

A Meeting of the Meridian City Council was called to order at 4:30 p.m., Tuesday, February 17, 2026, by Mayor Robert Simison.

Members Present: Robert Simison, Luke Cavener, Liz Strader, John Overton, Doug Taylor, Anne Little Roberts and Brian Whitlock.

Other Present: Chris Johnson, Bill Nary, Clint Dolsby, Laurelei McVey, Caleb Hood, Brian McClure and Tishra Murray.

**ROLL-CALL ATTENDANCE**

<input checked="" type="checkbox"/> Liz Strader	<input checked="" type="checkbox"/> Brian Whitlock
<input checked="" type="checkbox"/> Anne Little Roberts	<input checked="" type="checkbox"/> John Overton
<input checked="" type="checkbox"/> Doug Taylor	<input checked="" type="checkbox"/> Luke Cavener
<input checked="" type="checkbox"/> Mayor Robert E. Simison	

Simison: Council, we will call the meeting to order. For the record it is February 17th, 2026, at 4:3 p.m. We will begin this afternoon's work session with roll call attendance.

**ADOPTION OF AGENDA**

Simison: Next item up is adoption of the agenda.

Overton: Mr. Mayor?

Simison: Councilman Overton.

Overton: Just one small change to the agenda. We are going to take number six off of the consent agenda for staff discussion. Other than that we want to adopt the agenda as published.

Little Roberts: Second.

Simison: Have a motion and a second to adopt the agenda with moving Item 6 to -- off the Consent. Is there any discussion? If not all in favor signify by saying aye. Opposed nay? The ayes have it and the agenda is agreed to.

MOTION CARRIED: ALL AYES.

**CONSENT AGENDA [Action Item]**

- 1. Approve Minutes of the February 3, 2026 City Council Work Session**
- 2. Baratza Pedestrian Pathway Easement (ESMT-2026-0020)**

3. **Burnside Ridge Estates No. 2 Sanitary Sewer and Water Main Easement "A" (ESMT-2026-0025)**
4. **Glassford Avenue Water Main Easement No. 2 (ESMT-2026-0026)**
5. **Skyranch Subdivision Water Main Easement No. 1 (ESMT-2026-0027)**
7. **Findings of Fact, Conclusions of Law for Silvas First Subdivision (SHP-2025-0007) by Tamee Crawford, located at 303 W. Pine Ave. Mayor Robert E. Simison**
8. **Assignment, Assumption, and Consent Agreement Between the City of Meridian, Toll Brothers, Inc., and Toll Bros., Inc. Concerning Sewer Trunk Line Cooperative Development Agreement dated December 2, 2025**

Simison: Next up is the Consent Agenda.

Overton: Mr. Mayor?

Simison: Councilman Overton.

Overton: As stated before, we are going to move number six off the Consent Agenda for discussion. Other than that the Consent Agenda -- I move it's approved, for the Mayor to sign and the Clerk to attest.

Little Roberts: Second.

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

MOTION CARRIED: ALL AYES.

#### **ITEMS MOVED FROM THE CONSENT AGENDA [Action Item]**

6. **Final Plat Modification for Rosalyn Subdivision (MFP-2025-0003), by Jeremy Rausch, located at 200 E. Rosalyn Dr.**

Simison: Item 6, which is moved from the Consent Agenda, which is a final plat modification for Rosalyn Subdivision, MFP-2025-0003. Who would like to be recognized for discussion on this topic? Bill.

Parsons: Mayor, Members of the Council, thank you. So, this -- this particular application would go on the Consent Agenda for your approval. If the Council remembers, this was before you in July of 2024, with -- if I recall five lots and during that

hearing there was a lot of testimony from the adjacent neighborhood about reducing density on this particular property and so Council went ahead -- the item was continued for several months for the applicant to come back with a revised plan and ultimately the applicant landed on three lots and that is the combined preliminary/final plat that you all voted on and approved back in July. Well, since, then, the property was sold to the applicant. He is here this evening. This is a public meeting tonight. So, it's not -- a final plan modification does not require a public hearing. So, basically, today I'm just giving you the -- the history and letting you know what the applicant is -- what they are modifying currently, what's been approved to what they are doing tonight for your -- your consideration tonight. So, essentially, when Council approves a combined preliminary/final plat or a final plat the applicant has the ability -- or the property owner I should say has the ability to come back and change the lot count. So, the code does allow for someone to reduce the lots, but not add buildable lots. So, that's really the purpose of the application to you -- before you this evening is -- originally the Council approved three lots. The applicant wants to reduce it from three down to two. Now, with that there are some changes to the conditions of approval. The original three lot subdivision had a common driveway. With the two lot configuration in the staff report that common driveway is no longer necessary. The new lot has the required street frontage requirements of the R-8 zoning district. So, a common lot is no longer necessary and the existing residents that stayed on one of the lots and the ADU that's currently constructed on the lot meet dimensional standards and the city code requirements as well and they take access from the local street that abuts the property. So, again, your direction to the applicant was no more than three lots. An ADU, a duplex, a single family home, is a -- is by -- an allowed use in the R-8 zone. So, what the applicant's proposing as part of this modification is all code compliant and meets the dimensional standards. They can do a duplex on the lot by right. So, they are asking for your approval of that modification this evening to go again from three lots to two lots and if they do want to build a duplex on the property, then, they will be required to go through administrative design review as well. So, essentially, the applicant is going from three lots to two lots again, but with the potential of four dwelling units total. And, again, everything is -- meets the code requirements. Happy to stand for any questions or at least help fill in the blanks if you have other questions about the project.

Simison: Council, any questions for staff?

Overton: Mr. Mayor?

Simison: Councilman Overton.

Overton: Just a confirmation. So, when we originally approved this an ADU was not part of the discussion, nor would it have ever been part of the discussion.

Parsons: Yeah. Mr. Mayor, Members of the Council, Councilman Overton, that is correct. When the subdivision come to you we are -- you know, obviously, the applicant gives us elevations for single family detached homes, but the lot sizes at the time were 4,000 square feet. The -- the -- the likelihood of getting an ADU on that property was

probably pretty slim, but if they were to design two homes they -- those lots still could have had the single family home and an ADU on them. The Council -- again, when a subdivision comes in that's not really the purview of the Council to determine what dwelling units go on the properties, it's how many lots and do they meet the dimensional standards and that's what the Council acted on is if they mentioned dimensional standards of the R-8 zoning district, not what type of dwellings were going on those lots.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Bill, that brings up a -- a good question for me to help me improve in my role. To your point I think the discussion at Council was really sympathetic to the concerns about density in that small area of land and so moving forward if Council, in a future application, has those similar concerns, should we be, then, instructed in our motion to prohibit duplexes or ADUs if that's something that we are opposed to? Because while I -- I hear you that we approve dimensional standards and zoning, if the concern is density I need some direction about how I can best address that concern, while also still maybe being -- moving forward with an application request.

Parsons: Mayor, Members of the Council, I would advise you against prohibiting certain residential types and -- and zoning districts, because, again, the zoning code allows for those types of things. That would be something that would require a code change. I'm sure Mr. Nary would have some additional verbiage for you or some commentary on that as well. But the reason why it was so critical during the first round for your approval is because when we have a common driveway the code requires them to show you the footprint of the home to ensure that they can meet the setbacks and how the homes are going to be oriented on the common driveway. That's what our code requires. So, now by losing that requirement there is no need to see the footprint on that particular lot, because there is no common drive that affects it. So, essentially, if he goes to build a duplex on that property he just needs to meet the dimensional standards of -- the setbacks of the R-8 district, which is 20 feet from the street, five feet on the side, and 12 foot on the rear. So, essentially, what I don't want the -- the Council to perceive this as another loophole. I know we always seem to get that -- that verbiage in our -- in our zoning ordinance. It's -- it's mind -- being mindful that these are things that are allowed in the zoning code. No one's trying to undermine the Council or go around what the code would allow. It's just -- it's somebody that there is a process to do this, they are here to change it from, again, three lots to two lots and provide a different housing type, which four dwellings, three dwellings -- it could have been six dwellings. If the applicant would have showed you ADUs or some single family homes on the lot we just don't know. But at the time that it came before you in 2024 your -- your direction was no more than three lots and we are down to two this evening.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Bill -- and maybe -- maybe this is a future meeting topic, then, because ultimately, then, how I feel as if -- if we don't have an ability to grant an annexation or a zoning request and limit the amount of density, then, we should be voting no more often than we are. We are a Council that has worked towards a yes, but I -- I disagree with you, I -- I -- I feel this is a loophole that's being exploited and -- and I don't like that and so after -- when we get to our -- our main meeting I think Council should expect a request for a future Council agenda, how we are going to address this, because when we hear from the public the Council makes a commitment -- you know, if we are adjusting something because we have concerns about density, which has been a reoccurring topic for the last 15 years at our Council and I think that I'm taking an action that addresses that and people leave this meeting thinking that it's addressed, only to find out that a later point in time it can be exploited. That's something that is important for all of us to know and we need to do a better job up here. We need our staff to do a better job to close those loopholes from happening. So, I recognize we are going to disagree on if this is a loophole or it's not. I believe that it is. I think we as Council, if this is a concern of ours, need to do a better job of addressing it. So, I appreciate you being here and give us that explanation, Bill.

Parsons: Thank you.

Overton: Mr. Mayor?

Simison: Councilman Overton.

Overton: I totally concur with Councilman Cavener. I feel like we have gone from Council makes a decision that says there is this many lots to now it's just a suggestion. Taking some of that power away from us on effectively saying what that development is going to look like and what kind of promises we can make to the residents of Meridian and in this case especially we were very very cognizant of the density on this small lot, only to have an ADU come into play. I was concerned when we approved ADUs initially wanting it to just be an Old Town until we saw how the use of ADUs worked and played out within our city. Kind of afraid of something like this happening where these can happen and take a development that we have already approved and turn it into something with more density. So, I agree a hundred percent. I think we are going to need to talk about this and see how this plays out, not on big projects, but on these small in-fill projects, this is going to become a major concern going forward.

Simison: Council, any additional questions? Okay. Are there any motions? Well, there has to be a motion one way or the other. I mean it can go both -- both ways, so -- or can -- can we not take action on something, Mr. Nary?

Nary: Mr. Mayor, Members of the Council, no. You are going to have to -- there is no legal basis to deny the final plat based on our code currently. So, it is -- again, it would have been a consent item otherwise. The discussion I think was put on the record what's been provided, but there really isn't anything else in the code to deny it.

Overton: Mr. Mayor?

Simison: Councilman Overton.

Overton: Based on legal's review I believe he is a hundred percent correct. This is not the applicant's fault. This is not our staff's fault. This is the way this got implemented. It is being used and I think that we owe it at this point -- and I will make that motion that we approve No. 6 from the Consent Agenda, which is MFP-2025-0003.

Little Roberts: Second.

Simison: Have a motion and a second. Is there any discussion?

Cavener: Yeah. Mr. Mayor?

Simison: Councilman Cavener.

Cavener: I will be voting in -- in opposition. I don't think this is consistent with the preliminary plat that we saw and so I will not be voting in favor of this motion tonight.

Simison: Anything else? If not, all in favor signify by saying aye. Opposed nay?

Cavener: Nay.

Strader: Nay.

Simison: The ayes have it, the item is agreed to.

MOTION CARRIED: FOUR AYES. TWO NAYS.

## **DEPARTMENT REPORTS [Action Item]**

### **9. Agreement for Provision of Water and Sewer Services Outside City Limits with Jason Niehouse for Parcel Number S1108438530, located at 2730 E. Franklin Rd.**

Simison: Okay. With that we will move on to Item 8, which -- or I'm sorry -- Item 9, which is the agreement for provision of water and sewer services outside city limits with Jason Niehouse for Parcel No. S1108 -- okay. Mr. Dolsby, I'm just going to turn this over to you. My eyes still are not there to read.

Dolsby: Thank you, Mr. Mayor. This is a request to connect to city services by this gentleman. He owns the property and the well on his property has failed, so he would like to connect to services. He is contiguous with the city. He is okay -- he has agreed to annex as well. So, he wants to connect, annex and come into the city instead of

repairing a failing well and he will abandoned his septic as well, so -- stand for any questions.

Simison: Thank you. Council, any questions?

Whitlock: Mr. Mayor?

Simison: Councilman Whitlock.

Whitlock: Would it be appropriate to make a motion at this time?

Simison: Yeah. Unless -- unless -- is Mr. Niehouse here? Does he want to make any comments? Okay. None. Questions? So, yeah.

Whitlock: Mr. Mayor, I move that we approve agenda Item No. 9, agreement for provision of water and sewer services, for Parcel No. S1108438530. Just wanted to read that into the record.

Simison: Thank you. I appreciate it. Have a second?

Overton: Second.

Simison: Have a motion and a second to approve the agreement for No. 9. Is there discussion? If not, all in favor signify by saying aye. Opposed nay? The ayes have it and the item is agreed to.

MOTION CARRIED: ALL AYES.

## **10. 2026 Water and Sewer Assessment Fee Increase Proposal**

Simison: Okay. With that we will move on to Item 10, which is 2026 water and sewer assessment fee increase proposal and turn this over to Director McVey.

McVey: All right. Thank you, Mayor and Council. So, this is a discussion to talk about our proposed increases to water and wastewater connection fees, also sometimes referred to as hookup fees or assessment fees. All the same thing. Multiple names. So, as a reminder we completed a cost of service study for the first time in 2014 and as one of the recommendations in that was to try to review our assessment fees every three to four years. So, we are following that recommendation. The last increase to those fees was in 2022. So, we are due for that. And before I jump in to discuss how these changes are calculated, it's very formulaic, but I kind of wanted you to see the overall picture before we talk -- talk about the numbers. So, it is a combined increase of 578 dollars. So, 182 dollars on the water side and 396 dollars on the sewer side. The other important component is that we are proposing that this would go effective in June. A couple of things on that. It gives us time to get through public hearings, but the other part is it gives the development community some time to prepare for these increases.

So, they appreciate that. So, a little bit about this methodology. So, like I said, very formulaic. So, we use the Loomis method for calculating these. There is a lot of different methods, but this is the only one that has been legally tested in Idaho. So, we feel very confident that this is a justifiable defensible fee. So, essentially, these fees represent a new development's proportional buy in into our existing systems. So, as I mentioned we use formulas, we take the replacement value of the system, minus unfunded depreciation, and, then, we divide that by our total system capacity. So, over time our system value goes up, but our capacity also goes up and, then, we take that number and we multiply it by the number of ERUs per gallon per day and that gives us a fee for each ERU basically of buying into the system. So, the nice part about using this methodology is that it's very transparent to development for our residents. It's fair. It is an equivalent buy in for each gallon into the system and because we are using the Loomis method it's generally accepted by the development community. So, just a little bit of history. We don't increase these fees very often. So, the last increase was in 2022. Over the last ten years we have only proposed, including the increase today, four -- four increases. If you annualize those it's between, you know, three and four percent per year, which kind of makes sense with our system growth and our system capacity. One of the things that's I think important to look at is how we compare to others. So, we are today about 2,100 dollars less than the Treasure Valley average. With our proposed increase we will still remain well below that average. So, we have actually already completed some outreach to the BCA. We did both a letter and, then, also an in-person meeting. Of course no one's ever excited about new fee increases, but they actually gave us compliments. They said that they appreciated that we are communicative and transparent. They don't get that from every city. They also really appreciated that we notified them in advance of time to phase in those rate increases so they can kind of plan that into their -- into their business process. So, no real major concerns or opposition from the BCA. So, with that kind of what our next steps look like is if you guys are okay with us moving forward we would, then, complete noticing and do a public hearing in March and, then, that would be when you would officially vote those increases in if approved and we would make the effective date in June. So, with that any questions?

Simison: Thank you. Council, any questions?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Laurelei, a couple questions. One, more specific to your ask. One's a little bit more holistic. If Council doesn't approve the rate increase what does that mean to you? What does that mean to the department? What are the changes that you would have to make to address the impacts that you are foreseeing?

McVey: So, good questions. So, if we aren't receiving that portion of the revenue we would likely have to make it up in our -- our rates, so --

Cavener: Okay. Mr. Mayor, follow up?

Simison: Councilman Cavener.

Cavener: Laurelei, you are the first that's going to hear probably a reoccurring theme from me over the next few months as we move into budget season. As long as I have been on the Council, staff, the city's talked about, hey, we are going to look at all of our fees one time a year. So, we will get everybody on track so we are -- because it's -- it's hard for me, as a Council Member, to kind of keep my head on a swivel what new fees are -- are being requested. So, help me understand why a four year difference between -- why we are making that request and I think I know the answer, but help me understand kind of what has prevented you or kept you from coming on an annual basis to keep track with inflation and other anticipated costs.

McVey: So -- so, twofold. The -- the first one is there is two fees that Public Works brings separately from Todd's citywide fee update and it's our water and sewer rates and our assessment fees. We could certainly talk about consolidating those into the overall update, but I know one of the discussions with the water and sewer fees is that it's one of the few fees that impact every citizen in Meridian versus some of the more pay for some service or use. So, we can certainly talk about that if that's the direction. The reason that we don't bring these forward every year is just historic practice. Generally those numbers don't change really rapidly, especially our capacity number. The reason being is that our projects don't come on in incremental, it's -- you -- you have -- you know, I'm just making this up, but five MGD capacity today and you do a couple big wastewater projects that jump you up to eight. So, those in between years there may not be very much of a difference in those and so those numbers don't change drastically, besides every couple of years. We certainly could look at it every year, but --

Cavener: Thank you. I appreciate it.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Would you mind flipping back to the formula? Thank you. I think this is helpful for me as I'm thinking about that same topic. I think it is a good topic heading into budget season, but I take your point that the inputs in this case are not anything that changes frequently, so with I think other fees it's like really critical to keep up with inflation, to me just based on your formula that that really wouldn't protect us that much here, because it's really like large projects that would change it. I did have a question about what is an ERU?

McVey: So, equivalent residential unit. So, essentially, represents like a single family home. So, that's what, you know, per house that a developer puts in those are the fees that they are paying.

Strader: One more, Mr. Mayor.

Simison: Council Woman Strader.

Strader: So, how would that apply? Like does that apply similarly to like a multi-family scenario? Like I'm just kind of curious, like how does that -- how does that unit of measurement get applied to different property types?

McVey: Yeah. Great question. So, they have -- when I say they -- it's both our finance team and, then, also the community development team. They have formulas and equations to do multi-family and, then, also commercial -- a couple of different methodologies, but they basically attempt to show what impact that would have as it equates to a single family house, whether it's more or less. Fixed account is one method that they use.

Strader: Thank you.

Simison: Any additional questions for Laurelei? Okay. Then I guess we will see you back here in March.

McVey: Yep. Thank you.

## **11. Ada County Highway District Five Year Plan Prioritization Follow Up Discussion**

Simison: Okay. With that we will move on to item 11, Ada County Highway District five year prioritization follow-up discussion. Mr. Hood.

Hood: Thank you, Mr. Mayor, Members of the Council. We will try this. Brian is going to drive the presentation and I will do the speaking. At least that's how we are going to plan it out. So, you all should have a -- a memo in your packet. I'm going to basically work from that. There is some companion documents, some spreadsheets that we will spend a little bit of time on, but they are -- the background memo contains a lot of the information. I'm not going to read all of that to you, but, again, sort of an outline for this afternoon's presentation. So -- excuse me. Annually the city does send our list of roadway intersections and what was previously referred to as community programs project priorities to the Ada County Highway District and annually they update their five year plan -- was previously the five year work plan, but they are now calling it the five year plan and -- and for this five years it's 2027 to 2031. You can see the -- the schedule there. The Mayor was sent a letter kind of kicking this process off in January. Our transportation Commission subcommittee -- prioritization subcommittee met on January 20th and met for a couple of hours or so and, then, forwarded on a recommendation and the full Transportation Commission reviewed the priorities and sends this recommendation that I'm carrying forward to you today on February 2nd. So, just a couple of weeks ago. There are a couple of things, maybe, so you can -- you can see again -- harder for me to see. Hopefully you can see that. By the end of this next

month -- so, we do have some time this year. I'm hopeful that maybe we can get through it today, but if I need to come back we certainly do have some time. We got four, five, six weeks, anyways, before the deadline to get our partner agency project requests to ACHD. Typically we draft a cover letter and highlight a couple of projects, do some thanks for what they have done for the community recently and, then, continue on with our asks and, then, it will go on through the rest of the year and I think that's important for a couple of the changes that I'm going to highlight for you here in just another minute or two that the Transportation Commission is recommending to you. Locust Grove. So, I know you all talked with ACHD and -- and their commission here about a month ago now I think it was about the Locust Grove, Meridian, which one should we do first discussion. Transportation Commission talked about that as well and they actually thought that Locust Grove would be of greater benefit to Meridian to build out earlier. Again, both -- both priorities being important, but prioritizing that. That leads me to the -- sort of the first change to our priority lists would be -- would be south Meridian and a section of Locust Grove between Victory and Amity. I'm the one that actually kind of brought this up to the commission's attention during their -- their February 2nd meeting. I wasn't at the subcommittee meeting, but Brian says that the commission -- that subcommittee did talk about potentially advancing this segment of Locust Grove Road being constrained with some of the things that are happening on Meridian Road and the intersection even at Amity and Locust Grove still not having really any progress made there. So, the first major change is to move last year's number seven priority project, which, again, is Locust Grove, Victory to Amity, up to number one and that would displace -- so, this is kind of a two-part --

Simison: Hey, Caleb, can you put up the list that -- so people can see? Thank you.

Hood: And this is a two part one and -- and when we were having the conversation at the -- at the Transportation Commission -- I'm not here to sell it to you necessarily, but that was some of the -- the discussion and I think the Transportation Commission was sensitive and have listened to you all before and were a little hesitant to move our current number one project down, which is the Linder Road overpass and -- and the widening up to Franklin Road. But some of the information we have been given from ACHD is once a project goes into construction it really doesn't matter about the plan anymore, they are implementing it. So, we, essentially, get three bullets every year. Our top three projects. So, project priority number one -- and I don't really want to jinx us. It is in construction and they are going to have -- phase two of Linder Road overpass and, then, the roadway widening is going to be let this month and so that one -- by the time -- I know we just changed to the list of priorities, but that schedule, by the time ACHD considers this, they will be actively in construction on Linder Road going north. Again, knocking on wood, but all -- all signs are pointing towards them continuing to invest in that road and, again, their PS&E is ready to go and likely award the bid here in the next couple of months. So, little, little, little, little bit of risk I guess in that. But when we only get three projects for our whole city to have them really say we are serious about, I -- I think the Transportation Commission kind of came around and we -- we still have it as number four. Not saying it's not a priority, but there is really nothing to do at this point. The project's designed, it's -- it's partially built and it's moving forward.

So, that's -- that's the biggest change of the year is to move our previous number one down to number four and it isn't, again, construction in this year -- again, the five year work plan is 2027 to 2031 and it's planned for construction in 2026-27. So, I don't know if I need to pause, but I will so I can read my notes and if you have any comments on that one. That's a pretty big deal.

Simison: I will -- I will make a few comments. And I -- I guess it's -- they -- they put it on the -- why did they not take it off the list, because I -- you know, I -- I understand what you are saying, but I'm like -- if they put it on the list because they still want it to be prioritized, I don't like playing games with -- with something, because I think it's a little disingenuous to move it out of our top ones if it still has a reason why it should be on their list. So -- and I guess that would be the question whether that's for you or for ACHD is why do they have it on the list for these years if it's not part of their plans, so --

Hood: Good question, Mr. Mayor. Just -- just to clarify. So, all that ACHD does is give us back our list, so that this isn't their list. In fact, if you look at one of the next changes that the Transportation Commission made it was priority number eight -- is that right? It's later in my notes. The -- another Ustick -- there is a Ustick segment that actually was in construction that's still on their list -- or our list and the Transportation Commission said take it off, because it is in more active construction; right? It's being widened right now between Ten Mile and Linder. So, I think it was number six or seven last year.

Simison: So, would that be better to just remove them from our list or create a part of the list to say under construction, not ranked?

Hood: Mr. Mayor, I think that's a good comment and -- and, again, I was trying to -- I don't know which is better. I like that option, too, because we are not trying to play games, but I didn't want to send another -- what I think is a worse message, but I don't know that it would even be received is if it totally went away -- we weren't trying to say it's not a priority for the city. So, I encouraged the Transportation Commission -- just move it outside of the top three. It's still -- it's still a very important priority for the city, just not for the programming process, so -- but I hear what you are saying and -- and wouldn't be opposed if we just removed it, because we are following their rules of saying when something is in construction you can take it off of the list. Maybe that is a better option to just remove it and -- and, again, I will take responsibility for that. I'm the one that sort of led the Transportation Commission to that. Again, they were a little sensitive to moving it even down the list. So, that -- that's --

Simison: I mean personally I think if ACHD says it's okay to take it off I would take it off, rather than moving it down, because I think moving it down sends the wrong message. But I would defer to what their direction would be on if something's under construction, how -- how they value that or don't value that and, then, I -- I will just say this from my own -- since we are -- I guess personally I fail to see how this item got moved into number one. You know, again, I -- I live right here I drive this road and, frankly, ever since the roundabout got put in at Victory and Locust Grove -- just heading that direction

I don't see near the backups that used to occur on that stretch of road, but I also don't go too far this way in this. So, I'm -- I'm curious how this one really rates versus the other issues, even though it's a big issue that needs to be addressed long term. I just don't know it's higher than Locust Grove from Victory -- or from Fairview to Ustick. I mean I see that as being something that has a lot of problems compared to that segment of roadway to go from seven to one. So, that's --

Hood: And -- and, Mr. Mayor, fair comments. Maybe just, again, a little bit of the context. The recent history here. Again that was one that I brought up to the Commission to say -- you know, wasn't necessarily advocating for number seven, but being opportunistic, there is a bridge that's being designed -- and we have talked about this before, but it's only being designed to three lanes. So, they are going to start investing in this mile segment by putting the first -- and -- and some of that conversation was, well, this is throw away cost. I will liken it to the railroad crossing on Black Cat, although it's not exactly the same, but it is only three lanes as an interim bridge and, then, someday we have got to come in and widen it to four or five lanes. So, it was more sending a message like are you sure you want to only design and build this to three lanes? Why don't we look at this whole corridor and see if maybe four or five lanes is more appropriate? So, that's why it's sort of leapfrogged up to the number one is because of that bridge being designed right now and, then, potentially even being constructed I think next year -- '27 I think is where it's planned. So, that -- that's the why. Not saying it's right or wrong, but that was some of the -- the reasons why it -- it jumped up is because of its companion design for the bridge and having them evaluate that and -- and, again, recent correspondences and communications we have had with ACHD, asking them to preserve the hundred foot of right of way for potential five lanes along those arterial roadways and not doing something to three lanes and, then, in theory, having to rip it out to plan it to five, so --

Simison: Just personally I would rather focus on encouraging them to do five, rather than moving it up, if there is other priorities that have been further -- that's just me. I mean, again, this is --

Whitlock: Mr. Mayor?

Simison: Councilman Whitlock.

Whitlock: Can I just go back a little bit and talk about the -- moving those projects off. If this is our document and our list could we create our own category to celebrate a victory. I mean could we have a category -- maybe even at the very top that says these are -- these are under construction? Hooray. Let's move forward. Well done. I -- I, too, don't want to just pull them off the list that they have seen and suddenly have them say where did it go? Why not highlight it and say this is -- this is a success. Let's celebrate.

Hood: So, Mr. Mayor, if I can respond. And -- and I think that is totally possible. I will -- if my Vanna will maybe scroll to the bottom, because right now they are at the bottom. So, mention the Ustick project being removed. Right now we put them at the bottom

and we don't celebrate them maybe like we -- we should, you know, but we do say under construction. You know, it's -- it's being removed and, then, the why -- in fourth line from the bottom, you know -- just doesn't say that, does it? Is it the fifth one? Yeah. Brian -- Brian is highlighting it. So, priority number five, down to the bottom, but I -- I like that approach. You know, again, start with the positive. Hey, here is the projects that are -- that have gone into construction this year. We are excited -- especially if we add Linder Road to that list and put it up there as an assumption that, yes, you have constructed this and we like that it's still going to be constructed. So, I think that's a pretty -- I see some heads nodding, so I think we can make that without needing to be an official action or anything like that. I think -- it is our list. We do share it with ACHD though.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Caleb, Brian, first thanks for the memo. I really appreciate it. With all the exhibits it's -- in years past I always feel like I have got like my iPad open, I'm looking at lots of different things realtime, so I appreciate you guys kind of all compiling it into one document. Here is a couple of observations for me and this is where I need some guidance from you all. There is 32 projects that are on the list. Only five have a design year. Only two have a construction. One's Linder Road overpass. The next one is, what, Fairview and -- and Locust I think in 2028. It feels like there is a lot of roadway priority projects that are needed in Meridian that are on this future list. Is my concern about the lack of prioritizing projects in Meridian recognized by the highway district? Are they hearing from us on this? Are we an example of all the other municipalities? I mean they are -- are the only -- all the other cities only going to have one project completed every other year? Help me understand kind of where we are sitting in terms of the regional prioritization, because I recognize I'm going to do this from Meridian eyes, but it feels like that we are on kind of the -- the tail end of any type of roadway projects that are planned over the next three to five years, when so much what I see is in the future and as we saw last year even if it lands on a year they sometimes scale it back. So, help me understand kind of where we sit in a true priority.

Hood: Yeah. Mr. -- Mr. Mayor, Councilman Cavener. I will be honest to start, I -- I -- I didn't do an audit of all the other cities and how many projects, but, in general, looking at the five year plan and knowing what ACHD's gone through over the last 18 months and the cost of construction of projects, they have had to scale back. So, Meridian isn't unique in that. We are getting -- you know, we had ten or 12 projects that were moving in the five year plan down to five. That is fairly consistent across the board. So, there is geographical equity, if you want to call it that, amongst all cities in that ACHD's list of projects that they can afford to do is smaller and smaller all the time. The need grows, but the pot of funds to actually do the projects doesn't grow at the same speed and so, yes, there is a lot of need in Meridian. There is a lot of needs everywhere else. But we are not being -- I -- I -- and, again, I hate to sort of hesitate, because I started with I don't -- I haven't actually tracked that across all cities. You are over to see how many did

Boise have last year versus this year and three years ago, but -- but knowing what's in the plan generally, they have had to scale that back, because the land costs more, design costs more, construction costs more, so they just can't do as many projects and they -- that really came home to roost last year where, you know, if you would have looked at last year's, we had a lot more and I don't remember the number -- in the five year plan and it scaled back, but that's not, again, unique to Meridian.

Simison: And maybe to add to that. However, though, with the change -- with the increase in the impact fees they are expecting to grow stuff back into the plan. At least that's their intention, because they will have more revenue, but they will have to see how the revenue comes in. So, it may not be as reflective in this five year work plan. It may be in the -- the ones after that before they see how much more -- you know, what is the growth pattern, what is the revenue. So, in a lot of ways, you know, yeah, the Linder Road overpass was a very large project and there -- they are planning for a couple very expensive projects up north as well, which are -- meaning there is fewer all -- all throughout the entire plan.

Cavener: Mr. Mayor and Caleb, I guess this is what my take away is that I don't like is that I look at this and I see 60 to 70 years' worth of projects. Many of which need to be resolved in a much quicker --

Hood: Yesterday. Yeah.

Cavener: -- than 60 or 70 years; right? And so -- I mean, Council, I -- this is an action that we had to do to get the -- the Linder Road overpass is do we need to re-engage with the commission on putting forward Meridian taxpayer dollars to get these projects moving? I mean this is critical infrastructure that our city needs and I don't accept that they are going to identify two projects that are going to be constructed on a priority document. Everything else is future to be determined. As a Meridian taxpayer that's unacceptable to me and I think that's probably unacceptable for the vast majority of our community. So, I don't know what our next step is on that. If we need to start talking at a budget hearing about taking Meridian property tax dollars to get projects accelerated, but we cannot wait 60 years to get these projects completed.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Would you pull up the map, Caleb, that was up a couple of slides back? Yeah. I think this is helpful for me at least just visually. So, I appreciate the feedback from the Transportation Commission and I feel like actually we are -- what we are going back to with focusing on Locust Grove is very consistent with what the Transportation Commission's philosophy has been in previous years, which has been this kind of a corridor approach to try to actually focus on corridors at a time, so we can finally move the needle. Like if we don't do that kind of an approach and it's piecemeal, I -- I -- I don't think we get relief to our residents as fast as we could. I think at least number one and

number two should be swapped at a minimum, if not number two. I think there is a question around the current number one, where that should go. I'm a little bit concerned about number nine, just because I feel like if we are going to focus on Locust Grove in the north part of Meridian as a corridor, to me it makes sense for that to move up as a priority to try to get through that bottleneck. That -- that has been a real issue. And if we are saying, okay, Meridian Road is not a priority, I think that's okay. I think there are good reasons for that. We have a fire station on Locust Grove. There are a number of other reasons. But, then, I think number nine I think we need to revisit where that sits. That's just my initial feedback. The other piece of that, you know, I -- I noticed there was a note about the pedestrian -- the pedestrian safety around Chateau and Locust Grove. I mean we did have a pedestrian fatality there just not that long ago of a -- a child in Meridian who -- who, you know, sadly lost their life there. I think that needs to be a huge focus when that work happens, the -- the pedestrian safety aspect on that particular project. So, I just wanted to say thank you for pointing that out. I think if anything that should have more emphasis. But, yeah, I mean that's just my initial feedback on kind of that first piece you mentioned about prioritizing Locust Grove. I'm supportive of that. I think it makes a lot of sense. I just think we need to be strategic about trying to get some complete corridors going to fix that bottleneck issue.

Overton: Mr. Mayor?

Simison: Councilman Overton.

Overton: Caleb, can you put the list back up one more time? Caleb, you know, I feel like you stand up here like you are a target when you are talking about this, because there is no amount of talking about this plan that's going to make any of us happy, because we have to admit in the end that even if we say, yeah, we like these top two or three projects and we agree, that means there is 30, 40, 50 projects we know are not getting done and it's -- it's hard to get excited about that. My hat's off to our Transportation Commission for identifying Locust Grove. I think that's the right corridor for the right reasons. But I would like to see those top two priorities be the build out of Locust Grove from Fairview to Ustick, as well as the build out from Victory to Amity, and I think at that point you would have five lanes all the way from Amity to Ustick -- that corridor would be much bigger and greater and flow better than it does now with the choke points it has. Having the Locust Grove from Fairview to Ustick being a higher priority to me makes more sense logically, because the intersections are done. If we do the five lanes from Victory to Amity I noticed that the intersection improvements at Amity are a whole other project down the road. So, we are still going to be taking that five lanes and running it to two lanes in all directions and it currently is a massive traffic nightmare of a four way stop as that happens now. So, I have -- I have a hard time not also wanting to move the Locust Grove, Fairview to Ustick, to be the highest priority, just because I think it's going to -- it's going to go from signal to signal and provide the greatest relief immediately. Again, that leaves a lot of other projects way behind.

Simison: Yeah. I -- I think for the most part why -- why some of this matters in some regards -- I mean you have got the program years on some of these items. Whether we

made it number one or five may or not matter, because it's going to be the money. You know, how -- how do things program with the money? What -- what fits? You know, the Locust Grove to Fairview is one of the most expensive next level projects, because of the amount of homes that have to be -- the right of way purchased through this area are going to make it very -- and so kind of going back to Councilman Cavener's point is we can do expensive projects or we can do cheaper projects if we want more versus less. But what has the greatest value impact short-term, long-term through this. But, ultimately, because we do have so many of our top projects already in the year programmed, I'm not going to say they won't move them up, but they are going to go -- move down the list until they hit the ones that they can -- can move in if they do have those extra monies. So, while traditionally our top three are the most important, I would say your top seven to eight really have your value, because they will -- they can look at them and add them in, especially if they have a lower cost. At least for this initial assessment.

Hood: So, Mr. Mayor, if you don't mind, just to piggyback a little bit on that. I think that -- that's fair and it's recent tradition. I mean the director is the one that said top three from each city is the one we will really focus on. So, seven to ten to 15. We have held out hope that some of those would, you know, advance sooner rather than later. So, that's kind of gone back. But I do want to just real quick -- and I wasn't planning on doing this today, because you guys have been through this process before, but our list of priorities is -- is only ten or 15 percent of the overall programming. So, really, what drives ACHD's decision on where they make these investments is congestion and safety. That's what it comes down to. There is a cost benefit that goes into that, but it's -- where traffic's not moving and where there is crashes. So, that's really what's driving a lot of the list. So, if -- if you look some of the ones that are programmed are fairly down on our list in the 30s and yet ACHD is doing something about it, because there is an actual problem out there that they are trying to solve. So, we do move the needle on some of these, but it really is your top few or so that really get their attention more to say what are we missing here? We are not seeing the -- you know, the traffic volumes or what's this anecdote that the City of Meridian is telling us we are not -- we are not seeing it the a.m. or p.m. peak or with crashes or whatever. So, I think that's fair, but -- but, again, they are -- they are going to do -- they are going to look at their data, absent anything we send them, and say this is where we are going to invest the taxpayers' dollars. So, good exercise I think to -- to do this and -- and do focus on the top seven to ten, so we are positioned well and we are telling the story. I think that's -- if I can. Sorry, this is going a little bit more of a tangent. But the priority corridors, I think balancing that with geographical equity is something that we struggle with as staff and the Transportation Commission even is there is needs all over the place to Councilman Cavener's comment, you know, so if you focus on a corridor are we -- you know, for ten years, you know, we could -- the last mile segment of Locust Grove up to Chinden, pretty low, 29. You know, if we are going to finish that corridor, finish it all the way off. Why is it at 29, you know. So, it's like, wait, but we have 28 other projects that are actually pretty important, too.

Simison: And it's probably the cheapest -- cheapest section of the entire corridor to do.

Hood: So, anyways, there is a lot that goes into it. Yes, the top, you know, three to eight to ten or so are -- are the most important, but there is a lot of competing interest there.

Simison: Council Woman Strader.

Strader: Yeah. I mean on that point I mean I think -- I think that's an important point, because Chinden is one of the few places where I think we can move people quickly from east to west and -- and the bottleneaking that we are experiencing it -- I think is really keeping people from utilizing that corridor more to get around and it's forcing people onto places like McMillan Road where we have huge issues with congestion. I -- I am a proponent of the corridor type of approach. Like I -- I think that that is the smartest thing we can do to try to get a quicker impact. So, yeah, I mean I'm in favor of taking a look at number 29 and -- and seeing about reprioritizing that as well.

Hood: And maybe just while this is up -- and I appreciate the comments earlier from Councilman Cavener. The orangish kind of color are ones that are -- actually have a design year or right of way year or construction year. So, that's the differentiation. So, you can kind of see where, you know, programs are -- are in the five year plan versus not and, then, obviously, the -- the number that's in the box or the circle is the current priority for the -- that project.

Simison: So -- so, Caleb, I guess I would say this. If we put one back where it was, can you -- you, essentially, have the same list that Council's generally done. It still leaves Locust Grove as your primary corridor numbers, you know, whether or not one should be nine or one -- you know, if -- if you -- if one went back to seven and -- and you took off the ones that -- the overpass you are at six and, then, I -- I mean your -- your numbers become kind of fungible. It's just really about what's -- what's -- what's the -- what's the number, but you still have that corridor being prioritized with three top --

Hood: Yeah.

Simison: -- eight projects in its current scenario.

Hood: And -- and, again, Mr. Mayor, I will try not to advocate for any one project, but I will -- I'm going to jump back to a comment that was made earlier. You know, a lot of your biggest bang for the buck is actually at the intersection. So, Locust Grove and Amity and actually doing -- still in the same corridor, but your intersection is where you get the biggest bang for moving cars. So, if you really -- I mean, again, we are -- if we are talking about between six and seven it probably doesn't make much of a difference. But, you know, I'm saying like those projects, you know, if we want to -- if we want to win and something to show into construction and -- and can really help with the traffic, moving your intersections up -- so, sort of related to your comments, Mayor, but, you know, they don't -- it doesn't have to be one, two, three, Locust Grove, but, yeah, something in the top seven or eight, ten, I think does send that message. But if you are going to move the roadway segment down I would say make sure that intersection --

what's currently -- and I just noticed there is two -- two number fours. Well, what's current -- what's currently number five, you know, maybe that one's after the old number seven or current number one. Boy, that's not a very good way to say that. Sorry.

Simison: And -- and since the one that you moved up that was seventh, frankly, I feel very strong about our letter could highlight the thing you said. Why are you only designing to three when we have this as number seven on our list, even though they are -- it's not -- It's not -- it's in their future. It shouldn't be that far into their future if they really do take their -- our top projects at a higher value for their consideration. I would like to think that that would get their attention enough to address the design factors related to that. But I completely agree with you on the -- yeah, the -- the difference that the intersection has made on the roads, more so than any other component. At least what I have experienced in south Meridian, so --

Overton: Mr. Mayor?

Simison: Councilman Overton.

Overton: Just kind of a final thought on that same stream. If we left one in as one, then, I think we owe it to ourselves -- and -- and I thought it was the way the county highway district was working if they were doing a mile length of road they would try to include those intersections into that project. But, obviously, they are -- they are not, they are separate. But if we are respecting the work done by our Transportation Commission and we leave one as one, then, I think we owe it to ourselves to move number five, the intersection improvements that should go along with that project up to match. That's logically the only thing that makes sense to me is if we try to blend those two and have them done at the same time.

Hood: So, I -- excuse me. I thought I was getting some consensus, but now I know I'm not. I -- I don't -- I don't think -- but just to clarify, when you say number one, the -- the new number -- the proposed number one, the previous number seven, leave that as number one? Because I think I heard the Mayor say he would rather address that in the letter, move that back down, essentially, to where it was. Top ten still. But address that in the letter and say, hey, before you build this three lane bridge will you make sure that it only needs to be three lanes wide. Paraphrasing. We will do it more eloquently than that in the letter, but this is a priority. This -- this -- this roadway -- mile is -- is important and this bridge right in the middle, you are going to set the stage. But, again, I -- I think I heard conflicting not that you guys always have to agree, but I'm not sure how to change numbers of something that significant.

Simison: You -- you -- you did hear conflicting. But, again, that's just --

Hood: Yeah.

Simison: -- my -- my two cents. But I do agree that we should combine the two. I don't think it should be five and seven, five, six, or five, six, seven, whatever you -- however

you want -- I know, I -- you said it twice. I had to get it in once for you. But, again, that's just my -- my view on this, because I don't -- I don't want that one bridge design to drive a higher prioritization for other more important things that have a larger better value benefit and I hope that they would see that. That's -- that's just me. I mean --

Hood: Irregardless where it lands I -- I do think that's a good note for our letter. I do think that's an important story to tell there and question to ask before they make an interim investment potentially with limited funds. If we got 50, 60 year build out are you really going to spend a couple million dollars on an interim improvement?

Simison: That we want you to do in the next five to seven --

Hood: Yeah. That we see this being a higher priority in the next decade anyways to widen the roadway. So, let's not throw away those funds for a short -- okay.

Simison: So, Council, do you want a week? Two weeks? You want to give --

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: If -- if it's okay I -- product of good conversation I have -- kind of jiving with what the Mayor said and, then, Council Member Overton brought up some good points and I think, you know, where we are -- we are clear is we -- we want to continue to maintain Locust as a priority. What segments we want to list in order, I think that's -- that's a little bit of a larger conversation. So, if -- if Council's comfortable I would maybe request Council President Overton maybe two weeks and that -- the important part is if Council's got ideas or their own power ranking list, should be sharing that with Brian and -- and with Caleb and with the Mayor, so that we can at least try and coalesce where it makes the most sense.

Overton: Mr. Mayor?

Simison: Councilman Overton.

Overton: Two weeks is fair. Caleb, is there any way we could get feedback from our Transportation Commission on -- because I -- I want to respect as much as we can their hard work going into this, but also if there is an understanding on why they are not tying an intersection into the mile long segment construction project. If there is a logical reason they are keeping those separate or not trying to bring all that together as one recommendation.

Hood: So -- so, Mr. Mayor, I may be able to just answer that question now, if that's okay. I think that wasn't a product of the Transportation Commission. By the way, I think the -- the -- the respect is mutual. I think they certainly respect you and, again, were concerned about moving some of these things year over and not trying to upset

you all with some of those priorities, but being thoughtful in that process. But this is a product of ACHD. They don't -- the days of doing a mile and an intersection are over and so they are listed separately. Now in our list of priorities we can certainly have them back-to-back and the tags can touch, but that's -- so -- and, again, seven sort of jumped up because of the opportunity potentially with the bridge. So, I think that's essentially how they were looking at it was, you know, we do need to do intersection mile, intersection mile, you know, type of an approach, but it doesn't necessarily mean it has to be one, two, three, four. But that is ACHD and we can -- we can list it sort of as a package deal, but ACHD is still going to call it two projects.

Overton: Okay.

Hood: That's how they design and build projects. Sometimes on Ustick they will actually have the project -- one will bleed right into the next and so you really can't tell. That's the idea. But they are budgeted and in GIS and for all intents and purposes two separate projects.

Overton: Quick follow up?

Simison: Councilman Overton.

Overton: So, I'm in favor of coming back in two weeks as long as there is an understanding that this is still going to be a very grumpy group of people on the fact that we have so many projects that we will not get to touch.

Hood: Before I walk away, Mr. Mayor, if I can just spend 30 seconds maybe on, again, what's called -- what's previously called community programs project, what is now called safety and compliance. Not a whole lot to add. And, again, I will refer you to the memo if you want to see some of the slight changes. But I do have a request that came up recently to add Commercial Street, which is just off of Eagle between the railroad tracks and Pine. So, there is a Jacksons kind of right on that -- that -- that corner. Life Church is right there. That's Commercial. So, Commercial isn't fully improved with curb, gutter and sidewalk and I'm still trying to figure out why it was never improved, but it's pretty much fully built out these days. North and south side. Life Church actually is doing a big expansion and they are going to improve kind of their first part of the -- a portion of that. But if you go back further to the east -- now I should point that way -- further back to the east off of Eagle, there is no curb, gutter or sidewalk. So, I would -- I would propose we add that -- it could be at the bottom of the list, but just have it be on the list. That's something that needs to be fully improved, because it's -- it's, basically, built out back there and no development is going to come in and improve the -- the roadway and there is need now for more sidewalk, curb and gutter. Parking is becoming an issue and people parking on the shoulders and those types of things. So, anyways, I would just ask that -- this hasn't been vetted through the Transportation Commission, but I would just ask that we add that to the end of the community programs list. Thank you.

Simison: Okay. The one I think help if you can. Maybe if you want to get -- who -- whoever you think is in charge of the prioritization over at ACHD, when a project is under construction what do they -- how do they want us to treat them? Do they still want them listed? Do they -- do they not? Just hear from them, that way we know --

Cavener: Just do it the way they want.

Simison: -- what the -- the value of that being on the list or not on the list.

Hood: So, Mr. Mayor, I can, as I walk away. If you want to watch the Transportation Commission meeting, go on the 2nd. We had Edinson Bautista, who is overseeing that right now, explain that to our Transportation Commission about when it's okay to move things off of your list in the top three and some of that five, ten minutes of your time if you want to watch that video on -- on YouTube. On the 2nd --

Simison: So, they said it's okay to move them off once?

Hood: Once -- once a project goes into construction it's okay to move them off of your list.

Simison: Okay. Well, that's good to know. So, we should just move them off the list and not further down the list.

Hood: Yes.

Simison: Okay.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I still really like the idea of just having a category that says under construction right up top. That's -- let's do that.

Simison: Yeah. No. That's what I'm saying. Not giving it a one, two, three or six ranking.

Strader: Right. No problem. We are all on the same page then.

Simison: Okay. All right. Council, I don't know how long the next item was scheduled -- would be -- to go. Do we want to do it now? Do we need to take a break and -- it is on our 6:00 o'clock agenda as well.

Cavener: How much -- Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Maybe -- I don't want to get over my skis, but if we could maybe get an update about how long they anticipate the conversation being. I don't want them to feel rushed, but I also don't want them to feel like they have got to be held over for 45 minutes to an hour if we can get it accomplished, so --

**12. Proposed updates to Meridian City Code sections 6-3-2(A)(2) (public camping or sleeping); 6-3-2(A)(4) (loitering); and 6-3-6 (noise)**

Simison: We are -- we are looking -- looking at -- over at Tishra. Is this a five, ten, 15, 30? Why don't we go ahead and start it and if we need to continue it we will -- we will try to do a hard stop ten minutes -- ten until or 15 until? Okay. We will do a hard stop in nine minutes to -- yeah. 11:00 by this clock down here. So, you have got 11 minutes.

Murray: Great.

Simison: For this session. If not we will continue it on to 6:00.

Murray: Thank you so much, Mr. Mayor and Council.

Simison: With that Item 12, proposed updates of Meridian City sections -- go ahead, Tishra.

Murray: Thank you. Thank you, Mr. Mayor and Council. I have submitted to you a memo and three proposed city codes. So, you should all have those. I won't read the memo to you since we are on a short time frame here. Our first proposed code was required by the Idaho State Legislature. It is the camping ban that I'm sure you have all heard about. This would bring the Meridian City Code in compliance with that and allow us to ban camping as we have been asked to do. I can stand for questions on each one, so that we can take them in order.

Simison: Council, any questions on that item at this time?

Overton: Mr. Mayor?

Simison: Councilman Overton.

Overton: Tishra, these are -- the ones we are talking about are ones we are going to be taking action on, not as a state code, not as a county ordinance, but as a city ordinance when we have these offenses and they may be different from what the City of Boise currently has. We have something in place to make sure that when they are prosecuted, until such time that we have our own prosecutors, that they will make sure that they will be prosecuting our ordinance.

Murray: Thank you, Councilman Overton, Mr. Mayor. We have a very similar code to what Boise has done on this one. So, they would be -- I don't see that they would have any problem with it.

Simison: Okay. Loitering.

Murray: Yes, sir. So, the second proposed code is for loitering. This new law is a loitering plus code. The impetus for this code is a recent US District Court decision finding that Boise's identical code language is unconstitutionally vague. So this is something that we have to clean up in our code or we would be also unconstitutionally vague.

Simison: And can you explain what the different for those that might be listening -- what would be -- what is the cleanup doing?

Murray: Yes. So, the loitering plus law gives specific behaviors that we would be looking for instead of just saying -- so, loitering in general is just standing around and that's something that we don't usually criminalize; right? We are not going to arrest people for standing around. But the problem is if they are standing around buying, selling or distributing drugs. If they are standing around for the purposes of prostitution. If they are obstructing a public roadway. So, we have given some very specific reasons. So, that's not vague at all. Anyone who is reading this code would be clear about the type of behavior that we are criminalizing here.

Simison: Council, any questions on that?

Taylor: Mr. Mayor?

Simison: Mr. Taylor.

Taylor: Just a quick question. Can you kind of -- are we sort of copying what Boise has done in regard -- like what's maybe the distinction or differences? We are learning from that and we have to take some action being proactive here, but help me understand maybe some of the nuances maybe between Boise and Meridian and what we are trying to do.

Murray: Yes, sir. Councilman Taylor, Mr. Mayor, the -- it seems like Boise is not going to keep their loitering code. So, what we are doing here is very different. I did some research and there are loitering plus laws all over the country and those have been successful. What has happened in Idaho is not unique. These loitering codes have been facing difficulties all over the country. So, these loitering plus codes have been instituted in other areas and have been very successful, because they are not big.

Simison: Thank you. The noise.

Murray: And also if you have any questions for police I do have Lieutenant Frazier, so he is here and can also answer any questions that you have. Our third code would repeal and replace our noise ordinance and this update is in response to another recent U.S. District Court case in which Boise was sued by the Sierra Club. They were using a megaphone and protesting downtown. There was a -- kind of a preliminary injunction

and the court found that Boise's noise ordinance is likely a speaker based, rather than content neutral, and so they weren't going to win that case. So, they ended up changing their code and the codes that I'm proposing are a little bit different than their changes, but I don't think that that's going to be a problem from a prosecution standpoint. I will stand for any questions on that one.

Simison: Council, any questions or need further information on that one? Any -- any questions for Lieutenant? Anybody else?

Overton: Mr. Mayor, just a --

Simison: Councilman Overton.

Overton: -- a final follow up. Tishra, Lieutenant Fraser, fantastic. I appreciate it. There is nothing better than making sure we are staying up on our codes, whether it's a court case that makes a decision or whether it's our state legislature that makes a change. I'm -- I'm pretty proud of this city and the fact that we still take care of the very important ideals that keep the city a safe place to be at night and all the time for our families and a place to work and a place to play and these quality of life issues are very important. I mean the voters gave us that mandate with this last election and I appreciate your work and as we carry forward I think this is going to make it a lot easier on officers as well as they move forward for enforcement. So, thank you.

Murray: Thank you.

Simison: Okay. All right. We will see these back in the not too distant future. They have to be noticed, so how -- how long until you expect these to come back? Bill, is this a --

Murray: Yeah. We can put them on next --

Simison: Okay. Council, is that -- you want two weeks? Two weeks? Okay. All right. Thank you.

Murray: Thank you.

Simison: All right. We have reached the end of our agenda. Do I have a motion?

Overton: Mr. Mayor, I move we adjourn.

Little Roberts: Second.

Simison: Motion and second to adjourn. All in favor signify by saying aye. Opposed nay? The ayes have it. We are adjourned.

MOTION CARRIED: ALL AYES.

MEETING ADJOURNED AT 5:40 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)

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

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

ATTEST:

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