

A Meeting of the Meridian City Council was called to order at 6:15 p.m., Tuesday, January 18, 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, 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: All right. Council, call the meeting to order. For the record is January 18th, 2022, at 6:15 p.m. We will begin this evening's regular City Council meeting with roll call attendance.

**PLEDGE OF ALLEGIANCE**

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

(Pledge of Allegiance recited.)

**COMMUNITY INVOCATION**

Simison: Our next item is our community invocation, which will be delivered by Pastor Vinnie Hanke. If you would all, please, join us in the community invocation or take this as a moment of silence and reflection.

Hanke: Mr. Mayor, Members of the City Council, thank you again for the opportunity to come and pray for you tonight. Let's pray. God, we thank you for the opportunity to gather together and to do the business of leading in the city. I thank you for each person on the Council, God, for their gifts, their talents, their strengths and their personalities and pray, God, as they consider and discuss the business that you would fill them with wisdom, with discernment and, then, they would make decisions that would ultimately benefit their neighbors. God, we pray for our first responders tonight. We ask, God, that those on the frontlines, in healthcare, in education, in law enforcement and fire protection, God, would just receive your blessing and protection as they serve us. Would you continue to help Meridian to be a place of hospitality and generosity for its citizens and we ask that we would be a city that would glorify your name and I ask these things through Christ, amen. God bless you guys. Thank you.

Simison: Thank you. See you next week.

Strader: Mr. Mayor, can you hear me now?

Simison: Yes, we can.

Strader: Great. Thank you.

### **ADOPTION OF THE AGENDA**

Simison: Next up is the adoption of the agenda.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: We have no changes for the agenda this evening, so I move to adopt the agenda as -- oh, that's right. Forgot. Thank you. The Executive Session we completed in our work session, so we can vacate the Executive Session that's towards the bottom of the agenda. So, with that change, Mr. Mayor, I move adoption of the agenda as amended.

Borton: Second.

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

MOTION CARRIED: ALL AYES.

### **PUBLIC FORUM - Future Meeting Topics**

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

Johnson: Mr. Mayor, we have one. Terre Dennington.

Bernt: Hi, Terre.

Dennington: Hello.

Simison: Thank you, Terre. If you can --

Dennington: Yes. My name is Terre Dennington and I reside at 4581 West Big Creek Street in Meridian. I want to thank Mayor Simpson and the City Council for letting me address them with my thoughts. The rich history of the Treasure Valley and the City of Meridian in particular with regards to agriculture, with the original fruit orchards of Thomas

Davis and the corn, alfalfa, mint and other crops are still visible as we drive through our city. Because of the agriculture water for irrigation was brought to the valley and many of our residents still benefit from the irrigation canals today. The many dairy farms in Meridian established it as a dairy center for the state of Idaho. We still celebrate this part of our heritage on Dairy Days. I watched so many of the farms being turned into housing, which I understand is sorely needed because of the city's growth. I commend this leadership of our city in working on how to address the building and infrastructure issues through the Comprehensive Plan. So, I would like to have the City Council consider how we can conserve some of the agricultural land and retain it for future generations. I was born in southern California and my father was a tenant farmer before I was born. My sisters and I took him back to various areas where he had lived. When we came to the farm area he couldn't even figure out where the land would have been. It was all now large industrial buildings. There are many current residents of Meridian that remember what it was like when they were growing up here. I hope this is something you will consider. Perhaps you could put me in touch with a city planner or the parks director to see how that may be possible. Thank you for your time.

Simison: Thank you, Terre. We will follow up with you.

Dennington: Thank you.

## **ACTION ITEMS**

1. **Public Hearing (re-hearing from 11/30/2021) for Fast Eddy's at Eagle (H-2021-0068) by Steve Eddy, Located at 3775 N. Eagle Rd.**
  - A. Request: Modification to the Existing Development Agreement (H-2018-0006 - Inst. #2018-042029) to remove the requirement for the driveway along the west side of the retail store to be extended to the north property boundary for future extension and interconnectivity in accord with UDC 11-3A-3A; and a cross-access/ingress-egress easement to be provided to the property to the north {Parcel #R4582530202, 13984 W. Jasmine Ln.}

Simison: With that, Council, we will move on to our public hearing this evening, which is rehearing from 11/30/2021, for Fast Eddy's, H-2021-0068. We will open this public hearing with staff comments.

Nary: Mr. Mayor?

Simison: Mr. Nary.

Nary: Mr. Mayor, Members of the Council, so planning staff had some conflicts tonight and because this is as simple as it is they felt I could handle it for them. This might seem very familiar to you. We heard Mr. Eddy's application a couple of months ago. After we completed the process we realized Mr. Eddy hadn't realized we changed our noticing

requirements and the staff and planning hadn't realized that he hadn't submitted an affidavit of noticing, so since we were defective in the notice we wanted to make sure we covered all the bases of legally to complete this project properly. So, we re-noticed it for this, we put up the appropriate signage, the affidavit has been filed. Mr. Eddy is here. If you recall this is regarding access and access onto the roadway from his property. It's the adjacent roadway and what the purpose of it was, but I will let Mr. Eddy explain the specifics. But, again, you have heard it. Certainly it is a decision point still for you. You can change your mind. We will create a new set of findings with an update from this meeting and, then, a new development agreement will be generated with those updated findings, if that's the direction of the Council. So, with that if you have questions for me, please, don't and, then, we can let -- Mr. Eddy could explain his project. I think you probably have enough information to move forward.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Just for the record I was absent at that particular meeting, but I -- I did go back and watch that meeting and this piece with it, so I have followed along the presentation of staff, the deliberation from Council as well.

Simison: And for the record that was on November 30th, 2021, for anyone that needs go find it in the minutes. All right. Then would the applicant like to come forward. Please state your name and address for the record and be recognized for 15 minutes.

Eddy: Steve Eddy. 3775 North Eagle Road, Meridian. I'm not sure what I need to say. I think I would rather answer questions on this. I think what happened was is the -- I thought everybody knew me. I didn't have the legal affidavit notarized. So, that the condition that kind of fell through the cracks. So, other than Luke not being here, I think, I -- I think we kind of beat it to death that night on everything we went over and I would just answer questions at this time I would think, unless you guys would like me to do more.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: One question, Steve. Your neighbor to the west, the facility that's going in, that's still proceeding and they prefer not to have that access point. Is that still the case?

Eddy: As far as I know that's -- was their request that night, too. Nothing's changed that I have heard of.

Hoaglund: Thank you.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I think at the hearing that we had in November I do believe that we agreed to make that an emergency access only, not available to the public, so if that's -- if I'm remembering correctly -- and correct me if I'm wrong, Mr. Eddy, but I think that's what we decided on.

Eddy: That's correct.

Bernt: Any concerns with that, Mr. Eddy?

Eddy: No. No concerns.

Bernt: Okay.

Simison: Council, any additional questions for the applicant? Thank you. Mr. Clerk, do we have anyone signed up to provide testimony on this item?

Johnson: Mr. Mayor, no one signed up in advance.

Simison: Okay. Would the applicant like to -- is there anybody in the room that would like to provide testimony on this item at this time? There is nobody online, so it would only be people in the room. Seeing nobody, would the applicant like to make any final comments? They have waived their -- any final comments. So, Council, turn it over to you for any questions, motions, or actions.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Just to kick off with a few comments. I'm happy to make a motion. I would be voting as I did previously. We have hashed through a lot of issues and different things and -- and in my question that property to the north -- I think -- did I say west earlier? But it was to the north.

Bernt: Knew what you meant.

Hoaglund: Has not -- has not changed. They didn't want that access point for what they are doing for their project. Emergency access makes sense to have it that way and so I think we can -- can -- my perspective continue forward as -- as before.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thought about this a lot. Staff -- staff recommended denial in the staff report and, you know, when that happens we always take that pretty seriously as a Council and

think about that and one of the concerns I have in this is just that, you know, out of our last hearing it -- from my -- from my perception and perspective and definitely want to hear if this is not accurate -- was that the applicant just didn't really thoroughly go through and read the development agreement and it was an oversight and I am concerned about that just from a big picture standpoint of any other applicant that may have that same experience in their development agreement, that there is -- that there is an oversight that -- that we may be opening an invitation to have their applicants come and request a modification to their development agreement because of something that just was missed and if that is not a correct perception of what happened I would love to hear otherwise. But that is my perception and so my -- I'm -- I still stand with staff's recommendation of denial.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: You know, Mr. Eddy gave me his word that he would do his best to improve the safety concerns in this area. I was a little frustrated in that meeting, you know, by what I felt was an oversight, but I guess my perspective hasn't really changed just in terms of being constructive and trying to move forward the best project that we can, I would be an approval tonight.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: Mr. Mayor, I would move to close the public hearing on H-2021-0068.

Bernt: 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 and the public hearing is closed.

MOTION CARRIED: ALL AYES.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: I would move to approve the request for modification to the existing development agreement, H-2018-0006 -- and before I continue I just noticed that number of 006 is not the same as in the notice 0068 at number one, Mr. Nary, which -- do we know which one that is?

Johnson: Mr. Mayor, I can actually address that. The -- I believe the 006 -- 006 was actually the 2018 project, the original development agreement, and this project is the 0068.

Hoaglund: Okay. So, we need to approve 0068, which is the request, so -- okay. Okay. So, let me try that motion again if you wouldn't mind. I move to approve H-2021-0068 to remove the requirement for a driveway and to make that access emergency access only.

Bernt: Second the motion.

Simison: I have a motion and a second to approve Item 2021-0068. Is there discussion on the motion? If not, Clerk will call the roll.

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

Simison: Five ayes, one no, and the motion carries. Thank you.

MOTION CARRIED: FIVE AYES. ONE NAY.

## **ORDINANCES [Action Item]**

- 2. Ordinance No. 22-1963: An Ordinance Amending Meridian City Code Section 1-7-6 Regarding City Council Liaison Appointments, Duties, and Term; Amending Meridian City Code Section 2-1-1(C)(10) Regarding City Staff Support For Commissions; Adopting a Savings Clause and Providing an Effective Date**

Simison: Next item up is Ordinance No. 21 -- 22-1963. Ask the Clerk to read this ordinance by title.

Johnson: Thank you, Mr. Mayor. It's an ordinance amending Meridian City Code Section 1-7-6 regarding City Council liaison appointments, duties, and term; amending Meridian City Code Section 2-1-1(C)(10) regarding city staff support for Commissions; adopting a savings clause and providing an effective date.

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

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I move that we approve Ordinance No. 22-1963 with suspension of rules.

Cavener: Second.

Simison: I have a motion and a second to approve Ordinance No. 22-1963 under the suspension of the rules. Is there any discussion? Council Woman Perreault.

Perreault: Sorry about that. Mr. Mayor. The statement here doesn't say anything about a waiver of reading rules, so does there need to be a suspension of rules still? Are we waving two more readings?

Simison: Mr. Nary.

Nary: Mr. Mayor, Members of the Council, it is not required always to put that in. We put it in our land use application primarily. So, you are still waiving the reading rules, but you could do it simply by the motion.

Simison: Any further questions or discussion on the motion? If not, all in favor signify by saying aye. Opposed nay. The ayes have it in the ordinance is agree to.

MOTION CARRIED: ALL AYES.

### **FUTURE MEETING TOPICS**

Simison: Counsel, anything under future meeting topics? Or do I have a motion to adjourn?

Hoaglund: Move to -- move to adjourn, Mr. Mayor.

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

MOTION CARRIED: ALL AYES.

MEETING ADJOURNED AT 6:32 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)

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

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DATE APPROVED

ATTEST:

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