

A Meeting of the Meridian City Council was called to order at 4:34 p.m., Tuesday, July 26, 2022, by Mayor Robert Simison.

Members Present: Robert Simison, Joe Borton, Luke Cavener, Treg Bernt, Jessica Perreault, Brad Hoaglund and Liz Strader.

Also present: Chris Johnson, Bill Nary, Caleb Hood, Scott Colaianni, Joe Bongiorno and Dean Willis.

ROLL-CALL ATTENDANCE

<input checked="" type="checkbox"/> Liz Strader	<input checked="" type="checkbox"/> Joe Borton
<input checked="" type="checkbox"/> Brad Hoaglund	<input checked="" type="checkbox"/> Treg Bernt
<input checked="" type="checkbox"/> Jessica Perreault	<input checked="" type="checkbox"/> Luke Cavener
<input checked="" type="checkbox"/> Mayor Robert E. Simison	

Simison: Council, we will go ahead and call this meeting to order. For the record it is July 26th, 2022, at 4:34 p.m. We will begin this afternoon's work session with roll call attendance.

ADOPTION OF AGENDA

Simison: Next up is the adoption of the agenda.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I move adoption of the agenda as published.

Borton: Second.

Simison: I have a motion and a second to adopt the agenda as published. Is there any discussion? If not, all in favor signify by saying aye. Opposed nay? The ayes have it and the agenda is adopted.

MOTION CARRIED: ALL AYES.

CONSENT AGENDA [Action Item]

- 1. Approve Minutes of the July 12, 2022 City Council Regular Meeting**
- 2. TM Crossing No. 5 Sanitary Sewer and Water Main Full Release of Easement No. 1**

- 3. TM Crossing No. 5 Sanitary Sewer and Water Main Full Release of Easement No. 2**
- 4. Final Plat for Pine 43 Animal Farm (FP-2022-0017) by J-U-B Engineers, Located at the Southeast Corner of N. Webb St. and E. Pine St.**
- 5. Findings of Fact, Conclusions of Law for CentrepoinTE Mixed-Use MDA (H-2022-0035) by Givens Pursley, Located at 3100 N. CentrepoinTE Way and 3030 N. Cajun Ln. near the southwest corner of N. Eagle Rd. and E. Ustick Rd.**
- 6. Findings of Fact, Conclusions of Law for Ferguson Townhomes (SHP-2022-0007) by Mathew Ferguson, Located at 1335 NE 4th St., Lot 1, Block 1 of the Olive Dale Subdivision No. 1**
- 7. Development Agreement (Ferney Subdivision H-2021-0103) Between City of Meridian and Franklin Storage, LLC for Property Located at Parcel S1109438871, Near the Half-Mile Mark on the North Side of E. Franklin Rd. Between S. Eagle Rd. and S. Cloverdale Rd.**
- 8. Development Agreement (Grayson Subdivision H-2022-0014) Between the City of Meridian and MM&T Holdings, LLC for Property Located at 1710 E. Amity Rd.**
- 9. Agreement Between the City of Meridian and TFC Ten Mile Mister, LLC for Use of Reclaimed Water for Landscape Irrigation and Automated Car Washing at the Mister Carwash site at 4891 N Cortona Way**
- 10. Settlement Agreement for Firenze Plaza Sewer Line Construction**
- 11. Approval of Design Build AIA Agreement with American Ramp Company for the Discovery Park Bike Push Track Design Phase for the Not-To-Exceed Amount of \$71,500.00**
- 12. Approval of Task Order 11230.F to Brown & Caldwell for Final Design of WRRF Aeration Basins 1-4 Retrofit and 9 & 10 Upgrade for the Not-To-Exceed amount of \$1,540,630.00 and Authorization for the Procurement Manager to Sign**
- 13. City of Meridian Financial Report - June 2022**

Simison: First Item up is the Consent Agenda.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglun: I move approval of the Consent Agenda and for the Mayor to sign and Clerk to attest.

Borton: Second.

Simison: I have a motion and a second to approve the Consent Agenda. Is there any discussion? If not, all in favor signify by saying aye. Opposed nay? The ayes have it and the Consent Agenda is agreed to.

MOTION CARRIED: ALL AYES.

ITEMS MOVED FROM THE CONSENT AGENDA [Action Item]

Simison: There were no items moved from the Consent Agenda.

DEPARTMENT / COMMISSION REPORTS [Action Item]

14. Ada County Board of Commissioners: Ada County Proposed Impact Fees

Simison: So, we will move on to Department/Commissioner Reports. First item up is Item 14, the Ada County Board of Commissioners, Ada County proposed impact fees and invite Mr. Rutherford up to the podium.

Rutherford: Mayor, Members of the Council, thank you for having me. Steve Rutherford with the Ada County Commissioner's office. I have Leon Letson from our Development Services Department and our director Shawn Rayne. Hopefully we can answer all of your questions tonight about the proposed impact fees. We are back after a few months. We have got a revised CIP for the EMS impact fees. The old CIP referenced Station 7 and so we have generalized that a little bit and updated that CIP. Hopefully that was provided to you, so that you can see it. You all -- I guess in explanation, the county launched on our impact fees sometime ago. We have had a board change. Actually, we have had a couple board changes and so between working with the cities, because we have to get, you know, every -- every city on board and working with the new Commissioners to get them on board, we are -- we -- we have been at this a little while and you all got way ahead of us on Station 7 and 8. So, hopefully, this will take care of that. Again, we have revised that CIP as it relates to the EMS and I have Shawn Rayne here to talk to you about what's happening with seven and eight. I think you are aware, but I would like him to come up and tell you and, then, have him stand for questions as it relates to those two facilities.

Rayne: Mr. Mayor, Members of City Council, thank you for having us out this afternoon. Chief Blume and I have been working on plans for co-location at Station 7 and Station 8. Many of you probably saw, I was out at the groundbreaking ceremony for Station 8 and got up and talked about the cooperative effort. Basically that the tenants behind the -- the -- there is a draft agreement that has been sent to the -- the City Attorney's office, but

basically what we are looking at is 750,000 dollars that would come out of my fund balance as it stands now that would go towards Station 7 and, then, another 750,000 towards Station 8. You know, the terms on the agreement we are still working through, but it -- it would basically be a -- kind of a long-term lease agreement over a period of time, ten to 20 years, that we would basically lease that space. But the -- overall, the idea is that co-locating with the fire departments is smart for us. It saves taxpayers money. Allows us to maximize those resources and it also improves the relationship between my department and the fire department. When we are living in the same station 24 hours a day, having meals together, responding on the same call together, logically our relationship just gets that much better. It's really a pretty simple agreement. We did base it loosely on an agreement that we have with the Kuna Fire Department. A lot of the things we were able to take out of there, a lot of the details that we needed for Kuna, so, it -- I believe it's a fairly simple agreement. Mr. Nary would certainly know better than I am how simple it is, but -- and with that I would -- I would certainly stand for any questions you may have.

Simison: Thank you. Council, any questions?

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: So, does the structure work that if -- if this were to proceed and the city collects impact fees for these future stations, is that intended to replenish the funds provided for seven and eight?

Rayne: Mr. Mayor, Councilman Borton. Yes and no. Not specifically for those to replenish the funds for those stations right now. We historically have had to save up fund balance to be able to do any kind of capital project. One good example of that is the station that we have at Ustick and Linder. Medic 36. That was paid by cash, you know, out of fund balance and -- and so as building costs have come up so much, it -- it's becoming harder and harder for us to save that kind of money to be able to build a station on our own and so that doesn't mean that we won't do that again in the future. I -- I think, you know, plans for further growth somewhere along the Kuna-Meridian -- Kuna-Meridian Road corridor out south would make sense for a station placement, since we do cover both districts. It minimizes the -- the risk of an ambulance being pulled from Meridian into Kuna and we do provide the transport service in Kuna now, which certainly helps from dragging a unit out of Meridian to go down to Kuna, so -- but more along the lines of planning for future growth, if that makes sense.

Borton: Thank you.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Borton: Chief, I was just curious, you know, looking at the document you have provided us and showed proposed station locations. Does that station location take that into consideration or will there be adjustments by co-locating?

Rayne: Yeah. Mr. Mayor, Councilman Hoaglund, there probably will be some adjustments just based on growth and where growth actually occurs. You know, initially when we started down this path, like Mr. Rutherford said, Station 7 we thought we might be able to include in -- in the impact fees and so that's why we had that -- that station identified as one of them. But just timing didn't workout and we do have the fund balance to be able to use to contribute towards those stations. So, you know, every -- every year we are going to have to look at that CIP and make sure that there isn't an additional area. There is an area that we have identified now where call volume is occurring where it hasn't historically and that's in roughly that Five Mile to Cloverdale along Fairview has become a bit of a hotspot there. We are seeing very different patterns in our response where we are responding to calls. Historically if we saw 10,000 people move into the City of Meridian we would see an increase in call volume in the core of Boise, but not necessarily a big corresponding call volume jump in Meridian proper. But that's changed. Ever since the pandemic we have seen a lot more growth in Meridian. In fact, that station at Ustick and Linder is now the second busiest ambulance in the access system. Probably the second busiest ambulance in the state of Idaho. So, things have really changed for us. You know, we do maximize our response pattern though. So, the -- the ambulance at Station 10, which is at Cloverdale and McMillan, most of the time that's going to be coming west into Meridian. So, even though it's a -- a station that's located in Boise, because we are a district that is the entire county, you know, those resources will certainly come into Meridian as often as we need them to.

Simison: Council, any additional questions? Thank you. And I just want to say thank you for working with Chief Blume on finding a way to help get the service deployed as quickly as possible.

Rayne: Yeah. Thank you, Mr. Mayor. Thank you, Council.

Rutherford: Okay. Thank you. As it relates to EMS, unless there are other questions I'm happy to entertain any questions you have related to the other impact fees. Again, we have got jail that is in this for all county, including in cities and the coroner is also included. Relatively modest amount for the coroner, but -- but those are also part of our impact fees. And, then, of course, out in the county we are going to charge law enforcement for the sheriff's office like you all do for police. So, happy to answer any questions.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I haven't had a lot of time to look at the updated impact memo, just because it came like late this morning, but I did notice that some of the fees were not finalized yet. It looked like the coroner's office is TBD. I mean should we be ready to see an updated

version of this? What is your timing? Are these numbers finalized for the other impact fees? Maybe just an overview of where you are at in that process.

Rutherford: Absolutely. Thank you, Councilman. If you want to put those up, Leon, we have those, they are finalized, Mr. Mayor, Council Woman Strader. Those are fixed. That attachment was something that Leon put together earlier, but now the -- those are -- those are fixed. In fact, the coroner -- I was looking right before I got up here. The coroner's is 88 dollars per residential unit and four cents a square foot for nonresidential.

Letson: Oops. Sorry. Also learning how to use the mic. Ada county staff is learning how to use your system here. So, one second and I will have those pulled up for you. So, to Mr. Rutherford's point, I think there is an appendix within the EMS CIP that says TBD on the coroner, but we actually have finalized the coroner's CIP and so I will show you the fee table here. It is shown -- hopefully you can see my screen here on page 13. So, it's a proposed 88 dollars per residential unit and four cents per commercial square foot would be the impact fee that we were collecting.

Rutherford: Mr. Mayor, Council Woman Strader, as it relates to the other impact fees, Leon, in that attachment that -- that she mentioned, are those correct?

Letson: I believe so. I would probably want to go double check the EMS CIP appendix to confirm, but other than the coroner, I think everything else had been solidified. But I can take a quick look and confirm that for you, if that's the interest of the -- of the Council, Council Woman Strader.

Rutherford: Mr. Mayor, Council Woman Strader, so I have 88 dollars per coroner for residential unit, 181 per -- per residential unit for EMS, and 715 for the jail.

Letson: And -- yes. And looking at this Exhibit 4-1, that seems to align with what Mr. Rutherford said. The exception of the coroner and TBD is now, again, the 88 dollars per residential unit and four cents per square foot.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Thank you. Yeah. In a rush I just wanted to go to the place where they were all together, so that's probably why we had a disconnect. I appreciate you walking through that.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Steve, if I remember from the last time that you guys were here, the impact fee for the Coroner's office is largely for vehicles. Is that -- am I remembering that correctly?

Because you have got the capital project that's already underway and funded, the intent is only use impact fees for vehicles? Has that -- has that changed or is that still the plan?

Rutherford: Mayor, Council Member Cavener, largely correct. The new facility is not going to be funded with -- with impact fees. It's underway as you mentioned. There are things that we are shelling out in that facility that we may add, large equipment at some point to help them deal with the caseload that may be impact fee eligible, but it will be vehicles and big equipment for that facility. The facility is scheduled to be built and go online well before we have enough 88 dollars to make anything happen, but -- but I do think over the long term there will be parts of that building that are -- that are built out internal.

Cavener: So, Steven -- and maybe that's a piece at least for me that I would like to get some more information about what the plan for that is. The -- the jail piece and there is a nexus there, I totally can get behind that and see that. Obviously, the work that you are doing for our county -- county only residents with the sheriff, the work here with the EMS, all those three it's easy for me to find that nexus. The coroner is the one that I'm just really struggling with to try and understand where that nexus lies and, you know, impact fees -- it sounds -- again, it sounds like that impact fees are going to be largely used just for vehicles and I -- I struggle with having an impact fee only paying for vehicles. If there is a larger capital plan for the space that you are building out, I think forecasting that to the cities would -- for me would be helpful. So, I'm just -- food for thought as to where I'm at and -- and where some of my questions are going to, is what are those added projects that you are going to need to rely on the impact fees to fund.

Rutherford: And, Mr. Mayor, Council Member Cavener, I will get you that. Absolutely.

Cavener: Thank you.

Simison: So, Steve, maybe what -- what is the -- from where you are now, the time frame, your hope for implementation, when you will be asking the city to make final decisions on these issues?

Rutherford: Yes. Thank you, Mr. Mayor. If you would permit me, I would turn it over to Leon. He is currently scoping that project right now.

Letson: Yeah. Mayor, Council Members, obviously, to Steve's point earlier, we have got to get everyone rowing in the same direction, which has been -- the coordination of all the cities to make sure they are on board with us moving forward with this. Basically if we have the green light to move forward we will be submitting application to our Development Services Department, scheduling that for hearing hopefully in September with board adoption in November would be our goal. So, based on the advice of our legal staff we kind of need to have this adopted and solidified before we go to our city partners and ask you to adopt it. But we will be working with you and your legal teams in advance to scope out inner -- those interlocal agreements, perhaps share language on the ordinance language that we are using. You know, obviously, at the end of the day you get to adopt

whatever ordinance for your jurisdiction language wise that makes sense, but key elements of that we will be sharing early. So, again, our adoption, hopefully, in November and as quickly as jurisdictions can make it through their system. Obviously, I believe it here would be a stop at your P&Z and, then, a final decision by this group. So, probably another three to four months after that. So, early 2023 everyone would have this adopted and everyone would be collecting those fees. That's where we are -- we are looking right now. Obviously, we would love to have had this happen about a year and a half ago and it's just been a lot of these discussions that we had to get in the right place to make sure everyone was on board.

Simison: So, plenty of time to get more questions answered is what I heard, if necessary. Okay.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: So, like we have done our -- our parks and police and fire impact fees, if I understand that process right, you will adopt the capital improvement plan that incorporates each of these elements, will be presented the maximum allowable impact fee that we could impose and, then, we could -- in each city could independently choose to do less than the max, perhaps exclude one of them. I know that's not the intent, but that decision also can happen city by city?

Rutherford: Mr. Mayor, Council Member, Borton, yes. And that's where -- that's where it gets a little bit tricky; right? If -- if we recover less, you know, the Capital Improvement Plan kind of falters. So, that's why we are spending so much time trying to kind of cement everyone into the numbers and the projects and the plan we have, because that -- it kind of tips it over if we have cities collecting different amounts.

Borton: But you are -- but -- Mr. Mayor?

Simison: Councilman Borton.

Borton: I mean your plan is the same. You have the same capital needs for the county as a whole, regardless of whether you have a funding source from the city. I mean it might be nice -- I don't know if you are allowed to do this, but if, you know, one city participates and another doesn't, that -- the city that participates and the residents are paying those impact fees, that perhaps the location of a facility might be there, as opposed to a different community.

Rutherford: Mr. Mayor, Council Member Borton, the direction we have got from our board is they want the cities to all agree and stack hands and so we haven't left anyone in the dust. The city of Boise had some demands as it related to affordable housing and we spent a lot of time talking about how that looks and it's still -- still not really clear, although I think it's clear enough that we can start drafting, but the idea is really to kind of get

uniformity, realizing that you all have absolute authority to -- to say no or yes or something less.

Borton: Okay. Great. Thanks.

Simison: Council, any additional questions? Okay. Thanks. Thanks, Steve, and if you need to come back before for an update, please, let us know. Otherwise, Council may not see it until it comes through our process, so --

Rutherford: Thank you, Mr. Mayor. And, Council Member Cavener, I will get you that information.

15. Community Development and Public Works Department: Discussion of Potential City Code Update to Address City-Service Connections Outside City-Limits

Simison: Next item on the agenda is Item 15, Community Development/Public Works Department, discussion of potential city code update to address city service connections outside of city limits. It looks like I will turn this over to Mr. Hood.

Hood: Thank you, Mr. Mayor, Members of Council. I drew the short straw on this item, but have been working in a small team with Public Works and our Legal Department. I wanted to have a discussion, although in the packet for you today is an initial draft of some proposed language that could amend in a future agenda, Meridian City Code Title 9-1-16, which relates to water provisions and 9-4-26, really very similar language relating to sewer provision. And the -- the part of those sections of our code about requiring connection to city services when you are annexed or outside of the annexation process. Within each one of those sections I just mentioned there are two processes or two conditions, if you will. One is when someone petitions the city to connect with no change of use or development proposed. So, I think the most common case is when ACHD is doing a roadway widening project and someone's septic tank is in the way. They need to likely rebuild that septic system or hook up to our system and we would rather have them hook up than rebuild a septic system if we can provide that service. So, the property owner isn't proposing to develop anything or change anything, it's something else that comes up and an emergency or a safety concern arises and they would like to hook up and not annex, because they aren't developing and, then, the second one is requests that are proposed so property can intensify or develop. So, this is going through the county and county development usually, but city services are nearby and they would like to use our services, but they are not quite contiguous to city limits, so they are not eligible for annexation, sewer and water are just over there and we can bring them here, but we are not -- by statute have the ability to annex the property and -- and the first process works okay and -- and it seems to make some sense. The second process where there is development associated with that request is where we have some concerns and run into some issues sometimes and that's largely why we are here today is to talk to you about that and a potential change. So, again, been working pretty closely. So, I think at this point I'm just going to read to you a couple few paragraphs from -- from the packet. It's

-- it's not very long, but I think just so I don't miss anything. In the current process for both of those requests an applicant submits a written petition to the Public Works Department to connect to services. The Public Works city engineer models the request to determine if services could be provided. Other city departments mine, usually Fire and -- and Community Development are the -- the main ones -- are informally asked for feedback if the proposed use increases, intensifies or -- or redevelopment purposes. However, review of these projects for compliance with city standards is not always comprehensive, certainly not as comprehensive as it would be if it were a formal development application that were submitted to the city. So, couple that with -- that -- that we don't actually have a full submittal to the city with our requirements, the county's codes are -- are just different than the city's and many times the city's development standards aren't proposed by the developer. They are developing in the county, not the city, so that makes some sense. The county's codes aren't the same as the city's, so our landscaping requirements, pathway requirements, streetlight requirements, sidewalks design review standards are -- are different. So, while -- while some of that -- the need or the conditions may be included in the agreement that the city enters into with someone petitioning us, not all those things can be or should be included in a service agreement. So, the -- the real impact -- there is a couple. We -- we focused in on the fiscal impacts primarily. So, the -- that review and the coordination and the communication that happens at a staff level, is all done without any review fees being paid by an applicant. Not a big deal, but there are paying customers that we -- we -- we deal with and we tend to give them more service and so it is just something done when we can fit it in and -- and try to coordinate. For development projects in the county, the city loses out on fire, police, and parks impact fees. Yet, with the interagency agreements it's likely that if there is an emergency city resources will be dispatched to the property. So, like I said before, most of these requests come in when city limits are just there. So, you -- you typically have our police that are doing patrol in the general vicinity. Fire stations that are generally nearby. This -- this becomes combined as a lose-lose, basically, for the city where the property owner doesn't pay any property taxes over time, because they are still in the county, we lose out on the impact fees, development review fees, yet our fire and police are likely the first to respond. Further that with your -- they are responding to a project that likely isn't even built to our standards. So, there -- there really are kind of death by a thousand cuts, if you will, on a project that may or may not even be built to city standards consistent with our Comprehensive Plan that we are responding to in the case of an emergency. So, in summary, there are -- there are very few, if any, reasons why providing city services to facilitate development projects in the county is in the best interest of the city. Therefore, city staff would like to amend current policy to further clarify that development in the county with city services is highly discouraged, but when appropriate, like in the case of emergency for an existing use, a clear and concise process to request services is available. As I mentioned at the top, there are some underlying strike through draft provisions that Mr. Starman has put together, again, in consultation as a small team and just wanted to start that conversation there with you all to see if -- what's your -- your take on where this may be headed and I will stand for any questions you may have.

Simison: Thank you, Mr. Hood. Council, questions?

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Just a comment. I thought the bright line principle you are trying to promote is really a wise one, discouraging an ask and determination up here I think is helpful. So, applicants know on the front end that we are not encouraging or even allowing perhaps this type of service outside of city limits. To be really clear early so folks know. Sort of the gist of what I think you are asking, to bolster the language so we have got clear language on the front end of what our policy is, which seems to make great sense. I never really understood outside of the emergency context why we would ever want to encourage folks to -- to try and do that. So, I think you are -- what you are doing makes great sense.

Hood: Mr. Mayor? I know there wasn't necessarily a question there, but, Mr. Borton, you know, I think the intent when we modified that was to not encourage the use of city services outside, but there may be a case where it is appropriate and not an emergency situation. It seems like we are getting more of them than we anticipated. You know, maybe one every few years or so and now we are getting multiples every year and it's like that's more than -- we thought we would leave the door open a crack just for that one project where it made some sense and now it's like, oh, I can go ask the Council for those services and still do it in the county and so we are kind of getting -- I don't want to say inundated, it's not that frequent, but it is multiple a year and so that's why we kind of want to back off that and go, you know what, this isn't the best practice and to further that thought even more, if we did have the Apple or Microsoft or whatever that -- that thing is where it made some sense, we could modify the code back and say, you know what, we changed our mind, we do -- we are okay with -- not that we would do that necessarily, but you have that ability as a Council to change this back. If this doesn't work we could go to something different. But I appreciate the comments and we think we are on the right track, too, again, with not encouraging it and even going further than discouraging it, prohibiting it.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yeah. I -- just to respond to that, I mean I would hope future councils are really principle based and it's incredibly unfair to the existing taxpayers to make those exceptions. No matter how attractive a project might look, it doesn't make financial sense to start making those exceptions and so I wouldn't even leave that door open. I don't think we would ever entertain changing it back. This makes perfect sense to me. I think you are on the right track. If there is an emergency at a small residence that's not changing we could talk about it, like in the instance of the septic tank example, but this seems like the right -- the right track. So, I appreciate you pursuing this.

Simison: Council Woman Perreault.

Perreault: Thank you. I agree with my fellow Council Members that I think formalizing a process in this situation is very wise. It not only gives clarity to the public, but clarity to our own staff and city about what the expectations are as far as the how -- how it's handled. So, I appreciate that. One quick question for you. So, you had mentioned there not being a fee charged to review a request. Is there a reason why we wouldn't do that or can you share more about the thought process on that?

Hood: Mr. Mayor, Council Woman Perreault, you know, I don't think -- it's just never really come up. Certainly it's not an issue in those cases of an emergency, because there isn't any development proposed, but in the case of some of these that are coming through the county, it's part of our Title 9 agreement with the county, they just transmit to us their projects and it's just part of what we do for them or with them is review that. So, we don't have a mechanism. I guess we could explore, similar to us potentially collecting impact fees on their behalf, we could ask them to collect a project review fee on our behalf for a project that we review in the county, but, you know, up until last few years it really hasn't been much of a problem. We will get half a dozen of -- half a dozen requests a year, can respond back to the county, it's not a huge time sink, but we are getting more and more of these and they are complex a lot of times. So, it just really hasn't ever come back up and it really doesn't -- hasn't risen to the level of where we thought we need to recoup those costs.

Simison: Council, any additional questions on this item for staff? Mr. Hood, do you think you have enough direction?

Hood: Yeah. Thank you.

Simison: All right. Thank you very much. Unless Public Works has anything that they would like to add. Okay. All right. Thank you.

EXECUTIVE SESSION

- 16. Per 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**

Simison: So, with that, Council, we will move on to Item 16, Executive Session.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I move that we go into Executive Session for Idaho Code 74-206(1)(f).

Borton: Second.

Simison: I have a motion and a second to go into Executive Session. Is there any discussion? If not, Clerk will call the roll.

Roll call: Borton, yea; Cavener, yea; Bernt, yea; Perreault, yea; Hoaglun, yea; Strader, yea.

Simison: All ayes. Motion carries.

MOTION CARRIED: ALL AYES.

EXECUTIVE SESSION: (5:05 p.m. to 5:41 p.m.)

Simison: Council, do I have a motion?

Hoaglun: Mr. Mayor, I move we come out of Executive Session.

Borton: Second.

Simison: I have a motion and a second come out of Executive Session. All in favor signify by saying aye. Opposed nay? The ayes have it. We are out of Executive Session.

MOTION CARRIED: ALL AYES.

Hoaglun: Mr. Mayor, I move we adjourn.

Simison: I have a motion to adjourn. All in favor signify by saying aye. Opposed nay? The eyes have it. We are adjourned.

MOTION CARRIED: ALL AYES.

MEETING ADJOURNED AT 5:41 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)

MAYOR ROBERT E. SIMISON

_____/_____/_____
DATE APPROVED

ATTEST:

CHRIS JOHNSON - CITY CLERK