

A Meeting of the Meridian City Council was called to order at 6:08 p.m. Tuesday, April 9, 2024, by Mayor Robert Simison.

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

Also Present: Tina Lomeli, Bill Nary, Bill Parsons, Stacy Hersh, Linda Ritter, Shawn Harper, Joe Bongiorno and Dean Willis.

ROLL-CALL ATTENDANCE

<input checked="" type="checkbox"/> Liz Strader	<input type="checkbox"/> (vacant)
<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 this meeting to order. For the record it is April 9th, 2024, at 6:08 p.m. We will begin tonight's regular City Council meeting with roll call attendance.

PLEDGE OF ALLEGIANCE

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

(Pledge of Allegiance recited.)

COMMUNITY INVOCATION

Simison: Today's community invocation will be delivered by Rabbi Mendel Lifshitz. If you would all, please, join us in the community invocation or take this as a moment of silence and reflection.

Lifshitz: Thank you. Before I begin I would like to take a moment to personally thank the City Council and the City of Meridian. A number of months ago you graciously donated a stock of protective vests and I really want to thank the body here for authorizing that and for allowing that to be used for -- in a public private-partnership. It's really beautiful when the city joins together with nonprofits. Thank you for donating those to our organization and you should be proud that it has reached its destination for people in need. Almighty God, we stand before you at a critical time for our country, our state and our city. Your guidance, wisdom and grace is ever more crucial. We recognize that alone we cannot succeed. Almighty God, look favorably upon the Mayor and Honorable Members of the City Council of the great City of Meridian. Bestow upon them the joy of life, good health and prosperity. We beseech you merciful God to

extend your kindness to these distinguished individuals, who have been chosen to make laws and ordinances for the citizens of this city with understanding and compassion and their noble pursuit of justice and equality. Assist them to embody and encourage a spirit of mutual cooperation respect and peace. Give them guidance so that they will always be conscious of your presence and will strive to enact laws with honesty and integrity and in accordance with the values of your universal and moral code. As the cold and sometimes harsh winter recedes we look at the promising spring bloom and we look toward you our Creator. We stand in awe and appreciation of the masterful and beautiful world you allow us to partake of. We stand committed to partnering with you to tend your garden and to safeguard your creation. Grant this august body the wisdom to turn adversity into opportunity and to transform the hard challenges we face today into the seeds from which will sprout the growth of tomorrow. Bless the City of Meridian that it may serve as a beacon of light to our great state of Idaho and for people of all faiths and walks of life. May the leaders and citizens of Meridian blossom as the flowers of the season and realize the goal so powerfully stated in our nation's Pledge of Allegiance that we just recited, so that America is truly one nation under God, indivisible, with liberty and justice for all. May God bless all of us and God bless America. Now let us say amen.

ADOPTION OF AGENDA

Simison: Thank you. Okay. Next up will be adoption of the agenda.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I move that we adopt the agenda as published.

Overton: Second.

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

MOTION CARRIED: ALL AYES.

PROCLAMATIONS [Action Item]

1. Week of the Young Child Proclamation

Simison: Next up will be proclamation for the Week of the Young Child. Is Lorena here? If you wouldn't mind joining me at the podium. So, Council, we will go ahead and read this proclamation for the Week of the Young Child and, then, turn it over to Lorena for some comments. Whereas the City of Meridian, in conjunction with the Idaho Association for the Education of Young Children, are celebrating The Week of the Young

Child April 6 through April 12, 2024, and whereas Idaho AEYC is working to promote and inspire high quality early childhood experiences for our state's youngest citizens that can provide a foundation of learning and success for children in Meridian and whereas teachers and others who work with or on behalf of young children from birth through age eight make a difference in these lives and deserve thanks and recognition and whereas public policy supporting early learning for all are crucial to young children's futures to the prosperity of our society and whereas this is a time to recognize the importance of children's earliest years in shaping their development, to recommit ourselves to ensuring that each and every child experiences a type of environment at home, at childcare, at school and in the community that will promote early learning. Therefore, I, Mayor Robert E. Simison, proclaim April 6 through 12, 2024, to be the Week of the Young Child in the City of Meridian and encourage all citizens to work to support the efforts of the Idaho AEYC and NAEYC in support and invest in early childhood in our community. Dated this 9th day of April 2024.

Lorena: Sorry. I wasn't expecting it. I just want to thank the city -- City Council, Mayor. Thank you all for the proclamation and just for thinking of helping support children and families throughout the state of Idaho. I think it's incredible work and extremely exciting and we know that everyone can help make a huge difference in the life of a child. So, thank you.

PUBLIC FORUM – Future Meeting Topics

Simison: Next item up is public forum. Madam Clerk, do we have anybody signed up under the public forum?

Lomeli: Thank you, Mr. Mayor. No one has signed up.

DEPARTMENT / COMMISSION REPORTS [Action Item]

2. Election of City Council President

Simison: Okay. Then with that we will move on to Item 2, which is Department/ Commission Reports. Election of City Council President and I will turn this over Council Woman Strader.

Strader: Thank you, Mr. Mayor, Fellow Council Members. This is an important business decision that we have to make today as a Council. I -- I know we still have one Council seat that is open, but I think it's really important for us to elect a City Council president, because we have a lot of critical processes that need to move forward, including the budget. After many conversations I would like to nominate Luke Cavener. I think he is the right leader for us at this time of transition and I'm very grateful for him that he is willing to make the sacrifice of a significant amount of his extra time to help us move forward as a group. That means a lot to us. He has my full support. I think we should rally around Luke and that way we can have a successful year.

Simison: Thank you. I have a nomination.

Overton: Second.

Simison: And the second. Is there a further discussion on the topic or further nominations from the body? Okay. Then all those in favor signify by saying aye. Opposed nay? The ayes have it and, Councilman Cavener, you are now Council President. Would you like to do a speech, a coronation, gala? What's your preference?

Cavener: No -- no speech, no gala, no coordination. We have got important work ahead of us. So, appreciate the nomination and the vote. Enjoy working with all of you. Thank you.

Simison: Thank you very much. All right. So, moving on to the rest of our action this evening. The first item up is Item 3, public hearing --

Cavener: Just for clarification, do we need to take an action on the vice-president role?

Simison: No. It's existing.

Cavener: Okay. Great. Thank you, Mr. Mayor.

ACTION ITEMS

- 3. Public Hearing for The Oaks North No. 1 (Lots 11 and 12, Block 7) (H-2024-0004) by Kyle Prewett, Toll Brothers, located at 5662 W. Daphne Dr.**
 - A. Request: Vacation of the permanent easement for public utilities, pressure irrigation and lot drainage over the five (5) feet adjacent to the interior side lot lines of the pre-adjusted Lot 11 and Lot 12, Block 7 of The Oaks North Subdivision No. 1.

Simison: Okay. Next item up is Item 3, public hearing for The Oaks North No. 1, Lots 11 through 12, Block 7, H-2024-0004. We will open this public hearing with staff comments.

Ritter: Good evening, Mayor and Council. I'm Linda Ritter, associate planner for the City of Meridian and tonight we are here for The Oaks North No. 1, Lots 11 and 12, Block 7, H-2024-0004. The applicant is requesting to vacate five feet of a public utility pressurized irrigation and drainage easement located along the interior lot lines of a Lot 11 and 12, Block 7, of The Oaks North Subdivision. A property boundary adjustment application PBA-2023-0015 was approved in November of 2023 to reestablish the easements. So, these properties that I have mentioned are located at 5662 and 5684 West Daphne Drive and they are located on 0.156 and 0.14 acres of land that is zoned R-8. There are currently no structures located on this property at the time. The applicant was proactive to make this happen before the homes were built and so at this

time -- so, staff is asking for approval of this proposal and so at this time I will take any questions that you may have and the applicant's representative is here if you have questions.

Simison: Thank you, Linda. Council, any questions for staff? Okay. Would the applicant like to come forward and make any comments? Okay. Applicant waives. Madam Clerk, is there anyone signed up to provide testimony on this item?

Lomeli: Thank you, Mr. Mayor. I have a couple people signed up, but they did not mark that they wish to testify. Do you want me to call --

Simison: If you would read their name and we will see if they want to come up.

Lomeli: Kris Moncapa. No?

Simison: The applicants. Okay.

Lomeli: Hank Boeger.

Simison: He is also saying no. There was only two?

Lomeli: That's the only two, yes.

Simison: Okay. Is there anybody present in the audience or online who would like to provide testimony on this item? If you are online use the raise your hand feature on the Zoom call and we can bring you in. Seeing no one raising their hand online and no one walking forward -- the applicant waive final comments? Applicant waives final comments. Council, what's your direction?

Overton: Mr. Mayor?

Simison: Councilman Overton.

Overton: This seems like a pretty straightforward vacation request and if there is no further public comments, I move that we close the public hearing.

Little Roberts: Second.

Simison: Have a motion and a second to close the public hearing. Is there any discussion? If not, all in favor signify by saying aye. Oppose nay? The ayes have it and the public hearing is closed.

MOTION CARRIED: ALL AYES.

Overton: Mr. Mayor?

Simison: Councilman Overton.

Overton: After considering all staff, applicant and public testimony, I move to approve File No. H-2024-0004 as presented in a staff report for the hearing date of April 9th, 2024.

Little Roberts: Second.

Simison: Have a motion and second to approve Item 3. Is there discussion? If not, Clerk will call the roll.

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

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

MOTION CARRIED: ALL AYES.

4. Public Hearing for Keep West Subdivision No. 2 (H-2023-0047) by Jarron Langston, located at 2625 E. Lake Hazel Rd. and 6519 S. Raap Ranch Ln.

- A. Request: Annexation and zoning of 16.25 acres of land from RUT to R-2 (low density residential) zoning district
- B. Request: Preliminary Plat consisting of 22 buildable lots, one existing home and 5 common lots on (16.25 acres of land) in the R-2 zoning district

Simison: Next item up is Item 4, public hearing for Keep West Subdivision No. 2, H-2023-0047. We will open this public hearing with staff comments.

Ritter: Thank you. Again Linda Ritter, associate planner for the city. So, tonight we are here to -- for a request for Keep West Subdivision, H-2023-0047, for annexation and preliminary plat. The site consists of 16.25 acres of land, zoned RUT and it's located south of East Lake Hazel Road. So, the property itself is -- the comprehensive -- the future land use map is low density and medium density residential and since the property is designated with two land use designations, the plan allows the flexibility to float the more dominant designation. The applicant has chosen to apply the low density designation across the entire property. Again this is the annexation of 16.25 acres of land from RUT in Ada county to R-2, low density residential zoning district, and a -- and a preliminary plat consisting of 21 new buildable lots and one existing home and eight common lots for a total of 15.76 acres of land. The density is 1.4 dwelling units to the acre, which is consistent with the LDR designation. The proposed building lots range in size from 12,008 square feet to 38,274 square feet. The subdivision is being proposed to be developed in one phase. Again there is an existing structure that is on the property and there are several other structures on the property, but the existing home is proposed to remain. All the other structures are proposed to be removed. So, prior to

the city engineer's signature on the final plat all the existing structures that don't comply with setbacks of the district shall be removed. A new address will be required for the existing home and the lot number for the existing home will need to be changed to 35 and the renumbering of the remaining lots in that location. So, this proposed plat complies with the dimensional standards of the district. So, again, the -- again the proposed subdivision is required to comply with the design improvement standards of the UDC. The face block on the west side of the north and south street segments exceed 750 feet. However, the code allows a block length up to a thousand feet when the pathway connects to the common space open area and the applicant has provided a connected pathway to the open space to allow the extended block. And also per the UDC the Council may approve a dead-end street up to 750 feet in length where the emergency access is proposed or where there is a physical barrier, such as a steep slope, railroad tracks, an arterial roadway or a large waterway that prevents or makes impractical extensions and a pedestrian -- pedestrian connection is provided from the street to an adjacent existing or planned pedestrian facility. The code for the proposed plat -- it was greater than 900 feet, which exceeded the maximum approval allowed by the City Council of 750 feet in length. The applicant revised the plat map to shorten the length of the cul-de-sac and submit the revised plat map 15 days prior to this meeting. So, access to this property is proposed -- is proposed via East Wickham at the east boundary of the site, which terminates on to South Netherfield Way. Direct -- direct access is not proposed or allowed from East Lake Hazel Road, except for an emergency access. There are two common driveways proposed for lots 22, 23, 20 -- and, then, 27 and 28. There are two waterways along the boundaries of this proposal. The Farr Lateral existing on the western boundary, which is within a 50 foot easement and the Grimmatt Lateral along the eastern boundary -- the east boundary, which is within the 40 foot easement. The UDC requires irrigation easements wider than ten feet to be included in a common lot that is a minimum of 20 feet wide outside of a fenced area, unless modified by the City Council at a public hearing with notice to the surrounding property owners. The applicant proposes to place the Farr and the Grimmatt Laterals within common lots as required. However, the applicant will be requested a modification of this and they will present that to you at the time they do their presentation. Other irrigation districts crossing the site that aren't being improved as a water amenity or linear open space as defined by the UDC shall be piped or otherwise covered as set forth in the UDC, unless otherwise waived by the City Council. Again, the applicant has been working to tile a portion of the Grimmatt Lateral and has been working with the Boise Project Board of Control for approval. The Farr Lateral will remain open. If tiled the Boise Project Board of Control will not approve any landscaping, other than gravel, within its 25 foot easement. Staff has asked the applicant to work with the irrigation district to leave the Grimmatt Lateral open in a natural state to avoid the area being improved with gravel only. There is a 25 foot wide landscape buffer that is required along East Lake Hazel Road, which is an arterial and it measures from the back of the sidewalk. A buffer is depicted on the landscape plan that appears to meet this requirement. So, this is the landscaping along East Lake Hazel Road. The buffer has been depicted on the plat in a common lot as proposed within the landscape and per the standards of the UDC. Common open spaces and amenities. The applicant is proposing about 1.37 acres of open space consistent at 50 percent of

the street landscape buffered along East Lake Hazel Road, six foot wide parkways, pathway along the emergency access and open grassy areas. The applicant provided 9.41 percent, which is 59,596 square feet or 1.37 acres of open space, which exceeds the eight percent that is required. Per UDC for each five acres of gross land area one point of site amenity is required. As the property is 15.76 acres, a total of three amenity points are required. The applicant is proposing a covered pavilion, which is a picnic area and that's for two points. A sports court for pickleball, which is four points, as these amenities total six amenity points, which is -- which exceeds the requirement. Several building conceptual elevations of homes were submitted and as shown. Building material consists of a variety of stone, brick, veneer accents and stucco. At The Planning Commission meeting there were no oppositions to this subdivision -- proposed subdivision. We did have people making comments at the hearing and we had one written testimony and the concerns that were key issues were the proposed street connectivity that -- because they felt it would bring additional traffic to the existing neighborhood. Go back to a previous slide. This is the connection that they were concerned with. And the only discussion of key issue by Commission were that they were -- were required to bring the cul-de-sac into compliance prior to the City Council meeting, which they did. There were no changes recommended -- no changes to the staff recommendation -- recommendation and there were no outstanding issues to bring before the City Council. And at this time I will stand for any questions that the City Council has regarding this application.

Simison: Thank you. Council, any questions?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Linda, thank you so much for your presentation. I reviewed the file a while ago and I did not see a letter from the West Ada School District. I also did not check the agency reports today. So, just wanted to check have we received a letter from West Ada or are we in communication with them?

Ritter: I have not received anything from them. It did go out to them, but I have not received anything. I don't know if it's too small of a subdivision, but I have not received anything.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: And I apologize, because that wasn't meant to trip you up or anything, it's just we have been expressing our desire to hear from the West Ada School District and this particular annexation opportunity is in very close proximity to another one that we have reviewed recently. So, I felt like -- I guess I'm a little surprised that they haven't taken that opportunity to provide that information here, although I understand it is not a huge

subdivision, it still seems important to hear from them. Thank you.

Simison: Council, any additional questions for staff?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Linda, I appreciate you have got this -- this image up and as I was -- and you are doing a good job going through the staff report and keeping us up to date on -- on history. I appreciate that. I noticed that the exhibit of the open space looks a little bit different than the preliminary plat that's in the staff report. I'm not sure if that is because of the -- the cul-de-sac piece or if the -- if the plat is showing what appears to be maybe some -- some pathways. The reason why I'm bringing this up is that one of the parcels that I think is kind of near the open space -- I believe the existing home, I'm trying to figure out how that -- the parcel of land that's right just to the left of your arrow -- down a little bit. Right there. Yep. How somebody's getting there. Is it -- is it a common drive in and exit? In the staff report it looks like a pathway, but I'm not -- I'm not quite clear.

Ritter: Council Member, so that's actually a panhandle lot and that particular lot has to provide a fire turnaround because of the length of it and we have -- we relayed that to the applicant.

Cavener: Okay. Thank you and I appreciate it.

Simison: Council, any additional questions for staff at this time? Okay. Would the applicant like to come forward?

Ritter: Oh. And before the applicant speaks -- so I -- this is different from what is in my staff report. I didn't get a chance to change it out, so -- but that's why I made sure that I put the correct ones up here for the hearing.

Simison: Good evening. It's nice to see a representative of the Borton Lakey law firm here, right, Council?

Lakey: Thank you, Mr. Mayor. Short the Borton, but still in the name. Mayor, Council Members, appreciate the opportunity to be here tonight. For the record my name is Todd Lakey with Borton Lakey Law here on behalf of the applicant Jarron Langston. Council Members, I will be brief. Hit some of -- some of the high points on this project, but we do appreciate the recommendation of approval and the work that staff's done on this and also the recommendation from the Planning and Zoning Commission and if you do have any particular technical questions we have Ted Burke, our engineer, here as well to answer questions. Council Members, as noted in the staff report the application meets the requirements of your zoning ordinance, your subdivision ordinance and we conform with the Comprehensive Plan. We are a little bit less dense than those things that are around us and this is phase two of The Keep Subdivision. I imagine you are

familiar with that project. That's -- this -- this will be a continuation of that project, the same quality, the same caliber of development. It's really a project that the City of Meridian can be proud of. Our request is for low density R-2 zoning and, as I said, that's the same or less dense than the surrounding zoning and our adjacent subdivisions. We have R-4, R-2, R-8 and R-15. Twenty-two lots with just about a 20,000 square foot average lot size and staff mentioned the gross density at 1.46. We exceed -- meet or exceed the open space requirements with our pathways, our covered pavilion, the sport court and the grassy areas and also exceed the amenity points required by the city and that's in addition to the larger lots that we have that people are going to be able to use and recreate on their own property in addition to those amenities in the subdivision. The three accesses for the property will be closed, with the exception of the emergency access that we will be providing onto Lake Hazel and that access will meet city requirements, but also provides pedestrian connectivity to Lake Hazel from the project. We will have the 25 foot landscape buffer along Lake Hazel and we are, as was mentioned by staff, trying to leave open the irrigation facilities that border this project. It's an odd shaped parcel as you can see, so it took a little bit of creativity to -- to make this project work and from our perspective -- I think from staff's perspective and some of our neighbors' perspective, they wanted to keep those irrigation laterals open and make them really more of an amenity than simply a long wide -- what looks like a gravel road separating two projects. So, that was our effort with the irrigation jurisdictions and we are keeping the Grimmatt Lateral open to the north of that East Wickham Street. That's what we worked out with them and, then, the Farr Lateral along the side with the Apex Subdivision will be open in its entirety. We do agree with the conditions in the development agreement. The recommendations of approval. As requested by staff we did reduce that distance for the cul-de-sac to 750 feet, so we fit with the Uniform Development Code. We do that because we have that emergency access and, then, we are also providing that connectivity from that street to the other pedestrian facilities, particularly along Lake Hazel and, then, widened that access -- that continuation -- or extension of that cul-de-sac back to that open area common space, so it's a little bit wider to provide that additional pedestrian connectivity. With that, Mayor and Council Members, again, appreciate the efforts on staff's part. Ask for your approval. Be happy to answer questions if you have them.

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

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: I appreciate you laying some of that out. Maybe continuing Council Member Strader's question for staff, have you or your client engaged and had any conversations with the West Ada School District about -- not so much about student generation, I don't anticipate this development would generate a lot of students, but particularly about where they would be slated to attend school.

Lakey: If you would give me just a moment I can maybe talk about the specifics of that.

Cavener: Okay. Thank you.

Simison: Maybe while that's occurring, Mr. Parsons, do we have an idea when the school district plans to start transmitting letters on the ones that they have yet to do while -- while we are moving forward?

Parsons: Mayor, Members of the Council, I don't have a specific date, but I know it's -- it's imminent based on the discussions that -- the joint meeting that you had with them. What I can tell you is based on some of the e-mails that I have seen on this topic, the school district plans on providing letters for developments that are 45 or more lots and so in these types of situations you may not get any comments from the school district because they are under that threshold. So, I just wanted to let Mayor and Council know that, there will be a threshold moving forward with -- but, yeah, we can start expecting to see more and more letters in the near future.

Simison: Okay. Thank you.

Lakey: Mayor and Council Member Cavener, I appreciate the question. We did not have any specific conversations with West Ada and appreciate the comments from staff on kind of their threshold. I will say -- or we will note this is a smaller project at 22 lots, but I think it's also worth noting this is a type of project that's going to be well above your homeowners exemption and contribute more than your typical standard subdivision from a property tax standpoint to the school district.

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

Lakey: Thank you, Mayor and Council Members.

Simison: Madam Clerk, do we have anyone signed up to provide testimony on this item?

Lomeli: Mr. Mayor, we have no one signed up.

Simison: Okay. Is there anybody present that would like to provide testimony on this item, either in the room or online? If you are online use the raise your hand feature. I see no one coming forward and no one raising their hand. Would the applicant like to make any additional comments? So, Council, we will turn this back to you for further dialogue.

Overton: Mr. Mayor?

Simison: Councilman Overton.

Overton: Mr. Lakey, I just got to tell you that it's a little refreshing to have a project in front of us with this low of a density, because that's not what we tend to see anymore

and when I first saw this I had to read it twice to make sure I wasn't seeing a typo. I think it's perfect for that area as a phase two of The Keep. It's already there. It looks beautiful. I think this will be like the missing puzzle piece going next to it and won't add a lot of traffic trips onto Lake Hazel because of it. I think it looks like a really well done project and it's going to be a great addition to our community.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I really like the estate lot products. I think it's a nice addition to Meridian and does help us, you know, provide something a little bit different. The only area I am struggling -- and it's not actually something that the applicant can solve, but we do have concerns about school overcrowding in another development that is close by this area and I think it is going to be important for us to find some sort of a consistent philosophy and how we are approaching that issue. I do take a lot of comfort from our joint meeting with the West Ada School District where we asked them directly what do you need from us and they felt confident that they still had all the tools available to try to manage the student population. I expect them to rise to the occasion and do that. I think the -- the answer for some of these where it is really overcrowded is less density and you have already got that, so that gets me comfortable with this one. I don't have any major concerns. But, again, it's more of just a philosophy kind of conversation about how we are going to be approaching these in this area, particularly where Mountain View is extremely overcrowded and we have some other issues like that. You know even with the student generation rate, which I don't even think this would probably reach of, you know, even half of a student per unit, it's a very manageable number. So, again, I'm okay with this one, but I think getting that feedback from West Ada really closely on these going forward is going to be important for us.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: This one to me is a little bit of a -- for me going to be an exercise of discipline for The Keep game changer for South Meridian. Appreciate you being forward thinking and investing your dollars to bring something to South Meridian that many in our community have been asking for. I love driving past it. Hope one day maybe I could live there and I -- to Council Member Overton's point, it is refreshing to see something that's different. We talk a lot about diversity and oftentimes diversity means density and it's nice to see something that is less dense. I struggled a little bit with kind of location of open space and the alley load side, but given the really unique geographical challenges I think you have really put together something that works with a very limited canvas. Being up front, where I'm struggling is that Mountain View High School, Victory Middle School, are over capacity and I have no doubt that if this is built will help alleviate in terms of providing extra funding to the district long term. That's a school that has been really challenged for a long time and continues to be challenged and I can't

get frustrated about high density products that are putting students into an overcrowded school and say, well, this is not as many, so it kind of makes it okay. So, I wish we had the magic wand to solve the challenges that are going in the schools. These are challenges that are not your making, but you are kind of at the tail end of being forced to address. I am not going to be supportive this evening and it's not because I don't want this and I don't want more of this, it's that for me I don't think it is the right time given the challenges that our school district is currently faced and it -- frankly, it pains me, because I want to encourage more of this particularly in South Meridian.

Simison: Council, any additional questions, comments? Close the public hearing?

Overton: Mr. Mayor?

Simison: Councilman Overton.

Overton: If there is no more public testimony, I move we closed the public hearing.

Simison: Motion to close the public hearing. And a second?

Little Roberts: Second.

Simison: Thank you. All in favor signify by saying aye. Opposed nay? The ayes have it and the public hearing is closed.

MOTION CARRIED: ALL AYES.

Overton: Mr. Mayor?

Simison: Councilman Overton.

Overton: After considering all staff, applicant and public testimony, I move to recommend -- to approve File No. H-2023-0047 as presented in the staff report for the hearing date of April 9th, 2024.

Little Roberts: Second.

Simison: Have a motion and a second to approve Item 4. Is there discussion on the motion? If not, Clerk will call the roll

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

Simison: Four ayes. One nay. The item is approved. Thank you very much. Have a good evening.

MOTION CARRIED: FOUR AYES. ONE NAY.

5. Public Hearing for Rosalyn Subdivision (H-2023-0056) by Givens

Pursley, LLP, located at 200 E. Rosalyn Dr.

- A. Request: Annexation of a 0.014-acre of land from RUT in Ada County to the R-8 zoning district, including the remaining portion of E. Rosalyn Street cul-de-sac right-of-way.
- B. Request: Combined Preliminary/Final Plat consisting of 6 residential building lots and 1 common lot on 0.733 acres in the R-8 zoning district.

Simison: Next item up is Item 5, public hearing for Rosalyn Subdivision, H-2023-0056. We will open the staff hearing -- or this public hearing for staff comments.

Hersh: Good evening, Mr. Mayor and Members of the Council. The applicant is here to present their project for Rosalyn Subdivision. The applications that were submitted our annexation and combined preliminary/final plat. The site consists of 0.733 acres of land, a small portion of right of way that is currently zoned RUT and the larger piece of the property is zoned R-8 and it's located at 200 East Rosalyn Drive. History on the property. There was a short plat that was approved and a right of way -- right of way vacation instrument number. The Comprehensive Plan FLUM designation is low density residential. This designation is intended to allow for the development of single family homes on large estate lots at a gross density of three dwelling units or less per acre. This property was annexed in 2005 with an R-8 zone and granted approval for a step up in density, which was allowed under the previous Comprehensive Plan. This policy was removed from the Comprehensive Plan in the 2019 update. The applicant is proposing to annex 0.014 of an acre of land with an R-8 zoning district, including the remaining portion of East Rosalyn Street cul-de-sac right of way. A legal description and exhibit map for the annexation area is included with the application. The property is within the city's area of city impact boundary. The applicant proposes a six lot subdivision for six single family residential detached homes. Since the majority of the property is already annexed and zoned with an R-8 district, staff must analyze the project based on the merits of the governing zoning district regardless of the proposed density. The proposed preliminary plat consists of six building lots and one common lot on 0.733 acres of property in the existing R-8 zoning district. Proposed lots range in size from 4,060 to 5,219 square feet. The subdivision is proposed to develop in one phase. An existing home on the property is proposed to be removed from the site. Any outbuildings located on the site should be removed with the development of the property. The proposed plat and subsequent development are required to comply with the dimensional standards listed in the UDC. The proposed plat appears to comply with the dimensional standards of the district and per the UDC lots taking access from a common drive do not require street frontage. Access is proposed from East Rosalyn Drive and a common driveway on Lot 6, Block 1. The interior Lots 3, 4, 5 and 7, Block 1, are proposed to take access via a common drive to East Rosalyn Drive meeting the street access requirements of the UDC. Common driveway shall serve a maximum of four dwelling units and in no case shall more than three dwelling units be located on one side of a driveway. The applicant is proposing six dwelling units, with four taking access

off the common drive -- driveway. Three dwelling units are also located on one side of the driveway in accordance with the UDC requirements. Off-street parking is required to be provided in accordance with the standards listed in the UDC for single family dwellings based on the number of bedrooms per unit. Staff will confirm compliance with these standards at the time of building permit submittal for each residence. There are no street buffers required along local streets per the UDC table. The applicant has provided a landscape plan and that actually is not required per the UDC. East Rosalyn Drive is improved with an existing five foot wide attached concrete sidewalk abutting the site in accordance with the UDC standards. All fencing is required to comply with the UDC standards and according to the submit -- submitted plans the applicant is not proposing fencing with this project at this time. Two conceptual building elevations were submitted that demonstrate what future homes in this development will look like. Variations that appear to be single story and two story detached homes with a two car garage are proposed. The submitted elevations depicts several different architectural and design styles with field materials of lap siding, different colored accents, roof profile, stone and front porches. The summary from the Commission hearing. In favor was the applicant from Givens Pursley. In opposition was Jan Larrea, Paul Pelletier, Ken Freeze and Nick Nauslar. Commenting again is the applicant from Givens Pursley. Written testimony -- multiple letters of written testimony were submitted and can be found in the record online and key issues discussed at the Commission public hearing. The Comprehensive Plan depicts the property as low density residential in the future land use map. There are too many lots proposed within the subdivision. Lot -- lots smaller than 5,000 square feet should not be proposed for a development this small. Concerns with additional traffic and noise. Key issues of discussion by Commission were none. Commission changes to staff report is none. Outstanding issues for City Council are none. And written testimony since the Commission hearing. We received a letter from Robin Hatcher with concerns with increased traffic and the density proposed on the lot. And that concludes staff's presentation and I stand for any questions.

Simison: Thank you. Council, questions for staff?

Overton: Mr. Mayor?

Simison: Councilman Overton.

Overton: Stacy, just to make sure I understand correctly, when it comes to sidewalks it lists East Rosalyn Drive is improved within the existing five foot wide attached concrete sidewalk abutting the site. The only sidewalks going in are the ones abutting this actual site. We are not improving the roadway of Rosalyn out to the west of Meridian Road.

Hersh: Mr. Mayor, Councilman Overton, yes, that is correct. So, that -- that sidewalk is existing and none are required along the common drive and no roadway improvements are being -- are happening with this project. The applicant is annexing the cul-de-sac that is in the area on the plan. Maybe I can't -- it's not on the plan here. That was basically left to be a cul-de-sac at one time, but that didn't happen for that -- for those projects that were developed in that area.

Overton: Thank you.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Question for you, but if you are unable to answer it, the applicant hopefully could address it, but help me zero in on what part of the property is already annexed and what part of the property is not. I think that's going to be really important tonight.

Hersh: Mr. Mayor, Council Woman Strader, so I don't have a really good picture. I believe the applicant -- she does in her presentation that you can see the cul-de-sac to the south. So, this whole area on this plat that's proposed is already annexed as R-8. It's just a little piece of right of way that ACHD owned that was supposed to be a cul-de-sac that is no longer taking place. So, we asked them to annex that piece and to clean up the GIS map and zoning, so that wasn't left in the county.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: So, when the Rosalyn Subdivision was originally annexed was this a preliminary plat that came through and was reviewed by Council at that time and were there six dwelling units at that time? Or help me understand -- sorry. It's kind of a convoluted question. What I'm getting at is -- just to be very upfront, I don't like step-ups in density. I was very happy that that policy was eliminated in our Comprehensive Plan update and so I'm hesitant to do those, unless I'm told legally we are forced to, but I just want to understand if I'm looking at this property like, which you -- what were -- what was kind of approved in their original annexation?

Hersh: Mr. Mayor, Council Woman Strader, so that original annexation I believe was approved in 2005. I'm not a hundred percent sure. But that piece of land -- that whole area, actually, including the other subdivisions surrounding it, were all stepped up to R-8. So, they are completely surrounded by R-8 subdivisions. If you look at the FLUM designation in the center, that entire area where those medium density residential homes are are low density on the FLUM designation. But if you look to the zoning, every one of those lots is zoned R-8, so they that entire area asked for a density bump up -- bump up and prior to the comp plan changes in 2019 where we no longer have that. However, we did make UDC changes to the code in 2016 to remove the density requirements for each residential zone. So, there are no density requirements attached to each residential zone in our UDC code. However, it's based on dimensional standards. Can the applicant meet the 4,000 square foot lot and the street frontages.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: If you don't mind -- and I, apologize because I'm sort of taking us down a rabbit hole, but at -- before -- we don't have density standards now, but we did before, so help me understand what the dense -- because I feel like -- what I'm worried about is I don't want to have a -- like have your cake and eat it too situation where the applicant is relying on the most advantageous parts of zoning and grandfathered in under step up, but at the same time avoiding the requirements that would have existed at that time. Are -- and I'm sorry, because it's kind of -- if you want to get back to me later in the hearing totally fine, but my curiosity is just what would have been the density requirement at that time?

Hersh: Mr. Mayor, Council Woman Strader. So, that entire area, including the slot, were zoned R-8, so densities are three to eight units per acre.

Strader: Three to eight.

Hersh: Yes.

Strader: Thank you.

Simison: Anything you want to add?

Parsons: Mayor, Members of the Council, just a little bit more context. So, on this particular property -- so, if you -- if Stacy being -- had that aerial there. I can't see it on my screen, so I apologize, but if you see this particular property and, then, the three lot -- the common drive and the three lots to the east, that annexed in in 2005 as one big a lot. So, as part of that it was just one home on one lot the way you are seeing it and, then, in 2018 the previous owner subdivided even more and added the three lots and we went through a short plat process that this Council approved and now we are left with this even smaller piece that is in front of you tonight to even subdivide it even further. Stacy also looked at the density for Council tonight and I believe that Larkspur came in at about 4.75 dwelling units to the acre, so that it did fall well within that density range of three to eight as requested with the step up. I just -- we just wanted to give you that context that this is -- it was one lot, then, went to four lots and now this one lot is going to six lots. But it's still -- based on some of the discussion at the Commission hearing as well, these lots are fairly compatible to the adjacent lots around this development and we were able to verify that with the Commission as well. So, just at least wanted to let the Council know that as well.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Stacy, you made a comment I want to make sure that I heard it correctly, which is that the annexation element of tonight's application is because the city asked the applicant to annex that piece highway district land in with their application. Is that

what I heard correctly?

Hersh: Mr. Mayor, Councilman Cavener, that is a hundred percent correct. We wanted to clean up the map and they also needed it in the southwest corner to complete their configuration. So, their allotment -- the dimensional standards -- one of their lots. And so ACHD agreed with them to allow them to obtain that piece.

Cavener: Mr. Mayor, follow up.

Simison: Councilman Cavener.

Cavener: I think just kind of for me at least the crux of the issue -- if the Council were to recommend -- if the Council were to deny the annexation request, because the bulk of the land already has an annexation and zone that's been granted, they could build what is proposed. The only difference is we wouldn't clean up some of this highway district business. Is that -- is my reading of your staff report and your presentation accurate?

Hersh: Mr. Mayor, Councilman Cavener, so if you do not grant the annexation for that little piece -- that sliver, one of the lots will not meet the dimensional standards for the front yard or the garage layout, so I'm not sure if they are able to reorientate those -- that house to make it work or not.

Cavener: Okay.

Hersh: So, that's the main reason.

Simison: Maybe to ask that a different way, would they only be allowed, then, to do five lots potentially, if that was the case?

Hersh: Mr. Mayor, that would be correct. They would probably have to lose a lot, because they couldn't meet the dimensional standards of the R-8 zoning district.

Little Roberts: Mr. Mayor?

Simison: Council Woman Little Roberts.

Little Roberts: What is the ACHD property that's being annexed currently used for or is it just sitting there?

Hersh: Mr. Mayor, Council Woman Roberts. So, again, it was just -- it's just sitting there. As you will see it on the applicant's presentation, she blows it up nicely where everyone can actually get a look at what that -- we are talking about. It -- it's basically carved out as a roundabout, but was never made a roundabout. It's just a regular local road. So, there is just a piece that are sitting on people's properties that ACHD owned.

Little Roberts: Thank you.

Simison: Council, any additional questions for staff?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Sorry. Just one more. Help me understand the not proposing fencing. How -- does that violate our policy? I wasn't really clear on whether that's like a violation of our policies or if you are just noting that.

Hersh: Mr. Mayor, Council Woman Strader, I was just noting it. They didn't propose any, but if they do in the future with the building permits they need to meet the UDC code.

Strader: Okay. So, it was just noting that at that time they would have to. Got it. Thank you.

Simison: Council, any additional questions for staff? Would the applicant like to come forward. Good evening.

Koeckeritz: Good evening, Mayor, Council Members. Elizabeth Koeckeritz, with Givens Pursley. 601 Bannock. Am I controlling or -- all right. Good evening. My name is Elizabeth Koeckeritz. I am here on behalf of the applicant team tonight. I am land use counsel with Givens Pursley. Hear with me tonight is Julie Bingham, who is one half of the applicant team. It's just a husband and wife. But Bingham is a local vet in the area and so this is sort of their first foray into buying this in-fill lot and deciding to do something with it. They are the owners of the project. They are not career developers, but they felt like this was a great location and something that they wanted to look at doing. So, let's go right into it. Let's -- so, this is the vicinity map. This goes so fast for me. As you can see this really is surrounded by development by the City of Meridian on all sides, except for there is a small portion that's completely directly to the west that's completely -- that is still Ada county, but the Ada county piece is completely surrounded by Meridian. If you look here this is the exhibit -- this is the annexation. Rosalyn Subdivision is a replat of a portion of the San Gorgonio -- I think is maybe -- I have no idea how to pronounce it -- Subdivision. It was approved by the Meridian City Council in 2020. There is three homes to the direct east of this plat where it was made very clear on the plat that this was the -- sort of the original parcel, the original home is standing there. I don't know who carved it off, but the three homes were then built along the eastern boundary of it and this larger lot remained with the original home on it. The area highlighted in yellow is .01 acres, which is approximately 600 feet. It was the former ACHD right of way when this was intended to be a cul-de-sac that actually, I believe, didn't go at the time through out to the main street, but rather it dead ended. Right there was the intention, but that little portion was ACHD right of way that then has been -- now they went through -- the applicant went through the vacation process with ACHD, who was like we didn't even know that we owned this small portion, because

they have been taking care of it and it has been landscaped and it's just part of the streetscape there and so this was recently vacated and so, then, when you look at it what the city asked us to do, in addition to the 600 square feet, was also just to clean up the whole cul-de-sac area to make -- just to clean up these boundaries and annex the larger area into it. As mentioned, the main property was annexed into the city in 2005 and for unknown reasons the vacated property was not included in the annexation at the time, so that is why we are here today with the annexation request for that 600 acres. One other thing -- I actually want to backup, because I always start by thanking staff, because this truly, for being six lots, has gone rounds and rounds and rounds with coming in, meeting with Bill Nary, talking to staff, realizing we had to get ACHD for a vacation, coming back, meeting with staff, not realizing until the last minute that this tiny sliver had not been annexed, adding an annexation, having another neighborhood meeting, proposing attached dwelling units, meeting with the neighbors and, finally, settling on detached single family neighborhood and so we have worked really closely with Bill and Stacy and legal counsel and all sorts of people here to get to where we are. It was originally zoned -- annexed and zoned into the property going on to the bigger parcel as R-8. If you look at this parcel you can see that what's directly to the north, to the east and to the south is also zoned R-8 and this does meet all of the R-8 dimensional standards. This site is ideally situated for a small housing development. It does help meet the city's goal for housing. There is the sidewalk already existing along the road that was put in when the San Gorgonio Subdivision was originally approved in 2020. That's why there are no additional street improvements that are required to be made at this point in time. Based on the feedback, as I mentioned, originally there were seven lots proposed, including duplex or townhomes along the back, but that has been now reduced to just the three homes along the back, three in the front. There is fencing -- there currently exists fencing around the back of the property and also to the eastward abuts into those other three homes in the San Gorgonio Subdivision. There is fencing there and that fencing is intended to stay. There were discussions about using that hammerhead, then, as emergency access through. That started getting very complicated and so it's just been with this layout we can leave it as is with the fence right there. It meets multiple goals of the Comprehensive Plan, including that it's in-fill development, it's prioritizing the development of vacant and underdeveloped parcels. All your public facilities are available. There is -- the infrastructure is already in place and it does help support diverse housing throughout the city. I'm looking at the preliminary plat. It does qualify, because it is small. It qualifies for the preliminary and final plat process. The dimensions meet all city -- city code standards for the R-8 as set forth in the code. One note and comment to Council Woman Strader's comment is that with -- I don't believe if the annexation were denied if this exact plat could be approved. However, with a small shift over to the right of the private drive this -- a very similar plat could be approved that would be almost identical to what's being presented here, it just would be without that 600 square feet of annexed property. There is public financial capability to support the project. They will be paying all the required impact and other fees. There is property tax revenue coming from this. Overall it's not a burden on the city, it really fits in well with all of the surrounding project. The traffic impacts are so small that ACHD's comment letter said we have nothing. We did not receive a school letter. The schools here are Sienna, Victory and, then, Mountain View, which I do know

are some of your more crowded schools here. The final plat is in conformance with the preliminary plat. All the requirements for the UDC for a final plat and all the engineering, architectural and surveying and required standards -- everything is being met here. They are looking at doing a high quality site and architectural design that does complement the surrounding neighborhood. They have craftsman style architecture, front porch areas facing the street, complimentary landscaping and each home is actually -- they are looking at doing one and a half, which is -- stories, which is really primarily two and three bedrooms on the main floor with a bonus room upstairs and one of the things that the Bingham developed this for is they do have their older grandmother, they are looking at being able to live here in one of these units and not have to worry about stairs. Their sewer and water -- we just have some aerial pictures here. Sewer and water is available. In speaking with the trash collection they do -- because of how this hammerhead is made they will be able to go in and collect trash inside. The trash bins should not need to be all drug out to the street and, then, we just did receive approval for the location of the mailbox, which will be right at where the hammerhead comes in. The access and parking. It meets all of the requirements. There is two car garages, plus a parking apron for two cars for each one of these, for a total of four. So -- yeah. And with that we have reviewed the staff report and we are in agreement with all of the conditions of approval and so we are requesting approval for annexation and the combined preliminary and final plat and I will stand for any questions.

Simison: Thank you, Elizabeth. Council, questions? I will go and take a crack at questions, since I won't be voting tonight one way or the other. So, when you look at the -- what I thought I heard staff say was the -- while everything -- the surrounding is R-8, it's really about density of 5.96; is that correct? It was in the surrounding neighborhood. What? 4.75. You know, the fact that this isn't even on one acre -- again if you just -- if you just extrapolate the numbers -- I mean you are putting -- you are pretty much on a one -- eight homes per acre if you were to take this all the way up to an acre, compared to the surrounding, which seems a little -- more than the surrounding neighborhoods and I think if you use the three homes to the east, those three homes would almost take up this entire place where you have six, but if you use the four homes to the north you can fit those four and maybe one more. I guess my kind of just looking at round numbers and look at this -- five seems to be like the right size number based on the dimensional standards, based upon the surrounding area. Why would five not be a good fit for this location?

Koeckeritz: Mayor, that is a great question. One is because it actually -- it can have more and it does really nicely fit in -- one of the things when you are dealing with the density -- let me find this picture. Oh, I went past it. This is so twitchy. Is that you look at some of these other developments that came in much larger that have the roads going through them, that have public roads, they have got open space, things of that nature start taking away and making the density less, but if you were to just take this red square and slide it right up -- directly up, you would actually have one, two, three, four -- It looks like eight houses on there. So, it really is matching into really almost identical as to what is being directly to the north. There really is no difference in the density in

how it looks and feels, because this -- because of the small size of it it's not required to have those other amenities and things. It doesn't have the public road going through it. They wouldn't have been required in a larger development, but in this case when you just move that red square up, you can really see the size of the lot surrounding it and, then, all of those green numbers are all lot sizes that are 5,000 square feet or less surrounding it.

Simison: I would bet you lunch that it doesn't fit. It would be more than an acre for those eight straight above it. You could maybe in that -- in that direction get six, but if you want to put money on it, I will be happy to take the free lunch from you, because it won't fit. That's -- that's more than an acre on those other to get eight -- the next eight. It's wider and it's taller. But point being the four to the north are definitely a different size than the three to the east, which goes back to my point is you got a wide variety of product in this area that averages out to well below the dimensional standard. Really, if you proportionate it out, the six is close to eight per acre that you are -- that's what the number comes out to, compared to the rest of the -- everything around you, which is closer to five per acre. They have a lot more space to work to average that out, but, you know, setting a point -- I don't know if it's the -- just the .733 or plus the annexation puts it up the .738, but just -- just doing math -- math and looking at pictures, that's all I'm doing, and trying to understand that that -- the six, when you got to shoehorn a house in sideways, to me says, well, are we really doing what we would normally do on a project like this. On a cul-de-sac, yes. On stuff that's not a cul-de-sac it just seems a little awkward. Like we are trying to make something fit that doesn't really fit. I have said my piece. There is no -- you can respond if you want, but there is really no question, it's just a blanket comment for consideration.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Elizabeth, thanks for the presentation and especially -- I always appreciate when -- when staff asks for something you try to be responsive and so I think you have heard at least some initial deliberation there is some real challenges I think for some Members of the Council on this and so I assume you forecast that there was a little conversation about this at Planning and Zoning. Is your client seeking that annexation request. You are ambivalent to it? If -- if the request is granted that's great. If not, it's no big deal. Help me kind of understand your motivation around that.

Koeckeritz: Mayor Simison, Council Member Cavener, our client would like to have the property annexed, because it's actually -- I believe it's with -- inside their current fence and they have been taking care of it for years -- or for as many years as they have owned the property, which is just a couple of years. But also it helps square up the corners. I believe we still could come back with the dimensional standards for six on a pre-plat, that it would still work without this property, but it does make it easier by squaring that corner up.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: I know we have got some public that are going to provide some testimony, so I'm just going to queue this up for you. I'm not going to be supportive of the annexation request with six units. So, I think that's a fair question for you to at least take back to your -- your client say one Council Member is not going to be supportive this way and that will give you guys some opportunity to discuss before you come back for closing comments. I know that some other Council Members who wants to share their thoughts, but just try to be fully transparent with you where I'm going to be sitting tonight.

Taylor: Mr. Mayor?

Simison: Councilman Taylor.

Taylor: Elizabeth, thanks for the presentation. Just in terms of the -- considering the -- I would say product type -- the types of homes being presented here, high marks for creativity, though, and fitting six units in a space like this. Would you -- can you just answer maybe two questions. Would you consider these almost like a patio home and what sort of the approximate square footage we are looking at. Because you mentioned stairs maybe for a bonus room only, but how would you sort of describe the type of home it is and kind of the square footage?

Koeckeritz: Mayor Simison, Council Member Taylor, I would -- they are very similar to a patio home and they are -- the estimated size is between 1,500 and 1,800 square feet. So, really just the single floor, a bonus room upstairs, something for newer couples, older retirees, a place that you can lock and go. I mean it's smaller yards. It's a really convenient in like the location there.

Taylor: Mr. Mayor, a quick follow up.

Simison: Councilman Taylor.

Taylor: Speaking of just sort of -- there is no fences between homes, is this going to be something where people would take care of their home or they would have a -- part of the HOA would take care of the home -- or the landscaping? What's the intent?

Koeckeritz: Mayor Simison, Council Member Taylor, I believe the intent is there will be an HOA, but I believe the intent is for the individuals to take care of their own homes. There will certainly be -- and there already is -- they do intend on fencing these units. No fencing plan was required as part of this application. So, none was provided. But there already is the standard -- the taller fence along the back and on the east and they will be doing some sort of lower sort of neighborhood friendly fence between these units.

Taylor: Between the units.

Simison: Council, any additional questions for the applicant? Thank you, Elizabeth. Mr. Clerk, who do we have signed up on this?

Johnson: I apologize if I mispronounce it. Jan Larrea.

Simison: Good evening. If you would, please, state your name and address for the record and you will be recognized for three minutes.

Larrea: Jan Larrea. 100 East Rosalyn Drive. I am the owner of the five acres to the west of this property and I am the one that has always mowed the cul-de-sac. That used to be a cul-de-sac. There was four houses on this road and that was the end of the cul-de-sac. It didn't go any further. I take care of it, because I mow all along the road along my pasture and now they are talking about not putting a fence between them and my pasture. So, they are going to have a barbed wire fence and electric fence on most of the houses there. It's too dense. I don't care if people want to build stuff on their property, but this is just too many houses. It will fit four houses or three houses real nicely and they will still come out ahead and that's -- and I had to give him permission to even annex that, because I own all that other property and you are setting the precedence. I have five acres across the street. There is five acres undeveloped. We are Ada county. So, when I die and the kids get the property they can put 30 houses there. Five times, you know, six. So, you are kind of setting the precedence. I think it's a poor one for that area. That is not the kind of area that we want. That's it. Any questions?

Simison: Council --

Larrea: And the sidewalk was there from 2005 when Ron did all of the development behind there. I have been there since '75.

Simison: Council -- I think we do have a question for you, Jan. Councilman Overton.

Overton: Thank you, Jan.

Larrea: You are welcome.

Overton: I have lived here since '77 and I remember the Larrea family living on Rosalyn Drive since then. Since 1975.

Larrea: Right.

Overton: That is still an unapproved road; correct?

Larrea: Correct.

Overton: No gutters. No sidewalks.

Larrea: No.

Overton: No streetlights.

Larrea: No.

Overton: All the way from where this project would be all the way to Meridian Road.

Larrea: Correct. That's my land.

Overton: And did you just state that you would be more open to a development that was either three or four houses?

Larrea: I would. They have a right to do with their property. I mean everybody wants that; right? They have a right to do that. I don't want to stop that. This is just too much. It's too much for the neighborhood. Put it down to three or four.

Overton: Thank you, Jan.

Larrea: You're welcome.

Simison: Thank you.

Johnson: Mr. Mayor, Ken Freeze. Mr. Mayor, Ken is representing an HOA.

Freeze: Good evening, Mr. Mayor, Council Members. I'm speaking on behalf of the -- and Lord help me trying to pronounce it -- the San Gorgonio HOA. That's about as close as I can get. I do have a PowerPoint to present to you that I'm going to contradict a lot that was said here. Can we get that up there? Thank you. So, I think this -- this current project as it's laid out is bad for a number of reasons. One, the development is not in line with Meridian's own Comprehensive Plan and future use -- land use. Too many units for the current zoning and it's out of character with the street -- with a street. Now, I have heard a lot about the Comprehensive Plan. I have read a lot of -- a lot of it and, you know, it sort of strikes me that it was talking about it's an effective vision and source document for the general public. We all want Meridian to be a premier place to live. I think everybody wants that and a key component for the Comprehensive Plan and the development that occurs is the future land use map. Now, we have already seen it, here it is again. X marks the spot where 200 Rosalyn is. Future land use -- future land use has this is low density and if you look right now these lots basically match that zoning. These lots are all large lots. So, lots right directly across the street. They are putting another high density housing, trying to put as many as you can cram into a piece of property is not going to fit. That's actually a step backwards for the plan. Medium high density. I was looking at some of our neighbors, Ada county R-8, lot size minimum is 5,000 square feet. Eagle is 5,000 square feet. Nampa has a -- kind of a hybrid. It's an 8.5. It's 8,500 square feet. And Boise jumps from 9,000 square feet for a

home down to 3,500 feet for condos. Why -- why did Meridian opt for 4,000 square feet? Well, you know, it gives developers some more options. I'm sure you have seen a lot of plans come across here -- there are some weird shaped properties and they have some weird things going across them and trying to get that worked in with eight units per acre can be a real challenge. Here is a plan that was approved -- let's see. It was last year I believe and if you look there you will see that minimum lot size is 4,300 square feet, but the average lot size is over 6,000 square feet. Right there. It's 6,000 square feet. Now, this is going to be put -- assuming that you approve the annexation -- .733 acres, with each one having, according to the code, a minimum of 4,000 square feet. I -- I believe -- and granted this isn't chiseled any place -- that the use of the 4,000 square foot lots in a lot that's less than an acre is really kind of an abuse of that 4,000 square foot when you look around and see everybody else has got 5,000 square foot. I think it's very appropriate for a larger development of several acres, especially when they are a weird shape, but I don't think it's appropriate in this particular project. If you look on the street, all these homes in green are over 5,000 and most of them are over 6,000 and the three lots that are directly across the street vary from 12,000 to 16,000 square feet. So, trying to cram high density housing in that lot on this street I think is the wrong place to do it. The other thing they have is this hammerhead, which I think is a real safety issue and what I would propose for, again, safety, for fire, emergency vehicle, is that they put three homes on that property. This gives adequate space for homes, for backyards, for front yards. It becomes a -- much easier for the Fire Department to access, for emergency vehicles to access. Don't have to worry about a fire taking place and somebody had parked on that hammerhead, which I have to wonder who is going to keep that hammerhead policed to make sure there is no parking on it 24/7, because that's what it's going to take if you want to get an emergency vehicle in there at 3:00 a.m. in the morning. I think this system here of three homes will be much better. You can see it practically mimics the property lines directly across the street from it. I think three homes on this street would fit in very nicely. It would -- it would add to the street and it wouldn't be another one of these -- let's see how many homes we can cram into a lot type of development. The HOA is not against the development. Six homes just -- it's just -- just too many. Too dense. We would not be opposed to fewer homes as I showed. I think three homes fits in there very nicely and it's very appropriate for the neighborhood. Fewer homes that fit into the surrounding homes would really be a nice addition to the neighborhood. During this whole process I have talked to a lot of people in the neighborhood and I assured them that their voices will be heard. However, this is some of the comments I got from a lot of people. Can't fight city hall. It's useless to try to do anything. The city only listens to developers. I really hope that that is not the case tonight. Thank you.

Overton: Mr. Mayor?

Freeze: Do you have any questions for me?

Simison: You are going to probably have questions. Councilman Overton.

Overton: Ken.

Freeze: Yes. Yes.

Overton: I have stood where you are standing for my HOA multiple times before I ever got on this Council and I have always found previous councils to listen to what people had to say.

Freeze: That's what I have been telling people.

Overton: Okay. I just want to make sure I have that --

Freeze: I -- I have come to a lot of Council meetings. I -- I hear what goes on and I was assuring them, look, let the Council -- write your letters. They will listen.

Overton: And, Ken, can I also assume that the number of homes that you would like to see on that lot is three homes?

Freeze: Yeah. I think -- I think three would be very nice there.

Overton: Thank you, sir.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Ken, we always think folks who represent HOAs. It's a hard gig. I also just want to appreciate your role on HPC and you have been vocal on some stuff with that as well. So, you have spent a lot of time at City Hall and I appreciate you kind of share both sides as you meet with the public. Ken, has the -- has the HOA discussed if they would want this proposed development if approved to be part of your existing HOA or has the homeowners association said we want them to be their own separate HOA?

Freeze: The homeowners association hasn't expressed that either way. Right now Amy Wessel, who is the president, she does everything. They don't have a -- a service or anything like that and she's trying to save money and it's just -- it's just the three homes that are -- that are there now. Personally I think they could get some synergy by adding three more homes to it. I'm not sure Amy would want to do that. Unfortunately, she couldn't be here tonight. She got tied up with work. It would be easy to just turn around and ask her about that, because she -- she really is the HOA.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Thanks. So, Ken, because -- because you have been to a lot of these meetings -- I know you have been involved in our community is kind of maybe why I'm

asking a more direct question, which is this property is -- already received its annexation and zoning. They have entitled rights to develop within the zoning that's already been applied to them. Really the big discussion for the Council tonight is this small strip of land that's being proposed for an annexation. Help me understand -- I mean what I'm hearing from you is opposition to the totality of the development.

Freeze: Correct.

Cavener: So, somewhat that decision has already been addressed. We have got a plat that's before us and there is limited basis for denial of a plat. So, again, it's back to this small strip of land that's an annexation request. So, does the HOA have an opinion about where the Council should be on that -- on really what is the decision before us, which is approve or deny the small tenth of an acre annexation request?

Freeze: Well, I would say if it prevents six homes from being built there, then, yes, we would be against it. But you are right on one level. They do have a right to build there. But you as a Council have a responsibility to the people of the city to make sure that it's all done responsibly and I think six homes on this piece of property in this area is not a responsible option. I think three homes, as I -- as I showed would -- would fit in very nicely there and I think they could still make their profit, because that's -- that's what this is all about and I don't blame -- I don't blame people for wanting to make money. We all need to make money. I just want something to be done responsibly, that fits right with a neighborhood and the neighborhood being that street.

Cavener: Thank you, Ken.

Freeze: Thank you. Anything else?

Simison: Thank you very much.

Freeze: Thank you.

Simison: Mr. Clerk, anyone else signed up?

Johnson: That was everyone who signed up.

Simison: Okay. Is there anybody else present who would like to provide testimony on this item, either in the audience or online? If you are online use raise your hand feature. If you are in the audience if you want to come forward. Okay. Seeing no one raising their hand or coming forward, would the applicant like to come forward for any final remarks.

Koeckeritz: Mayor, City Council, Elizabeth Koeckeritz. Givens Pursley. So, I have had an opportunity to speak with the applicant and at this point in time we do want to go forward with the annexation. That's something that they had worked very closely with the city on based on the dimensional standards with or without that portion. It will just

require a simple lot line adjustment on the northern boundary of that corner lot is what it looks like and they would still be able to get the six lots on this subdivision, which is what they are really looking at doing. They originally had looked at seven lots. They had had to detach -- they have had attached homes. They have made some real concessions based on working with the neighbors, talking more to the city, because it did actually work with -- there is enough property here to get seven lots that all meet the dimensional standards on this piece of property. At this point in time it is a good little in-fill development. The services are all available to the development and so we are asking for approval of the annexation and the preliminary plat at this time. Preliminary and final plat. I will stand for any more questions.

Simison: Council, additional questions for the applicant?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Thanks, Elizabeth. So, it sounded like this is your client's first development in the City of Meridian. I guess just to share some perspective, you could legally move forward without annexing that piece of property, so you are right. However, I would personally encourage you to think about being a good neighbor as part of your consideration and think about a continuance to evaluate whether you could make it work with five units. You know, it's a partnership and the city and developers and neighbors have all been partnering together for a long time. The most successful developers that I have seen long term in the City of Meridian do try to make these compromises to get a better outcome for everybody. I think that we get a much better outcome for everybody when we try to seek that kind of compromise. So, that's just a piece of perspective. You know, again, you could certainly try to move forward without that annexation of that little piece and see if you can manage to fit six lots. You might be able to and you might not. I don't have a piece of graph paper to sit here with you to evaluate whether that's possible. I do feel like on the one hand this was annexed, that that decision was made. On the other hand, it's been a long time and we have changed the direction that we are going as a city since before I think you got involved here. With our Comprehensive Plan update we no longer allow step ups in density. So, there has been a big change in philosophy in the City of Meridian and how we approach these properties. If this was a brand new annexation for me I would really struggle with approving it and I do feel like we have a little bit of opportunity to make a decision here and, unfortunately, for the neighbors -- and they need to understand that the outcome could be -- if there was a denial it's very possible that the developer will simply try to push forward. They may very well find a way to fit those six lots under what is legally allowed, but I do agree that at the end of the day the citizens of Meridian need to rely on their City Council to make the best decisions holistically for the city and I don't feel like this is an appropriate transition for the surrounding neighborhood. The math that I am doing -- I know Councilman Cavener is doing on his phone -- works out to be over eight units per acre. That's kind of what I'm struggling with. You know, I feel like you are getting some of the benefit of the previous zoning and Comprehensive Plan, but maybe

not owning all of the restrictions that would have come with it at that time. So, that's just some feedback. You know, I'm likely a no tonight and I am sad about that, because I would hope that, you know, you might seek a continuance and you might find a way to change your business plan a little bit and come back and be successful with everybody kind of in partnership. So, that's just some feedback.

Koeckeritz: Mayor, Council Member Strader, based on that feedback and Councilman Cavener's, we would request a continuance just for a few weeks just so that we can talk with the whole client team versus just part of it being here.

Simison: Okay. Do we have a time frame from which we want to look at that? Two weeks? Three weeks?

Koeckeritz: Do you mind if I grab my phone?

Simison: Not at all.

Overton: Mr. Mayor?

Simison: Councilman Overton.

Overton: While the applicant's doing that I would still like to get some more comments on the record tonight before that continuance.

Simison: Well, why don't you go ahead and make some great comments.

Overton: Mr. Mayor, I'm kind of looking at this a little bit differently I think than most of the folks tonight. Maybe similar to some of the residents on Rosalyn. But one of the things that was very important to me when I came onto this Council was traffic safety and transportation and I just cannot in good conscience approve a development that's going to be an R-8, that's going to be driving on low density residential roads out to Meridian Road. There just -- for bicycles and pedestrians there is not a sidewalk, there is not a streetlight, there is no safe way for them to get down that roadway and yet we are here tonight being asked to approve that. You are going to use a low density residential road -- I think we have heard it loud and clear. I think it needs to be built to low density residential lots. We have heard from the residents close that they would go with three or even four and I think that's as much as I would ever get a yes vote for on this project.

Taylor: Mr. Mayor?

Simison: Councilman Taylor.

Taylor: Just a question that came up to me for our Fire Department. Mr. Bongiorno, when I'm looking at this hammerhead and, Elizabeth, maybe you can help answer this question. So, the -- the way that this common driveway is I'm kind of concerned about

that public safety access in there a little bit and the reason I say that is I know there is a two car garage and, then, there is a parking apron for four cars, but I have a two car garage and there is no cars in it. I have got two cars. I got a third car that I just bought for my teenage daughter. And I got a 15 year old doing driver's ed who is going other directions with sports. I'm thinking there is going to be four cars there really quickly. Next to it my neighbor has got five cars. Street allows it, but it gets pretty crowded. But I also live -- right across the road are a lot of patio homes and there has been -- the fire department in that community every few months -- there is elderly people there and so as I'm looking at the product type, maybe might find more elderly people occasionally in a smaller location, but did you -- did the department look at that and have you considered sort of that access in there? Because there is three homes that you have to access through this drive where there could be -- you know, it doesn't look too big and if you have cars on each side can you stick a fire truck down that? I'm actually kind of concerned. But have you looked at that and what would you -- how would your response be to that?

Bongiorno: Mr. Mayor, Councilman Taylor, so the gentleman that spoke earlier about the hammerhead is correct. You cannot park on it. Period. It would be considered a fire lane.

Taylor: On the access from Rosalyn you cannot park on that?

Bongiorno: No, you cannot. That is fire lane.

Taylor: Okay.

Bongiorno: So, it would be for fire, police and EMS to access the houses into the back. So, that's why I was kind of chuckling to myself when I saw the renderings, because it showed cars parked on there and that's a no no. So, they would be signed no parking fire lane. I had messaged Stacy to tell her, hey, by the way, make sure that they sign that no parking fire lane, because they can't park on it. Because that's one of my -- when I became the fire marshal seven or eight years ago or however long it's been, that's what I all of a sudden became is the parking guy and -- and the problems that we have is people don't put cars in their garages anymore. They put junk in their garages and their stuff. So, we -- if you have five cars -- okay? I was in your same boat. I had two teenage daughters and so we had five cars. It doesn't work. The math doesn't work. Two in, two out, plus a third -- where are you going to put them? And that's always a concern for me with some of these bigger projects to make sure that we have adequate parking and, then, you throw a holiday in there, now you have grandma, auntie, whoever coming over to visit, where are they going to park? Well, they are going to park right on the -- in the hammerhead where it's not allowed and so to answer your question again about who is going to police that, it's going to be the HOA is going to have to police it and, unfortunately, our police officers -- Lieutenant Harper here is going to have to stick somebody on them, because if it is posted no parking fire lane, we can ticket against it. There you go. So, very much of a concern. Hammerheads, common driveways, are always a problem, because as soon as they see common

driveway, the person that buys those houses that's now automatically their boat parking area. It -- they don't realize that, no, that's for fire, police and EMS and so it -- I don't like them, because they turn into parking places.

Taylor: Yeah. And I think that's -- I appreciate you clarifying that, because that was kind of a missing piece for me. Maybe I will just add some of my thinking, so as you are -- the continuance for a few weeks. I look at this -- there are some things I like and there is some things I'm concerned about. You know, you have checked all the boxes in terms of what you are allowed to do. So, there is no real legitimate reason to say you can't have that. I liked that they are smaller product, like smaller homes. I think that's beneficial. You know, the price point would reasonably be less than maybe some of the surrounding homes. I think that helps add some diversity. But I do think the public safety component of it really does concern me. I think -- like I said, I have -- I have some -- my neighbors are some patio style homes. Now, we have good access, it's not a problem, but, you know, just this week my elderly neighbor, the fire department had to come and help her out, take care of her. If those back three homes -- you know that common driveway is going to have people parking on it and so I actually think there is a really legitimate public safety concern for people who live in the back. So, I would probably -- my thinking is that -- I actually share my council member's concern about the density here and I'm especially concerned about the public safety at the back. It seems to be a bit of a challenge. Otherwise, I -- you know, a lot of it like I really like, but I am concerned about that as well.

Simison: Thank you. Council, any additional comments?

Little Roberts: Mr. Mayor?

Simison: Council Woman Little Roberts.

Little Roberts: Elizabeth, thank you so much for requesting the continuance. I hope that that will really give you and your team an opportunity to take in all that we have considered and I realize that you have stayed within the parameters, but I don't feel in this case it's the best fit after what we have seen, what's around it, especially five acres, that doesn't seem like it's going to change anytime soon. It just seemed like this area, especially with the concern of parking and density and the hammerhead, just seems like it's not a good fit and I hope that you can come back with something that works for everyone, because I think that we would like to see that little sliver annexed in and have something as a whole that fits more into that community area.

Simison: Okay. And, Council, I know you have been -- Councilman Cavener, you have been talking to the Clerk, you know, to share dates.

Cavener: Thank you, Mr. Mayor. It's like you are reading my mind this evening. So, Elizabeth, three dates for you to maybe look at. Both the 23rd and 7th are our next two Council meetings. Want to be upfront. Those are somewhat already full agenda items, although, depending on where you come back this may be relatively quick, it may take a

while, so I will leave that to you. The other option is the 14th, which is currently wide open.

Koeckeritz: Of May.

Cavener: Of May. Yes, ma'am.

Koeckeritz: So, I know I can't do the 23rd. I have a hearing that night. The 6th is -- we will take the May day.

Cavener: May 7th or May the 14th? And, Mr. Mayor, I see -- I see Bill reaching for his mic. I want to be sensitive to vacation requests of our staff as well. As much as they love this, they also want to spend time with their friends and family.

Parsons: We love spending time with Mayor and Council. It's always a pleasure. But I do appreciate the discussion tonight, but I do want to close the loop on a few topics that were brought up this evening. One was setting a precedent. We are not -- we are not setting a precedent.

Simison: Bill, can we get the dates before we --

Parsons: I just want to just -- yes, please do that and, then, we will -- but the dates are fine for staff, too.

Simison: Thank you.

Koeckeritz: May 14th.

Cavener: May 14th. Okay. That's good to know. And, Mr. Mayor, a couple of thoughts and I think staff's got some things to wrap up and so, Elizabeth, thanks for that request and -- and I want to thank the Bingham -- I know they are sitting back -- making an assumption. I try not to make assumption. Ms. Bingham sitting back there. As I have kind of tried to look at this issue and our role is somewhat to be fair and I certainly can appreciate if a -- if a resident looks at our future land use map, sees low density and if you are someone who wants to invest in real estate and do development and you see R-8, this application -- you can come to the same conclusions looking at -- at this particular piece of dirt. So, I don't fault the applicant for trying to do what they believe could be accomplished within the zoning. I don't fault our neighbors for saying, hey, that -- that's too heavy handed here and I think that's ultimately our role as Council is to listen to both sides, look at the map, look at zoning, what's been entitled and make a decision about what is best for our community, because from everything I have read about Bingham they care about our community just as much as the neighbors that are going to live next to it and I think have that desire to get it right, not just for them, but for the people that are going to be living in these homes as well. So, that's -- that's my two cents. Mr. Mayor, I think staff did have a couple of clarifications they wanted to make before I will make a motion.

Simison: Mr. Parsons.

Parsons: Thank you. Appreciate that, Mayor and Members of the Council. Just -- just clarify the record. I mean the Council would not be setting a precedence here. As we mentioned in our presentation to the Council, this was afforded R-8 based on a previous comp plan. So, we have already established zoning is in place. In the case of the adjacent county acreage, they are LDR or low density residential. If they want to do something similar they have to go through a Comprehensive Plan map amendment. So, there is another level of review in order to get to that three to eight, because -- or those properties are going to develop at three or less and I imagine with them being fronted on Meridian Road I don't anticipate they are coming in with LDR. Someone is going to probably do something different on that, given the transportation corridor. Councilman Overton, I appreciate those comments on the roadway. I think staff and the Commission were tasked with when zoning is in place -- I think Councilman Cavener hit on it, too. We are looking at does it comply with the zoning code. With us already granting that zoning, the comp plan kind of loses some of the weight in the discussion and we have to focus on does this meet the code and that's what we have done and I believe that's -- and that is what the Commission has done. So, I wanted to put that in context. To Councilman Cavener's request, what if we denied the annexation. I would strongly urge against that as well and the only reason is we should have annexed that right of way when it all came in in 2005 and we missed that opportunity. The Bingham's have purchase that property. So, essentially, if we do not annex that in we are going to have a small enclave in the county that we may never get in the city and we don't want to create that and the Comprehensive Plan does not support that. So, we have got to be -- we got to tread a little lightly when we make that decision, but you are absolutely right, if that was pulled and they could still meet the dimensional standards, we would still have to support the project. So, I just at least wanted to let you contemplate that as we go through the continuation process with the applicant and I do appreciate the time. Thank you.

Simison: It may maybe just for one -- couple items, because -- so, on that -- when these are considered, can they be split out or is it one land use decision by Council in the future date? The annexation versus the preliminary and final plat.

Nary: Mr. Mayor, Members of the Council, I mean it's one application, so it really -- at this juncture we couldn't split it out and if you -- if you were to deny the annexation -- I think the problem you have on this one is it doesn't fit. The plat won't fit anymore. I think what Ms. Koeckeritz has said is they would, then, redraw it without that in it and so --

Simison: I guess if Council chooses to deny in the future, we could come back with a friendly annexation and do a city-initiated annexation for that piece of property to -- we can't do that?

Parsons: Mayor, Members of the Council, the Bingham's own that piece of property.

They went through ACHD and bought it and purchased it, so they -- clearly they own that sliver now.

Simison: Well, yeah, I mean -- but we could still go through and annex them for them outside of the application process. It's less than five acres. They could do a city-initiated annexation to bring it in. I'm just trying to get to the -- get the Council to the point moving forward. Hopefully it doesn't come to a point where they don't have to decide to vote yes on something that they don't want to, because of annexing a small piece of property, which we have another mechanism to do if it's that important. That's all I'm saying. We can talk about that offline. But my understanding of the law is we -- we could do that. Maybe, Elizabeth, you did agree or disagree, but we don't need to worry about that now. Just trying to set the framework, so -- so, with that do I have a motion?

Cavener: Mr. Mayor?

Simison: Councilman Cavener into his microphone.

Cavener: Dean appreciates that. Mr. Mayor, I move we continue Item 5, application H-2023-0056 to May the 14th.

Overton: Second.

Simison: Have a motion and a second to continue the public hearing to May 14. Is there any discussion on the motion? If not, all in favor signify by saying aye. Opposed nay? The ayes have it and the public hearing is continued until the 14th. Thank you.

MOTION CARRIED: ALL AYES.

EXECUTIVE SESSION per Idaho Code 74-206(1)(d): To consider records that are exempt from disclosure as provided in chapter 1, title 74, Idaho Code

Simison: Council, next up is Executive Session.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

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

Overton: Second.

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

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

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

MOTION CARRIED: ALL AYES.

EXECUTIVE SESSION: (8:00 p.m. to 8:34 p.m.)

(Motion to come out of Executive Session: Cavener. 2nd by Little Roberts.)

MEETING ADJOURNED AT 8:35 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)

MAYOR ROBERT SIMISON

DATE APPROVED

ATTEST:

CHRIS JOHNSON - CITY CLERK