

A Meeting of the Meridian City Council was called to order at 6:00 p.m., Tuesday, October 5, 2021, by Mayor Robert Simison.

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

Members Absent: Liz Strader.

Also present: Chris Johnson, Bill Nary, Joe Dodson, Garrett White, Berle Stokes, Joe Bongiorno and Dean Willis.

ROLL-CALL ATTENDANCE

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

Simison: Council, call the meeting to order. For the record it is October 5th, 2021. It's 6:00 o'clock p.m. We will begin this evening's regular City Council meeting with roll call attendance.

PLEDGE OF ALLEGIANCE

Simison: Next item would be the Pledge of Allegiance. Would our scout troop like to come forward and lead us in the pledge? Would that be all right?

(Pledge of Allegiance recited.)

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: Point of privilege, please.

Simison: Take it.

Bernt: You know, I absolutely love it when I -- when I see these scouts come to our City Council meeting. So, I appreciate what you guys do for our community. I appreciate the level of service that you provide and that you strive for and I appreciate all the things that you are learning. So, keep up the good work. Appreciate you.

COMMUNITY INVOCATION

Simison: Thank you, Councilman Bernt. We had no one sign up for the community invocation.

ADOPTION OF AGENDA

Simison: So, we will move on to adoption of the agenda.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: No changes to the agenda, so I move that we adopt the agenda as published.

Hoaglund: Second the motion.

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

MOTION CARRIED: FIVE AYES. ONE ABSENT.

PUBLIC FORUM – Future Meeting Topics

Simison: Mr. Clerk, did we have anybody sign up under public forum?

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

ACTION ITEMS

1. Public Hearing for Proposed 2021-2022 Meridian Parks and Recreation Adult Sports League Fees

Simison: All right. Then we will move on to Action Items for this evening. Our first item up is a public hearing for proposed 2021-2022, Meridian Parks and Recreation adult sports league fees. I will turn this over to Mr. White.

White: Mr. Mayor, Council, good evening. I'm here in front of you to talk about a couple fees that we have to increase based on our current cost recovery philosophy and to cover our hard costs for our leagues. This is for basketball that's coming up, as well as some of our volleyball leagues. Really, the hard costs that are increasing are for officials. You guys probably heard about all the officials and the shortage and stuff like that. Well, with our agreement with the SSSA official associations with basketball and volleyball, the fees have gone up for officials, so this is really just to adjust our fees to help cover those costs. So, here in the next couple weeks we will be coming forward with -- with our whole slew of fees with our Activity Guide. We just had to pull these out early, because we need to

start advertising for those basketball leagues and some of the volleyball leagues now, rather than in the next couple weeks. So, with that I will stand for questions.

Bernt: Mr. Mayor?

Simison: Thank you, Mr. White. And just for the record the public hearing was opened. I don't believe I really said that, but that was to open the public hearing. Councilman Bernt.

Bernt: Garrett, thank you. So, fees for pickleball going down?

White: Great question.

Bernt: I was just kidding. They should.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Garrett, appreciate you bringing in these. Appreciate these items so we can promote this. A suggestion might be for these and maybe when you bring the -- the rec guide, we do a good job of saying here is the fee and this is the change, the percentage or the dollar amount. Just maybe a request as you are bringing those to us. I think it's good for us to track and to be able to understand, too. I think you did a great explanation as to why fees are going up. I think it helps us understand what's necessitating an increase or a decrease.

White: So, just give us a percent -- give you like the percentage increase, decrease type of thing?

Cavener: Percentage or a dollar amount or whatever -- whatever Finance is doing I think it's been helpful for us to see when fees are going up or going down.

White: Sounds good. Thank you.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Garrett, do you ever have -- does the Parks and Rec ever have anybody call and say, hey, I would really like to be involved in this league, but I don't have the financial means to do it? And, if so, how are those questions answered?

White: Mr. Mayor, Council Woman Perreault, you know, we -- I haven't received those phone calls. We get some of those calls with our youth programs and things like that and we have the Care Enough To Share program that we help cover 80 percent of the youth,

if it's 18 -- or 17 or younger. For adults really we haven't had that come to fruition I would say, but something we probably could think about.

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

Johnson: Mr. Mayor, we did not.

Simison: Okay. Is there anybody that would like to come forward and provide testimony on this item, either in the room or online? If you are online you can use the Raise Your Hand feature at the bottom and we can bring you in for -- to provide testimony. Seeing nobody in the room and nobody online wishing to provide testimony, do I have a motion to close the public hearing?

Perreault: So moved.

Simison: I have a motion to close the public hearing. Is there a second?

Cavener: Second.

Simison: Motion and a second. Any discussion? If not, all in favor in closing the public hearing please signify by saying aye. Opposed nay. The ayes have it and the public hearing is closed.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

2. Resolution No. 21-2287: A Resolution Adopting the 2021-2022 Adult Sports League Fees of the Meridian Parks and Recreation Department; Authorizing the Meridian Parks and Recreation Department to Collect Such Fees; and Providing an Effective Date

Simison: Next item is No. 2.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I move that we approve Resolution No. 21-2287, adopting the 21-22 adult sports league fees of the Meridian Parks and Recreation Department and authorizing the Meridian Parks and Rec Department to collect such fees and providing an effective date.

Simison: I have a motion. Do I have a second?

Cavener: Second.

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

MOTION CARRIED: FIVE AYES. ONE ABSENT.

3. Public Hearing for Oaks North and Oakmore DA Modification (H-2021-0058) by Toll Southwest, LLC, Located on Over 200 Acres on the North Side of W. McMillan Rd., Between N. Black Cat Rd. and N. McDermott Rd.

- A. Request: Modification to the Existing Development Agreement (Inst. #114030972) to update the overall concept plan to include the Oakmore Subdivision (H-2018-0118) and finalize the approved preliminary

Simison: Thank you, Garrett. Next item up is Item 3, public hearing for Oaks North and Oakmore DA modification, H-2021-0058. We will open this public hearing with staff comments and I will turn this over to Joe.

Dodson: Thank you, Mr. Mayor, Members of Council. Good evening. As you can see before you, it's good old Oaks North, it's over 226 acres of land as of now. Originally the project was much larger and that included Oak South, as well as a little bit along the southwest corner of McDermott and McMillan. However, the project before you tonight is really just for this area here. So, the history here is pretty old in the sense of 2013 and being almost ten years ago, there is -- the original annexation then, rezone, preliminary plat. However, before you tonight they are trying to amend the existing DA from 2013 for the approved Oaks North Subdivision, to remove this seven acre area, which is known as the Oakmore Subdivision, which was approved in 2018, and the point is to remove it from the original DA to create a new DA consistent with that plat. The 7.4 acres of the Oakmore Subdivision was approved in August 2019 under a 2018 permit. There is the application. And it modified this area of the site. Originally this was slated for multi-family. So, it removed a component of the multi-family area and proposed more single family residential and rezoned it from R-15 to R-4. At the time of the Oakmore plat the -- and the rezone, the applicant also received approval of a DA modification for Oaks North and the Oaks South project area. That updated the overall concept plan consistent with this new plat and this new project. However, that DA was never executed and is no longer valid or applicable. In short, the applicant is submitting this DA modification for this plat to keep the Oakmore preliminary plat alive and to move forward with a new DA for this subject area. It is consistent with the existing provisions within the Oaks North DA that allow subsequent phases of the project to remain valid, so long as there is a valid final plat in existence. There was one person -- one neighbor who submitted some public testimony and that was just a general opposition to any modification that increased the density and changed the zoning back to R-15, which is not necessarily applicable, but overall point taken. Staff does recommend approval of this new DA in order to pull this section of it out and make it consistent with the approved preliminary plat from 2018. Staff has tied the new DA to the existing -- or to the approved plat and landscape plan and

elevations and has tied it to those conditions of approval within that plat from 2018 as well. I will stand for any questions.

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

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Joe, can you help us understand the history and why the modified DA wasn't executed?

Dodson: Council Woman Perreault, it -- I don't know exactly from the applicant's perspective why it was not executed, but I do know it never was. It was under a different ownership at that time, too. Now it is not. It is under common ownership with the rest of Oaks North. I think I will leave that to the applicant to just -- to discuss why it wasn't signed. But regardless of that, the plat is still alive and that's why we told them, hey, if you want to keep the plat alive you need to do this DA mod so that we can keep this in its own DA like it was supposed to be in 2018.

Perreault: Mr. Mayor, a follow up?

Simison: Council Woman Perreault.

Perreault: So, this -- the -- the residences in this project are constructed; correct?

Dodson: This -- no. That's right. In this phase, no. So, again, pretend this is single family. But generally speaking the line of existing approvals goes about here and, then, all this is done. Oaks South is completely developed. About half of Oaks North I would say is probably actually constructed, if not a little bit less. They have the community park and they have a lot of this along the south end, which I have -- I have done recent inspections out there and it looks great. But nothing in this northeast area has been constructed.

Perreault: Thank you.

Dodson: You are welcome.

Simison: Council, any other questions? Okay. Ask the applicant to, please, come forward and state your name and address be recognized for 15 minutes.

Bower: Thank you, Mayor Simison, Council. Jeff Bower. 601 West Bannock in Boise. With Givens Pursley. Here tonight on behalf of the applicant Toll Brothers. We would like to thank Mr. Dodson and Mr. Nary. We have worked together to craft the development agreement in front of you tonight. Had a few conference calls last week to kind of hash out exactly what area this development agreement covers, as well as the conditions of

approval. To answer Council Member Perreault's question, it is unfortunate that development agreement wasn't signed and, you know, we don't have any excuses, except to say Toll did buy this project from Coleman Homes and it was about the 2018, 2019 period that that transition was happening and I think this is just one ball that got dropped. But to reiterate Planning staff's comments, the development agreement before you tonight will not change any zoning or any approvals, it's really just to paper the 2018 amendment to the preliminary plat and so we are here to answer any questions if you have anymore, but -- but, otherwise, we agree with staff's recommended conditions and look for your approval.

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

Bower: Thank you.

Simison: Thank you very much. Mr. Clerk, do we have anyone signed up to provide testimony on this item?

Johnson: Mr. Mayor, we did not.

Simison: Okay. Is there anybody in the audience that would like to provide testimony on this item or online, using the Raise Your Hand feature on Zoom? Seeing no one wishing to provide testimony, would the applicant like any final comments? Then do I have a motion to close the public hearing?

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Mr. Mayor, I would move to close the public hearing for Oaks North and Oakmore DA modification, H-2021-0058.

Perreault: Second that 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: FIVE AYES. ONE ABSENT.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Appreciate the work of staff and Legal on sorting this all out and making sure it all works and moves forward and appreciate that -- that good work. So, after considering

all staff, applicant, and public testimony, I move to approve file number H-2021-0058 as presented in the staff report for the hearing date of October 5th, 2021.

Perreault: Second that motion.

Simison: I have a motion and a second to approve Item H-20221-0058. Is there any discussion?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I would like to just say that I really appreciate staff's ability to simplify the application. So, reading the -- the two staff reports in the -- and the narrative and everything I was like, wow, they were really able to kind of par that down into something that was much more simple. So, you did a great job with that. Thank you.

Dodson: Thank you. I think it just shows my intelligence. It's -- that's about it. That's all it's really saying here.

Cavener: And your humility, Joe.

Dodson: Self deprecation. Humility. Close. Thank you, though.

Simison: All right. If there is no other comments, Clerk will call the roll.

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

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

MOTION CARRIED: FIVE AYES. ONE ABSENT.

ORDINANCES [Action Item]

- 4. Ordinance No. 21-1950: An Ordinance Amending Meridian City Code as Codified at Title 11, Pertaining To Landscape and Common Open Space and Site Amenity Requirements in Chapter 3; Multi-Family Common Open Space Design Requirements in Chapter 4; and Various Other Amendments to Chapters 1-5 and 7; Providing for a Waiver of the Reading Rules; and Providing an Effective Date**

Simison: Last item on our agenda is Ordinance No. 21-1950 and ask the Clerk to read this ordinance by title.

Johnson: Thank you, Mr. Mayor. It's an ordinance amending Meridian City Code as codified a Title 11, pertaining to landscape and common open space and site amenity requirements in Chapter 3; multi-family common open space design requirements in Chapter 4; and various other amendments to Chapters 1-5 and 7; providing for a waiver of the reading rules; and providing an effective date.

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

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I move that we approve Ordinance No. 21-1950 with the suspension of rules.

Hoaglund: Second the motion.

Simison: I have a motion and a second to approve Ordinance No. 21-1950 under suspension of rules. Is there any discussion? If not, all in favor signify by saying aye. Opposed nay. The ayes have it and the ordinance is agreed to.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

FUTURE MEETING TOPICS

Simison: Council, anything under future meeting topics?

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I move that we adjourn the meeting.

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

MOTION CARRIED: FIVE AYES. ONE ABSENT.

MEETING ADJOURNED AT 6:16 P.M.
(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)

MAYOR ROBERT SIMISON
ATTEST:

DATE APPROVED

CHRIS JOHNSON - CITY CLERK