

A Meeting of the Meridian City Council was called to order at 6:03 p.m., Tuesday, January 5, 2021, by Mayor Robert Simison.

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

Member Absent: Luke Cavener.

Also present: Chris Johnson, Bill Nary, Sonya Allen, Joe Dodson, Tracy Basterrechea, Joe Bongiorno and Dean Willis.

ROLL-CALL ATTENDANCE

☒ Liz Strader	☒ Joe Borton
☒ Brad Hoaglun	☒ Treg Bernt
☒ Jessica Perreault	☐ Luke Cavener
☒ Mayor Robert E. Simison	

Simison: Council, I will call this meeting to order. For the record it is January 5, 2021, at 6:03 p.m. We will begin tonight's meeting with roll call attendance.

PLEDGE OF ALLEGIANCE

Simison: Our 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 is the community invocation, which tonight will be delivered by Vinnie Hanke with Valley Life Christian Church. If you would all join us in this invocation or take this as a moment of silence. Pastor Hanke.

Hanke: Mr. Mayor, City Council Members, Happy New Year. Thank you for the opportunity to pray for you and alongside of you. Let's pray. God, we thank you for the beginning of a new year and, God, as we consider your mercy a gift to us with each new sunrise and each new turn of the calendar we pray that you would fill the City Council with wisdom, with continued courage to lead through a challenging and difficult season. We pray that you would grant them wisdom tonight to consider the motions before them and that you would inspire them to lead our city well. God, we ask that you be glorified through all these things and it's through the name of your son Jesus Christ that I pray. Amen. God bless you all. Thank you, Mr. Mayor.

PUBLIC FORUM – Future Meeting Topics

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

Johnson: Mr. Mayor, under Public Forum we did not.

Simison: Okay. Well, then, as Council President Bernt did two weeks ago, I'm going to take a moment of privilege and read something into the record before we get into the regular part.

ADOPTION OF AGENDA

Bernt: Mr. Mayor, before you do it, do we -- do we need to adopt the agenda before you do that? Or we can do it --

Simison: You are correct. Councilman Bernt.

Bernt: Mr. Mayor, 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.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

Simison: So, going back to my original point, a moment of personal privilege. I received this letter on December 2nd, 2020, from the Municipal Services Department, Office of the City Clerk, regarding Christopher Johnson. Dear Mr. Simison, it is with pleasure that I inform you, the City of Meridian, that City Clerk Christopher Johnson has fulfilled the requirements to be certified as a municipal city clerk for the state of Idaho. Thank you for your city support which allowed Mr. Johnson to attend the training that is required for the certification. In doing so the City of Meridian and its citizens will also benefit from the knowledge that Christopher Johnson has obtained. Sincerely, Renata McLeod, Certification Committee Chair. So, I just want to congratulate Mr. Johnson for your effort to do that quickly and it will be of great benefit, so worthy recognition from others for your efforts.

Bernt: Congratulations.

Johnson: Thank you, everyone.

Bernt: Awesome. Thank you, Mr. Mayor, for doing that.

ACTION ITEMS

- 1. Public Hearing for Compass Pointe Subdivision (H-2020-0100) by A-Team Land Consultants, Located at the southwest corner of E. Victory Rd. and S. Locust Grove Rd.**
 - A. Request: Annexation and Zoning of 7.69 acres of land with a request for the R-15 zoning district.
 - B. Request: A Preliminary Plat consisting of 48 residential building lots and 9 common lots on approximately 4.69 acres of land in the R-15 zoning district.
 - C. Request: A Planned Unit Development for the purpose of reducing the rear setback of the R-15 zoning district for a portion of the development due to site constraints.

Simison: Next up is our Action Items. First item is a public hearing for Compass Pointe Subdivision, H-2020-0100. I will open this public hearing with staff comments and turn it over to Mr. Dodson.

Dodson: Thank you, Mr. Mayor. Can everybody hear me all right?

Simison: Yes.

Dodson: Okay. Good. So, the applicant got a recommendation of denial and because of that they are requesting a remand back to Planning and Zoning Commission, so I do not have anything to present tonight. They took those comments very seriously from the Commission and have already provided me a revised plan that needs a lot more of what the Commission talked about wanting to see, so they wanted to go -- you know, be remanded back and kind of start over with them and get a better recommendation for you guys.

Simison: Thank you. Council, any questions for staff? Okay. Do we have the applicant joining us this evening for any purpose?

Johnson: Mr. Mayor, I am not sure. I can't tell by some of the names. So, if the applicant is online if you can hit the raise your hand button. There they are.

Simison: I don't know if it's going to be Mr. Arnold. If so, if you can unmute yourself and, then, state your name and address for the record.

Arnold: This is Steve Arnold. I'm A Team Land Consultants. Address 1785 Whisper Cove, Boise. 83709.

Simison: Thank you. You are recognized for up to 15 minutes for any additional comments you would like to make.

Arnold: We don't have a lot of comments. We, like Joe has spoken, we have taken a lot of the feedback that we have gotten from the Planning and Zoning Commission. We have taken that fairly seriously and have started redesigning our site. Like Joe said, we are -- I think we are fairly close to what the Planning and Zoning Commission was looking for at our last hearing and I think with some tweaks between staff and ourselves, who will be there, and I think we will have a product type that the Planning and Zoning Commission can approve. With that I will stand for any questions.

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

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I don't have a question, but I just wanted to say that I really -- that we -- I think all my Council Members -- fellow Council Members will agree that we appreciate it when an applicant just continues to work hard to meet the -- to meet the requests of the Planning and Zoning Commission that are not only in our code, but also things that we would really like to see have happen as -- as a city and as a community to make this a better place. So, I just want to say all in all every time we see an applicant work really hard to meet those requests to take the extra time to go back to Planning and Zoning, I just -- I really appreciate it. We know and understand how much effort goes into that and so want to say that we appreciate your efforts to do that and just try to keep our city a fantastic place to be.

Simison: Thank you.

Arnold: Mr. Mayor, Council Woman Perreault, yeah, I -- I fully agree with you on that and I think between staff and ourselves, you know, each time we tweak the site plan I think we are getting it better and we are honestly in -- in this site for the long haul. We are representing the marketing. So, anything that we can make the site better with actually helps all of us.

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

Johnson: Mr. Mayor, we did not. I actually moved the paper out prior to people attending, which I was not expecting. So, everybody here is actually here for that project.

Simison: Okay. With what you have heard this evening is there anybody who would like to come forward and testify at this time? Please come forward and state your name and address for the record and you will be recognized for up to three minutes.

Buckner: Hello. My name is John Buckner. I am a member of the community here that is being affected by this application. I want to thank the Council for the time to come up and speak during this matter and I would like to revocalize my opposition to this application. As myself and many other community members who have submitted formal public contests to the city and the Council, we all objected on various grounds. One very significant reason being the fact that it does not match the character of our neighborhood. For one reason being that we are a much lower density community and they want to insert -- inject a lot of homes raising it to a very high density as the application states and it just doesn't make any sense from a design perspective and we also have the sympathy and sentiment of fellow Council Members, including Steven Yearsley and Lisa Holland and another -- another person who -- Bill Parsons. Who all agreed that it just does not fit. However nice of a design it is, they do look like nice homes, but they just don't fit our community. Our community is full of older homes. These look like modern, very trendy apartments -- they look like apartments, not like homes, and the design does not account for a lot of space for people to really travel within the community. There are no real right of ways for them to drive through. The roads are very narrow, so if you get a lot of people coming for like a New Year's Eve or Christmas Eve, people are going to be packing the streets, they are not going to get through, neither will public utilities or things like trash or things like that. So, again, it does not seem well planned out. The last change involved reducing the number of units from 50 to 48, so it's doubtful to me that they are going to bring down the number of units to a reasonable number. So, I would strongly request and advise the Council to oppose this application for the sake of the community and people who care about their homes in the neighborhood. Thank you.

Simison: Sir, if you wouldn't mind stating your address for the record.

Buckner: The entire address?

Simison: Yes.

Buckner: 3877 South Picasso Avenue, Meridian.

Simison: Thank you. Appreciate it.

Unruh: Council Members, thanks so much for giving us the opportunity to speak to this. My name is Stan Unruh and my address is 3246 South Murlo Way. It's across the creek from the proposed division. And besides the concerns that my fellow neighbor just mentioned, I would just also like to express quite a bit of concern, because we just look out our back window and see that Locust Grove is backed up every morning right where the exit that is planned at the moment for this neighborhood. So, we are talking about inserting into a very small piece of property nearly 50 homes and I know the Council has asked them to reconsider the design and they are tweaking it and our concern is that they are going to tweak it down to just slightly below that and we are going to have nearly a hundred vehicles coming out onto Locust Grove, which is already a high dense -- or a high traffic street. If you look at the future planning, the street is going to narrow from four lane -- after they build the circle the street is going to narrow from four lanes down to two

lanes and, then, shortly right after that is right where the exit from this development is going to come out. So, it's going to be very very difficult for people coming out of this development to turn left. So, naturally, if I lived in this development I would want to turn right and, then, I would turn right again and they will be right down a neighborhood street right by our home and, then, on to Victory. So, the easiest thing for this community to do is all this traffic will just turn right and go right through a neighborhood that has kids and so I think that -- that this piece of property became available because the city exercised their right of eminent domain to make the circle, The former property owner then sold the thing and he sold the property to this developer. It came up on rather short notice, that it hasn't really been in the long-term planning of the city and now the developer would like to make one exit for 50 homes onto a street that's already quite busy. So, I just would plead with the City Council to really give that a lot of consideration. These are the kind of things that we elect you to kind of protect us from and we ask that you keep that in mind as -- as you weigh the developer's tweaking to their plan. We really are not asking for -- we are not anti-development zealots, we are asking for reasonable development and development that just meets -- or that matches the homes that are already there. Thank you very much.

Simison: Council, any questions?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Not a question, but just wanted to make a couple of clarifications for the gentleman -- both gentlemen who came to speak and thank you very much for sharing your thoughts. We -- we take -- we take the public concern and the testimony very seriously. Just one thing I wanted to clarify is if this gets remanded back to Planning and Zoning that they will have another hearing and, then, whatever is decided there it will still come to City Council, so you will have another opportunity to come speak before us at the -- at the time and date that we actually will be making the decision and so I would strongly encourage you to do so -- to do so and also just wanted to clarify that in regard to eminent domain and the roundabout that's going in there, that's actually an Ada County Highway District decision and not the City of Meridian. So, just wanted to clarify that that ACHD is -- has been involved with that as well, so -- but we all are elected on both ACHD and City Council, but just wanted to share a couple of those things and -- and continue to encourage members of the public who have concerns about this application to come -- go -- go to the Planning -- Planning and Zoning Commission hearing a second time and, then, of course, please, feel free to come before us as well.

Simison: Thank you. Is there anybody else that would like to provide testimony at this time on this item? Mr. Clerk, do we have -- is there anybody online who has raised their hand who expressed an interest in testifying? Is there anybody who is online that would like to provide any comments regarding this item before Council? If you can use the raise your hand feature on the Zoom platform, then, we can bring you in for comments. Seeing no one else that would like to testify, would the applicant like to make any final comments?

Arnold: Yeah. Mr. Mayor, Members of the City Council, I think when we resubmit we are going to address a lot of the original concerns by both the neighborhood and -- and the Planning and Zoning Commission. Just briefly I think I will -- I will kind of hit on Council Woman Perreault's comment. The property was never under eminent domain. We have purchased it from the original owner and we are currently working with ACHD and have their roundabout in our design. So, a lot of the traffic concerns that are in existence now will be fixed, so to speak, in the future with the road widening and ACHD has already approved it at the 48 lots. We are probably going to drop at least nine to ten lots that will address a lot of the density concerns. So, I think the next round that we present to the Planning and Zoning Commission -- I think our neighborhood will have a little bit of appease on it and, then, next time we are before the City Council I think we will have a positive recommendation. With that I will stand for any questions.

Simison: Thank you. Council, any further comments?

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I move that we remand. Direct the applicant to pay for the renoticing fees on file -- or item number H-2020-0100.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Second the motion.

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. It is remanded back to Planning and Zoning Commission for further action. Thank you for those that came for that and I'm sure that they will provide -- repost the site as necessary, so you will be notified about any future public hearings on this topic.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

2. Public Hearing Continued from December 1, 2020 for Pura Vida Ridge Ranch (H-2020-0064) by Jay Gibbons, South Beck & Baird, Located 3727 E. Lake Hazel Rd.

- A. Request: Annexation of 26.34 acres of land with R-8 (6.64 acres) and R-15 (19.69 acres) zoning districts.
- B. Request: A Preliminary Plat consisting of 157 buildable lots and 35 common lots on 26.34 acres of land in the R-8 and R-15 zoning districts.
- C. Request: A Planned Unit Development with a request for a deviation from the dimensional standards listed in UDC Table 11-2A-7 to allow reduced building setbacks in the R-15 zoning district.

Simison: All right. Next item up is a public hearing continued from December 1st, 2020, for Pura Vida Ridge Ranch H-2020-0064. I will continue this public hearing with staff comments and turn this over to Sonya.

Allen: Good evening, Mr. Mayor, Members of the Council. Give me just a moment. I seem to have lost my presentation. Hopefully you all can see it now. The next item before you is a continued hearing for Pura Vida River -- Ridge Ranch. Excuse me. It was last heard at the Council hearing on December 1st. Council continued this project to tonight's meeting and directed the applicant to submit a phasing plan to address concerns pertaining to fire access based on anticipated timing for construction of the new fire station and school enrollment. The applicant submitted a letter this morning addressing these issues that's included in the public record and the applicant is in attendance tonight to answer any questions Council may have. An updated fire safety plan was submitted that has been approved by the Fire Department and final design guidelines were submitted to ensure quality of development and cohesive patterns of development with the PUD that are included in the public record as well and staff does approve of these updated final design guidelines. The only outstanding issue for Council tonight is the applicant is requesting Council approval to not construct fencing along the Ten Mile Creek. If Council doesn't feel fencing is necessary to preserve public safety condition number 3-D should be deleted. Staff will turn this over to the applicant. Thank you.

Simison: Thank you. Council, any questions for staff at this time? Okay. Then with that I will ask the applicant to -- want to make sure that they are in the meeting? Okay. If you can state your name and address for the record and you will be recognized for 15 minutes.

Gibbons: Mr. Mayor, Council Persons, I am Jay Gibbons. 2002 South Vista Avenue, Boise, Idaho. Representing the property owner, South Beck & Baird. Thank you for the opportunity to come before you again tonight in regards to Pura Vida Ridge Ranch Subdivision application. Council had asked a couple questions to -- to bring back -- to have time in the past month to discuss further with Fire Department, as -- as well as the school district to address the issues with how we can structure this development and the phasing of this development, so that the Council is more comfortable with the fact that currently the five minute fire response timeline only extends to the back of our phase two. The Council was concerned that we would potentially move this project forward faster than the city could prioritize, fund, and build the next fire station that's projected to service

the south Meridian area. It's not really -- in our opinion it's not really a phasing issue. What we have -- we have what we feel is -- is -- we are confident in the city's processes. You have got -- ahead of us we have, of course, the Council's approval of the project. We have to finalize the development agreement that incorporates all of -- all the conditions of approval, findings of fact. We, then, have to turn around and -- and create a construction package and a final plat application for the first phase, get that approved and install all the improvements that are required, sewer and water -- you know, before we can sell -- or build the first home. Pull the first building permit and, then, we have to turn around and do the same thing again for phase two. That's -- that's more than likely going to be -- serve as -- as the buffer -- time buffer that -- that, you know, Council was looking for. Secondly, we would like to be a part of helping support the city's prioritizing, you know, process going forward. I know that that's -- that's, you know, every citizen's opportunity to -- to be part of that discussion and -- and throw their support behind the Council, so that, you know, the city doesn't feel like they are -- they are out on a limb here. I know that for several years, having been a former city council -- or a former -- former Meridian city employee that, you know, growth in the south Meridian area has been a priority for several years and, you know, it's going to take some time for the city to fully be ready for that infrastructure when the fire -- the next fire station is -- is -- is one of those infrastructure items. We would like to -- we would like to help gather support for the city on that. I know that we are -- we are not alone. There are several other developments and many other properties in south Meridian that are going to fall into the same category and that, you know, only a portion of their proposed development falls within the fire response timeline. But over time that -- that will change and -- and fire stations will come on -- on board and we are confident it's all going to fall into place. The second issue was school enrollment. As you are aware and you had said that you had recently had a -- had a presentation from the school district and we followed up with the school district this past month. Talked to a woman at the -- at the West Ada School District, specifically so we could understand what the caps on Hunter Elementary and Hillsdale Elementary. Hillsdale Elementary, the school boundary for that elementary school, includes the Pura Vida development. The purpose of the caps are to basically -- you know, West Ada School District has an open enrollment policy. If a student from outside of the specific school's boundary wants to attend they have to petition to get in and the caps are there to reserve space for the school aged children that live within that school's boundary. We also were told that the next school to serve southeast Meridian is scheduled to go on -- to come online of 20 -- in the fall of 2021, which means that the Hillsdale Elementary School boundary will be readjusted to take out all of the students that are on the west side of Eagle Road in -- in south -- southeast Meridian and so that -- that frees up, you know, part of their school boundary and the caps will be reduced or whatever, but the -- but the school district is adamant that if the Pura Vida -- any school age kids that Pura Vida development generates have a place at Hillsdale -- Hillsdale Elementary, which is half a mile to the north. And so we -- we wanted to bring that message back to the Council and -- and let you know that West Ada School District and our owners and myself feel that the -- you know, the school enrollment issue is really not an issue. There just needs to be some clarification and getting an understanding of what that means. So, as far as the last issue and -- and as staff pointed out, condition 3-B, fencing along Ten Mile Creek itself. As you recall my presentation on the 1st of December, we do have fencing along the west side

of the pathway that runs -- a multi-use pathway that will run along Ten Mile Creek. We do not propose fencing along -- between the pathway and the creek or drain itself. That's also consistent with the development directly to the north of us on East Lake Hazel Road. They do have an open style fencing on the rear property lines. There is no fencing between the pathway and the drain itself. So, we are consistent with what the city has required of other developments and with -- you know, with the pathway plan requirements as far as pathway placement is concerned along natural flowing creeks and drains. And with that I am happy to be here. I'm happy to bring this back to you and have -- have a discussion and, hopefully, we can -- we can resolve your concerns and that you will -- we can get your approval on this project and with that I will stand for any questions. Thanks.

Simison: Thank you, Jay. Council, any questions for the applicant?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Thank you, Mr. Gibbons. I -- we have toyed many times with creating some type of a cutoff for application materials for this reason. City Council Members usually work a full-time job in addition to their duties here. I did not see your letter that was posted today. So, if you wouldn't mind giving me an overview of what you are proposing specifically -- I have just been skimming it now, but do you want to give me a flavor, please, for what you are proposing to mitigate the concerns regarding fire access that would be appreciated.

Gibbons: Council Woman Strader, Mr. Mayor, this -- so, one of the -- one of the issues, of course, with the overall development is that we only have one access to Lake Hazel Road. In phase one we are proposing a connection to the multi-use greenbelt path there off of the east-west road that -- on the ring road that -- that will connect and provide a temporary secondary access. Long term we have a bridge that will connect to the east to Poiema Subdivision, which was approved by Council on August 25th of last year and it does -- we -- we did coordinate with that property owner and the applicant team to coordinate that exact location. Their roadway system connects up to Lake Hazel Road that provide secondary access from Poiema through Pura Vida Ridge Ranch to -- to Lake Hazel on -- to benefit them, as well as, vice versa, it benefits us. But the road itself it could -- you know, that's projected to be built in phase two, the -- the bridge over the creek. If -- if we -- you know, if the Council feels it prudent to allow or require that bridge and that roadway extension to be built through Poiema to East Lake Hazel to provide secondary access prior to phase two, we can -- you know, we are -- my ownership group is certainly willing to do that. But I think your overall concern is -- is your concern that our development is going to progress faster than the city's priority -- priorities for building a new fire station and so that's basically we -- you know, we are kind of proposing some options there, but we are -- we are confident the city processes are going to provide that buffer that -- that you are really looking for, not necessarily a hard and fast line in the sand as far as development timing or, you know, years -- how in the future that, you know, nobody knows what the economy is going to hold or the housing market itself. So, I'm pretty -- pretty comfortable in that confidence. We want to be part of your process and,

then, of course, secondly, as I -- as I said, the school enrollment and overcrowding issue that the Council felt was important was -- you know, we did talk to West Ada and -- and the caps on -- on enrollment at Hillsdale Elementary were explained to us and -- and the purpose behind them and that they stated that, you know, those caps are in place for really for -- for potential student enrollment outside of their district boundary to -- or Pura Vida Ridge Ranch is currently within their -- their boundary and -- and so they have room for -- for any potential students that we generate and that was -- that was the gist of what that letter spoke to. Did I answered your question or --

Strader: Thank you. Mr. Mayor, I may have some follow up for staff at a later time.

Simison: Okay. Thank you. Council, anyone else have questions for the applicant?

Hoaglund: Mr. Mayor?

Perreault: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Mr. Mayor, the -- the bridge to the church property -- that church property have they started development? Can you give me the status of the property there to the east, the church property, and, then, the status of the property that's to the south that you show as a future connection to South Eagle Road. Where do they stand in their development plans?

Gibbons: Mr. Mayor, Councilman Hoaglund, so, of course, Poiema Subdivision was approved in August of last year. I haven't spoken to them recently, but I'm pretty sure they are -- you know, they are moving forward with -- A, they got -- they got their CU approved for the church itself, plus the subdivision. They have got to work on the final plat on -- on that, but I'm not certain what their time frame is. What we are willing to do is -- is, of course, the bridge is fully within our property and we are on the hook for building that entirely. It's the connection up to Lake Hazel Road that we are willing to work with them to make sure that if their development has not progressed to the state -- to the -- to the point where they are ready to build those -- those -- those roads and -- that road and the connecting road to Lake Hazel, that we are willing to approve that route to a gravel road that -- that will meet the Fire Department's specifications and guidelines until they actually go in and pave the road. And with regard to the development to the south -- in the time that we have been working with the city to get our application to this point, that property has been under two separate ownerships and development applications submitted to the city and both have been withdrawn before they actually get to Planning and Zoning. So, I know that it's -- I know the developer, the current owner and -- and I'm pretty sure they are working on plans for the -- for the next go round, but, like I said, it's been in -- it's been in the works and, then, it's gone away twice on us. But, you know, we have coordinated that -- that access point and we will -- we will meet and continue to work with whoever comes through with an application and make sure that, you know, we -- we

connect to them, because they are going to need a connection to us on the south part of the rim on their -- on their west -- northwest -- or northeast property line as well, so --

Hoaglund: Thank you, Jay.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you. Mr. Gibbons, so in the four years that I have been doing this I'm not sure I have ever read a proposal where some of the fire mitigation efforts are going to be the responsibility of a homeowner's association and potentially the homeowners themselves and so I'm just curious how -- and I read through as much of that document as I possibly could, which talks about what -- you know, what the mitigation efforts will be on the individual properties and I just have a lot of concerns about -- and that's sort of the ideal situation, but if -- if the HOA doesn't do a great job of explaining to an individual owner that they can't, you know, change around their landscaping, you know, they can't -- they can't cut down landscaping that's intended to be fire mitigation, you know, parts -- parts of the mitigation -- trying to think of the word. Anyway, I think you get where I'm going with this. So, I just have a lot of concerns that even with the best intentions homeowners associations, even with a great property management company, are still run by neighbors that probably don't, for the most part, have experience in how that's supposed to work and so can you communicate to us what efforts would be taken and required by the HOA and the homeowners to make sure that that stays the way that it's ideally written in the document you have provided to us?

Gibbons: Mr. Mayor, Council Person Perreault, so I know that it's -- fire mitigation plans in Meridian are a new thing and the city's working towards that and we have worked with -- you know, extensively with -- with the fire chief to get to this point. Ada county itself, as well as the city of Boise, have fire mitigation issues in their foothills and in their hillside areas and have plans in place. So, it's not new to them. But in our instance, yes, it's on a homeowner's association to enforce the issues and to provide the maintenance itself. However, in the instance of -- the way this works currently is, really, the landscape that is -- that is -- that is shown on the overall landscape plan and all of our product is -- is -- you know, it might have a three foot setback on the -- on the sides that kind of abut the common lot, the purpose of the fire mitigation plans is the slope itself, it's not going to -- it's not going to impact 98 percent of the homes or residents on this -- on this development project. It will only affect the ones that -- that specifically butt up against the toe of the slope. However, we have provided defensible space for them with irrigated -- you know, a strip of irrigated, low maintenance lawn, that's on the -- on the southeast -- or southwest side of the sidewalk that runs all the way along there. So, there is a green buffer that separates them from -- from the homes adequately in that regard and -- and all the landscape around the homes is -- is actually pretty much all maintained by the homeowner association -- association as it is. These aren't large lots. The lots are -- are designated. They basically fit the homes and very little else. So, there is -- there is very little for the homeowner to actually have to maintain. It's the homeowner association that they will be

a part of, but it's -- it's in their best interest to -- to, you know, be a part of that and make sure that everybody stays safe. You have got to -- oh, you have got 15 -- what, 15 lots up on the -- on the rim that fire moves uphill faster. I think that's the way that -- that goes. The backs of those lots are required to have a defensible space, which means those lots will have an irrigated lawn and landscape, basically, that separates that back natural area to their house. They may have their own defensible space in place there and they will be maintaining that in perpetuity, but it's not a matter of who is going to cut down things in the common areas, because that's mostly what is -- provides the protection to 98 percent of the residents themselves. Did I help with that?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Yeah. That helps to -- to greater explain -- that helps to greater explain it. I -- I just -- I guess where -- more where I was going with that is that, you know, as a -- as a real estate broker, you know, I encourage my individual clients to read the CC&Rs at length, be very familiar with them, understand what their obligations are and understand what the homeowners association obligations are and I would say a majority of the time they -- they don't and the HOA in many circumstances doesn't even understand their own obligation or appropriately explain it to their property management companies and whatnot. So, I guess that's kind of where I was going with it in terms of -- to me it's a little bit risky to -- to have any fire mitigation be dependent on an HOA or -- or property managers at all. Of course, any individual person who owns their own home, you know, in any location has to have some involvement in making sure their home doesn't burn down, but when we have extra risk in a situation like this, I know there isn't anything that's foolproof per se, but I would guess that the average person is not -- is just going to -- you know, their -- their first response is going to be to call the fire department, not to -- not to have tried to figure out whether or not they or the HOA has taken responsibility in the mitigation. So, yeah, I just -- that's the -- that's the one thing that has me -- has me a little bit nervous. Now, you had mentioned that this is happening in other areas of the valley and it is. I know that to be the case in -- in the foothills in Boise. But one thing that would help me is to -- or maybe this is more of a recommendation to you and not a question to you, it's just I would highly encourage you, if this application gets approved, to have something that a homeowner and a homeowner's association and the homeowners themselves have to actually physically sign and have a disclosure of compliance for that, because, you know, I most certainly don't want my property to be dependent on whether or not my neighbor is able to take care of their -- their own responsibilities with fire mitigation.

Gibbons: Mr. Mayor, Council Person Perreault, I -- I agree entirely. I think that there is going to have to be, you know, an education process as -- as new homeowners come on board. When the homeowner's -- homeowner's association is formed they are going to have to get up to speed and understand what the responsibilities of the development are and -- and, then, turn that around and also educate their -- their fellow residents and

community members on, you know, what's entailed, what to watch out for, who is going to do what and, you know, make sure everybody understands and is on the same page.

Bongiorno: Mr. Mayor?

Simison: Deputy Chief.

Bongiorno: I was going to go ahead and jump in. Jay beat me to it though. The big word is education. So, I think with this particular project education for the HOA is going to be critical. So, that -- that is something that the Fire Department is going to take some responsibility in as well to make sure that the fire -- that the plan is being met, because, you know, after a long winter and we have that growing season -- spring, you know, we want to make sure that the -- the hillside is maintained to keep the fire risk down. You know, we can't one hundred percent control it without like concreting the whole hillside, which isn't -- isn't doable. But in that mitigation plan it talks about, you know, keeping vegetation to a certain height and -- and keeping it maintained and once the HOA understands that and, you know, Jay mentioned the 13 lots up at the top of the hill, that's really my area where I'm most concerned is because of -- you know, I was on the fire in Boise and I saw what happened to all those houses up on the top of the hill and they had been trying to get them to clean the area below them and -- and we saw -- all saw what happened that -- that summer day. So, you know, the -- the -- the clear spaces behind those houses up at the top of the hill is going to be critical. So, if they are buying land up there, I think they would also need to know, hey, don't throw your grass clippings over the fence, because you have the potential of causing bigger problems. So, it's education. I think Jay hit it right on the head and that's something that they will do as a developer with their HOA and something that we will swing by, take a look at it, and if something doesn't look right we will contact the HOA and we will educate them to make sure that everybody's safe in this particular area. I did have -- Jerry McAdams -- Captain McAdams from Boise Fire Department, who is the WUI expert for Boise, look at this plan. He thought it was very well written and he was satisfied with the way it was presented with the first draft. So, I -- I have read through this draft also and am happy with it as well. So, I think it's -- it's very doable. It -- it's very thought out and I think for our first go -- I appreciate Jay working with me as this was our first WUI project that we have had to deal with and he -- he made it really simple for me.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Thank you very much, Deputy Chief. I'm going to push on you a little bit. Are we ready, do you think as a city, to develop in these -- like Wildland Urban Interface areas? Do we have the same types of policies and programs that another city like Boise has already? Are there gaps that we need to take a look at? And I guess I'm -- I'm keying in on the staff report. Part of my concern wasn't just response time, it's the comment that, you know, fire staff is very concerned and so I just want to understand if -- if we are ready and we are at a phase as a city where we are ready to develop in these areas.

Bongiorno: So, Mr. Mayor and Council Woman Strader, I think, again, as -- as we have talked about in the past -- and I can pull up the maps and kind of show you what -- what we are dealing with as far as response times and stuff go. As far as WUI goes, there are very few WUI areas in Meridian. We are pretty flat in the city. We do have some hills here and there and it just so happens that this is one of those areas. So, this -- this was the first one. It is -- it is a relatively small hillside compared to some of the other stuff that's around. The prop -- the property to the south that Jay had talked about, they also will have to have a very similar plan, because this hillside continues into that next project. So, that project will also be required to have a WUI plan as well. But once we get out past this point we are pretty flat. We may have some stuff over on the west side of -- of Meridian Road where we will be looking at WUI stuff again, but as far as our city goes we -- we are pretty flat and I think we are okay with developing in a WUI area with these plans. You know, like I said, I have had Boise fire, their expert look at it and he -- and he thought it was completely appropriate for the project that -- that I presented to him. So, I think the -- the better question is are we ready to develop in this area and -- and that's why I said, I can -- I would be more than happy to pull up the maps again if we want to look at the green slime colored map.

Strader: Mr. Mayor, maybe another follow up from a different perspective.

Simison: Council Woman Strader.

Strader: You know, part of I think what the applicant is trying to say is the city is going to have times in our process and approvals where we are going to have the ability to help control, you know, additional approvals with the phasing and so forth. Maybe a question for both the Fire Department and the Planning staff -- is that true? At what point will we have the ability to put the brakes on something if we feel like we don't have the right access, we don't feel like we have an adequate fire response time, do we, in fact, have any control at those later phases?

Bongiorno: So, Mr. Mayor, Council Woman Strader, I think you -- we have denied projects in the past and I know we have had one of them that was -- I think it was on Locust Grove where the access was poor. It was just poor access period and I believe that was part of the reason for denial of that particular project. This particular project, you know, we worked with the developer, phase one I was one hundred percent comfortable with them developing phase one. The bulk of it falls within our five minute response time and, then, once they got -- if they wanted to develop phase two, that's when they needed that bridge built across the -- the canal to give us another access point that -- just because the way this property is, you know, it's long skinny, so we -- that -- meaning the half the diagonal rule for access points was a little trickier and so Jay worked with the people next door to get that -- with Poiema to get that bridge built that gives us -- now we have two access points that are far -- way farther apart that will definitely help. So, I don't know if I answered your question or not, but I -- I did a lot of talk in there.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: It sort of helps. I mean ideally -- but -- okay. So, let's say that somehow phase one and phase two got approved, but not additional phases without a subsequent approval. I'm not saying we would do that, but let's say that that's how this played out. Let's now compare that to -- if the whole project gets approved and they build the access for phase two, are you concerned at all if there is not an additional fire station in the area or additional access that the rest of the phases would be completed? Do we have any control at that point where we could say, no, we are not going to provide a further approval of an additional phase?

Bongiorno: So, Mr. Mayor and Council Woman Strader, I -- again, all I can do is make recommendations. You know, you -- you build it we will come. We will be there. The question will be how long is it going to take us to get there is really the biggest -- the biggest question. You know, I have raised my -- we have -- the concerns were in my report with this particular project. Part of it -- only part of it falls within that five minute responsive goal that we like to try and meet and, then, the other problem we have with Station Four, which is the reliability rating is down with that station, because they are very busy. The other problem is Station 14 in Boise, which is the next one, they also have a very low reliability rating. It's exactly the same reliability rating as Station Four. So -- let me see if I can pull up this map. I'm not sure who is running the ship tonight, if it's the clerk or --

Simison: Deputy Chief? Deputy Chief, before you -- Mr. Nary, could you perhaps respond to Council Woman Strader's question, because I think it's a pretty simple direct question for you.

Nary: Yes. Mr. Mayor, Members of Council, Council Member Perreault, so what I understood Jay to be requesting is that the city would not approve any permits for phases two or three until the bridge and the fire access is -- is approved by the Meridian Fire Department. So, phase two and three can't be -- can't get a building permit until the road has fire approval for access. Stage four -- or phase four can't -- can't receive building permits until the project below it is built, because that also requires a separate access point. So, those are the -- those would be the conditions in the development agreement that we would have. So, that would be the control, that there wouldn't be any additional permitting allowed until those were accessible that way. So, if that hopefully answers your question.

Strader: Yes. Thank you.

Bongiorno: So, Mr. Mayor and Council Woman Strader, kind of continuing on. So, if you see my map here, the -- the area we are looking at is right here and you can see we have, you know, Fire Station Six is right over here. You have Four, 14 and 17, and, then, way over here on Linder you have Kuna's fire station down here in the bottom corner. So, we have this giant no man's land where we just don't have coverage. Yes, Station Four can get there to the corner of it in -- in that five minute response time as we see in this map,

so here is -- here is Jay's project right here and here is Poiema and, then, here is the project to the north -- or to the south. But, again, there is no fire stations out there. If -- if we were to get the fire station out on Lake Hazel built that solves a lot of problems for this particular area. The other one is this project out here that was approved a couple months ago that barely touches, again, each corner of it, but we are developing this whole area and this whole area that's outside of our five minute response time as well. So, once that station on Lake Hazel gets built, then, this whole area I believe will turn green and I think they had put a -- yeah, they did. So, that's what it would look like if we built that fire station on Lake Hazel. So, it's quite -- quite a -- quite a difference.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: And, Deputy Chief, does having the bridge built make a material difference in your mind in terms of the safety factor? Maybe it's still outside of five minutes, but it's -- I mean how do you judge that -- that additional element?

Bongiorno: So, what -- what we are looking for there is if, for example, there is a major accident right here at this intersection, someone comes out and there is a T-bone accident and let's say that this particular intersection is now closed off. That -- that was -- you know, other than this -- we have this emergency access right over here by the canal that we can utilize, but the main -- the main goal is we -- we would like to have two separate accesses to more than 30 lots. So, for this particular lot it's, obviously, very large, so if something were -- I always use the plane crash scenario. If the plane was to crash right here we would have no way to help grandma who might be having a heart attack in this subdivision. Once they build this bridge across, now that gives us access over here where we can -- we have two points that are, you know, basically a quarter of a mile apart that we can get into this thing. Is it really a fire thing? Probably not so much. Could it be a police issue as well? And I think Chief Lavey spoke to this last time we discussed access. That would be more -- probably more realistic, because if you have someone sitting at this corner with a long gun, police can't get in here. They have to -- they would have to come all the way around and come in and access it from the backside. So, it's -- it's really a -- the access part of it is a safety thing. So, for this particular area for phase one -- and I don't know if Sonya wants to bring that phasing map back up. It might -- it's a better map than what I have. I'm comfortable with phase one, because we have access. It's doable. But, again, they can't do phase two and beyond without that bridge.

Strader: Thank you.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: Mr. Mayor, to follow up on that, Deputy Chief, in phase two it would be approved if the bridge is built and you have access. What about phase three? If it's just the bridge,

they have the main entrance, they have the bridge, but phase three they are planning a stub street to the south. Does that stub street need to be completed before phase three could be built?

Bongiorno: What -- Mr. Mayor, Councilman Hoaglund, as I understand it that stub street goes to a dead end anyway. I don't think it goes anywhere at this point. I would like it to connect to the property to the south to give them another access to the -- to the north. We have discussed that, but the previous applicants that have since withdrawn, haven't entertained that idea.

Hoaglund: Mr. Mayor, follow up?

Simison: Councilman Hoaglund.

Hoaglund: So, my question is -- Deputy Chief, is with the bridge phase three can move forward or it would not move forward with just the bridge?

Bongiorno: No. We are -- I was -- sorry. Mr. Mayor, Councilman Hoaglund, I am okay with phase three being built with the bridge.

Hoaglund: Okay. Thank you.

Bongiorno: Yes.

Simison: Council, any additional questions for the applicant? Okay. This is a public hearing. Mr. Clerk, do we have anyone signed up to testify on this item?

Johnson: Mr. Mayor, we do. We have three people signed up. The first is Jenny Johnson and I just brought her in as a panelist.

Simison: Okay. If you could state your name and address for the record, you will be recognized for three minutes.

Johnson: Mr. Mayor, it may have been a time that she was transferring over she didn't hear, but Jenny Johnson.

Simison: You can unmute yourself. It looks like you can bring her back in.

Johnson: It looks like she is completely gone, but I will watch for her, but we do have Justin Griffin.

Simison: Okay. So, if you can state your name and address. It looks like you are muted. Unmute yourself and state your name and address for the record.

Griffin: All right. Can you hear me?

Simison: Yes.

Griffin: Great. I'm Justin Griffin. My address is 2988 South Slate Creek Way in Meridian. And so I want to just -- I have owned this property for nearly -- I think 17 or 18 years. This has been my dream property. If you have ever been to this area, I believe south of the freeway this is the greatest property south of the freeway. Amazing views of the foothills. I raised my children. We always called this the farm. We have had cattle. As my kids -- I have been here for 20 years in Meridian and I think of Dairy Days. We had the only small dairy, really, in Meridian and so my kids have been able to raise cows here and this is a special property to me and initially I was going to build my dream home up on the rim, but the change -- planning and zoning changed. It went from the low density to R-15 and it kind of squashed our dreams. I have raised my kids here as of two days ago and now an empty nester. So, my life has changed. I have spent -- we spent years trying to develop this to help this. This is a legacy project for me. I'm not a developer. I have -- this is my dream. If you create a place for family -- or for -- for my -- for myself as a person who is an empty nester, we have got the golf course to one side. Jenny is our marketer. She has had -- she just texted me having a hard time getting on. But these townhomes are set up for -- really for people that are empty nesters. For young millennials. This is really what this is set for and so I believe we have created a great project, but every time we have had a change -- initially it was -- we are going to come in with lower density, but the city said they wanted us to come back and do a higher density and we did that. We have done everything we could to make this a great project. We feel like we have created something special here, something I'm proud of, and this is where -- now I want to move back to -- I want to live. I'm an old duffer that would like to go golfing, walk over to the golf course from our property. There is -- it's a great location. It's unique to Meridian. This is one of the only places that has got hillsides. That's one of the reasons we have the hillside is because the -- the South Rim Coalition wanted to maintain open space and so we want to create that. So, we created walkways. We have got walkways along the hillside, along the creek, and great views. I really believe that we have tried to do everything we can. We have worked on this for a couple of years with staff. This is a great project. I hope that you see that it's a great project and we have worked really hard with this and, yeah, if you have questions for me I'm more than happy to answer them, but this is the something that's very important to me and I feel like we have done everything we could to make this a great project for the City of Meridian and make it a better place.

Simison: All right. Thank you very much. Council, any questions? Excellent. Thank you very much.

Johnson: Mr. Mayor, Ms. Johnson is back. She should be able to unmute herself now.

J.Johnson: Is it working now?

Simison: It is. If you can state your name and address for the record.

J.Johnson: So, in the Treasure Valley I have sold more than 300 townhomes and with the townhomes primarily -- yeah. I mean they are being sold to, you know, young professionals or older generation, you know, for -- that are downsizing for, you know, the savings that they have for the utility costs and everything. So, I just wanted to just state what I have seen and what -- what -- you know, we have been selling. Also the price points of these townhomes are going to be about 420 -- you know, 425 to 450 thousand or the median, you know, single family home right now the purchase price is around 394,000. So, I just wanted to state a few -- you know, my -- what I have been seeing in the valley as far as townhomes versus single family homes, because I know that we are -- we are concerned with the schools and overcrowding the schools.

Simison: Thank you. Can you just state your name and address for the record, please?

J.Johnson: Jenny Johnson. And my address is 534 West Tall Prairie Drive, Meridian, Idaho.

Simison: Thank you. Council, any questions? Okay. Thank you very much.

Johnson: Mr. Mayor, next is Audrey D'Orazio.

Simison: Okay. If you can unmute yourself and state your name and address for the record.

D'Orazio: Can you hear me?

Simison: Yes, we can.

D'Orazio: Okay. My name is Audrey D'Orazio. My address is 4450 West Saddle Ridge Drive, Nampa, Idaho. 83687. And Justin Griffin and I are partners in this property and we have owned it for about 17 years now and I just kind of want to reiterate what Justin has said and I'm -- I'm also a mortgage lender and have been for 25 years here in Meridian and so I do see the demand of what we need, but when Justin and I bought this property we bought it because we wanted to raise our families here and it was zoned two units per acre and, unfortunately, after the crash they changed the zoning on us and they made -- made it medium to high density. So, it did crush our dreams. We couldn't build our dream homes on top of the hill anymore and raise our children and, then, after the crash it just wasn't, obviously, feasible for us to do anything with the property, so we just kind of sat on it. But through the years, you know, we have met with the city over and over again to try to get what would be in the best interest of the -- of the city. So, for the ten years that we even thought about doing something with the property, besides living up there, any development, is trying to get the views of the city on what they wanted. We -- they -- when they changed it to medium high density, like Justin told you, we did take a plan to them a few years ago and they -- what we were told by the city is that they wanted even more homes up there. So, Justin and I have worked really hard put a lot of our own money into this project to try to get the best project to leave a legacy, you know, for our families and say, hey, we -- we did do this. We wanted something with really quality that

would -- that would fit the demand of this city and people that are moving in here and also to be, you know, not a cookie cutter and just something that would be a premier place for people to live, but also do the medium to high density. I wanted to make a point that we are only developing about 60 percent of the whole property that we own and we also wanted to leave some of the nature there. We wanted to leave the canal the way it is. We wanted to leave the grassy area on the foothills and not cut into it like was suggested before to get more homes on there to meet the medium to high density. So, we are on the lower end of the medium to high density to try to fit into the plan -- the comp plan that Meridian developed ten years ago and what we were also told is they wanted to have medium to high density on Lake Hazel and Eagle Road, because Lake Hazel is going to be a four lane highway from the freeway all the way to Nampa and so it's going to be a major arterial and that Meridian Road they wanted it to be the next Eagle Road and so they wanted medium to high density where our subdivision is, so everyone there can service Meridian Road from Victory all the way on to Kuna. So --

Simison: if you can conclude your testimony, please.

D'Orazio: I'm sorry. What?

Simison: If you could conclude your testimony, please.

D'Orazio: Oh, yes. And the last thing I just wanted to mention is that I know it was brought up that there was a lot of services around there and there are -- Meridian's really building up. There is a lot of new schools. There is a lot of places to eat. A lot of YMCAs. There is the golf course. We built a greenbelt all around the subdivision. So, you know, Justin and I we do want a quality project and we tried to work with the city and we are trying to hand you guys everything that you would want to get this approved.

Simison: Thank you. Council, any questions? Okay. Thank you very much. Mr. Clerk, do we have anybody else?

Johnson: Mr. Mayor, that was the last person signed up. There is -- there are two additional people on, including your chief financial officer. I don't know if they want to weigh in or not.

Simison: Okay. If there is anybody else who would like to provide testimony on the item, please, raise your hand and we can bring you in. Okay. Seeing no one raising their hand -- oh, there we go. It looks like we have Michael, who has raised his hand to testify. If you can state your name and address for the record, please, and you will be recognized for three minutes. And you will need to unmute yourself. There you go.

Rodriguez: 4470 East Columbia Road, Meridian. I just want to speak on a couple issues that were requested, schools and the five minute fire response time. We are definitely willing to go ahead and put the second road in on phase number two over the bridge. We can do that initially. We spoke with Joe Bongiorno about that and make it an easier access in the event different criteria that could arise. Also for schools -- two schools that we were

aware of that had the caps that were Hunter and Hillsdale. Hunter that's not in our district. That's on the west side of Cloverdale. Hillsdale is, however, and spoke both with Kammi Nelson at West Ada and Diana Castillo at Hillsdale itself. Both reiterated that the caps only apply to people outside of the district trying to come in and if there was an issue inside of the district -- let's say for some reason the project had to turn to family -- assisting family, rather than mobile professionals, which it's being built for, they said that they would have alternatives already in place, like Silver Sage to buffer some of the concerns that you had.

Simison: All right. Thank you. Michael, we didn't get your last name. If you can, please, say it for the record.

Rodriguez: Yeah. It's Michael Rodriguez.

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

Strader: Mr. Mayor?

Simison: Yeah. Council Woman Strader.

Strader: Thank you, sir. Did -- did they tell you that Hillsdale has capacity under their cap? I understand that all the district's boundaries may be redrawn, but what kind of capacity is currently there?

Rodriguez: Yes. She said they did put a temporary cap on it. They will on the 12th is when they are going to actually go over some of the boundaries and rewrite or adjust, whichever they are going to do. She said, though, they do have the capacity at this point right now for anything -- anything that's built within the district they are okay. It's specifically for people wanting to go -- that are outside of the district wanting to go in there.

Strader: Thank you.

Rodriguez: Yep.

Simison: All right. I think that's everyone who is -- wished to provide testimony on this item, so I will turn it over to Mr. Gibbons for any closing remarks. Recognized for ten minutes.

Gibbons: Thank you, Mr. Mayor and Council Persons. I really don't have much to follow up on. You heard from a lot of folks in support of the project and I appreciate everybody's input and the work that the city staff itself has put into this project and working with us over the past year or more to get to where we are today and with that I -- I hope that, you know, we have satisfied your concerns and issues that existed before are lesser and that we have a good project and that you will be on board with approval and I appreciate being here. Thank you.

Simison: Okay. Thank you very much. Council, I will turn it over to you for any discussion or initial comments. Or motions.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Yeah. Just a few thoughts I will throw out there. I appreciate the -- the further review of this -- this application as we work with our school district and caps and boundaries and the changes that are hopefully forthcoming and also our need for additional fire coverage in that area. I think one of the things that we have to look at, you know, we have -- we have -- we have approved some developments out there that are -- that are outside that fire response time and I think there is definitely a need for that fire station in south Meridian, which I think we are all aware and we will be dealing with in the budget session for two fire stations, one in north, one in south and how that might work and how it looks. But for this particular development we already approved Poiema just to the east and having that bridge would certainly help them and -- and this development to provide that access and without that access they cannot move to phase two. So, I think the Fire Department is -- has done a good job of not approving items when they don't fit, when they aren't progressing as they are supposed to. You don't just give in, but they make sure that there is adequate access before a phase can move forward. So, I'm -- I'm comfortable with that of having them give that approval and that will determine whether there is a phase two and three based on -- on that bridge. So, it's -- it's a unique property. It's I think going to be one of the more difficult ones to develop because of the shape of it and so having -- having something that's a good quality in there is -- is important and I know there is concern with -- with the -- the hill there. It isn't a huge hill if my memory serves me right. I have been out there quite a while ago, but -- and I think a wildfire plan -- safety plan that's in place will help and it's -- everyone is responsible. If you have a cabin up in the mountains or a house in the foothills, you -- you have to pay attention to that stuff and I think you have a lot -- if you own a house there or any of those other places you have a lot invested. So, I think you would want to fire -- a wildfire safety plan for your property and keep what you have and I think our department can handle the situation out there as long as the access is in place. So, I don't have any -- any issues with that and I certainly don't have a problem -- I think we covered it last time in testimony. There was a fence up against -- at the houses where the sidewalks were and everything and I think in our discussions back then -- my recollection is -- and correct me if I'm wrong -- was that not -- there would not be a need for a fence between the pathway and the creek, because there was that fence from the units to the pathway. So, that was my recollection.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Well, just to be forthcoming, I'm still struggling. I'm struggling with the fire response time. I know it touches -- I know phase one is in there. I think we hit in a gray area with phase two. I worry about phase three. I really worry that -- that access helps,

but what if we haven't built that other fire station yet and I just -- it's not the same as just response time, it's the reliability factor. It's hearing that the Fire Department's very concerned about wildfire risk and I think that the plan is extremely helpful. It's hard, because I feel like I want to approve this because I love the project. I love how it looks. I think it would be fantastic. I love the quality of it. I just -- I worry about approving something too far ahead of time. If we are just not ready to provide the level of service from a safety perspective that we need to provide and I was hoping for some kind of a hard and fast time limit maybe on phase three or something like that. I will defer to the rest of Council on what they think about. It's a gray area. There are a lot of great things about this project, but I think for me at this point I'm a no.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Not much more to add to it. I think the presentation and information from Fire in particular has helped get me over the top. I think Councilman Hoaglund stated it very well and -- and I tend to agree with -- with that assessment that he's presented and share that support for this project.

Bernt: Mr. Mayor?

Perreault: Mr. Mayor?

Bernt: Go ahead, Jessica.

Simison: Council Woman Perreault.

Perreault: This is a tough one. The first time we heard this I -- I had that -- you know, had that internal struggle and I -- I appreciate the additional information and the length that the applicant has gone to to resolve the concerns that we have. I know it is exceptionally hard work to do that and some of it has given more clarity. Some of it has answered questions for me. I trust our Fire Department and their assessment -- assessment of things, but I also still do have that -- that hesitation. Like I said, more along the lines of just -- if -- so -- and forgive me as I stumble over my words most likely, because I'm still working this out in my own thoughts. But if we were to have a project like this that was -- that -- where -- where we have to have a wild fire area plan, but it was not also outside of our five minute response time, then, I might have some more comfort and I don't know that that even exists in Meridian, actually, because any -- any sort of venture foothill area tends to be on the perimeter of the city. But that's where the struggle is for me is -- I see the -- I guess the wildfire response plan as separate from our five minute response time, but also not -- you know, they are -- they are -- they -- they work together, but they are also separate and so having both of those concerns is -- is where I think I'm -- I'm struggling with. Also concerns over the -- the schools as I'm sure the -- that Mr. Gibbons probably knows that numerous conversations with the district. We have had public meetings. We have -- we have consistently received different information from the

district, from the public, from the parents, from the developers, who all have had conversations with different members of the school district and it seems like the -- the information we get is -- is different nearly every time. So, unless something has recently changed I am aware that they will be looking at redrawing some of the lines. I am aware that students have gotten into Hillsdale that were not able to get in prior because of other students that have left because of COVID, that are homeschooling or that are -- you know, doing school online and so I know there have been some changes to that. But for us -- or for me I should say -- I can't speak for my fellow Council Members. It's not just about this next enrollment year, there is an anticipation that the -- that COVID will be resolved to the extent that our students are going to be back in the classroom and how is that, then, going to change enrollment numbers in 2022 school year. So, there is kind of all those questions that I know the applicant doesn't have a crystal ball and they are not able to answer those, but we -- but it's -- you know, we are -- we have the obligation to -- to sort of look into the future to the extent that we are able. I mean that's essentially what -- what we are supposed to do, not only with our Comprehensive Plan, but as elected officials and so this -- this -- I don't -- I'm saying all of this because I can't say for sure that there is something that the applicant has not done or has not answered for us. I don't know that there is anything else that you can answer for us. You have done absolutely everything you possibly can and so at this point I am -- I kind of hold off, because I wanted to hear what other Council Members have to say. I'm leaning in the direction along with Council Woman Strader, that I just -- I'm feeling a little bit like there is a lot of square pegs and round holes. I'm very curious to see what Council President Bernt has to say and -- and still going to think about this here for a few more minutes.

Bernt: Mr. -- Mr. Mayor?

Simison: Councilman Bernt.

Bernt: Ms. Perreault, I hope you are not expecting anything over the top. I don't have a ton to say, to be honest with you. I might -- my thoughts haven't changed from their original presentation. I think this is a good project. It's a unique project. I'm familiar with other projects that look a lot like this in other areas of our valley that promote a lot of different activities and I like the diversity in that -- in the -- in the housing that this project offers. I don't discount the concerns that my fellow Council Members have in regard to fire response. I have thoughts in regard to that. I don't know if this is the appropriate time to discuss that. Maybe we should save that conversation for -- for another workshop, but -- and I agree with Councilman Hoaglund and what he originally said and Councilman Borton, so I'm in -- I'm in favor of this project as it stands.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I would move that we close the public hearing on File Number H-2020-0064.

Bernt: Second.

Simison: I have a motion and a second to close the public hearing. Is there any discussion on the motion? 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: I do appreciate, as Councilman Bernt has stated, the views of everybody here on Council and the struggle we have. I certainly can see the understanding of how this development -- I will characterize it as a bridge too far. It's one of those things that you see it differently and that -- that's certainly fine. There is valid reasons for it and I think that's -- that's why we all get along so well, because we don't always see eye to eye on things, but we agree to disagree without any rancor. So, Mr. Mayor, I would move to approve file number H-2020-0064 has presented in the staff report for the hearing date of January 5th, 2021, with the deletion of condition number 3-D and not require fencing between the pathway and the creek.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I would like to take the opportunity to second Councilman Hoaglund's motion.

Simison: I have a motion and a second. Is there any discussion on the motion?

Nary: Mr. Mayor?

Simison: Mr. Nary.

Nary: Mr. Mayor, Members of the Council, Council Member Hoaglund, would you include in that -- or are you considering also that the condition that the phases two and three can't issue building permits until the secondary access on the bridge and fire access be approved by the Meridian Fire Department?

Hoaglund: Mr. Mayor, Mr. Nary, yes, I thought that was in the Fire Department letter, but if I need to make that clear, that is certainly part of my motion, that they would have that ability -- that would not do any approvals until that -- or phases two and three until that bridge is in per their recommendation.

Nary: Thank you.

Simison: Second concur?

Bernt: Second concurs. Yes.

Simison: Second concurs. Is there further discussion on the motion?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Just to comment that I share my respect for my colleagues and, you know, while I will vote no because of the reasons I outlined, I'm -- I'm still excited for our city to have this project. Just was too far for me, but I respect where you guys are coming from.

Simison: Well -- and -- and while I didn't speak much on this one, I will say at least from my personal perspective the school district is taking affirmative actions to try to adjust the numbers of enrollment within the schools that will hopefully allow growth to continue to occur throughout the community in a reasonable fashion and they plan to do that on a yearly basis. So, I feel -- I have -- I have some confidence that I have not seen previously that, you know, the enrollment issues will not be as big, so long as there remains enough capacity district wide to address them and, then, secondarily, you know, per the CFP that we will discuss next week, you do have a plan where worst case scenario fire service hopefully by 2025 in this location, which would coincide with -- even if you did a year out for each phase would put that -- that phase three in about 2025. But with -- with the plan that you will hopefully see and agree to and could have in 2023 that would provide the coverage as early as phase two for this type of a project. But just my two cents for your consideration before you vote and with that ask the Clerk to call the roll.

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

Simison: Four ayes. One no. Motion passes.

MOTION CARRIED: FOUR AYES. ONE NAY. ONE ABSENT.

ORDINANCES [Action Item]

- 3. Ordinance No. 20-1911: An Ordinance (H-2020-0006 – Teakwood Place Subdivision) for Annexation of a Parcel of Land Located in the NW ¼ of the NW¼ of Section 29, 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 7.35 Acres of Land from RUT to R-8 (Medium Density Residential) 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 to the applicant and staff and Council for a lot of good deliberation this evening. With that we will move on to Ordinances. Item 3, Ordinance No. 20-1911. Ask the Clerk to read this ordinance by title.

Johnson: Thank you, Mr. Mayor. This is an ordinance related to H-2020-0006, Teakwood Place Subdivision, for annexation of a parcel of land located in the NW ¼ of the NW¼ of Section 29, 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 7.35 acres of land from RUT to R-8 (Medium Density Residential) 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? If not, do I have a motion?

Hoaglund: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I move that we approve Ordinance No. 20-1911 with suspension of rules.

Strader: Second.

Simison: I have a motion and a second to approve Ordinance No. 20-1911 under suspension of rules. Is there any discussion on the motion? If not, all in favor signify by saying aye. Opposed nay. The ayes have it. The motion is agreed to. The ordinance has passed.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

- 4. Ordinance No. 20-1912: An Ordinance (H-2020-0085 Ada County Coroner) for Rezone of a Parcel of Land Being Lot 2, Block 2 and the Adjacent Right of Way, Seyam Subdivision as Recorded in Book 108 of Plats, Ages 15674-15676, Records of Ada County, Idaho, Located in the SW ¼ of Section 9, Township 3 North, Range 1 East, Boise Meridian, Ada County, Idaho; Establishing and Determining the Land Use Zoning Classification of 1.77 Acres of Land from I-L (Light Industrial) Zoning District to C-G (General Retail And Service**

Commercial) 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: Item 4 is Ordinance No. 20-1912. Ask the clerk to read this by title.

Johnson: Thank you, Mr. Mayor. Ordinance related to H-2020-0085, Ada County Coroner for rezone of a parcel of land being Lot 2, Block 2 of the adjacent right of way, Seyam Subdivision as recorded in Book 108 of Plats, Pages 15674-15676, records of Ada county, Idaho, located in the SW ¼ of Section 9, Township 3 North, Range 1 East, Boise meridian, Ada county, Idaho; establishing and determining the land use zoning classification of 1.77 acres of land from I-L (Light Industrial) Zoning District to C-G (General Retail and Service Commercial) 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 nothing, do I have a motion?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I move that we approve Ordinance No. 20-1912 with the suspension of rules.

Strader: Second the motion.

Simison: I have a motion and a second to approve this item under suspension of the rules. Is there any discussion on the motion? If not, all those in favor signify by saying aye. Opposed nay. The ayes have it. The motion is agreed to?

MOTION CARRIED: FIVE AYES. ONE ABSENT.

FUTURE MEETING TOPICS

EXECUTIVE SESSION

5. **Per Idaho Code 74-206A(1)(a) To deliberate on a labor contract offer or to formulate a counteroffer, 74-206(1)(c) To acquire an interest in real property not owned by a public agency, and 74-206(1)(d) To consider records that are exempt from disclosure as provided in**

Chapter 1, Title 74, Idaho Code.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

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

Hoaglun: Mr. Mayor, second the motion.

Simison: I have a motion and a second to go into Executive Session. 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 and we are adjourned into Executive Session.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

EXECUTIVE SESSION: (7:38 p.m. to 8:39 p.m.)

Bernt: Move we come out of Executive Session.

Hoaglun: Second.

Simison: All those in favor?

MOTION CARRIED: FIVE AYES. ONE ABSENT.

Bernt: Move we adjourn.

Hoaglun: Second.

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

MOTION CARRIED: FIVE AYES. ONE ABSENT.

MEETING ADJOURNED AT 8:39 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)

MAYOR ROBERT SIMISON
ATTEST:

DATE APPROVED

CHRIS JOHNSON - CITY CLERK