

A Meeting of the Meridian City Council was called to order at 6:02 p.m., Tuesday, November 17, 2020, by Mayor Robert Simison.

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

Also present: Chris Johnson, Bill Nary, Joe Dodson, Alan Tiefenbach, Bruce Freckleton, Shawn Harper, 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 Hoaglun	<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, I will call this meeting to order. For the record it is November 17th, 2020. It's 6:02 p.m. I will begin tonight's meeting with roll call attendance.

PLEDGE OF ALLEGIANCE

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

(Pledge of Allegiance recited.)

COMMUNITY INVOCATION

Simison: Our next item on the agenda is the community of invocation, which will be given this evening by Pastor Tim Pusey with the Valley Shepherd Church of the Nazarene. Mr. Pusey, if you would take this time and for those in the audience that are watching online if you would like to join us in this invocation or take this as a moment of silence.

Pusey: Thank you. Good evening. Let's pray. Father, as we approach this Thanksgiving week we recognize how much we have for which to be grateful and so we take this moment to count our blessings. We thank you, Lord, for this wonderful city in which we live and the many ways in which you have blessed us. We thank you, Lord, for our Mayor and for our City Council and those who are serving our community in this way and the many, Lord, who -- who serve our community in supportive ways, those who are first responders. Lord, continue to watch over this wonderful community. But we thank you for it, Lord, and we thank you for the wonderful -- the many wonderful people who are part of this community and as this Council meets tonight they really represent the people of our community and, Lord, recognize the many good people who care about others and are attentive to their needs and we thank you for it. We also recognize that we are a

community in a world with great need right now, particularly as it relates to the pandemic, and, Lord, we will just ask for your healing. We -- we pray for our schools and all of our children in the community and the way in which they are being impacted by this. We pray for businesses that are -- that are hurting in the -- in the midst of it and we just ask, Lord, that you bring healing to our land and healing around the globe. Father, teach us to be responsive to the needs of people around us and, please, give wisdom and guidance to our Council tonight as they -- as they meet, in Christ's name we pray, amen.

ADOPTION OF AGENDA

Simison: Council, our next item is the adoption of the agenda.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I know that we are -- we are only going to deliberate on two different items in Executive Session. Does that portion need to be amended right now or can we just take care of that when we get to the Executive Session portion?

Nary: You can do it at the time of the Executive Session.

Bernt: Okay. Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I move that we adopt the agenda as published.

Hoaglun: Mr. Mayor, I second the motion.

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

MOTION CARRIED: ALL AYES.

PUBLIC FORUM – Future Meeting Topics

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

Johnson: Mr. Mayor, we did. Garrett Blackner.

Simison: Okay. Mr. Blackner, if you would like to come forward and -- we have got the podium turned around, but I think you can -- Mr. Blackner, you are recognized for three minutes.

Blackner: All right. Hello. My name is Garrett Blackner and I live in -- in Meridian. I'm a transplant as many are in this area. I moved here for a chance of freedom and prosperity. I appreciate that I have not seen a mask mandate issued by this City Council. I do not agree with the mask mandates and I don't think they are as effective as claimed. If they were there would have been a slowing down of the Corona, not an increase. I believe we all have our own interest at heart and I trust that if people are sick they will stay home and they will keep their kids at home. Please do not make laws and ordinances that force this upon people. I am happy that our governor did not impose -- impose this on the state and I do know that mask mandates come up in other city councils across the state. These were tabled due to the number of people that did not want that, but I also -- I cannot tell you how happy I am to be part of this state, especially when I see what's happening in the state I grew up in. It's a -- it's almost a bad joke what that state's imposing over there. I really want to keep Idaho free and will support people and officials with this endeavor. I just wanted to speak my mind and thank you.

Bernt: Thank you, Garrett.

PROCLAMATIONS [Action Item]

1. Rocky Mountain Girls Soccer State Championship

Simison: Thank you very much. Okay. Next item is a proclamation and I will go down to the podium. If you want to come -- just come on the side, that way at least the camera can see everybody. So, Council, we are happy tonight to be recognizing the Rocky Mountain girls soccer team three time defending state champions and I'm joined here this evening by their coaches as we do a proclamation. I don't know if their team is going to be watching tonight, but, if not, I'm sure it will be part of required viewing of the City Council meeting at a future date. But we are just excited that we do get an opportunity to have some of our fall athletics take place this year, as we want to take this moment to recognize the team from Rocky and, hopefully, maybe next week we can recognize another team from Rocky, depending on the outcome of the state football championship.

Bernt: Go Rocky.

Simison: As someone that lives on the south side I will just say absolutely. So, with that I'm going to go ahead and read a proclamation and, then, turn this over to the coaches for some remarks. But whereas being a Rocky Mountain soccer player is more than scoring points, making assists, stealing the ball and achieving a state title, it is training to build leadership, character, confidence, teamwork and resilience, all traits needed to succeed on the field, in the classroom, and in the real world and whereas the Rocky Mountain girls soccer team never backed down from formidable opponents and to win the Idaho Class 5-A girls state soccer championship tournament trophy against Boise and whereas for the 2019-2020 season the Grizzly girls soccer team have secured their place in history by taking home an unprecedented third state championship in Idaho's largest classification and whereas the capturing of the state title builds school spirit and allows these student athletes to walk the halls of Rocky Mountain with a little extra swagger and

whereas the leadership, training, and discipline of the coaches help team members to focus their talents and passion to become a winning team with each player making valuable contributions to their victory, therefore, I, Mayor Robert E. Simison, hereby proclaim November 17, 2020, as Rocky Mountain Girls Soccer State Champions Day in the City of Meridian and call upon the community join me in congratulating the Grizzlies on their remarkable athletic achievement and representing Meridian so proudly in the state tournament, dated the 17th of November 2020. And as we normally do, we do have a second proclamation that has all the members of the coaching staff and the girls that is also included in this and they will be part of the ongoing City of Meridian record, so that if they ever want to come back after viewing this they can always find it in the minute books. We also have pins that we would like to present. So, I'm going to turn this over to -- I don't know which coach would like to make comments. Donal?

Kaehler: Yes.

Simison: Okay. I will let you go ahead and take over.

Kaehler: Thank you, Mr. Mayor and the City Council and the City of Meridian for the proclamation and the -- I would also -- I would also like to especially thank the -- the team -- on behalf of the team who could not be here -- the hard work that was put in and all of the problems that we had to address during this -- during the COVID crisis and during the air quality issues and even snow up in Coeur d'Alene. We are very happy to have gotten through the season and I'm extremely happy that the season went this way. So, again, I would like to thank everyone on behalf of the team that I hope are watching this at -- at this time and thank you very much.

RESOLUTIONS [Action Item]

- 2. Resolution No. 20-2242: A Resolution of the Mayor and the City Council of the City of Meridian Reappointing John Nesmith to Seat 3 and Appointing Albert Kang to Seat 4 and Autumn Short to Seat 5 of the Meridian Parks and Recreation Commission; and Providing an Effective Date**

Simison: Thank you, Council, for that indulgence. And, again, to those from Rocky who may be watching, congratulations. Appreciate the parents help. I'm sure this created its own challenges and good luck to Rocky football this week. Next up is Resolution No. 20-2242, a resolution appointing of the City Council John Nesmith to Seat 3 and appointing Albert Kang to Seat 4 and Autumn Short to Seat 5 of the Meridian Parks and Recreation Commission. Council, John Nesmith, hopefully, is not a stranger to any of you all to know why, through his steadfast determination, he's being reappointed to the Parks and Recreation Commission and, then, we have two other excellent candidates to consider, Autumn and Albert both bring different perspectives and are in different phases of their lives. They are both in South Meridian. One a little bit south -- closer to Discovery and one over near Bear Creek, which actually helps give us a good geographic distribution to the overall commission. From that standpoint Albert has younger children and families

and definitely has a -- you know, it's always an interesting conversation when you talk to somebody that lives within walking distance of what would be a fairly significant park in Bear Creek, but chooses to get in their car and drive to Discovery. You know, I think it talks about the needs and viewpoints of our residents and having that type of perspective about what would keep someone from, you know, making that drive for their children. So, what type of improvements are valuable, not necessarily our regional, but all of our parks from that perspective. And, then, you know, Autumn is someone who just really wants to get engaged and get involved. She was looking for a place. She's all about community and I'm not saying Albert is not, but she really focused on the desire and understanding of community and giving back and after spending time growing up in Canyon county she's been here for several years and has made Meridian her home and is dedicated towards getting involved. So, I was happy to be joined by the current Parks and Rec chair in these interviews and concurred about the value and benefit that both of these individuals will bring and so with that I would be happy to take any questions about these appointments.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: If we don't have any questions, as the Council liaison to the Parks Department, I am happy to bring this forth for Council consideration. You know, at our last Council meeting we honored Creg Steele, who retired from the Parks Commission after 20 years, but that doesn't mean the Parks Commission was left without a lot of experience. As you mentioned, John Nesmith, a local businessman, has been serving -- I believe it's ten years on the Parks Commission. So, he's only got ten more to catch Creg, but we appreciate that -- that level of commitment and great things have been happening and with the two new appointments that are happening I think we are in good hands for our Parks Commission as they work to make our community parks even better and find new parks and so, Mr. Mayor, I -- I move that we adopt Resolution No. 20-2242, appoint -- reappointing John Nesmith to Seat 3 and appointing Albert Kang to Seat 4 and Autumn Short to Seat 5 of the Meridian Parks and Recreation Commission.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I will second that motion.

Simison: I have a motion and a second to adopt Resolution No. 20-2242. Is there any discussion on the motion?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I don't have discussion for the motion, but I just want to say that -- I just want

to say welcome and I look forward to getting to know you. I will be the liaison, hopefully, next year for Parks and so, please, always feel free to reach out to me and I really hope that -- that -- that we can get to know one another and have a great year next year. Thank you.

Simison: Thank you, Council Woman. If there is no further comments, all those in favor signify by saying aye. Opposed nay. The ayes have it. The motion is agreed to and they are appointed.

MOTION CARRIED: ALL AYES.

Simison: I know we do have Autumn on the line. I don't know if she would like to make any comments at this point in time. And she's on the phone. Mr. Clerk, is it star seven?

Johnson: She just needs to unmute. It is star nine, I believe.

Simison: So, Autumn, if you would like to make any comments we would love to take any comments you have at this time.

Short: Thank you. I just want to say thank you so much. I look forward to working with the City Council and my fellow commissioners on Parks and Rec and I am excited to serve the City of Meridian and our community. So, thank you so much.

ACTION ITEMS

- 3. Public Hearing to Consider Adoption of the Following Codes and/or Local Amendments Thereto: 2018 International Building Code, 2018 International Swimming Pool and Spa Code, 2018 International Residential Code, 2018 International Existing Building Code, 2018 Energy Conservation Code, 2018 Idaho Fire Code, 2018 International Mechanical Code, 2018 Fuel and Gas Code, 2017 Idaho (Uniform) Plumbing Code, and 2017 National Electrical Code**

Simison: Thank you, Autumn. We appreciate you. Okay. Moving on to our action items for this evening. Our first item is a public hearing to consider adoption of the following codes or local amendments thereto. I will open this public hearing with staff comments and turn this over to Mr. Freckleton.

Freckleton: Thank you, Mr. Mayor. For some reason video doesn't seem to be working, but good evening, Mayor and Council. Tonight before you is -- is our adoption of the new 2018 International Building Code, the 2018 International Swimming Pool and Spa Code, the 2018 International Residential Code, the '18 Existing Building Code, the '18 Energy Conservation Code, the 2018 Fire Code, the 2018 International Mechanical Code, the 2018 Fuel and Gas Code, the 2017 Uniform Plumbing Code and the 2017 National Electrical Code. We were before you last month with just an introduction that these were coming. The ordinance is also on the agenda tonight for the first reading. Just as a

reminder, the state of Idaho adopts the codes for the state of Idaho and they do that through a -- what is called a code collaborative and that is a statewide group of building officials and other building folks that get together to consider the codes as written, make certain changes to those codes, and, then, they forward their final proposal to the legislature for final adoption. That was done this last legislative session and statutorily local jurisdictions, then, have one year following the adoption by the state to adopt the codes as written by the state. We do have the opportunity to do local amendments to the codes. These can be more restrictive. However, they cannot be any less restrictive than the adopted state code. The local amendments that we propose are basically to bring some clarity to certain items that are Meridian specific, such as our own fee schedules versus going with the fee schedules that are in the -- in the codes, that -- that sort of thing. So, really, in a nutshell that's -- that's what we have before you tonight for your consideration and public hearing and first reading of ordinance. I will stand for any questions you might have.

Simison: Thank you, Mr. Freckleton. Council, any questions for staff at this time? Okay. This is a public hearing. Mr. Clerk, do we have anyone signed up to testify on this item?

Johnson: Mr. Mayor, no one has signed up for this.

Simison: Okay. If there is anybody who is on the call that would like to provide testimony on this item, if you could, please, use the raise your hand function at the bottom of Zoom or press star nine on your phone. It looks like we only have two people that aren't currently in the meeting or if there is anyone present who would like to provide testimony.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Just a quick question for Bruce. Bruce, is there any -- any intentional outreach that we do for a public hearing tonight with our building community and the folks that you communicate with about the proposed changes that -- even though there is public notice and everyone should know, but we might provide more direct notice just to give them a chance to send a letter or ask a question and if they don't that's fine, but if they -- if they do, then, we would love to hear from them.

Freckleton: Very -- very good question, Councilman Borton. Statutorily there is a list of -- I believe it's like 13 different agencies that we have to provide notice to. That notification did go out. We also approached the Building Contractors Association through the monthly forum and we made our presentation there as well. So, we have -- we have broadcasted pretty widely, you know -- and like I say, all -- all the other local jurisdictions are doing the same thing. So, that's -- that was our efforts.

Borton: Thank you.

Freckleton: You bet.

Simison: Mr. Freckleton, I assume because we are really not deviating from what the state has already adopted that this is pretty much noncontroversial from the building community, at least from a practical standpoint.

Freckleton: That is correct.

Simison: Okay. Seeing no one else wishing to testify or questions, do I have a motion from Council? To close the public hearing that is.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I move that we close the public hearing on the adoption of a lengthy list of codes. Do I need to read that, Mr. Nary?

Nary: No, sir.

Hoaglund: Okay. I move that we close the public hearing on Action Item No. 2 on the adoption of codes and amendments to the codes.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I will second that motion.

Simison: I have a motion and a second to close the public hearing. Any discussion on the motion? If not, all those in favor signify by saying aye. Opposed nay. The ayes have it. The public hearing is closed and we will take that up during the ordinance section later this evening.

MOTION CARRIED: ALL AYES.

- 4. Public Hearing for Union 93 Vacation of Right-of-Way (H-2020-0103) by Mike Chidester of Galena Opportunity Fund, Located East and Adjacent to NE 3rd Street Between E. Broadway Ave. and E. Bower St.**
 - A. Request: Request to Vacate approximately 0.43 acres of platted but not utilized right of way in three pieces in the Rowan Addition Subdivision.**

Simison: Okay. Next item on the agenda is a public hearing for Union 93, vacation of right of way, H-2020-0103, and I will open this public hearing with staff comments and turn this over to Alan.

Tiefenbach: There we go. Everybody hear me? Okay. I was having a hard time finding the little stupid mute button I had so many things up on my screen. Good evening, Mr. Mayor, Members of the Council. Can everybody see my PowerPoint presentation? Terrific. I see heads nodding. This is a vacation of right of way for several residential parcels that were associated with the Union 90 -- well, the Meridian Station development. You can see this is Pine here. This is Meridian. So, this is City Hall. This is just right to the east of you. Here are the railroad tracks. A little history on this. So, the applicant requests approval to vacate, again, about a half an acre of platted right of way. So, this was historically platted right of way that was platted in the late 1800s. 1890. This is a vacation of right of way. It was a condition of approval of Meridian Station conditional use. The Meridian Station under the two towers to the east, they are a hundred feet tall. In order to be to that height they had to go through a conditional use. The tower -- the proposed towers they straddle -- this platted right of way, that basically doesn't make any sense, it just kind of encroaches onto the lot. As required, the applicant submitted letters from potential easement owners, which would be Idaho Power and Intermountain Gas. They agreed to that, although Idaho Power has -- has responded that they have maintained electrical facilities around this area, they haven't said exactly where it is, but they have mentioned that they -- they maintain all existing rights to operate these. Staff is recommending, obviously, that the applicant work with Idaho Power and ACHD during the relocation of these lines to make sure we don't have any issues. Per ACHD's request the applicant is dedicating additional right of way along North Main and East Broadway, so that the right of way that encroaches onto that lot is going away and in exchange they are dedicating additional new right of way. And I'm a very visual person, so just to kind of give you an idea of what this is. On the left what you see in red hatched there, that is the areas of platted right of way that lay on the lot. Again, City Hall is just to the left -- or to the west. The -- the slide on the east shows the Meridian Station development. The two buildings that you see there, they are shown in blue with the hatched, those are laying on the existing right of way and as a concession, again, the applicant will be dedicating right of way along East Broadway and Main Street here. ACHD ultimately approves vacations of right of way, but for them to act on the request they must get a recommendation of approval from the City Council and with that staff recommends that the Council approve this subject vacation application.

Simison: Thank you, Alan. Council, any questions for Alan at this time? Would the applicant like to make comments?

Chidester: Can you hear me, Mr. Mayor?

Simison: Yes, we can. Thank you, Mike.

Chidester: Hi. Mike Chidester with Galena Opportunity Fund, 7174 South Angel Way here in Meridian. Yeah, I don't have too much to add. Thanks, first of all, for hearing this vacation request. I don't have too much to add, other than what has been spoken about already. I would -- you know, it's just historically platted right of way that ACHD doesn't need and we will need for that Union 93 development. I will just indicate that Idaho Power had said they do have some facilities in that area and I can shed a little bit of light on the

details there. They are -- through -- you saw those three areas north to south that are -- where the right of way is located. In that center section there is an underground power line that went to one -- that currently goes to one of the existing buildings that will be demolished and so, obviously, as part of our demo and preparation of the site we will go ahead and -- and -- and discontinue that line and, obviously, we will work with Idaho Power and any other issues that we have. But, otherwise, I don't have too much else to add to the staff report and I appreciate your hearing this and I will be open any questions you might have.

Simison: Thank you, Mike. Council, any questions for the applicant? Okay. This is a public hearing. Is there anyone that would like to provide testimony on this application, if you would like to come forward at this time to do so. Seeing no one coming forward and no one online at this time to provide testimony, would the applicant like to make any final comments or stand on what they have already stated?

Chidester: No further comment. Thank you.

Simison: Okay. Then, Council, do I have a motion?

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: I move we close the public hearing on Item H-2020-0103.

Hoaglund: Mr. Mayor, I second the motion.

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

MOTION CARRIED: ALL AYES.

Borton: Mr. Mayor?

Chidester: Thank you.

Simison: Councilman Borton.

Borton: I think Alan's staff report explained the justification for the application and its approval very well and the applicant supported that as well. So, I see no reason not to go forward with this and I will make a motion to approve H-2020-0103, the right of way vacation as requested.

Perreault: Second.

Simison: I have a motion and a second to approve Item H-20 -- 20-0103. Is there any discussion on the motion? If not, Clerk will call the roll.

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

Simison: All ayes. Motion carries. Thank you very much.

MOTION CARRIED: ALL AYES.

5. Public Hearing for Teakwood Place Subdivision (H-2020-0006) by Hesscomm Corp., Located at 1835 E. Victory Rd. Approved

- A. Request: Annexation and Zoning of 7.35 acres of land with an R-8 zoning district.**
- B. Request: A Preliminary Plat consisting of 22 single-family residential lots and 4 common lots.**

Simison: Next item on the agenda is a public hearing for Teakwood Place Subdivision, H-2020-0006. I will open this public hearing with staff comments. I will turn this over to Joe.

Dodson: Thank you, Mr. Mayor. Good evening. Can everybody hear me okay? Very good. If I'm loud let me know. My wife says my voice carries since it's so deep. As stated, this is the public hearing for Teakwood Place, H-2020-0006. The application before you is for annexation and zoning and preliminary plat. The site consists of 7.35 acres of land currently zoned RUT in Ada county and is specifically located at 1835 East Victory Road. To the north of it is existing City of Meridian R-8 zoning and to the west as well. To the east is RUT zoning and to the south is City of Meridian R-4 zoning. The Comprehensive Plan designation on this property is medium density residential, as is the same for every site adjacent to it. Okay. There we go. The request for annexation is for 7.35 acres of land, with a request for R-8 zoning to match that to the north and the west and a preliminary plat consisting of 22 building lots and four common lots. One of the 22 building lots contains the existing home that is to remain. Future land use as stated is medium density residential, which allows detached single family homes and requires the density reside between three to eight dwelling units per acre. The applicant's revised plan has a gross density of 2.99 dwelling units per acre, which is rounded up to three and, therefore, complies with the comp plan. As noted there is an existing home on the subject site that is intended to remain or reside on its own lot within the subdivision. In addition, some of the existing accessory structures on the property are proposed to remain as well. Current access to the property is via driveway connection to East Victory Road and the applicant is now agreeing to close this access and comply with the UDC. In line with this, the current residents will take access internally and be a driveway connection to the new local street East Fathom Street. The driveway will be right here. If you guys can see my pointer. Near the end of the curve coming into the site. For reference north is to the left

of the screen. The applicant is also proposing to construct an emergency only access that connects to the proposed East -- East Fathom Street to Victory Road, which is right along their western boundary here. Staff is recommending a condition of approval that this emergency access be constructed prior to any issuances issued -- any issuance of certificates of occupancy and is also required to make this subdivision and the adjacent subdivision to the west, Tradewind Subdivision, comply with the emergency access. Parking for the development is required to be provided in accord with the standards listed in UDC 11.3.C-6 for detached single family homes, based on the number of bedrooms per home. The proposed street sections are 33 feet wide with five foot attached sidewalks and will also offer on-street parking where there are no fire hydrants or driveways. In addition, the applicant has proposed a cul-de-sac with a 57 foot radius, which is nine feet wider than the standard requirement of 48 feet. Therefore, allowing on-street parking along the perimeter of the cul-de-sac. In most cases, the five foot wide detached sidewalk is required to be constructed with the required frontage improvements along Victory Road. However, because there is no sidewalk adjacent to the site on either side and the section of sidewalk is less than 300 feet, code allows for the sidewalk to be attached. The applicant has proposed to construct a seven foot attached sidewalk in line with ACHD requirement -- in line with ACHD requirements. The sidewalk should be constructed within their required 25 foot landscape buffer along Victory Road. A 25 foot wide easement is depicted on the plat and per UDC staff has given the applicant the option of placing a buffer within an easement as shown or they can choose to revise the plat and add a common lot. As of now I believe that they are going to be using it as an easement, which is allowed per UDC. The submitted landscape plans do not show the correct amount -- I apologize. They now show the correct amount of vegetative ground cover and the existing trees that are to remain. Staff had a previous conditional of approval that has not been stricken because of this -- or should be stricken because they supplied me these plans following publishing of the Commission recommendations. Based on a proposed plat of 7.35 acres, a minimum of .74 acres of common open space should be provided. According to the open space exhibit the applicant is proposing approximately 37,842 square feet of qualified open space, which is 11.82 percent. The open space consists of common lots and half of the landscape buffer to Victory Road. The largest area of open space is located at the southern end of the development and is more than 20,000 square feet in size. To the north and across the cul-de-sac is the next largest open space lot that also contains the proposed amenity, a pondless water feature with available seating surrounding it. This open space a lot also has a micro path that continues north to a temporary cul-de-sac on the new east-west street in the center of the project, adding another pedestrian connection to the project. The applicant has submitted sample elevations of the proposed homes for this project. The single family homes are depicted as mostly single story structures with a variety of finish materials, stone, stucco, and lap siding combinations. Some homes due depict extra large spaces for at-home RV storage as well. All single family homes appear to meet design and architectural standards. One of the recommendations -- or I guess request from the Commission were to provide updated elevations. The applicant has not done that, stating that these home elevations are accurate. There was a number of written testimony originally. Since, then, additional written testimony -- two pieces -- have come in those -- stating the same issues as before, specifically regarding irrigation that might run along Victory Road that might be

disturbed by this development. I am not entirely sure what they are referencing on that, other than the creek on the adjacent property, which will not be disturbed, because this property does not -- the creek is not on this property. Second to that they are worried -- I should say there is irrigation ditches that have been piped already because of the ACHD work in the right of way. Those will not be disturbed with this project. Another issue that was brought up was concerns over a duplicate named subdivision. I'm honestly not sure what that's about. I have had discussions with this gentleman. I believe at some point there was a mistake on the noticing for this and placed this at a different location in the city, about a mile to the east, and that is why we had to originally continue this, because that was a mistake on staff's part. So, that should be -- have no concern. The other concern that has been brought up both by Commission and some of the neighbors to the west is regarding the high groundwater out here. I did get an updated report from the applicant regarding the groundwater and it is higher than previously determined. I'm not an engineer, so I cannot fully speak to what that should entail. Mr. Freckleton is here and has stated that he would be more than willing to answer the questions and also the applicant's representative tonight is the project engineer and he should be able to answer any questions regarding that as well. The only outstanding issue for City Council regarding the application is likely the groundwater and, then, the applicant did not provide the updated elevations per the request of the Commission. The Commission did recommend approval of the project and after that I will stand for questions. Thank you.

Simison: Thank you, Joe. Council, any questions?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yes. Thank you, Joe and Bruce, for presenting everything. I think the groundwater is a concern and I wanted to try to understand the context for it. I did read the report that said there were clay -- you know, there is clay in the soils and a lot of -- it looked like sand and gravel and so if we have high water I guess my first question is are we requiring the slab foundation construction and does that solve that issue? And, then, I guess my second question may be more of a question for Mr. Nary. If this project moves forward and the soils and the groundwater are not conductive and homeowners homes are getting flooded, what liability, if any, does the city have to deal with that?

Dodson: Thank you, Council Woman Strader. I can't answer your second question, obviously. The first question -- first might be able to get into the specifics, but when I did receive this report and the new updated letter from their engineering firm that did this testing, I sent it to Bruce. Bruce updated his condition, which is recommending that they build slab-on-grade construction, rather than doing the traditional crawl spaces here to help avoid some of the flooding issues that could arise. Again, it is a recommendation. I am not -- at the time I cannot add that condition, because it was already past the Commission hearing. If Council would like to make that a new condition, you guys are more than willing to do that. Again, I -- I'm not an engineer, so I can't specifically speak to the differences between the two reports, other than to say that they did mention in the

report that a different type of stormwater irrigation, basically, is going to have to take place on site, rather than having the seepage beds that may likely be above ground for portions of the year, as is the case in the subdivision to the west, which was of concern to the subdivision to the west, because theirs, from my understanding, were not built I guess a hundred percent correctly and so they do not percolate as well as they should. So, that's the best I could do on those questions for you, ma'am.

Simison: Mr. Nary --

Freckleton: Council Woman Strader and Council, the geotech report, as Joe mentioned, it did confirm -- the update that they sent it did confirm the presence of perched groundwater. Basically what that means is that there is a layer below the surface that does contain clay. They talk about it. It was sand and gravel, but clay finds and it basically creates a layer that the water has difficulty penetrating and so you get a buildup of groundwater on top of that layer. The geotech report does talk about some very specific construction considerations for dealing with that -- that cemented layer and they also talk about that -- that traditional crawl space foundation, as well as a slab-on-grade foundation, will work in this subdivision. However, they do -- they do recommend a slab on grade to avoid the potential of groundwater intrusion into the crawl spaces. We have seen high groundwater in a lot of places in Meridian and I know a lot of folks have, unfortunately, had to deal with that and it seems to me that a slab on grade would be a very good alternative way to go to avoid the possibility of groundwater. So, I know the design engineer is here tonight, too, and potentially could -- could address this, you know, as far as what they plan on doing.

Simison: Mr. Nary.

Nary: Thank you. Mr. Mayor, Members of the Council, Council Woman Strader, to answer your question, generally the city is not responsible or liable for construction of this type if it's built improperly or if it's built in a way that is not as effective a tool, but we have -- the city has required slab-on-grade construction in certain subdivisions, because of high groundwater. We certainly get the calls and we certainly get complaints. The responsibility ultimately is still the builder, the developer, and the architect and the engineer who does -- who stamped those plans. So, they are the ones that are asserting that the house can be built in that -- in that location properly and safely, not the city. So, we don't necessarily have the liability, but we certainly deal with the unhappy members of the public that end up with these homes that are not built properly or not built for the -- the conditions that they are -- they are located, so --

Strader: Thank you.

Simison: Joe, a question for you. The sidewalk that's being attached, do we know what is being proposed with the roundabout. Is it -- I know -- I don't know if this recommendation is with in mind what the roundabout will be built as or -- just because the roundabout's not built yet.

Dodson: Mr. Mayor, Members of the Council, the -- because this is so far away -- yeah, there is also a little -- I guess I'm trying to find the right map to show -- I guess you can kind of see it here. There is an RUT parcel between -- so along the Tradewinds Subdivision there is some detached sidewalk and, then, it stops. I don't know -- again, this was before my time here. They were allowed to remain not part of the city or maybe they weren't part of this parcel originally, but they don't have any sidewalk here and, then, there is no sidewalk on the other side of it. So, our code does allow for the applicability in this case, because it's such a short frontage that they can do attached for this section and, then, as the RUT parcel to the west comes in maybe in the future they would probably have to have detached and, then, connect across the emergency exit there. I don't believe it has anything to do with the roundabout at this case, other than ACHD has acquired the right of way for that from my understanding. They just have not yet done the construction, obviously.

Simison: I guess my question -- and maybe you don't have the answers. It's my understanding that what's built there in that location right now is temporary. I could be wrong, but it's not a sidewalk, it's just blacktop -- blacktop asphalt in that area.

Dodson: Yes, sir. That is correct. I apologize. Yes.

Simison: So, that's why I was -- didn't know if -- what would be intended, because, quite frankly, this will remain a sidewalk to nowhere until both of them are done and if the rest of it is going to be detached and that's what's envisioned, if it's not going to be useful sidewalk, why would we not want it detached. Just because we put it up to the curb doesn't make it more useful if it can't go anywhere.

Dodson: Mr. Mayor, Members of the Council, yeah, this was intended to be an actual sidewalk. My understanding is that Victory Road from this point is widened to its full extent as of right now with ACHD's plans, so it would be -- at least in front of this property it would be fine and that ACHD map here north of Victory on Locust Grove, that's to be widened and, then, obviously, in most cases surrounding the immediate roundabout gets widened a little bit. But not over here. So, this would function as a real sidewalk. Concrete. Not asphalt. But, yes, it would be a sidewalk to nowhere for the foreseeable future.

Simison: I guess my question is would they redo the roundabout what is going to happen in front of Tradewinds? Are they going to have an attached sidewalk or a detached sidewalk? Do we have any idea? That's what I'm really trying to get at is to me it makes most -- more sense if detached is what we prefer and that's going to be detached, can they leave it in a detached place on their property until the other stuff develops and attaches it or does that not meet people's expectations, because there is nothing that it's connecting to.

Dodson: Understood. Thank you, Mr. Mayor. I don't have a specific answer. I don't have the construction plans for the right of way -- or the roundabout. I apologize. I don't know. In most cases for other roundabout plans I have seen they have been attached

adjacent to the roundabout and, then, later on down the road they become detached with our other subdivisions and things like that, however that happens to play out. So, I can't tell you specifically on that. You are correct, I do not have that answer.

Simison: Okay. Thank you. Council, any other questions for staff at this time? Okay. Then with that we will ask the applicant to come forward. I think that will be Mr. Porter. If you could state your name and address for the record, please. And you will be recognized for 15 minutes.

Porter: Nathan Porter with Leavitt and Associates Engineers. Address is 1324 1st Street South, Nampa, Idaho. And we are grateful to be able to present this to Council. We are very appreciative of the fact that the City Council and especially the staff has worked with us on this subdivision on the issues that continued this. As was mentioned, there have been a couple of updates that we have added to make the subdivision a better fit for the area. As has been mentioned several times, there is a lot of concern about the higher groundwater, which we are taking into account, particularly with the stormwater we will be having -- originally we were planning on storing it underground, but with the higher groundwater that will get flooded, so we are going to do a surface system. We will be working --

Dodson: You are cutting in and out, sir. Just to let you know.

Porter: Oh. Okay. So, can you -- is it working better now or am I still cutting out?

Cavener: That's much better.

Porter: Okay. So, with -- with the above ground, as was mentioned there have been some issues with the ones around it, so we will take special care of designing the system to make sure that it seats well, that it won't cause any problems for the homes around it. I understand mosquitoes have been an issue for some homeowners potentially with it and so that will be taken into account and we will be working with that and with the city for the approval -- final approvals on the subdivision. Is there any specific questions or other things you would like answered?

Simison: Okay. Thank you. Council, do you have any questions for the applicant?

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: Question, Mr. Porter. Will the houses, then, be slab on grade instead of the crawl space foundation style?

Porter: I know that's the recommendation. We generally don't work specifically with that, except for as conditions, but I believe we are working with the developer to figure out whether that is the way they are going to go. I believe we are leaning in that direction.

But I don't think a final decision has been made to my knowledge.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: As a follow up to Councilman Hoaglun's question, if proposed condition of approval B.1.2, which speaks to that exact language and it is -- as written right now in the staff report it uses recommendation crawl space or slab, but it's nothing definitive. If you were to get direction from this Council that says it shall be slab and that condition of approval is edited to reflect that, do you have any comment or concern if that change is made to ensure that slab on grade is the solution to avoid even the potential of utilizing crawl space, which we have seen that to be, unfortunately, problematic for homeowners for a long, long time in these types of situations?

Porter: That wouldn't be an issue I do not believe on that. I think they would be fine with that if that was a condition of approval.

Borton: Okay. Thank you.

Dodson: Mr. Mayor?

Simison: Yes, Joe.

Dodson: Mr. Mayor?

Simison: Yes, Joe.

Dodson: Sorry. Thank you. I just wanted to clarify to Mr. Borton's point. I do recommend that if you want to change that condition that you also add it as a development agreement provision, just to make sure that we have it covered both in the Public Works comments and a DA provision, just to be clear.

Simison: Council, any further questions for the applicant?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Thank you. I think you touched on, you know, some of the concerns about the type of basically runoff or water storage and some of the surrounding neighbors have had issues particularly with mosquitoes and et cetera. So, could you, please, be more specific about what steps you would be taking to mitigate those concerns or to give the Council comfort that that solution is going to be viable?

Porter: So, what we would work towards is something that -- to make sure that we don't

end up with stagnant standing water. Tends to be what brings in the mosquitoes. We would probably work towards have -- making sure that it would drain within the allotted time for most of stormwater, which is within 24 to 48 hours, so that water doesn't stand in there. The biggest thing would, then, be to make sure that it doesn't pull down below like they were mentioning and flood the surrounding areas and we would be keeping an eye on that and making sure that our system would address all of that. So, basically, the idea would be to make sure we don't have any standing water for long term and with the high ground water making sure that that doesn't -- doesn't cause it to stand for longer than the allotted time.

Strader: Mr. Mayor, a follow up for staff.

Simison: Council Woman Strader.

Strader: I guess my question to staff would be are there typically DA provisions or conditions that we attach to approvals or things we would normally look for as construction requirements for those storage areas for the water. I'm just not familiar enough with it to know. If they say they are looking at it, that's going to happen, or are there specific things that we look for to mitigate that concern?

Dodson: Council Woman Strader, Members of the Council, there is a couple things. One, I know that there is going to be some -- was it BMP type of references from the Public Work side of this that this is going to mitigate that as well and on top of that we do have code. In the UDC we do have code relating to the requirements for this. Part of that is the 24 to 48 hour requirement and most often that in order for it to -- where it's located in order for that area to count as open space it needs to be in that larger open space lot in the south, where the topography makes the most sense as well. All those things should be handled with code. I don't think that there is a specific construction requirement we need to put in. If there is I would lean on Bruce's expertise with that and his team, but I'm not aware that we have done that.

Freckleton: Council Woman Strader, Members of the Council, the geotech report -- on page six of the geotech report it does have some -- some recommendations for the design of the stormwater system. As the applicant had mentioned, this is -- he was recommending that it would be a detention drainage facility. So, it's not a retention. Retention ponds are ones where the water will stand in them. This is a detention pond where the water would need to be able to percolate into the soils within a 12 hour period of time. They do address the submitted layer that I had mentioned earlier, you know, that it's been perking -- or perching the water table. The recommendation here is that that -- where the detention drainage facility is they need to be able to penetrate that perch layer so that the water can, then, perk down through into the lower soils. I know that is something that the Ada County Highway District is going to be very concerned about as well. So, you know, what I was trying to get at with my condition in the staff report is they need to really be paying attention to this -- this geotech report and the design considerations that are in it and -- as they go through their design to make sure that everything is going to function properly.

Simison: Council, any additional questions?

Hoaglun: Mr. Mayor, just a couple of quick ones to touch on a couple other things that were raised. One for the application is --

Simison: Councilman Hoaglun.

Hoaglun: -- for Mr. Porter. It's noted the applicant has not provided updated elevations per request of the Commission it sounds like. If you can respond to that. And also just address irrigation concerns that run along Victory Road being disturbed or any other disturbing. Another concern was anything that -- irrigation that traverses the site for adjacent subdivisions.

Porter: For the houses, the idea for -- that my -- is that these are what the houses would generally look like. There will be instances where they will have to be a little bit smaller where the third car garage will not fit on the lots and so they will be adjusted for that and, basically, the idea was this was the roof design and the front appearance of the homes that they plan to -- that they plan to use for that and so if we need to, you know, supply a little bit different that would be fine, but this is, basically, what they are hoping for the houses to look like. As for the irrigation issues, we will be making sure that there aren't any problems with additional -- with the irrigation around for other subdivisions. From what we have seen so far there shouldn't be anything that we have to do, but we won't be disturbing other people's irrigation.

Hoaglun: Okay. Thank you, Mr. Porter.

Simison: Council, anything further for the applicant? Okay. This is a public hearing. Is there anybody who would like to provide testimony on this item? Mr. Clerk, I assume we did not have anyone sign up.

Johnson: Mr. Mayor, nobody's signed up online or in person and no one is online.

Simison: Or in the room. So, with that I will turn this over to the applicant for any final remarks.

Porter: I would just like to say thank you for listening to this and we will be taking a very close look at the drainage of the stormwater to make sure that it works as needed and in conjunction with the geotechnical report. Thank you.

Strader: Mr. Mayor, one more.

Simison: Council Woman Strader.

Strader: I guess I would like the applicant's feedback on, you know, having a five foot detached sidewalk. I realize that there appears to be sort of a loophole or sort of an exception to what we normally require and this is our standard, it's what we intend for the

city and we have all decided I think that that's what we need and I guess I would like the applicant's feedback on whether that's doable or if there is some other reason that that's not possible.

Porter: So, my understanding is that was part of the original plans. We can certainly look at what would maybe need to be. I think that was part of before they were closing the entrance to the property on Victory Lane. If that is a condition we can certainly look into that.

Dodson: Mr. Mayor?

Simison: Yes, Joe.

Dodson: Thank you. Council Woman Strader, Members of the Council, a little bit more background on that. Thank you, Nathan, for that. Part of that is related to the applicants not originally wanting to close their access, but more than that they also have quite a few I guess really older nicer trees that are part of this landscape buffer and my understanding is that there is not a lot of room to put a detached sidewalk within that area in the required landscape buffer. Could they make it work? Absolutely. Obviously, they -- they can make their requirements work and move some trees, remove them, mitigate them and put a detached sidewalk. That was part of staff's I guess throwing them a bone, so to speak, of understanding that there is this provision in code that allows this section to be attached. If Council so wishes it to be detached for future use to the east and west, then, I understand that as well. But as to Mr. Mayor's other point regarding that, it will be a sidewalk to nowhere no matter whether it's attached or detached probably for quite a few years. Mrs. DeChambeau to the east has not shown any interest in redeveloping and the owner to the west of the site is in their nice little pocket, so there would be no telling when they would want to redevelop and continue the sidewalk onto the west and into the roundabout.

Simison: Council, at least from my perspective, if possible it would be nice if there could be an option that they could look at whatever is planned for the roundabout and see what makes sense. You know, to me it's about having made the connection and I'm hopeful that the roundabout, when built, actually creates a sidewalk in front of the county parcel right there. That may not ever redevelop. I don't know, obviously, how far they plan to go and if that's the case if they can make that connection and it needs to be attached, it makes a lot of sense to do that. But if it's ACHD's intention to leave that vacant and not attach it -- but it would be nice if there was at least the ability to look at it to what -- see what makes sense when that's put in.

Dodson: Mr. Mayor?

Simison: Yes, Joe.

Dodson: Thank you for that. I understand your point, sir, and if Council wants to add a condition for that I would recommend that be just a condition, that way I can add it to the

landscape plan conditions and not a DA provision. I don't know if that's necessary for that. But just a regular condition of approval.

Simison: Council, any further comments, questions, or motions?

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Just to close the loop, a question to Bruce. You know, these are the only times that we have to ensure conditions of approval and DA conditions, really provide the certainty necessary and -- and do you feel like the -- the conditions, even as proposed to be amended in this discussion, adequately provide that type of certainty, just to ensure that -- that we are not missing a chance to correct a correctable problem or avoid a problem with this groundwater issue? Anything -- anything left unresolved in your eyes coming from this discussion?

Freckleton: Councilman Borton, Mayor, Members of the Council, I -- you know, I think that if you place a requirement for slab on grade I think that -- that eliminates the concern of, you know, any flooding in crawl spaces. I think that would be a good solution. You know, we have had lots of these, as you know, and I think that insurance would be -- would be very good. The only other thing I can think of with regard to the stormwater system -- and, obviously, this is going to have to be worked out with the Ada County Highway District, but if we placed the condition per the geotech recommendation that the stormwater drains out -- it perks into the soil within a 12 hour period of time, I think that would mitigate the concern for, you know, standing water and mosquito problems and -- and that sort of thing. I think that would be very helpful. That water needs to make it through that -- through that submitted layer to be able to drain out properly and so I think -- I think those two things, Councilman Borton, would be -- it would sure give me a lot more peace of mind that we can avoid problems here.

Borton: Okay. Thanks, Bruce.

Freckleton: Thank you.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: You can -- I can't -- I can't see the applicant and you can, but -- but in fairness the question would go back in light of what Bruce has referenced as a recommendation and, then, we talked about the -- the slab-on-grade requirement, which the applicant said they would be willing to -- to have that condition 1.2 simply require it, but -- but with regards to the stormwater system and the 12 hour perk standards from the geotech recommendation, if that is a condition in the DA, any concerns from the applicant on that inclusion as well?

Porter: No. There is -- we don't have any problems with the perk or going through the limiting layer down below.

Borton: Okay. Thank you very much. Mr. Mayor?

Simison: Councilman Borton.

Borton: If there is no additional -- if there is no additional questions of the applicant or staff -- it doesn't sound like there is -- I will make a motion and get some discussion started at least. I will first start with moving to close the public hearing on Item 5, H-2020-0006.

Hoaglun: Second the motion.

Strader: Second.

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

MOTION CARRIED: ALL AYES.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Just to kick off some discussion and see where Council is at, I think this relatively small project -- I think it's a good one. It does seem to fit. I think the questions and the painful attention to groundwater is well taken. I appreciate Bruce's direction, as well as the applicant's willingness to provide certainty in the conditions of approval and in the DA as represented in today's hearing. If there is an approval to go forward I think it should certainly include that change to the condition 1.2 to address the requirement for slab on grade, no crawl spaces, as well as what Bruce referenced with regards to the stormwater system, the perk requirement from the geotech recommendation, that those also be mandatory conditions as well, as well as included in the DA. So, those two sort of caught my focus in prep for this hearing and in this discussion, so if -- if -- if it does go forward those conditions should certainly be included, but I know there was other discussion about sidewalks and other things that Council wants to comment on those two.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: Yeah. Like Councilman Borton, I agree on the slab on grade and another requirement requiring stormwater drainage within -- in a 12 hour period of time. I think those are issues that will save everybody a lot of headache down the road, from both from the city and developer standpoint. The landscape condition plan I'm intrigued by

where it sounded like that we put a condition that when it comes to the approval of the landscape plan that at that point in time they could determine the ability to have a detached sidewalk, instead of an attached sidewalk during that review. Did I understand that correctly for the -- for that particular issue that there is that point in time and, Joe, maybe that's something you can weigh in on. Is that how that would work?

Dodson: Mr. Mayor, Councilman Hoaglund, I think there is a way to write the condition there, yeah. I think if you stated that at the time of final plat submittal with that landscape plan to work with staff to determine whether or not that is going to be detached or attached, like Mr. Mayor said, to have that option, I think that would work just fine. I'm not going to fall on the sword for either. I think that either one will work in the long run. Final plat will take a little bit for them to get all their engineering set up and everything, so between now and then I can absolutely work with ACHD and get the -- the plans for the roundabout or at least what they are planning and better determine where that sidewalk should be located and this applicant has been very willing to work with me since the original snafus, so I think that -- as long as you word the condition to give us the option we should be great to work that out at the final plat stage.

Hoaglund: And, Mr. Mayor, follow up.

Simison: Councilman Hoaglund.

Hoaglund: Just more of a comment on that. Yeah, that it is intriguing to do something like that, because to -- to determine something right now and we really don't have all the answers I think we would give the -- give the flexibility to pick the best options when the time comes. So, I kind of like adding that into the -- into the conditions.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I'm in agreement with my fellow Council so far. I -- I do think that the slab and the 12 hour perk geotech recommendations make sense. I would like to have that condition about the sidewalk as well. I also think we should just always, you know, really try to hold ourselves to the standard that we want for the long term; right? And that to me means if -- if we have the ability to connect a detached sidewalk that that's what we should do. We don't know when these other properties will develop, but I think we, you know, need to hold our standards high and keep holding them there. Yep, that's it for me. I really appreciate also the applicant's willingness to work with staff and go through the process. You know, I know there are a lot of changes and changes cost money -- you know, it's costly, but we appreciate them, you know, being a partner and helping to build a new very high quality community.

Simison: Hearing nothing else, would anyone like to make a motion based on that feedback?

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: I apologize, I might not have tracked that. Is Council Woman Strader's comments with regards to the sidewalk, is that -- are you -- is it additional comment on the -- the general landscape condition, the final plat submittal that Joe was just talking about or is it a fourth thing?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: No, I -- I'm agreeing with I think staff's recommendation to make it a final plat condition.

Borton: Okay.

Strader: That felt like it would give us the optionality needed that we could require that at that time, if it makes sense.

Borton: Okay. Makes sense. Mr. Mayor?

Simison: Councilman Borton.

Borton: I don't know if there is additional discussion from Council, but I will -- I will make a motion and let's see where it goes. I move that we approve Item 5, H-2020-0006, as presented in the staff report of November 17th, 2020, and to include the additional conditions of approval -- or modified conditions of approval as the case may be and -- and DA provisions that will account for the requirement of slab-on-grade construction, without a crawl space. The stormwater system drainage recommendations that Bruce had alluded to. The perk test. The 12 hour draining. And as well to include the condition that Joe had just described in his discussion with Councilman Hoaglun, the final plat submittal with regards to the landscaping condition. That's a bit vague, but I think Joe's description probably can be captured clearly in the -- in those final conditions in a DA provision. So, with those three clarifications I move that we approve this application.

Hoaglun: Mr. Mayor, I will second the motion.

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

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

Simison: All ayes. Motion carries and the item is agreed to.

MOTION CARRIED: ALL AYES.

Simison: Thank you, Joe and Nathan. Appreciate it.

Dodson: Thank you, Mr. Mayor and Council. Have a great night.

DEPARTMENT / COMMISSION REPORTS [Action Item]

6. Mayor's Office: CARES Act Municipal Small Business Grant Program Update

Simison: Item 6, department report from the Mayor's office. Since we did not vacate this off the agenda maybe I will just make a reference for anyone looking for the discussion on this item to refer to the 6:00 p.m. -- or, I'm sorry, the 4:30 work session where this item was discussed and the end result was that Council did agree to allow applicants to apply for up to 15,000 dollars through that process so we have that on the record.

ORDINANCES [Action Item]

7. Ordinance No. 20-1904: An Ordinance (H-2020-0078 – 1625 E. Bentley Drive) for Annexation of a Parcel Located in the SW ¼ of Section 17, Township 3 North, Range 1 East, Boise Meridian, Ada County, Idaho, as Described in Attachment “A” and Annexing Certain Lands and Territory, Situated in Ada County, Idaho, and Adjacent and Contiguous to the Corporate Limits of the City of Meridian as Requested by the City of Meridian; Establishing and Determining the Land Use Zoning Classification of 1.55 Acres of Land from RUT to C-C (Community Business) Zoning District in the Meridian City Code; Providing That Copies of This Ordinance Shall be Filed with the Ada County Assessor, the Ada County Recorder, and the Idaho State Tax Commission, as Required by Law; and Providing for a Summary of the Ordinance; and Providing for a Waiver of the Reading Rules; and Providing an Effective Date

Simison: Moving on, we will move on to ordinances and Item 7 is Ordinance No. 20-1904. Ask the Clerk to read this ordinance by title.

Johnson: Thank you, Mr. Mayor. It's an ordinance related to H-2020-0078, 1625 East Bentley Drive for annexation of a parcel of land located in the SW ¼ of Section 17, Township 3 North, Range 1 East, Boise meridian, Ada county, Idaho, as described in Attachment “A” and annexing certain lands and territory, situated in Ada county, Idaho, and adjacent and contiguous to the corporate limits of the City of Meridian as requested by the City of Meridian; establishing and determining the land use zoning classification of 1.55 acres of land from RUT to C-C (Community Business) zoning district in the Meridian City Code; providing that copies of this ordinance shall be filed with the Ada County Assessor, the Ada County Recorder, and the Idaho State Tax Commission, as required

by law; and providing for a summary of the ordinance; and providing for a waiver of the reading rules; and providing an effective date.

Simison: Thank you. Council, you have heard this item read by title. Is there anybody that would like it read in its entirety? Seeing none, do I have a motion?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I move that we approve Ordinance No. 20-1094, with suspension of rules.

Strader: Second.

Simison: I have a motion and a second to approve Ordinance No. 20-1904 under suspension of the rules. Is there discussion on the motion? If not, all those in favor signify by saying aye. Opposed nay. The ayes have it. The motion is approved and the ordinance is agreed to.

MOTION CARRIED: ALL AYES.

- 8. First Reading of Ordinance No. 20-1905: An Ordinance Amending Meridian City Code Section 10-1-1, Regarding Adoption of 2018 International Building Code, 2018 International Residential Code, 2018 International Swimming Pool and Spa Code, 2018 International Energy Conservation Code, 2018 International Existing Building Code, and Respective Local Amendments; Amending Meridian City Code Section 10-1-2, Regarding Amendments to International Building Code; Amending Meridian City Code Section 10-1-3, Regarding Amendments to International Residential Code; Repealing and Replacing Meridian City Code Section 10-1-4, Regarding Amendments to International Energy Conservation Code; Amending Meridian City Code Section 10-2-3(B), Regarding Plumbing Permit and Inspection Fees; Amending Meridian City Code Section 10-3-3(E), Regarding Electrical Permit and Inspection Fees; Repealing and Replacing Title 10, Chapter 4, Meridian City Code, Regarding Adoption of the 2018 International Fire Code and Local Amendments Thereto; Amending Meridian City Code Section 10-5-1, Regarding Adoption of 2018 International Mechanical Code, 2018 International Fuel Gas Code, 2018 International Residential Code Parts V And VI, and Respective Local Amendments; Amending Meridian City Code Section 10-5-2, Regarding Amendments to 2018 International Mechanical Code; Amending Meridian City Code Section 10-5-3, Regarding Amendments to the International Fuel Gas Code; Amending Meridian City Code Section 10-5-4(H-M), Regarding Amendments to Part V (Mechanical) and Part VI (Fuel Gas) of the 2018 International Residential Code; Adopting a Savings Clause; and**

Providing an Effective Date

Simison: Next item is the first reading of Ordinance No. 20-1905. I will ask the clerk to read this ordinance by title.

Johnson: Thank you, Mr. Mayor. This is an ordinance amending Meridian City Code Section 10-1-1, regarding adoption of 2018 International Building Code, 2018 International Residential Code, 2018 International Swimming Pool and Spa Code, 2018 International Energy Conservation Code, 2018 International Existing Building Code, and respective local amendments; amending Meridian City Code Section 10-1-2, regarding amendments to the International Building Code; amending Meridian City Code Section 10-1-3, regarding amendments to International Residential Code; repealing and replacing Meridian City Code Section 10-1-4, regarding amendments to International Energy Conservation Code; amending Meridian City Code Section 10-2-3(B), regarding Plumbing Permit and Inspection Fees; amending Meridian City Code Section 10-3-3(E), regarding Electrical Permit and Inspection Fees; repealing and replacing Title 10, Chapter 4, Meridian City Code, regarding adoption of the 2018 International Fire Code and local amendments thereto; amending Meridian City Code Section 10-5-1, regarding adoption of 2018 International Mechanical Code, 2018 International Fuel Gas Code, 2018 International Residential Code Parts V And VI, and respective local amendments; amending Meridian City Code Section 10-5-2, regarding amendments to 2018 International Mechanical Code; amending Meridian City Code Section 10-5-3, regarding amendments to the International Fuel Gas Code; amending Meridian City Code Section 10-5-4(H–M), regarding amendments to Part V (Mechanical) and Part VI (Fuel Gas) of the 2018 International Residential Code; adopting a savings clause; and providing an effective date.

Simison: Thank you. You have -- we have read this for first reading. Is there anyone that would like it read in its entirety? Seeing none, we will have this on next week for second reading.

FUTURE MEETING TOPICS

Simison: Council, is there any item under future meeting topics?

EXECUTIVE SESSION

9. **Per Idaho Code 74-206A(1)(a) To deliberate on a labor contract offer or to formulate a counter offer, 74-206(1)(a) To consider hiring a public officer, employee, staff member or individual agent, and 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: And if not, Item 9 is Executive Session.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I move that we go into Executive Session per Idaho Code 74-206A(1)(a) and 74-206(1)(f).

Hoaglun: Mr. Mayor, I second the motion.

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

Simison: All ayes. Motion carries and we will adjourn into Executive Session.

MOTION CARRIED: ALL AYES.

EXECUTIVE SESSION: (7:26 p.m. to 8:27 p.m.)

Bernt: Move we come out of Executive Session.

Hoaglun: Second the motion.

Simison: Motion and seconded to come out of Executive Session. All in favor? All ayes.

MOTION CARRIED: ALL AYES.

Bernt: Mr. Mayor, I move we adjourn.

Hoaglun: Second.

Simison: Motion and second to adjourn. All those in favor? All ayes.

MOTION CARRIED: ALL AYES.

MEETING ADJOURNED AT 8:27 P.M.
(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)

MAYOR ROBERT SIMISON
ATTEST:

DATE APPROVED

CHRIS JOHNSON - CITY CLERK