The Emmett City Council held a meeting at 501 E. Main Street, Emmett, Idaho.

Mayor Petrie called the meeting to order at 5:30 p.m.

Mayor Petrie led the Pledge of Allegiance

Laura Dodson offered the Community Invocation

**Council Present**: Councilor Steve Nebeker, Councilor Tom Butler, Councilor Denise Sorenson, Councilor Jody Harris, Councilor Gary Resinkin

**Council Present by Phone**: None

**Council Absent:** Council President Tona Henderson

**City Attorney**: Jake Sweeten

**Staff Present**: Lyleen Jerome, Mike Knittel, Steve Kunka, Curt Christensen, Clint Seamons, Brian Sullivan, Alyce Kelley

**Staff Present by Zoom**: None

**Public Present**: Laura Dodson, Emmett, ID; Mike and Barb Beasley, 621 E. 4th Street, Emmett, ID; Jethro Batchelor, 904 S. McKinley Ave, Emmett, ID; Betty and Lynn Baker, 4565 W. Black Canyon Hwy., Emmett, ID; Jessica Marlow, 630 E. 4th St. Emmett, ID;

**Amendments to the Agenda**: None

**Declaration of Conflict of Interest**: None

**Declaration of Council Members’ Discussion Outside an Open Meeting**:

**ELECTED OFFICIALS:**

**Mayor:** None

**City Council:** None

**Announcements and Good of the Order:**

Mayor Petrie proclaimed September 17th through September 23rd as Constitution Week.

**PUBLIC HEARING: Rezone RZ 24-001 from R-1 (residential) to R-3 (multi-family) with Development Agreement DA-24-002.**

Mayor Petrie opened the public hearing at 5:34 p.m.

**Applicant**: Betty Baker, 4565 W. Black Canyon Hwy, Emmett, Idaho

**Site**: 607 E. 4th Street

**Staff Comments**: Brian Sullivan, Planning/Zoning Administrator presented the application summary/background, development agreement and the conditions of the re-zone requirements. Brian Sullivan, Zoning Administrator answered all questions from the council.

**Applicant** - Betty Baker presented her request to the council and answered questions

**Public Comments** – Mayor Petrie called for any public comments

**Barbara Beasley**, 621 E. 4th Street, is opposed to the re-zone and stated her concern for the additional parking needs and potential traffic flow problems this re-zone could create.

**Mike Beasley,** 621 E. 4th Street is opposed to the re-zone and stated his concerns with the alley. It is only a partial alley and dead ends at his property where his garage is located. With more cars using the alley for parking it would block the access to his garage area.

**Jessica Marlow**, 630 E. 4th Street is opposed to the re-zone and stated her concern with the traffic flow and potential parking issues.

Councilors Sorenson, Butler, Nebeker, and Resinkin asked questions of Brian Sullivan, Zoning Administrator on zoning and building regulations if this lot should be developed under a R-3 multi-family dwelling.

**Mayor Petrie called three times for public comments** – no one came forward with comments.

**Betty Baker,** applicant presented final comments and answered questions from the council.

**Mayor Petrie** asked the council if there were any more questions from the council, staff, or public that needed to be discussed before closing the public hearing. No additional questions.

**Mayor Petrie closed public hearing** for rezone RZ 24-001 from R-1 to R-3 with Development Agreement at 6:03 p.m.

**DECISION OF PUBLIC HEARING**: Councilor Butler **MOVED TO DENY APPLICATION RZ 24-001 WITH DEVELOPMENT AGREEMENT DA-24-002. DENIAL BASED ON STREET TRAFFIC, ALLEY TRAFFIC AND PARKING CONCERNS.** Seconded by Councilor Harris. Roll call vote – Councilor Butler – AYE, Councilor Harris – AYE, Councilor Nebeker NAY, Councilor Resinkin – NAY, Councilor Sorenson - NAY. AYES-2, NOES-3, ABSENT-1. **Motion Fails.**

**RE-OPEN PUBLIC HEARING**: Councilor Nebeker MOVED TO REOPEN PUBLIC HEARING ON REZONE APPLICATION RZ 24-001. Seconded by Councilor Resinkin. AYE-5, NOES-0, ABSENT-1

**Mayor Petrie re-opened the Public Hearing for Rezone Application RZ 24-001 at 6:15 p.m.**

**Councilor Nebeker** asked Clint Seamons, PW Director about road design, widening, paving and speed limits on both the road and alley. Councilor Nebeker asked Brian Sullivan, Zoning Administrator on building requirements of R-1 verses R-3.

**Betty Baker, applicant** addressed the council and stated that if it remained zone R-1 that they could build two large dwellings on the property because it is two separate parcels, but if it were rezoned R-3 there would be more zoning regulations and restrictions in place for construction verses a R-1 zone.

**Jessica Marlow, 630 E. 4th Street** re-addressed the council and wanted to know if the current capacity of the water and sewer connections would adequately handle six additional residentials unity with water and sewer service. Clint Seamons, PW Director stated that it has ample capacity for additional units.

**Mayor Petrie asked three times** if there was any one that would like to give public comment – No comments.

**Mayor Petrie** polled the council if they have adequate information to take an action and are ready to close the public hearing. Councilor Nebeker – AYE, Councilor Butler – AYE, Councilor Resinkin – AYE, Councilor Harris – AYE, Councilor Sorenson – AYE. AYES – 5, NOES – 0, ABSENT -1.

**Mayor Petrie declared the public hearing closed at 6:25 p.m.**

**DECISION OF PUBLIC HEARING**:

Councilor Nebeker **MOVED TO DENY THE APPLICATION RZ 24-001 AND DA 24-002 FOR PARCEL RPE3160001001A FOR THE FOLLOWING REASON: THE TRAFFIC CONCERNS ON JOHNS AVENUE COMING IN AND OUT OF THE ALLEY WAY SAFELY BECAUSE IT IS TOO NARROW. THE RISK TO THE PEDESTRAINS THAT WALK ON SOUTH JOHNS. THE OPPOSITION LETTERS SUBMITTED TO** **THE PLANNING AND ZONING COMMISSION**. Seconded by Councilor Resinkin. AYES-5, NOES-0, ABSENT-1

**CONSENT AGENDA:**

Approval of Minutes – August 27, 2024 – Regular Council Meeting

Approval of Accounts Payables

Approval of Permits – None

Councilor Resinkin **MOVED TO APPROVE THE CONSENT AGENDA**. Seconded by Councilor Butler. **Motion carried by voice vote.**

**BUSINESS:**

Brian Sullivan, Building and Planning Administrator requests approval of a one-year final plat extension for Skyhawk East Subdivision.

Councilor Butler **MOVED TO APPROVE A ONE-YEAR TIME EXTENSION TO OCTOBER 25, 2025 FOR HEARTLAND TOWNHOMES PROPERTY MANAGEMENT TO FILE A FINAL PLAT FOR SKYHAWK** **EAST SUBDIVISION**. Seconded by Councilor Sorenson. **Motion carried by voice vote.**

**ACTIVITY REPORTS:**

Building Official/City Planner – Brian Sullivan – Reported

City Clerk, Lyleen Jerome – Reported

Fire Chief – Curt Christensen - Reported

Library Director, Alyce Kelley – Reported

Police Chief, Steve Kunka – Reported

Public Works, Clint Seamons – Reported

IT Systems Director, Mike Knittel – Reported

**ADJOURN**

Councilor Butler **MOVED TO ADJOURN.** Seconded by Harris. **Motion carried by voice vote**.

**Meeting adjourned at 6:40 p.m.**

/s/ Gordon Petrie /s/Lyleen Jerome

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 **Mayor Gordon Petrie Lyleen Jerome, City Clerk**