was made before Council on January 3rd.

**MOVED** by Reynolds and **SECONDED** by Haverfield to Approve

**RESULT: Passed [6 TO 0]**

**AYES:** Bower, Bruner, Haverfield, Jangula, Reynolds, Rodriguez

**NOES:** None

**ABSTAIN:** None

- 7-4. Action Item: Ford Idaho Center-Idaho Horse Park RV Spaces: Review and approve additional funding options for project budget overage; award contract to match scope of approved funding; and authorize mayor to sign contract that matches approved budget amount (Approved by Legal)

Mayor clarified for Council that at the April 17, 2023 meeting, Council had approved \$500,000 in additional funding for the project and the Snake River Stampede Rodeo had donated \$100,000 to the project.

Patrick Sullivan, Building Safety & Facilities presented the item to Council and stated that after further review, staff was recommending that Council reject all bids and re-bid the project due to bidding irregularities.

**MOVED** by Haverfield and **SECONDED** by Reynolds to Reject all bids as they were over the allocated amount for the project and re-bid the project with a modified set of drawings with more bid alternates in order to allow the allocated dollar amount to be reached.

**RESULT: Passed [6 TO 0]**

**AYES:** Bower, Bruner, Haverfield, Jangula, Reynolds, Rodriguez

**NOES:** None

**ABSTAIN:** None

- 7-5. Action Item: Authorize Mayor and Public Works Director to sign Task Order with Six Mile Engineering for Design of the Northside Boulevard and Ustick Road Roundabout in the amount of \$447,725.00 T&M NTE (Approved in FY23 Budget)

**MOVED** by Bruner and **SECONDED** by Reynolds to Approve the item.

**RESULT: Passed [6 TO 0]**

**AYES:** Bower, Bruner, Haverfield, Jangula, Reynolds, Rodriguez

**NOES:** None

**ABSTAIN:** None

- 7-6. Action Item: Authorize Mayor and Public Works Director to sign amended Task Order for Construction Engineering and Inspection with DKS Associates for the Intelligent Transportation System (ITS) Infrastructure and Traffic Management Center (TMC)/Incident Management Center (IMC) project in the amount of \$165,000 T&M NTE. (Approved in FY23 Budget)

**MOVED** by Haverfield and **SECONDED** by Reynolds to Approve the item.

**RESULT: [6 TO 0]**

**AYES:** Bower, Bruner, Haverfield, Jangula, Reynolds, Rodriguez

**NOES:** None

**ABSTAIN:** None

- 7-7. Action Item: Award bid and authorize Mayor to sign a construction contract with Compliance Solutions and Contractors LLC for the Mangum Parking Lot Replacement project for a total of \$232,742.15. (Approved by Legal) (Approved in FY23 Budget)

**MOVED** by Haverfield and **SECONDED** by Reynolds to Approve the item.

**RESULT: Passed [6 TO 0]**

**AYES:** Bower, Bruner, Haverfield, Jangula, Reynolds, Rodriguez

**NOES:** None

**ABSTAIN:** None

- 7-8. Authorize the Mayor to sign task order with Jensen Belt Associates to design Phase 3 of Midway Park for the amount of \$249,310.00. (Funded with Park Impact Fees)

**MOVED** by Rodriguez and **SECONDED** by Jangula to Approve the item.

**RESULT: Passed [6 TO 0]**

**AYES:** Bower, Bruner, Haverfield, Jangula, Reynolds, Rodriguez

**NOES:** None

**ABSTAIN:** None

- 7-9. Action Item: 1st Reading of ordinance amending Nampa City Code Title 3 Chapter 1, Title 8 Chapter 1 and Title 8 Chapter 2. Revising provisions regarding the Board of Appraisers including the number of board members and composition of the board. (Approved by Legal)

Rick Hogaboam, Mayor's Office presented the item to Council and explained that since the Ordinance had not been included in the agenda packet, he would be going through the various proposed language changes. He also stated that hard copies of the proposed ordinance were provided for the Council as well as the audience.

Mayor presented the request to pass the Ordinance under suspension of rules.

AN ORDINANCE OF THE CITY OF NAMPA, IDAHO AMENDING TITLE 3, CHAPTER 1, SECTION 1, TITLE 8, CHAPTER 1, SECTION 3, AND TITLE 8, CHAPTER 2, SECTION 4 OF THE NAMPA CITY CODE, REVISING PROVISIONS REGARDING THE BOARD OF APPRAISERS INCLUDING THE NUMBER OF BOARD MEMBERS AND COMPOSITION OF THE BOARD; PROVIDING FOR SEVERABILITY; PROVIDING A SAVINGS CLAUSE; ALLOWING FOR A SUMMARY OF THIS ORDINANCE TO BE PUBLISHED; PROVIDING FOR AN EFFECTIVE DATE; AND REPEALING ALL ORDINANCES, RULES AND REGULATIONS, AND PARTS THEREOF, IN CONFLICT HERewith.

**MOVED** by Haverfield and **SECONDED** by Reynolds to Pass the Ordinance under suspension of rules and number it **4732**.

**RESULT: Passed [6 TO 0]**

**AYES:** Bower, Bruner, Haverfield, Jangula, Reynolds, Rodriguez

**NOES:** None

**ABSTAIN:** None

**(8) Public Hearings**

- 8-1. Action Item: APPEAL of the Planning and Zoning Commission approval decision for the Conditional Use Permit for a Multiple Family Development in a BC (Community Business) Zoning District on 10 acres addressed as 11364 W Karcher Rd (Parcel #R3095100000 located in the SE 1/4 of Section 7, T3N, R2W, BM), and potential development agreement for the Karcher Ranch Residences development for Kelly Kitchens, representing Ron Platt (CUP-00305-2023). Original Concept: Mixed Use Development with 1 commercial building and 192 residential dwelling units in 9 apartment buildings. APPEAL submitted by Loraine Knigge, 16065 Latah Dr. Nampa, ID 83651 (APL-00018-2023). ***(continued from May 1, 2023 meeting)***

**MOVED** by Haverfield and **SECONDED** by Reynolds to Continue the item to a date certain of May 15, 2023 as requested.

**RESULT: Passed [6 TO 0]**

**AYES:** Bower, Bruner, Haverfield, Jangula, Reynolds, Rodriguez

**NOES:** None

**ABSTAIN:** None

- 8-2. Action Item: Conditional Use Permit for Reflections Edge Mini Storage in a BC (Community Business) zoning district on 3.7 acres addressed as 0 E Railroad St(parcel #R3239201400, located in the NE 1/4 of Section 36, T3N, R2W, BM) for Andrew Newell with Blaine Womer Civil Engineering representing Landmark Pacific Development, Inc (CUP-00309-2023). Original Concept: 379 unit public storage facility. ***Item has been withdrawn by applicant.***

**No action taken.**

- 8-3. Action Item: Amendment to Title 5 of the Nampa City Code to require business licensing for Massage Establishments and to establish fees. **(continued from April 3, 2023 meeting)**

Mayor opened the public hearing.

Char Tim, Clerk's Office presented the item to Council and provided an update on staff's action since the last meeting on April 3, 2023. She stated that if Council approved to amend City Code in order to create a new business license and establish a fee, staff would return at a future Council meeting with the Ordinance and Fee Resolution. Lt. Jason Kimball, Police responded to various Council's questions.

Johnny Hamilton, 16803 N Kettering Ln, Nampa was in support of the City license but not for the fingerprinting requirement and questioned exactly what they were trying to keep the City safe from.

**MOVED** by Haverfield and **SECONDED** by Bower to **close the public hearing**. Mayor asked for a voice vote with all Councilmembers present voting **YES**. MOTION CARRIED.

Councilmember Bower stated that he understood the need for a little more regulation in order to stop illicit massage establishments, but would like the proposed fee of \$150.00 to be significantly reduced to perhaps under \$70.00.

**MOVED** by Bruner and **SECONDED** by Haverfield to Approve amending Title 5 of the Nampa City Code to require business licensing for Massage Establishments and to establish a license fee of \$100.00.

**RESULT: [5 TO 1]**

**AYES:** Bruner, Haverfield, Jangula, Reynolds, Rodriguez

**NOES:** Bower

**ABSTAIN:** None

- 8-4. Action Item: Amendment to Title 5, Chapter 12, Sections 16 and 17 of the Nampa City Code to include adding an Alcohol Beverage Catering Permit requirement; Adding language regarding the assessment points for an Alcohol Beverage Catering Permit; Adding procedures for a hearing on license suspensions or revocations; Adding new members to the Alcohol Review Committee; and Adding notice provisions to license holders.

Mayor opened the public hearing.

Char Tim, Clerk's Office presented the item to Council. Rick Hogaboam, Mayor's Office provided additional information on the letter submitted by Sheila of Slick's Bar and responded to Council's questions on Alcohol Catering Permits. Lt. Jason Kimball, Police responded to Council's questions on Alcohol Catering Permits.

Beatrix Westmoreland, 1416 9<sup>th</sup> St S, Nampa understood the issue trying to be addressed with the proposed restrictions for Alcohol Catering Permits, but felt that the permit limitation could be an issue.

Cole Harbig, 1416 9<sup>th</sup> St S, Nampa thought that the restrictions on the Alcohol Catering Permit were an over-reach in order to address certain businesses that were abusing the system and that there should be a way to target those individuals without applying pressure to the other businesses that are complying with the rules.

**MOVED** by Haverfield and **SECONDED** by Jangula to **close the public hearing**. Mayor asked for a voice vote with all Councilmembers present voting **YES**. MOTION CARRIED.

Significant discussion ensued between Council and staff on the proposed limit of two Alcohol Catering Permits per month per location per applicant. Joe Borton, Legal stated that the proposed language for Alcohol Catering Permits (Section 1 of the proposed ordinance) was to close the existing loophole and to help draw a line in the sand due to the current code being somewhat ambiguous with the wording of "continuous basis". Discussion also included possibly providing a set distance from a school or church to Alcohol Catering Permits, which would be similar to an Alcohol License, and to also perhaps add an annual catering permit for certain types of venues.

Per Council's request to clarify the proposed motion, Mr. Borton stated that staff would return with an ordinance that would capture what was in Sections 2 – 6 of the proposed draft ordinance that had been included in the Council's agenda packet, and to take all of the comments tonight from the Mayor and Council regarding the Alcohol Catering Permit and include modified language to Section 1 of the proposed draft ordinance in order to incorporate those comments.

**MOVED** by Reynolds and **SECONDED** by Bruner to Approve amending Title 5, Chapter 12, Section 17 to include adding procedures for a hearing on license suspensions or revocations, adding new members to the Alcohol Review Committee and adding notice provisions to license holders as presented in the proposed draft ordinance; and direct staff to return with recommended modified ordinance language to amend Section 16 regarding Alcohol Catering Permits, in order to capture comments as discussed.

**RESULT: Passed [6 TO 0]**

**AYES:** Bower, Bruner, Haverfield, Jangula, Reynolds, Rodriguez

**NOES:** None

**ABSTAIN:** None

**(9) Unfinished Business**

- 9-1. Action Item: 1st reading of ordinance of Annexation and Zoning to RD Townhouse (Residential Duplex) zoning district, potential development agreement, and Subdivision Preliminary Plat for Lady Bird Landing Subdivision at 3809 & 0 Greenhurst Rd (Parcels #R2909800000 & R909701200, totaling 3.333 acres in the NW ¼ of Section 1, T2N, R2W, BM), for Adam and Canada Bayne (ANN-00260-2022 & SPP-00118-2022). Revised Concept: 25 townhouse units in 9 buildings, 1 private shared road, and 6 common lots.

Mayor presented the request to pass the Ordinance under suspension of rules.

The Clerk read into the record the following ordinance:

AN ORDINANCE OF THE CITY OF NAMPA, IDAHO DETERMINING THAT CERTAIN LANDS, COMMONLY KNOWN AS 3809 and 0 GREENHURST RD, NAMPA, IDAHO, (COUNTY PARCELS R2909800000 AND R909701200) COMPRISING APPROXIMATELY 3.33 ACRES, MORE OR LESS, LAY CONTIGUOUS TO THE LIMITS OF THE CITY OF NAMPA, CANYON COUNTY, STATE OF IDAHO, AND THAT SAID LANDS SHOULD BE ANNEXED INTO THE CITY OF NAMPA, AND BE ZONED RD (RESIDENTIAL DUPLEX); DECLARING SAID LANDS BY PROPER LEGAL DESCRIPTION AS DESCRIBED BELOW TO BE A PART OF THE CITY OF NAMPA; DETERMINING THAT SAID ANNEXATION

AND ZONING ARE IN THE BEST INTEREST OF THE PUBLIC AND CONSISTENT WITH THE COMPREHENSIVE PLAN OF THE CITY; DIRECTING THE CITY ENGINEER AND PLANNING AND ZONING DIRECTOR TO ADD SAID PROPERTY TO THE OFFICIAL MAPS OF THE CITY OF NAMPA, AND TO DESIGNATE SAID PROPERTY AS RD (RESIDENTIAL DUPLEX) ON THE OFFICIAL ZONING MAP AND OTHER AREA MAPS OF THE CITY; PROVIDING FOR RECORDATION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; REPEALING ALL ORDINANCES, RESOLUTIONS, ORDERS OR PARTS THEREOF IN CONFLICT HERewith; AND, DIRECTING THE CITY CLERK TO FILE A CERTIFIED COPY OF THE ORDINANCE AND MAP OF THE AREA TO BE ANNEXED WITH CANYON COUNTY, STATE OF IDAHO AND THE IDAHO STATE TAX COMMISSION, PURSUANT TO IDAHO CODE, SECTION 63-215.

**MOVED** by Haverfield and **SECONDED** by Reynolds to Pass the Ordinance under suspension of rules and number it **4733**.

**RESULT: Passed [6 TO 0]**

**AYES:** Bower, Bruner, Haverfield, Jangula, Reynolds, Rodriguez

**NOES:** None

**ABSTAIN:** None

#### **(10) Executive Sessions**

None

#### **Adjournment**

**MOVED** by Reynolds and **SECONDED** by Rodriguez to Adjourn the meeting at 8:12 p.m.

**RESULT: Passed [6 TO 0]**

**AYES:** Bower, Bruner, Haverfield, Jangula, Reynolds, Rodriguez

**NOES:** None

**ABSTAIN:** None

Passed this 15th day of May 2023.

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MAYOR

ATTEST:

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NAMPA CITY CLERK