

Meridian City Council Work Session

April 8, 2025.

A Meeting of the Meridian City Council was called to order at 4:30 p.m. Tuesday, April 8, 2025, by Mayor Robert Simison.

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

Members Absent: Liz Strader.

Other Present: Chris Johnson, Bill Nary, Caleb Hood, Emily Kane, Jamie Leslie, Steve Taulbee and Dean Willis.

ROLL-CALL ATTENDANCE

<input 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 April 8, 2025, at 4:30 p.m. We will begin this afternoon's work session with roll call attendance.

ADOPTION OF AGENDA

Simison: Next item up is the adoption of the agenda.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Move we adopt the agenda as presented.

Little Roberts: Second.

Simison: Have a motion and a second to adopt the agenda. 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: FIVE AYES. ONE ABSENT.

CONSENT AGENDA [Action Item]

- 1. Approve Minutes of the March 25, 2025 City Council Work Session**
- 2. Approve Minutes of the March 25, 2025 City Council Regular Meeting**

- 3. Approve Minutes of the April 1, 2025 City Council Regular Meeting**
- 4. Final Plat Modification (MFP-2025-0001) for Vanguard Village Subdivision No. 1 (FP-2024-0012), by Clark Wardle, LLP., generally located 1/4 mile west of S. Ten Mile Rd. on the north side of I-84**
- 5. Final Order for Sky Mesa Commons Subdivision No. 5 (TECC-2025-0002) by Boise Hunter Homes, located West of S. Eagle Rd., midway between E. Taconic Dr. and E. Lake Hazel Rd.**
- 6. Development Agreement (Fairview Drive-Through H-2024-0049) Between City of Meridian and GRHH Fairview LLC and HC Fairview LLC for Property Located at 4300 E. Fairview Ave.**
- 7. Resolution No. 25-2511: A Resolution Vacating Five Feet of a Ten-Foot-Wide Permanent Public Utility, Drainage, and Irrigation (PUDI) Easement Encumbering Lot 12, Block 9 of Graycliff Estates Subdivision No. 5, Being More Particularly Described in Exhibit "A"; and Providing an Effective Date**
- 8. Resolution No. 25-2510: A Resolution Vacating a Portion of the Existing City Water Easement Generally Located on the Northern Portion of the Property Adjacent to W. Baldcypress Street on Lot 1, Block 1, Smitchger Subdivision North, Being More Particularly Described in Exhibit "A"; and Providing an Effective Date**
- 9. City of Meridian Financial Report - February 2025**

Simison: Next up is the Consent Agenda,

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Move we approve the Consent Agenda. For the Mayor to sign and the Clerk to attest.

Little Roberts: Second.

Simison: Moved and seconded 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 Consent Agenda is agreed to.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

ITEMS MOVED FROM THE CONSENT AGENDA [Action Item]

Simison: There were no items moved from the Consent Agenda.

DEPARTMENT / COMMISSION REPORTS [Action Item]

10. Transportation Commission Update to City Council

Simison: So, we will move on to Department/Commission Reports. First item up is Item 10, Transportation Commission update, and, yes, it will be our Commission President Mr. Steed.

Steed: Mr. Mayor, Council. I wish I could run through an agenda like that. We are pleased to be here today to talk about the Transportation Commission end-of-year report for 2024. I'm Walter Steed, the chair. Other members are Jared Smith, David Ballard, Stephen Lewis, Tracy Hopkins, Ryan Lancaster, Tom LeClaire, who is here today. Zachary Shoemaker. Hoyoon Song and Lily Miller. The Transportation Commission was formed in February of 20 -- of 2013 with the Ordinance No. 13-152. The Commission consists of nine appointed commissioners and meets in the Council Chambers on the first Monday of each month. Myself and Jared Smith served as chair and vice-chair respectively in 2022, '23 and '24. I was re-elected to chair in '25 and Tom LeClaire, who I said is here today, was elected vice-chair. Hoyoon Song served as the youth commissioner from October '23 through September of '24, when he was replaced by Lily Miller. Other members of the commission have been on it for years. Representatives from the Idaho Transportation Department, District Three, Ada County Highway District, COMPASS, Valley Regional Transit and the West Ada School District participate regularly as ex-officio members. Under the direction of Caleb Hood, Heather Hill provided primary staff support to the Commission for most of 2024. Tishra Murray Hillary, deputy city attorney, provides legal guidance and from the police department we have either Sergeant Tara Smith or Corporal Trevor Weitzel who comes to most meetings and provide updates and expertise related to traffic issues and safety. City staff provides the Transportation Commission monthly updates on the progress of ITD and ACHD projects regarding design and construction. At each meeting we set time aside for all the of the ex-officio members to provide monthly updates on activities in their particular areas. Other city staff and staff from ex-officio agencies interact with the commission from time to time, as do members of the public. Different from other commissions and committees, the Transportation Commission does not deal in projects. We deal with specific questions and situations brought to us by city departments, other transportation-related agencies and citizens. In January and February of '24 the commission prepared their recommendations to the Council on the highest priority roadway and intersection projects, as well as community programs for 2024. This work was the culmination of the commission's work from previous months, including recommendations from our own prioritization subcommittee. In March the Commission re-evaluated the list of road and intersections, as well as community program projects following the City Council's review of the draft list in late February and the questions and concerns that followed. Kristy Inselman of ACHD provided the commission with an

overview of the downtown Meridian neighborhood transportation plan. In April Kim Warren from the city's parks and rec department shared an overview of planning for pathways, maintenance of GIS pathway maps and discussed in-house pathway design, implementation and an overview of the development entitlement process. Also in April we had Dan Gorley from ITD present to the commission the State Highway 16 project, addressing -- addressing the vision, the timeline, construction updates and talked about future interchanges. At the Transportation Commission's request Caleb Hood provided a refresher on section line arterial roadways, most of which are planned to be preserved for five lanes. Mr. Hood shared concerns with some of the listed roadway segments and impacts to the community if they were built out to the plan right-of-way width as shown on ACHD's master street map. In May Brooke Green from ACHD provided a presentation on the Linder Road, from Pine to Ustick, concept study. She provided a summary of the previous public involvement meetings, the status of current meetings with property owners, revised concepts, including the number of parcel acquisitions required and high level cost estimates for all three alternatives. The Commission recommended to the City Council support of concepts number two and three. During the May meeting Emily Kane of the city's -- city attorney's office presented upcoming changes to the Meridian City Code to us with the objective of updating ordinances and simplifying processes as part of the City of Meridian's 2021-2025 strategic plan. Following up on a Mayor's letter to ACHD regarding the Locust Grove-Amity intersection project, the commission didn't make a recommendation or a motion for an interim intersection and stood behind the city's prioritized list of projects in the integrated five year work plan. In June Mr. Hood returned to request a recommendation from the Commission in anticipation of sending a formal request from the city to ACHD to amend the master street map. The commission also received a report from Justin Price at ITD on crash data at the Cherry-Linder intersection from 2021, '22 and '23 following a citizen's concern about the safety of U-turns at that signalized intersection. No changes imposed by the Commission. John Lawson from ACHD also shared that ACHD is in the process of installing approximately 80 speed bumps across Ada County. In July Mr. Hood provided a copy of the letter that had been sent to the -- to ACHD addressing the city's request to increase all section line materials from three lanes to five for one hundred feet of runway. Segments of Fairview and Overland, which are currently preserved for seven lanes or 120 feet of right of way, were excluded from the recommendation until such time as traffic counts could be evaluated. Heather Hill shared with the Commission that City Council had chosen concept number two, a standard five lane road without roundabouts for the Linder Road concept study. Seth Jarsky from ACHD provided us an update on the Ustick, Owyhee Storm to Black Cat project, including community survey results. Miranda Carson, who used to work with us and now works for the West Ada School District, announced that the Durham school service -- that Durham school services will be providing their busses starting in the fall of 2024 under a five year contract. In August a new draft of ACHD's integrated five year work plan for 2025 to '29 was shared. There were several adjustments to the projects for commission and staff to digest. John Lawson of ACHD reported that ACHD had conducted their evaluation for the previously discussed Lost Rapids-Bird Park intersection and found that there were adequate gaps in traffic to allow for crossing and that a painted crosswalk was not needed at that time. In September commissioners

and staff met at the Meridian Police Department public safety training center for an informational presentation and demonstration of the crash reconstruction process. We found it extremely informative. In October the Commission received a presentation from Mindy Wallace of ACHD on the traffic impact study process. Alissa Taysom of Valley Regional Transit brought us up to date on ridership following the June 2024 service change they had made on fixed route bus services. In November Mr. Watson provided an update on ACHD's investigation of visibility and sight distances at the intersection of Corporate and South Progress, which was based upon a request that had been received by the Mayor's office. There was also continued discussion about traffic impacts from Rock Harbor Church on the intersection of Farm Way at Chinden -- Tree Farm and Chinden and the ability of residents to access their homes. In December Heather Hill provided a recap of ACHD's draft traffic calming policy process as part of a final opportunity to provide feedback and comments to ACHD prior to policy adoption. Mr. Hill also provided an update -- Mrs. Hill also provided an update on the commission efforts related to the Meridian intersection pedestrian safety report and identified projects to move forward using funds allocated by the City Council in your FY-25 budget. You may find a complete record of TC minutes on the city website. Recently the Transportation Commission has experienced a decrease in items on our agendas. When Council members have contact from their constituents or others regarding transportation issues we would be pleased to provide consideration and input. The Transportation Commission is grateful for the opportunity to provide service to the citizens of Moscow, to the Mayor, the City Council, regarding transportation systems in our community. Thank you very much.

Simison: Thank you, Mr. Chairman. Council, any questions?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Steve, appreciate the presentation and if my math is right I think you guys are the longest tenured commission that we have, meaning there isn't -- to your point there is not a lot of turnover in your commission. You guys are very seasoned. You do the work really well. I have been asking this to all of our committee chairmen that have been before us is what's something that you think is really important for the City Council to be aware of about your community. What's something that we should be considering as we are doing our work up here that is supportive of your work that you do as a -- as a commission?

Steed: I moved to Meridian full time in 2018 and, then, from north Idaho didn't -- did not Look forward to coming down here because of the traffic I have become a fan of the traffic, because you can actually get around here. You can move -- yes, you can stop occasionally, but I think it moves relatively well. But we work very hard upon specific questions about certain intersections, school zones, other things to do with transportation to try to tweak it better if we can to make it work even better. The rapid growth in this community is just mind boggling and I don't have to tell any of you that

and that's part of what we are trying to keep up with as well. So, again, if you hear from your constituents about corner of walk or don't walk, we would be happy to take a look at it. May or may not come up with a recommendation, but I'm sure we will learn more about it. I cannot praise ACHD enough for their time they put in with us to talk to us about what's going on. ITD is extremely good, as are the other ex-officios. It's a very interesting commission as I say and you are correct, there are four or five people on the nine member commission that I can't even remember how long they have been on. I don't know if they have ever told me. But you are correct, a of -- a lot of long -- long timers.

Cavener: Thanks. Appreciate you being here.

Steed: Thank you.

Overton: Mr. Mayor?

Simison: Councilman Overton.

Overton: You know, Walter, you just kind of remind us of kind of what a great city we live in, because we know we are all about traffic here. We are that -- and I say it all the time, we are the center of that wheel. We are that spoke and everybody drives through Meridian. But we have so many different ways that we address traffic, whether it's our relationships with ACHD, whether it's our intersection task force, whether it's being on COMPASS's board, whether it's our transportation commission. I mean we don't just take one stab at it. We have got so many different groups and sets of eyes looking at problems and strategies and issues and long-term solutions that you just reminded me as you went through that list of things you guys were doing of what a fantastic job you are doing and how the reason we keep traffic moving through this city is because of your efforts and the efforts of others, the fact that we take it so seriously on so many different levels. So, much appreciated for all of the hard work you guys put in.

Steed: Thank you, sir.

Simison: Thank you very much. My month sitting with you I get an abridged version of what's really going on in Meridian and how I'm doing, so thank you, Walter.

Steed: And I will tell the Council that there are a few things that you will never hear about, because we discuss it with the Mayor and take care of it. Thank you, Mayor.

11. Proposed Updates to Title 5, Meridian City Code - Parks & Recreation

Simison: Absolutely. Okay. With that we will move on to Item 11, which is proposed updates to Title Five Meridian City Code Parks and Recreation is our Ms. Kane.

Kane: Thank you, Mayor and Council Members. I'm Emily Kane. I'm a deputy city attorney for the city attorney's office. You have heard me say it, but I'm going to repeat

it just for the record and for our adoring public, the -- undertaking an effort to review and kind of overhaul, streamline the city code as part of the 2021 to 2025 citywide strategic plan goal to -- it says to perform a complete review of all ordinances, codes and policies in the city to assess their value and relevance to the community. So, we have been doing that and we have arrived today at the parks code. So, a few preliminary notes before I jump into the code itself. So, one thing that I'm recommending is that we move the Parks and Recreation Code from Title 13 to Title 5. Title 13 is kind of an outlier, because we don't have a Title 12. So, there is a back story there, but I will spare you. But this would make it so that Title 11 would be the end and, then, our titles would be consecutive. So, that would close that gap. The -- so, Title 5 is currently for the fire department, but the provisions that were there regarding -- well, open -- open burning and different fire-related topics have been moved to Title 4, public health and safety, and, then, there are some administrative provisions that would be moved to Title 1, which is city administration. The -- one of the -- one of the things that we did was to meet the Mayor's challenge -- challenge to shorten the time frame for processing permit applications. We have a short-term concession permit and an amplified sound permit and we shortened the processing period for both of those. We worked to clarify the enforcement tools, who -- and who are authorized personnel and what kind of penalties we have for violations of the parks code. Finally, I would add -- this was in the memo with some more -- some longer notes, but I did present these proposed changes to the Parks and Recreation Commission at their February meeting and they had some really good feedback, which we incorporated into the draft that you have now. So, I will move now to jump into the code itself, the draft that's in your packet and, again, there is no super entertaining way to do this, so I'm just going to start at the top and go to the bottom. I'm going to try to hit some highlights, so that we don't -- we are not here all night. So, if I skip over something you want to talk about just, please, stop me and we -- we will do that. So, starting at the top I'm going to blaze through the definition sections and -- section and go to page two. So, section -- or Provision N in the definitions is the definition of sell. That's a new provision that helps clarify what we are talking about when we talk about commercial activity in city parks. So, it's exchanging goods and services for money. It's trading stuff. It's offering things for sale even if you are not selling things or offering to trade or give things away., So that's activity that is kind of changing what parks are for. So, that's something that we address with -- with some regulations. So, more on that activity later. Also on page two there is a big chunk of text that is deleted regarding Steve's, the director's, duties and authority. That is an example of something that was moved also to Title 1. So, we are already on page three, use of park amenities. This is -- there is not a lot changing. I'm -- I'm suggesting a few clarifications and re-words and eliminating some extra language that we have in there, but really no big changes. So, moving on to page four. Specific really regulated uses of parks. So, this is where we talk about what people are -- are doing in parks other than just the normal use of the parks like we have programmed for the parks. So, we have special events and outdoor markets. No real changes there. I'm suggesting the elimination of some language that's -- it -- I think we put it there to talk about short-term concession permits and when they are and are not required. At this point it's -- we have really got that down to a science. I keep saying we, but it's the Parks Department. They are -- they are really using this and -- and working on it, but I will just keep saying

we, the -- the royal we. The city. So, short-term concession permits. We will talk about that later, but we really don't need to talk about that under special events, because that -- those are two different things. Mobile sales units. No -- no big changes there, except for that -- that same elimination of language that we don't need. Short-term concession permits. So, this is an area where the short-term concessionaire is a vendor who sells food and beverages in parks and so we do want to regulate that to a degree. It doesn't rise to the level of a TUP, it's more like a food truck or a hot dog cart or something like that, but it's typically attached to a reservation or another use that's going on. So, a tournament or even a game. Sometimes Heroes Park has a big game day and so sometimes they invite a food truck or it's really just a vendor that's attached to -- to a reservation or to a -- not a special event, but to something else that's going on. So, they are kind of a loner, but they -- we do exercise some oversight, because they are interfacing with the public. They are using our park for commercial activity. They are serving food and drinks. So, that does require some oversight by Central District Health, so we make sure that they have that and, then, we make sure that we have their insurance information. So, the -- there is one little change where we -- I'm recommending that we change the inviting party. So, the party that invites the special -- or, sorry, the short-term concessionaire from the reservation holder -- or from the director to the reservation holder. So, that gives the reservation holder and the -- the users of the park the control over what their -- what is happening at their event, at their activity. We had it originally as Steve and so that gave the city the control, but we really don't need that. That -- what we find is that we were just doing it on behalf of the reservation holder. So, this cuts out the middle man. We talked a lot about what launches just the regular use of the park into a special event and really it's the number of vendors that you have there. So, what we are recommending is that there is one short-term concessionaire that's allowed to operate under that kind of system. If there are two or more that's really a temporary use permit. I talked to Skyler about that actually just today and he said that seems to be working. This is a -- this is something that we are already doing to say that that's the line between just regular use of the park with a food truck and a special event. So, two short-term concessionaires, two vendors, that -- that means that what you really need is a temporary use permit and that -- because that changes kind of the scope of what you are doing. So, that clarifies that aspect of that. Moving on to page six, again, eliminating some -- some language that we don't need, eliminating some stuff from the application process that we really don't use and don't need. Clarifying some of the insurance information. Now, I'm on page ten. Nope. Sorry. I'm on page seven. We -- this is an example of where we were able to trim the application processing period. The -- right now short-term concession permits take 21 days to process and I -- really they don't typically take that long. We are very -- we -- again, the Parks Department is very quick, but if we have two weeks it's -- that -- we can do that. That really is still enough time, if not too much time, but that gives us a little window in case we have a lot that come in at the same time. So, cutting some time off of that application period to better serve the public. We don't currently have in our code standards to deny a short-term concession permit, which really doesn't come up too often, but it is a bit of an oversight. So, this adds some provisions that make it so that if we have to we can say we can't grant you a permit for this activity and it's really just timeliness or we don't have what we need. You haven't submitted typically

the insurance information. Or this allows us to say our contract concessionaire at the park is already serving exactly what you are going to be selling. So, rather than set up a competitor with our own concessionaire we can deny and say that we are not going to let you have that particular -- or sell that particular item for this. It also adds a health and -- health and safety provision that gives us an out if we need it. Again very rare. Everything is going really well, but just kind of looking ahead in case we need that tool. Moving on to page eight. So, general park regulations. So, spend some time here with the Commission. One kind of the overarching thing that I'm suggesting here is that we make -- unless it otherwise states that we make all violations an infraction with a set penalty of one hundred dollars. Enforcement is really quite rare. This is really just a list of rules that allows the park staff to maintain order. It helps everyone know what the rules are. Boundaries for all. And it's really unusual for the police to be involved to issue a ticket at all, but this is the tool that's available to them if it's necessary. We currently have kind of a checkerboard, a smorgasbord of all different fines, all different penalties. Some violations or misdemeanors and some are infractions and this really just clarifies that very few are misdemeanors and most of the violations will be infractions. Moving on to page nine. So, alcohol. There is one change. This -- this provision was recently -- fairly recently updated and it's working well. One change that I would recommend is that we codify our current practice of tying alcohol use to a shelter reservation. So, that is alcohol permits -- so, consuming alcohol at a private event we do require -- we do allow that, but we require that that be tied to a picnic shelter. So, a reservation is necessary in order to consume alcohol at a private event. That helps us somewhat contain the alcohol use and kind of track and know that it's happening really, but this -- this is a practice that works really well and so I would recommend that we incorporate that into the code. Next up is amplified sound. So, Garrett White has spent quite a bit of time kind of thinking about this and working on an internal policy that customizes the distance between the amplified sound and where -- where we measure the decibel level of the amplified sound. So, for example, in Kleiner Park there -- that's a big area that can be -- there can be a little more -- I will just say that can be a little noisier and there -- it's kind of built for that. Whereas some of our neighborhood parks really it's -- it's different. It can't be as loud before it starts to affect the residential areas. So, Garrett has -- has prepared a policy that establishes that distance for each park and so this proposed code update would say that -- that policy controls the levels. There is kind of a default provision for everyday use, but if a person is using an amplified sound device, the more -- more decibels are allowed it can be a little bit louder and the permit controls how -- how loud it can be. It's hard for me to talk about noise. It's feels very sciencey, but I think I'm making sense. The takeaway is that Garrett has it figured out so that the amount of noise is governed by the amount of space. So, I think -- I think that can work.

Taylor: Mr. Mayor?

Simison: Councilman Taylor.

Taylor: Probably not to discuss right now, but I think it would be interesting to know what it looks like for the -- those seeking the reservation, is it going to be obvious how

loud or -- I mean we might have a policy, but how does the public interpret that? So, not to be discussed now, but maybe, Garrett, we can -- help us understand would be like for the customer who is, you know, doing that, so they can understand how they are going to be using the park, because it seems complicated what you are describing, but I'm sure Garrett's going to just totally simplify it so we all understand it. But I think that would be helpful.

Kane: It definitely can. He has done it for me. So, it makes sense when Garrett talks about it. There is -- I will tell you there is -- you can now use your phone as the decimator, so you can download an app and determine, you know, I'm standing at the back fence, okay, play the -- play the music and you can determine how loud it is as a -- both as a test and as for enforcement. So, it's -- it used to be that code enforcement had to go out with a special machine with a decimator, but now we all have them in our pocket. So, that is part of what makes it simpler and part of why customizing it makes a lot of sense, so that you can be louder at our bigger venues. Okay. This is another area where we have shortened the application period. The -- we currently have a 21 day period and we have shortened it to seven. Those are pretty quick permits, especially with the handy policy. Move on to page ten. Not many changes. We did add -- I'm recommending the addition of Section G, commercial use of city parks. So, this is an area that kind of clarifies that -- or -- the parks really are not meant to be sales rooms. This is not the main use of city parks. City parks are programmed for their intended uses and this clarifies that without permits, without some oversight or approval, general commercial use of city parks is -- is not allowed. So, we are not -- occasionally we do see the reservation of a picnic shelter for commercial use and, really, that's -- that's not what it's for and, you know, there are a lot of requests to set up a table or a tent or just kind of set up shop in the park and really what we have determined is that's -- that's not what people want to see in parks. So, this helps clarify that. The -- at the end of page ten some of the tree provisions I moved into this section. Defacement and damage prohibited. So, you will -- we will talk more about trees toward the end, but this is a -- this is an existing provision that I just moved up. Moving on to page 11. Dogs. Fences. Fires. Fireworks. Rearrange some fishing. The fishing provision. The glass section. There is an update. Right now no glass containers are allowed, the -- but the change recommends that glass containers are disallowed only on asphalt, concrete or other hard surfaces. It's been pointed out that really people are -- people are drinking out of glass containers when they are sitting on the ground and really there is not that much risk of broken glass. So, that is the recommendation. Page 12. I removed the horseback riding prohibited section, because we just don't see horses in parks very often anymore. When I first started working here we occasionally did, but that's not something we actually probably need. All right.

Simison: Or it was so good at keeping them out --

Kane: Yes. I would be glad to put it back if that's a concern still. My mania to eliminate and streamline. The motor vehicle code is the same, but I did add the exception of the addition of a new provision. So, we have seen an uptick in people getting together in parks and doing kind of tricks with their -- with their vehicles. So, racing and people

standing up and doing different -- different maneuvers that are not safe for -- for them or for the public. So, Ohio actually introduced a bill -- and I don't think it passed, but it's governing hooning, which is an Australian word for just that, doing these fancy tricks with your car in public. So, this is borrowed from that bill and it does reflect what we are seeing and this would give the police the tools to kind of deal with that specifically. So, there -- it's -- it can be tricky when they are not on a public roadway, but this is city property and so this helps control some of that -- or regulate some of that -- some of that behavior that we are seeing. That would enable police to give tickets for that. At the bottom of page 12 pathways. This is a new provision. So, we did -- we learned from our neighbors. So, there was a big discussion with -- with regard to the Green Belt at the county commission. I think it's been over a year now, but they talked a lot about a speed limit on the Green Belt or how to -- how to deal with congested areas where people are going too fast and not sharing the space effectively with motorized vehicles, bicycles and pedestrians. So, we don't see as much of that here, because we don't have as much congestion. We have more wide open spaces and there are places where it's a little more crowded, but we don't really have that -- the same issues as are on the Green Belt in Boise. However, we do have some issues and this -- these provisions are intended to address them. So, this suggests that we would prohibit on pathways the use of cars, which that makes sense. UTVs and golf carts. There was some discussion about this at the Parks Commission. There -- and the Parks Commission was generally in the end okay with it. I'm not sure every member of the commission was. What we see a lot of is people using golf carts to go from one part of their neighborhood to another on the pathway or one neighborhood to another on the pathway and that's not a huge deal at this point. We don't see a lot of conflict. There is -- there is some, but this does offer some clarity. It offers an answer to the question what is allowed and what is not allowed. So, there is some -- some room there for discussion, but this is -- this is the recommendation.

Simison: And, Emily, we had some context, because this is an area that we spent a lot of time on. What I was trying to make it very simple for our police department to be able to look and see, because initially the conversations were, you know, was it electric or was it gas? You know, can't look and tell if something is from a distance in that context. So, what we really try to get down to is can it be licensed by the state or not. If it can be licensed by the state it should be on the roadways. If it can't be licensed, then, the pathways are at least a place where it can in theory be allowed to exist. So, that's kind of -- since golf carts are in that category where you can license them and drive them legally, if that's what you -- how you want to use your golf cart, then, you have a means to make that happen to do so effectively. So, that's -- that's what we really tried to like get it into for the most part.

Kane: The top of page 13 we added a reasonableness standard. Those can be -- those can be tricky for enforcement. It's -- it's somewhat of a judgment call, but it at least allows -- allows some intervention in the event that someone is not acting reasonably, not acting prudently. It's -- again Meridian is different, because there are areas of pathways where you could go really fast and not hurt anybody or endanger anybody and there are some areas where that really wouldn't be safe and that wouldn't

-- be reasonable. So, this is an attempt to acknowledge that, really, we -- what you are doing needs to depend on where you are and how many people are around you. So, that's -- that's an attempt. This is similar to the language that Ada county ended up with. So, this is consistent with our -- with our neighbors throughout the valley. Deleted -- deleted some provisions at the bottom that are covered elsewhere or I moved them somewhere else to consolidate. Going down to page 14. So, trespassing in parks. This is not new. It's -- it is existing language that's updated a little bit to reflect different code provisions and clarify a little bit, but it's moved up so that it's clear that trespassing in parks is a parks violation or prohibited activity. So, instead of spreading that out throughout the code it's now in this -- in the section that's for prohibited activities. There are this little preview, so, we have -- we have park ejection, which is just please leave for the day and don't come back today and we have park exclusion. So, that's a bigger deal, because that is telling someone you need a longer time out. You need to leave for two weeks -- up to two weeks. So, I will talk more about that in a minute. But this is the -- the provision that says if you violate one of those two orders, then, that is itself a violation. Still -- still an infraction. Okay. On the bottom of page 14, park operations. So, a big deletion here, because this is covered in Title 3, Chapter 1. We adopted a uniform appeals section for -- for all grievances and that's -- so, that's covered in Title 3. So, we can skip all the way to bottom of page 15. I updated the enforcement provision to reflect our current staffing. Code enforcement officers and community service officers also help with -- with some issues in the park, parking and different -- different -- oversight of different park activities and prohibited activities. Top of page 16. So, this is the exact -- ejection code. So, we do have this now. This is not new. But it does clarify kind of the mechanism of how that happens. So, it's a verbal warning. It's a verbal command to leave. So, in the event that someone were asked to leave and they didn't, then, that would actually be trespassing, but this is the step before that to say this empowers park staff, code enforcement officers, community service officers to say you cannot be here. You violated the rules. I need you to leave. So, it's actually -- it can happen in addition to a ticket, but it's kind of an interim measure to save maybe we can just cool things off and try again tomorrow. So, that's not new, but I did -- I did update it a little bit. The companion is in Section E. So, there is an exclusion notice. So, again, this is not new. We did -- we are recommending an extension of the allowed time to exclude. The police pointed out that our current -- our current days of exclusion, seven days actually did -- would not stop someone from coming back the next weekend, so you could be excluded on a Saturday and be right back there the next Saturday. So, this would help, again, kind of de-escalate things, give everyone a little break and say, okay, 14 days, that's two weekends from now you can come -- you can come back then. This is a -- it's a little bit bigger deal, because we are asking someone to leave public property. So, this is a -- it requires it to be in writing and it needs to be -- it's going to be typically delivered personally to the -- the offender or -- or mailed if we -- if we know their -- their address, which would -- implies more -- some more contact probably by the police at that point. But this is a tool we already have in place and it just clarifies kind of how we do it and exactly the mechanism of -- of how that's done. The appeal of this exclusion notice necessarily needs to be pretty quick, because it's already a short -- it's immediate -- immediately applicable and it's a short period. So, currently the -- the person that would want to appeal has an avenue of appeal to this board to City Council.

That's not always practical, because the -- this board meets once a week. So, this suggests a change to the police chief being the -- the reviewer and so it would be more of an administrative internal staff level appeal right. Page 17. So, that brings us to the end of Chapter 1 and to the beginning of Chapter 2, which is the city arborist. The National Arbor Day Foundation runs the Tree City USA program and they have some criteria for what is needed to qualify for that designation and so the updates that you are seeing here are largely to -- well, it's -- it reflects what we are doing and what we want to do, but it also is necessary to comply with the Tree City USA requirements. That's part of the motivation, but it also helps us clarify the duties of the city arborist and who -- who does what with regard to trees. So, we -- our city, as you know, is part of a highway district. So, the right of way and the right of way trees are actually not -- they don't belong to the city, like they would with a city that has a street department. So, this clarifies that our oversight is over trees that are located on city property, which is mostly going to be parks and other facilities, but that's the purview of the city arborist. Other cities, again, have broader authority, but this is -- this is what we are doing now and this is really within the scope of Kyle's -- Kyle's job description. Page 18. So, his -- his duties -- the city arborist duties are listed here. It's a little bit longer list. I did remove establish and maintain inventory of public trees. We really don't keep track of every single tree on its -- on its own, but we did add provisions five through nine and these are largely for Tree City USA to clarify what we do to qualify as the Tree City USA, including coordinating and promoting Arbor Day, education programs, coordinating with other city departments about tree care, like at it's -- it comes up when we are talking about streetlights or probably occasionally at the water department or the wastewater treatment plant. That would be unusual, but it's surprising how much trees come up on a -- in our day-to-day life. So, this really just clarifies that Kyle -- people can call Kyle to talk about -- to talk about trees, which they are doing anyway. This also incorporates tree planting and care standards. We used to have extensive standards. We shrunk it down and we went a little too far last time. So, we are swinging the pendulum back to the middle. We are incorporating by reference the National Standards for tree care operations. Those are already published by the International Society of -- of Horticulturists, so that is -- that's what we follow already and that just clarifies that that's -- that's our standard. We make reference to private trees. You have to follow the UDC and the nuisance trees. The city arborist also has a role in that. Then all of these provisions regarding damage to trees is either somewhere or it's implied.

Simison: Councilman Cavener.

Cavener: Emily, I want to just stick with you at least on the duties of the arborist, because I want to make sure that I -- I feel like at times that this part is laying out here is how the arborist does trees for like city trees, like City of Meridian trees that we own, trees that we plant, but, then, the part about nuisance trees that certainly feels like what I would plant in my yard and so when I -- when I look at Item No. 10, recommend a list of public tree species appropriate for planting, a list of prohibited public tree species and an official set of spacing requirements, to me that feels a little bit like both. Is -- is the arborist really going to tell somebody how far they have to space a tree when they are

planting it at their house? Because that's how I read it and I want to know if I'm just being -- if I'm not reading it the right way.

Kane: Mayor, Council Member Cavener, so remember public tree is defined as city-owned trees. So, that's the -- I see what you are saying, but that's the trick is that it only applies to our own trees.

Cavener: Okay.

Kane: So, the arborist recommends which species we will plant, prohibited species that we won't plant, and, then, where we put them, so that they grow -- they have room to grow.

Cavener: Perfect. Great.

Kane: So -- but to your point, the arborist does, in Section 5-2-4C have a role to support code enforcement with nuisance trees, which are and can be on private property. So, that -- the city steps in when a tree on private property is posing a hazard to public health or safety where it would fall over or drop branches or --

Cavener: Totally got that.

Kane: Okay.

Cavener: If -- if we were requiring where people had had to space their trees I felt that's probably a bridge too far, so I appreciate that clarification.

Kane: Okay. Okay. And we are near the end. Again, most of the prohibition against harming public trees -- this is not new. It's a little more extensive to clarify what is not allowed. We did add construction near a public tree. People doing construction near a public tree, just need to let the city arborist know, so that we can take action to deal with -- or to mitigate any effects that that might have on the tree. That is -- I have arrived at the end.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: A couple more on this particular one. Am I reading this, then, right on 5-2-6 that the violations of those park tree damage would be a misdemeanor?

Kane: Mayor, Council Member, yes. And I would recommend that we have it be a misdemeanor, because with a misdemeanor the court can order restitution, which can be a big deal with -- with trees. So, if someone damages a city tree then being convicted of a misdemeanor or certainly having that in the mix would allow the city to recover for the cost of the tree.

Cavener: Mr. Mayor, follow up.

Simison: Councilman Cavener.

Cavener: I appreciate that. There is a piece in here, though, that makes me a little uncomfortable and that is climbing of a tree and we are making climbing trees in Meridian in misdemeanor. I don't think that is our intent, but if I'm reading it that would be my takeaway.

Kane: Mr. Mayor, Council Member Cavener, that is the intent. So, if you are against that we would need to make that change.

Cavener: Appreciate it. Thanks.

Taylor: Mr. Mayor?

Simison: Councilman Taylor.

Taylor: Just a quick follow up to that. Is it a -- it is more of a city liability issue or is it actually focused on the health and well-being of a tree to keep people out of the tree?

Kane: Mr. Mayor, Council Member Taylor, I -- I would say it's both. I think climbing trees is super fun, but it can damage the tree and, of course, we don't want people falling. So, it is prohibited.

Simison: Any additional questions, comments, thoughts, observations?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: I think from a process standpoint the goal is great. Legal staff sends us as a draft, so we can kind of glance at it, go through it. Ms. Kane, then, provides this overview. Get another little bit more time to noodle on it. Public hearing. Then an action. So, if you don't have questions or thoughts right now that's okay, but I was really negligent in getting feedback to Ms. Kane on this last round. So, I'm going to try and be a little bit better about that and just would encourage if you have got thoughts, connect with our great legal staff and they will give you some good clarification.

Simison: Okay. And, Emily, it's been a pleasure working with you on this project. This is one of the ones that had a lot more dialog and injection and I didn't catch the climbing of the trees. I don't know that we -- is a -- you know, it does seem a little silly in some regards, but maybe we can just spike the trees the way we do out here in front of City Hall with the -- so, you can't do skateboarding, you know, to keep people off of them and create -- I know we can't do that, but it is a little different and unique and I think that is one that deserves a little bit more discussion on what is appropriate or not. At least it's

from my standpoint, so -- appreciate it. Okay. Well, will let you put together a time frame moving forward and get the information out for any additional feedback and to bring it back.

Kane: Mayor, would you like me to come back with another presentation to Council or public hearings next step?

Cavener: Public hearing I think is --

Kane: Okay. Okay. Great. Thank you.

EXECUTIVE SESSION [Action Item] Per Idaho Code 74-206(1)(f): To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated.

Simison: Thank you. Okay. With that next up --

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Move we go into Executive Session pursuant to Idaho State Code 74-206(1)(f).

Little Roberts: Second.

Simison: Have a motion and a second to go into Executive Session. Is there any discussion? If not, clerk call the roll.

Roll Call: Cavener, yea; Strader, absent; Overton, yea; Little Roberts, yea; Taylor, yea; Whitlock, yea.

Simison: All ayes. Motion carries and we will go into Executive session.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

EXECUTIVE SESSION: (5:24 p.m. to 5:39 p.m.)

MOTION CARRIED: FIVE AYES. ONE ABSENT.

MEETING ADJOURNED AT 5:39 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)

_____ MAYOR ROBERT SIMISON ATTEST:	_____ / / DATE APPROVED
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CHRIS JOHNSON - CITY CLERK