

A Meeting of the Meridian City Council was called to order at 6:00 p.m., Tuesday, February 2, 2021, 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, Sonya Allen, Alan Tiefenbach, Mark Ford, 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 type="checkbox"/> Luke Cavener          |
| <input checked="" type="checkbox"/> Mayor Robert E. Simison |                                                |

Simison: Council, I will call this meeting to order. For the record it is February 2nd, 2021. It is 6:00 p.m. We will begin tonight's meeting with roll call attendance.

**PLEDGE OF ALLEGIANCE**

Simison: Next item is the Pledge of Allegiance. If you all would, please, rise and join us in the pledge.

(Pledge of Allegiance recited.)

**COMMUNITY INVOCATION**

Simison: Next item is our committee invocation, which this evening will be presented by Pastor Tim Pusey with Valley Shepherd Church of the Nazarene. If you would all, please, join us in the invocation or take this as a moment of silence and reflection. Pastor Pusey.

Pusey: Thank you. Heavenly Father, we thank you for this day and we thank you for this wonderful community in which we have the privilege of living. We thank you, Lord, for our City Council and for others who serve our community, some behind the scenes, some on the front lines and I pray your blessing and your guidance for our City Council tonight as they consider matters relating to the -- the well being of -- of the people of our community and, Lord, may their decisions and choices reflect the -- the well being of all of our people. We thank you for them. We pray for wisdom and guidance for them. Lord, we -- we do pray for the people of this community. While we recognize that in so many ways we are a prosperous community and there are many who are thriving, we also know that there are those who are struggling, particularly in a year like this past year has been and, Lord, we -- we do join others in praying for healing of the COVID-19 virus here and around the globe. Father, teach us in all that we do to demonstrate the love of Jesus

Christ in all of our responses to the needs of people around us. Thank you again for the privilege of calling upon you. We thank you for the assurance of your presence and the assurance that we can have that we need not walk through any of these challenges alone, in Christ's name we pray, amen.

## **ADOPTION OF AGENDA**

Simison: Thank you. Council; next item is the adoption of the agenda.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: Looking at the agenda, we don't need Executive Session after this meeting, so I move that we strike Items 4 and 5 from the agenda. So, finish the evening off with public hearing Item No. 3. With that I move that we adopt the agenda as amended.

Hoaglun: Mr. Mayor, I second the motion.

Simison: And just for clarity, there is currently only Item 4 on the agenda at this point in time. So, just removing Item 4.

Johnson: Item 5 would have been amended on if you needed to continue it from 4:30. So, that's the note there.

Bernt: You guys are making it too confusing for me.

Simison: Council, any discussion on the motion? If not, all in favor signify by saying aye. Opposed nay. The ayes have it. Motion is agreed and the agenda is adopted.

**MOTION CARRIED: FIVE AYES. ONE ABSENT.**

## **PUBLIC FORUM – Future Meeting Topics**

Simison: Mr. Clerk, do we have anyone signed up under the public forum?

Johnson: Mr. Mayor, nobody signed up.

## **ACTION ITEMS**

- 1. Final Plat Modification for Shelburne East No. 3 (MFP-2021-0002) by Kent Brown Planning Services, Located at 4301 and 4330 E. Bott Ln. and 4320 E. Amity Rd.**

**2. Final Plat Modification for Shelburne South No. 1 (MFP-2021-0001) by Kent Brown Planning Services, Located at 4425 S. Selatir Way and 4320 E. Amity Rd.**

Simison: Okay. Then we move on to Action Items. First item is -- going to open the first two items together, which are final plat modifications for Shelburne East, No. 3, MFP-2021-0002, and final plat modification for Shelburne South, No. 1, MFP-2021-0001. We will open this public hearing with staff comments.

Allen: Thank you, Mr. Mayor, Members of the Council. The next two applications are for final plat modifications. This property is located approximately a quarter mile west of South Cloverdale Road, north of East Amity Road. The applicant requests a modification to the previously approved, but not yet recorded final plats for Shelburne East No. 3 and Shelburne South No. 1. The modification proposes to expand the boundary of Shelburne East No. 3 to include one additional common lot and reduce the boundary of Shelburne South 1 to exclude two common lots. The plat on your left there is Shelburne South No. 1. The plat on the right is Shelburne East No. 3. The Bureau of Reclamation owns the lot that contains a Ten Mile feeder canal indicated there on the map in Shelburne South and is no -- excuse me -- does not wish for their property to be included in the subdivision. Without this lot the lot on the other side of the canal is no longer contiguous to land in the subdivision and can't be included in Shelburne South No. 1 Subdivision. Because it's contiguous to Shelburne East No. 3, the applicant is proposing to include the lot in that subdivision. So, you can see here the map on the right is the area that's proposed to be included in Shelburne East. Written testimony has been received from Kent Brown, the applicant's representative, and he is in agreement with the staff report and I believe is online if you have any questions. Staff is recommending approval with conditions in the report. Staff will stand for any questions.

Simison: Thank you, Sonya. And I was incorrect. This is not a public hearing, so we did not have to open anything up. Council, do you have any questions for staff at this point in time or do we need to hear from the applicant?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Sonya, so the -- the Ten Mile feeder is going to stay with -- with Subdivision No. 1?

Allen: Mr. Mayor, Council Woman Perreault, Councilmen, no. Ten Mile feeder is owned by the Bureau of Reclamation.

Perreault: Okay.

Allen: They do not wish for their property to be included in the subdivision plat. So, if you can see that area right here, it's that thin narrow strip. If -- if that area is excluded from

this plat, then, that leaves the triangle piece right here, which is not contiguous to this plat. So, therefore, if you -- the subdivision to the north up here is the Shelburne East No. 3 and that's what's shown here on the right. So, they are just including that lot up with that one.

Perreault: Mr. Mayor, a follow up.

Simison: Council Woman Perreault.

Perreault: Thank you, Sonya. That -- after -- as I was reading through this I was trying to -- the way the maps were in the file it was a little bit confusing. So, this helps -- this slide helps a lot. I was -- I was trying to figure out what's happening with that piece and I knew they wanted to exclude it, so thank you, that -- this is much more clear than what was -- than what was in the file we reviewed.

Allen: You are welcome.

Simison: Council, any additional questions? Do I have a motion?

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I will take them in the order of their -- how they are listed for final plat modification. I move approval of MFP-2021-0001, final plat modification for Shelburne South No. 1.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I second that motion.

Simison: I have a motion and a second to approve Item 2, final plat modification for Shelburne South No. 1. Is there any discussion? If not, Clerk will call the roll.

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

Simison: All ayes. Motion carries and is approved.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglun: I move approval of MFP-2021-0002, final plat modification for Shelburne East No. 3.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I second that motion.

Simison: I have a motion and a second for Item No. 1, final plat modification for Shelburne East No. 3, which is MFP-2021-0002. Is there any discussion? If not, Clerk will call the roll.

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

Simison: All ayes. Motion carries and the item is agreed to. Thank you very much.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

**3. Public Hearing for KB Fabrication & Welding (H-2020-0121) by Platform Architecture Design, Located at 2675 E. Lanark St.**

Simison: Item 3 is a public hearing for KB Fabrication and Welding, H-2010-0121. We will open this public hearing with staff comments and turn this over to Alan. Alan, you are muted. There you go.

Tiefenbach: Sorry. I was trying to share my screen there. Did that come up?

Simison: Yes, it did.

Tiefenbach: Great. Good evening, Mr. Mayor, Members of the Council. This is a proposal for a vacation of a landscape easement. Here is a map of the property. Basically at the northwest quadrant of Eagle and Franklin. The property is about two and a half acres of land. It's presently two lots. It's zoned I-L in the northwest quadrant, as I said, of Eagle and Franklin. In September of 2020 a certificate of zoning compliance and design review was approved for a 2,500 square foot office building and a 9,000 square foot welding shop on two lots that are in different subdivisions. I prepared this next exhibit here. Although a building can overlay an interior lot line if both lots are under the same ownership, it was discovered that a 20 foot landscape easement exists along the southern poverty line of the northern lot and the shop building would be encroaching on this easement. So, to -- to illustrate, here is the Olson and Bush Subdivision No. 2 and what you see here in red, this is the first lot. There is a second lot down to the south here and if you can see there is a landscape easement here. On the -- on the right side of the screen is the entire development. So, this would be the first lot in the Olson and Bush Subdivision No. 2. This is the second lot in Olson and Bush Subdivision No. 3 and this

here is that landscape easement that is being vacated. The purpose of this landscape was to ensure that subsequent development was respectful of residential development to the south, meaning the residences, which are down here. Since the time of a final plat approval, though, this -- the lots to the south was purchased by the applicant -- now it's just part of the same development. The improved CZC includes a 25 foot residential landscape buffer at the southern perimeter. That's what you can see down here. That was the intent, again, of the original landscape easement. So, therefore, that landscape easement is no longer necessary. As part of a final improvement of the CZC the applicant's required to vacate the landscape easement, and, then, merging both of these lots together. When this is completed the applicant can apply for the building permit. With that staff recommends approval of the vacation of the easement. If you have any questions or comments, Council.

Simison: Thank you, Alan. Council, any questions for staff?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Alan, did you say that this southern lot is going to be added to this subdivision or -- I mean I don't know if I have ever run across two lots that have one use, but in -- but one is in a subdivision and one isn't. Does that create challenges in the future?

Tiefenbach: No, ma'am. It's the -- so, the two lots are in different subdivisions, but they both have the same zoning. So, Lot 1 -- so Lot 1 is in Subdivision No. 2 and the bottom lot is in Subdivision No. 3, but when they do the property boundary adjustment they are technically creating a new subdivision of one lot, which is merging it together.

Perreault: Thank you.

Simison: Council, any additional questions? Okay. Would the applicant like to be recognized for ten minutes? Mr. Brown.

Brown: Thank you. I don't really have anything else to add. I just needed to make sure that this could be completed. We have already submitted an application to combine both properties, as long as this was vacated. But that's all we need. Appreciate your help tonight.

Simison: Okay. Thank you. Council, any questions for the applicant? This is a public hearing. We have nobody in the room. We do have someone from ACHD on the line. I don't know if ACHD has any desire to provide testimony without asking questions. So, if you do, please, use the raise your hand feature. But, otherwise, I think we can take a motion from Council at this point in time, unless the Council would like -- unless the applicant would like to make any additional final comments? Seeing no desires, Council, do I have a motion?

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I move that we close the public hearing on H-2020-0121.

Bernt: Mr. Mayor, second the motion.

Simison: I have a motion and a second to close the public hearing. Is there any discussion? If not, all in favor signify by saying aye. Opposed nay. The ayes have it.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: After hearing from staff and applicant, I move that we approve File No. H-2020-0121 as presented in the staff report for the hearing date of February 2nd, 2021, as presented.

Strader: Second.

Simison: I have a motion and a second. Is there any discussion on the motion? If not, Clerk will call the roll.

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

Simison: All ayes. Motion carries and the item is agreed to. Thank you very much, staff and applicant.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

## **FUTURE MEETING TOPICS**

Simison: And a quick meeting tonight. Council, anything under future meeting topics? Or if not, do I have a motion?

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I move that we adjourn the meeting.

Hoaglund: Mr. Mayor, second the motion.

Simison: I have a motion and a second to adjourn the meeting. Any discussion? If not, all in favor signify by saying aye. Opposed nay. The ayes have it. We are adjourned.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

MEETING ADJOURNED AT 6:16 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)

\_\_\_\_\_  
MAYOR ROBERT SIMISON

\_\_\_\_\_  
DATE APPROVED

ATTEST:

\_\_\_\_\_  
CHRIS JOHNSON - CITY CLERK